



Austin City Council MINUTES

For NOVEMBER 11, 1982 -- 1:00 P.M.

Council Chambers, 301 West Second Street, Austin, Texas

City Council

Carole Keeton McClellan
Mayor

John Treviño, Jr.
Mayor Pro Tem

Council Members
Larry Deuser
Roger Duncan
Richard Goodman
Ron Mullen
Charles E. Urdy

Nicholas M. Meiszer
City Manager

Grace Monroe
City Clerk

Memorandum To:

Mayor McClellan called to order the Meeting of the Council at 1:00 p.m., noting the absence of Mayor Pro Tem Trevino, who was absent for the day, and Councilmember Urdy who arrived at 1:35 p.m.

INVOCATION

The Invocation was given by Reverend Bill Spivey, Community Church of Our Lord.

HONORARY CITIZEN

Mayor McClellan presented an Honorary Citizen Certificate and a key to the City to Mrs. Rosemary Geiger, a Councilmember in Germany, who is visiting her husband, Jurgen Geiger, who is a visiting professor at the University of Texas. Mrs. Geiger thanked the Mayor and expressed her pleasure in being in Austin.

APPROVAL OF MINUTES

The Council, on Councilmember Duncan's motion, Mayor McClellan's second, approved the Minutes for regular meetings of September 23 and October 21, 1982 and Special Meetings of July 14, September 3, September 7, and October 4, 1982. (5-0 Vote, Mayor Pro Tem Trevino and Councilmember Urdy absent.)

CONSENT RESOLUTIONS

The Council, on Councilmember Duncan's motion, Mayor McClellan's second, adopted the following resolutions in one consent motion: (5-0 Vote, Councilmember Urdy and Mayor Pro Tem Trevino absent.)

Construction Agreements

Entered into two separate construction agreements with Southern Pacific Transportation Company for proposed improvements to crossings on Springdale Road and Lyons Road.

Contracts Approved

Approved the following contracts:

- | | |
|---|--|
| a. Bid Award | - Renovation of eight (8) City owned residential structures, Purchases and Stores Department - \$20,274.00 |
| (1) AUSTIN JJJ
201 La Vista
Austin, Texas | - Items 1, 5, 10 - \$12,076.00 |
| (2) JAMES CHANDLER CONTRACTING
804 Niles Road
Austin, Texas | - Items 3, 6-9 - \$8,198.00 |
| b. P..A. STARK CONSTRUCTION, INC. | - CAPITAL IMPROVEMENTS PROGRAM - Street and Drainage Improvements to Webberville Road, Springdale Road to M.L.K. Boulevard, Public Works Department - \$817,092.30 C.I.P. No. 77/62-02 |
| ----- | |
| c. J.D. ABRAMS, INC.
P.O. Box 13003
Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM - Dittmar Road, Phase I, Street Drainage Improvements, Public Works Department - \$275,677.38 C.I.P. No. 79/62-32 |
| <u>TO BE BROUGHT BACK 11/18/82</u> | |

Capital Improvements Program

Approved Amendment No. 2 to an F.A.A. Grant Agreement for F.A.A. funding participation in 1982-83 Interim Airside Improvements at Robert Mueller Municipal Airport. C.I.P. No. 78/81-02.

Change Orders

Approved the following change orders:

- a. In the amount of \$13,882.50 to Olmos Construction Company for the 1982-83 Interim Air and Landside Improvements at Robert Mueller Municipal Airport. (0.59% increase of the original contract) C.I.P. No. 78/81-08.
- b. In the amount of \$36,681.74 to Olmos Construction Company

CIP - (Continued)

for the 1980 Airside Improvements at Robert Mueller Municipal Airport. (2.2% increase of the original contract) C.I.P. No. 79/81-06.

Davis Lane Pumps

Authorized additional payment in the amount of \$21,054.79 to Bill Milburn, Inc. for additional engineering and overrun costs for construction of Davis Lane pumps.

Public Hearing Set

Set a public hearing in connection with proposed Sanitary Sewer (Wastewater) Easement crossing Brentwood Park for December 16, 1982 at 2:00 p.m.

Custodial Fees Paid

Authorized payment to the Austin Independent School District, 6100 Guadalupe Street, \$12,420.69 for custodial services, maintenance and utility fees associated with the usage of Austin Public Schools for September 11, 1982 bond election.

Professional Services Agreement

Authorized and approved a supplemental amendment to an existing Professional Services Agreement between the City of Austin and PRC Voorhees, Inc. - Public Opinion Survey, Metro Transit Authority.

Storage of Radioactive Materials

Adopted a resolution directing staff to draft an ordinance prohibiting where possible the transportation and storage of radioactive materials.

CONSENT ORDINANCES

The Council, on Councilmember Goodman's motion, Councilmember Deuser's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (5-0 Vote, Councilmember Urdy, Mayor Pro Tem Trevino absent)

Fare of Toys

Established a special one-time alternative fare of "toys in lieu of fares" on all transit buses and fare schedules for December 13, 1982 to December 19, 1982 for "Christmas Fare".

Operating Budget Amendment

Amended the 1982-83 Operating Budget by:

- a. Accepting \$86,483 from the Capital Area Planning Council, Texas Department on Aging, for the operation of the Austin/Travis County Senior Luncheon Program from October 1, 1982 through December 31, 1982.
- b. Transferring building maintenance funds to Public Works and transferring 6.2 custodial positions from Health Department to the Public Works Department in the amount of \$494,594.00.

Legal Description Corrected

Amended Ordinance No. 820318-G (Zoning Case No. C14-81-238) to correct the legal description.

Zoning Ordinances

Amended Chapter 13-2 of the Austin City Code (Zoning Ordinance) to cover the following changes:

ROBERT C. CULP/JAMES MELTON By Robert Culp C14r-82-106	13664 Research Blvd. also bounded by Hidden Meadows Drive	From Interim "AA" 1st H&A to "O" 1st H&A
ARTHUR M. MAETZOLD, TRUSTEE WILLIAM J. VAN DER BORGHT, BALCONES WOODS, LTD. By Jeff Calechman C14r-82-120	11150 Research Blvd.	From "GR" 1st H&A to "C-1" 1st H&A
JOHN G. TREVINO By Donald E. Bird C14-79-289	7300-7400 East Ben White Boulevard	From Interim "AA" 1st H&A to "C" 1st H&A

Council Meeting Changed

Approved nullifying the requirement for City Council meetings on the first Wednesday of each month.

Special Account

Approved appropriation of \$340,000 from the 1982-83 General Fund Ending Balance to a special account for Cable Franchise and fee revenue and cable related expenditures.

Item Pulled

Postponed for one week consideration of merging the Energy Conservation Commission and Renewable Energy Resources Commission to create a single commission.

Item Pulled

Consideration of amending Electrical Code to provide comparable definitions for floors and stories as provided in the Building Code was pulled from the agenda. (Electrical Board approved variance for J.H.E. Johnson Jr., so there was no need for the ordinance change.)

PREVAILING RATE OF WAGES

Mayor McClellan, Councilmembers Duncan and Goodman introduced an item requesting the legal staff and Construction Advisory Commission to review an ordinance on determining the prevailing rate of wages to be paid on public works for the City of Austin. Councilmember Duncan said the Council has been operating under the assumption that it is required by ordinance to pay the prevailing wage which is set by the Federal government in the Bacon-Davis Act. It has been in practice but it has not been an ordinance and he wants it to be an ordinance. (This concerns workers who work for someone awarded a contract by the City. Councilmember Goodman said historically the prevailing wage had been paid and no contract should be approved unless they comply. The Mayor underscored that and said they should operate under that policy beginning today. Councilmember Duncan said the Legal Department has drawn up an ordinance to be placed on the agenda for action next week and Council agreed to act on the ordinance then.

CONGRESS AVENUE BEAUTIFICATION PROGRAM

Mr. Ridings presented an update from staff on Congress Avenue Beautification Program including schedule, notification of merchants/business along Congress Avenue and plan for coordination with businesses in the downtown area for the duration of implementation plan. He said the contract on the project was awarded in October of this year and prior to that the merchants were informed how the construction will proceed down the avenue. This past week the merchants have received a packet from the City reiterating the details of construction. Mr. Ridings said there is a "construction central" at the corner of 7th and Congress where people can easily receive information about the project. Mayor McClellan asked questions about the construction office which is just east of Congress on 7th. She said the merchants have complaints about its location. After discussion, Council asked that Mr. Ridings try to find a new site for the construction office and report back to Council next week.

REVIEW PROCESS ADOPTED

The Council, on Councilmember Mullen's motion, Councilmember Goodman's second, approved adoption of a review process for Municipal Utility District and Water Control and Improvement District Creation Petitions; requests for out of district service; and annexation petitions to municipal utility districts and water control and improvement districts. (6-0 Vote, Mayor Pro Tem Trevino absent)

MUD POLICY AMENDED

The Council, on Councilmember Goodman's motion, Councilmember Mullen's second, approved amending the Municipal Utility District Policy to include annexations to districts. (6-0 Vote, Mayor Pro Tem Trevino absent.)

NEW MUNICIPAL COMPLEX DISCUSSED

Councilmember Mullen introduced an item to discuss the promulgation of a ranking point system for the evaluation of proposals for a new municipal office complex. He asked about the proposals that have already been received. Mr. Meiszer, City Manager, said the City is under no obligation to accept any of the proposals given so far. They are not official bids because there has been no bidding process. Mr. Meiszer pointed out that the decision is whether or not to make better use of lease and rent money without incurring any further debt for space. He also said a new municipal complex would stimulate the use of space the City owns in the Central City area and get it back on the tax rolls.

Councilmember Duncan said he generally agrees the City needs a new municipal office complex if they can do it without incurring additional debt. Mr. Meiszer said there will be two RFP's sent out. The first was to determine site location. The second will be for the actual design. Ideas submitted thus far are concepts.

Mayor McClellan said it should go on record if the intent to proceed with the new complex is unanimous. Mayor McClellan said she wants the staff responsibilities and the Downtown Task Force responsibilities defined. Mr. Meiszer stated that the City's responsibility is technical concerning the amount of square feet in the building, the funds available and the method of obtaining funds. The Downtown Task Force will recommend location, relation to the area, height, pedestrian use and one way street system. Mr. Meiszer said the first question to be answered is, is it feasible to construct on property already owned by the City.

ITEM TO BE BROUGHT BACK

Councilmembers Mullen and Goodman, introduced an item to Council concerning establishing a procedure for communication between individuals associated with or representing those associated with any proposal for a new municipal complex and members of the City Council, Downtown Revitalization Task Force and staff evaluation team. They asked that this be brought back on the November 18, 1982 agenda when the Mayor Pro Tem is present.

PROPOSED CABLE RATE INCREASE

Councilmembers Duncan and Deuser introduced discussion of the effect of proposed cable rate increase on company and City of Austin finances. Councilmember Duncan said he would like the legal staff to look at the implication of the increase as notified by Austin CableVision. "Under our contract we are not allowed

CABLE - (Continued)

to set the rate but it is my understanding this could affect other aspects of our financial relationship with the company."

Jack Hopper, Cable Commission, told Council, "The first franchise is granted on some level of financial performance of the company over all. About 60% of the company's revenue comes from non-regulated portion and the other part is what we have the right to regulate. The two are mixed and it does affect the right of return the company gets and that I think the City has the right to supervise. It seems to me this is sort of a first impression review. We have not had a rate request made before for any of the cable services, either those we regulate or those we don't and it seems it might be worthwhile for us to decide just what to do when we have one of these non-regulated requests come forward. We need to have a financial specialist take a look at the implications of the increase in the non regulated service on the regulated service and the over all performance of the company.Somewhere there is an unstated number in terms of the franchise grant of what that rate of return and performance should be and it would be worthwhile knowing what it was. It would also be worthwhile knowing how the company decided to make this number, \$1.12 for each one of its services. I think the company would probably be willing to tell us what they expect the number to turn out to be in terms of total revenue increase. My figures show nearly 1½ million dollars will come in annually from this increase and I think we ought to know exactly what that is going to be and I think we want to know why the company decided on this particular number and why not some other number. Presumably the company has the right to raise the rates 100% instead of 16 or 18 like they did.We are dealing with an affiliate relationship. HBO and ACT are owned by Time, Inc. so the company's justification partly is that the HBO rate has gone up. We have not yet been able to examine that affiliate's relationship. We're going to do that with the financial consultant we have."

Councilmember Duncan said the financial analyst should look at the effect of the rate base. Mr. Hopper said the contract for the consultant is \$4,800.00. Councilmember Goodman said, "Why don't we authorize the Manager to direct the consultant to include that in the scope of his work. If the amount exceeds \$5,000 return to Council for approval.

FAYETTE UNIT 3 PROJECT

Mr. Peterson, Acting Director, Electric Utility, gave the City Manager report on Fayette Unit 3 Project by use of slides and maps. (FULL REPORT IS ON FILE IN THE CITY CLERK'S OFFICE) . Mr. Peterson said that based on the economic analyses conducted and consideration of other factors, the Electric Utility believes that exercising the Fayette 3 participation option will be economically favorable to Austin ratepayers.

ITEM PULLED

The Council postponed until December 16, 1982 consideration of authorizing the provision of water service by the Davenport Ranch Municipal Utility District to areas outside the boundaries of the Davenport Ranch. Councilmember Deuser said the Water and Wastewater Commission does not have enough information. Councilmember

PULLED - (Continued)

Duncan said that he also wants an update on the commitment of Davenport to the Windy Cove neighborhood group because they requested those conflicts be resolved. "My understanding is that they have not been and Davenport is proceeding along with its plans and permit request and I want a review of where we are at on that."

Ms. Donna Kristaponis, Assistant Director of Planning, said they have made contact with the Davenport people. "The Planning Commission is interested in knowing if the contract is enlarged to include these other areas, what that would do with the rate of expansion as far as development in the area, the other alternatives for service delivery. I think we can respond in 30 days but we will need to be able to get thorough information from the Davenport people to do that. Councilmember Mullen said, "Anytime you don't get adequate information you send a memo which the City Manager can distribute to the Council saying you requested the information on such and such a date and then we can be kept up to date."

RFP'S TO BE ISSUED

The Council, on Councilmember Deuser's motion, Mayor McClellan's second, adopted a resolution approving the issuance of RFP's for consultants for the Austin Cable Commission: Development and operation of the Institutional Loop; and Development of a master plan for municipal uses of cable and cable regulatory activities. (5-0 Vote, Councilmember Goodman was out of the room, Mayor Pro Tem Trevino absent.)

No action was taken on the issuance of RFP's for consultants for the Austin Cable Commission for performance evaluation of Austin Cablevision.

ZONING ORDINANCE

The Council, on Councilmember Mullen's motion, Mayor McClellan's second, waived the requirement for three readings and finally passed an ordinance amending Chapter 13-2 of the Austin City Code (Zoning Ordinance) to cover the following changes: (5-0 Vote, Mayor Pro Tem Trevino absent, Councilmember Deuser abstained.)

ESMEL MCADO THOMAS
By Michael E. McCoy
C14-82-070

6200 Burleson Road
also bounded by
Montopolis Drive

From Interim "AA" 1st H&A
to "D" 1st H&A

(Before the vote was taken, Councilmember Mullen made a motion, seconded by Councilmember Urdy to pass the ordinance. They withdrew the motion and second when Councilmember Deuser questioned whether or not he had voted for the zoning change. After the records were checked to ascertain he did vote approval for the zoning change, the above motion was made.)

ACTION ON ZONING CASE

Council had before it for action the following zoning case. Council granted as follows and instructed the City Attorney to draw up the necessary ordinance.

C14-82 TEXAS COMMERCE
131 BANK HOUSTON
TRUSTEE
By Hank Gallagher

3413 Northland
Drive

From "LR" 1st H&A
To "GR" 1st H&A
RECOMMENDED subject
to site plan to be
reviewed by Planning
Commission; site plan
is to indicate driveway
to Parkcrest; 10' of
right-of-way.

GRANT AS RECOMMENDED WITH ADDITION OF
STIPULATION THE APPROVED HEIGHT WILL
REMAIN THE SAME WITH "GR"

Ms. Donna Kristaponis, Assistant Director of Planning, told Council the petition which was presented to Council by the neighborhood group last week is not valid.

Motion

Councilmember Mullen made a motion, seconded by Councilmember Urdy to grant the zoning as requested.

Substitute Motion - Withdrawn

Councilmember Duncan made a motion, seconded by Councilmember Goodman to send the case back to the Planning Commission for "LR" with a Special Permit. The motion was withdrawn and Council decided to pull from the agenda for consideration. Councilmember Mullen withdrew his motion.

LATER IN THE DAY, Councilmember Deuser said Mr. Hank Gallagher said there had been a misunderstanding. "The agreement Mr. Gallagher reached with his lender was that he would still need the "GR" use but he could be covenant or restrictive use limit all future uses of that property and let that run with the title and deed to 1st height and area."

Motion to Reconsider

Councilmember Mullen made a motion, seconded by Councilmember Deuser, to reconsider. It was approved unanimously. (Mayor Pro Tem Trevino absent, Councilmember Goodman not in the Council Chamber.)

Motion

Councilmember Deuser made a motion, seconded by Councilmember Duncan to approve as recommended by the Planning Commission with the additional stipulation as volunteered by the applicant.

ZONING - (Continued)

Councilmember Mullen asked Mr. Gallagher to state for the record the conditions. Mr. Gallagher said, "I'd like to go on record as saying the trust department is willing to stipulate that also that the height will remain the same with "GR". I spoke with the president of the neighborhood association who is not concerned with this use because I am not requesting a higher height, but any time in the future and they are willing to stipulate that the current height and area shall remain the same no matter what "GR" zoning goes to at some later height and area."

(5-0 Vote, Mayor Pro Tem Trevino absent, Councilmember Goodman not in Council Chamber when roll was called.)

AUSTIN CABLE COMMISSION

Mr. Hopper, Austin Cable Commission, reported on approval of access funds budget and recommended the second year's access appropriation of \$465,000. He told Council if they want an overall performance review they can do it, but cannot do that and keep on schedule they have set. Mayor McClellan said if it is not needed it is not necessary.

Motion

The Council, on Councilmember Deuser's motion, Councilmember Goodman's second, waived the requirement for three readings and finally passed an ordinance approving the Access Funds budget appropriation of \$465,000. (6-0 Vote, Mayor Pro Tem Trevino absent.)

RECESS

Council recessed its meeting at 3:00 p.m. and resumed its recessed meeting at 4:00 p.m. Councilmember Goodman left the Council Chamber for the day.

NUCLEAR WASTE DISPOSAL DISCUSSED

Ms. Regina Hintermeier appeared before Council to discuss testing for a high-level nuclear waste disposal. She asked Council to approve an ordinance limiting radiation material in Austin.

Mr. Alan Wessel asked Council to pass a resolution concerning nuclear waste.

Councilmember Deuser said a resolution concerning nuclear waste was passed during the consent motion on resolutions earlier in the meeting but he read the resolution into the record as follows:

Whereas the City Council of Austin is responsible for protecting the health and safety of its citizens: and

Whereas radioactive materials pose a threat to the health and safety of the

NUCLEAR WASTE - (Continued)

citizens of Austin; and

Whereas the transportation, use, storage, disposal, and handling of radioactive materials could lead to their accidental release; and

Whereas such releases threaten the public's health and safety,

Therefore be it resolved that:

The City Council of Austin hereby directs the City Attorney of Austin to draft within sixty days an ordinance to secure the maximum protection for the citizens of Austin and their property by prohibiting where possible the transportation, use storage, disposal, and handling of radioactive materials in the City of Austin; and

Be it further resolved that the City Attorney is hereby directed to actively cooperate with groups and individuals expressing interest in the content of said ordinance.

WASTEWATER APPROACH MAIN

Mr. Jeryl Hart appeared before Council to discuss oversizing and extension of the 8" wastewater approach main to the Ward Subdivision, Approach Main Request No. 118 for the purpose of serving developments proposed by C.B. Francis; and to support the request of Mr. Tom Curtis on The Quarry wastewater approach main request. Mr. Hart requested City Council to pass an ordinance authorizing oversizing and extension by administrative procedure, or authorize City Manager to schedule staff review, Water & Wastewater Commission review, Planning Commission review and City Council action on the most expeditious schedule feasible.

Walt Darbeshire, representing Randy Morine, said they want to minimize sewer cuts on their property. Mike Guerrero, representing Drexel Properties, said they have no problem with oversizing the line. Mr. Schwing, Director, Water and Wastewater Department told Council that he approves, as well as the Water and Wastewater Commission.

Motion

The Council, on Councilmember Deuser's motion, Councilmember Mullen's second, approved oversizing to the Ward Subdivision waste water approach main to serve the Quarry Subdivision and waived normal process. (5-0 Vote, Councilmember Goodman and Mayor Pro Tem Trevino absent.)

Mr. Tom Curtis had requested to discuss Ward Subdivision approach main and Mr. Don Sanson had requested to present engineering data on Quarry Wastewater Approach Main. Neither found it necessary to speak.

ENERGY DISCUSSED

Mr. Paul Robbins appeared before Council to discuss Austin's energy situation. He said approval of lignite for the Fayette Unit 3 Project will be a continuation of problems caused by STNP.

RECESS

Council recessed at 4:30 p.m. and resumed its recessed meeting at 5:15 p.m.

ZONING HEARING

Mayor McClellan opened the public hearing set for 5:00 p.m. on the following zoning case which was recommended by the Planning Commission with conditions. Council heard, closed the public hearing, granted and instructed the City Attorney to draw the necessary ordinance.

C14-82 124	NASH PHILLIPS- COPUS By M. Scott Roberts	12005-12115 Dorsett Road, 4400-4406 and 4401-4407 Limewood Courts, 12000-12008 and 12001-12009 Arrowwood Drive, 4500-4508 and 4501- 4507 Dorsett Oaks Circle, 4504-4606 and 4503-4605 Brown Bark Place	From Interim "AA" 1st H&A To "A" 1st H&A RECOMMENDED "A" noting restrictions offered by applicant. <u>GRANTED AS RECOMMENDED AS SET OUT IN AGREEMENT</u>
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Scott Roberts, representing Nash Phillips Copus, told Council an agreement has been reached with the neighborhood as follows:

- 1) Lots 2, 3, 4, & 5 Block "A" of Dorsett Oaks subdivision will be removed from the applicants above referenced zoning change application. These lots will retain their current "AA" zoning status.
- 2) Lots 2, 3, 4, 5 & 15 Block "A" of Dorsett Oaks subdivision will be limited to single story construction.
- 3) A privacy fence will be constructed along the entire eastern boundary of the Dorsett Oaks subdivision prior to any construction in Dorsett Oaks except in areas where the City of Austin raises objections because of violation of existing drainage easements.
- 4) Single family construction on Lots 2, 3, 4, 5 & 14 Block "A" and lots 1-9 (inclusive) Block "D" will be completed before duplex construction in Dorsett Oaks commences.

ZONING - (Continued)

- 5) On lots 1 thru 9 (inclusive) Block D Dorsett Oaks subdivision two story single family construction will be allowed only on lots that abutt existing Millwood two story single family homes.
- 6) The Milwood Neighborhood Association will raise no objection to a future zoning change from "AA" to "A" on lot 14 Block A, lots 6 & 10 Block B and lots 9 & 10 Block C.

This agreement shall be binding upon and insure to the benefit of both the Applicant and Milwood Neighborhood Association. This agreement constitutes the sole agreement of both parties and supercedes any prior understanding or written or oral agreements between the parties. With the understanding that this agreement constitutes the conditions to be met in zoning case C14-82-124, the Applicant and the Milwood Neighborhood Association respectfully ask that this zoning be granted."

Mayor McClellan opened the public hearing set for 5:15 p.m. on the following case not recommended by the Planning Commission, Alternate recommended. Council heard, closed the public hearing and granted as follows and instructed the City Attorney to draw the necessary zoning ordinance.

<p>C14-82 CITY OF AUSTIN 117 PLANNING DEPARTMENT & 058</p>	<p>Portions of an area bounded by South Congress Ave./Wasson Rd. Little Texas Lane, IH-35 Williamson Ck.</p>	<p>From Interim "A" 1st H&A To "SR", "A", "BB", "O", & "GR" 1st H&A NOT RECOMMENDED RECOMMENDED "BB" "O", "GR" & "SR" for Flourney Tract as recommended by staff; "O" and "GR" for Bradsher tract as recommended by staff. Remainder of property remain zoned "A" & "SR" 1st H&A. <u>GRANTED AS FOLLOWS:</u></p>
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Tract 1a: "A"; Tract 1b: "SR"; Tract 2a: "A-2"; Tract 2b: "SR"; Tract 3a: The Flournoy portion - "A-2" for that portion beginning 150' east of and parallel to Wasson Road and extending back toward the main channel of Williamson Creek; "BB" for the balance of the tract owned by the Flournoys. The remainder of the tract - "A". Tract 3b: "SR"; Tract 4: "GR"; Tract 5: "GR"; Tract 6: "O"; Tract 7: The Flournoy portion - "A-2" for that portion beginning 100' from and parallel to the proposed extension of Stassney Lane and extending back toward the main channel of Williamson Creek; "BB" for the balance of the tract owned by the Flournoys; the remainder of the tract "BB"; Tract 8a: "A"; Tract 8b: "SR"; Tract 9: "SR"; All tracts: "SR" for all the fully-developed 100-year flood plain and property within 50' of the crest of a bluff.

PUBLIC HEARING - FAYETTE UNIT 3 PROJECT

Mayor McClellan opened the public hearing set for 5:30 p.m. on Fayette Unit 3 Project.

Mr. Peterson, Acting Director of Electric Utility, reviewed the City Manager Report he had given earlier in the day.

Mr. Peck Young, Electric Utility Commission member, read the following into the record:

On November 8, 1982, the Electric Utility Commission took the following action to recommend adoption of the Electric Utility's Generation Plan and participation in Fayette 3:

Commissioner Kochanski moved that the Commission recommend the Department's Energy Generation plan which includes:

A reduction in peak demand of approximately 553 megawatts (MW) by 1996 achieved through a variety of load management, conservation, and renewable resource programs;

The addition in 1987 of a 25 MW refuse burning generation plant;

The addition in 1986 of a 3 MW hydroelectric generating unit;

The addition of 200 MW of lignite generation in 1988 by exercising the City's option to participate in the Fayette 3 project;

A detailed plan, when available, for achieving the 553 MW of peak demand reduction.

An annual review and update.

The Plan would be entered into with the understanding that Austin will make a commitment to join with the LCRA in obtaining sufficient lignite reserves and in developing a lignite mine and lignite transportation facilities as necessary to provide fuel for the unit.

The Commission also recommends that the Council initiate action with the appropriate Boards, Commissions, and Departments to get something started in terms of a revision of the City's building codes to assist in assuring conservation of the magnitude desired.

The motion, second by Commissioner Young, carried 9-0.

HEARING - (Continued)

Mr. Young said the plant will benefit ratepayers and the City has an obligation to be sure the plant is built on time and on budget and be sure the plant environment is sensitive to conservation without falling short of the consumer.

Mr. Thaddeus Kochanski, member of the Electric Utility Commission, discussed electricity in Austin and the past growth rate. He said Austin should reconsider nuclear.

Shudde Fath, Electric Utility Commission member, urged Council to have more than 593 megowatts in the plan.

The following people all spoke against lignite and Fayette Unit 3 Project:

Susan Winn, John Praeger, Jane Morris, John Worley, Dennis Kerventz, Margaret Campbell, Susan Davis, Pat Chartrants, Norman Pool, Louise Adam, Paul Robbins, Barbara Lambert and Dick Carter, Fred Ebner and Bill Carter.

Motion

The Council, on Councilmember Mullen's motion, Councilmember Deuser's second, closed the public hearing. (5-0 Vote, Councilmember Goodman and Mayor Pro Tem Trevino absent)

CERTIFICATES OF APPRECIATION

Ms. Lynn Ayers, president, Wildlife Rescue, Inc., appeared before Council to present certificates of appreciation to the Council citing the recent bond package which helped the wildlife in the area. The Mayor and members of the Council thanked Ms. Ayers for the certificates.

BOARD AND COMMISSIONS

Mayor McClellan announced the following board and commission appointments are due to be made: Community Development Commission, 2; Dental Health Advisory Commission, 1; Austin Tomorrow On-Going Committee, 5; Manpower Advisory Planning Council, 5; Environmental Board, 1; Vending Commission, 1; Downtown Revitalization Task Force, 1; Energy Conservation Commission, 4; Renewable Energy Resources Commission, 4; Arts Commission, 1; Construction Advisory Committee, 1; Private Industry Council, 2; Human Relations Commission, 7; Neighborhood Revitalization Commission, 6; Commission on the Status of Women, 1; Solicitation Board, 1; Sesquicentennial Committee, 14; Community Education Consortium, 1.

ADJOURNMENT

Council adjourned its meeting at 7:10 p.m.