



Austin City Council MINUTES

For SPECIAL CALLED COUNCIL MEETING

SEPTEMBER 3, 1982 -- 4:00 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 Special Called Meeting of the Council, noting the absence of Councilmember Goodman. The Mayor announced the purpose of the meeting is for the 3rd reading of an ordinance establishing capital recovery fees for the Water and Wastewater Utilities.

Mayor McClellan said she would like to hear again what "we do with our very aggressive annexation program that's planned over the next five years. The motion yesterday afternoon was to exempt a small number of homes that are already in the City limits on septic tanks. What about the thousands that are on septic tanks outside the City limits but who are programmed into our annexation program immediately and over the next few years. These are not people in new homes and not people building new homes. Some of them might be original settlers around this part of the Country and get the blessing of the City coming out to take them in and they also pay the capital recovery fees I would assume?" Councilmember Duncan said they would and thought there would be very little major annexation if any at all within one year and would have the opportunity to deal with that at the time. He said he does not know how to handle it any other way. Councilmember Duncan said he is willing to address that on an individual basis when the City annexes. Mayor McClellan asked if this would apply to homes annexed. Councilmember Duncan said that is correct for the inside the service area fee, not the outside service area application fee because they would not be applying for limited service area.

Councilmembers and City Attorney Albert DeLaRosa then discussed the ordinance. (FILE ON COPY IN CITY CLERK'S OFFICE.)

Motion

Councilmember Duncan made a motion, seconded by Councilmember Deuser to pass through THIRD READING of an ordinance establishing capital recovery fees for the water and wastewater utilities.

Mayor McClellan stated for the record: "One thing that was absolutely, correctly said by one of my colleagues to my left here and that this is, quote, 'a gentleman's agreement'. I want the record to reflect that. I believe that each issue must stand on its own merits and in my opinion this issue cannot stand on its own merits. I certainly do not find any equity in what this Council is about to do and the words of one of my other good colleagues yesterday in voting for it said, quote, 'we don't know what is equitable' end quote. I find it somewhat incredible that this Council is about to adopt on third reading, capital recovery fees that exempt commercial and industrial development until the completion of a comprehensive independent fiscal analysis and study of the Water and Wastewater Department and all of the fees and rates and at the same time, for our residential folks, our residential water and wastewater users, we are without knowing what is equitable, we are establishin and discriminating between those that either own their own homes and those who will own their own homes and perhaps many, many more who will not be able to own their own homes. So I just want the record to reflect clearly once again that I will vote on third reading precisely as I have on first and second, which is a very adamant No."

Mayor Pro Tem Trevino stated for the record, "Part 8 regarding the septic tanks. I think that is a valid concern being raised by a member of the audience and in discussing with Roger we are making a commitment that we will not move to annex Oak Hill until after the comprehensive study so it will not be affected."

Roll Call on Motion

4-2 Vote, Mayor McClelland and Councilmember Mullen voted
No, Councilmember Goodman absent.