

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 22, 1981
9:00 A.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Councilmembers Cooke, Himmelblau,
Mullen, Mayor Pro Tem Trevino

Absent: Councilmember Goodman

GUESTS FROM MEXICO

Mayor McClellan introduced some special guests in the Council Chamber who were visiting Austin from Mexico. They were Benjamin Hidalgo, Director of a Mexican television program; and Alejandro Garza, television coordinator. Accompanying them were Gus Garcia, and Carlos Velasquez, President, Mexican-American Chamber of Commerce. Mayor Pro Tem Trevino explained that Messrs. Hidalgo and Garza had come to Austin to negotiate with the Austin Chamber of Commerce to film their television program here next summer. Mayor Pro Tem Trevino then read an Honorary Citizen Award to them in Spanish and presented it to them. Mr. Garcia translated the award in English for the Chamber audience and explained that the television program the visitors produce is similar to the Johnny Carson show. It is planned to produce the show in the Special Events Center, University of Texas, on August 1, 1981. Mayor Pro Tem Trevino then presented coffee cups to the visitors which had "Austin" printed on them. Messrs. Garza and Hidalgo thanked the Council for the Award and the cups.

JUNIOR ACHIEVEMENT WEEK

Jim Smith and Katy Devaney were in the Council Chamber to receive a Junior Achievement Week Proclamation from the Mayor. The proclamation set aside the week of January 26-30, 1981 to observe the Junior Achievement Program. Mr. Smith and Ms. Devaney thanked the Mayor for the proclamation.

OAK HILL ELEMENTARY SCHOOL

Sixth Grade students from the Oak Hill Elementary School were present in the Council Chamber to observe City government, which they are presently studying in their classrooms. Their teachers, Mrs. Thompson and Mrs. Causey accompanied them, as well as Mrs. Westbrook, Vice-principal; and parents, Mrs. Gaskill and Mrs. Youngman.

David Olson, President, Oak Hill Elementary School students, and Carmen, presented a key to the school to the Mayor. Mayor McClellan thanked the students for the key and placed it in a prominent place in the Council Chamber for the rest of the day.

STUDENT INTERN

Mayor McClellan introduced her student intern, Chris Coffee, who is studying at Austin High School. She will help the Mayor in her office during the school week for the next semester.

MINUTES APPROVED

Councilmember Cooke moved that the Council approve the Minutes for January 15, 1981. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Himmelblau, Mullen,
Mayor Pro Tem Trevino
Noes: None
Absent: Councilmember Goodman

McCARTY DISTRICT PARK

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving exercising an option for land for McCarty District Park, CAPITAL IMPROVEMENTS PROGRAM:

100 acres of land out of the Thomas Anderson Survey #17. (John C. Wooley, Jr.)

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Mayor Pro Tem
Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

LEASE FOR TAX DEPARTMENT

Mayor Pro Tem Trevino moved that the Council adopt a resolution renewing the existing lease between Travis Properties and the City of Austin for space in the Travis Building for the Tax Department, Utility Customer Service and Human Relations Department for three years, beginning July 1, 1981. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Cooke, Himmelblau, Mullen, Mayor Pro Tem
Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

RELEASE OF EASEMENTS

Mayor Pro Tem Trevino moved that the Council adopt a resolution authorizing release of the following easement:

1.5' of an 8.0' Drainage Easement located on Lot 12, Block L, Delwood Section II, 4319 Airport Boulevard (Requested by the Second Church of Christ, Scientist)

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Cooke, Himmelblau, Mullen, Mayor Pro Tem
Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

Mayor Pro Tem Trevino moved that the Council adopt a resolution authorizing release of the following easement:

A portion of a Public Utilities and Drainage Easement located on Lot 3, Block "K", Scenic Brook West, Section III, Phase I, 7210 Silvermine Drive. (Requested by Bryant-Curington, Inc., representing Mr. and Mrs. Gary Gibbs, owners)

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Cooke, Himmelblau, Mullen, Mayor Pro Tem
Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

Mayor Pro Tem Trevino moved that the Council adopt a resolution authorizing release of the following easement:

A 10.0' Public Utility and Drainage Easement located on Lot 30 and 31, Block "J", Highland Park West. (Requested by Mr. Edward Austin)

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Cooke, Himmelblau, Mullen, Mayor Pro Tem
Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

CHANGE ORDER

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving a Change Order in the amount of \$6,025.00 to M. G. Bravo Construction Company for work at FAA Flight Service Building. CAPITAL IMPROVEMENTS PROGRAM No. 73/81-03. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Cooke, Himmelblau, Mullen, Mayor Pro Tem
Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

CONTRACTS APPROVED

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving the following contract:

MOORE BUSINESS FORMS, INC.
8301 Balcones Drive, Suite 304
Austin, Texas

- Utility Statements, Office Services
Division
Item 1 - \$10,446.53

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Cooke, Himmelblau, Mullen, Mayor Pro Tem
Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving the following contract:

R. D. ERB COMPANY
111 West Laurel
San Antonio, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Circuit 3123, Transmission Line from
Holman Substation to South Texas
Project, Electric Utility Department
Item 1 - 1 ea. - \$5,915.00

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Cooke, Himmelblau, Mullen, Mayor Pro Tem
Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving the following contract:

LIBRARY BINDING COMPANY
2900 Franklin Avenue
Waco, Texas

- Hardbinding of Paperback Books,
Austin Public Libraries
Twelve (12) Month Supply Agreement
Item 1 - \$30,000

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Mayor Pro Tem
Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving the following contract:

ELGIN-BUTLER BRICK COMPANY
4000 North Interregional Highway
Austin, Texas

- Bricks, Central Stores Division
Twelve (12) Month Supply Agreement
Item 1 - \$7,237.50

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Mayor Pro Tem
Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving the following contracts:

Bid Award:

- Various Valves for Control of Water,
Water and Wastewater Department

ROHAN COMPANY
508-D East St. Elmo Road
Austin, Texas

- Items 17-25 - \$19,905.66

BIF INDUSTRIES
1600 Division Road
West Warwick, Rhode Island

- Items 3, 7, 10, 15 and 16 -
\$18,943.00

HENRY PRATT COMPANY
401 South Highland
Aurora, Illinois

- Items 1, 2, 8, 9, 12 and 14 -
\$9,136.00

PROCESS ENGINEERED EQUIPMENT COMPANY
2002 North Port Avenue
Corpus Christi, Texas

- Items 5 and 13 - \$5,250.00

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Mayor Pro Tem
Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving the following contract:

ENVIRONMENTAL SALES & SERVICE, INC. 1137 West Hurst Boulevard Hurst, Texas	- Heavy Duty Catch Basin Cleaner, Vehicle and Equipment Services Department Item 1 - 1 ea. - \$99,669.00
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The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Mayor Pro Tem
Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

GRANT APPLICATION

Mayor Pro Tem Trevino moved that the Council adopt a resolution authorizing submission of a grant application to the Texas Traffic Safety Office, State Department of Highways and Public Transportation for a grant entitled Driver Instructor Training Program in the amount of \$16,495 for the program period January 1, 1981 through December 31, 1981. (No local match) The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Mayor Pro Tem
Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

HOSPITAL CONTRACT

Mayor Pro Tem Trevino moved that the Council adopt a resolution adopting a contract between Brackenridge Hospital and the Austin Health Maintenance Organization (HMO), Inc. for receiving patients covered by an HMO from January 1, 1981 through December 31, 1981. (Recommended by the Hospital Board) The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Mayor Pro Tem
Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

AGENDA ITEM PULLED

Council pulled from the agenda consideration of adoption of proposed minimum standards for commercial aeronautical activities at Robert Mueller Municipal Airport.

HMO

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving a contract between Brackenridge Hospital and Central Texas Health Plan for receiving patients covered by an HMO (Health Maintenance Organization) from January 1, 1981 through December 31, 1981. (Recommended by the Hospital Board) The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

Absent: Councilmember Goodman

PUBLIC HEARINGS SET

Mayor Pro Tem Trevino moved that the Council set a public hearing for February 12, 1981 at 11:00 a.m. to amend Chapter 45 (Zoning Ordinance) of the Austin City Code, Section 45-14(f) providing an increase from 45 days to 60 days, the period of time for filing of a zoning application to the date the application is set for public hearing by the City Council. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

Absent: Councilmember Goodman

Mayor Pro Tem Trevino moved that the Council set a public hearing for February 5, 1981 at 10:00 a.m. on an appeal from Terrance Kendall, attorney for Steck Office Park, Ltd. on the Planning Commission's decision in requiring Steck Office Park Ltd., to be responsible for the cost of off-site water line grid pattern extension. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

Absent: Councilmember Goodman

Mayor Pro Tem Trevino moved that the Council set a public hearing for February 19, 1981 at 7:30 p.m. on a neighborhood park site in the Battle Bend Springs Subdivision. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

Absent: Councilmember Goodman

OPERATING BUDGET AMENDMENT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1980-1981 BY TRANSFERRING \$37,985.00 FROM THE GENERAL FUND ENDING BALANCE TO THE 1980-1981 BUDGET OF THE SPECIAL SERVICES/SPECIAL PROJECTS ACCOUNT FOR THE PURPOSE OF HIRING A CONSULTANT TO CONDUCT A CABLE TELEVISION COMMUNITY ASCERTAINMENT STUDY; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Mayor Pro Tem Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

ITEM PULLED

The Council pulled from the agenda consideration of amending the 1980-81 Capital Improvements Program through approval of the December 15, 1980 CIP Bond Requirements Report and its related rearrangement of funding amounts and priorities.

AGENDA ITEMS POSTPONED

The following items were postponed until January 29, 1981:

Consideration of amending the 1980-85 CIP (Capital Improvements Program) by accepting and appropriating a grant in the amount of \$374,517 from the Federal Disaster Assistance Program and \$250,000 from current Airport Revenues (total project funds: \$624,517) for the replacement of airport hangars damaged or destroyed by a tornado.

Consider adopting the 1979 National Electrical Code as amended.

ORDINANCE RESCINDED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE RESCINDING ORDINANCE NO. 800828-G SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (incorrectly referencing roofing and siding contractors license/bonding)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Mayor Pro Tem Trevino,
Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

THE SOUTH 100 FEET OF THE EAST 100 FEET OF LOT 12, BLOCK V, THE SOUTH 75 FEET OF THE WEST 172 FEET OF LOT 2, BLOCK V, AND THE NORTH 70 FEET OF THE WEST 172.4 FEET OF LOT 3, BLOCK V, RIDGETOP FOURTH ADDITION, LOCALLY KNOWN AS 4804-4818 NORTH INTERREGIONAL, FROM "GR" GENERAL RETAIL, SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Roger Wilson, C14-80-210)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency, and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Mayor Pro Tem Trevino,
Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 3.162 ACRE TRACT OF LAND, LOCALLY KNOWN AS 830 BASTROP HIGHWAY, FROM "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Palm Harbor Homes, Inc., C14-80-211)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency, and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Mayor Pro Tem Trevino,
Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT B, POMGRANATE PLACE, LOCALLY KNOWN AS 200 WEST LOLA, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Joseph A. Edelbrock, C14-80-218)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency, and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Mayor Pro Tem Trevino,
Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 11, 12, 13 AND 14, BLOCK 7, PLUS ONE-HALF ADJACENT VACATED STREET TO THE EAST OF SUBJECT TRACT, BROADACRES, LOCALLY KNOWN AS 1601-1605 HOUSTON STREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Della B. Denson, C14-80-217)

The ordinance was read the first time, and Councilmember Mullen moved that it be passed to its second reading. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Mullen, Mayor Pro Tem Trevino, Mayor McClellan, Councilmember Cooke

Noes: Councilmember Himmelblau

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been passed through first reading only.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: A 26.69 ACRE TRACT OF LAND, LOCALLY KNOWN AS 7000 DECKER LANE;

TRACT 2: A 20.86 ACRE TRACT OF LAND, LOCALLY KNOWN AS 8100 LOYOLA LANE;

TRACT 3: A 7.10 ACRE TRACT OF LAND, LOCALLY KNOWN AS 8000 LOYOLA LANE; AND

TRACT 4: A 24.73 ACRE TRACT OF LAND, LOCALLY KNOWN AS 7900 LOYOLA LANE;

ALL OF ABOVE PROPERTY FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Lumbermen's Investment Corp., C14-73-228)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Mullen, Himmelblau, Mayor Pro Tem Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 0.93 ACRE TRACT OF LAND, LOCALLY KNOWN AS BOUNDED BY F.M. 620 AND BROADMEDE AVENUE, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, WILLIAMSON COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Maurice Shafer, C14-78-207)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Mullen, Himmelblau, Mayor Pro Tem Trevino,
Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor Pro Tem Trevino and Councilmember Mullen noted that they would vote for approval of C14-78-207, although they had been absent the day it was heard, so that it would pass as an ordinance today.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: AN APPROXIMATE 14.7995 ACRE TRACT OF LAND, SAVE AND EXCEPT A 7.8066 ACRE TRACT OF LAND HEREINBELOW DESCRIBED; FROM INTERIM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT (AREA WEST OF THE CREEK); AND,

TRACT 2: A 7.8066 ACRE TRACT OF LAND FROM INTERIM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT (AREA EAST OF THE CREEK); ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 300-600 EAST WILLIAM CANNON DRIVE; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Revinir, Ltd., C14-80-216)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance on an emergency basis, effective immediately. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Mullen, Himmelblau, Mayor Pro Tem Trevino,
Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed as an emergency measure.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

AN APPROXIMATE 3.43 ACRE TRACT OF LAND, LOCALLY KNOWN AS 13486 TO 13520 RESEARCH BOULEVARD AND 9610 TO 9622 ANDERSON MILL ROAD, FROM INTERIM "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT SAID PROPERTY BEING LOCATED IN AUSTIN, WILLIAMSON COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (J. W. Small, Joava M. Good, C14-80-220)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency, and finally pass the ordinance as an emergency, effective immediately. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Mullen, Himmelblau, Mayor Pro Tem Trevino,
Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed, as an emergency measure.

COMPREHENSIVE ENERGY MANAGEMENT TASK FORCE

MS. ELAINE McDADE, Chairperson, Comprehensive Energy Management Task Force, appeared before Council to state: "At the Energy Conservation Commission meeting of January 14, 1981, representatives of Austinites for Public Transportation and the Community Food and Nutrition Program of the City's Human Services Department presented information requesting that their organizations be added to the Comprehensive Community Energy Management Program Task Force. Following discussion, the Commission voted to recommend to the City Council the additions of these two groups to the CCEMP Task Force. The Commission feels that these organizations will be an important addition to the Task Force's representation of the Austin community."

Motion

Councilmember Mullen moved that the Council approve the addition of Austinites for Public Transportation, and Community Food and Nutrition Program of the City's Human Services Department to the Energy Conservation Commission. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Mayor Pro Tem Trevino,
Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

PLANNING COMMISSION REPORT

BERNARD SNYDER, Chairman, Planning Commission, introduced MS. SALLY SHIPMAN, Vice-Chairman, Planning Commission. Ms. Shipman introduced the following proposed schedule for consideration of revised zoning ordinance. She said this is the first significant step in the Austin Tomorrow Plan and asked Council to set a time on February 19 for the presentation of the document to the City Council by the consultant. She also discussed moving the media briefing forward, but Council took no action on that. Following is the motion and schedule:

Motion

Councilmember Mullen moved that the Council set the presentation of the document to the City Council by the consultant for February 19, 1981 at 6:15 p.m. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmember Mullen, Mayor Pro Tem Trevino, Mayor McClellan, Councilmember Himmelblau

Noes: None

Absent: Councilmember Goodman

Not in Council Chamber when roll was called: Councilmember Cooke

"The revised zoning ordinance is due for presentation to the City in February. The processing of this important ordinance is as important as the ordinance itself. The Planning Commission has prepared a suggested schedule for your consideration from the receipt of the document from the consultant to the completion of the Commission's recommendations for the City Council.

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| January 14 | Meeting with Mayor by Chairman and Vice-Chairman to discuss schedule |
| February 1 | Invitations to Chairpersons of all City Boards and Commissions to attend presentation of the document by the consultant. |
| February 19 | Presentation of the document to the City Council by the consultant. Attorney for the program in attendance. Acceptance of the document and referral to the Planning Commission for study and recommendations |
| February 20 | Presentation of document to the Planning Commission by the consultant. Attorney for the program in attendance. Preliminary public information program discussed by Mr. Glen Cootes, P.I.O. Planning Commission establishes three subcommittees of three members each to study sections of the document. Commission establishes dates for media briefing and community briefing. Instruct staff to send notice of meeting to neighborhood associations, past participants and prepare general publication for the newspaper. Instruct staff to publish copies of document, users guide and summary for distribution. |

- March 11 Planning Commission meets to discuss subcommittee reports, to decide on public information program and to decide on format for media and community briefing.
- March 17 Media briefing with invitations sent to all media representatives to hear presentation of document. Press kit distributed including users guide, summary document and schedule for consideration by Planning Commission.
- March Community briefing involving groups and citizens who participated in January and May 1980 citizen meetings on this program and other interested citizens. Document distributed by Commission with user's guide, summary and schedule.
- April-June Workshops scheduled and attended by members of Commission to present document and to discuss interests of participants. Workshops should be geographically distributed in city. User's guide, summary and schedule are also distributed.
- July-Sept. Public hearings scheduled by Planning Commission to hear testimony on document. Special hearings should be considered on significant features of the document and for remapping program.
- Oct.-Nov. Work sessions by Planning Commission to consider results of workshops and public hearings. Consideration of input from City Boards and Commissions, consideration of all information gathered in process from workbook assembled by staff. Workbook will include all contacts, communications, results of all meetings and identify all questions raised and their resolution.
- December Presentation of Planning Commission recommendations to City Council. Included in presentation will be user's guide, summary, recommendations on document, workbook and recommendations on transition from the current ordinance and map to the new ordinance and map."

STATUS OF ENHANCED 911 IMPLEMENTATION

Chief of Police Dyson presented the following report on the Status of E911 Implementation:

"The purpose of this memorandum is to provide a status update concerning the Enhanced 911 (E911) emergency telephone system for the Austin Metropolitan Telephone Exchange. I am pleased to report all components of this project are progressing on or ahead of schedule.

Southwestern Bell has projected a December 1, 1981 cutover date for E911 start-up. Exchange office modifications required in their 23 central offices are scheduled for completion by November 1, 1981. Final testing of the E911 system should be completed prior to December 1. Bell officials advise this work is progressing as scheduled.

Construction of the new Police Complex Expansion is slightly ahead of the projected completion date of mid-January, 1982. It appears possible the E911 Command and Control Center could be occupied by December 1, which would allow us to begin offering E911 service immediately upon cutover.

Should move-in be delayed until after December 1, we will similarly delay E911 implementation until all equipment can be tested in-place in the Command and Control Center. Delaying E911 start-up until the new building is completed will save about \$100,000.00 in re-installation costs."

Chief Dyson introduced to the Council and members of the audience, Mr. John Wiley, who is coordinating the E911 program.

Mr. Davidson, City Manager, commended the Police Department for the program and said this, in addition to the new police headquarters and academy buildings puts Austin in the top ranks of a City with the finest program for public safety. Chief Dyson reminded Council that they had approved the implementation of a new radio communication system which will be most helpful for the City of Austin. Mayor McClellan commented that we stay on the "leading edge" in our police programs because of the leadership of Chief Dyson.

PROPOSED COMMUNITY DEVELOPMENT BLOCK GRANT

Mayor McClellan opened the public hearing scheduled for 10:00 a.m., on the proposed Community Development Block Grant (CDBG) "Citizen Participation Plan" and "Citizen Participation Schedule".

Carlos Herrera, Director of Human Services, told Council that two weeks ago he had outlined to them the scenario they recommend for adoption of the 7th year cycle for CDBG. Having gone from that time to now through the Planning Commission review, I wanted to bring you up to date this morning." He then referred to a packet of information being passed out to the Council containing

findings of the Community Development Commission (CDC) which can be incorporated into the process. "The Planning Commission," Mr. Herrera continued, "has also graciously provided us a written communication by Mr. Bernard Snyder, Chairman, that accepts the recommended process. The CDC variation of this does deviate from the plan by adding some additional dates for additional review. It has raised some illegal issues that we ought to ask our Legal Department to clarify for us so that by the time we return in two weeks we will have those cleared and a firm plan in hand."

MELVIN FLOWERS appeared before Council and spoke at this hearing and at the same time used his Citizen Communication time as listed on the Agenda to discuss the 1981-82 Housing and Community Development Program. He said he thought the community should have input in the Request for Proposals which are submitted, and he showed a chart of new ideas regarding input.

PAUL HERNANDEZ, East 1st Advisory Council, said the proposed RFP could exclude rather than include the citizens. He said he thinks the proposal needs more study and that the Community Development Commission should be more efficient.

(At this point, Councilmember Goodman entered the Council Chamber.)

Motion

Mayor Pro Tem Trevino moved that the Council close the public hearing on Proposed Community Development Block Grant "Citizen Participation Plan" and "Citizen Participation Schedule." The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Mayor McClellan, Councilmembers
Goodman, Himmelblau, Mullen

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

PUBLIC HEARING ON AMENDMENT TO MASTER PLAN

Mayor McClellan opened the public hearing scheduled for 10:30 a.m. on the Amendment to the Master Plan to allow a Planned Development Area for approximately 75 acres in the 7800 block of Burleson Road. Mr. Lillie reviewed the application.

PHIL MOCKFORD, representing the applicant said that the main barrier is that no one knows where Stassney Lane will go. He said that Mr. Lillie is willing to work with them and that the applicant is willing to subdivide.

No one else appeared to be heard.

Motion

Councilmember Himmelblau moved that the Council close the public hearing and adopt the amendment to the Master Plan to allow a Planned Development Area for approximately 75 acres in the 7800 block of Burleson Road. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Mayor McClellan, Councilmembers
Cooke, Goodman, Himmelblau, Mullen
Noes: None

SPEED ZONES

Council had before it an ordinance to consider amending the Austin City Code to modify the following Speed Zones. The following speed zones were pulled from consideration:

SECTION 21-42

DELETION - Subsection b - 35 mph

<u>ON</u>	<u>FROM</u>	<u>TO</u>
Exposition Boulevard	Lake Austin Boulevard	West 35th Street (3400 block)

ADDITION - Subsection b - 35 mph

Exposition Boulevard	Enfield Road (1500 block)	West 35th Street (3400 block)
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ADDITION - Subsection c - 40 mph

Exposition Boulevard	Lake Austin Boulevard	Enfield Road (1400 block)
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Councilmember Himmelblau stated she had grave concerns about raising the speed limit on Exposition because of the schools located there and wanted to delay action until next week.

Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SUBSECTION (a) OF SECTION 21-42 OF THE AUSTIN CITY CODE OF 1967, MAKING A CERTAIN ADDITION TO SAID SUBSECTION, THEREBY DECLARING THE MAXIMUM PRIMA FACIE SPEED LIMITS UPON THAT CERTAIN STREET WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS" (VERNON'S ANN. CIV. ST., ART. 6701d); REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (West Rundberg Lane)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau, Mullen

Noes: None

Not in Council Chamber when roll was called: Mayor Pro Tem Trevino

The Mayor announced that the ordinance had been finally passed.

School zone passed as follows:

ADDITION - subsection a - 35 mph

<u>ON</u>	<u>FROM</u>	<u>TO</u>
West Rundberg Lane	North Lamar Boulevard (700 block)	Northgate Boulevard (1800 block)

DEBRIS FREE STREETS AT CONSTRUCTION SITES

Councilmember Himmelblau introduced an item to Council for consideration. She requested a draft ordinance which would require contractors to keep the public property (streets) near construction sites free of debris. Mr. Davidson, City Manager, told her it is a good idea. Councilmember Himmelblau said she also wants the issue of trucks being required to have tarps on them to hold their overload studied.

Motion

Councilmember Himmelblau moved that the Council request the City Manager to bring back recommendations for a draft ordinance which would require contractors to keep the public property (streets) near construction sites free of debris; and also a recommendation for the use of tarps for trucks to contain their overload. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

MORATORIUM

Mayor McClellan requested Council's consideration of a 90-day moratorium on the processing of subdivision plat applications effecting the subdivision of land along the Lake Austin waterfront. She said the moratorium should be along the contour line and consideration should be given to exempting one-lot subdivisions.

Motion

Councilmember Goodman moved that the Council adopt a 90-day moratorium on the processing of subdivision plat applications effecting the subdivision of land along the Lake Austin waterfront on property including from shore line to City limit line plus 500 feet; exempting preliminary plats which have been disapproved; excluding one lot subdivisions. The motion was seconded by Mayor McClellan.

Friendly Amendment

Councilmember Cooke offered a friendly amendment to look at only 50 foot width lots and only in this corridor. The friendly amendment was accepted.

Roll Call on Motion with Friendly Amendment

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ESTABLISHING A TEMPORARY 90-DAY MORATORIUM ON THE PROCESSING OF CERTAIN SUBDIVISION PLAN AND PLAT APPLICATIONS COVERING LAND LOCATED WITHIN THAT PORTION OF THE LAKE AUSTIN WATERSHED WHICH, ON EITHER SIDE OF LAKE AUSTIN, LIES BETWEEN THE SHORELINE OF THE LAKE AND A POINT 500 FEET BEYOND THE 504 CONTOUR LINE ESTABLISHING THE AUSTIN CITY LIMITS BEYOND BEING ACCEPTED FOR FILING AND DISAPPROVED BY THE PLANNING COMMISSION; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Mayor Pro Tem Trevino,
Mayor McClellan, Councilmembers Cooke, Goodman

Noes: None

The Mayor announced that the ordinance had been finally passed.

Prior to the vote, Mr. Lillie stated the Planning Commission wants to look at the Lake Austin growth ordinance. They do not want to deal with it piecemeal, but want to look at the whole ordinance. Councilmember Himmelblau asked why 500 feet beyond the shoreline and Mr. Lillie told her that at some places where there is a steep bluff the City limit and shore line is the same. Councilmember Cooke asked if the Planning Commission has problems with Lake Austin and Mr. Lillie answered the primary concern is with alternative development. Councilmember Mullen wondered what information will be new and asked why they have the right to review. He said he is not ready to start the fight all over again concerning the water quality, etc. Councilmember Cooke wondered if this will be used as an umbrella and said that it scares him that the whole ordinance might be opened again.

STREET SWEEPING

Mayor McClellan requested a report on street sweeping, addressing the following:

1. Update on street sweeping program
2. Scheduling of street sweeping
3. Citizen complaints - what types of complaints are being made and how are they being handled?
4. Charges - discuss information prepared on Alternatives such as assessing street sweeping charges on a frontage basis - What are our alternatives to multiple meter billings for schools, hospitals, etc.?
5. Is this program operating within its budget?

Mayor McClellan said a number of concerns have been expressed to her by schools and apartments concerning the amount charged for street sweeping and its relation to the number of meters they have.

Richard Ridings, Assistant Director of Public Works, stated four more sweepers have been rented at a cost of \$3,500 each. Mayor McClellan asked him if this is included in the budget. He said, yes, that the budgeted amount of street sweeping is \$1,168,947.00 includes the purchase of four sweepers.

Councilmember Cooke commended the street sweeping program and said there is a big difference in the way his neighborhood looks since the sweeping of streets has been resumed. City Manager Davidson told Council that already enough trash has been hauled off to fill Memorial Stadium five feet deep. Mayor McClellan opined that more attention should be given to publicizing the schedule for sweeping. She asked about sweeping against the curbs, and Mr. Ridings said this is done and they are asking people to move their cars.

Councilmember Cooke and Goodman thought it would be a good idea to include a stuffer in utility bills which would tell the schedule. There was some discussion on the way the apartment areas and schools are charged and Mr. Ridings said he would report back on the specific costs. He also told Council that when they receive a complaint they take care of it immediately. Ms. Mathews from the Utility Customer Service told Council the total bill to AISD (Austin Independent School District) is \$1,600 per year. Mr. Davidson feels the school grounds should be responsible for picking up their own grounds and ended the discussion by complementing Mr. German and his staff.

SILVER SPURS GRANTED PERMISSION TO SELL BEER

Motion

Councilmember Cooke moved that the Council grant permission to the Silver Spurs men's service organization for the sale of beer at Auditorium Shores on April 4th and extend the curfew until 12 midnight. The motion was seconded by Mayor McClellan.

Councilmember Himmelblau objected to the extension of the curfew and the rest of the Council agreed.

Substitute Motion

Councilmember Goodman moved that the Council approve the request of the Silver Spurs men's service organization for the sale of beer at Auditorium Shores on April 4th, 1981. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Mayor McClellan, Councilmembers
Cooke, Goodman, Himmelblau, Mullen
Noes: None

COUNCIL REQUESTED TO WITHDRAW
EMINENT DOMAIN AND CONDEMNATION PROCEEDINGS

MR. EGBERT V. SMITH appeared before Council to request them to withdraw proceedings of Eminent Domain and Condemnation. He spoke as follows:

"Mayor and Councilmembers:

Again your favorite citizen comes before this Council to ask that you bring this travesty to a halt. This vendetta has already gone much too far.

At this time you will not hear any "hum-drum" repetition, but specific reasons why these condemnation proceedings should be withdrawn.

In response to my address before this City Council, the Director of the City's Property Management Department appeared before you, in sheep's clothing, and attempted to cover up his mistakes, and "white-wash" his position. On January 8, he admitted the City's liability for criminal trespass in his statement: 'We asked Robinson and Associates to provide us with their preliminary value opinion. In that connection the appraiser did enter Mr. Smith's property for observation and the taking of several photographs. We regret that the appraiser did not first obtain Mr. Smith's permission to enter the property. I do not fault the appraiser in this case, because we failed to advise him of Mr. Smith's requirement that no one should enter the property except under his personal guidance. There was no intent to deliberately ignore Mr. Smith's request or to violate his rights.'

My request was deliberately ignored and my Constitutional Rights were violated. By this admission of the City's liability in this case, there has been opened a whole new bundle.

Hear the words of our City Charter, Article II, THE COUNCIL, Section 4, POWERS OF THE COUNCIL: 'All the powers and authority which are expressly or impliedly conferred on, or possessed by the City, shall be vested in, and exercised by the Council; provided, however, that the Council shall have no power to, and shall not: (a), (b), (c) Accept or admit liability in, or pay, any claim for damages asserted against the City, without first obtaining a written opinion from the City Attorney regarding the City's liability therein.'

My claim for violation of my rights was asserted against the City, in my address before this Council on December 18, 1980. There was no written opinion from the City Attorney on my claim for this violation, or on the subject of the City's instructions to their appraiser to unlawfully enter my property and commit Criminal Trespass, before the City's admission to this liability.

When the Mayor Pro Tem made the closing statement on January 8th, 'Hearing no other instructions, you are to proceed with Condemnation' - This Council accepted the City's liability that had been admitted in the preceeding address by the City's Property Management Director; whereby this Council exceeded its authority; and whereby this Council is guilty of violating our City Charter.

In conclusion, you again hear my request to withdraw; yes, I hereby demand that the proceedings of Condemnation be immediately withdrawn.

Are there any questions?

Thank you, Mayor."

(Presented before the City Council on January 22, 1981, by: Egbert V. Smith)

PARADE PERMIT

Councilmember Goodman moved that the Council approve the request for a Parade Permit from Mr. Enrique G. Lopez, for U. S. Committee Solidarity with the People of El Salvador/Texas Farmworkers, for Saturday, January 24, 1981 from 12:00 noon to 2:00 p.m., beginning from south side of Capitol, south on Congress, west on 4th Street to Lavaca, north to 9th Street, east to Federal Building. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mullen,
Mayor Pro Tem Trevino

Noes: None

Abstain: Councilmember Himmelblau

BANNER APPROVED

Mayor Pro Tem Trevino moved that the Council approve the request of Mrs. Linda West, Vice-President, Austin Junior Forum, for permission to place a banner across the 7800 block of Burnet Road from February 23, 1981 through March 9, 1981. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Mayor McClellan, Councilmembers
Goodman, Himmelblau, Mullen

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

SOUTHERN UNION GAS COMPANY RATE SCHEDULES

Council had before it an ordinance revising Southern Union Gas Company's Rate Schedules. Mr. Don Butler, Austin's legal consultant in the matter, reported as follows to Council:

"Enclosed herewith find a copy of a proposed ordinance which will effect the various rate revisions and determinations which I understand the Council is considering in this case. Four different exhibits are provided, one of which should be attached to the ordinance adopted by the Council. Such exhibits will produce the following results:

Option	Increase	% Increase in Base Costs	Return Adjusted Value	Return on Stockholders Equity	Increase per MCF
I	\$1,548,405	11.8%	8.5%	13.23%	\$0.1217
II	\$1,619,640	12.3	8.61	13.5	0.1273
III	\$1,755,631	13.4	8.62	14	0.1380
IV	\$1,891,625	14.4	9.03	14.5	0.1487

Such results are based on various returns to stockholder's equity ranging from 13.23% to 14.5%. As I stated to the Council during the public hearing, the ultimate issue in a rate case is the return to stockholder's equity which is a judgmental determination. All of the four suggested returns are within the range of reasonableness. Such returns produce revenue increases ranging from \$1.5 to \$1.9 million per annum or, stated as a percentage of base costs, increases of 11.8% to 14.4%.

The proposed increases have been spread through application of a certain amount per Mcf ranging from \$0.1217 to \$0.1487 per Mcf. No changes in rate classifications have been made from the structures utilized for several years in Austin. Likewise, the Company's automatic adjustment charge for energy audit costs, increased service charges and customer charges have been denied. No elasticity adjustment was allowed in calculating the suggested increases.

The Council should make such changes in the text of the ordinance as may be appropriate to effect its decision. The amount of increase should be inserted in the blank on the first page of the ordinance and the proper rate schedule should be attached as Exhibit "A".

By copy of this letter, I am requesting that representatives from ACORN and SUG advise of any suggested revision to the form of the ordinance."

Mayor McClellan asked if Option II would be best. Mr. Butler told her that the Railroad Commission has been allowing returns of 14% and that 14.5% was allowed in the last Southern Union Case. Councilmember Goodman said he favors Option I as he feels this would be best for the ratepayers. Councilmember Goodman asked if Mr. Butler believes SUG (Southern Union Gas) will appeal and Mr. Butler thinks they will no matter which option Council agrees upon. Councilmember Cooke expressed support for Option II.

STEVE GARDNER, representing ACORN, stated Mr. Butler and the consultants have done an excellent job. He thought Council should approve Option I.

Councilmember Goodman asked about the \$10.00 reconnect fee and Mr. Butler said it should be denied.

BOB LACZKO, representing Southern Union Gas, recommended Council approval of Option IV because he said that most closely resembles what the regulatory authority will appeal. He said SUG's energy audit proposal has been denied and their customer connect fee of \$10.00 has been denied. He pointed out that the City has increased its connect fee.

Motion

Councilmember Cooke moved that the Council waive the requirement for three readings and finally pass an ordinance revising Southern Union Gas Company's Rate Schedules according to Option II. The motion was seconded by Councilmember Himmelblau.

Substitute Motion

Councilmember Goodman made a substitute motion to waive the requirement for three readings and finally pass an ordinance revising Southern Union Gas Company's Rate Schedule according to Option I, denying the energy audit and \$10.00 connect charge. The motion was seconded by Mayor Pro Tem Trevino.

Friendly Amendment to Substitute Motion

Councilmember Mullen offered a friendly amendment to the substitute motion to allow the \$10.00 connection charge.

Discussion followed and Councilmember Goodman did not accept the friendly amendment.

Friendly Amendment Withdrawn

Councilmember Mullen withdrew his friendly amendment.

Councilmember Goodman said it is more in order to discuss the connection fee with the franchise agreement.

Roll Call on Substitute Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE REVISING THE RATE SCHEDULES CONTAINED IN THE ORDER OF THE RAILROAD COMMISSION OF TEXAS IN GAS UTILITIES DOCKET NO. 1815 FOR NATURAL GAS SOLD BY SOUTHERN UNION GAS COMPANY WITHIN THE CITY OF AUSTIN; DECLARING THIS ORDINANCE TO BE A FINAL DETERMINATION OF RATES; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was read the first time, and Councilmember Goodman moved that it be passed to its second reading. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Mayor Pro Tem Trevino,
Mayor McClellan

Noes: Councilmembers Himmelblau, Cooke

The Mayor announced that the ordinance had been passed through first reading only.

RECESS

Council recessed its meeting at 12:00 noon and resumed its recessed meeting at 2:25 p.m.

GUESTS FROM DENMARK

Mayor McClellan introduced to Council and the Chamber audience the Ambassador of Denmark to the United States, Otto Rose Borch and his wife, Mrs. Astrid Borch, who were visiting Austin. Accompanying them were Royal Danish Consulate General Kaj Hansen and Mrs. Ingrid Hansen, from Houston. The Mayor presented them with a certificate of Honorary Citizenship and keys to the City. Mr. Otto Borch thanked the Mayor and Council and presented a butter dish to the Mayor as a gift.

MUNICIPAL UTILITY DISTRICTS

Council had before them two resolutions concerning Municipal Utility Districts (MUD's):

1. Consider approving the allocation of Wastewater Service capacity in the Bull Creek Lateral A wastewater line to the Northwest Travis County MUD No. 1 and the Springwoods MUD.
2. Consider granting the consent of the City of Austin to the annexation of land to the Springwoods Municipal Utility District.

Council had a lengthy discussion preceding their decision to postpone these items until January 29, 1981. Councilmember Cooke is concerned about accommodating 10,000 living units. Mr. Bulloch, Director of Water and Wastewater, showed maps of the area. Councilmember Himmelblau is concerned with the financing and future years and annexation. Councilmember Goodman discussed the number of living units which may or may not be built.

GARY BRADLEY appeared and said the goal is to come with the growth service area and ultimately the service area and the capacity will have to be defined. MR. HOOPER was also in the Council Chamber and joined in the discussion of what may happen in the future.

Councilmember Goodman asked for a report on as much information as possible on the bonded indebtedness of MUD's.

These resolutions will be brought back for action on January 29, 1981.

PURPA

HECTOR DELEON, Hearings Officer, Public Utility Regulatory Policy Act (PURPA), appeared before Council to present his report and additional papers for filing in the City Clerk's Office. He urged Council to adopt the PURPA standards as set forth in the report.

Mayor McClellan asked for recommendations from staff, the Electric Utility Department and the Electric Utility Commission.

PUBLIC HEARING - UDAG APPLICATIONS

Mayor McClellan opened the public hearing, scheduled for 2:00 p.m. to receive comment from the public on UDAG (Urban Development Action Grant) applications for scattered site in-fill housing developed in conjunction with the East Austin Chicano Economic Development Corporation. The project as designed would provide 500 new housing units for the east Austin area. The Council will not be taking action on the proposal today but will consider it at an appropriate time in the future.

Carlos Herrera, Director of Human Services, stated the public hearing was a date established as a contingency plan last December in order to provide adequate public notice in order to have this comment provided for the second hearing of this program in the event that we would be in a position to recommend it. "We are all aware," said Mr. Herrera, "of the circumstances surrounding this particular issue."

EVE WARDLOW, EACEDC, discussed the need for housing and said the outflow from east Austin is 32% due to the lack of housing available. She passed out a letter from Mark Steen in Washington, D.C. concerning matching funds.

MELVIN FLOWERS spoke against the EACEDC proposal and said it does not have the input from the neighborhoods. He said he speaks for Black Citizens' Task Force, Rosewood Neighborhood Association and Pecan Springs Neighborhood Association, who are all against the proposal. He pointed out the homes, at \$46.00 per square foot, are not economically feasible and recommended better coordination in the effort to obtain a UDAG grant.

J. E. MOSBY, President, Blackshear Residents Association, told Council EACEDC wants to buy all lots available in Blackshear. He said a very loose package has been presented to them. They asked for more information and have not received it. Mr. Mosby feels the housing should be spread all over Austin and not just in east Austin. They want a bidding process in Blackshear because that is what they have had and want it to continue. He contends that the loose proposal of EACEDC is an indication that their houses would also be loose and Blackshear Residents are against the project. Mr. Mosby requested the Council to request the City to make a thorough study of the organization and their ability to handle \$22,000,000. He asked for the use of a bonded process and wants the best deal that can be given to Austin.

GENE VASQUEZ, housing development officer for EACEDC, said they have checked out the builders and find them to be all right.

PAUL HERNANDEZ, EACEDC, said the Blackshear area has been contacted and EACEDC is sensitive to what is being done in that area. He feels they have not had cooperation from staff and have had difficulty in locating funds for EACEDC. He said they need affordable housing in east Austin under the auspices of UDAG.

Councilmember Cooke asked if housing studies have been done for the City. Mr. Herrera said he is not prepared to answer the need factor for this UDAG. He said the City could work with the developers but chose to work with EACEDC. They are prepared to meet with UDAG. Councilmember Cooke asked for a report on whether or not the need for 500 homes in east Austin is rational.

Ed Badgett, Assistant City Manager, discussed the Housing Assistance Plan based on the need versus the demand for houses. Mr. Herrera said all builders indicated they would test the market with a pilot idea.

FATHER JERRY BURNETTE, Our Lady of Guadalupe Parish, supports the EACEDC request for a UDAG grant and thinks east Austin needs 500 homes.

DR. JANE HAYNE, research and information director of EACEDC, told Council the houses would be for the moderate income group. She said it is the developers' job to market the houses and they have to have the land by the time of the application. House prices will include an inflation factor.

BERT ADAMS, representing the National Business League, asked Council not to grant the EACEDC request. He said the coordination and communication process has not been done and that the group has never come to the Business League with their ideas. He feels there should be interpersonal discussion.

DOROTHY TURNER appeared and said there is a problem because there has not been any citizen communication between the neighborhood associations and EACEDC.

Motion

Councilmember Goodman moved that the Council close the public hearing on public comment on UDAG applications. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Mullen, Mayor Pro Tem Trevino, Mayor McClellan,
Councilmembers Cooke, Goodman, Himmelblau
Noes: None

UMTA GRANTS

Councilmember Himmelblau moved that the Council adopt a resolution authorizing execution of the appropriate grant contracts with the State Department of Highways and Public Transportation for the following UMTA (Urban Mass Transportation Authority) Grants:

1. TX-03-0060 in the amount of \$1,267,866 for purchase of 8 buses, (i.e., 5 full-size coaches and 3 mid-size coaches), support equipment and passenger facilities (UMTA share \$1,014,293, State share \$164,822, City share \$88,751).
2. TX-03-0061 in the amount of \$612,570 for purchase of 4 full-size buses and support equipment. (UMTA share \$490,560, State share \$79,634, City share \$42,880)
3. TX-05-0064 in the amount of \$721,260 for the construction of the North Lamar Terminal Building and parking area (UMTA share \$577,008, State share \$93,746, City share \$50,488)

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau, Mullen
Noes: None

BOARDS AND COMMISSIONS PUBLIC HEARING SET

The Council unanimously agreed to set a public hearing on annual reports of Boards and Commissions for January 30, 1981 at 1:00 p.m.

The Clerk was requested to notify only the boards and commissions that had not filed a report, and dates would be set later, if needed, for other boards.

BOARD AND COMMISSION APPOINTMENTS

Affirmative Action Plan and Advisory Committee

Councilmember Goodman moved that the Council approve the appointment of Jim Shaffer to the Affirmative Action Plan and Advisory Committee. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau, Mullen, Mayor Pro Tem Trevino
Noes: None

Mayor McClellan announced the following board and commission appointments are due to be made on January 29, 1981:

Board of Adjustment - 1 alternate
Building Standards Commission - 2
EMS Quality Assurance Team - 5
Ethics Review Commission - 1
On-Going Goals Assembly Committee - 5
Heating, Air-Conditioning and Refrigeration Appeals Board - 2
Library Commission - 7

MH/MR Public Responsibility Committee - 3
Citizens' Traffic Safety Commission - 5
Urban Transportation Commission - 4
Elizabeth Ney Museum Board of Directors - 1
Manpower Advisory Planning Council - 2
Police Retirement Board - 1
Capital Area Planning Council - 1 Council representative
Police Department Internal Affairs Committee - 1 Council representative
Employees Retirement System of the City of Austin - 1 Council representative
Social Policy Advisory Committee - 1 Council representative

RECESS

Council recessed its meeting at 4:30 p.m. and resumed its recessed meeting at 7:15 p.m. Councilmembers Mullen and Cooke were absent from the meeting when it resumed at 7:15 p.m.

CDBG PROGRESS AND PERFORMANCE REPORT

Mayor McClellan opened the public hearing, scheduled for 7:00 p.m. on presentation of Community Development Block Grant (CDBG) Progress and Performance Report.

Carlos Herrera, Director of Human Services, reviewed the procedure and said the point has been reached with HUD (Housing and Urban Development) where they are able to clear the freeze. More information will be available to Council by Wednesday, January 28, 1981.

WILLA HARDIN, representing ACORN, expressed their views of the way Human Service handles CDBG grants. She says they feel the bookkeeping is bad and the whole process is vague. He said there should be more publicity and a better way to get information.

Mayor McClellan asked Mr. Herrera to keep track of complaints heard tonight.

CLYDE McQUEEN, National Business League, complimented the program and said they have been able to accomplish a lot with little.

CHARLOTTE JENNENO expressed discontent with the bookkeeping system and wondered why some projects have not been completed.

NORMAN KIEKE, who works for United Cerebral Palsy, said he has participated in the removal of architectural barrier program for nine months and wants to help rebuild the program. Councilmember Himmelblau asked him how many more homes they need and he answered they already have as many applications as they can handle.

REG WESTBROOK, member of MIGHT (Mobility Impaired Grappling Hurdles Together), told Council the removal of architectural barriers program is going well and has made them all aware of housing needs in Austin.

DAISY REVEL appeared and said she works with the participants in MIGHT and commended the way they have helped her daughter.

A girl who did not identify herself, said she had recently moved here from Seattle and her home has been helped by the program to remove architectural barriers.

MELVIN FLOWERS appeared to express his pride in the National Business League and introduced members of the staff who were in the audience. Councilmember Himmelblau told him that they had an excellent loan package.

Mr. Herrera returned to the podium to state the City of Austin has a complicated bookkeeping process and they have been undergoing some transitional problems. He said they have a problem with knowing what HUD (Housing and Urban Development) will accept.

ADJOURNMENT

Council adjourned its meeting at 7:40 p.m.

APPROVED

Carole Keeton McClure
Mayor

ATTEST:

Grace Monroe
City Clerk