



Austin City Council MINUTES

For SEPTEMBER 8, 1983 - 1:00 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 1:00 p.m., noting the presence of all Councilmembers.

MINUTES APPROVED

The Council, on Councilmember Rose's motion, Mayor Mullen's second, approved the minutes for the Special Meeting of August 31, 1983. (5-0 Vote, Councilmember Spaeth and Mayor Pro Tem Trevino were out of the room.)

CHILDREN'S SAFETY DISCUSSED

Mrs. Shirley Carathers appeared before Council to discuss the safety of children crossing Airport Boulevard. She said she had a meeting in May of 1981 with Dr. Benson and Daron Butler concerning the number of children killed crossing Airport Boulevard. The neighborhood would like a cross-walk built over Airport Boulevard but Mrs. Carathers said she was told by City staff they do not want to build it because it would not be used. Mr. Meiszer, City Manager, said there is a button at the cross walk to activate the signal. Mrs. Carathers said it has helped some but many of the motorists drive through the red light.

Councilmember Shipman asked the City Manager to look into the problem. Dr. Benson, Director of Urban Transportation, wondered if children, who do not take the time to push a button, would take the time to walk up stairs to use a cross-walk.

FIREPROOF SHINGLES DISCUSSED

Mr. James (Hank) Phillips appeared before Council to discuss property damage and shortage of fireproof shingles. He said since wood shingles were banned from use on all dwellings in Austin in 1981 there has been a problem. Mr. Phillips said no lumberyard stocks flame retardant shingles because the coating damages the shingles and nails used. He asked Council to reconsider the friendly amendment made to the motion in 1981 to exempt family dwellings from the regulation.

Mr. Meiszer, City Manager, said the Fire Chief and Mr. Lonnie Davis, Director of Building Inspection, both favor keeping the ordinance as it is.

CAB COMPANY DISCUSSED

Mr. Ronald Means appeared before Council to discuss Urban Transportation Department and the Harlem Cab Company.

CONSENT ORDINANCES

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

Operating Budget Amendment

Amended the 1982-83 Operating Budget by accepting a grant in the amount of \$31,000.00 from the Texas Historical Commission to be used for restoration of the Elisabet Ney Museum.

Capital Improvements Program

Approved receiving and accepting work of paving Springdale Road and various other streets, consisting of approximately 10 blocks, CAPITAL IMPROVEMENTS PROGRAM No. 73/62-39.

Issuance of Replacement Bonds

Authorized the issuance of replacement bonds.

Personnel Policies Amended

Approved amending Personnel Policies, Section II, regarding withholding of wages for past due taxes or any other dept owed to the City.

Zoning Ordinance

Approved amending Chapter 13-2 of the Austin City Code (Zoning Ordinance) to cover the following change:

- | | | |
|--|--|---|
| a. EXECUTIVE CENTER - W.H. By David Armbrust C14r-83-136 | 10540-11740 U.S. 183 also bounded by Jollyville Road | From Interim "AA" 1st H&A to "O" 2nd H&A |
| b. WELL-LARUE HOUSE By Rosemary Proff C14h-78-003 | 912 W. 26th Street | From "B-H" 2nd H&A to "B" 2nd H&A |

PASSED ON EMERGENCY BASIS

CONSENT RESOLUTIONS

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

Release of Easements

Authorized release of the following easements:

- a. A portion of an Electric and Telephone Easement recorded in Volume 4012 page 190, of the Travis County Deed Records and located on Lot 1, Block I, Peppertree Park, Section 1, 5414 Poncianca. (Requested by Mr. David A. Suplee, owner.)
- b. A portion of a Drainage Easement recorded in Volume 799, Page 342, of the Williamson County Deed Records. (Requested by Jeryl Hart Engineers, Inc.)
- c. A portion of a temporary Drainage Easement recorded in Volume 799, Page 347, of the Williamson County Deed Records. (Requested by Jeryl Hart Engineers, Inc.)
- d. The 10' Public Utility Easement on the Common lot line of Lots 5 and 6, Block D, Delwood Section I, 1503 Crestwood Road. (Requested by Mr. Ken Patton of Conarm Homes)
- e. A Portion of the Public Utility Easement on Lot 1-A, The Park at Battle Bend, 904-1000 Battle Bend Boulevard. (Requested by Mr. Ronnie W. Lawrence)
- f. A Portion of a 7.5' Public Utility Easement on Lot 15, Block B, Milwood Section 9, 4809 Hawkhaven Lane (Requested by Carlson, Dippel and Marx Surveying Company.
- g. A portion of a 10' Public Utility Easement dedicated on Lot 29, Great Oaks Section, 4600 Shoal Creek Boulevard. (requested by Mrs. Joyce J. Fouche' owner)

RELEASE OF EASEMENTS - (Continued)

- h. A portion of an Electric and Telephone Easement recorded in Volume 7871, Page 41 of the Travis County Deed records and located on Lot 14, Block C, Tanglewood Forest Section I, 2208 Bordley Drive. (Requested by Dodd Surveying Company, Inc.)

Capital Improvements Program

Approved acquisition of a certain tract of land for Firestation #27, Southwest Austin, CAPITAL IMPROVEMENTS PROGRAM No. 76/83-08.

Approved acquisition of Right of Way for Circuit 918, 138 KV South Loop Electric Transmission Line. CAPITAL IMPROVEMENTS PROGRAM No. 79/13-02.

Contracts Approved

Approved the following contracts:

- | | |
|--|--|
| a. B & B LANDCLEARING CO., INC. 1212 Old Bastrop Hwy. Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM - Installation of underground Electric and Telephone Distribution Facilities for Northstar, Section 6, Electric Utility Department - \$13,371.18 C.I.P. 83/15-01 |
| b. U. S. TELEVISION SYSTEMS, INC. 914 Banyon Street Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM - Installation of underground Electric and Telephone Distri- bution Facilities for Gracywoods, Section 7, Electric Utility Department - \$10,424.70 C.I.P. No. 83/15/01 |
| c. BURNUP & SIMS OF TEXAS, INC. 2716 East Fifth Street Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM - Installation of Underground Electric Ductline on West 9th- Lavaca-West 6th Streets, Electric Utility Department \$222,536.75 C.I.P. No. 83/15-02 |

CONTRACTS - (Continued)

- d. BURNUP & SIMS OF TEXAS, INC.
2716 East Fifth Street
Austin, Texas
- CAPITAL IMPROVEMENTS PROGRAM -
Installation of Underground
Electric and Telephone
Distribution Facilities for
Lost Creek, Section 4, Phase A,
Electric Utility Department
Total \$53,912.80 C.I.P. No.
82/15-01
- e. J & E DIRT WORK, INC.
12406 Old San Antonio Road
Manhaca, Texas
- CAPITAL IMPROVEMENTS PROGRAM -
East 6th and East 7th Street
Corridors, Phase IV, Public
Works Department - \$23,227.50
- f. NATIONAL ELECTRIC, INC.
21400 Hamburg Avenue
Lakeville, Minnesota
- Decontamination of PCB-
Contaminated Transformers,
Electric Utility Department
Total \$92,080.00
- g. JAVELINA CONSTRUCTION, INC.
12 North Pleasant Street
Norwalk, Ohio
- Rental of Equipment for Cold
milling Asphalt Pavement,
Public Works Department -
\$6,400.00 and authorization for
Supply Agreement in the estimated
amount of \$45,500 for additional
Cold Milling Services as required
by the City for one year. Total
\$51,900.00
- h. Bid award:
- Small Tools and Miscellaneous
Items for various City Departments
Twelve (12) Month Supply Agreement
Estimated amount \$317,841.00
- (1) ALAMO IRON Works
101 Montana
San Antonio, Texas
- \$12,963.00
- (2) ERNIE BRADLEY SALES & SERVICE
7911 Braes Meadow
Houston, Texas
- \$39,475.00
- (3) BRANDA EQUIPMENT COMPANY
9206 United Drive
Austin, Texas
- \$16,895.00
- (4) BRIGGS-WEAVER, INC.
7740 Ed Bluestein Boulevard
Austin, Texas
- \$6,837.00

CONTRACTS - (Continued)

- (5) CENTRAL ENGINEERING & SUPPLY - \$36,774.00
1925 Cedar Springs
Dallas, Texas
- (6) GRAYBAR ELECTRIC COMPANY - \$9,356.00
7434 North Lamar Boulevard
Austin, Texas
- (7) INTEX SUPPLY - \$25,088.00
6030 Brittmoore Road #A
Houston, Texas
- (8) LONGHORN BOLT & SCREW CO. - \$28,867.00
10109 McKalla Place, Suite H
Austin, Texas
- (9) SNAP-ON-TOOLS CORPORATION - \$8,876.00
7501 Bluff Springs Road, Lot41
Austin, Texas
- (10) THE WALTER TIPS COMPANY - \$19,166.00
200 Colorado
Austin, Texas
- (11) W. H. RICHARDSON CO., INC., - \$113,544.00
3708 Woodbury
Austin, Texas
- i. TEXAS CEMENT COMPANY - Portland Cement for various
2770 Farm Road City Departments
Buda, Texas Twelve (12) Month Supply Agreement
6,330 sacks of type 1, gray
Estimated amount \$22,218.00

Cable Equipment Fund

Authorized purchase of a 3/4" editing system for an amount of \$21,784 from the Cable Equipment Fund.

Councilmember Duncan said the equipment should be available to all on a first come, first served basis for trained personnel. He wants a report back to Council concerning guidelines for use of the equipment.

Item Pulled

During the consent motion Council pulled for one week consideration of a resolution authorizing negotiation of the purchase of computer graphics mapping system from the State of Texas Legislative Council for use by Water & Wastewater Dept.

September 8, 1983

October Zoning Rescheduled

Approved rescheduling the October zoning hearings to October 13, 1983 at 4:00 p.m.

Public Hearings Set

Approved setting public hearings on the following:

- (1) To amend Chapter 13-3 of the Austin City Code (Subdivision Ordinance) regarding small lot subdivision: September 29, 1983 at 4:20 p.m.
- (2) To amend Chapter 13-2 of the Austin City (Zoning Ordinance) regarding establishing a small lot zoning district: September 29, 1983 at 4:25 p.m.
- (3) Consider the Hancock Neighborhood Study: September 29, 1983 at 5:00 p.m.
- (4) Annex 226 acres to the North Central Growth Corridor MUD #1 "Scofield Annexation": September 29, 1983 at 5:15 p.m.
- (5) Creation of Rapid Transit Authority: October 15, 1983 at 5:00 p.m.
- (6) A joint effort by the City of Austin and the Austin Independent School District to relocate the site for new Kealing Junior High School: September 15, 1983 at 5:15 p.m.
- (7) The proposed 1983-84 financial plan: September 20, 1983 at 4:15 p.m.

Office of Neighborhood Revitalization
Contracts

Approved the following Office of Neighborhood Revitalization Contracts:

- a. Imperial Construction - \$19,600
- b. Imperial Construction - \$20,000
- c. Imperial Construction - \$18,400
- d. Imperial Construction - \$19,800
- e. KM Construction - \$20,000
- f. KM Construction - \$20,000
- g. KM Construction - \$14,000

SOUTH AUSTIN INFILL STUDY

Mr. Lillie, Director of Planning, presented a report on South Austin Infill Study, by means of slides. Copy of written report is on file in the City Clerk's Office.

PUBLIC HEARING - INDUSTRIAL DEVELOPMENT BOND, PERRY BROOKS
JOINT VENTURE

Mayor Mullen opened the public hearing set for 2:00 p.m. to consider an Industrial Development Bond financed project proposed by Perry Brooks, Joint Venture.

Ms. Arclethia Overall, Finance Department, told Council this hearing is for a joint venture for the Perry Brooks Building at 121 West 8th Street. The user proposes to enhance the interior-exterior appearance and improve the efficiency of the building. Total cost of the project is \$7,000,000.00.

Clarke Heidrich, representing Inter First Bank, purchaser of the bonds, told Council the overall cost of the project is now estimated at \$8,692,500.00. The amount of bonds before Council is \$8,600,000.00. Mr. Heidrich presented a document to the City Clerk to remain on file.

Motion

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

Motion

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, adopted a resolution approving an Industrial Development Bond Financed Project for Perry Brooks, Joint Venture. (7-0 Vote)

PUBLIC HEARING - INDUSTRIAL DEVELOPMENT BOND, COMMERCIAL PROJECT
PROPOSED BY PERRY BROOKS, JOINT VENTURE

Mayor Mullen opened the public hearing set for 2:00 p.m. on an Industrial Development Bond Financed Commercial Project proposed by Perry Brooks, Joint Venture. No one appeared to be heard.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, closed the public hearing, and adopted a resolution approving the Industrial Board's action made findings relative to the public hearing, approved Perry Brooks Joint Venture Project for purposes of Federal Tax Law; the project conforms to the project approval of standards of the Texas Industrial Commission. (7-0 Vote)

PUBLIC HEARING - HOUSING BOND PROJECT PROPOSED BY CYPRESS HILLS
APARTMENT VENTURE

Mayor Mullen opened the public hearing set for 2:15 p.m. on a 140-unit Multi-Family Housing Bond Project proposed by Cypress Hills Apartment Venture.

Ms. Arclethia Overall, Finance Department, stated this project involves 140 units located at 3501 South 1st Street. Total cost of the project is \$3,800,000.

No one else appeared to be heard.

HEARING - (Continued)

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Rose's second, closed the public hearing and approved a 140-unit Multi-Family Housing Bond Project proposed by Cypress Hills Apartment Venture. (7-0 Vote)

PUBLIC HEARING - CASCADE APARTMENTS VENTURE

Mayor Mullen opened the public hearing set for 2:15 p.m. on a 198 unit Multi-Family Housing Bond Project proposed by Cascade Apartments Venture.

Ms. Overall said the venture involves acquisition and rehabilitation of 198 units located at 1221 and 1222 Algarita Avenue. Total cost of the project is \$4,760,000.

No one appeared to speak.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, closed the public hearing and approved a 198 unit Multi-Family Housing Bond Project proposed by Cascade Apartments Venture. (7-0 Vote)

CITIZEN DID NOT APPEAR

Mr. Allen Hill, who had requested to appear before Council to ask for an exemption from the demolition/relocation moratorium in the Hyde Park area, did not appear but will do so on September 15, 1983.

EXEMPTION REQUEST

The Council, on Councilmember Shipman's motion, Councilmember Spaeth's second, approved the request of Mr. Ridge Miller for exemption from the City of Austin's Sound Amplification Ordinance in order to raise money for the Austin Association for Retarded Citizens on Friday, September 9, 1983, from 3:00 p.m. to 7:00 p.m. (7-0 Vote)

RECESS

Council recessed its meeting at 2:25 p.m. and resumed their recessed meeting at 2:27 p.m.

NO ACTION TAKEN ON ITEMS

After some discussion, Council took no action on the following two ordinances:

ITEMS - (Continued)

- (1) Consider approving the creation agreement and the utility construction contract with the South Central Austin Growth Corridor MUD #1.
- (2) Consider establishing a subsequent user fee for contract bond facilities constructed by the South Central Austin Growth Corridor.

PUBLIC HEARING - AMENDMENT TO AUSTIN METROPOLITAN AREA
ROADWAY PLAN TO ADD BOSTON LANE

Mayor Mullen opened the public hearing set for 2:30 p.m. on an amendment to the Austin Metropolitan Area Roadway Plan to add Boston Lane.

Joe Gieselman, transportation analyst for Travis County, discussed their passing of a resolution to include Boston Lane.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, closed the public hearing and instructed the City Manager to instruct the staff to bring the amendment back on the September 15, 1983 Agenda. (7-0 Vote)

PUBLIC HEARING - AMENDMENT TO AUSTIN METROPOLITAN AREA
ROADWAY PLAN TO ADD JOLLYVILLE ROAD

Mayor Mullen opened the public hearing set for 2:35 p.m. on an amendment to the Austin Metropolitan Area Roadway Plan to add Jollyville Road.

No one appeared to be heard.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Duncan's second, closed the public hearing and approved an amendment to the Austin Metropolitan Area Roadway Plan to add Jollyville Road. (7-0 Vote)

PUBLIC HEARING - AMENDMENT TO CHAPTER 13-2 (ZONING ORDINANCE)
OF AUSTIN CITY CODE ON REFILEING OF ZONING
CHANGE REQUESTS

Mayor Mullen opened the public hearing set for 3:00 P.M. on an amendment to Chapter 13-2 (Zoning Ordinance) of the Austin City Code on refileing of zoning change requests.

Mr. Lillie, Director of Planning, stated: "The City Council instructed the City Attorney's office to draft an ordinance which would amend the Zoning Ordinance to where if a zoning request is denied by the Council that it would provide an 18 month prohibition before a zoning change could be re-applied for. The current ordinance

HEARING - (Continued)

has that you have to have both denial by the Planning Commission and the Council for the 18 month to kick in. The Law Department did draft that amendment and it was scheduled before the Planning Commission. The Planning Commission, on a vote 8-1 felt that the ordinance ought not to be amended. From information we have there has only been one case in which this has actually happened and they did not feel that it was appropriate or necessary to change the ordinance. So they recommend to you that the ordinance remain as it is currently drafted." Councilmember Shipman asked what the one case was. Mr. Nias answered, "The Morro Vista PUD, ironically the very case that engendered this proposal and which you approved the second time it came back. That's why the Planning Commission was not too receptive to the whole idea."

Paul Harris, who represents the Austin Association of Builders, said they oppose the ordinance. He said, "It certainly is harsh to have people required to come back 18 months later when often something might be withdrawn voluntarily for the benefit of a neighborhood group. He feels this is punitive and will not solve that many problems."

Michael Curry, president Brykerwoods Neighborhood Association, does not believe the Planning Commission should regulate the waiting period. If an application is granted it is done so for all purposes. He said they feel there should be a two year waiting period if rejected by the City Council and an 18 month minimum wait if it is withdrawn.

Motion

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

Motion

The Council, on Councilmember Shipman's motion, Councilmember Duncan's second, approved deleting the section pertaining to the petition for reinstatement in less than one year. (7-0 Vote)

Motion

The Council, on Councilmember Shipman's motion, Councilmember Urdy's second, approved a one year wait for applicants who withdraw a zoning case. (7-0 Vote)

Motion - FAILED

Councilmember Shipman made a motion, seconded by Councilmember Duncan to approve an amendment to Chapter 13-2 (Zoning Ordinance) of the Austin City Code on refiling of zoning change requests. Motion FAILED by a vote of 3-4 with Mayor Mullen, Mayor Pro Tem Trevino, Councilmembers Rose and Spaeth voting NO.

ITEM POSTPONED

The Council postponed until September 22, 1983 consideration of amending Chapter 13-2 of the Austin City Code (Zoning Ordinance) to cover the following change:

DIVERSIFIED INVESTMENT
COMPANY

By David H. Ham
C14-81-097

611 Blanco Street

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

CONGRESSMAN PICKLE'S BILL ENDORSED

The Council, on Councilmember Duncan's motion, Mayor Mullen's second, adopted a resolution endorsing Congressman J.J. Pickle's bill concerning industrial revenue bonds with unanimous endorsement. (7-0 Vote)

RECESS

Council recessed its meeting at 3:40 p.m. and resumed its recessed meeting at 4:30 p.m. Mayor Mullen announced Council will go into Executive Session pursuant to Article 6252-17 to discuss board and commission appointments, Section 2, Paragraph g. and Acquisition of Real Estate, Section 2, Paragraph F.

ITEM PULLED

Council postponed action until September 15, 1983 on amendments to Chapter 13-3 and 9-10 of the City Code concerning Flood Plain Development.

BOARD & COMMISSION APPOINTMENTS

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, approved the following board and commission appointments: (7-0 Vote)

Austin Tomorrow On-Going Committee: Robert Greenwood, Harvey Evans, Carl Siegenthaler, Dan Green, Helen Fell MacBeth, Dan Joseph, Jack Evins, Samuel Byars, Elizabeth Washington, Michael Holeman, Palmer Wright, Robert Mather, Gary Wardian and John Emerson.

Hospital Board: Roy Rushing and William Summers

Solicitation Board: Richard Resnik, Clemith Houston, Reuben Rountree

Major Employers Task Force: Frances McIntyre, Edward Hanslik, Wendy Wipperman, Glenn Scott, Mary Young, John Simmons, Allan King, Carl Smoot-Mitchell, David Van Os, Frank Niendorff, Alfred Stanley, Bert Pence, Robb Southerland, Bobby Taylor, Juan Cotera

BOARDS & COMMISSIONS - (Continued)

Building Code Task Force: Conrad Masters, William Rouse, Roger Smith, Stan Miller, Kenneth Altes, Paul Balmuth, Chris Strand, J.R. Howard, Stan Johnson, L.M. Holder, Michael Hart, Fred Ryals, Dee Lindley

Plumbing Advisory: Clint Smith, Neal Barkhurst and James Middleton

Commission of Status of Women: Trish Calhoun

PUBLIC HEARING - SUG PROPOSED RESIDENTIAL CONSERVATION SERVICE
TARIFF

Mr. Bob Laczko, Southern Union Gas Company, addressed Council as follows: "In the material you have we brought out the fact that the RCS program, which we have submitted for a request for a rate is a part of the National Energy Conservation Policy Act, Part 1, Title II. The Congress of the United States has directed that such a Residential Conservation Service (RCS) be established by utilities. Under this law, Southern Union Gas is required to offer residential energy audits to all residential customers.The regulations governing the RCS program however, limit the amount which the utilities can charge an individual user and that limit is \$15.00. The remainder of the cost is to be collected by the utility through some sort of rate. Southern Union is proposing that it collect from its residential customers \$15.00 for the energy audit and that the balance of the cost incurred in the program be collected from its residential customers through surcharges made twice a year. The company will make no profit through the operation of this tariff. I would like to recommend that the Council approve this tariff." Mr. Laczko then listed costs of audits charged by other gas companies in Texas, which were all considerably higher than that proposed by Southern Union Gas.

Mayor Mullen announced Council will not vote on the issue today, but will send this back to the City's rate consultant and then come back to Council.

Daryl Hanes, 106 Kinney, said SUG waited until the last minute to get into the audit program and does not think it would be fair to add to everyone's bill whether they want the audit or not.

Councilmember Spaeth wondered if there is a way Council can find out how other utilities have recovered the cost of this audit, within the law, and/or without a rate increase other than this way? Councilmember Duncan stated "Several of the utilities have recovered the cost because it is cost effective for them to do the audit because the audits and weatherization have reduced the peak load dramatically enough that they don't charge anything for the audit and they don't try to recover the rate because they are already recovering it through the reduction of their peak demand." Mayor Mullen said that is something that is sometimes hard to grasp but it is true. Mr. Laczko said the peak loads to electric utility are different from those to gas utility because gas utility seldom gets to peak load.

HEARING - (Continued)

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Rose's second, closed the public hearing and sent Southern Union Gas Company's request to the City's rate consultant. (7-0 Vote)

PUBLIC HEARING - PROPOSED RATE CHANGE BY SOUTHERN UNION
GAS COMPANY

Mayor Mullen opened the public hearing set for 4:00 p.m. on proposed rate change by Southern Union Gas Company.

Mr. Bob Laczko, Vice President, Southern Union Gas Company, told Council his company has not had a rate change since 1981.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, closed the public hearing and directed the request be sent to the City's rate consultants. (7-0 Vote)

PUBLIC HEARING - APPEAL OF PLANNING COMMISSION DECISION

Mayor Mullen opened the public hearing set for 4:15 p.m. on an appeal from Mr. Mark Berger of the Planning Commission's decision to grant Special Permits on Case No. C14p-83-069/Murray Properties and Case No. C14p-83-080/Condel Investments.

Mr. Richard Lillie, Director of Planning, said both permits are adjacent to one another. The applications are located on both sides of Stassney Lane between IH 35 and Williamson Creek. The application on the south side is 10.9 acres and includes a multi-family project of 184 units. The area on the north side of Stassney Lane is 11.9 acres and has 288 units. Both tracts are zoned "GR" general retail, except for land along Williamson Creek, which is zoned "A". The projects have been reviewed by all departments and comments are in Council's packet.

David Armbrust, representing Murray Properties, said there will be some fill along Wells Branch Creek.

Motion

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

Councilmember Shipman said she wants a smooth flow of traffic on Stassney Lane. Dr. Benson, Director of Urban Transportation, said they have looked at the site and feel they have a workable plan.

APPEAL - (Continued)

Motion

The Council, on Councilmember Shipman's motion, Councilmember Duncan's second, closed the public hearing and instructed the applicant to work with Planning Commission to fill back to "BB" and grant Special Permit on Case C14p-83-069/Murray Properties, with 75' hike and bike trail dedication. (7-0 Vote)

Motion

The Council, on Councilmember Rose's motion, Mayor Pro Tem Trevino's second, closed the public hearing and instructed applicant to work with Planning Commission to roll back to "BB" and granted Special Permit on Case C14p-83-080/Condel Investments with 75' hike and bike trail dedication. (7-0 Vote)

PUBLIC HEARING - ANNEXATION

Mayor Mullen opened the public hearings set for 4:30 p.m. for:

- a. I.H. 35 N. Corridor Annexation
- b. R.M. 620 Corridor Annexation

Mr. Lillie first spoke to the I.H. 35 N. Corridor Annexation. He said this is the second public hearing for full purpose annexation in the Round Rock ETJ.

No one appeared to be heard.

Motion

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, closed the public hearing instructed the City Manager to instruct staff to bring this back for first reading of an ordinance on September 29, 1983.

Mr. Lillie reviewed the proposed R.M. 620 Corridor Annexation.

Mr. Joe England, who lives on R.M. 620, east of Highway 183, said he is interested in fire protection. He said Jollyville is 3.2 miles from them and would prefer an agreement with Round Rock to maintain fire protection in his area.

Robert Warren told Council his wife has a feed store and wondered what type of zoning her store will have. Mayor Mullen told him that "AA" will continue but the store cannot be expanded. Mr. Nias, Assistant City Attorney, told Mr. Warren he should come before Council for a zoning change to protect himself.

Motion

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, closed the public hearing and instructed the City Manager to instruct staff to bring this back for first reading of an ordinance on September 29, 1983. (7-0 Vote)

RECESS

Council recessed its meeting at 5:15 P.M. and resumed its recessed meeting at 6:00 P.M.

ZONING HEARINGS

Mayor Mullen announced Council would hear the zoning case scheduled for 5:30 p.m.. Council heard and postponed decision until November 17, 1983 at 4:00 P.M.

C14-83 M.D. THOMSON &
073 WILLIAM M. BROOKS
By Miguel "Mike"
Guerrero

1000-1010 Banister
Lane & 3708-3818
Garden Villa Lane

From "A" 1st H&A
To "O" 1st H&A
RECOMMENDED

POSTPONED TO NOVEMBER 17, 1983
AT 4:00 P.M.

Mr. Guerrero, representing applicant, offered to tie this zoning to site plan approval.

Kay Northcott opposes the zoning change because they fear flooding. She said until the Bouldin Creek project is finished no one knows what will happen concerning flood control.

Nancy M. Fathery also fears flooding which may occur. She asked for a postponement of a decision until a creek study is completed.

James Pinedo, chairperson of United South Austin, also opposed and fears flooding.

Jesse Herrero spoke against the zoning change. He said the priorities must be studied.

Jackie Goodman, Cooper Lane Neighborhood Association, spoke against the zoning change.

Councilmember Shipman made a motion to deny the request but there was no second to the motion.

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

ZONING CASE SENT BACK TO PLANNING COMMISSION

Council agreed to send the following zoning case back to the Planning Commission: C14-83-016, Steve R. Scott by John M. Joseph, 809-829 Barton Springs Road, 501-515 Boulding.

ADJOURNMENT

Council adjourned its meeting at 7:00 p.m.