



# **Austin City Council MINUTES For**

**AUGUST 11, 1983**

--

**12:45 P.M.**

Council Chambers, 307 West Second Street, Austin, Texas

## **City Council**

**Ron Mullen  
Mayor**

**John Treviño, Jr.  
Mayor Pro Tem**

**Council Members  
Mark Rose  
Roger Duncan  
Sally Shipman  
Mark E. Spaeth  
Charles E. Urdy**

**Nicholas M. Meiszer  
City Manager**

**Elden Aldridge  
Acting City Clerk**

## **Memorandum To:**

Mayor Mullen called to order the meeting of the Council scheduled for 12:45 p.m., noting the presence of all Councilmembers.

### **CITIZEN TO DISCUSS LATER**

Ms. Kathleen L. Davis, who appeared before Council to discuss Diversified Development, was told by Mayor Mullen the item she wishes to discuss is included on today's agenda, therefore it would be appropriate for her to speak at that time.

### **LIGNITE DISCUSSED**

Mr. Bill Carter appeared before Council to discuss information regarding proposed lignite projects.

### **STP DISCUSSED**

Mr. Neil Bischoff appeared before Council to discuss possible cancellation of the STP and Austin's role in participating in such action.

### **CABLE FRANCHISE FEE**

Mr. Peter Varteressian appeared before Council to present the franchise fee from Austin CableVision. Mayor Mullen asked why the check is less than the last time. Mr. Varteressian told him there is a May-June drop in subscribers due to students leaving, but the income goes back up in the fall.

## FIRE STATION PARKING LOT

Ms. Dorothy Richter appeared before Council to show slides of the parking lot at the fire station at Speedway and 43rd. She expressed her appreciation to members of the staff who were helpful in saving the trees at the fire station.

## MUD CREATION DISCUSSED

Ms. Mary M. Arnold appeared before Council to discuss their action on creation of South Central Austin Growth Corridor MUD #1 and its relation to provisions of City Ordinances 821111-K and 810819-E.

## ARCH OF BALLOONS OVER TOWN LAKE

Mr. Girard Kinney appeared before Council to announce a special event to occur Sunday, August 14, 1983 at Auditorium Shores. Mr. Kinney said he represents Austin Chapter, American Institute of Architects, and they plan to have an arch of helium filled balloons stretch across Town Lake for the water skiing competition which will be televised nationally.

## CONSENT ORDINANCES

The Council, on Councilmember Duncan's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (7-0 Vote)

Operating Budget Amendment

Approved amending the 1982-83 Operating Budget by:

- a. Accepting a grant in the amount of \$169,921.00 from the Texas State Library to provide Interlibrary Loan for September 1983 - August 1984.
- b. Accepting a CDBG Emergency Jobs Bill Grant in the amount of \$1,378,000 and authorizing execution of the grant agreement with HUD.

Amendment of 1982-83 Capital Improvements Program

Approved amending the 1982-83 Capital Improvements Program by:

- a. Appropriating \$400,000.00 of the approved FY 1983-84 funding for the Brackenridge Parking Garage Project in FY 1982-84. CAPITAL IMPROVEMENTS PROGRAM No. 80/84-08.
- b. Appropriating \$8,000 of the approved FY 1984-85 Parks and Recreation funding for the Doris Miller Auditorium.

Names Approved

Approved naming the following:

- a. Metropolitan Park and Swimming Pool located on Walnut Creek in far North Austin, the "Walnut Creek Metropolitan Park and Walnut Creek Pool."
- b. Adaptive Programs Center (former Knights of Columbus Building) located in Zilker Park, the "Danny G. McBeth Recreation Center".

Annexation of Jollyville Road Area

Approved passage of an Ordinance regarding the annexation of Jollyville Road Area.

LATER IN THE DAY:

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Shipman's second, voted to reconsider the item. (7-0 Vote)

Motion

The Council, on Councilmember Urdy's motion, Councilmember Shipman's second, waived the requirement for three readings and finally passed an ordinance regarding the annexation of Jollyville Road Area with the City Manager working with NPC on maintenance of the drainage system. (7-0 Vote)

Carver Museum Advisory Board

Passed an ordinance establishing the Carver Museum Advisory Board.

Zoning Ordinances

Approved amending Chapter 13-3 of the Austin City Code (Zoning Ordinance) to cover the following changes:

- |    |  |                              |                                      |
|----|--|------------------------------|--------------------------------------|
| a. | Dr. A.A. Krumholtz<br>By John Pirkle<br>C14-82-179             | 505 Powell                   | From "B" 2nd H&A<br>to "O-1" 2nd H&A |
| b. | ROGER E. JOSEPH &<br>MR. & MRS. J.R.<br>WILLIAMS<br>C14-82-082 | 602 & 604 West 8th<br>Street | From "B" 2nd H&A<br>to "O-1" 2nd H&A |

Item Postponed

During the consent motion, Council approved delaying action until August 25, 1983 on the following:

DIVERSIFIED INVEST-  
MENT COMPANY  
By David H. Ham  
C14-81-097

611 Blanco

From "A" 1st H&A  
to "B" 1st H&A

CONSENT RESOLUTIONS

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, adopted the following resolutions in one consent motion: (7-0 Vote)

Lease for North Village Branch Library

Approved renewal of lease for North Village Branch Library.

Lease Space for Austin/Travis County Health Department

Approved lease space for Austin-Travis County Health Department.

Eminent Domain Proceedings

Authorized eminent domain proceedings to acquire fee simple title to the following tract of land for the C.D.D. No. 8 - Street Improvements Project: 257 sq. ft. of land out of the J.C. Tannehill League No. 29, Jackie Robinson Street at Tannehill Lane. (Bertha Juanita Moore, et al owner)

Release of Easements

Authorized release of the following easements: A portion of the 15' Public Utility and Drainage Easements on the common lot lines of lots 2 and 3 and of lots 4 and 5, Capital Business Park, Smith Road @ Bolm Road. (Requested by G.W. Thompson, Engineer)

Change Orders

Approved the following change orders:

- a. In the amount of \$32,688.00 to Austin Road Company for Congress Avenue Improvements - 1982. (1.22% increase of original contract)
- b. CAPITAL IMPROVEMENTS PROGRAM - In the amount of \$29,150.00 to Mitchell, Evans & Bryan, Inc. for the Municipal Court Building Renovations. (2.46% increase of the original contract) C.I.P. No. 81/87-01.

## CHANGE ORDERS - (Continued)

- c. CAPITAL IMPROVEMENTS PROGRAM - In the amount of \$11,893.00 to Austin Road Company for Congress Avenue Improvements - 1982. (0.444% increase of the original contract) C.I.P. 75/62-09.
- d. CAPITAL IMPROVEMENTS PROGRAM - In the amount of \$15,779.55 to AUSTIN ENGINEERING COMPANY, INC. for Loyola Lane Bridge/Little Walnut Creek Drainage Improvements Project. (1.8% increase of the original contract) C.I.P. 82/60-05.

Capital Improvements Program

Approved a contract with John P. Nieman for the purchase of approximately 32,470 square feet of land for northwest library site, subject to the site being buildable and drainage problem resolved. C.I.P. No. 73/85-09.

Approved a proposed Supplemental Amendment No. 2 to the existing Professional Service Agreement between the City of Austin and S.A. Garza, Engineers, for the Upper Shoal Creek Wastewater Interceptor for the Water & Wastewater Department. C.I.P. No. 72/23-16.

Approved proposed Supplemental Amendment No. 2B to the Professional Service Agreement between the City of Austin and Turner, Collie & Braden Inc., for the Onion Creek Wastewater Treatment Facility in the estimated amount of \$5,527.50 for the Water and Wastewater Department. C.I.P. No. 73/23-87.

Contracts Approved

Approved the following contracts:

- |  |  |
|--|--|
| a. MAJOR CONSTRUCTION COMPANY<br>8920-J Lawndale Avenue<br>Houston, Texas  | - CAPITAL IMPROVEMENTS PROGRAM -<br>Installation of underground electric, telephone, and cable TV distribution facilities for Cat Mountain Villas, Section 2, Electric Utility Department<br>\$36,255.00 C.I.P. No. 83/15-01 |
| b. BILL BOYD CONSTRUCTION COMPANY<br>11904 Hornsby Street<br>Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM -<br>Installation of underground electric and telephone distribution facilities for Tanglewood Forest, Section 4, Phase A, Electric Utility Department - \$35,027.82<br>C.I.P. No. 83/15/01   |

## CONTRACTS APPROVED - (Continued)

- c. ROCKFORD BUSINESS INTERIORS  
5524 Bee Cave Road  
Austin, Texas
- CAPITAL IMPROVEMENTS PROGRAM -  
Modular Furniture, Austin-  
Travis County Health Department  
Items 1 - 10 - \$6,954.52  
C.I.P. No. 82/91-02
- d. Bid award:
- CAPITAL IMPROVEMENTS PROGRAM -  
Insulators and Assemblies,  
Electric Utility Department  
Total \$51,449.70 C.I.P. Nos.  
75/13-06 & 75/13-07
- (1) POLELINE ELECTRIC SUPPLY,  
INC.  
3109 Longhorn Boulevard  
Austin, Texas
- Items 1.a thru 8.a - \$29,402.10
- (2) SOUTHWAY ELECTRIC UTILITY  
9705 Beck Circle  
Austin, Texas
- Items 1.b thru 8.b - \$12,345.60
- (3) TECHLINE, INC.  
8750 Shoal Creek Boulevard  
Austin, Texas
- Items 3.c thru 8.c - \$9,702.00
- e. Bid award:
- Lease-Purchase of Medical,  
Office and Telephone Equip-  
ment, Brackenridge Hospital  
- \$3,179,720.90
- (1) GTE LEASING CORPORATION  
4500 Fuller Drive  
Irving, Texas
- Medical & Office Equipment -  
Sixty (60) month contract -  
\$1,667,428.80
- (2) MUNICIPAL LEASING SERVICES,  
INCORPORATED  
45 Newbury Street  
Boston, Massachusetts
- Telephone Equipment -  
Fifty-five (55) month contract  
\$1,512,292.10
- f. ROLM CORPORATION OF TEXAS  
4100 Ed Bluestein Boulevard  
Austin, Texas
- Lease-Purchase of a Tele-  
communications System,  
Brackenridge Hospital -  
Total \$1,337,545.00

## CONTRACTS APPROVED - (Continued)

## g. Bid award:

- Medical and Office Equipment  
for Brackenridge Hospital, to  
be financed by third party  
lessor, GTE Leasing Corporation  
Total amount \$764,833.64

- |  |                |
|--|----------------|
| (1) BORG-WARNER HEALTH PRODUCTS, INC.<br>2429 Schuetz Road<br>Maryland Heights, Missouri | - \$69,744.20  |
| (2) SUN MEDICAL, INC.<br>1179 Corporate Drive West,<br>Suite 100<br>Arlington, Texas     | - \$175,494.33 |
| (3) AMSCO SYSTEMS COMPANY<br>1002 Central Expressway,<br>Suite 239<br>Richardson, Texas  | - \$131,250.00 |
| (4) COROMETRICS MEDICAL SYSTEMS<br>61 Barnes Park Road North<br>Wallingford, Connecticut | - \$96,625.00  |
| (5) LADA INTERNATIONAL, INC.<br>1241 Rand Road, Suite 111<br>Des Plaines, Illinois       | - \$74,331.00  |
| (6) BUSINESS INTERIORS<br>P. O. Box 101<br>Arlington, Texas                              | - \$10,805.00  |
| (7) TEXAN BUSINESS PRODUCTS<br>7952 Anderson Square<br>Austin, Texas                     | - \$14,546.00  |
| (8) THE OFFICE COMPANY<br>312 Congress Avenue<br>Austin, Texas                           | - \$65,376.00  |
| (9) ABEL CONTRACT FURNITURE<br>416 Congress Avenue<br>Austin, Texas                      | - \$26,057.00  |
| (10) SOUTHERN SAFETY SALES, INC.<br>P. O. Box 4065<br>Austin, Texas                      | - \$28,482.62  |

## CONTRACTS - (Continued)

- (11) SOUTHERN SAFETY SALES, INC. - \$29,664.30  
P. O. Box 4065  
Austin, Texas
- (12) A.I.M., INC. - \$28,011.50  
3720 San Jacinto  
Austin, Texas
- (13) CONTINENTAL TEXTILE CORP. - \$14,446.69  
12046 Lackland Road  
Saint Louis, Missouri
- h. Bid award:
- Industrial Gases for various City Departments  
Twenty-four (24) month supply agreement  
Total \$83,901.00
  - (1) BIG 3 INDUSTRIES - Items 1 thru 7 - \$60,672.00  
4927 East 5th Street  
Austin, Texas
  - (2) AUSTIN OXYGEN COMPANY, INC. - Item 8 - \$23,228.00  
3519 East 5th Street  
Austin, Texas
- i. HI-TECH SURFACES LIMITED(MBE) - Reconditioning of Seaholm Neutralization Pit, Electric Utility Department  
403 NASA Road, 1 East, Suite 359  
Webster, Texas  
Total \$9,950.00
- j. FECHHEIMER BROTHERS COMPANY - Uniform Police Trousers, Central Stores Division  
4545 Malsbury Road  
Cincinnati, Ohio  
Twelve (12) Month Supply Agreement  
Items 1, 2, 4, 5, 6 -  
Estimated \$52,988.00
- k. TECHLINE, INC. - Traffic signal assemblies, poles, and arm masts, Central Stores Division -  
8750 Shoal Creek Boulevard  
Austin, Texas  
Item 1 thru 9 - \$26,367.24
- l. AMERICAN SCIENTIFIC PRODUCTS - Microtome/Cryostat for Brackenridge Hospital  
210 Great Southwest Pkwy.  
Grand Prairie, Texas  
1 ea. - \$5,925.00
- m. ALPHA TECHNOLOGIES, INC. - Spiroscope for Brackenridge Hospital  
13142-A Alcalde  
Laguna Hill, California  
1 ea. - \$6,690.00

CONTRACTS - (Continued)

- |   |   |
|---|---|
| n. TELECOMMUNICATIONS<br>MANAGEMENT CORPORATION<br>5757 Wilshire Blvd., Suite 359 | - Consultant services to develop<br>an Institutional Cable Network<br>System Design and Usage Plan,<br>Public Information Department/<br>Cable Communications Office<br>Total cost not to exceed<br>\$20,000.00 |
| o. INTERNATIONAL BUSINESS MACHINES<br>505 Barton Springs Road<br>Austin, Texas    | - Magnetic Tape Facility,<br>Information Systems Department<br>Estimated \$218,622.00   |

Laboratory Lease

Approved a lease for the Technological Upgrade of Radiology and Catherization Laboratory to General Electric in the amount of \$463,749.00 for Brackenridge Hospital.

Water & Wastewater Approach Main

Approved the following water and wastewater approach main:

PETE DWYER

- Water approach main to serve Las Maderas, which is in the South Pressure Zone. City cost participation of \$24,597.00.

Item Postponed

During the consent motion, Council voted to postpone indefinitely consideration of approval of a service area amendment to include approximately 19 acres of residential development containing from 191 to 382 L.U.E.'s for The Boy Scout Camp Tract. (Requested by Joe Lucas)

USEPA Pretreatment Program

Approved endorsement of USEPA final pretreatment submissions and the City's pretreatment program.

Grant Application

Approved submission of a grant application and accepted \$650,894 from the Capital Area Planning Council for Title III Older American Act Funds for the Austin/Travis county Senior Nutrition Program for a 10th year renewal.

CDBG Funds

Approved CDBG funds for Standard Rehabilitation Loans in the following amounts and authorize staff to enter into appropriate contracts and to contract with the next lowest bidder in the event of default:

- a. Texas Western Associates - \$14,441.00
- b. Texas Western Associates - \$13,300.00

Site Plan Revision

Approved revision of site plan for Zoning Case No. C14-81-053 at North Lamar, 32nd Street, Wabash and 33rd Street.

Item to be Brought Back

During the consent motion, Council agreed to bring back on August 25, 1983 a resolution to consider changing procedures for Citizens Communications Requests.

Public Hearings Set

Set public hearings on the following:

- a. Zoning Case No. C14r-83-170, City of Austin, 1400 Block of Capital of Texas Highway: August 25, 1983 at 4:00 p.m.
- b. Amendments to Chapter 13-13 of the Austin City Code regarding the regulation of signs and billboards: August 25, 1983 at 2:30 p.m.
- c. Cancellation of the South Texas Nuclear Project: September 1, 1983 at 5:00 p.m.
- d. Proposed Subdivision Ordinance Amendments with regard to Septic Tank Systems: August 25, 1983 at 4:30 p.m.

Wastewater Approach Main

Approved a wastewater approach main to serve the Kasperek Addition.

Job Training Partnership

Approved an agreement with the Austin/Travis County Private Industry Council and Travis County setting forth the functions, responsibilities, roles and relationships under the Job Training Partnership Act for the Austin/Travis County service delivery area.

## REPORT POSTPONED

City Manager Meiszer requested that his report on Methods to Preserve Capitol View be postponed until September 1. Further study is required.

## BUDGET PERFORMANCE REPORT

The Budget Performance Report, referred to by Mr. Meiszer, is on file in the City Clerk's Office.

## DRIVEWAY CUTS

Dr. Benson reported on Driveway Cuts on Riverside Drive Between Newning and Academy Drive. He said they feel the provisions of the ordinance have protection for neighborhood concerns and they will follow the policies as they stand.

## DOWNTOWN REVITALIZATION TASK FORCE

Alan Taniguchi reported on recommendations of the Downtown Task Force regarding the Municipal Office Complex. He said the following actions should be taken to implement the procedure and complement the City Manager's recommended approach:

1. Authorize staff to develop an RFP for a primary advisor experienced in similar design-development processes and capable of representing the City in a project management capacity, coordinating all consultant services throughout the duration of the project.
2. Limit any decisions regarding financing and development options for the project until the advisor and consultants are in a position to make specific recommendations.

Councilmember Shipman commented that the task force recommendation is to open competition to all. She said the Council is committed to using a local firm. Mayor Mullen said Council will discuss the whole issue in a work session and bring it back to Council meeting later.

## PUBLIC HEARING - PROPOSED USE OF GENERAL REVENUE SHARING FUNDS

Mayor Mullen opened the public hearing set for 2:00 p.m. on the Proposed Use of General Revenue Sharing Funds. No one appeared to be heard.

Motion

The Council, on Councilmember Duncan's motion, Councilmember Urdy's second, closed the public hearing. (7-0 Vote)

## PUBLIC HEARING - APPEAL CONCERNING DEMOLITION OF STRUCTURE

Mayor Mullen opened the public hearing set for 1:45 p.m. on an appeal from Mr. Edwin H. Golden of the Building Standards Commission's decision to demolish a structure at 4000 South Congress Avenue. (continued from August 4, 1983.)

Mr. Jonathan Davis, Acting City Attorney, read the following letter into the record which was sent to Mr. Lonnie Davis, Director of Building Inspections, by Mr. Golden: "I hereby withdraw my request to the City Council of the Appeal of the Order to Demolish the several structures located at 4000 S. Congress. I understand this order in no way prohibits my ability to re-develop the property at a later date, using the existing water and wastewater taps currently located on the property."

No action was needed by Council.

## PUBLIC HEARING - AMEND CHAPTER 13-2 (ZONING ORDINANCE) ON VARIOUS HOUSEKEEPING AMENDMENTS

Mayor Mullen opened the public hearing set for 2:00 p.m. to amend Chapter 13-2 (Zoning Ordinance) on various housekeeping amendments.

Ms. Donna Kristaponis told Council the purpose of this is to clean up the code as some areas were left out.

No one appeared to be heard.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance amending Chapter 13-2 (Zoning Ordinance) on various housekeeping amendments. (7-0 Vote)

## PURCHASE OF UNIVERSITY-OWNED STRUCTURES

The Council, on Councilmember Shipman's motion, Councilmember Duncan's second, waived the requirement for three readings and finally passed an ordinance reallocating \$202,393 of 6th year Entitlement Community Development Block Grant funds to Acquisition Rehabilitation Project; and authorized purchase of University-owned structures from the University of Texas with City staff determining timing of purchase. (7-0 Vote)

## HUBERT C. SCHROETER NEIGHBORHOOD PARK

The Council, on Councilmember Rose's motion, Councilmember Shipman's second, waived the requirement for three readings and finally passed an ordinance naming the neighborhood park located in the Mesa Park/Angus Valley Subdivision the "Hubert C. Schroeter Neighborhood Park". (7-0 Vote)

## WAIVER OF FEE

The Council, on Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, waived the requirement for three readings and finally passed an ordinance to waive the admission fee to Lake Walter E. Long Park for the Bud Light USTS (United States Triathlon Series) National Triathlon on September 11, 1983, from 6:00 a.m. to 2:00 p.m. (Requested by Mr. Jim Woodman) with the stipulation that the fee is waived but the City will receive a \$1,000.00 donation, and this is not a precedent setting action. (7-0 Vote)

## CONTRACT APPROVED

The Council, on Councilmember Duncan's motion, Councilmember Spaeth's second, adopted a resolution approving the following contract: (5-0 Vote, Councilmember Rose and Mayor Mullen were out of the room.)

NELSON CONSTRUCTION COMPANY  
7312 South IH 35  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Brackenridge Hospital Parking  
Garage Addition, Brackenridge  
Hospital - \$2,764,000.00

## WATER APPROACH MAINS FOR LOCKHEED

The Council at first agreed to postpone decision concerning the water and wastewater approach mains to 24-inch water line and 24-inch sewer line until August 25, 1983. LATER IN THE DAY, discussion with Mr. Schwing, Director of Water and Wastewater, determined that Lockheed's contract included the approach mains. The question which was before the Council concerned the unions and not the City's contract.

Motion

The Council, on Councilmember Rose's motion, Councilmember Spaeth's second, adopted a resolution approving the following contract: (6-0 Vote, Councilmember Urdy was out of the room.)

LOCKHEED MISSILES AND SPACE CO.

- Amend Lockheed water and  
wastewater approach mains to  
24-inch water line and 24-inch  
sewer line. Additional City  
cost participation of \$300,300.00.

## EXECUTIVE SESSION

Mayor Mullen announced Council will convene in a closed or executive session authorized by Section 2, Paragraph g to consider board & commission appointments; Section 2, Paragraph g to consider personnel matters; and Section 2, Paragraph e, to consider pending litigation - P.R. Gray and A.L. Gray v. City of Austin, of Article 6252-17 Texas Revised Civil Statutes annotated, and after such closed or executive session, any final action, decision or vote with regard to any matter considered in the closed or executive session will be made in open session, should such action, decision or vote be necessary.

RECESS

Council recessed its meeting at 2:40 p.m. for the executive session and resumed its recessed meeting at 4:20 p.m.

BOARD & COMMISSION APPOINTMENTS

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, approved the following board and commission appointments: (5-0 Vote, Councilmember Urdy and Mayor Pro Tem Trevino were out of the room.)

Board of Adjustment - Susan Dasher

Parks & Recreation Board - Frank Severn and Agnes Edwards

Community Development Commission - Stan Buck and Rey L. Gaytan

Electric Utility Commission - Albert Fairweather, Wm. (Peck) Young,  
Merle Moden, and Barbara Cilley

Energy Advisory Commission - Marlan Blissett

PUBLIC HEARING - ELECTRICAL CODE AMENDMENT

Mayor Mullen opened the public hearing set for 3:45 p.m. on the continued hearing amending the Electrical Code to require all electrical installations in the City of Austin Underground Distribution Network Area to be wired in metal conduit pipe.

No one appeared to be heard.

Motion

The Council, on Councilmember Spaeth's motion, Councilmember Shipman's second, closed the public hearing and sent this back to the Electrical Board for further study. (4-0 Vote, Councilmember Urdy, Mayor Pro Tem Trevino and Councilmember Duncan were out of the room.)

## LIMITED PURPOSE ANNEXATION

Mayor Mullen opened the public hearing set for 4:00 p.m. on dis-annexation and re-annexation for limited purpose a parcel of land along Highway 183, and in the Williamson County MUD #1.

No one appeared to speak.

Motion

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, closed the public hearing and announced the second public hearing will be held on August 25, 1983 at 3:00 p.m. (6-0 Vote, Councilmember Urdy was out of the room.)

## ANNEXATION

Mayor Mullen opened the public hearing set for 4:15 p.m. on annexation of 716 acres of land in the Walsh Tarleton Road area known as annexation area 29, File No. C7a-82-003.

Jerry Haney, who lives in area 29, said he supports the annexation. Donna Price, who lives on Stone Ridge Road, asked about fire and police protection and road upkeep.

Mayor Mullen said the County will provide the same services as they do now because they will receive the residents taxes, Austin will not.

Bill Gunn, who owns 9.6 acres, welcomes annexation and would like to see full annexation. John Krutchfield wants the zoning which is needed on Loop 360 because too many non-conforming office buildings are being constructed.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, closed the public hearing. (7-0 Vote)

Motion

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, directed the City Manager to direct the Legal staff to bring back the ordinance on September 1, 1983. (6-0 Vote, Mayor Mullen was out of the room.)

## ZONING HEARINGS

Mayor Mullen announced Council would hear zoning cases scheduled for 4:00 p.m. Council heard, closed the public hearings, granted, and instructed the Acting City Attorney to draw the necessary ordinances for the following:

## ZONING HEARINGS - (Continued)

C14-83	NORBERT A. LEHMAN	10933 Jollyville	From Interim "AA" 1st H&A
102	By Jack M. Kirby	Road	To "O-1" 1st H&A
			RECOMMENDED as amended
			<u>GRANTED AS RECOMMENDED</u>

Ms. Donna Kristaponis, Assistant Director of Planning, told Council that this case is continued from last week. At that time the question of a fiscal note was brought up by Councilmember Shipman. Ms. Kristaponis said requiring one would be an extreme change and it should be looked into because it would set a precedent.

(On Councilmember Shipman's motion, Councilmember Duncan's second 5-0 Vote, Councilmember Rose and Mayor Mullen out of the room.)

-----

C14-83	JOE F. GRAY	4918 Hamilton Ln.	From Interim "AA" 1st H&A
035	JR. ET AL		To "C" 1st H&A
	By Robert C. Sneed		RECOMMENDED subject to
			10' of right-of-way
			<u>GRANTED AS RECOMMENDED</u>

(On Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, 6-1 Vote, Councilmember Shipman voted No.)

-----

C14-83	CITY OF AUSTIN	301 & 309 E. Wonsley	From "A" 1st H&A
103	PLANNING DEPARTMENT	Drive also bounded	To "B" 1st H&A
		by Gessner Drive	RECOMMENDED subject to site plan
			approval; applicant is to work with
			Urban Transportation on eliminating
			driveway on East Wonsley;
			applicant is to meet with
			neighborhood.
			<u>GRANT "BB", SITE PLAN TO ACCOMPANY ORDINANCE</u>
			<u>AND SUBJECT TO STAFF RECOMMENDATIONS</u>

Ms. Kristaponis reviewed the case. She said the current application was purchased in January, 1983 by Dekeratry, Inc. Neighbors expressed concern with the site development at the Planning Commission meeting. The applicant met with representative of the neighborhood, Donna Midget, who told applicant the majority of the neighborhood is for the site plan. Ms. Kristaponis pointed out this case was heard last week and no one spoke at the Council Meeting.

Bill Brown, representing Bill Dekeratry, told Council their project is low in density and they were under the impression there was no opposition. He said they thought Mrs. Midget was the spokesperson for the neighborhood.

## ZONING HEARING - (Continued)

Donald Floyd, son of one of the property owners in the neighborhood, said they have never seen the site plan. He said placement of the dumpsters is bad.

Tom Cook, president, Georgian Acres Neighborhood Association, said he does not know why Mrs. Midget withdrew the petition. He said the neighbors he talked to wanted to keep the petition active. He said zoning change would be harmful to the neighborhood and asked for denial.

Bill Brown returned to say the dumpsters will be relocated.

Mayor Mullen asked that the site plan be shown to the members of the neighborhood present in the Council Chamber and said the case would be continued later in the evening.

LATER IN THE MEETING Ms. Kristaponis said there was an agreement to disagree between Mr. Brown and the neighborhood. Mrs. Floyd said she wants the applicant to keep his promises. Mr. Brown again said the dumpsters will be moved and they agree to a 4' or 6' fence or green hedge. They are willing to have "BB" zoning.

(On Councilmember Shipman's motion, Councilmember Urdy's second, 7-0 Vote)

C14-83  
108 GASTON DEVELOP-  
MENT CO. &  
GARLAND DEVELOP-  
MENT COMPANY  
By Richard W.  
Vaughn

6908-7102 S.  
Pleasant Valley  
Road

From "AA" 1st H&A  
To "BB" 1st H&A  
RECOMMENDED "A" residence,  
1st H&A, subject to the dedi-  
cation of right-of-way as  
required to create 45' of  
right-of-way measured from the  
centerline of Pleasant Valley  
Road.  
GRANTED "BB"  
36 UNITS, 9 LOTS & 1 FOUR-PLEX  
ON EACH LOT

Ms. Kristaponis reviewed the case.

Scott Roberts, representing the applicant, said they request "BB" and if the new zoning ordinance is passed, they will not object to being zoned whatever a four-plex should be. Discussion followed concerning building of four-plexes and where the ideal place is to put them. Mayor Mullen said if they are not built on major arterials, then where will they be built?

(On Councilmember Rose's motion, Councilmember Urdy's second, 5-1-0 Vote, with Councilmember Shipman voting No and Mayor Pro Tem Trevino out of the room.)

## ZONING CASE TO BE BROUGHT BACK

The applicant had asked for withdrawal of the following zoning case. Council requested it be included on the August 25, 1983 agenda so applicant can make formal request.

C14-83 JAY JOHNSTON 3404 Glenview  
033 By Wm. Terry Bray 3405 Jefferson

From "A" 1st H&A  
To "O" 1st H&A  
NOT RECOMMENDED  
BRING BACK ON 8-25-83 AGENDA  
AT 4:00 P.M.

## SOUTH CENTRAL AUSTIN GROWTH CORRIDOR MUD #1

Council was scheduled to take action on creation of 329 acre South Central Growth Corridor MUD #1.

Donna Kristaponis, Assistant Director of Planning, presented maps of the area and discussed. Councilmember Shipman commended her on her "outstanding presentation" and said the creation of the MUD is a giant leap in planning a major growth area in our city.

Motion

The Council, on Councilmember Rose's motion, Councilmember Urdy's second, approved the creation of the South Central Austin Growth Corridor MUD #1 with the following motion: (7-0 Vote)

I move that we approve the creation of the South Central Austin Growth Corridor Municipal Utility District No. 1 with the following terms and conditions:

1. Subject to the City of Austin MUD policy unless otherwise stated herein.
2. The District will agree that at least 90% of the facilities for which its bonds have been authorized will be installed within four years from the date of the District's creation.
3. Annexations to the District and out-of-district service by the District must first be approved by the City of Austin and will require submission of a land use plan at that time to which the landowner will be bound in the same manner as the land originally included in the District.
4. The Agreement shall contain standard incorporation-annexation language comparable to the terms in the NPC North and Milwood districts.

## MUD - (Continued)

5. Because all Area V land in the district is dedicated park land allow a variance from the MUD policy to allow bonding authority and surcharge calculations to be computed as in Area III 0-2 ETJ for the entire district.
6. The principal repayment schedule of the bonds shall be similar to the recently approved Milwood District.
7. Allow the land plan as approved by the Planning Commission and require compliance with notes on the land plan. The Contract shall provide that the densities shown on the land plan are not guaranteed. The developer must comply with other applicable ordinances and variance procedures as applicable. Any proposed increases in density or intensity of land use and any changes in land use shall require Council review and approval; provided, however, transfers of densities at or below the maximum levels may be handled administratively. The Contract shall also require site plan approval of all tracts having land uses other than single family or duplex. The method and standard for site plan review shall be the same as set forth in the PRA Ordinance including any compatibility standards as may be approved by the City in connection with the City's zoning ordinance.
8. Require compliance with the Industrial Waste Ordinance and the Water Conservation Ordinance.
9. Require amenity contributions from the developer as follows:
  1. 21 acres of off site park land in Southland Oaks and green belts in the tracts as designated on the Land Plan;
  2. Up to \$200,000 in park improvements.
10. The District shall be allowed to use its bonding authority to plan, design, engineer and construct the offsite water and sewer improvements as follows with City participation through the use of Contract bonds:

## MUD - (Continued)

- a. High service pumps at Ullrich Treatment Plant;
- b. Davis reservoir and discharge line;
- c. North branch of Slaughter Wastewater Interception to existing system.

The exact percentages of City and District cost participation shall be determined when the ordinance and final contracts are brought back for action. The Contract shall also provide that any time prior to May 1, 1984, if the voters of the City approve the passage of a bond election which includes any of the off site facilities, the approved projects shall be deleted from the Contract bonds issued by the District.

11. Recommend that the Environmental Board have the ability to review the initial alignment and construction plans of major utility lines including the opportunity for site visits during the alignment stage and during the construction stage.

12. Direct the Staff to work out an agreement between this district and the Southwest Travis County MUD #1 on construction of water lines to serve Southland Oaks and Shady Hollow.

13. That the portion of Cherry Creek 9 that is in the city limits should be deleted from the District.

14. Require the developer to submit a preliminary plat on all of the property within the District.

15. Require that the developer comply with the City's Landscape, PRA and Flood Plain Ordinances, as applicable, and the building, plumbing and electrical codes in effect inside the City as amended from time to time and to pay standard inspection fees which are charged to similar projects within

MUD - (Continued)

the City. The developer shall agree not to seek grandfathering of this property from the new proposed flood plain ordinance.

16. That the District agree to the recommendations contained in Frank Rodriguez's memo to Nicholas Meiszer of August 5, 1983 concerning the fiscal impact of the District.

17. Request that the Legal Department bring the Ordinance and the final Contracts back for action two weeks from today and that copies be distributed to all Council members in compliance with the MUD Review Policy Ordinance.

There was some discussion among Councilmembers, David Armbrüst, Assistant City Attorney Jim Nias, Director of Water and Wastewater Carl Schwing and Ed Wendler Sr.

#### PUBLIC HEARING - SUSPENSION OF RATE SCHEDULE OF SOUTHERN UNION GAS COMPANY

Mayor Mullen opened the public hearing, set for 5:45 p.m. on suspension of rate schedule of Southern Union Gas Company.

Mr. Bob Laczko, Southern Union Gas Company District Vice-President, told Council, "Just for clarification, Southern Union filed a rate increase statement of intent with the City of Austin as well as the adjacent municipalities of West Lake Hills, Rollingwood, and Sunset Valley. That was done on July 15th and soon thereafter we filed a similar request with the Texas Railroad Commission for adjacent unincorporated areas. We are asking for \$1,800,000.00. That is a 2.42% increase in gross revenues. That 2.42% is to be spread to all the different rate classifications. A typical residential customer using 6,000 cubic feet per month would have an increase in their rate of 47¢ per month. There are two different things in our proposal. One is that the company changes billing unit from thousandths of cubic feet to hundreds of cubic feet and if that is confusing, 1,000 cubic feet is a cube 10'x10'x10' filled with natural gas. 100 cubic feet would be 1/10th of that billing unit or one foot thick slice off of that cube. In addition to that the company's proposal is that there be a monthly customer charge of \$4.35 per residential customers, \$10.00 for commercial, public authority and school customers and \$20.00 for industrial customers. Those amounts were all included in the 2.4% and those amounts were also included in that typical 6 mcf bill which would increase by 47¢."

Councilmember Duncan said, "I would like for our rate consultant, Don Butler, to get together with our staff, particularly our Energy Management Department and consider a co-funding weatherization program with the gas company. It is my understanding that several cities in the United States are doing this and I would like to look into the matter. ....Also, Mr. Butler will probably do this anyway, but I would like him to look at the effect on the low income customer."

## SUSPENSION OF RATE - (Continued)

Motion

The Council, on Councilmember Duncan's motion, Councilmember Shipman's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance suspending the rate schedule filed by Southern Union Gas Company on July 15, 1983 until December 17, 1983. (6-0 Vote, Councilmember Urdy was out of the room.)

PUBLIC HEARING - AMENDMENTS TO CHAPTER 13-3 AND 9-10 OF THE CITY  
CODE CONCERNING FLOOD PLAIN DEVELOPMENT

Mayor Mullen opened the public hearing set for 6:30 p.m. on amendments to Chapter 13-3 and 9-10 of the City Code concerning Flood Plain Development.

Mr. Richard Ridings, Director of Public Works, discussed the draft ordinance dated August 9, 1983. Copy is on file in the City Clerk's Office.

Paul Harris, member of Austin Association of Builders, spoke in support of the ordinance, as did Carl Daywood, a property owner in Walnut Creek.

Mike Holsum, president of First Street Neighborhood Association, told Council they are protecting him from himself and making his property values go down. Hank Guerrero property owner on South 1st said his property value will go down also.

Aileen McCalla said she is glad something is being done about the flood plain.

Ken Manning urged Council to adopt a strengthened flood plain ordinance.

Motion

Councilmember Duncan made a motion, seconded by Councilmember Rose to close the public hearing.

Councilmember Shipman said her concern is notification process.

Substitute Motion

The Council, on Councilmember Duncan's motion, Councilmember Spaeth's second, approved the substitute motion to close the public hearing and bring back in three weeks for action; staff and task force to meet with the South 1st Street businessmen in the meantime. (6-0 Vote, Mayor Mullen was out of the room.)

## PUBLIC HEARING - CREATION OF MAPLE RUN MUD

Mayor Mullen opened the public hearing set for 7:00 p.m. on creation of the Maple Run Municipal Utility District.

Ms. Donna Kristaponis, Assistant Director of Planning, reviewed the report on creation of the MUD. CITY CLERK DID NOT RECEIVE COPY. She said the area includes Williamson and Slaughter Creek and will have 3300 LUE's. The proposal is to connect it to Austin water and wastewater. The applicant agrees to comply with the Watershed Ordinance. The issue under contention is that the applicant wants 5.5 units per acre and the Planning Department is recommending 4 units per acre. There is an agreement on arterial roads, but who should pay for them is the question.

Councilmember Shipman said it seems 120 days is not enough time to complete the process. She asked how long it takes to process after the Planning Department gets the application. Mr. German, Assistant City Manager, told her the staff review takes 45 days, then it takes time to go through affected boards and commissions. The Council only takes two weeks. Mr. Meiszer, City Manager, said more time is needed in order to do an adequate job.

Fred Dennick, engineer, explained where the MUD will be by use of maps.

Nash Schwanz, representing Richardson and VerDoorn, showed a map of the proposed use.

Kent Butler, Water and Wastewater Commission member, read a resolution passed by the Commission and showed a map.

Mr. Schwing said the Water and Wastewater Department has reviewed the application for a MUD but they need to evaluate it further.

Mary Arnold and Bert Cromack spoke about the MUD.

Motion

The Council, on Councilmember Rose's motion, Mayor Mullen's second, closed the public hearing. (7-0 Vote)

CONTINUATION OF HEARING ON PROPOSED USE OF GENERAL  
REVENUE SHARING FUNDS

Mayor Mullen opened the public hearing set for 7:00 p.m. on the continued hearing on proposed use of General Revenue Sharing Funds.

Jane Haney, EACEDC, spoke to Council and asked that some of the funds be used for low income housing.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, closed the public hearing. (6-0 Vote, Mayor Mullen out of the room.)

PUBLIC HEARINGS - APPEALS OF PLANNING COMMISSION'S  
DECISION TO GRANT

Mayor Mullen opened the public hearings set for 8:00 p.m. on appeals of the Planning Commission's decision to grant the following:

- a. A Waterway Development Permit to Lanier Village Apartments, 833 Fairfield Drive from Mr. Glen W. Chavers.

Jerry Harris, attorney representing the owner, said they plan a 40' drainage easement with 25 year and 100 year flood plain in the easement. He said they will not build in that area. They also plan detention ponds for overflow.

Merle Moden, representing the North Austin Civic Association, said during the May, 1981 flood the water was over the banks. He said the water flows north to south, down and across the low end.

Mr. Harris said the City staff and his client's engineer say the water is contained in the channel and that flooding comes from the opposite direction, south to north. He showed a plan with drainage pipes.

Motion

The Council, on Councilmember Rose's motion, Councilmember Spaeth's second, closed the public hearing and upheld the decision of the Planning Commission to grant a Waterway Development Permit to Lanier Village Apartments, 833 Fairfield Drive. (6-0 Vote, Councilmember Urdy was out of the room.)

- b. A Special Permit to Tommy B. Thompson for a 156-unit apartment project known as "Brook Meadow Apartments" from Mr. Merle L. Moden. (Case No. 14p-83-063)

Ms. Kristaponis, Planning Department, told Council this is a multi-complex with three stories.

Merle Moden, representing North Austin Civic Association, asked if water and wastewater will be available. He said too many apartments are being built in the area.

Paul Jones, Attorney for Tommy Thompson, said no one opposed this at the Planning Commission and they gave unanimous approval. He said they have wastewater taps already and the area is a good one for apartments.

Motion

The Council, on Councilmember Spaeth's motion, Mayor Mullen's second, closed the public hearing and upheld the decision of the Planning Commission to grant a Special Permit to Tommy B. Thompson for a 156-unit apartment project known as "Brook Meadow Apartments". (6-0 Vote, Councilmember Urdy was out of the room.)

HEARINGS ON APPEALS - (Continued)

- c. A Special Permit to Embrey Investments, Inc. for a 224-apartment project known as "The Windmill Phase II Apartments" from Mr. Merle L. Moden. (Case No. C14p-83-057)

Ms. Kristaponis reviewed the case.

Merle Moden asked where the service will come from. He said Little Walnut Creek does not have the capacity. He said when all these apartments are built out it will be a nightmare and asked Council to consider the impact of all the people.

Councilmember Duncan said Council is trying to address that. The South Austin Moratorium is based on what Mr. Moden is addressing.

David Armbrust, representing Embrey Investments, said the project is a good one for the area.

Mr. Moden returned to say the South Austin Moratorium is too late. The area was planned originally but there has been too much spot zoning for other type uses. Councilmember Shipman told him that their plan is not being ignored.

Motion

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, closed the public hearing and upheld the decision of the Planning Commission to grant a Special Permit to Embrey Investments, Inc. for a 224-apartment project known as "The Windmill Phase II Apartments" from Mr. Merle L. Moden. (6-0 Vote, Councilmember Urdy was out of the room.)

ADJOURNMENT

Council adjourned its meeting at 10:00 p.m.