

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 8, 1981
9:00 A.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding. She noted there are six members now since Councilmember Snell resigned effective January 5, 1981 to become County Commissioner.

Roll Call:

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

Absent: None

HERO OF THE MONTH AWARD

Mayor McClellan presented the Hero of the Month Award to Mark Smith. Mr. Smith was attending a meeting in the Scottish Rite Temple, where Mr. Ted Wendlandt was to receive a special award. Just prior to the time when the award was to be given, Mr. Wendlandt suffered cardiac arrest. Mr. Smith administered CPR (Cardiopulmonary resuscitation) until units from EMS (Emergency Medical Services) and the Fire Department arrived. This saved Mr. Wendlandt's life. The Mayor asked Mr. and Mrs. Ted Wendlandt; Ms. Marty Seals and Ms. Sue Edwards, representing EMS and CPR Program; members of the Fire Department and EMS Department who had assisted with Mr. Wendlandt to join Mr. Smith at the podium. Mr. Smith thanked the Mayor and members of the Council for the Award.

VOLUNTEER BLOOD DONOR MONTH

Dr. John Kemp and Janice Atkinson were in the Council Chamber to receive a proclamation designating the month of January 1981 as Volunteer Blood Donor Month. They thanked the Mayor and Council for the proclamation read by the Mayor.

MINUTES APPROVED

Councilmember Cooke moved that the Council approve the Minutes for December 11, 1980. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Mayor McClellan

Noes: None

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

Council asked that the Minutes of December 18, 1980 be held as they had not read them.

EMINENT DOMAIN PROCEEDINGS

Councilmember Goodman moved that the Council adopt a resolution authorizing Eminent Domain proceedings to acquire the following tract of land for the widening and improvements of Ponca Street in C.D.D. Project #12:

963 square feet of land out of the Santiago Del Valle Grant.
(Dale Watkins, owner)

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

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

Noes: None

CAPITAL IMPROVEMENTS PROGRAM

Councilmember Goodman moved that the Council adopt a resolution approving acquisition of certain easements for the Walnut Creek Wastewater Main. CAPITAL IMPROVEMENTS PROGRAM No. 73/50-12:

A 20' Sanitary Sewer Easement and a temporary Working Space Easement out of a 20.41 acre tract along Cameron Road. (H. J. Draper, et ux.)

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

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

Noes: None

Councilmember Goodman moved that the Council adopt a resolution authorizing the acquisition of certain land for the U.S. 183/Springdale Road Interchange. CAPITAL IMPROVEMENTS PROGRAM No. 78/62-01:

0.350 of one acre of land out of the J. C. Tannehill Survey.

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

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

Mr. Bill Brown, representing City National Bank, stated, "There is no problem with that except there is a condition in regard to the access." Mayor McClellan requested that the condition be read into the Minutes. Mr. Morahan, Property Management, appeared and told Council, "There is a condition with regard to access. We've agreed with them on it and we can specifically say that the Council's approval is subject to that condition. It has been worked out and it has been agreed to by the Highway Department." Mr. Brown said they are waiting for specific authorization from the Highway Department. Mr. Morahan told him his office had received the letter yesterday and Mr. Brown should receive it shortly.

Condition referred to to be requested to be read into the Minutes:

"This Contract is expressly made subject to and conditional upon receipt by Owners of a written commitment from the State of Texas Department of Highways and Public Transportation satisfactory to Seller, regarding the location of an exit ramp from U.S. Highway 183 to service the remainder of the property owned by Seller. This commitment for the ramp design must be acceptable to Seller and in substantial compliance with the diagram marked Exhibit 'A', attached hereto and made a part hereof for all purposes.

/s/ C. W. Hetherly"

POLICE DEPARTMENT PARKING

Councilmember Goodman moved that the Council adopt a resolution to enter into a one-year Lease Agreement for additional parking for the Police Department at 718 East Sixth Street. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

RELEASE OF EASEMENTS

Councilmember Goodman moved that the Council adopt a resolution authorizing release of the following easement:

A Water Line Easement on Lot 14, Resubdivision of Lot 8, Block B, Rosewood Village Section II and a portion of Section III, 1182 Graham Street. (Requested by Arthur Villella, Water and Wastewater Department)

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

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

Councilmember Goodman moved that the Council adopt a resolution authorizing release of the following easement:

20.0' of a Water Easement as recorded in Volume 2873, Page 42,
3400 North IH 35. (Requested by Concordia Lutheran College)

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

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

Councilmember Goodman moved that the Council adopt a resolution authorizing release of the following easement:

5.0' of a 25.0' Drainage Easement located on Lot 1, Block E, Bee
Cave Woods Section I, 1017 Beecave Woods Drive. (Requested by
Mr. Walter Carrington).

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

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

AGENDA ITEM POSTPONED

During the consent motions, consideration for request for water and wastewater approach mains to serve the West Rim Subdivision was postponed until January 15, 1981.

CONTRACTS APPROVED

Councilmember Goodman moved that the Council adopt a resolution approving the following contract:

CRUZ CONCRETE
3110 Fontana Drive
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
1978-79 Safe School Sidewalk
Program, Far West Boulevard from
Chimney Corners to Hollow Drive.
\$22,993.45 C.I.P. No. 78/61-02

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

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

Councilmember Goodman moved that the Council adopt a resolution approving the following contract:

FRANK LIMON & SONS
303 Battle Bend Boulevard
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Construction of Civitan Park
Tennis Court - \$61,675.00
C.I.P. No. 77/86-06

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

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

Noes: None

Abstain: Mayor Pro Tem Trevino

Councilmember Goodman moved that the Council adopt a resolution approving the following contract:

H. D. BROWN AND ASSOCIATES
5738 Balcones #203
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Elisabet Ney Museum Restoration,
Phase I - \$174,551.00 C.I.P. No.
79/86-01

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

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

Noes: None

Councilmember Goodman moved that the Council adopt a resolution approving the following contracts:

Bid Award:

- CAPITAL IMPROVEMENTS PROGRAM -
Transformers, Electric Utility
Department - \$142,804.00
C.I.P. No. 81/15-01

TECHLINE, INC.
8750 Shoal Creek Boulevard
Austin, Texas

- Items 1 & 3 - \$56,492.00

SOUTHWAY ELECTRIC UTILITY
9230 Neils Thompson Drive
Austin, Texas

- Item 2 - (Alternate Bid) \$49,448.00

WESTINGHOUSE ELECTRIC SUPPLY
9230 Research Boulevard
Austin, Texas

- Items 4 & 5 - \$36,864.00

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

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

Noes: None

Councilmember Goodman moved that the Council adopt a resolution approving the following contract:

A SLACK OR SLACK, INC.
2100 South Congress
Austin, Texas

- Wastewater removal at Decker
Power Plant, Electric Department
Twelve (12) Month Service Agreement
\$22,572.00

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

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

ITEM POSTPONED

Approval of the following contract was postponed:

Bids received January 6, 1981

- CAPITAL IMPROVEMENTS PROGRAM -
Old Main Library Renovation
C.I.P. No. 75/85-02

REFUND OF TAXES

Councilmember Goodman moved that the Council adopt a resolution approving refund of taxes erroneously assessed and paid by Studtman Photo Service for the year 1979 on Tax Account No. S59940 in the amount of \$757.63. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

ITEM POSTPONED

Councilmember Goodman moved that the Council postpone consideration of approval of Peat, Marwick, Mitchell for the Audit of Fiscal Years 1980, 1981 and 1982 until January 15, 1981. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

HANDICAPPED CHILDREN'S MODEL PROGRAM

Councilmember Goodman moved that the Council adopt a resolution authorizing submission of an application to the Office of Special Education, U. S. Department of Education, for funding in the amount of \$85,930.00 to implement a Handicapped Children's Model Program. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

Councilmember Himmelblau inquired concerning the time frame. Mr. Leonard Ehrler, Director of Parks and Recreation, told her it will begin when it is awarded and go until May, 1981. Councilmember Himmelblau asked him if The Austin Independent School District is sharing cost in match. He told her they are. It is the same kind of in-house match that is budgeted to Personnel and the use of their buildings. Councilmember Himmelblau said, "I want it read into the Minutes that it will be the use of their facilities and the in-kind match so they don't come back and get us for some payment," Mr. Ehrler said it is his understanding it has already been budgeted. Councilmember Himmelblau said, "I think it should be in the Clerk's office in writing before the contract is sealed."

PUBLIC HEARINGS SET

Councilmember Goodman moved that the Council adopt a resolution setting public hearings on the following:

The proposed Community Development Block Grant "Citizen Participation Plan" and "Citizen Participation Schedule" for January 22, 1981 at 10:00 a.m.

Community Development Block Grant Application for April 23, 1981 at 10:00 a.m.

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

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

Councilmember Goodman moved that the Council set a public hearing for January 15, 1981 at 8:30 p.m. for Southern Union Gas Company's Statement of Intent to Change Rates and Statement of Intent to Implement a Special Service Charge for the Recovery of Energy-Audit Costs. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

Councilmember Goodman moved that the Council set a public hearing for January 22, 1981 at 10:30 a.m. for an 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: Councilmembers Goodman, Himmelblau, Mullen, Mayor Pro Tem Trevino, Mayor McClellan, Councilmember Cooke
Noes: None

ITEM PULLED FROM AGENDA

The following item was pulled from the Agenda:

Set a public hearing on the following annexation: 112.74 acre tract of land (68.45 acres requested by owner and known as the proposed Millwood Section 8 Subdivision and 44.29 acres initiated by the City of Austin)

Mr. Albert DeLaRosa, Assistant City Attorney, said he has distributed a memo asking for a delay of this item and all other annexations before the Municipal Election to be held in April. Because of the time constraints that are needed in order to enact an annexation ordinance and to finally pass an annexation ordinance, any annexation ordinance that would begin on today's date or any time in the future would not be approved until late in February and we need 60 days to submit all annexations to the Justice Department for their approval prior to holding any Municipal Election. So in order to not complicate matters, it was advisable to hold off on any annexations until after that particular election.

Mayor McClellan stated: "I want it read into the record that can start annexation processes after March but not before that time." Mr. DeLaRosa said he will notify anyone who is in annexation proceedings concerning this. Mr. Lillie, Director of Planning, said, "We will accept the request for annexation and process it through the Department and get the fiscal note so that by the time we are cleared to come to Council, all of that work will have been completed."

OPHTHALMOLOGICAL SERVICES

Councilmember Goodman moved that the Council adopt a resolution approving a contract between Brackenridge Hospital and Dr. James McNabb and Associates for Ophthalmological Services from January 1, 1981 through December 31, 1981 in the amount of \$20,000 - Recommended by the Hospital Board. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

LOAN INDEMNIFICATION PROGRAM

Councilmember Goodman moved that the Council adopt a resolution authorizing the Austin Redevelopment Authority to act as the agent for the City of Austin in administering the Loan Indemnification Program contract as amended between ARA and The Austin National Bank. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

Noes: None

Councilmember Himmelblau inquired concerning the need. Mr. Carlos Herrera, Director of Human Services, said it needs amending in order to correct it with all regulations HUD has. The amendments need to be made following an earlier effort to implement this program having to rescind it. Everything is in order and has been approved. We want to get the program in line so people can take advantage of it.

REHABILITATION

Councilmember Goodman moved that the Council adopt a resolution approving issuing a statement of intent to reprogram \$500,000 of the City's 6th Year CDBG (Community Development Block Grant) (FY 80-81), and setting aside 50 units of the City's FY 81-82 allocation of Section 8 Substantial Rehabilitation, in the event that the City submits a final proposal for HUD's 510 housing rehabilitation demonstration. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

Noes: None

ITEM POSTPONED

Council pulled consideration of amending the 1980-81 Operating Budget by appropriating funds from the ending balance of the General Fund for the external audit of the City's September 30, 1981 financial statement until January 15, 1981.

SCHOOL CROSSING GUARD

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1980-1981 BY APPROPRIATING \$2,465.00 FROM THE GENERAL FUND ENDING BALANCE FOR THE PURPOSE OF FUNDING A SCHOOL CROSSING GUARD AT 11TH AND CHICON STREETS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING IT AN EMERGENCY.

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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 Cooke, 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.

ORDINANCE AMENDMENT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE CORRECTING ORDINANCE NO. 800522-N AND THE SUBSEQUENT AMENDMENTS THERETO BY CHANGING THE ARTICLE AND SECTION NUMBERS TO MAKE THEM PROPERLY SEQUENTIAL IN RELATION TO THE OTHER SECTIONS OF CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967; PROVIDING THAT THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS BE SUSPENDED; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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 Cooke, 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.

ZONING ORDINANCE AMENDMENTS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 800522-C, ENACTED BY THE CITY COUNCIL ON MAY 22, 1980, BY CORRECTING THE ZONING CASE NUMBER OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14-73-253)

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 Cooke, 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.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 760923-B, ENACTED BY THE CITY COUNCIL ON SEPTEMBER 23, 1976, BY CORRECTING THE HEIGHT AND AREA DESCRIPTION OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14-76-072)

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 Cooke, 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.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 780413-L, ENACTED BY THE CITY COUNCIL ON APRIL 13, 1978, BY CORRECTING THE HEIGHT AND AREA DESIGNATION OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14-78-032)

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 Cooke, 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.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 780413-M, ENACTED BY THE CITY COUNCIL ON APRIL 13, 1978, BY CORRECTING THE LEGAL DESCRIPTION OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14-78-035)

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 Cooke, 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.

Mayor McClellan introduced the following ordinance: 12

AN ORDINANCE AMENDING ORDINANCE NO. 790726-H, ENACTED BY THE CITY COUNCIL ON JULY 26, 1979, BY CORRECTING THE LEGAL DESCRIPTION OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14-79-090)

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 Cooke, 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.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 800410-F, ENACTED BY THE CITY COUNCIL ON APRIL 10, 1980, BY CORRECTING THE USE AND HEIGHT AND AREA DESIGNATION OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14-79-201)

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 Cooke, 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.

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:
A 73,826 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1600-1646 EAST 51ST STREET, FROM "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT AND "LR" LOCAL RETAIL, 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. (Richard D. Seiders, C14-80-050)

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 Cooke, 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.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 BY PERMITTING THE PARK AT QUAIL CREEK, SECTION II, LOCALLY KNOWN AS 900 RUTLAND DRIVE, TO BE USED FOR A PLANNED UNIT DEVELOPMENT; 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. (Walter Carrington The Park at Quail Creek Section II, C814-72-002)

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 Cooke, 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.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 BY PERMITTING OLD TOWN PHASE II, SECTIONS I AND II, LOCALLY KNOWN AS CORONADO HILLS DRIVE, TO BE USED FOR A PLANNED UNIT DEVELOPMENT; 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. (Nash Phillips-Copus, C814-73-006)

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 Cooke, 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.

Mayor McClellan introduced the following ordinance: 14

AN ORDINANCE AMENDING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 BY PERMITTING SUMMERWOOD, PHASE 2, SECTIONS 1 AND 3, LOCALLY KNOWN AS 3731 STECK AVENUE, TO BE USED FOR A PLANNED UNIT DEVELOPMENT; 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. (JLP Development Corporation, C814-77-002)

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 Cooke, 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.

Mayor McClellan brought up the following ordinance for its second reading:

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 EASTERNMOST 200 FEET PARALLEL TO THE EAST RIGHT-OF-WAY LINE OF LOOP 360 OF LOT 8, BLOCK "A" OF WESTLAKE CROSSROADS, LOCALLY KNOWN AS 1705 S. LOOP 360, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, 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. (Haupt Builders, Inc., C14-80-127)

The ordinance was read the second time, and Councilmember Mullen moved that the Council waive the requirement for third reading, and finally pass the ordinance. The motion, seconded by Councilmember Cooke, 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.

Councilmember Goodman stated he had voted against the change the first reading of the ordinance but would vote yes so the ordinance would not have to be brought back again.

FIREMAN'S RETIREMENT FUND 15

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AUTHORIZING AN INCREASE OF THE CITY OF AUSTIN'S CONTRIBUTION TO THE FIREMEN'S RETIREMENT FUND FROM 12.13% TO 12.65% OF PAYROLL, RETROACTIVE TO THE FIRST PAY PERIOD IN 1981; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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 Cooke, 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.

ALTERNATIVES TO NEIGHBORHOOD PARK SITES
IN NORTHWEST HILLS

Mr. Joe Morahan, Director of Property Management, presented the following City Manager Report to Alternatives to Neighborhood Park Site in Northwest Hills:

"We have obtained a transcript of Mr. Smith's presentation to the City Council. I will respond to his statements and allegations in the following paragraphs and then outline the possible alternative the City Council has in the matter.

"Mr. Smith is correct in that he approached P.A.R.D. representatives in October, 1979, to see if the City might be interested in acquiring a portion of his tract as a neighborhood park site. They did discuss several alternatives as to an exact site and the street access to it and tentatively agreed on a specific site, which is the same site and access that is now the subject of the pending condemnation proceedings. The 8.102 acres authorized for condemnation is the 6.383 acre park site plus 1.719 acres for access (future streets). Dr. David Reed and Mr. Bob Baker represented PARD (Parks and Recreation Department) in those early discussions.

"Mr. Smith now indicates that Dr. Reed assured him that the City would not exercise its powers of eminent domain to acquire his property. Dr. Reed advises that he did not give such assurance and would not have given such a commitment since purchase negotiations are conducted through the Property Management Division. Mr. Smith did submit a written contract proposal dated January 24, 1980, a copy of which is attached hereto.

"The contract offer was for a purchase price base of \$65,340.00 per acre (\$1.50 per square foot) as of December 31, 1979, plus escalation, and it included other terms, conditions and restrictions. The purchase price for the 6.383 acres would have totaled approximately \$430,000.00 if the offer had been accepted and closed in, say, later March.

"Our preliminary indications were that Mr. Smith's offer was too high and that we could not recommend approval without substantiation by an independent appraiser. 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. We also felt that some of the conditions in Mr. Smith's contract offer were unacceptable but thought that agreement could be worked out if we could get close to agreement on the purchase price. The PARD Board does not normally inspect sites being acquired. The Property Management staff has not inspected the property and has instead relied on the inspections and advice of the PARD representatives and the independent appraiser. We have examined topographical and other maps as well as photographs of the subject area.

"The preliminary value opinion of Robinson and Associates is dated March 7, 1980. The market value of the property was estimated at \$.65 per square foot or \$180,730.00 for 6.383 acres. Since this was substantially below Mr. Smith's asking price, we elected to include the area within the proposed access streets at the same \$.65 per square foot rate. The access streets contain 1.719 acres so this increased the area covered by our offer to 8.101 acres for a total of \$229,375.00. Our offer was not made until July 17, 1980, due to a delay in getting the street alignment approved by the Planning and Urban Transportation Departments. Mr. Smith did not respond to the offer.

"Since the City had been trying to acquire a site for this neighborhood park for two years and had exhausted all acceptable alternative sites, and since there appeared to be no possibility for a negotiated settlement, the decision to recommend condemnation proceedings was made. I might add that the Balcones Civic Association had previously indicated its support for the acquisition of this site, even if condemnation was necessary. The file was forwarded to the Law Department on August 13, 1980.

"The resolution authorizing condemnation was placed on the City Council agenda for the meeting of September 25, 1980. It was passed on the Council's consent motion. Mr. Smith misunderstood the term "consent motion." We did not represent to the City Council or to anyone else that Mr. Smith had given his consent.

"The condemnation process requires that the owner receive prior notice of the hearing so it was, of course, necessary to serve Mr. Smith with such notice. The hearing was originally set for December 4, 1980; however, it has been re-scheduled for January 29, 1981, having been postponed at Mr. Smith's request.

"Mr. Smith mentioned three existing parks in this neighborhood. Steck Valley is more a greenbelt than a park site. It will have relatively little level usable area. The Barrow Preserve is even less usable than Steck Valley in that it consists entirely of ravines and steep slopes. A playground at Anderson High School was also mentioned; however, the City does not have any ownership of use agreements covering land at Anderson High.

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"Our appraiser was asked to go ahead with a formal appraisal which raised the unit value to \$.70 per square foot which totals \$247,000.00 for the 8.101 acres. A copy of that appraisal report has been provided to Mr. Smith, who is, in return, supposed to furnish a copy of his appraisal to the City. His appraiser is Morris Alford.

"As I see it, there are three possible alternatives at this point. One is to purchase the property at Mr. Smith's price (approximately \$495,000.00) if he is willing to accept that figure. There would still need to be some modification of several of his terms and conditions before final agreement could be reached. We can neither justify nor recommend this settlement.

"A second alternative is to withdraw the condemnation proceedings as Mr. Smith requests. This would put us back to square one in finding a neighborhood park site for this area. The prospects of finding an acceptable site for a reasonable cost are very dim.

"The third alternative is to allow the condemnation process to continue. If Mr. Smith will provide us with a copy of his appraisal, it might provide the basis for further negotiation. If not, both sides will have an opportunity to present evidence of value before an award is made. Either side can appeal the award if it is unsatisfactory. The Property Management Division and PARD feel that we must recommend the third alternative."

It was the consensus of the opinion of the Council to proceed with the third alternative and allow the condemnation process to continue.

REPORT FROM LEGISLATIVE COUNSEL

Mr. Joe Longley, Legislative Counsel for the City of Austin, reported as follows: He reminded Council that the Legislative Session opens Tuesday, January 12, 1981 and asked Councilmembers to attend the swearing in ceremonies. He also reminded Council of the luncheon hosted by the City Manager and staff members for the Travis County Delegation on Wednesday, January 13, 1981 at the Quorum Restaurant.

"As far as an update on our Legislative Report from last time, the City Manager and I were requested to attend the meeting in Dallas of some other urban city managers concerning proposed legislation for the upcoming 67th Legislature. We went up there on December 19 and had a very good meeting in which many of the priority items for the Texas Municipal League legislative program were discussed. Mr. Davidson requested me to propose a draft of an increase in the motor vehicle registration fee which has been a proposal of the Texas Municipal League. It was adopted by the city managers present at the meeting as being an item which they are interested in seeing moved on and coordinated with TML's efforts. It is some thing our City Council should back in this Legislature because if it passes, it will mean more revenues for the City. The increase would be a 50% across the board increase in the motor vehicle registration fees as an alternative to an increase in the auto sales tax. The Controller has indicated he would prefer this method of raising the revenues of municipalities rather than going for an increase in the sales tax. This would be shared on a 50/50 basis with the counties and the cities. The allocation has yet to be worked out as to how that would come about but it would mean more revenue for the City of Austin.

"Another item we discussed at that meeting was the Out-of-County Indigent Care Compensation which was House Bill 1688 last session. I am working with Mr. Grayden who is the legislative counsel for the City of Dallas and we are again getting the legislation prepared and seeing if we can't coordinate our efforts with the Texas Municipal League and the counties seeing if that legislation could be re-introduced and passed. I will keep you informed re its progress. Of specific interest to the City of Austin is compensation for resident physicians and that has been introduced already as Senate Bill 89 by Senator Brooks. Copies of that bill will be forthcoming to you. I am meeting tomorrow with the Administrator of Brackenridge concerning this legislation, and we will go over it in detail to see exactly what the possible savings will be for our hospital.

"The Legislation to increase the amount of signatures required for referendum on the franchise has been introduced by Representative Gib Lewis of Fort Worth. It would increase the amount of signatures to 20% of the qualified voters of the particular political subdivision and that bill has been introduced. The Metropolitan Transit Authority enabling legislation that is being proposed by Senator Santiestaban has not yet been introduced but we will be receiving it shortly. ... Plans are being made for a reception with the Austin Chamber of Commerce in February or early March."

CDBG PROGRAM 1981-82

Mr. Carlos Herrera, Director of Human Services, reported as follows on the Citizen Participation Plan and Program Development Schedule for the CDBG (Community Development Block Grant) Program:

"Attached is the proposed Citizen Participation Plan and Program Development Schedule for the City's 1981-82 CDBG Program Year. The proposed plan is a departure from the planning process adopted in previous years. The most significant change, and the centerpiece of the proposed plan, is the implementation of a Request for Proposal (RFP) process. We feel that the RFP method will provide a higher degree of quality, with respect to the nature and focus of proposed uses of CDBG funds.

"In prior years, the plan allowed for broad-based citizen input and response, however, proposals were developed and submitted in an ad hoc manner. Although some of the proposals received were of the highest quality, many were found to be outside of the scope of identified needs and program strategies. HUD (Housing and Urban Development) has expressed particular concern over the previously adopted planning process and has urged the City to improve quality control and to insure greater program accountability.

"In its Circular A-102, the Federal Office of Management and Budget highlights the RFP process as a method by which the program planning process can be made more accountable. Additionally, several cities throughout the Country are beginning to adopt the RFP procedure in their CDBG planning process.

"Not only does the proposed process provide for a higher degree of quality control and program accountability, it also assures that HUD regulations regarding competitive bidding are fully met. Through this process, Council can determine funding allocations in advance of proposal submissions, again insuring greater control.

"Under the proposed plan, the Joint Sub-committee of the Community Development Commission (CDC) and the Planning Commission (PC), would hold public hearings during which community needs and general funding levels are prioritized. These priority needs will serve as the basis for later developing the specific RFP's. Recommendations of the Joint Sub-committee, the PC and the CDC on priority needs and general funding levels will be submitted to the City Council. The City Council will review these recommendations and decide on specific RFP subject areas and cost allocations to be developed by the Human Services Department (HSD).

"Proposals submitted in response to RFP's will be reviewed by HSD staff and funding recommendations will be submitted to the City Council. Council will review HSD recommendations and make final contract awards.

"The RFP process was utilized for the Architectural Barriers Removal Project funded during FY (Fiscal Year) 1979-80. The procedure proved to be quite successful and did afford greater program control.

"The attached draft Citizen Participation Plan and Schedule outlines the process in greater detail. We urge the City Council to consider this new procedure and set a public hearing for citizen input on January 22, 1981; and a hearing on April 23, 1981, on the proposed CDBG general topic application.

ZONING HEARINGS

Mayor McClellan announced Council would hear zoning cases scheduled for 10:00 a.m. Pursuant to public notice thereof, the following zoning cases were publicly heard:

VANCLEAVE
DEVELOPMENT
COMPANY, INC.
By M. Bordelon
C14-80-170

9620 North Lamar
also to the rear of
Rutland Drive

From "GR" General Retail
1st Height and Area
To "C-1" Commercial
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Cooke moved that the Council grant "C-1" Commercial, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

The Mayor announced that the change had been granted to "C-1" Commercial, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

The Mayor introduced the following ordinance:

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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 7,906 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 9620 NORTH LAMAR, ALSO TO THE REAR OF RUTLAND DRIVE, FROM "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "C-1" 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 DECLARING AN EMERGENCY. (VanCleave Development Company, Inc., C14-80-170)

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

The Mayor announced that the ordinance had been finally passed.

CARL A HOBBS,
CHRISTINE LARY,
MARGARET AND
MELVIN WARD
By Phil Ward
C14-80-205

3500-3606 Oak Springs
Drive

From "A" Residence
1st Height and Area
To "BB" Residence
1st Height and Area
RECOMMENDED by the Planning
Commission subject to a limit-
ation of 14 units per acre.

Councilmember Cooke moved that the Council grant "BB" Residence, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

The Mayor announced that the change had been granted to "BB" Residence, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

CALHOUN-SMITH
DISTRIBUTING COMPANY,
INC.
By Al Stover
C14-80-209

5401-5411 Manchaca Road

From "O" Office and "GR"
General Retail, 1st Height
and Area District
To "GR" General Retail
1st Height and Area
RECOMMENDED by the Planning
Commission "GR" General Retail, save and
except 25-foot "A" Residence buffer ad-
jacent to existing residences and follow-
ed by 25-foot "B" Residence buffer.

Councilmember Cooke moved that the Council grant "GR" General Retail, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

ROGER WILSON
By Barbara Mackey
C14-80-210

4804-4818 North
Interregional

From "GR" General Retail, 2nd
Height and Area and 5th
Height and Area
To "C" Commercial, 1st
Height and Area
RECOMMENDED by the Planning
Commission as amended by applicant to
place privacy fence to preclude access to
Harmon. (Fence already in place)

Councilmember Cooke moved that the Council grant "C" Commercial, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

The Mayor announced that the change had been granted to "C" Commercial, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

DR. FRED A.
PURCELL, GRACE
COVENANT CHURCH
AND BART HODGES
By Randy Rogers
C14-80-213

9229 Jollyville Road
9422 Research Boulevard

From Interim "A" Residence
1st Height and Area
To "O" Office
1st Height and Area
RECOMMENDED subject to U.S.
183 site plan and performance standards
of U.S. 183 Study, by the Planning
Commission

Councilmember Cooke moved that the Council grant "O" Office, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

BETTY W. PHILLIPS
By Sharon Majors
C14-80-212

911 West 23rd Street

From "A" Residence
1st Height and Area
To "BB" Residence
1st Height and Area
RECOMMENDED by the Planning
Commission subject to site plan showing
parking.

Councilmember Cooke moved that the Council grant "BB" Residence, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

The Mayor announced that the change had been granted to "BB" Residence, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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J. W. SMALL AND
JOAVA M. GOOD
By Sanford
Gottesman
C14-80-220

13486-13520 Research
Boulevard
9610-9622 Anderson
Mill Road

From Interim "AA" Residence
1st Height and Area
To "GR" General Retail
1st Height and Area
RECOMMENDED by the Planning
Commission "GR" General Retail and approve
site plans for applicant's option

Councilmember Cooke moved that the Council grant "GR" General Retail, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

WILLIAM B.
COTTON
By Deborah James
C14-80-192

4104-3906 Ed Bluestein
Boulevard

From Interim "A" Residence and
"C" Commercial, 1st Height
and Area District
To "DL" Light Industrial
2nd Height and Area
RECOMMENDED by the Planning
Commission, subject to restrictive cove-
nant, approval of site plan and both to
be submitted to the Austin Independent
School District.

Councilmember Cooke moved that the Council grant "DL" Light Industrial, 2nd Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

The Mayor announced that the change had been granted to "DL" Light Industrial, 2nd Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

JOSEPH A. EDELBROCK 200 West Lola
By Bob Boyd
C14-80-218

From "A" Residence
1st Height and Area
To "B" Residence
1st Height and Area
NOT Recommended by the
Planning Commission

Motion

Councilmember Mullen moved that the Council uphold the recommendation of the Planning Commission and DENY the zoning change. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

Motion

Later in the meeting, Councilmember Mullen moved that the Council reconsider the zoning case. The motion, seconded by Councilmember Cooke, carried by a unanimous vote.

Mr. Lillie reviewed that application by use of slides and stated that even though there is "B" in the area, the predominant use is residential.

MR. BOB BOYD appeared and said the property contains 7800 square feet and is therefore suitable for "B" Residence zoning.

Motion

Councilmember Mullen moved that the Council grant "B" Residence, 1st Height and Area District, as requested. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmember Mullen, Mayor Pro Tem Trevino, Mayor McClellan,
Councilmember Cooke
Noes: None
Not in Council Chamber when roll was called: Councilmembers Mullen,
Goodman

The Mayor announced that the change had been granted to "B" Residence, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

REVENIR LTD.
By John Meinrath
C14-80-216

300-600 East William
Cannon Drive

From Interim "A" Residence
1st Height and Area
To "O" Office
1st Height and Area
NOT Recommended

RECOMMENDED by the Planning Commission
"O" Office on part designated on site
plan as office east of creek, "BB"
Residence, 1st Height and Area on part
designated as apartments west of creek.

Councilmember Mullen moved that the Council grant "O" Office, 1st Height and Area District on part designated on site plan as office east of creek, "BB" Residence, 1st Height and Area District on part designated as apartments west of creek, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District on part designated on site plan as office east of creek, and "BB" Residence, 1st Height and Area District on part designated as apartments west of creek, and the City Attorney was instructed to draw the necessary ordinance to cover.

PALM HARBOR
HOMES, INC.
By Ralph Stansbery
C14-80-211

830 Bastrop Highway

From "O" Office
1st Height and Area
To "C" Commercial
1st Height and Area
RECOMMENDED by the Planning
Commission

Mr. Lillie reviewed the application by use of slides. MR. STANSBERY, the applicant, said the zoning is especially needed in the front area for sign and display use. Mr. Lillie commented that this property is in a noise corridor from Bergstrom and is also an industrial area.

Councilmember Himmelblau moved that the Council grant "C" Commercial, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Mayor McClellan

The Mayor announced that the change had been granted to "C" Commercial, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

DURELLE AND HARRY
T. EIDSON
C14-80-206

1008 West Avenue

From "O-H" Office-Historic
2nd Height and Area
To "LR-H" Local Retail-Historic
2nd Height and Area

RECOMMENDED by the Planning Commission
subject to plan for placement of sign.

Mr. Lillie reviewed the application by use of slides and said the zoning change is requested to allow a free standing sign in front of the property. DURELLE EIDSON, applicant, pointed out the fact the site is for professional offices and a sign is needed. He showed pictures of the one designed. Councilmember Himmelblau told him to make certain the sign had no lights.

Councilmember Himmelblau moved that the Council grant "LR-H" Local Retail-Historic, 2nd Height and Area, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Mayor McClellan

The Mayor Pro Tem announced that the change had been granted to "LR-H" Local Retail-Historic, 2nd Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

DELLA B. DENSON,
ESTATE
By Hilda Weinzapfel
and Cecil Holubec
C14-80-217

1601-1605 Houston Street

From "A" Residence
1st Height and Area
To "B" Residence
1st Height and Area

NOT Recommended
RECOMMENDED by the Planning
Commission "BB" Residence, 1st Height
and Area

Mr. Lillie reviewed the application by use of slides. He noted the Planning Commission thought "B" Residence would be too dense and "BB" Residence would be better. Councilmember Himmelblau questioned whether the street could handle more traffic. Dr. Jim Benson, Director of Urban Transportation, said the traffic count is 2,590 per day on Houston and Woodrow; capacity is about 3,000. MARTON BOOZER, representing the applicant, told Council the sale is contingent on a contract with zoning. The sale is to settle an estate. He said "B" Residence for apartments is appropriate for this piece of property and the traffic would not be increased that much. Mr. Boozer said the applicant offers 10 feet of right-of-way to bring the property to standard. Councilmember Himmelblau commented that parking is permitted on both sides of the street and does not think the street can handle more traffic.

Councilmember Mullen moved that the Council grant "B" Residence, 1st Height and Area District. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

The Mayor announced that the change had been granted to "B" Residence, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

ZONINGS DENIED

WALLACE C. BEDELL, 402 West 44th Street
JR.
C14-80-214

From "A" Residence
1st Height and Area
To "BB" Residence
1st Height and Area
RECOMMENDED by the Planning Commission
subject to site plan and four-unit
maximum density.

Mr. Lillie reviewed the application by use of slides. He said there is a valid petition and therefore five votes of the Council are required.

CELESTE KROMAK, President, Hyde Park Neighborhood Association, read a letter from Rev. Merle Franke who is a resident of the neighborhood. Rev. Franke expressed opposition to apartments being built in the neighborhood. Ms. Kromak also read a motion made by the Hyde Park Association against "BB" zoning for apartments. BETTY PHILLIPS, who resides on Avenue H, also read a letter opposing the zoning change.

Councilmember Cooke moved that the Council DENY the zoning change. The motion, seconded by Mayor McClellan, carried by the following vote:

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

The Mayor announced that the zoning change had been DENIED.

JOHN R. AND
GENEVA DOYLE
C14-80-203

605 West St. John's

From "A" Residence
1st Height and Area
To "O" Office
1st Height and Area
NOT Recommended by the
Planning Commission

The Doyles had requested that this be referred back to the Planning Commission because they felt the Planning Commission had been unduly influenced by a petition. Mr. Lillie pointed out that the petition was invalid.

Councilmember Goodman moved that the Council uphold the recommendation of the Planning Commission and DENY the zoning change. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

The Mayor announced that the zoning change had been DENIED.

GALLAGHER EQUIP-
MENT COMPANY
By Geoffrey R.
Ferguson
C14-80-204

11011 Research Boulevard

From "GR" General Retail
1st Height and Area
To "C" Commercial
1st Height and Area
NOT Recommended by the
Planning Commission

Mr. Lillie reviewed the application. GEOFFREY FERGUSON appeared and said he has a modest business which is not inconsistent with what is going on in the rest of the area. Councilmember Cooke recommended against an intensity in zoning by saying the Planning Commission is complying with Council's recommendations for Highway 183.

Councilmember Cooke moved that the Council uphold the recommendation of the Planning Commission and DENY the zoning change. 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
Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the zoning change had been DENIED.

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NASH PHILLIPS-
COPUS REALTY
COMPANY
By Tim Mathews
C14-80-219

12005-12115 Dorsett Road
4401-4407 Limewood Court
12000-12009, 12100-12109,
12111-12113, 12115 and
12117 Arrowwood Drive
4500-4508 Dorsett Oaks
Circle
4500-4510 and 4600-4606
Brown Park Place
4403 and 4405 Pamon Drive

From "AA" Residence
1st Height and Area
To "A" Residence
1st Height and Area
NOT Recommended by the
Planning Commission

Councilmember Goodman moved that the Council uphold the recommendation of the Planning Commission and DENY the zoning change. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

The Mayor announced that the zoning change had been DENIED.

Zoning Case Postponed

ROGERS D. WILSON
C14-80-173

7404 Geneva Drive

From "A" Residence
1st Height and Area
To "A-2" Condominiums
1st Height and Area
NOT Recommended by the Planning
Commission

Council discussed whether or not to postpone the case. JOAN BARTZ appeared and asked Council to discuss tonight and vote tonight. CAROL JOHNSON lives in the area and asked for action today. A valid petition was presented.

Councilmember Cooke moved that the Council postpone the zoning change until July 2, 1981. The motion, seconded by Mayor McClellan, carried by the following vote:

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

The Mayor announced that the zoning case had been POSTPONED.

Zoning Case Withdrawn

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MARGARET WAECHTER
By E. R. Calogero
C14-80-208

4615 Spicewood Springs
Road

From Interim "A" Residence
1st Height and Area
To "O" Office
1st Height and Area
Not Recommended
RECOMMENDED by the Planning
Commission "A" Residence, 1st
Height and Area

Councilmember Himmelblau moved that the Council allow the zoning case to be WITHDRAWN. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the zoning case had been WITHDRAWN.

SALE OF BONDS

Mayor McClellan stated that the City Council of the City of Austin had advertised that it would receive sealed bids until 10:30 A.M., C.D.T., this day for the City of Austin, Texas \$45,000,000 Utility System Revenue Bonds, Series 8; and the City of Austin, Texas, General Obligation Bonds, Various Purpose Series 261. She inquired about the assembly of bids and if all bids had been received and whether there were any others either through the mail, from members of the Council, the City Clerk, the Director of Finance, or anyone else present in the Council Chamber. She announced that it was 10:30 a.m. C.D.T. and the time for receiving bids was closed.

Mr. Bob Bramlett, Acting Director, Finance Department, then opened and read bids on \$45,000,000 Utility System Revenue Bonds, Series 8 as per attached sheet. He stated four bids had been received, accompanied by good faith checks.

Mr. Bramlett then opened and read bids on \$17,000,000 General Obligation Bonds, Series 261, as per attached sheet. He stated that six bids had been received accompanied by good faith checks.

Mayor McClellan referred bids to Mr. Bramlett, Mr. Curtis Adrian, Austin's financial advisor with the First Southwest Company; and Mr. Claud Boothman, the City's bond counsel, for verification. They left the room to confer. The time was 10:50 A.M. Council continued with its regularly scheduled agenda until 11:15 when Mr. Bramlett, Mr. Adrian and Mr. Boothman returned to the Council Chamber. Mayor McClellan asked them if they had verified the bids. Mr. Bramlett said they had and recommended the award of bid for \$45,000,000 Utility System Revenue Bonds, Series 8 to The First Boston Corp. & Associates at an effective interest rate of 9.0218%. Mr. Bramlett also said they recommended the award of bid for \$17,000,000 General Obligation Bonds, Series 261 to the First City National Bank of Houston & Associates for an effective interest rate of 8.285719%.

Motion

Councilmember Cooke moved that the Council adopt a resolution accepting the official bid and awarding the bid on the \$45,000,000 City of Austin, Texas, Utility System Revenue Bonds, Series 8 to The First Boston Corp. & Associates at an effective interest rate of 9.0218%. 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

MINUTES PERTAINING TO PASSAGE AND ADOPTION OF
ORDINANCE AUTHORIZING ISSUANCE OF \$45,000,000
"CITY OF AUSTIN, TEXAS, UTILITY SYSTEM REVENUE
BONDS, SERIES 8," DATED JANUARY 1, 1981

THE STATE OF TEXAS

COUNTIES OF TRAVIS
AND WILLIAMSON

CITY OF AUSTIN

ON THIS, the 8th day of January, 1981, the City Council of the City of Austin, Texas, convened in regular session at the Council Chambers, Municipal Annex, the meeting being open to the public and notice of said meeting having been given as prescribed by Article 6252-17, Section 3A, V.A.T.C.S., with the following members present and in attendance, to wit:

CAROLE KEETON McCLELLAN

MAYOR

LEE COOKE
RICHARD GOODMAN
JOHN TREVINO
RON MULLEN
BETTY HIMMELBLAU

COUNCIL MEMBERS

and with the following absent: None, constituting a quorum; at which time the following among other business was transacted, to wit:

"ORDINANCE NO. 810108-P

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"AN ORDINANCE by the City Council of the City of Austin, Texas, authorizing the issuance of \$45,000,000 'CITY OF AUSTIN, TEXAS, UTILITY SYSTEM REVENUE BONDS, SERIES 8,' dated January 1, 1981, for the purposes stated in this ordinance; as authorized by the General Laws of the State of Texas, particularly Article 1111 et seq., V.A.T.C.S.; prescribing the form of the bonds and the form of interest coupons; pledging the net revenues of the City's combined Electric Light and Power, Waterworks and Sewer System to the payment of the principal of and interest on said bonds; enacting provisions incident and relating to the subject and purpose of this ordinance and declaring an emergency."

The ordinance was read and Council Member Cooke moved that the rule be suspended which requires that no ordinance shall become effective until the expiration of ten days following the date of its final passage, that such ordinance be finally passed and adopted at this meeting, and that, for the reasons recited therein, said ordinance be passed as an emergency measure for the immediate preservation of the public peace, health, and safety of the citizens of Austin as permitted by the City Charter. The motion was seconded by Council Member Trevino and carried by the following vote:

AYES: Mayor McClellan, Council Members Cooke, Trevino, Mullen, Himmelblau and Goodman

NOES: None

The ordinance was read the second time and Council Member Cooke moved that the rules be further suspended and that the ordinance be passed as an emergency measure to its third reading. The motion was seconded by Council Member Trevino and carried by the following vote:

AYES: Mayor McClellan, Council Members Cooke, Trevino, Mullen, Himmelblau and Goodman

NOES: None

The ordinance was read the third time and Council Member Cooke moved that the ordinance be finally passed as an emergency measure. The motion was seconded by Council Member Trevino and carried by the following vote:

AYES: Mayor McClellan, Council Members Cooke, Trevino, Mullen, Himmelblau and Goodman

NOES: None

The Mayor then announced that the ordinance had been finally passed and adopted.

Councilmember Goodman stated at the time of roll call, "I vote yes and register my objection to \$30,000,000 in bonds for the South Texas Nuclear Project."

Motion

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Councilmember Cooke moved that the Council adopt a resolution accepting the official bid and awarding the bid on the \$17,000,000 General Obligation Bonds, Series 261 to First City National Bank of Houston & Associates at an effective interest rate of 8.285719%. 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

MINUTES PERTAINING TO PASSAGE AND ADOPTION OF
ORDINANCE AUTHORIZING ISSUANCE OF \$17,000,000
"CITY OF AUSTIN, TEXAS, GENERAL OBLIGATION
BONDS, SERIES 261," DATED JANUARY 1, 1981

THE STATE OF TEXAS

COUNTIES OF TRAVIS
AND WILLIAMSON

CITY OF AUSTIN

ON THIS, the 8th day of January, 1981, the City Council of the City of Austin, Texas, convened in regular session at the Council Chambers, Municipal Annex, the meeting being open to the public and notice of said meeting having been given as prescribed by Article 6252-17, Section 3A, V.A.T.C.S., with the following members present and in attendance, to wit:

CAROLE KEETON McCLELLAN

MAYOR

LEE COOKE
RICHARD GOODMAN
JOHN TREVINO
RON MULLEN
BETTY HIMMELBLAU

COUNCIL MEMBERS

and with the following absent: None, constituting a quorum; at which time the following among other business was transacted, to wit:

The Mayor presented for the City Council's consideration an ordinance authorizing the issuance of \$17,000,000 in General Obligation Bonds, the caption of said ordinance being as follows:

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"ORDINANCE NO. 810108-Q

"AN ORDINANCE by the City Council of the City of Austin, Texas, authorizing the issuance of \$17,000,000 'CITY OF AUSTIN, TEXAS, GENERAL OBLIGATION BONDS, SERIES 261,' dated January 1, 1981, for various purposes hereinafter provided; prescribing the form of the bonds and the form of the interest coupons; levying a continuing direct annual ad valorem tax on all taxable property within the limits of said City to pay the interest on said bonds and to create a sinking fund for the redemption thereof, and providing for the assessment and collection of such taxes; enacting provisions incident and relating to the purpose and subject to this ordinance, and declaring an emergency."

The ordinance was read and Council Member Cooke moved that the rule be suspended which requires that no ordinance shall become effective until the expiration of ten days following the date of its final passage, that such ordinance be finally passed and adopted at this meeting, and that, for the reasons recited therein, said ordinance be passed as an emergency measure for the immediate preservation of the public peace, health, and safety of the citizens of Austin as permitted by the City Charter. The motion was seconded by Council Member Trevino and carried by the following vote:

AYES: Mayor McClellan and Council Members Cooke, Goodman, Trevino, Mullen, Himmelblau.

NOES: None.

The ordinance was read the second time and Council Member Cooke moved that the rules be further suspended and that the ordinance be passed as an emergency measure to its third reading. The motion was seconded by Council Member Trevino and carried by the following vote:

AYES: Mayor McClellan and Council Members Cooke, Goodman, Trevino, Mullen, Himmelblau.

NOES: None.

The ordinance was read the third time and Council Member Cooke moved that the ordinance be finally passed as an emergency measure. The motion was seconded by Council Member Trevino and carried by the following vote:

AYES: Mayor McClellan and Council Members Cooke, Goodman, Trevino, Mullen, Himmelblau.

NOES: None.

The Mayor then announced that the ordinance had been finally passed.

\$45,000,000 City of Austin, Texas Utility System Revenue Bonds, Series 8: 35

\$ 6,565,000	Water Improvements	Auth. 11-20-76
4,000,000	Sewer Improvements	Auth. 11-20-76
4,435,000	Electric System Improvements	Auth. 1-20-79
<u>30,000,000</u>	Electric System Nuclear	Auth. 4-07-79

\$45,000,000

\$17,000,000 City of Austin, Texas General Obligation Bonds, Various Purpose Series 261:

\$ 400,000	Public Health	Auth. 12-06-75
4,605,000	Parks and Recreation	Auth. 1-20-79
1,500,000	Hospital	Auth. 1-20-79
500,000	Fire Stations	Auth. 1-20-79
800,000	Airport	Auth. 1-20-79
4,200,000	Street Improvements	Auth. 1-20-79
400,000	Drainage	Auth. 1-20-79
145,000	Emergency Medical Services Building	Auth. 1-20-79
3,200,000	Police Building	Auth. 1-20-79
280,000	Traffic Signals	Auth. 1-20-79
800,000	Parks and Recreation	Auth. 2-23-80
<u>170,000</u>	Neighborhood Centers	Auth. 2-23-80

\$17,000,000

Mr. Adrian addressed Council as follows: "We were concerned a few weeks ago as to whether we could even get any bids. This again indicates to us in the investment banking business what a fine credit the City of Austin enjoys. I met with Mr. Muehlenbeck yesterday and we discussed the possibility of maybe not getting any bids and what the alternatives would be. We don't have to worry about that because you do have fine bids. As an example, the Dow-Jones averages is 10.81 as of this week. Your bonds sold considerably under 10.81. The Revenue Bonds, compared with the Dow-Jones averages represents a difference in dollar amount of \$11,075,625.

"The GO Bonds compared with Dow-Jones averages sold at an amount of \$4,995,900 under Dow-Jones averages. I'm quite pleased with the bids. It's always good to have more than one bid and certainly it is a point of interest to me that on the Revenue Bonds the syndicate was made up of 116 members." Mayor McClellan expressed her pleasure that during these hard economic times we continue to enjoy our high credit rating. Mr. Adrian went on to say the 116 members indicates the nervousness in the market and that normally there would not be that many in on a sale but they pooled their resources and said to get after the Austin bid.

(SEE FOLLOWING PAGES)

CITY OF AUSTIN, TEXAS
TABULATION OF BIDS RECEIVED ON
\$45,000,000 UTILITY SYSTEM REVENUE BONDS, SERIES 8
JANUARY 8, 1981

Page 1

Name of Bidder	Maturity Dates	Normal Interest Rate	Gross Interest Cost	Premium Offered	Net Interest Cost	Effective Interest Rate
1. The First Boston Corp. & Assoc.						
	Oct. 1, 1987 to Oct. 1, 1991	9.50%				
	Oct. 1, 1992 to Oct. 1, 1993	8.60				
	Oct. 1, 1994	8.70				
	Oct. 1, 1995	8.80				
	Oct. 1, 1996	8.90				
	Oct. 1, 1997	9.00				
	Oct. 1, 1998	9.10				
	Oct. 1, 1999	9.20				
	Oct. 1, 2000	9.30				
	Oct. 1, 2001	8.50	\$55,822,500.00	\$ 30.00	\$55,822,470.00	9.0218%
2. Merrill Lynch White Weld Capital Markets Group & Associates						
	Oct. 1, 1987 to Oct. 1, 1991	9.50%				
	Oct. 1, 1992	9.20				
	Oct. 1, 1993	8.80				
	Oct. 1, 1994	8.90				
	Oct. 1, 1995 to Oct. 1, 2000	9.00				
	Oct. 1, 2001	8.50	\$55,985,250.00	-0-	\$55,985,250.00	9.048121%
3. Salomon Brothers & Associates						
	Oct. 1, 1987	9.70%				
	Oct. 1, 1988	8.75				
	Oct. 1, 1989 to Oct. 1, 1990	9.70				
	Oct. 1, 1991	9.30				
	Oct. 1, 1992	8.70				
	Oct. 1, 1993	8.80				
	Oct. 1, 1994	9.00				
	Oct. 1, 1995	9.10				
	Oct. 1, 1996	9.30				
	Oct. 1, 1997 to Oct. 1, 1999	9.40				
	Oct. 1, 2000 to Oct. 1, 2001	8.75	\$56,595,375.00	\$2,340.00	\$56,593,035.00	9.1463%

January 8, 1981

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January 8, 1981

CITY OF AUSTIN, TEXAS
 TABULATION OF BIDS RECEIVED ON
 \$45,000,000 UTILITY SYSTEM REVENUE BONDS, SERIES 8
 JANUARY 8, 1981

Page 2

Name of Bidder	Maturity Dates	Normal Interest Rate	Gross Interest Cost	Premium Offered	Net Interest Cost	Effective Interest Rate
4. Donaldson, Lufkin & Jenrette Sec. Corp.	Oct. 1, 1987	8.75%				
	Oct. 1, 1988 to Oct. 1, 1992	9.50				
	Oct. 1, 1993	9.40				
	Oct. 1, 1994	9.10				
	Oct. 1, 1995	9.20				
	Oct. 1, 1996 to Oct. 1, 2000	9.25				
	Oct. 1, 2001	8.50				
			\$57,005,247.00	\$4,147.00	\$57,001,100.00	9.2123%

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January 8, 1981

CITY OF AUSTIN, TEXAS
TABULATION OF BIDS RECEIVED ON
\$17,000,000 GENERAL OBLIGATION BONDS, SERIES 261
JANUARY 8, 1981

Page 1

Name of Bidder	Maturity Dates	Nominal Interest Rate	Gross Interest Cost	Premium Offered	Net Interest Cost	Effective Interest Rate
1. First City National Bank of Houston & Associates	July 1, 1981 to July 1, 1991	8.75%				
	July 1, 1992	7.75				
	July 1, 1993	7.90				
	July 1, 1994	8.00				
	July 1, 1995	8.15				
	July 1, 1996	8.30				
	July 1, 1997	8.45				
	July 1, 1998	8.55				
	July 1, 1999	8.65				
	July 1, 2000	8.75				
	July 1, 2001 to July 1, 2003	7.75	\$16,426,437.50	-0-	\$16,426,437.50	8.285719%
2. Bache Halsey Stuart Shields, Inc. & Associates	July 1, 1981 to July 1, 1990	9.00%				
	July 1, 1991	8.75				
	July 1, 1992 to July 1, 1993	8.00				
	July 1, 1994	8.10				
	July 1, 1995	8.25				
	July 1, 1996	8.40				
	July 1, 1997	8.50				
	July 1, 1998	8.60				
	July 1, 1999	8.80				
	July 1, 2000	8.90				
	July 1, 2001 to July 1, 2003	8.00	\$16,759,875.00	\$3,400.00	\$16,756,475.00	8.452194%

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January 8, 1981

CITY OF AUSTIN, TEXAS
TABULATION OF BIDS RECEIVED ON
\$17,000,000 GENERAL OBLIGATION BONDS, SERIES 261
JANUARY 8, 1981

Page 2

Name of Bidder	Maturity Dates	Nominal Interest Rate	Gross Interest Cost	Premium Offered	Net Interest Cost	Effective Interest Rate
4. First National Bank in Dallas & Associates	July 1, 1981 to July 1, 1990	8.75%				
	July 1, 1991	8.25				
	July 1, 1992	8.00				
	July 1, 1993	8.10				
	July 1, 1994	8.20				
	July 1, 1995	8.30				
	July 1, 1996	8.40				
	July 1, 1997 to July 1, 1999	8.50				
	July 1, 2000 to July 1, 2002	8.75				
	July 1, 2003	7.75	\$16,769,375.00	\$2,475.00	\$16,766,900.00	8.4574%
4. Republic National Bank of Dallas & Associates	July 1, 1981 to July 1, 1990	9.00%				
	July 1, 1991	8.70				
	July 1, 1992 to July 1, 1993	8.00				
	July 1, 1994	8.10				
	July 1, 1995	8.25				
	July 1, 1996	8.40				
	July 1, 1997	8.55				
	July 1, 1998	8.70				
	July 1, 1999	8.80				
	July 1, 2000	8.90				
	July 1, 2001 to July 1, 2003	8.00	\$16,775,250.00	-0-	\$16,775,250.00	8.4616%

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CITY OF AUSTIN, TEXAS
TABULATION OF BIDS RECEIVED ON
\$17,000,000 GENERAL OBLIGATION BONDS, SERIES 261
JANUARY 8, 1981

Page 3

Name of Bidder	Maturity Dates	Nominal Interest Rate	Gross Interest Cost	Premium Offered	Net Interest Cost	Effective Interest Rate
5. Continental Illinois National Bank and Trust Company of Chicago	July 1, 1981 to July 1, 1990	9.00%				
	July 1, 1991	8.80				
	July 1, 1992 to July 1, 1993	8.00				
	July 1, 1994	8.20				
	July 1, 1995	8.25				
	July 1, 1996 to July 1, 1997	8.50				
	July 1, 1998	8.70				
	July 1, 1999 to July 1, 2001	8.75				
	July 1, 2002 to July 1, 2003	8.00	\$16,885,124.97	\$1,812.50	\$16,883,312.47	8.516173%
6. Morgan Guaranty Trust Co., New York, New York by American National Bank, Austin, Texas as Agent	July 1, 1981 to July 1, 1991	9.00%				
	July 1, 1992	8.90				
	July 1, 1993	8.30				
	July 1, 1994	8.40				
	July 1, 1995	8.60				
	July 1, 1996	8.70				
	July 1, 1997	8.80				
	July 1, 1998	8.90				
	July 1, 1999 to July 1, 2001	9.00				
	July 1, 2002 to July 1, 2003	8.00	\$17,261,250.00	\$ 155.00	\$17,261,095.00	8.7067%

January 8, 1981

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RECESS

Council recessed its meeting at 12:00 Noon and resumed its recessed meeting at 2:25 P.M.

PUBLIC HEARING - BRACKENRIDGE URBAN
RENEWAL PLAN

Mayor McClellan opened the public hearing, scheduled for 2:00 p.m. on Amending the Brackenridge Urban Renewal Plan.

MS. BRENDA REESE, real estate director from Austin Redevelopment Authority, appeared before Council. She said, "The Amendment before you is the result of a resolution passed by the ARA Board of Commissioners on December 3, 1980. It recommends the change in the land use establishing a new "B-3" district. The "B-3" district would cover a two block area from 10th to 12th Street between San Jacinto and Trinity. The difference between the current "B-2" district in the Urban Renewal Area is one that would allow no set backs from the front or side street. The existing "B-2" district provides for a 25 foot set back from the front street and a 10 foot set back from the side street. Secondly, it would ease the parking requirement. The recommended change is one space for 550 square feet of gross floor area. The Board of Commissioners held a public hearing in which only favorable comments were received and the Planning Commission reviewed the amendment last night and recommended it. We ask for Council's approval."

Councilmember Himmelblau asked what height and area would be permitted if Council approves this. Ms. Reese said the existing "B-2" district allows for a height of 200 feet and this does not address the height, but does the zoning set back. Councilmember Himmelblau said sometimes when you are dealing with a set back you are also dealing with the height and asked Mr. Lillie to comment. Mr. Lillie said it may be the reverse of that. "With an increased set back it may force them into a higher building. If the set back is reduced or eliminated, it may result in a lower building. The plan here is for 15 stories but the height limit is 200 feet. There is about 12 feet per floor."

No one appeared to be heard.

Motion

Councilmember Himmelblau moved that the Council close the public hearing and adopt a resolution amending the Brackenridge Urban Renewal Plan. 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 - SUBDIVISION REQUIREMENT a2

Mayor McClellan opened the public hearing, scheduled for 2:15 p.m. on Deletion of Subdivision Requirement on Zoning Case No. C14-73-228.

LUMBERMAN'S INVEST- MENT CORPORATION By Robert Davis C14-73-228	7000 Decker Lane 7900-8100 Loyola Lane	Deletion of subdivision requirement.
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Mr. Lillie reviewed the 1973 proposal and showed a map of the area. He told Council that, according to the Legal Department, the subdivision conditions are not needed by Lumberman's Investment Company and located at 7000 Decker Lane and 7900-8100 Loyola Lane.

ROBERT DAVIS, representing the applicant, appeared before Council to state: "The only reason we are here is because at the time the zoning was passed there were two conditions to the final passage of the zoning ordinance. One condition was a restrictive covenant limiting density and the other condition was subdivision, which at that time was a routine condition placed on every zoning case that came up in connection with a piece of property that had not yet been subdivided. That condition has subsequently been eliminated and is no longer required on any case. The staff and Legal Department decided we had the cart before the horse and we needed to get it back to the right perspective. Now you grant the zoning and then you come with subdivision when it is ready for development. That's all we are asking in this case...to get back in the same perspective that every case in the past few years has been in... The Planning Commission will have an opportunity to review the subdivision at that time just as they do in every zoning case that comes up now.

"The case is long coming back because there was and still is in existence a deferred zoning ordinance which provides that you can by placing signs on the property, indicating what the zoning is, and there are signs on this property that say this property is zoned "BB" Residence. By putting signs on the property you can defer final passage of the ordinance. We chose to use that method because the property was not ready for subdivision. Had we not had the subdivision requirement back then all we had to do to get the zoning was put the restrictive covenants on it and get the ordinance passed and we would have done it. The reason we did not was because they were not ready to subdivide and still are not." He asked that the zoning be granted, the ordinance be passed without the subdivision requirement.

Councilmember Himmelblau said she understands the deferred zoning because it is a tax break to some extent. Mr. Davis said that was not the purpose in this particular case. The land at that time was not ready to be subdivided and is still not. Councilmember Himmelblau asked what will happen depending on Council's action today. Mr. Davis said if the Council leaves the subdivision requirement as a requirement then his client will file a subdivision plat that is really not necessary and may or may not be what will ultimately be developed but will do this in order to get the zoning. Councilmember Himmelblau asked what out there is zoned and not developed. Mr. Lillie told her all the area is zoned for multi-family or commercial use and is undeveloped. (They then looked at maps.)

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DEE PALMER, 7200 East Meadowbrook, appeared in opposition to the request and presented a petition opposing multiple family developing. The petition represented 90% of the homeowners.

KEITH COD, who lives in the area, said more living units would be a burden on the Police and Fire Departments.

A woman who did not identify herself said the signs were up and faded in the weeds.

Motion

Councilmember Himmelblau moved that the Council close the public hearing and grant the request for deletion of subdivision requirement on Zoning Case No. C14-73-228. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

PUBLIC HEARING
CDBG PROGRESS AND PERFORMANCE REPORT

A public hearing was scheduled for 2:30 p.m. on Presentation of Community Development Block Grant (CDBG) Progress and Performance Report. The Mayor announced that inadvertently the required public notice was not correctly done so the public hearing must be rescheduled for January 22, 1981. However, she said Council would hear from anyone who came today.

Councilmember Goodman said it probably was good fortune that they are unable to hold the hearing according to Federal requirements today and asked Council to direct the Human Services Department to present this to the Community Development Commission between now and January 22. Mr. Carlos Herrera, Director of Human Services, stated they will be glad to do that but said some of the Community Development Commission (CDC) members are always present during a public hearing to render separate opinion of their own or collectively from CDC.

Motion

Mayor Pro Tem Trevino moved that the Council set the public hearing for 7:00 p.m., January 22, 1981. The motion, seconded by Mayor McClellan, carried by the following vote:

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

PUBLIC HEARING - STECK OFFICE PARK 44

Mayor McClellan opened the public hearing, scheduled for 2:45 p.m. on an appeal from Mr. 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.

Mr. Kendall was not in the Council Chamber so Mayor McClellan asked Mr. Lillie to contact him to find out if there had been a mis-communication regarding time of the scheduled public hearing.

BANNER REQUEST DENIED

MR. MARK A. SMITH appeared before Council to request permission to place a "Jaycee Week" banner in a non-approved location I. East First and Congress from January 12, 1981 to January 26, 1981. Council did not grant permission. Councilmember Cooke asked the staff to work with the Jaycees for an alternate location.

CITIZEN DID NOT APPEAR

Mr. David Connelly had requested to appear before Council to discuss Brackenridge Hospital policies and clinic card changes. He was not in the Council Chamber.

RELOCATION OF RED RIVER

MR. EUGENE WUKASCH appeared before Council on behalf of all property owners and commercial tenants effected by the proposed traffic restrictions on San Jacinto before relocation of Red River is completed. He asked Council to put pressure on the University to not close San Jacinto until Red River is complete. Mayor McClellan told him there is not a thing Council can do, but they will express their concern regarding the scheduling.

SCULPTURE AT AUSTIN PUBLIC LIBRARY

MR. RICHARD PATRICK appeared before Council to request permission for display of sculpture at the Austin Public Library from January 10, 1981 to February 15, 1981. Mr. Muehlenbeck said there are some concerns and requirements to be worked out. Library Director Holt said he has not seen the sculpture but wondered if they were large. Mr. Patrick said he would select one and the location. Mr. Holt said he does not want to have a piece of sculpture placed at the front door. Mr. German, Director of Public Works, said they must be certain the City is protected and that the City would be held harmless if someone is hurt by the sculpture. Councilmember Cooke thinks the City is sorely lacking in art and that the sculpture should be placed.

Councilmember Mullen moved that the Council approve the request of Mr. Richard Patrick to display sculpture at the Austin Public Library, with conditions to be worked out. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

OPTIONS FOR TRAFFIC SIGNALS

Mayor McClellan placed an item on the agenda concerning Options for Funding Traffic Signals. She said there is a justified need for 13 signals and wants to know about placing them in a bond issue. She asked for a report on options of where revenue for the signals can be obtained and that this be placed on next week's agenda for action.

MUD POLICY ORDINANCE AMENDMENT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 800320-E (THE MUD POLICY ORDINANCE); AMENDING SUBSECTION B OF SECTION I. (BASIC QUALIFICATIONS FOR CONSENT TO THE CREATION OF A MUNICIPAL UTILITY DISTRICT); PROVIDING THAT LAND WITHIN THE CITY MAY BE INCLUDED WITHIN A MUD WHEN SUCH LAND IS WITHIN THE CITY BY VIRTUE OF STRIP-ANNEXATION ALONG MAJOR THOROUGHFARES AND WHEN SUCH LAND CONSTITUTES NO MORE THAN 5% OF THE TOTAL ACREAGE OF THE MUD; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

Prior to the vote, JOE RIDDELL appeared and said the policies should be changed only when particular circumstances justify the change.

NORTH AUSTIN GROWTH CORRIDOR MUNICIPAL UTILITY DISTRICT NUMBER 1

Council had before it an ordinance to consider granting the consent of the City of Austin to the creation of the North Austin Growth Corridor Municipal Utility District Number 1 and authorizing an Agreement concerning the creation of the District and a Utility Construction Contract.

Mr. Bill Bulloch, Director of Water and Wastewater, presented an overview of the utility aspects of this MUD (Municipal Utility District). "The financing of improvements internal to the MUD that is being proposed for consent of the City Council is consistent with the MUD Ordinance that has been adopted by the

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City Council. Secondly, we have been discussing with the MUD people the extension of utilities to the MUD that they are requesting to implement their proposed development and as a result we have been discussing financing arrangements for the approach mains, the 36" water line up FM 1325, the extension of a piece of the Big Walnut Line between IH 35 and Lamar Boulevard which was funded through the 1976 bond election but because of the addition of the cost associated with that project we have run out of money, and for them to receive wastewater service from the City they will have to participate in extending that portion of the Big Walnut Creek Line from IH 35 to Lamar. Also, to receive wastewater service they will be extending the Wells Branch sewer line which ties into Big Walnut Creek there at Lamar northerly from Big Walnut to the MUD. This will be done on a pro rata basis. The MUD will be financing the lines and be paying to the City their pro rata cost of the lines. In the case of the water line it will be about 2/3 of the cost of the line. In the case of the Wells Branch sewer line, it will be approximately 1/3. In the case of the Big Walnut Line it will be 5%. Their pro rata capacity and their pro rata cost is very small. The City, if this proposal is adopted, will be paying back their portion of the unused capacity and, therefore, the cost of those lines will be financed through MUD bonding. That's the other aspect of the proposal that you are looking at today that we wanted to bring to your attention from the financial aspect."

Councilmember Cooke said, "When we go into a participation agreement and if within five years anyone that hooks on to a line like this has to pay their pro-rated share. I think from a hind sight point of view it is a year to a year and a half into the ground before it really starts ticking and by the time other people start hooking on that five years is gone and we lose all those dollars. I know some discussion has been centered around extending that from five years to ten years so we can recoup a lot of these costs from people that hook on. I'd rather see us capture 75% of that market versus 35-40% of the market. I'm concerned about moving toward that kind of a policy change and tying it to this. I feel we should make that move for the long term good of the City and to pass this on through is the implication that anyone that tied onto this line would be exempt after five years and thus they would be able to tie on without reimbursing the City." Mr. Bulloch said Council can condition that to this particular project. They can always condition particular repayment aspects on any individual project that diverges from the general policy. Councilmember Cooke said he would like to see it done and make that condition to extend the time for length of a participation.

Councilmember Mullen asked what the rationale is for having a time limit. Mr. Bulloch said he really does not have an answer to that but could research it and find out. Councilmember Mullen said he thinks it is time to remove that time limit completely. Councilmember Cooke said he agrees it should be looked at.

ED WENDLER, JR. representing Provident Development Company, appeared before Council and showed a slide of available sewer service and Area 4 Growth Corridor. He said, "What we propose to do is extend a 36" water line out 1325 and the District would pay for its pro rata share for that line. It is 66.7% and the City would pay for the oversizing or about 33%. When we were calculating our pro rata share, one of the major factors we took into consideration was whether the Martin Hill Reservoir, located somewhere near,

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would ever be built. If it is not built, then that 36" water line has a capacity of 30,000 gallons a minute with the reservoir. Without the reservoir it has a capacity of 15,000 gallons per minute. At total development our Utility District will need 10,000 gallons a minute of water and we assumed that the Martin Hill Reservoir would never be built because there has been some environmental opposition to it. Therefore, we are paying for 10,000 gallons over 15,000 gallons, or 2/3 of the line. We propose to extend a sewer line to serve the area in yellow, which is 2,700 acres and our pro rata share of that line is approximately only 35% and the City would pay for the oversizing or about 65%.

"In addition, the City has depleted its funds to build the Walnut Creek sewer line and they have it under contract to the east of IH 35 but the western portion between Lamar and IH 35 might find the City short of funds to finish that line. Should that be the case, the District will construct that line and pay for its pro rata share of that line, which is 5%. The District abuts the Austin City limits. To finance the utility lines, we are using a State statute 1109-J. ... We are in the bill service area of TP&L and City of Austin Electric, and we have given all of you a letter saying we will use City of Austin Electric and I'd like for that to be part of the record. This is a tool Council can use in promoting growth in a growth corridor. I would like to request the Council ask the staff to come back with some sort of a policy about this with guidelines that would say when you would use this, where, how and tie it to the Master Plan."

Councilmember Himmelblau asked, "In the contract are there any penalties provided in case the District is late in making their semi-annual payment?"

DAVID ARMBRUST, attorney representing Provident, told Council there are no penalties expressly set forth in the agreement but the City has the ultimate penalty of being able to turn off the water if the District fails to make its payments. We would not object to a provision in the contract which, in the event the District was late in making its payments that they would pay interest." Councilmember Himmelblau said she would like to see something like that. She asked, "What vehicle will the MUD use in billing the customers?" Mr. Wendler said, "We are going to purchase meters from the City of Austin which is in the contract and we will have our own people that will read and bill." Mr. DeLaRosa said the rates are specified in the contract and cannot be lower than the in-city rates and they cannot be higher than the out-of-city rates."

JAMES ROSE appeared before Council to state that the proposed sewer line will come through his backyard. He said he thinks the plan is outstanding and will block some of the erratic development which is going on out there now.

JOE RIDDELL appeared before Council and said there should be a public hearing regarding this because it is a major change in the financing of the City's growth.

KEN MANNING, Zilker Park Posse, thinks the City should not underwrite the MUD.

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Councilmember Himmelblau said, "I am extremely uncomfortable with the time frame for the subsequent user fees. I'd like that deleted so it leaves that open." Councilmember Cooke and Councilmember Mullen said that is fine with them.

Motion

Councilmember Goodman moved that the Council waive the requirement for three readings and finally pass an ordinance granting the consent of the City of Austin to the creation of the North Austin Growth Corridor Municipal Utility District Number 1 and authorizing an Agreement concerning the creation of the District and a Utility Construction Contract; conditioned on deletion of the 5-year subsequent user fees and interest will be charged for late payment. Councilmember Himmelblau seconded the motion.

Councilmember Goodman said, "The only other thing I would add is to reinforce the fact that guaranteeing the portion of indebtedness of this MUD is not a precedent in any way for any future MUD's. This is a unique situation due to the fact that there are inadequate City funds to extend water and wastewater service to the preferred growth area."

GARY BRADLEY, member of the Planning Commission, stated, "The Planning Commission, a couple of months ago on another approach main and through work sessions with the Water and Wastewater Department unanimously decided that subsequent user fee limitations were to be done away with and we asked for that to be set in motion. Mr. Bulloch's office has made some movement in that direction but we want that to come to the Council as soon as possible. As we looked in it we saw no logic in it whatsoever. It seemed like lost revenue."

Roll Call on Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE GRANTING THE CONSENT OF THE CITY OF AUSTIN TO THE CREATION OF THE NORTH AUSTIN GROWTH CORRIDOR MUNICIPAL UTILITY DISTRICT NUMBER 1, SUBJECT TO VARIOUS TERMS AND CONDITIONS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

UDAG APPLICATIONS

Council had a lengthy discussion on designating dates relative to the submission of UDAG (Urban Development Action Grant) applications for the January quarter. The East Austin Chicano Economic Development Corporation, represented by MS. EDITH WARBOW, Director, told Council they are serious about their intent to be ready for the January 14, 1981 deadline. Councilmember Trevino said that ROLM will not be ready to file until April. Ms. Warbow said she does not think HUD (Housing and Urban Development) will grant two UDAG grants for Austin. Mayor McClellan pointed out that all that Council is posted for action today is to set dates. Either those who want to apply are ready or they are not. All Council is to do today is set a hearing. GENE VASQUEZ, Housing Development Director, East Austin Chicano Economic Development Corporation, told Council they are ready to proceed.

Motion

Councilmember Goodman moved that the Council adopt a resolution designating the following dates relative to the submission of UDAG applications for the January quarter:

1. January 22, 1981 - Public hearing to receive public comment on UDAG applications, 2:00 p.m.
2. January 29, 1981 - Take action authorizing submission of the applications and committing funds for the 20% local match requirement, 2:00 p.m.

The motion, seconded by Mayor McClellan, 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

Later in the day, the matter was reconsidered.

Motion

Mayor Pro Tem Trevino moved that the Council reconsider the previous motion. The motion, seconded by Councilmember Goodman, carried unanimously.

Carlos Herrera, Director of Human Services, stated, "I wanted to make sure that we very strongly emphasized a point in considering some action that was taken earlier because I think it is highly important that you understand clearly as to the posture I am taking in this particular issue. The mandatory process that would be required presuming that even if money was found, assuming that you went through the whole process is one that again, last year when we went through this process trying to get some funding recommendations, was one of the primary reasons we had an adverse process with HUD. We've just reached a point with HUD where we feel positive about our relationship with that group. We again are returning, if this action were to follow the way it's laid out, with another amendment following on the heels of what we have just

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agreed not to put them in that posture again. I want to make that point very clear. If we go with the action which you have established at a public hearing, you subsequently will have to set an action date. I think I need to remind you that only establishes a public hearing. Another point is that the information we have from HUD office, one of the commitments that would be required in this particular project and the Corporation may want to address that, too. All of these commitments have to be in place. One of the critical ones would be 235 and our information from HUD is that they don't have it yet and that HUD is not going to be in a position to have that commitment made to anyone by January 31. So we would be lacking in that application to have that commitment. Consequently I wanted to re-emphasize those points so that in considering what you will be considering in the future there will be some holes in it."

Mayor Pro Tem Trevino said, "What you mentioned to me is that I had requested you to identify those monies that would be available and we were specific about Federal monies. You said there were some problems with that and what we ought to do is instruct you to identify other than Federal monies." Mr. Herrera said he wanted to be clear on what Council's instruction is so that the process he just outlined was a priority in a shift not necessarily with CDBG (Community Development Block Grant) but away from that. Mayor Pro Tem Trevino said, "Identify the monies wherever they are, and whatever they are. If they are Federal monies or non-Federal monies, at least for the Council to have these options."

Gene Vasquez told Council, "There is a very important point that I forgot earlier. In mid-August is when Human Services started advertising for UDAG applications. At that time we were told we had to come through with a UDAG application that was for at least \$1,000,000 before the City would be interested. Now we're hearing the City doesn't have that million that Human Services was committing at that time. I feel that is important. Re the 235 commitment, we are aware that we will not get our allocation probably until the end of the month, but we are in contact with the HUD offices in San Antonio, and we do feel we will receive the 235 allocation we have asked for for this project. 235 is a part of it, but a much bigger part is the UDAG and the financing we have leveraged."

Motion

Mayor Pro Tem Trevino moved that the Council adopt a resolution designating the following dates relative to the submission of UDAG applications for the January Quarter:

1. January 22, 1981 - Public hearing to receive public comment on UDAG applications, 2:00 p.m.
2. January 29, 1981 - Take action authorizing submission of the applications and committing funds for the 20% local match requirement, 2:00 p.m.

The motion, seconded by Mayor McClellan, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Himmelblau

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COMMUNITY DEVELOPMENT BLOCK GRANT

Council had before it a resolution to consider setting a public hearing for the earliest possible date to discuss utilization of CDBG monies as City's 20% match for the UDAG (Urban Development Action Grant). After some discussion, Mayor Pro Tem Trevino asked for a report next week on what the options are for additional funding.

PAYMENT AUTHORIZED

Councilmember Himmelblau moved that the Council adopt a resolution authorizing payment to the following:

AUSTIN MALL COMPANY

- CAPITAL IMPROVEMENTS PROGRAM
- For installation of Bee Caves
- Section Two 54-inch water trans-
- mission main in Walsh Tarlton Lane,
- Barton Creek Square Mall -
- \$271,886.40 C.I.P. No. 73/22-23

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

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Mayor McClellan

Noes: None

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

Prior to the vote, JOE RIDDELL appeared before Council and said this would be a reimbursement to the subdivider. Mr. Bill Bulloch, Director of Water and Wastewater, discussed the taps and said a report has been prepared and lines have been installed and tested by the City. Councilmember Himmelblau pointed out that Council has no recourse because it is part of the Capital Improvements Program.

OVERSIZE WATER AND WASTEWATER MAINS

Councilmember Mullen moved that the Council adopt a resolution approving the following oversize water and wastewater main:

BILL MILBURN, INC.

- For construction of a 16-inch water main and a 21-inch wastewater main through Milwood Section 8 - City cost participation, if annexed within one year will be \$45,108 for water main and \$5,250 for the wastewater main.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

The Council had before them a resolution to approve the following
oversize water and wastewater main: 42

DRY CREEK WEST JOINT VENTURE - For construction of a 16-inch
Adon Sitra, Trustee water main in Dry Creek West -
\$83,316. City cost participation
will be \$53,853.00

Councilmember Himmelblau asked for a report on oversizing and what it
will open up. Mr. Bulloch showed her a map and explained.

Motion

Councilmember Mullen moved that the Council disapprove the oversizing.
The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

WASTEWATER APPROACH MAIN

Council had before them for consideration approval of the following
wastewater approach main:

VILLAGE JOINT VENTURE - For construction of a 27-inch and
a 24-inch wastewater approach main
to serve the Village at Western
Oaks, VIII - XI - \$518,393.00.
City cost participation will be
\$421,018.00 if annexed into the
City within one year.

Councilmember Himmelblau said, "I question the oversizing, not what's
needed to serve this one subdivision." Mr. Bulloch showed a map and discussed
three options. Councilmember Himmelblau asked, "Will we pick up most of this
then with the subsequent user fee?" Mr. Bulloch said with the discussion they
have been having regarding no limitation fee, yes. Councilmember Himmelblau
said, "They are usually companion pieces. We usually see the approach main and
then we see the annexation either on the same agenda or the next week."
Further discussion followed.

Motion

Councilmember Himmelblau moved that the Council adopt a resolution
approving the above. The motion was seconded by Councilmember Goodman.

JOE RIDDELL appeared before Council and said he opposed the approval of
the wastewater approach main because it would permit growth because it would
open up a big area for development. He said to wait on this line and let the
other areas in Williamson Creek that have water and sewer available develop
under the ordinance and see how the ordinance protects the water quality and then
go ahead and decide to go with a line like this.

Councilmember Himmelblau asked what this will do to the Govalle Plant. Mr. Bulloch told her there would be no trouble now but later there would be.

Councilmember Himmelblau said she has trouble with this.

Motion Withdrawn

Councilmember Himmelblau withdrew her motion, and Councilmember Goodman withdrew his second.

DOROTHY RICHTER presented a position paper from the Save Barton Creek Association and said they oppose this.

J. W. SMITH said he had gone through the proper procedures, and he wants sufficient capacity to serve the rest of the Village at Western Oaks. He asked for a decision today so he can get on with this.

Council agreed to bring this resolution back for consideration on January 15, 1981.

CONTRACT APPROVED

Councilmember Himmelblau moved that the Council adopt a resolution approving the following contract:

AKIN & BYRAM, INC.
P. O. Box 18149
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Construction of East Austin Multi-
Purpose Center - \$1,403,367.00
C.I.P. No. 76/91-03.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

Prior to the vote, Councilmember Himmelblau asked how much we have in the Capital Improvements Program. Mr. Tom Muehlenbeck told her \$1,947,000.00.

Mayor Pro Tem Trevino stated that Legal Aid wants facilities in East Austin.

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BUDGET AMENDMENT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1980-1981 BY APPROPRIATING \$82,596.00 FROM THE GENERAL FUND ENDING BALANCE FOR THE PURPOSE OF REIMBURSING UNITED STATES URBAN MASS TRANSIT ADMINISTRATION TO CLEAR AUDIT EXCEPTIONS ARISING FROM FISCAL YEARS 1975, 1976, 1977, AND 1978; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Councilmember Mullen asked what happened, and Dr. Benson, Director of Urban Transportation explained it to his satisfaction.

EXECUTIVE SESSION

Mayor McClellan announced that Council would convene in a closed or executive session authorized by Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes Annotated; and after such closed or executive session any final action, decision or vote with regard to any matter considered in the closed or executive session will be made in open session, should such action, decision or vote be necessary.

CONGRESS AVENUE TASK FORCE

Councilmember Mullen moved that the Council appoint the following to the Congress Avenue Task Force:

Martha Arbuckle
Donna Carter
Charles Betts
Sally Wittliff
Ron Kercheville

Robert Barnstone
Rob Southerland
John Gray
Nell Dicky

The motion, seconded by Councilmember Cooke, carried by unanimous vote.

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ZONINGS SET FOR PUBLIC HEARING

The City Manager reported the following applications have been referred to the Planning Commission for recommendation and have been set for public hearing before the City Council on January 29, 1981:

DELILAH M. HAYNES By Barbara White C14-80-221	4025 Manchaca Road	From Interim "A" Residence 1st Height and Area To "O" Office 1st Height and Area
STEVE STRATTON AND NORMAN K. WARNER II By Norman Warner, II C14-80-222	1104 West Avenue	From "B" Residence 2nd Height and Area To "O" Office 2nd Height and Area
SIGMOR By Les Procter C14r-80-223	11646 Research Boulevard also bounded by Thunder Creek Road	From Interim "AA" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
JAMES WILLIS AND IDA MAE WHATLEY By Jim Akin C14-80-224	1908 and 1910 West 35th Street	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
GEORGE S. MCGEE, TRUSTEE By George McCanse C14-80-225	816-818 West Eleventh Street	From "B" Residence 2nd Height and Area To "O" Office 1st Height and Area
JEANNE S. ATKINSON, ET AL By William Carson C14r-80-226	7531 North Capital of Texas Highway (temporary)	From Interim "AA" Residence 1st Height and Area To "O" Office 1st Height and Area
IRA L. PANZER, WILLIAM D. VOIERS, LLOYD A. JEFFRESS C14-80-227	2704-2708 Rio Grande and 2705-2707 Salado	From "O" Office 2nd Height and Area To "LR" Local Retail 2nd Height and Area
FRANCES H. RITTER, Individually and as Executrix of the Estate of Jack Ritter, Sr. By Robert S. Morris C14r-80-228	8540 Research Boulevard and 1410 Fairfield	From Interim "A" Residence 1st Height and Area To "C" Commercial 1st Height and Area

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RUTH JANE DUMONT SHANE By John Winkler C14-80-229	1525 Koenig Lane and 5815 Arroyo Seca	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
RONALD B. ZENT C14-80-230	9232 Old Highway 183	From "O" Office 1st Height and Area To "C" Commercial 1st Height and Area
MRS. HODA NASSOUR AND DR. AND MRS. HERBERT R. NASSOUR By Terry Sasser C14-80-231	3409 Willow Springs Road and 425 East Woodward	From Interim "A" Residence and "A" Residence 1st Height and Area To "O" Office 1st Height and Area
JANUS SALES, INC. By Gary Chiles C14r-80-232	2209 South I.H. 35	From "LR" Local Retail 1st Height and Area To "LR" Local Retail 2nd Height and Area
DONALD S. THOMAS, EDWARD W. CLARK AND EDWARD W. JOSEPH K. Douglas Wright C14r-80-233	5823 and 5915 North Interregional Highway	From "C" Commercial 5th Height and Area, and "GR" General Retail, 2nd Height and Area To "C" Commercial, 1st and 3rd Height and Area
JOEL B. LANDON AND SUZANNE LANDON By William Brown C14r-80-234	6209 U.S. 290 East	From "C" Commercial 6th Height and Area To "C-1" Commercial 6th Height and Area
MR. J. V. WALDEN By Gus Voelzel and Joe Melton C14-80-235	201 and 203 East 35th Street	From "A" Residence 1st Height and Area To "B" Residence 1st Height and Area
BILLY PRIEST AND JOE W. McDANIEL By Adon Sitra C14-80-236	3311-3435 Paisano Trail 7401-7505 Brodie Lane	From "AA" Residence 1st Height and Area To "BB" Residence 1st Height and Area
BRENTWOOD CHURCH OF CHRIST By Ray Chester C14-80-237	6701-6730 Arroyo Seca 1505-1503 Choquette Drive 1510-1514 Ruth Avenue	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
HENDRIX GMC TRUCKS, INC. By Melvin Shelton C14r-80-238	4400 South I.H. 35	From "D" Industrial 1st Height and Area To "D" Industrial 2nd Height and Area

January 8, 1981

NORTHWEST PROPERTIES, 9400-9600 Block of
LIMITED North Lamar
By Daryl Taylor
C14-80-239

From "GR" General Retail, "O"
Office, "BB" Residence,
Interim "AA" Residence and
"A" Residence, 1st Height
and Area
To "C" Commercial, "GR"
General Retail, "BB" Resi-
dence, "A" Residence, 1st
Height and Area; and "O"
Office, 2nd Height and Area

ALLIED DEVELOP-
MENT COMPANY
By Barry Smith
C14-80-240

6929-B Manchaca

From "GR" General Retail
1st Height and Area
To "C-1" Commercial
1st Height and Area

M. J. ELLIOT
PROPERTIES, LTD.
By M. J. Elliot
C14-80-207

1433 West Ben White
Boulevard

From "GR" General Retail
1st Height and Area
To "C" Commercial
1st Height and Area

ADJOURNMENT

Council adjourned its meeting at 6:20 p.m.

APPROVED:

Carlos Teodoro McClure
Mayor

ATTEST:

Grace Monroe
City Clerk