



Austin City Council MINUTES

For MARCH 25, 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 scheduled for 1:00 p.m. at 1:00 p.m., noting the absence of Councilmember Goodman, who was gone for the day; Councilmembers Deuser and Duncan, who entered the Council Chamber at 1:10 and 1:15 respectively; Mayor Pro Tem Trevino who entered at 1:20 and Councilmember Urdy who entered at 1:20.

INVOCATION

The Invocation was given by Major Robert Bagley, Salvation Army Headquarters.

MINUTES APPROVED

The Council, on Mayor Pro Tem Trevino's motion, Mayor McClellan's second, approved the Minutes for Regular Meetings of February 4, 10, 11, 17, 18, 1982. (6-0 Vote, Councilmember Goodman absent)

CONSENT RESOLUTIONS

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Mullen's second, adopted the following resolutions in one consent motion: (6-0 Vote, Councilmember Goodman absent)

Capital Improvements Program

Approved acquisition of the following tract of land for the Jefferson Street Flood Control Project: C.I.P. No. 82/60-05: All of Lot 1 Allen Oaks, 3907 Jefferson Street. (Sylvia T. Hendricks)

Contracts Approved

Approved the following contracts:

- a. AUSTIN PUMP AND SUPPLY COMPANY
3803 Todd Lane
Austin, Texas
- Toro repair and replacement irrigation parts. Parks and Recreation Department
Twelve (12) Month Supply Agreement
Estimated total: \$28,000
- b. COMPUTYPE OF TEXAS, INC.
609 Fannin Building, Suite 821
Houston, Texas
- Printing of Brochures, Notice of Sale and bid sheets for Official Revenue and General Obligation Bonds, Finance Dept.
Items 1-6 - \$14,750.00
- c. WILLAMETTE INDUSTRIES, INC
1802 N. E. Loop 410, #21
San Antonio, Texas
- Continuous Stock Paper, Purchases and Stores Department
Items 5-11, 16-19
Estimated total \$83,255.00
- d. Bid award:
- (1) YOUNGBLOOD GENERAL TIRE COMPANY
506 N. Lamar Boulevard
Austin, Texas
- Items 8-23 - \$15,549.96
- (2) CRAIN TIRE COMPANY
7511 Burnet Road
Austin, Texas
- Items 42-47 - \$12,970.00
- (3) WALKER TIRE COMPANY
7107 N. Lamar Boulevard
Austin, Texas
- Items 24-41, 48 & 49 - \$8,533.46
- e. THOMPSON-HAYWARD CHEMICAL COMPANY
222 Seguin Street
San Antonio, Texas
- Fluosillicic Acid, Water and Wastewater Department
Twelve (12) Month Supply Agreement
Item 1 - Estimated total \$34,776.00
- f. JONES CHEMICALS, INC.
1777 Haden Road
Houston, Texas
- Liquid Chlorine, Water and Wastewater and Parks and Recreation Departments
Twelve (12) Month Supply Agreement
Item 1 - \$203,047.00
- g. MOODY DAY COMPANY, INC.
2323 Irving Boulevard
Dallas, Texas
- Underground Reversible Piercing Tool, Water and Wastewater Department
Item 1, 1 ea. - \$6,798.30

CONTRACTS - (Continued)

- h. GERBER MANUFACTURING COMPANY
1655 East 12th Street
Michawaka, Indiana - Uniform Officer Jackets, Purchases
and Stores Department
Item 2 - \$7,340.00
- i. BLUEBONNETT COMPUTER COMPANY
1214 West 5th Street
Austin, Texas - Lease of Disk Storage Unit,
Information Systems Department
Item 1 - \$3,260.50/mo. not to
exceed 24 months.

Item Pulled

During the consent motion, consideration of the following contract was postponed until April 1, 1982:

- ENERGY ENGINEERING ASSOCIATES, INC. - Implementation of the Comprehensive
3405 North IH 35 Community Energy Management
Austin, Texas Program's Energy Management Plan,
Office of Energy Conservation and
Renewable Resources - \$49,600.00

Greater Austin Organized Crime Control Unit

Authorized the City of Marble Falls to become a party to the Interlocal Assistance & authorized participation in the Greater Austin Area Organized Crime Control Unit.

Temporary Street Closing

Approved temporary closing of Stratford Drive from MoPac to Vale on April 24, 1982 from 8:00 a.m. to 8:00 p.m. and on April 25, 1982 from 10:00 a.m. to 8:00 p.m. as requested by the Austin Parks and Recreation Department.

Annual Flora-Rama

Approved limiting free access to Zilker Municipal Gardens for two days admission to be by donation of \$1.00 for entrance to the 25th Annual Flora-Rama to be held Saturday and Sunday, May 1 and 2, 1982.

Hotel Tax Revenue

Set aside one-fourth of hotel tax revenue for the City of Austin's Cultural Contract Programs, with a provision that one-fourth of any excess of actual hotel tax revenue over estimated revenue (and/or lapsed funds) at the end of a given fiscal year be "rolled over" to the following year to benefit the arts.

Revised Agreement

Approved the Revised Agreement regarding construction of the Bull Creek Lateral "A" Wastewater Main.

Items Postponed

The following items will be considered April 1 at 6:45 p.m.:

Consider position and proposed FY '83 Federal Budget regarding energy.
(Councilmember Larry Deuser)

Consider position and proposed FY '83 Federal Budget regarding environment
(Councilmember Larry Deuser) protection.

1982-83 Community Development
Block Grant Program

Scheduled the following for the 1982-83 Community Development Block Grant Program:

- a. Informational work session on Proposed General Topic Areas.
April 12, 1982 at 5:00 p.m.
- b. Public hearing on Proposed General Topic Areas.
April 15, 1982 at 6:15 p.m.
- c. Public hearing on the scopes of work for Specific Request
for Proposals Activities.
May 13, 1982 at 5:00 p.m.

Public Hearings Set

Set public hearings on the following:

- a. Amendments to Chapter 13-3 of the Austin City Code (Subdivision Ordinance) to reinstate portions of Lake Austin Watershed standards omitted during printing of City Code of 1981. April 8, 1982 at 3:00 p.m.
- b. An appeal from Arthur E. Hamilton of the Planning Commission's decision on a Special Permit for 407 East 6th Street. (Case No. C14p-81-005) April 22, 1982 at 5:00 p.m.
- c. An appeal from Lannis A. Kircus, of the Planning Commission's decision on a Special Permit for a 10-unit townhouse called "The Westfield". (Case No. C14p-82-001) April 22, 1982 at 1:30 p.m.
- d. An appeal from Mr. Howell Finch of the Planning Commission's decision on a Special Permit for Las Colinas. (Case No. C14p-68-17) April 29, 1982 at 6:30 p.m.

Quitclaim Deed
Authorized

Authorized a quitclaim deed to Parcel #1 1103 0112 N. 50 of N 185, Lot 5, Block 14, Maas Addition to the Clarksville Community Development Corporation.

CONSENT ORDINANCES

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Mullen's second, waived the requirement for three readings and finally passed the following ordinance in one consent motion: (6-0 Vote, Councilmember Goodman absent)

Payment Authorized

Authorized payment to the following:

MEADOW MOUNTAIN CORPORATION	- Five (5) year contract to pay developer the cost difference of a wastewater (8" & 12") approach main to serve Meadow Mountain PUD. City cost participation is \$55,864.48.
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Items Postponed

During the consent motion on ordinances, Council postponed until April 1, 1982 consideration of the following items:

- (1) Amending the 1981-82 Operating Budget by appropriating \$34,182 for the Building Inspection Department to implement the proposed Landscape Ordinance
- (2) Consideration of establishing a fee of \$0.05 per square foot of required landscaping to provide for review of plans and inspection of installation.
- (3) Second and third readings of the following Ordinances:
 - a. Amending Chapter 13-2 of the Austin City Code (Zoning Ordinance) to provide for new landscaping requirements.
 - b. Amending Chapter 13-2 of the Austin City Code (Zoning Ordinance) to cover the following change:

STEVE C. GRINNELL
By Jerry L. Harris
C14-81-218

1607 West Avenue

From "A" 1st H&A to
"0-1" 1st H&A

Mr. Jerry Harris requested this item be postponed until a full Council is present.)

SPECIAL TRANSIT SERVICES PROGRAM

Council had before it for consideration an amendment to the Austin Transit System Policies and Procedures for the Special Transit Services Program regarding open returns.

Martha Arbuckle appeared and said the purpose of the new policy is to make the system more efficient. She said it is too soon to monitor now and wants to look at the system in six months.

Malcolm Graham favors the open returns because the blind community is having a difficult time with token returns.

Jerry Schlautheir, president, MIGHT, said he does not use special transit himself but he feels a lot of questions will be cleared up if there is more communication.

A woman who did not identify herself discussed water hauls.

Peg Cossett said there should be more discussion.

Pat Pounds said she wants the system to work for everyone.

Stan Bevins, vice president, MIGHT, is a UT psychologist who works with disabled students. He said this is mass transit, not cab service, and he does not think open returns are needed.

James Kemperton said his schedule has been thrown off and that is not good.

Dr. Benson, Director of Urban Transportation, said the percentage of waterhauls in open return and regular service is 3%. He said the users of the transit service have to plan on a one hour wait.

Charles Eskridge, member of Urban Transportation Commission, said the system should be given another six months to see if it works.

Council decided the Austin Transit System Policies and Procedures for the Special Transit Services Program regarding open returns needs more study and the situation needs to be monitored.

PARKLAND PURCHASE DISCUSSED

Council had before it for consideration a resolution authorizing an Earnest Money Contract with Gary Bradley and John C. Wooley, trustees for the purchase of 215 acres of parkland.

Mayor McClellan asked Mr. Joe Morahan, Director of Property Management, how soon an individual appraiser can appraise the land. Mr. Morahan said for something this size it would take 3-4 weeks. He said his office has not looked at the property

PARKLAND - (Continued)

but they do have a number of questions. Mr. Ehrler, Director of Parks and Recreation, said he will work with Property Management.

Mr. Meiszer pointed out to Council that if the bond issue fails, the City would be obligated to buy the land. He feels there should be an escape clause in the contract if the City does not come up with \$3,000,000 plus.

Lynn Gary appeared before Council to say he lives in the area of the proposed park. He said they want to be allowed input into the planning of the park. They need softball and soccer fields and he feels the widening of Commons Ford Road would be a good idea.

Council discussed the cost of the land and an appraisal.

Councilmember Deuser told Council he cannot support buying something out of money which they do not have. Councilmember Mullen said if Council does not do something, parkland will be gone forever. Councilmember Mullen said Council should move expeditiously to make it work. Councilmember Urdy says he agrees.

After more discussion Council agreed to bring this back April 1, 1982.

NORTH CENTRAL GROWTH CORRIDOR
MUD

Councilmember Deuser discussed the NPC North Central Austin Growth Corridor Municipal Utility District No. 1, alternative 1. He stated, "We apparently failed to have any discussion related to other options available to the City Council in this instance. I would like to note that there were different options available on the size of the wastewater and size of the water utilities being provided and the quantity. In essence the amount of City participation in Alternative 1 on water lines was basically to comply with the original request from the proposers and applicants for the MUD and that was to allow the building of a 24" line from Lamar Boulevard and the associated pumping improvements at Koenig Lane pump station. It seems that the expenses then would be incurred in total and the cost would be afforded by the MUD. Therefore, the entire cost for the lines and services for the water service for the 5,577 living unit equivalents would be born by the entity, the MUD that was being set up for the purpose of providing that water service to that area. Similarly on the wastewater side the original request was for a package treatment plant that would discharge into Walnut Creek and would involve only a district bond. However, there was an alternative to that which involved a slight extension to existing lines and a forced lift station and forced main in the Ferguson Branch to go ahead and serve not only those 577 units with wastewater but some additional 12,000. In moving to that then the City starts picking up its share of cost but it was certainly a much smaller total expense involved than would ever be incurred in the rather large proposal which turned out to be Alternative 3 on water and Alternative 3 on wastewater and both of those got so large that the City is picking up 93 and 94% of the total cost of their bonded indebtedness which is another way of looking at it. Whereas those will be borne by the entire system and revenues generated for services rendered, whether through a monthly sur charge or through a subsequent user fee or

MUD - (Continued)

just from the water and wastewater rate, the underwriting of that system will be by our entire water and wastewater utility system and that is the definition of it that you would want to apply to something that would be called a revenue bond. So whether we refer to them as something else, a contract bond or revenue bond are in essence one and the same as far as the effect on the City of Austin. We can have on our revenue bond user fees, we can have tap fees, we can have monthly charges for treatment facility expansion that are allocated only to certain portions of the system...every bit as flexible. It seems to me that the Council in its rushing through two hearings only considered one option and that option in both cases was the very largest water option and the very largest wastewater option where the City participation and the over all bonded indebtedness rolled up over 90% of the bonded indebtedness and in fact as was pointed out in the last public hearing, it could rise much, much higher than just 90 some percent, up to 99% in total bonded indebtedness of well over \$300 million. We've never had a project like this, we've never had a bond issue approaching that amount of money and it seems to me that in going from the simple and straight forward option which would be available to the proposal to the MUD, the NPC MUD, which would involve virtually no additional risk, no additional expense on the part of the City. Going from that to the most expensive version, we skipped over a bunch of options. We skipped over the option that it may be advantageous for NPC MUD to go ahead and be created but wait until we have the opportunity to go to the voters of Austin for water and wastewater bonds that could provide a substantial amount if not the total amount of the proposed overall services but in particular phase them so the MUD would get their MUD more in keeping with their proposed development time. It seems that that overall MUD has previously received some allocation from Water and Wastewater so it's not like they are in such a hurry that they won't be able to do any construction in the next two or three years because of a lack of any services to that tract through the expansion of the Little Walnut Creek bottle neck.So I wanted to bring this up and get it on the table for discussion with Council and let's start talking about alternatives and not get locked into one single approach."

Councilmember Duncan said, "Essentially you are saying that we have the option to allow the MUD to go ahead and consent to just what the MUD needs and as far as the oversizing arrangement, put those into a regular bond issue and tie the subsequent user fees and charges that are currently included in the MUD arrangement to the bond issue and there is no reason that we can't do that. I agree, it is another form of the Capital Increment Fee. I would agree because it is a viable option and if you would like to request that when the MUD comes before us again next week or the week after, that that option also be placed on the Agenda, I support you in that." It was agreed this would be placed on the next Agenda with the MUD.

CIVIL SERVICE COMMISSION APPOINTMENT

The Council, on Councilmember Duncan's motion, Councilmember Deuser's second, appointed Dr. William G. Wolf to the Civil Service Commission. (6-0 Vote, Councilmember Goodman absent)

PUBLIC HEARING - SHEPHERD MOUNTAIN TRACT

Mayor Pro Tem Trevino opened the public hearing scheduled for 3:30 p.m. to consider amending Ordinance No. 810820-B (Water and Wastewater Service Area Ordinance) to include Shepherd Mountain Tract. He advised Council a letter has been received from the attorney representing the applicant requesting a postponement of the hearing until April 8. Mayor Pro Tem Trevino said that since this is a posted public hearing anyone who wants to speak may do so.

No one appeared to speak.

Motion

The Council, on Councilmember Duncan's motion, Councilmember Deuser's second, voted to continue the public hearing to consider amending Ordinance No. 810820-B (Water and Wastewater Service Area Ordinance) to include Shepherd Mountain tract to April 8, 1982 at 5:30 p.m. (6-0 Vote, Councilmember Goodman absent)

CERTIFICATES OF OBLIGATION

The City Manager stated these Certificates of Obligation would be from two banks at 5% interest for one year and they would be taking advantage of this lower interest. Mr. Rick Atkinson, City Treasurer, stated this is temporary financing.

Motion

The Council, on Councilmember Deuser's motion, Councilmember Duncan's second, adopted a resolution authorizing publication of notice of intention to issue Certificate of Obligation for improvements that were necessary because of the 1981 flooding. (6-0 Vote, Councilmember Goodman absent)

Prior to the vote, Councilmember Deuser said he does not want anything designated which has not been approved by the voters and he stated for the record that this is not any part of the Parks and Recreation bonds that were not approved by the voters. He wants reports of the tracking of money that could have been spent, with a memo from Finance concerning the cash flow from Public Works, Budget & Management, and the Finance Departments.

OPERATING BUDGET AMENDMENT

The Council, on Councilmember Mullen's motion, Councilmember Duncan's second, waived the requirement for three readings and finally passed an ordinance amending the 1981-82 Operating Budget by appropriating \$63,500 from the ending balance of the General Fund for the purpose of extending Humane Society of Austin contract. (6-0 Vote, Councilmember Goodman absent)

Prior to the vote, Ms. Ruby Goodwin asked what the balance is after this is done. Mr. Meiszer, City Manager, told her it will be \$5,282,945.00. Dr. Randall, Director, Health Department, stated the Humane Society had asked for \$341,000 but the recommendation of the auditor's as well as himself, was to go with the \$63,500 and discuss the need to refund more.

CAPITAL IMPROVEMENTS PROGRAM

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance amending the Capital Improvements Program by appropriating \$2,000,000.00 to cover Capital Improvements Program requirements for April. (6-0 Vote, Councilmember Goodman absent)

Councilmember Duncan said he wanted this approved this way instead of for the remainder of fiscal year as authorized under the Dark Gray Plan.

**ITEMS RELATING TO LAKE AUSTIN SHORELAND
ZONE**

Council had before them several items for action relating to the Lake Austin Shoreland Zone.

Public Hearings Set

The Council, on Councilmember Duncan's motion, Councilmember Urdy's second, set two public hearings on the limited purpose annexation of the Lake Austin Shoreland Zone, including one hearing to be held in the area proposed to be annexed. (6-0 Vote, Councilmember Goodman absent)

April 14, 1982 at the site at 3:00 p.m. (Wednesday)

April 15, 1982 in the Council Chamber at 3:00 p.m. (Thursday)

Resolution

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, adopted a resolution directing the City Planning Department to initiate the limited purpose annexation process for the Lake Austin Shoreland Zone, including the preparation of lawfully required plans. (6-0 Vote, Councilmember Goodman absent)

Items Postponed

The following items for action were postponed until April 1 for consideration:

1. Consider adopting subdivision (Chapter 13-3) and site development (Chapter 9-10) ordinances for the Lake Austin Shoreland Zone.
2. Consider setting a public hearing to amend Chapter 13-2 of the City Code (Zoning Ordinance) to create a Lake Austin Shoreland zoning classification.
3. Consider setting a public hearing to amend Section 13-2-23(d) of the Austin City Code pertaining to the interim zoning classification of land annexed along the shoreline of Lake Austin.

ITEMS TO BE BROUGHT BACK

The following items concerning height limitations will be considered at 6:30 p.m. on April 1, 1982:

1. Consider providing direction to staff concerning interpretation of Section 13-2-130(a)(1), Code of the City of Austin, 1981;
2. Consider formulation of proposal regarding building height limitations for referral to Planning Commission for consideration and report;
3. Consider an ordinance establishing a temporary moratorium prohibiting the issuance of permits for buildings exceeding 200 feet in height.

RECESS

Council recessed its meeting at 4:00 p.m. and resumed its recessed meeting at 4:12 p.m.

ZONING HEARINGS

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

- | | | | | |
|-----|-------------|---|------------------------------|--|
| (1) | -82
002 | WILLIAM C.
MONTANDON, ET AL
By Len Layne | 5701 Johnny Morris
Road | From Interim "A" 1st H&A
To "MH" 1st H&A
<u>RECOMMENDED</u>
<u>GRANTED AS RECOMMENDED</u> |
| (2) | r-82
007 | THOMAS H. BARNETT,
ET AL
By B. T. Webb | 10108 N. I. H. 35 | From Interim "AA" 1st H&A
To "DL" 1st H&A
<u>RECOMMENDED</u>
<u>GRANTED AS RECOMMENDED</u> |
| (3) | r-82
017 | JOHN L. SHIVE | 700-754 Bastrop
Highway | From Interim "A" and
Interim "AA" 1st H&A
To "DL" 1st H&A
<u>RECOMMENDED</u>
<u>GRANTED AS RECOMMENDED</u> |
| (4) | -82
019 | CITY OF AUSTIN
PLANNING DEPT. | 9076-9094 Jollyville
Road | From "GR" 1st H&A
To "O-1" 1st H&A
<u>RECOMMENDED</u>
<u>GRANTED AS RECOMMENDED</u> |
| (5) | h-81
024 | W. B. SMITH
BUILDING
By Crow Simmons
Gottesman | 316-318 Congress
Avenue | From "C-2" 4th H&A
To "C-2-H" 4th H&A
<u>RECOMMENDED</u>
<u>GRANTED AS RECOMMENDED</u> |
| (6) | h-82
003 | LEWIS-THOMAS HOUSE
By Kathleen A.
Ginn | 1508 Newning | From "A" 1st H&A
To "A-H" 1st H&A
<u>RECOMMENDED</u>
<u>GRANTED AS RECOMMENDED</u> |
| (7) | h-82
006 | BEN M. BARKER
HOUSE
By Whit Hanks | 3215 Duval | From "A" 1st H&A
To "A-H" 1st H&A
<u>RECOMMENDED</u>
<u>GRANTED AS RECOMMENDED</u> |
| (8) | h-82
007 | OPENHEIMER-
MONTGOMERY BUILDING
Tom Shefelman | 105-111 West 8th St. | From "C-2" 4th H&A
To "C-2-H" 4th H&A
<u>RECOMMENDED</u>
<u>GRANTED AS RECOMMENDED</u> |

(On Councilmember Duncan's motion, Councilmember Urdy's second, 5-0 Vote, Councilmember Goodman absent, Councilmember Mullen was out of the room.)

ZONING HEARINGS - (Continued)

C14 r-82 W. D. BROOKS
006 By Gary F. Brown

13547 Research Blvd. From Interim "AA" 1st H&A
To "GR" 1st H&A
RECOMMENDED subject to
staff recommendations
and ordinance requirements,
rollback once the use
terminates as volunteered
by applicant.
GRANTED AS RECOMMENDED; NO
OTHER USE TO BE PERMITTED

(On Councilmember Deuser's motion, Mayor Pro Tem Trevino's second, 6-0 Vote,
Councilmember Goodman absent)

C14r-82 RICHARD D.
016 HARDIN, TRUSTEE
By W. M. Faust

8710 MoPac Blvd.

From "GR" 1st H&A *(amended)*
To "GR" 2nd H&A *(to O-1 2nd)*
RECOMMENDED "GR" 2nd H&A
to be tied to site plan;
rollback to "O-1" office
once the use changes.

GRANTED AS AMENDED "O-1" 2nd H&A; CITY INITIATE ROLL BACK TO
"O-1" 1st H&A ON ALL LAND EXCEPT FOOTPRINT OF BUILDING;
EXTERIOR TO HAVE NO HIGHLY REFLECTIVE MATERIAL & NO LARGE
ILLUMINATED SIGNS ON OR NEAR THE TOP OF STRUCTURE.

(On Councilmember Deuser's motion, Mayor Pro Tem Trevino's second, 6-0 Vote,
Councilmember Goodman absent.)

C14 -82 N. J. WONSLEY
001 ESTATE
By Thomas C.
Heaton

309 Wonsley Drive,
also bounded by
Gessner Drive

From "A" 1st H&A
To "O" 1st H&A
NOT RECOMMENDED
RECOMMENDED "B" 1st H&A
subject to site plan
approval.

GRANTED AS RECOMMENDED

Ms. Donna Kristaponis, Assistant Director of Planning, told Council the applicant is in agreement with the recommendation. Mr. Tom Heaton, representing the applicant appeared before Council to reaffirm this fact.

(On Councilmember Mullen's motion, Councilmember Deuser's second, 6-0 Vote,
Councilmember Goodman absent.)

ZONING HEARINGS - (Continued)

C14 -82 011	KENNETH W. & MARY JACQUELINE TURNER PATTON By Charles F. Daily, Jr.	304, 306 & 308 W. Alpine Road	From "A" 1st H&A To "B" 1st H&A NOT RECOMMENDED RECOMMENDED "BB" subject to site plan approval by Planning Commission, 25' buffer of "A" to rear of residents on Lightsey, dedication of 5' of right-of-way on Alpine. <u>GRANTED AS RECOMMENDED; 6' PRIVACY FENCE ON WEST</u>
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Ms. Kristaponis reviewed by use of slides.

Charles Daily, representing the applicant, said the land, which is a deep lot with no access in the rear to a public street, was a dairy farm in 1926. In the 1950's it was subdivided into three lots. They agree with the Planning Commission's recommendation.

Mr. Adrian Overstreet, who owns apartments down the street, told Council he wants to purchase the Patton property in order to build another apartment. He said the property will not impact on Mr. Florence.

Mr. Rodney Florence, who lives on Lightsey Road, appeared before Council to show slides of the area and to tell Council the neighborhood wants a full review so they know what is happening.

(On Councilmember Deuser's motion, Councilmember Mullen's second, 6-0 Vote, Council-Councilmember Goodman absent.)

Zoning Applications Denied

Council heard and DENIED the following applications for zoning change:

C14 -82 012	FRANCES MONREAL By Mark Monreal	1800 Miriam Avenue	From "A" 1st H&A To "GR" 1st H&A NOT RECOMMENDED <u>DENIED</u>
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(Valid petition on file.)

Ms. Kristaponis reviewed the application by use of slides.

Mark Monreal appeared before Council. He said the house will be remodeled and the two front rooms will be converted to a tennis equipment sales store.

Maggie Demps, who lives in the neighborhood, said she wants the neighborhood left as is with no more businesses.

ZONING HEARINGS - (Continued)

Billy Taylor, who lives on Myron, is against the change.

Chester Solomon who lives across the alley from the site, said he thought the change would promote loitering in the neighborhood.

A man who did not identify himself said this neighborhood is one of the better ones in East Austin and he is against zoning change.

Ira D. Taylor, who lives across the street, asked the zoning be left as is.

Mark Monreal returned for the summation. He said there will not be much of an increase in traffic, and tennis players do not loiter.

Councilmember Urdy said that in spite of the concrete plant, the neighborhood is a quiet, stable neighborhood. Mayor McClellan said it would be a good business but it is a matter of what would be appropriate in the residential area.

(On Councilmember Deuser's motion, Councilmember Urdy's second, 6-0 Vote, Councilmember Goodman absent)

C14 -81 242	AARON A. BUFORD By M & B Plumbing Contractors, Inc.	12117-12119 Pecan Street	From "A" 1st H&A To "GR" 1st H&A NOT RECOMMENDED <u>DENIED</u>
	(Valid Petition on File)		

Bob Simpson appeared before Council to say Mr. Buford has been filed on and he is not complying. He suggested Council recommend to Building Inspection and the Legal Department that if they violate zoning regulations should be enforced.

Mayor McClellan requested staff and the Legal Department to take steps to see this does not continue.

(On Councilmember Duncan's motion, Councilmember Urdy's second, 6-0 Vote, Councilmember Goodman absent)

Cases Postponed

Council postponed the following zoning cases:

C14 -82 009	PETER A. DWYER, TRUSTEE	2510 & 4504 North Bluff	From Interim "A" 1st H&A To "BB" 1st H&A RECOMMENDED subject to staff recommendations and ordinance requirements, site plan approval by Planning Commission.
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POSTPONE TO APRIL 8, 1982 AT 6:00 P.M.

(On Mayor Pro Tem Trevino's motion, Mayor McClellan's second, 6-0 Vote, Councilmember Goodman absent.)

ZONING HEARINGS - (Continued)

C14-82 EDWARD JOSEPH Rear of 8500 Cameron From "I-A", "I-AA" 1st H&A
 005 DEVELOPMENTS, INC. Road To "D" & "DL" 1st H&A
 By Hoyle M. 8313-8419 Cameron Rd. NOT RECOMMENDED
 Osborne 8401-8405 & 8400-8422 RECOMMENDED "A" 1st H&A or
 Clear Creek Drive on Tracts 1 & 2.

HEARING CONCERNING REAR OF CAMERON ROAD POSTPONED UNTIL
 MAY 13, 1982 AT 5:00 P.M.

HEARING ON REMAINDER POSTPONED UNTIL JULY 22, 1982
 AT 5:00 P.M.

(On Councilmember Mullen's motion, Councilmember Duncan's second, 6-0 Vote,
 Councilmember Goodman absent)

C14 r-82 J. R. BEHRINGER 11855 U.S. 183 From "GR" 1st H&A
 015 By Morris Olguin To "C" 1st H&A
 NOT RECOMMENDED
POSTPONED TO APRIL 1, 1982 AT 7:00 P.M.

(On Councilmember Deuser's motion, Mayor McClellan's second, 6-0 Vote, Councilmember
 Goodman absent)

Case Withdrawn

C14 -82 RON SCHARFE 805 South Center From "A" 1st H&A
 008 By John Meinrath To "B" 1st H&A
 NOT RECOMMENDED

(Valid Petition on File)

ALLOWED WITHDRAWAL ON
 APPLICANT'S REQUEST

(On Councilmember Mullen's motion, Mayor McClellan's second, 6-0 Vote, Councilmember
 Goodman absent)

FEDERAL BUDGET RE EDUCATION

Councilmember Deuser made a motion, seconded by Mayor Pro Tem Trevino, to
 submit the following resolution concerning FY '83 Federal Budget regarding education:

WHEREAS, Education is one of the three big E's of major concern in Austin,
 Texas (the other two are Energy and Environment); and

EDUCATION - (Continued)

WHEREAS, the President has proposed a 1983 Federal Budget that will adversely affect both the availability and economics of education in Austin at the primary, secondary, college and university levels in the following ways:

1) AISD (Austin Independent School District) will experience drastic program reductions in such areas as special education, compensatory education, vocational education and bilingual education. For example there is a proposed 22% slash of Title I funds (down \$539 M from last year) with a two year total decrease of 42% in the dollar amount; and

2) Our local universities and colleges would be hard hit by the elimination of Supplemental Education Opportunities Grants, National Direct Student Loans and State Student Incentives Grants, in addition to the 40% cut in Pell Grants (formerly Basic Grants) to students from low and moderate income households, and a 27% cut in the Work Study Program; for example, almost 3,000 graduate students at the University of Texas would experience much higher interest on loans and have to repay while still in school; another example, is Huston-Tillotson College where virtually the entire student body will be affected and fully 25% of the students may be expected to leave to go to school nearer home or to enter an already tight job market.

WHEREAS, the City of Austin recognizes the dollars and sense of education in that the "education industry" is a vital link in the economy of our community and the quality of education at every level is a honing of our most important resource, people.

THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF AUSTIN opposes such extensive cuts by the Federal Government and lends its support to fight these proposed measures in Congress and furthermore, calls on the President of the United States to review the proposed 1983 Federal Budget priorities.

Mr. Umbreatta appeared before Council with a petition concerning funds for education.

Mayor McClellan said she will sign the petition but she does not think the resolution is appropriate for support by the Council as a body.

Councilmember Mullen said he will not vote on anything which the Council has no jurisdiction over.

Diana Castellano appeared before Council to say the City would not need so many CIP projects if they had better educated people.

Call For Question

Mayor Pro Tem Trevino called for the question. Agreement was unanimous.

Roll Call on Motion

4-0 Vote, Councilmember Mullen, Mayor McClellan abstained, Councilmember Goodman absent

COMMUNITY DEVELOPMENT COMMISSION
REPORT

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, accepted the Community Development Commission report responding to the proposed ACORN Ordinance and will bring it back next week for action. (6-0 Vote, Councilmember Goodman absent)

RECESS

Council recessed its meeting at 5:45 p.m. and resumed its recessed meeting at 6:20 p.m.

FIREWORKS SPECTACULAR

The Council, on Councilmember Duncan's motion, Mayor McClellan's second, approved the request of Mr. Stephen L. Van for approval for a special fireworks spectacular from 8:00 p.m. to 8:30 p.m., Friday, April 2, 1982 on the South Shore of Town Lake at Hyatt Regency Austin. (6-0 Vote, Councilmember Goodman absent)

PRIMARY ELECTION

The Council, on Councilmember Duncan's motion, Mayor McClellan's second, approved the request of Ms. Cheryl A. McManus for permission for use of the following City facilities for upcoming primary elections, Saturday May 1, 1982 and Saturday, June 5, 1982: (6-0 Vote, Councilmember Goodman absent)

137 Criss Cole Rehabilitation Center, 4800 North Lamar
346 City of Austin Fire Station #9, 4301 Speedway

MOPAC EXPRESSWAY

Mr. James H. Phillips appeared before Council and spoke in favor of the completion of MoPac Expressway.

EMPLOYEE'S CRIME WATCH PROGRAM

Mr. Mike Wallick appeared before Council to state his disapproval of the City Employee's Crime Watch Program.

Captain White, Austin Police Department, said the program is very popular. It is a matter of citizens looking out for each other.

14TH ANNUAL RUGBY TOURNAMENT

The Council, on Councilmember Duncan's motion, Mayor McClellan's second, approved the request of Mr. Al Niece, for permission to sell beer, refreshments and tournament mementoes at Zilker Park on April 17 & 18, 1982 for 14th Annual Austin Rugby Tournament. (6-0 Vote, Councilmember Goodman absent)

INVITATION TO HIKE

Mr. Joe Riddell appeared before Council to invite them to a hike along Barton Creek on Sunday, March 28, 1982 at 2:00 p.m. beginning at the Loop 360 bridge over Barton Creek.

RECESS

Council recessed its meeting at 6:45 p.m. and resumed its recessed meeting at 7:00 p.m.

PUBLIC HEARING - SOUTHWEST TRAVIS COUNTY MUD #2

Mayor McClellan opened the public hearing scheduled for 7:00 p.m. on the Southwest Travis County MUD #2. She said there are a number of related boards and commissions that are planning on doing some work in the next 30 days. The Mayor read a message from Mr. Noell which said, "The Planning Commission appointed a sub committee of three members to study the alternative for utility service for the proposed district for a 30 day period, after which the full commission will reconsider the proposal. Meetings with City staff, the sub-committee and the applicant are expected next week. Water and Wastewater appointed a sub-committee of three persons to work with Planning Commission sub-committee and City staff to consider service alternatives and the Environmental Review Board committee will participate in deliberation along with some alternatives for service work suggested by the Environmental Board and present to the group of sub-committees."

No one appeared to be heard.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Mayor McClellan's second, closed the public hearing on the Southwest Travis County MUD #2. (6-0 Vote, Councilmember Goodman absent)

RECESS

Council recessed its meeting at 7:10 p.m. and resumed its recessed meeting at 7:15 p.m.

PUBLIC HEARING - AMENDMENT TO BARTON CREEK WATERSHED

Mayor McClellan opened the public hearing set for 7:15 p.m. on the proposed amendment to Chapter 13-3-278, Barton Creek Watershed Ordinance relating to the definition of "Lowland Water Quality Zone;" and passage of ordinance.

Mayor McClellan said there is an error in the ordinance.

Councilmember Duncan stated, "There were some inconsistencies from the original Barton Creek Ordinance on the width of the lowland water quality zone.... inconsistent with what was passed by the task force when they last met for this amendment. The problem is that the lowland water quality zoning in the original ordinance is defined as 300' in width for Barton Creek itself and for a tributary. In this proposed amendment it states that 350' shall be the width of the lowland water quality zone measured horizontally on each side of the center line of a major tributary and that should be 500' since the critical zone for a tributary is 200' and the lowland quality zone as defined in the original ordinance is 300'. So that would make it 500' from the center line." No one appeared to be heard.

Motion

The Council, on Councilmember Mullen's motion, Councilmember Duncan's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance amending Chapter 13-3-278, Barton Creek Watershed Ordinance, relating to the definition of "Lowland Water Quality Zone", changing the width from 350' to 500'. (6-0 Vote, Councilmember Goodman absent)

ADJOURNMENT

Council adjourned its meeting at 7:20 p.m.