



# Austin City Council MINUTES

For APRIL 29, 1982 -- 1:00 P.M.

Council Chambers, 301 West Second Street, Austin, Texas

## City Council

Carole Keeton McClellan  
Mayor

John Treviño, Jr.  
Mayor Pro Tem

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

Nicholas M. Meiszer  
City Manager

Grace Monroe  
City Clerk

## Memorandum To:

Mayor McClellan called to order the meeting of the Council at 1:00 p.m., noting the absence of Councilmembers Mullen, Deuser, Duncan, Goodman and Urdy, who arrived in the Council Chamber at 1:15, 1:20, 1:20, 1:30 and 1:35 respectively.

### INVOCATION

The Invocation was given by Chaplain C. Paul Bennett, Austin State Hospital.

### APPROVAL OF MINUTES POSTPONED

Council postponed approval of Minutes for Regular Meetings of March 18, 25 and April 1, 1982 and Special Meetings of April 14, 1982 (3:00 p.m. and 5:00 p.m.)

### 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 Urdy absent)

### Release of Easements

Authorized release of the following easement: A 7.5' Public Utility Easement dedicated on the Resubdivision of Lots 16 & 17, Block 2, Barton Hollow, 1135 Barton Hills Drive. (Requested by Doerring & Associates, Inc.)

Contracts Approved

Approved the following contracts:

- a. BRATH, INC.  
15232 IH - 35  
Round Rock, Texas
- CAPITAL IMPROVEMENTS PROGRAM -  
Rosewood Park Pavilion, 1182  
Pleasant Valley Road - \$119,990.00  
C.I.P. No. 79/86-03
- b. REAGAN & COMPANY  
812 San Antonio  
Austin, Texas
- Fetal Monitors for Brackenridge  
Hospital  
Thirty-Six (36) month lease  
Item 1 @ \$1343.00/mo.  
Total \$48,348.00
- c. Bid award:
- Automobiles, Vehicle and  
Equipment Services Department
- (1) MCMORRIS FORD  
808 West 6th Street  
Austin, Texas
- Items AS-1-1, 52 ea.; AS-1-2, 5 ea.;  
AS-5, 8 ea. - \$386,631.00
- (2) TOWN LAKE CHRYSLER PLYMOUTH  
841 West 6th Street  
Austin, Texas
- Item AS-4-1, 9 ea. - \$64,197.00
- d. Bid award:
- Captive parts for repair of  
Elgin-Pelican and Whirlwind  
Sweepers, Vehicle and Equipment  
Services Department  
Twelve (12) month Supply Agreement  
To be awarded on multiple  
progressive basis from 1st low  
bidder to high bidder.  
Estimated total \$30,000.00
- (1) ENVIRONMENTAL SALES & SERVICE CO.  
1137 W. Hurst Boulevard  
Hurst, Texas
- (2) GIRARD MACHINERY COMPANY  
3428 Roosevelt  
San Antonio, Texas
- (3) VABCO, INC.  
13899 W. 101st Street  
Lenexa, KS
- g. H.A. GRAY &  
ASSOCIATES, INC.  
12131 Colwick  
San Antonio, Texas
- Emergency purchase of a 10 ton  
air conditioning unit, Electric  
Utility Department \$8,693.00

Dredging of Town Lake

Authorized dredging of approximately 2,200 cubic yards of material from Town Lake at Holly Power Station.

Special Permit for Boat Dock

Approved a Special Permit for construction of a commercial boat dock and rock stair retaining wall on Town Lake, at the Hyatt Regency Hotel.

Item Pulled from Agenda

The Council, during the consent resolution, pulled the following item from the agenda at the request of Mr. Jerry Harris, attorney:

Consider release of 80.48 acres of land from the Austin ETJ  
(Requested by Mr. Richard May)

Citizens Task Force for Olympics

Approved creation of a Citizens Task Force to encourage citizen and community support of Olympic athletes and appointed the following members:

- 1) Jay Stokes, chairperson
- 2) Don Cramer, Parks and Recreation Department
- 3) John Harris, incoming president of the Austin Restaurant Association
- 4) Ed Norton, president of the Austin Apartment Association
- 5) Richard De Garmo, Bicycle Association
- 6) Willie Coy, Texas Bicycling Official
- 7) An appointee from the Police Department to be chosen by Police Chief Dyson on a rotating basis.

Public Hearing Set

Set a public hearing for May 13, 1982 at 6:00 p.m. on an appeal from Christopher M. Maisel of the Planning Commission's decision regarding granting of a variance for Alexander Oaks. (C8-81-09)

Change Order

Approved a change order in the amount of \$10,414.54 to A.L. Romines, dba Romines Construction Company, for Elizabeth Ney Museum Renovations, Phase II. (23% of the original contract of \$44,512.65) C.I.P. No. 79/86-01

CONSENT ORDINANCES

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

Ordinance Amendments

Amended Ordinance No. 820304-B relating to the issuance of bonds by the Northwest Travis County Municipal Utility District No. 1 to correct typographical error.

Amended the following Zoning Ordinances to correct various errors relating to legal descriptions and height and area designations:

- a. Ordinance No. 800807-R - Case C14-79-033
- b. Ordinance No. 810625-F - Case C14-79-196
- c. Ordinance No. 810122-I - Case C14-80-220

Zoning Ordinances

Amended Chapter 13-2 of the 1981 Austin City Code (Zoning Ordinance) to cover the following changes: (6-0 Vote, Mayor Pro Tem Trevino abstained)

CITY OF AUSTIN PLANNING  
DEPARTMENT  
C14-80-115

Craigwood Drive, Little Hill Circle, Sherwyn Drive, Huntleigh Way, Craigwood Circle Regency Drive, Regency Cove, Provincial Drive, Provincial Cove, King Charles Drive, Parliament Cove, King Henry Drive, Duchess Drive, and bounded by Martin Luther King, Jr. Boulevard, Parliament Dr. & the M.K.T. Railroad	From Interim "A" & "AA" 1st H&A to "AA", "O", "A" & "LR", 1st H&A
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Amended Chapter 13-2 of the 1981 Austin City Code (Zoning Ordinance) to cover the following changes: (7-0 Vote)

JIMMY YOUNGQUIST  
By David B. Armbrust  
C14r-81-010

13711-13733 U.S. 183 From Interim "A" 1st H&A to "O-1" 1st H&A

## ZONING ORDINANCES - (Continued)

Amended Chapter 13-2 of the 1981 Austin City Code (Zoning Ordinance) to cover the following changes: (6-0 Vote, Councilmember Goodman abstained)

COUNTRY GROCERY, INC.  
By Jim Spence  
C14-81-237

11794 Jollyville Rd. From "A" 1st H&A  
also bounded by to "LR" & "O" 1st H&A  
Sierra Nevada

Passed through FIRST READING ONLY an ordinance amending Chapter 13-2 of the 1981 Austin City Code (Zoning Ordinance) to cover the following changes: (4-3 Vote, Councilmembers Mullen, Deuser and Duncan voted No.)

J. R. BEHRINGER  
By Morris Olguin  
C14r-82-015

11855 U.S. 183

From "GR" 1st to  
"C" 1st H&A

PASSED AS AN EMERGENCY an ordinance amending Chapter 13-2 of the 1981 Austin City Code (Zoning Ordinance) to cover the following changes: (6-0 Vote, Mayor Pro Tem Trevino abstained)

UVAG REALTY PARTNERSHIP  
By Bill Faust  
C14-81-053

1004-1012 W. 32nd St. From "A" 1st & 5th H&A,  
1004-1012, 1007-1013 "O" 1st & 3rd, "C" 5th  
1207-1209 W. 33rd St. & "B" 2nd H&A to  
1307-1315 W. 34th St. "O" 2nd & 3rd H&A &  
3300-3310 N. Lamar "B" 2nd H&A

RESOLUTION FOR PETER VARTERESSIAN

Mayor McClellan read a resolution, signed by all Councilmembers, honoring Peter Varteressian for being Mayor Pro Tem Trevino's administrative aide, and presented him with a Distinguished Service Award. Mr. Varteressian thanked the Mayor and Council.

8TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

The Council, on Mayor Pro Tem Trevino's motion, Mayor McClellan's second, selected activities to be funded under the 8th Year Community Development Block Grant Program. (7-0 Vote) See Attachment A.

The Council, on Mayor Pro Tem Trevino's motion, Mayor McClellan's second, established funding allocations for each activity. (7-0 Vote) See Attachment A.

The Council, on Mayor Pro Tem Trevino's motion, Mayor McClellan's second, determined the activities for which proposals shall be solicited on a competitive basis. (7-0 Vote) See Attachment A.

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Goodman's second, authorized submission of the planned activities for the 8th Year Community Development Block Grant Program as adopted by the City Council to the Department of Housing and Urban Development (HUD). (7-0 Vote) See Attachment A.

#### ITEM TO BE BROUGHT BACK

An ordinance to amend the 1981-82 Operating Budget by transferring \$59,268 with five FTE's from the Human Services Department to the Finance Department, will be considered on May 6, 1982.

Mayor Pro Tem Trevino made a motion to approve and Mayor McClellan seconded the motion. After discussion the motion was withdrawn. Councilmember Mullen said according to the Charter, this action is illegal during the fiscal year. Mayor McClellan suggested this item be pulled one week and asked the City Attorney to write Council a memo concerning procedure.

#### PURPA

Council had before them a resolution to consider adoption of Public Utility Regulatory Policy Act (PURPA) Rate Design and Service Standards. Mayor McClellan requested Council to separate the rate design standards from the service standards because she said she can support one and not the other. She asked if this had gone to the Electric Utility Commission.

#### Motion

The Council, on Councilmember Deuser's motion, Councilmember Duncan's second, adopted a resolution of to adopt Public Utility Regulatory Policy Act (PURPA) Service Standards as amended by the suggestions of public counsel. (7-0 Vote)

#### Motion

Councilmember Deuser made a motion, seconded by Councilmember Duncan to adopt a resolution adopting recommendations as presented by the hearing examiner on the PURPA items related to Rate Design Standards.

Mayor McClellan stated, "I will respectfully vote no on this part and put on the record once more why which is I believe it must be based on cost of service, that's not one of the standards that is being recommended and I cannot separate it. I think you have to entoto do the rate design and though parts of it are good I cannot support it in its total composition because of my previous opposition to Proposal 7 and the rate design itself and so I will respectfully vote No."

Councilmember Deuser said he agrees with the Mayor's consistent opposition

## PURPA - (Continued)

to aspects of Proposal 7 but "I think it is important to note that indeed the desirability of a true cost of service is recognized in these findings and the denial of the existence of any cost of service that changes anything about the current rate structure the City of Austin uses called Proposal 7 was indeed the findings of the hearing examiner and that was independently heard and independently found."

Roll Call

5-2 Vote, Councilmember Mullen and Mayor McClellan voted No.

## DISCUSSION OF LIMITED CABLE FRANCHISES

Councilmember Goodman discussed limited cable franchises for apartment complex service and said he would like the staff and Cable Commission to develop a franchise ordinance for a one or two apartment complex deal.

## BOND ELECTION SCHEDULE

Councilmember Duncan discussed the bond election schedule. He asked the City Manager to evaluate the delay of the bond election until October. Mayor McClellan requested the City Manager to look into this and bring it back May 6th.

## SOUTHWEST SERVICE AREAS

Council had before them for discussion the development of alternatives for expansion of and improvements to the Williamson Creek Wastewater Treatment Plant and other system improvements in the Southwest Service Area. Councilmember Mullen stated he felt they should let the staff know that they wanted them to meet with the private sector and pursue options. Councilmember Goodman agreed. Ms. Leda Roselle, chairperson, Water and Wastewater Commission reported as follows:

In 1963 the City of Austin purchased 506 acres of land with CIP Revenue Bonds for the Williamson Creek Wastewater Treatment Plant. The plan for the plant included five ponds in addition to those which now exist. Since some time in the seventies, 208 acres of the original tract have been used as the Jimmy Clay Golf Course.

Construction of two additional ponds near the existing plant would cost an estimated \$1,430,000 and add 62.8 acres of ponds to the plant. This added area is projected to increase capacity only to serve existing commitments.

Construction of the other three ponds at the same time would cost approximately \$1,320,000 more and would increase the pond area by another 57.2 acres which would add approximately 1.24 MGD in capacity. The addition of these three ponds perhaps would allow additional capacity to be allocated.

## SOUTHWEST SERVICE AREAS - (Continued)

At the present time, the existing plant cannot tolerate commitments that are now being used, much less unused commitments, such as Motorola at 1.5 MGD and the South Austin Growth Corridor MUD at 2,300 lue's. There are approximately 1,500 to 2,000 additional lue's that have been committed but not now used.

The earliest possible date for the Onion Creek Plant to begin operation is 1986. However, the Commission recognizes that this plant is depending on 75% Federal funding and that there is no guarantee that this funding will be available.

Therefore, the Water and Wastewater Commission recommends that the additional acreage that was originally purchased with the Utility's Revenue Bonds be immediately restored to the Utility. It is our firm belief that this additional acreage is needed for the public health, safety and welfare. Without the use of the additional acreage there is no question that discharges to Williamson Creek, which flows through McKinney Falls State Park and Onion Creek, will be necessary to keep from overflowing the existing ponds.

However, realizing that time will be needed for the construction of these ponds, the Commission recommends that in the interim the staff be directed to plant more of the current ponds with hyacinth plants to reduce the level of pollutants in wastewater for possible discharges. We also recommend that freeze protection for these plants be implemented.

The Commission would also like to recommend that the staff be directed to examine the possibility of irrigating the entire 506 acres of land on a full time basis rather than ponding. This perhaps would allow for additional capacity without the destruction of the land and the cost of the ponds.

Furthermore, if the Council does not allow the Utility to use the original tract of land for utility purposes, the Commission recommends that the Parks and Recreation Department purchase this land from the Utility pursuant to City policy.

Neal Graham, Chairman, Environmental Board, said they endorse the efforts of the Water and Wastewater Commission.



## TELECOMMUNICATIONS REPORT

Mr. Meiszer, City Manager, stated that The Warner Whitney Group, Inc. has done a telecommunications study for the City of Austin and introduced Jerry James. Mr. James referred Council to their 200 page report and discussed the City's present telecommunication system. All calls are presently manually handled. This is expensive and there are not enough lines. There is no long distance call control because of private lines to departments. He referred to several pages in their report and said that if Warner Whitney works with the City, savings will result.

Guymon Phillips, Assistant City Manager, told Council this system will have more savings if it is put in one building and it can be done under a lease purchase agreement.

Council requested this item be brought back on May 13, 1982 for action.

## REPORT ON MOPAC

Mr. Neal Graham, chairman, Environmental Board, said they adopted unanimously recommendations regarding further citizen involvement in the design and construction of the southern extension of South Loop 1 (MoPac). (COPY OF RECOMMENDATIONS ON FILE IN CITY CLERK'S OFFICE.) Mr. Graham said the Board would like to be authorized to make an identical presentation to the Travis County Commissioner's Court sometime in the next week to ten days so that if such a joint effort between the City and County is acceptable, the committee proposed can be established and the review of the plans for environmental concerns can begin.

Motion

The Council, on Councilmember Mullen's motion, Mayor Pro Tem Trevino's second, voted to approve the Environmental Board presenting their concerns before the Travis County Commissioner's Court. (6-0 Vote, Councilmember Goodman was out of the room.)

## HOTTER THAN JULY

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, approved the request of Ms. Linda Lewis for permission to sell beer and food at Waterloo Park for the "Hotter Than July" benefit on June 19, 1982. (6-0 Vote, Councilmember Goodman was out of the room.)

## COUNTRY SHOWDOWN

The Council on Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, approved the request of Ms. Patricia L. Murphy for permission to sell beer at Auditorium Shores for a Country Showdown on May 1, 1982. (6-0 Vote, Councilmember Goodman was out of the room.)

**DENIAL OF WASTEWATER SERVICE  
DISCUSSED**

Ms. Lynn L. Zimmerman appeared before Council to discuss denial of wastewater service for proposed subdivision within the Austin City limits (Govalle-Montopolis area) subsequent to approval of a preliminary plat by the Planning Commission.

Ms. Lynn Zimmerman, attorney, told Council the case does not concern a big developer, it is not outside the city, the plat was not submitted after the moratorium and the request is not for an extension of any new mains. She said the request does concern 2.5 acres within the City for proposed low income housing.

Mayor McClellan requested the City Manager to request the staff to give a report on this by next week. She felt there is some way to allow wastewater service for the 2.5 acre tract.

**NORTHWEST TRAVIS COUNTY MUD NO. 2**

Mr. Homer Reed appeared before Council to request consideration and action on 1st Supplement to Agreement on Creation of Northwest Travis County Municipal Utility District No. 2. He said it is a simple request to authorize the first bond sale. The District will pay interest the first two years after the sale. Interest rate will be limited to 10%. Mr. Scheps, Director of Finance, said this would be compatible.

**Motion**

The Council, on Councilmember Mullen's motion, Councilmember Duncan's second, approved the request of Mr. Homer Reed on the 1st Supplement to Agreement on Creation of Northwest Travis County Municipal Utility District No. 2. (6-0 Vote, Mayor Pro Tem Trevino was out of the room)

**PARADE PERMIT**

The Council, on Mayor Pro Tem Trevino's motion, Mayor McClellan's second, approved the request of Mr. August Peterson, American Cancer Society 10,000 meter run, Sunday, June 13, 1982, from 8:30 a.m. to 10:00 a.m., beginning on West 1st, on Lake Austin Boulevard, to Enfield, east on Enfield to Dillman and Hopi Trail to Windsor Road, west on Windsor Road to Robin Hood Trail, South on Robin Hood to Enfield Road, Enfield to Lake Austin Boulevard, east to West First Street to end. (6-0 Vote, Councilmember Goodman was out of the room)

**ALTERNATIVE ELECTRIC RATE STRUCTURE REQUEST  
FROM AISD**

Mr. Ed Small, president, AISD Board, appeared before Council to request that Council grant AISD an alternative electric rate structure. He said, "Monday night we discussed the intervention on behalf of the School Board into the PUC hearings about the City's Proposition 7. The reason I bring that up is that in the

## AISD - (Continued)

motion that was brought forward, Mr. Waterhouse suggested that we bring the situation to the Council and renew for you the facts with regard to the rate structure for AISD, so that's why I am here. Some facts are that on October 19, 1955 in an agreement with the City we split the school district off from the City and there was an agreement that the school district would be charged one half of the regular commercial rate. In September, 1960 through discussions between the district and the City that was changed to a regular residential rate being charged the school district. Then in October of 1974 the City unilaterally cancelled that and we went to full commercial user rate. Proposition 7, it appears, will increase our expense for the same amount of electricity by \$300,000.00. That just personifies the problem that we have. When we pay for our electricity we tax the taxpayers of AISD and we pay our electricity bill to you which then, as I understand, I am very vague how you transfer money, but in effect we think some money probably goes into the General Fund. The fact is that indirectly you, through us, tax the taxpayer. What we would like to see is a situation like you do for your own buildings where they are generally on residential rates, or the State of Texas in the Capitol complex that has a rate which is less than what we pay as I understand. That then would be a fair relationship between our governments. When we provide services to you it is to provide at our cost and many times we provide the buildings free of charge with not money to cover the depreciation factors. This should have been brought to you before now.....We realize this will cost you all some money to do this for us."

Mayor McClellan asked Mr. Peterson how long it will take for him to get back to Council with a report on this. Mr. Peterson said about two weeks. The Mayor asked that a copy of the report be sent to Mr. Small.

## ALLEY VACATION

Mayor McClellan opened the public hearing scheduled for 2:00 p.m. to consider vacation of James Street Alley (700 Block) 598-81-12. (Requested by the Parks and Recreation Department and the other adjoining property owner) C10v-82-003.

No one appeared to be heard.

Motion

The Council, on Councilmember Duncan's motion, Councilmember Mullen's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance vacating the James Street Alley (700 Block) 598-81-12. C10v-82-003 (6-0 Vote, Mayor Pro Tem Trevino was out of the room)

PUBLIC HEARING - BOUNDARY STREETS  
NEW SUBDIVISIONS

Mayor McClellan opened the public hearing set for 2:30 p.m. to consider an amendment to Section 13-3-84 of the Austin City Code pertaining to boundary streets of new subdivisions.

## BOUNDARY STREETS - (Continued)

No one appeared to be heard.

Motion

The Council, on Councilmember Duncan's motion, Councilmember Deuser's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance amending Section 13-3-84 of the Austin City Code pertaining to boundary streets of new subdivisions. (5-0 Vote, Mayor Pro Tem Trevino and Councilmember Goodman were out of the room.)

## EXECUTIVE SESSION

Mayor McClellan announced Council would meet in an Executive Session, pursuant to Article 6252-17 V.T.C.S. the Texas Open Meetings Act to discuss the following matters:

Consultants for South Texas Project  
Pending Litigation Section 2(e) and  
Real Estate-Section 2(f)

## RECESS

Council recessed its meeting at 3:30 p.m. and resumed its recessed meeting at 4:00 p.m.

## SOUTH TEXAS PROJECT

The Council, on Councilmember Duncan's motion, Councilmember Urdy's second, adopted a resolution authorizing Roger Staehle, MPR Associates, Southern Engineering, to contract for professional services in relation to the sale of Austin's 16% interest in the South Texas Project. (7-0 Vote)

## UPPER WALNUT CREEK WASTEWATER SYSTEM IMPROVEMENTS

Council had before it for consideration approval of contract to JOHN H. HUGHES CONSTRUCTION CORPORATION for construction of approximately 2,992 feet of 54-inch pipe for Upper Walnut Creek Wastewater System Improvements Phase II-A, from I-H 35 Northwesterly to Lamar Boulevard, with the following alternates:

Alternate 0	\$714,205.00
Alternate 1	\$591,380.00
Alternate 2	\$592,460.00
Alternate 3	\$594,370.00

Mr. Rodger White, Acting Director of Water and Wastewater, told Council

## IMPROVEMENTS - (Continued)

that Alternate 0 follows the creek alignment with conventional open cut construction. Alternate 1 is partially along the creek and tunneling across a bend of the creek and is the low bid. Alternate 2 and 3 are various versions of open cut tunneling. Mr. Rodgers said they need to complete the work by July 31 because the North Austin Growth Corridor MUD #1 is scheduled to come on line at that time and will need service. Alternate 0 is the high bid but there is some risk in taking the route with Alternate 1 because the service will ultimately be needed to be provided to the south bank of Williamson Creek and there will be some additional cost involved there. Also, with Alternate 0 we do have an easement. With Alternate 1 we do not have an easement. We have been talking to the representatives of the owner and they request some improvements be included along the creek that would provide service to their property. The cost could vary from \$65,000 up to \$138,000. If they run in the higher range there would be no cost saving in Alternate 1. Rather than installing these improvements at this time with the two legs that might be required for future service, if the Council wants Alternate 1 I would recommend that those monies be escrowed and after the land develops somewhat so we can tell where the improvements will be needed, then install them at that time."

Motion

Councilmember Deuser made a motion, seconded by Councilmember Duncan to approve Alternate 1.

Ms. Liz Berezoytch, attorney representing property owners of the land, said they have the City's best interests at heart.

John Hernden, treasurer, Walnut Creek Neighborhood Association, said he agrees with the Environmental Board and it would cost less than to rip up the creek. Boring will not disturb the creek so much.

Amendment to Motion

Councilmember Deuser added an amendment to the motion to permit building over the top of the line.

Ms. Berezoytch said the owners are willing to work with the City on Alternate 1 but the legs and without the Council approval she said she cannot say what the owners will say. They feel Alternate "0" is the best.

Discussion followed. Councilmember Goodman said he was not prepared to vote. Mayor McClellan said she prefers "0". Councilmember Deuser said Alternate 1 with legs has not been bid. Council decided to make their decision later in the day.

In reply to Councilmember Duncan's inquiry, Mr. White stated for the record, that in going with Alternate 1, there is a risk.

## LATER IN THE DAY:

Mayor McClellan stated for the record that Councilmember Goodman had left the Council Chamber because he was not feeling well, but he wanted it on record that he prefers Alternate "0".

Substitute Motion

Councilmember Mullen offered a substitute motion, seconded by Mayor McClellan to approve Alternate "O". Motion failed by a 2-4 Vote, with Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan and Urdy voting No, and Councilmember Goodman absent.

Roll Call on Motion Re-Stated

Adopt Alternate 1 with the Water and Wastewater director empowered to use in negotiating for obtaining the easement for that boring that he could use as a negotiating tool, some future addition of wastewater legs to serve that peninsula.

5-1 Vote, Mayor McClellan No, Councilmember Goodman absent.

PUBLIC HEARING SET

Council had before them a resolution to set a public hearing on an appeal from Mr. Tom Curtis of the Planning Commission's decision regarding a Special Permit for F.N. Bolding, Jr., 5209-5211 Wasson Road. (C14-P-81-049).

Councilmember Deuser said the neighborhood association wants the hearing in July. Mr. Curtis told Council he will be out of town in July.

Motion

Councilmember Mullen made a motion to adopt a resolution to hold the hearing June 3, 1982 at 5:30 p.m. Mayor McClellan seconded the motion.

Substitute Motion

Councilmember Deuser made a substitute motion, seconded by Councilmember Duncan to adopt a resolution to hold the hearing July 1, 1982 at 5:30 p.m. Motion passed by a 5-2 Vote with Councilmember Mullen and Mayor McClellan voting No.

ZONING HEARINGS

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

C14-82	JOSIE CHAMPION	1822 W. 35th, also	From "A" 1st H&A
024		bounded by Oakmont	To "O" 1st H&A
			RECOMMENDED
			GRANTED AS RECOMMENDED
C14r-82	TRAVIS DEVELOPMENT	3730 Ed Bluestein	From Interim "A" 1st H&A
033	COMPANY, INC.	Boulevard, also	To "DL" 1st H&A
	By Tom Curtis	bounded by Wilcab	RECOMMENDED
		Road	GRANTED AS RECOMMENDED

## ZONING - (Continued)

C14 r-82 036	RUBY H. TARTER, DORIS BELL & ESTATE OF PEARL MESSER By Jerry L. Harris	6739-6811 U.S. 290 E. 6610-6712 Berkman Dr.	From "A" 1st H&A To "GR" 1st H&A RECOMMENDED <u>GRANTED AS RECOMMENDED</u>
C14 -82 037	CITY OF AUSTIN PLANNING DEPT.	Rear of 11047-11109 U. S. 183, also bounded by Santa Cruz	From "A" 1st H&A To "BB" 1st H&A RECOMMENDED <u>GRANTED AS RECOMMENDED</u>
C14 r-82 045	EXXON CORPORATION By Gene Braun	7701 I.H. 35, also bounded by Anderson Lane East	From Interim "A" 1st H&A To "GR" 1st H&A RECOMMENDED <u>GRANTED AS RECOMMENDED</u>
C14 -82 048	S.R.D. ENTERPRISES By David Fritsche	5618 Manor Road, also bounded by Rogge Ln.	From "O" 1st H&A To "LR" 1st H&A RECOMMENDED <u>GRANTED AS RECOMMENDED</u>

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

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C14 -82 032	J. ALTON BAURLE By Miguel "Mike" Guerrero	3000 Manchaca	From Interim "A" 1st H&A To "GR" 1st H&A RECOMMENDED subject to 20' average buffer, berm, location of loading docks to the side, Planning Commission review of site plan and 5' right- of-way on Manchaca. <u>GRANTED AS RECOMMENDED</u>
C14 -82 038	HAL STARKEY	5214 Joe Sayers Ave.	From "A" 1st H&A To "BB" 1st H&A RECOMMENDED subject to dedication of 5' of right-of-way. <u>GRANTED AS RECOMMENDED</u>
C14 r-82 052	W. W. & EMMA JEAN DAUGHTRY By Jerry L. Harris	940 East 51st St.	From "B" 1st H&A To "O" 1st H&A RECOMMENDED subject to site plan submitted and right-of-way to bring up to 45 feet from center line. <u>GRANTED AS RECOMMENDED</u>

ZONING - (Continued)

C14 -81 JAY L. JOHNSON, Jr. 2910 Manchaca  
244 By Miguel "Mike"  
Guerrero

From "A" 1st H&A  
To "GR" 1st H&A  
RECOMMENDED subject to  
20' average buffer, berm,  
location of loading docks  
to the side, Planning  
Commission review of  
site plan & 5' of right-  
of-way on Manchaca.

GRANTED AS RECOMMENDED

(On Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, 7-0 Vote)

C14-78 EDWIN LONDON Rear of 11047-11109  
083 By David H. Hutton U.S. 183

Amendment to Restrictive  
Covenant.

RECOMMENDED APPROVAL  
GRANTED AS RECOMMENDED

(On Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, 7-0 Vote)

C14r-81 LAND EQUITIES, Rear of 6413-6811  
129 INC. I.H. 35  
By Donald C. Babel 803-907 Camino La  
Costa & 904-1000  
La Posada Drive

Revision to Site Plan.  
RECOMMENDED APPROVAL  
GRANTED AS RECOMMENDED

(On Councilmember Duncan's motion, Councilmember Mullen's second, 7-0 Vote)

ORDINANCE PASSED - EMERGENCY BASIS

The Council, on Councilmember Duncan's motion, Councilmember Mullen's second, waived the requirement for three readings and finally passed an ordinance on an emergency basis to cover the following zoning change: C14r-81 129, Land Equities, Inc., Rear if 6413-6811 I.H. 35, 803-907 Camino La Costa & 904-1000 La Posada Drive, Revision to Site Plan. (7-0 Vote)



## ZONING - (Continued)

C14 -81 MYERS K. PARSONS 2720-2802 Lyons Road From "A" & "C" 1st H&A  
144 To "LR" 1st H&A  
RECOMMENDED

ZONE CREEK AREA "A" AND REMAINDER  
"LR"

Mr. Lillie reviewed the application by use of slides. He said the site is within the flood plain and any construction on site requires building above the plain.

Mr. Parsons, applicant, said the neighborhood agrees to what he plans and showed a map of how dredging will be done.

Mr. Lillie said the Planning Department recommends that the application be denied because there is already adequate zoning in the area. Mr. Parsons told him the neighborhood wants a shopping center.

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

C14-82 ANNE B. VEACH, 901 Rio Grande St. From "A" 1st H&A  
018 ESTATE To "O" 1st H&A  
By Wayne Gronquist RECOMMENDED "O" 1st H&A  
to be tied to site plan.

GRANTED "O-1" WITH SITE PLAN

Mr. Lillie reviewed the application by use of slides. Councilmember Goodman asked if the applicant will object to "O-1".

Mike Petty, architect, showed slides and said the building will be renovated and 1400 square feet will be added to the rear of the house. The whole building will be used as an office building.

Mr. Gronquist, attorney for the applicant, said the applicant would not object to "O-1" but he does not know what the lending institution will say.

Mildred Webb-Bugg, owner of an historic designated house in the neighborhood, said another office will only congest the area more. She said offices do not make neighbors.

Mr. Gronquist said they will comply with all off-street parking regulations and they will retain trees and grass so the area will not look like a gigantic parking lot.

(On Councilmember Deuser's motion, Councilmember Duncan's second, 7-0 Vote)

At this point Councilmember Goodman left the Council Chamber due to illness.

## ZONING - (Continued)

C14 -82 CITY OF AUSTIN  
020 PLANNING DEPT.

300-902, 301-901  
Battle Bend Blvd.  
4742-5310 & 4601-5309  
Suburban Drive  
4910-5000, 5204-5310,  
4909-5001 & 5205-5313

From Interim "A" 1st H&A  
To "AA", "A", & "O-1" 1st  
H&A  
NOT RECOMMENDED

Fort Clark Drive  
Greenwood Terrace  
Chihuahua Trail  
200-602 & 201-603 Sheraton Dr.  
4602 & 4803 Witham Lane

All of the following streets:  
Roland Drive Newcastle Road  
Chippendale Ave. Sussex Drive  
Winchester Court La Bahia Road  
Liverpool Drive Fort Mason Drive  
Surrey Drive Old Stone Road  
Sheffield Drive Fort Drum Drive  
Harway Court Presidio Road  
Rhonda Court Windledge Drive  
Old Castle Road Spanish Bluff Dr.  
Wolverton Drive Westmoreland Dr.  
Seminole Drive Manchester Circle  
Tilbury Lane Tamworth Avenue

Planning Commission Recommendation: (1) Recommend "A 1st H&A on 12 lots developed with duplexes located on Liverpool Drive, Suburban Drive, Manchester Circle and 4742 Suburban; "AA" 1st H&A, on remainder of subdivided lots developed for single-family residential; (2) Postponed action for 45 acre tract on northeast corner to August cycle; and (3) "BB" for property west of tributary; "A" for remainder of tract including tributary and 100 year flood plain and balance of tract; should Mr. Goodnight apply for "A-2" Condominium zoning, the Planning Commission would be inclined to consider it favorably with a proper site plan.

GRANTED CITY STAFF RECOMMENDATION: "A" RESIDENCE, 1st H&A ON THE SIX LOTS EAST OF THE DRAW AND INCLUDING AT LEAST 75 FEET WEST OF ITS CENTERLINE; THE 12 LOTS DEVELOPED WITH DUPLEXES LOCATED ON LIVERPOOL DRIVE, SUBURBAN DRIVE AND MANCHESTER CIRCLE, AND THE 45-ACRE TRACT AT THE NORTHEAST CORNER OF SUBJECT TRACT; "AA" RESIDENCE, 1st H&A ON THE REMAINDER. (THREE TRACTS AT THE REAR OF CONGRESS NOT TO BE ZONED AT THIS TIME) AND AREA TO THE SOUTH

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

CLOSED PUBLIC HEARING; ACTION TO BE TAKEN ON THREE TRACTS & TRACT TO THE SOUTH ON AUGUST 5, 1982.

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

ZONING - (Continued)

Mr. Phil Mockford appeared to discuss the property belonging to Mr. Charlie Goodnight which are three tracts to the rear of Congress Avenue. Mr. Mockford asked that these be dropped from the zoning request and allowed to come back when the owner has a planned use for the property. He pointed to a map and showed how the property really does not belong with this case.

LATER IN THE DAY, the case was discussed further. Mr. Lillie reviewed the application by use of slides.

Randall Derrick, neighborhood spokesman, appeared at the podium. Council-member Mullen, before making his motion, said he thought the Council was ready to give the neighborhood what it wants.

Sharon Gillespie, homeowner, Battle Bend Springs, asked that "A" zoning be extended 75' west of the creek to protect the natural and traditional character of the waterway.

Ron Anderson discussed the feasibility of access.

Jean Bebe, chairman of the area's parks committee, said they would like "A" and "BB" on the Goodnight property.

Curtis Sanders asked to have his property excluded because the line is right in the middle of the buildings on his land.

C14-82 CITY OF AUSTIN  
058 PLANNING DEPT.  
(PART)

5001-5005, 5301-5307  
& 5501-5609 Wasson  
Road  
300-302 & 902 Little  
Texas Lane  
5602 & 5808 South  
I.H. 35

From Interim "A" 1st H&A  
To "A" 1st H&A  
NOT RECOMMENDED  
RECOMMEND Bradsher &  
Flournoy tracts be  
considered in August; "SR"  
1st H&A for 100-year  
flood plain and "A" 1st  
H&A for the balance.

CLOSED PUBLIC HEARING AND GRANTED "SR"  
1ST H&A FOR 100 YEAR FLOOD PLAIN AND TO 50'  
BACK FROM EDGE OF BLUFF AND "A" 1ST H&A  
FOR THE BALANCE; BRADSHER & FLOURNOY TRACTS  
TO BE CONSIDERED IN AUGUST.

Mr. Lillie reviewed the application.

Ms. Carolyn Landau, president, Battlebend Springs Neighborhood Association, said the property should be zoned "A" with "SR" along the creek

Mr. Lillie said "SR" zoning permits development of one acre lots.

## ZONING - (Continued)

John Stone, board member, Battle Bend Springs Neighborhood Association, asked for a 50' buffer of "SR" from crest of bluff from center of creek. (On Councilmember Duncan's motion, Councilmember Deuser's second, 6-0 Vote, Councilmember Goodman absent.)

Zoning Postponed

Council voted to POSTPONE the following zoning application on the applicant's request:

C14 -82	ALBERT VANDERLEE	6014 & 6016 Fairway	From "A" 1st H&A
056	By Melvin E. Corley		To "BB" 2nd H&A
			NOT RECOMMENDED
			<u>POSTPONED TO MAY 20, 1982</u>
			<u>AT 2:00 P.M.</u>

(On Councilmember Duncan's motion, Councilmember Mullen's second, 7-0 Vote)

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Zoning Denied

Council voted to DENY the following zoning application. There is a valid petition on file.

C14 -82	JEAN EVANS BUNGE	3609 Lawton Avenue	From "A" 1st H&A
050			To "GR" 1st H&A
			NOT RECOMMENDED
			<u>DENIED.</u>

(On Councilmember Duncan's motion, Councilmember Mullen's second, 7-0 Vote)

## RECESS

Council recessed its meeting at 6:05 and resumed its recessed meeting at 6:35 p.m.

## PUBLIC HEARING - LAS COLINAS

Mayor McClellan opened the public hearing scheduled for 6:30 p.m. on an appeal from Mr. Howell Finch of the Planning Commission's decision on a Special Permit for Las Colinas. (Case No. C14p-68-17)

Mr. Lillie showed a map and reviewed the activity at Las Colinas. There has been nothing added to the area since 1974 that is why the Special Permit was brought to the Planning Commission for reaffirmation because Jean MacDonald would like to continue the project.

## LAS COLINAS - (Continued)

Councilmember Goodman asked if there is a legal opinion. Mr. Jim Nias, Assistant City Attorney, told him there is none at this time. The Planning Commission recommended 7-1 to deny. Councilmember Goodman reviewed some letters that have been received and said he will request the vote be held until next week.

Hal Finch, representing Jean MacDonald, told the history of the project. He said there will be no traffic problems with more units. He said the present homeowners object to the units because they are poorly built but Jean MacDonald did not build them. He said they feel the special permit should be valid until the condominiums are finished.

Shiela Finneran, representing Board of Directors of Las Colinas Homeowners Association, said they are not opposed to future units if George MacDonald will fix the ones that are already built. The club house had to be demolished because it fell down. The pool is moving toward the edge of the cliff. Most units have leaky roofs. The common area is now a threat to public safety.

David Strier, resident of Las Colinas, said they have a cliff dwelling built on a waste dump and heavy equipment going by rattles their houses.

Mary Jo Carroll, resident of Las Colinas, discussed the roads and wiring which are sub standard.

Motion

The Council, on Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, closed the public hearing. Action is scheduled for May 6, 1982. (6-0 Vote, Councilmember Goodman was absent.)

## CONTRACT APPROVED

The Council, on Councilmember Mullen's motion, Councilmember Duncan's second, adopted a resolution to approve the following contract: (6-0 Vote, Councilmember Goodman absent.)

INTERNATIONAL BUSINESS MACHINES  
1609 Shoal Creek Boulevard  
Austin, Texas

- Computer System, Police Dept.  
Sixty month lease plan.  
All items \$19,790.00/month  
(\$20,554.00 after October 1, 1982)

## ELECTRIC CIP

The Council, on Councilmember Duncan's motion, Councilmember Deuser's second, amended the 1981-82 Electric Capital Improvements Program by appropriating \$1,680,000 (from proceeds made available by the refunding of utility debt and "Contributions in Aid of Construction" to be collected during the remainder of the fiscal year) for the month of May under the dark gray plan. (6-0 Vote, Councilmember Goodman absent.)

## EXEMPTION FROM MORATORIUM

The Council, on Councilmember Deuser's motion, Councilmember Mullen's second, waived the requirement for three readings and finally passed an ordinance exempting 4840 Yager Lane from the water and wastewater subdivision moratorium. (6-0 Vote, Councilmember Goodman absent)

Prior to the vote, Mr. Charles Rheinhardt appeared before Council to state they find old house and fix them and sell them for profit. He asked for an exemption on the Yager Lane property.

Councilmember Deuser said, when making his motion, Mr. Rheinhardt must go through the subdivision process, there will be one single resident tap, and this will not be precedent setting.

## ELECTRIC SUBSTATION

The Council, on Councilmember Deuser's motion, Mayor McClellan's second, approved an appeal from the City of Austin Electric Department of the Planning Commission's decision on a variance from the Williamson Creek Site Development Ordinance for construction of an electric substation. (C3v-82-003) (6-0 Vote, Councilmember Goodman absent) (With a friendly amendment by Mayor Pro Tem Trevino for no on site storage.) (6-0 Vote, Councilmember Goodman absent.)

Mayor McClellan said granting of variance is based on "Yes" to (a) The variance was requested in writing. (b) Because of special circumstances applicable to the property involved, a strict application deprives such property of privileges or safety enjoyed by other similarly situated property with similarly timed development. (c) The development free zone (as defined by Sec. 203.3 of Chap. 41A or Sec. 103.3 of Chap. 29A) constitutes a proportion of the land in the proposed plat or plat making the requirement unreasonable or unwarranted taking or an undue hardship) The Mayor said the Council votes "No" on (d) The applicant would be provided with special privileges not enjoyed by other similarly situated property with wimilarly time development; and not applicable on (e).

## DATES OF CANCELLED COUNCIL MEETINGS

The Council, on Councilmember Deuser's motion, Councilmember Duncan's second, approved cancelling the following summer Council meetings: June 24, July 29 and August 19, 1982. (6-0 Vote, Councilmember Goodman absent)

The City Manager is to report back to Council if there are any conflicts.

## ADJOURNMENT

Council adjourned its meeting at 8:57 P.M.

EXHIBIT V  
FUNDING RECOMMENDATIONS  
FOR  
1982-83 PRIORITY NEEDS

PRIORITY NEEDS	JOINT SUBCOMMITTEE	COMMUNITY DEVELOPMENT COMMISSION	PLANNING COMMISSION	CITY MANAGER	CITY COUNCIL
<p><u>HOUSING:</u></p> <p>1. Reduce the number of existing sub-standard units occupied by low and moderate income households.</p> <p>2. Administer the Section 8 Program.</p> <p>3. Administer, maintain, and dispose of lots in the Urban Renewal Areas.</p> <p>4. Alleviate threats to health and safety through repairs to housing units occupied by low and moderate income persons.</p> <p>5. Remove architectural barriers in rental and owner occupied units of elderly and/or handicapped.</p> <p>6. Tenant counseling on rental repairs.</p> <p>7. Design and implement a program to provide mortgage assistance to low and moderate income persons for home purchasing.</p>	<p>\$3,362,000</p> <p>230,000</p> <p>330,000</p> <p>60,000</p> <p>-0-</p>	<p>\$3,087,000</p> <p>31,000</p> <p>64,000</p> <p>200,000</p> <p>280,000</p> <p>110,000</p> <p>225,000<sup>1</sup></p>	<p>\$3,107,000</p> <p>230,000</p> <p>330,000</p> <p>110,000</p> <p>275,000<sup>1</sup></p>	<p>\$3,400,000</p> <p>200,000</p> <p>200,000</p> <p>60,000</p> <p>250,000</p>	<p>\$3,000,000</p> <p>150,000</p> <p>240,000</p> <p>110,000</p> <p>250,000</p>
					<sup>1</sup> Clarksville to be a priority area.

PRIORITY NEEDS	JOINT SUBCOMMITTEE	COMMUNITY DEVELOPMENT COMMISSION	PLANNING COMMISSION	CITY MANAGER	CITY COUNCIL
8. Acquisition of two lots in Clarksville for new construction of housing units.	\$ 27,000	\$ 27,000	\$ 27,000	-0-	\$ 27,000 (No REP)
9. Housing counseling for elderly and/or handicapped homeowners and tenants.	40,000	100,000	40,000	Incorporate into architectural barriers removal w/no additional funding.	Incorporate into architectural barriers removal program. 60,000
10. Housing counseling for elderly homeowners and tenants.	-0-	60,000	60,000		
<u>PHYSICAL IMPROVEMENTS:</u>					
1. Complete physical improvements in the Robertson Hill Neighborhood.	251,000	251,000	251,000	251,000	* 126,525
2. Complete Maple Creek drainage project located in the E. 11th/12th Street Corridor begun in 5th year CDBG program.	-0-	-0-	-0-	525,000	* 525,000 (No REP)
3. Increase wastewater capacity for two low income housing projects in the Coronado Hill Neighborhood.	-0-	105,000 <sup>2</sup>	-0-	-0-	-0-
<u>ECONOMIC DEVELOPMENT</u>					
1. Provide a Business Loan Fund for commercial revitalization of businesses in targeted areas.	500,000	420,000	420,000	400,000	400,000 (No REP)
		<sup>2</sup> To be funded only if City does not do so with tax dollars.			* Contingent Upon C.I.P.



PRIORITY NEEDS	JOINT SUBCOMMITTEE	COMMUNITY DEVELOPMENT COMMISSION	PLANNING COMMISSION	CITY MANAGER	CITY COUNCIL
2. Technical assistance to businesses along E. 11th/Rosewood-E. 12th Streets; E. 6th and E. 7th Streets; and S. 1st Street.	\$ 300,000	\$100,000	\$300,000	250,000	\$150,000 (E. 11th/Rosewood & E. 12th) 200,000 (E. 6th, E. 7th & S. 1st)
<b>FACILITY FOR THE HANDICAPPED:</b> 1. Acquisition-rehabilitation of a workshop facility for multi-handicapped deaf and deaf citizens.	200,000	200,000 <sup>3</sup>	350,000	-0-	300,000 (No RFP)
<b>ADMINISTRATION:</b> 1. Human Services Department's administration of the 8th year grant.	700,000	700,000	700,000	596,345.07	700,000
2. City of Austin Direct Charges.				120,568.93	
3. City of Austin Indirect Costs.				135,082.00	
<b>TOTALS</b>	\$6,000,000 <sup>4</sup>	\$6,200,000	\$6,200,000	\$6,387,996.00	
Provide assistance for the development of low-income housing in East Austin. This will include neighborhood assistance.					150,000
4 <sup>4</sup> In the event that the 8th year allocation exceeds \$6 million, up to \$200,000 should be allocated for improvements to Doris Miller Auditorium.					\$6,388,525