

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 12, 1981
9:00 A.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

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

Absent: Councilmember Goodman

The Invocation was given by James A. Mahon, minister of First Presbyterian Church.

LIONS SIGHT CONSERVATION AND WHITE CANE WEEK

Holly Osborne, President, North Austin Lions Club; John Clair, regional director, Lions Eye Bank; Gabriel Villalobos, North East Austin Lions Club; and Louis Herrera, President, North East Austin Lions Club, were in the Council Chamber to receive a proclamation which they accepted with their thanks and appreciation. Mayor McClellan read the proclamation which declared the week of March 14-21 as Lions Sight Conservation and White Cane Week.

AMERICAN LEGION DAYS

American Legion Days will be observed March 15-17, 1981 according to a proclamation read by the Mayor and accepted with a speech of thanks by Ken Williams, American Legion Post #76.

AMERICAN RED CROSS, CENTEX CHAPTER DAY

Mayor McClellan read a proclamation designating March 15, 1981 as American Red Cross, Centex Chapter Day in Austin. Harry Smith, Chairman, Board of Directors, Centex Chapter, American Red Cross, and Alice Scarbrough, Centennial Chairman, Centex Chapter, American Red Cross, were in the Council Chamber to receive the proclamation with their thanks and appreciation.

BOARD AND COMMISSION APPOINTMENTS

Mayor McClellan announced the following board and commission appointments are due to be made on March 19, 1981:

- Building Standards Commission - 2
- EMS Quality Assurance Team - 1
- Ethics Review Commission - 1
- On-Going Goals Assembly Committee - 5
- MH/MR Public Responsibility Committee - 1
- Urban Transportation Commission - 1
- Water Quality Review Board - 5
- Capital Area Planning Council - 1 Council representative
- Police Department Internal Affairs Committee - 1 Council representative
- Employees Retirement System of the City of Austin - 1 Council representative
- Social Policy Advisory Committee - 1 Council representative
- Community Development Commission - 6
- Dental Health Advisory Committee - 9
- Downtown Revitalization Committee - 13
- Renewable Energy Resources Commission - 1

MINUTES APPROVED

Councilmember Himmelblau moved that the Council approve the Minutes of the Meeting of February 26, 1981. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

BATTLEBEND SPRINGS NEIGHBORHOOD PARK

Councilmember Mullen moved that the Council adopt a resolution acquiring the following land for the Battlebend Springs Neighborhood Park, CAPITAL IMPROVEMENTS PROGRAM No. 75/86-14:

4.9 acres of land out of Lot 2, Thomas Farrell Subdivision No. 2
(Bob R. Howerton)

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

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

LEASE AGREEMENT

Councilmember Mullen moved that the Council adopt a resolution approving a lease between the City of Austin and C. & L. Investment Company for space for the Montopolis Neighborhood Center at 1700 Montopolis Drive. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

LAND SALE TO CLARKSVILLE COMMUNITY
DEVELOPMENT CORPORATION

Councilmember Mullen moved that the Council adopt a resolution extending the contract for sale of certain land to Clarksville Community Development Corporation to June 29, 1981. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

RELEASE OF EASEMENTS

Councilmember Mullen moved that the Council adopt a resolution authorizing the following easements:

Six 3.0' public utility easements on Lots 1, 2, 3, 4, 11 and 12,
Block 18, St. Johns Addition, 7401-7407 Bennett Avenue.
(Requested by OFPC, Public Works Department)

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

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

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

A 5.0' electric and telephone easement on Lot 1, Larry Nelson Subdivision as recorded in Volume 1849, Page 263, 2211 Post Road. (Requested by Mr. John C. Miller, representing Mr. L. L. McCandless, owner)

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

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

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

A 7.5' public utility easement on Lot 19, Block A, Barton Hills Section Seven, 1706 Bartoncliff Drive. (Requested by Mr. Jim Ray, owner)

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

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

Councilmember Mullen moved that the Council adopt a resolution authorizing release of the following easment:

One 5.0' public utility easement on Lot 1, Dry Creek Commercial Subdivision and one 5.0' public utility easement on Lot 19, Arroyo Seca Subdivision, 5901 Mountain Climb Drive. (Requested by Mr. W. Harvey Smith representing Mr. Dave Holmes, owner)

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

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

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ROSEWOOD PARK OPEN GYM

Councilmember Mullen moved that the Council adopt a resolution selecting architectural services of Kinney and Stone and approved a contract in connection with Rosewood Park Open Gym. CAPITAL IMPROVEMENTS No. 79/86-03. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

ARTIST IN RESIDENCE PROGRAM

Councilmember Mullen moved that the Council adopt a resolution authorizing submission of an application to the Target Stores through the Dayton Hudson Corporation Foundation for funding in the amount of \$8,000 for an "Artist in Residence Program." The motion, seconded by Councilmember Cooke, carried by the following vote:

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

URBAN PARK AND RECREATION RECOVERY ACTION PROGRAM

Councilmember Mullen moved that the Council adopt a resolution authorizing submission of an application in the amount of \$25,000 for a 50/50 matching grant from the Heritage Conservation and Recreation Service under the Urban Park and Recreation Recovery Action Program to complete the Parks and Recreation Department Master Plan. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

CONTRACTS APPROVED

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

Bid Award:

- Herbicides, Fungicides, Insecticides
and Fertilizer, Parks and Recreation
Department
Twelve (12) Months Supply Agreement
Estimated Total - \$15,790.00

CHEMICAL & TURF SPECIALTY COMPANY
10440 Plano Road
Dallas, Texas

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- Items 4-10, 12, 13, 17-23, 25, 26-29
and 31 - \$9,466.00

VAN WATERS & ROGERS
10612 Sentinel Drive
San Antonio, Texas

- Items 1-3, 11, 14, 30 and 32 -
\$6,324.00

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

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

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

C&R MAINTENANCE
1001-A Sagebrush
Austin, Texas

- Twin Post Hydraulic Hoist, Vehicle
and Equipment Services Department
Item 1, 1 ea. - \$10,780.20

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

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

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

ATHENS PAINT COMPANY
P. O. Box 712
Athens, Texas

- Painting of Holly Power Plant
Boiler No. 3, Electric Utility
Department - \$117,000.00

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

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

STATE OF TEXAS LEGISLATION

Councilmember Mullen moved that the Council adopt a resolution supporting S.B. 425 relating to the creation of mass transit authorities in Metropolitan areas. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Prior to the vote, Councilmember Cooke asked whether the mass transit authority would be elected or appointed. MR. JOE LONGLEY, lobbyist representing the City of Austin, told him it would be an appointed board. Mr. Cooke told him he would be unable to support an appointed board. Mayor McClellan told him that since the legislation is still pending, he should register his views. Councilmember Cooke said he would change his views if the board were elected, not appointed.

Councilmember Mullen moved that the Council adopt a resolution opposing S. B. 619 relating to an amendment to the Texas Deceptive Trade Practices - Consumer Protection Act. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Councilmember Mullen moved that the Council adopt a resolution opposing H. B. 1040 relating to local government compensation for a sign removed under a local ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Councilmember Mullen moved that the Council adopt a resolution opposing H.B. 236 which amends Article 1011m VTCS to prohibit cities of 200,000 or more from participating in Council of Governments. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

HOME FINANCING APPROVED

Councilmember Mullen moved that the Council adopt a resolution granting approval for the Williamson County Housing Finance Corporation to finance homes located within the City of Austin. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

STREET CLOSING

Councilmember Mullen moved that the Council adopt a resolution temporarily closing the 2400 block of Pearl Street from 24th Street to 25th Street, from 1:30 p.m. to 6:30 p.m., on April 3, 1981 for a street party as requested by Mr. Mike Easley, representing Lambda Chi Alpha Fraternity. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

YOUTH ADVOCACY PROGRAM

Councilmember Mullen moved that the Council adopt a resolution authorizing a Social Service Contract with Youth Advocacy, Inc., in the amount of \$10,000 for the FY 80-81 Youth Advocacy Program. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

PUBLIC HEARINGS SET

Councilmember Mullen moved that the Council adopt a resolution setting public hearings on an Amendment to the FY 1979-80 CDBG Application for March 26, 1981 at 3:45 p.m., and April 9, 1981 at 11:00 a.m. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Councilmember Mullen moved that the Council set a public hearing for an Amendment to Chapter 45 (Zoning Ordinance) of the Austin City Code allowing Adult Day Care Centers by Special Permit in "A" Residence Districts and as permitted use in "BB" Residence and more permissive districts, for April 2, 1981, at 9:45 a.m. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Councilmember Mullen moved that the Council set a public hearing on an appeal from Mr. Roy Traugott of the Building Standard Commission's decision to demolish structure at 1910 Willow Street, for April 9, 1981 at 9:45 a.m. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

FIRE PROTECTION TO OLD TARLTON CENTER

Councilmember Mullen moved that the Council adopt a resolution authorizing tap to the Southwest Austin Transmission Main in Walsh Tarlton Lane to provide fire protection water service to Old Tarlton Center, with capital increment fees to be paid. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Councilmember Himmelblau stated "with that authorization I just wanted to add the incremental fees."

OPERATING BUDGET AMENDMENT

Councilmember Himmelblau moved that the Council adopt a resolution amending the 1980-81 Operating Budget by accepting and appropriating \$15,302.00 from the Capital Area Planning Council, Governor's Committee on Aging for Support Services for the Elderly. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

ELIMINATION OF DECLINING BLOCK CONCEPT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE PRESCRIBING AND LEVYING RATES AND CHARGES FOR SALES MADE AND SERVICES RENDERED IN CONNECTION WITH THE ELECTRIC LIGHT AND POWER WORKS AND SYSTEM OF THE CITY OF AUSTIN FOR RESIDENTIAL, COMMERCIAL, PUBLIC AND OTHER USES OF ELECTRIC LIGHT AND POWER SOLD AND SERVED BY THE CITY OF AUSTIN; ESTABLISHING A FUEL CHARGE FORMULA; ADJUSTING THE ELECTRIC UTILITY ACCOUNT "RECOVERABLE FUEL COSTS" BY REDUCING THE BALANCE BY THE BALANCE OF THE "CONTINGENT FUEL COST ADJUSTMENT RESERVE" AND THE "LOVACA/VALERO SECURITIES TRUST INVESTMENT" ACCOUNT; ESTABLISHING A CHARGE AND REBATE FORMULA FOR RECOVERABLE FUEL COSTS TO CUSTOMERS; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

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

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

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

CITY CODE AMENDED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SUBSECTION (d) OF SECTION 21-41 AND SUBSECTION (g) OF SECTION 21-40 OF THE AUSTIN CITY CODE OF 1967, MAKING CERTAIN DELETIONS AND ADDITIONS TO SAID SUBSECTIONS, THEREBY DECLARING THE MAXIMUM PRIMA FACIE SPEED LIMITS UPON CERTAIN STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS" (VERNON'S ANN. CIV. ST., ART. 6401d); REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Himmelblau 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, Councilmember Cooke
Noes: None
Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Speed zones are as follows:

DELETING

Section 21-41 - Subsection (d)

<u>ON</u>	<u>FROM</u>	<u>TO</u>
East 5th Street	Linden Street	200' E. of Tillery
South 5th Street	183' S. of W. Milton St.	100' N. on Monroe
West 29th Street	180' W. of Harris Blvd.	312' E. of Harris Blvd.
Berkman	200' S. of Sweetbriar Ave.	200' N. of Wheless Lane
St. John's Avenue	Duval Street	200' E. of Martin Avenue
Steck Avenue	288' W. of Rockwood	199' E. of Rockwood
Susquehanna	Manor Road	Bryn Mawr Drive
Tannehill Street	Samuel Huston Ave.	500' S. of the centerline of Samuel Huston Ave.
Tillery	280' N. of E. 5th St.	212' S. of E. 4th Street
Vargas Road	500' N. of Ponca	200' S. of Ponca

Section 21-40 - Subsection (g)

Cameron Road	St. John's Avenue	200' N. of Athletic Drive
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ADDING

Section 21-41 - Subsection (d)

South 5th Street	183' S. of W. Milton	75' S. of S. curb of W. Monroe
Berkman	220' S. of S. curb of Chatham	200' N. of Wheless Lane
Manor Road	350' W. of Old Manor Rd.	43' E. of Wellington
W. Annie/Woodland	296' W. of Eastside	136' E. of Eastside

ZONING ORDINANCES

Mayor McClellan introduced the following ordinance as an emergency measure:

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

A 0.98 ACRE TRACT OF LAND, LOCALLY KNOWN AS 702 EAST SHELBY LANE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, 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. (Area Study, C14-70-001, Vernon Wattinger property)

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Councilmember Himmelblau 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, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

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

TRACT 1: A 210,611 SQUARE FOOT TRACT OF LAND, SAVE AND EXCEPT A TEN (10) FOOT WIDE BUFFER RUNNING ALONG THE SOUTHERLY BOUNDARY, FROM INTERIM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT AND "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; AND

TRACT 2: A TEN (10) FOOT WIDE BUFFER RUNNING ALONG THE SOUTHERLY BOUNDARY OF THE ABOVE DESCRIBED 210,611 SQUARE FOOT TRACT OF LAND, FROM INTERIM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 7696, 7714 AND 7730 NORTHCROSS DRIVE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Northcross Associates, Ltd., C14-80-158)

Councilmember Himmelblau 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, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

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 HEIGHT AND AREA AND CHANGING THE HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: A 2.08 ACRE TRACT OF LAND LOCALLY KNOWN AS 2209 SOUTH I.H. 35, FROM "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, SECOND 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. (Janus Sales, Inc., C14r-80-232)

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

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

Noes: None

Abstain: Councilmember Himmelblau

Absent: Councilmember Goodman

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

Mayor McClellan brought up the following ordinance for its third 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:

LOT 34-A, RESUBDIVISION OF NORTH PORTION OF LOTS 33 AND 34, BLOCK 15, CRESTVIEW ADDITION, LOCALLY KNOWN AS 1917 CULLEN, FROM INTERIM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (T. C. Scott Francis, C14-80-117)

The ordinance was read the third time, and Councilmember Himmelblau moved that it be finally passed. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: Mayor Pro Tem Trevino

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

REVISION TO ELECTRIC RATE ORDINANCE

On Councilmember Himmelblau's motion, Councilmember Cooke's second, the Council passed through first reading only a revision to the Electric Rate Ordinance, setting the criteria for the General Services Demand Classification at 30 KW of demand and 10,000 KWH energy consumption. The vote was as follows:

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

Noes: Mayor McClellan

Absent: Councilmember Goodman

Motion to Reconsider

Mayor Pro Tem Trevino moved that the Council reconsider the vote. The motion, seconded by Mayor Pro Tem Trevino, was unanimously approved, Councilmember Goodman absent.

Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 800306-D WHICH PRESCRIBES AND LEVIES RATES AND CHARGES FOR SALES MADE AND SERVICES RENDERED IN CONNECTION WITH THE ELECTRIC LIGHT AND POWER WORKS SYSTEM OF THE CITY OF AUSTIN BY AMENDING PART 1, GENERAL SERVICE RATES E05, E06, E07, E08, E09, E10, E11 AND E12; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; SUSPENDING THE RULE REQUIRING THAT ORDINANCES 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 Mayor Pro Tem Trevino, carried by the following vote:

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

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

REPLACEMENT OF AIRPORT HANGARS

Mayor McClellan introduced the following ordinance:

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance, amending the 1980-85 Capital Improvements Program by accepting and appropriating a grant in the amount of \$374,517.00 from the Federal Disaster Assistance Program and \$250,000.00 from current airport revenues (total project funds: \$624,517.00 for the replacement of airport hangars damaged or destroyed by a tornado on August 10, 1980). The motion, seconded by Councilmember Cooke, carried by the following vote:

6.2.
810312-H

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

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Prior to the vote Councilmember Mullen asked questions of Mr. Roy Bayless, Director of the Airport, concerning the lease of the land. Mr. Bayless said that under the basic lease, the entire acreage is covered in the basic rental they pay. Councilmember Mullen also questioned whether, in addition to replacing the hangars, we were not also improving them also. Mr. Bayless told him this is true and Councilmember Mullen said we are obligated to replace not to improve and that he wants the best deal for the City. Mr. Bayless told him that if Council agrees to Option B, for \$250,000, the rental revenues will be \$39,645 because of an increase in rental space; rather than Option A which would be an expenditure of \$125,061 for rental revenues of \$37,737. Further discussion followed concerning principle and interest payments. Mr. Bayless stated, in answer to Councilmember Mullen's question regarding any new land being covered by the hangars, that they will be within the basic premises.

Councilmember Mullen said, "We are going to put \$624,000 into the project, total. They are going to put how much from their insurance?" Mr. Bayless said, "They have put, in rebuilding hangars, a quarter of a million dollars thus far. Not in this project but in two other hangars they have built." Councilmember Mullen said, "Of the \$624,000 all but \$124,000 is going to replace what we are obligated to supply under an old contract. There is absolutely no doubt that is correct?" Mr. Bayless told him, "We double checked that with the Legal staff Mr. Mullen, and the basis upon which we were eligible for the grant was that the Legal Department made it their determination it is the City's responsibility to replace those hangars by contractual lease agreement."

At this point, Councilmember Goodman entered the Council Chamber.

WRECKER AND IMPOUNDMENT SERVICES

Chief Dyson presented an Update on Proposal for Wrecker and Impoundment Services as follows: "As a result of the discussion in the Council Chambers earlier, on Friday, March 6, police officials met with members of the Wrecker Commission and other members of the wrecker towing service to discuss this problem and two things came out of that meeting upon which all who attended agreed. That was, there is a need for some improvement in our existing wrecker service in terms of the total service, and also, that the police hauls should be separated from the collision hauls and handled separately. As a result of that unanimous feeling, it is our report to you today that there is a good bit more time needed for police officials and the wrecker industry officials to work out some changes in the existing ordinance in dealing with collision hauls and that we move immediately to correct the problem we are now experiencing with the police hauls, the impounds, and if Council wants to go the private sector route we are prepared to come back very quickly with a proposal in that regard. So if

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you want to go with a wrecker service provided by the City, we are prepared to come back to you very quickly with a firm proposal in that regard. If Council is agreeable to separating these two, then you need to give us some direction on which route you want to take."

Councilmember Himmelblau asked, "How fast if we would separate the two could we get started with the impoundments because that was brought up to start with." Chief Dyson told her, "If Council wants to go the private sector route, then we would have to develop a RFP and get that out on bids and select a contractor and give the contractor a reasonable time to get ready for implementation. I would expect it would take 60-90 days to do that. If we go the other route, the City service, then I expect we should implement that quicker, possibly within 60 days." Councilmember Himmelblau wondered why, "if we go the City route it would take 60 days to vacate the lot." Chief Dyson told her it would take some minor modification to that lot with two additional employees hired and get geared up to begin operation. Councilmember Goodman said he thinks operation by the private sector rather than the City would be best. Chief Dyson said, "If we go that route, there would be one contract to handle the abandoned cars and another to handle the police impounds and continue under the current Wrecker Ordinance, dealing with collision hauls and have time to work that out with the industry on how we can improve that and bring about some of the improvements that we want." Councilmembers Goodman and Mullen thought that would be the best way to do it.

Councilmember Cooke said there had been some discussion regarding a permit sold to anyone having the wrecker service and those permits could then be controlled or sold within the industry. He said he would have problems agreeing to this.

Councilmember Himmelblau said, "If we split it..we've never had an ordinance that speaks just to impoundment procedures. Would one be drafted?" Chief Dyson said they would have to look into that with the Legal Department, but he thinks the existing ordinance could be amended to break out the police impounds and move on quickly. Mr. Albert DeLaRosa, Assistant City Attorney, said he would be glad to meet with Chief Dyson next week and get the ordinance back to Council.

Mr. Muehlenbeck, Deputy City Manager, determined that there would be need for an RFP (Request for Proposal) for impoundment. We would operate under what we have now for the collision calls. He wondered if the impoundments would be set up on a rotation or next out basis, or if it will be on some type of a bid proposal reviewed by the Chief. Chief Dyson said his suggestion is to contract with one contractor. Mayor McClellan asked about zones. Chief Dyson said that would not be as applicable with the police impoundment as it would be with collision hauls. Even one prime contractor would have to do some other business in order to make out well. He suggested one prime contractor for police impounds.

SELF INSURANCE HEALTH PROGRAM

Mr. Carl A. Lynch, Acting Director of Personnel, reported as follows on the Self Insurance Health Program:

"In September 1980 the City Council directed an analysis of our current health insurance program to identify a methodology for implementing a self insurance health program. We have completed our study of this complex issue and have concluded that the Boon-Chapman proposal best represents our goals of quality health coverages for our employees and their dependents, improved cash flows, and increased utilization of Brackenridge Hospital. It must be noted at this point that we do not recommend decreasing any benefit being provided to employees under our current health program.

"Boon-Chapman offers us an opportunity to maintain, and even improve, our health benefits while improving our cash flows, and optimizing our utilization of Brackenridge Hospital. Their proposal was clearly superior to the others submitted in response to our request for proposal for third party administration. This was especially true in the areas of administrative costs and experience in managing health programs in hospital environments. The fact that they are a local firm, and can thus provide easy access to employees and dependents, is also a very positive factor in their selection.

"The other proposals that we received in response to our requests for proposal for third party administration were also quality products and their non-selection should not be interpreted as a negative statement of their skill, experience, or ability. It merely reflects the keen competition present in the insurance administration industry.

"Since the City Council asked us to examine a self insurance health program, we purposely have not invited other proposals describing other variations of funding health insurance programs. However, this report would not be complete if we did not include some discussion of the cash management program that our current health insurance carrier, Connecticut General, presented to us over a year ago. Essentially, the cash management program is a technique used by many large employers such as General Motors, United Technologies, and Braniff Airlines to improve their cash flows. Tom Flynt of Connecticut General has assured us that we can achieve similar results in improved benefits, cash flows, and utilization of Brackenridge Hospital to those which may be achieved through self insurance.

"This type of program could be implemented by modification of our current contract with Connecticut General, or if Council wanted to explore this concept more in-depth requests for proposals could be developed for a cash management program. Several organizations besides Connecticut General offer these types of programs including but not limited to the Texas Municipal League, Blue Cross-Blue Shield, Aetna, etc."

Motion

Councilmember Mullen moved that the Council authorize the staff to proceed as quickly as possible. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Noes: None

Councilmember Himmelblau thanked the staff for their work on this and thanked Councilmember Mullen for bringing this up during the budget hearings.

FUNDING FOR COMMUNITY CROSSROADS HOME

Mr. Carlos Herrera, Director of Human Services, presented the following report on Funding Alternatives for Community Crossroads Home:

"Pursuant to the request of the City Council, we have investigated further the circumstances of the Community Crossroads Home, Inc., which had requested \$3,700 from the City in order to resolve an outstanding debt of \$7,000 owed the Internal Revenue Service by the agency.

"Our original report, dated February 25, 1981, pointed out that we could not recommend that the City Council fund the agency, principally because of the agency's record of incapable financial management.

"Our subsequent staff review has disclosed the following particulars:

- . The amount owed the IRS is presently \$11,669.28. Although a refund of \$1,659.86 of this amount will be due the agency, the entire amount must be paid before the refund can be made.

- . The agency is in its present straits because of chronic financial management incapacity, including a continuing imbalance between expenditures and income. That imbalance continues to exist, although our review was not extensive enough to ascertain the approximate amount of the imbalance. Examples involve an outstanding utility bill of \$2,000, according to the agency's bookkeeper, and payrolls which are not met upon occasion.

- . The agency's bookkeeping system includes neither a general ledger, a cash disbursements journal, a cash receipts journal, or a payroll register, nor are bank reconciliations made. Many, if not most, expenditures are paid in cash -- including payroll -- and expenditure records are accumulated from receipts obtained from employees and from various vendors. Further, other reasonable safeguards against misappropriation of funds, such as required countersignatures on all checks and prohibitions against administrators cashing employees' paychecks, do not exist.

"Assuming that the agency wishes the City to provide one-half of the outstanding debt owed the IRS, that amount is \$5,834.64, of which \$829.93 would constitute the City's share of the refund due. This, however, will only alleviate the agency's present crisis; the continuing imbalance of payments problem will not be effected, nor can the agency's financial management reasonably be expected to improve without further resources. ^a

"We have estimated the additional amount that would be required to install acceptable financial management into the agency's operation. The addition of a staff person to serve as both comptroller and business manager, responsible for establishing and maintaining acceptable records, controlling all receipts and disbursements, and otherwise serving as financial administrator, would likely require at least a \$9,000 annual supplement for a half-time position and attendant costs -- the minimum which we consider adequate.

"Alternatively, it is estimated that the Austin-Travis County MHR Center could provide such services on a more complete basis for the agency at an additional cost of \$10,000 annually.

"In summary, we cannot recommend that the City Council allocate funds to this agency to resolve its debt to the IRS, because the amount requested is an understatement of the financial requirements of the agency, particularly if the measures necessary to protect any financial interest of the City are included in the calculation.

"Should the City Council consider allocating funding to the agency for purposes of clearing the debt, we continue to recommend these stipulations: 1) funding to be conditioned upon the agency's securing the balance of the needed funds; 2) funding to be considered a one-time-only allocation, with no inferred commitment to the further support of the agency; and 3) records deemed adequate to protect the City's financial interest be maintained by the agency.

"Further, in the event that a continuing funding relationship with the agency is contemplated, we recommend that an additional allocation to provide for the financial management capacity outlined elsewhere in this memo be considered."

Mayor Pro Tem Trevino said when the agency first came with this request the City was asked to pay for half of \$3200. Now the memo says \$5,000 and in order to have the necessary safeguards for the agency's bookkeeping another \$9,000 would be needed. Mr. Herrera said there is a need for an immediate resolution to the agency's problem and need for help in the future so this is two issues. Mayor Pro Tem Trevino said he doubts Council will favor the request but asked for ordinances to be brought back next week so a vote may be taken.

HOUSING REHABILITATION - RAINEY AND GUADALUPE 20

Mr. Carlos Herrera reported on Housing Rehabilitation in the Guadalupe Neighborhood and Rainey Street Areas. He referred to research done concerning a commitment made to allocate funds designated in the Rainey and Guadalupe area for housing rehabilitation. He said there are not indications that there was a formal commitment made that would have targeted any of the housing rehabilitation monies allocated to ARA for these particular areas. "Going back to February 14, 1980, the Council considered a request from ARA for a contract amendment which would have provided an additional \$400,000 to enable the ARA to continue operating at full capacity until the end of the year. The Council discussed with the ARA director the possibility of concentrating housing rehabilitation activities in the Rainey Street and Guadalupe areas providing rehabilitation for renters and the effects of existing HUD (Housing and Urban Development) restrictions, which may impact rehabilitation activities in those neighborhoods."

Councilmember Himmelblau said, "It was my understanding, when Mr. Trevino made that motion, for \$400,000 and I seconded it, that it was conditional and Mr. Knickerbocker, who was then the executive director, would come back and with all the Council business we had in those months, he withdrew from the agenda one time when he was supposed to come back and then never did. So, I feel that this agency accepted an additional \$400,000.00 that the Council appropriated in good faith and did nothing."

Mayor Pro Tem Trevino stated, "I've read your memo carefully. The bottom line is, and I quote: 'Although initially the ARA proposal for the six year funding, nor the Council's allocation for those funds, contained specific references to establish priorities for Rainey Street housing rehab, the Council's action on December 11, 1980 is a clear statement of Council's intent.' And that is the bottom line. Back in February when they came and asked for those additional fundings is when we stressed about giving priority to both of these neighborhoods. They agreed to come back after some time and give us a report and nothing happened."

Councilmember Himmelblau asked if the \$422,000 was part of the 6th year that was frozen and has just been released. Mr. Herrera told her, "No, that money has been expended for a prior fund from that year's grant. What had happened in that fund had been set aside prior to that time. We held it back hoping to bring it back to Council, which we did because we had some concerns about the ability to meet quotas. When they demonstrated the ability to be able to meet that, we then brought it back and at that time Council raised these issues. Again, our findings as we outlined them in that memorandum we concluded apparently was the bottom line as Mr. Trevino outlined. We did not find any evidence of a formal action ever having been taken, but an intent, yes." Councilmember Himmelblau said, "Mr. Knickerbocker understood it very clearly, and he just didn't intend to follow the Council directive and that's been my main complaint with ARA."

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Mayor Pro Tem Trevino said, "The intent to me was very clear and I just assumed it was clear to the rest of the Council. Later on in your memo it states that the establishment of priorities is that the standard rehab program is that it is operated on a first come, first served basis. ARA had come in and asked for additional monies and I said I had no problem voting for it, but I want these priorities given to Guadalupe and Rainey Street. They said they did not know how much and I said find out and come back. At that point we were talking about whatever is needed and earmarking and if we are not making ourselves clear, then we ought to be told by staff or Knickerbocker or that agency to give specific directions by motion and say this, and we will do it. I don't know how much clearer we can make it. We are talking about action taken by the Council in December, 1980 and we're told the money has now been expended and the end result of all of that is one house has been rehabed and now...tell me...what do we need to do, what do I need to say...I will say it in English or in Spanish, to make it very clear that money is now allocated, you know, ARA. We want priority given to those two target areas. We have already given additional instruction to a development corporation to work together in conjunction with ARA to identify and so that we know exactly how many units are going to qualify and approximately how much money so we can say, O.K., if it's going to take \$300,000, it's going to be earmarked in those target areas."

Mr. Herrera stated, "In our memorandum we also said in looking at that kind of request, there are some considerations that need to be looked at in terms of HUD and its regulations. One of the things is that HUD has advised us they will require this be given a new private status in order to qualify it that way." Mayor Pro Tem Trevino said, "I think you understand what I am trying to say, in order that there is no question about it, I would ask you to help me by writing a formal motion and putting it on the Council Agenda next week so that God and everybody knows exactly what we mean, and particularly ARA."

PEAT, MARNICK, MITCHELL AUDIT

Motion

Councilmember Mullen moved that the Council approve the proposal of Peat, Marwick, Mitchell for the Audit of Fiscal Years 1980, 1981 and 1982. The motion was seconded by Councilmember Goodman.

Councilmember Cooke said he would like to see the question divided between the fee of \$225,000 and the additional items which are \$25,000 for a supplemental audit fee, \$10,000 for anticipation overruns, and \$40,000 assistance from City Auditing Department.

Motion

Councilmember Mullen moved that the Council approve a \$255,000 basic audit fee for Peat, Marwick, Mitchell for 1980. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

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Motion

Councilmember Mullen moved that the Council approve the proposal of Peat, Marwick, Mitchell for the audit of Fiscal Years 1980, 1981 and 1982; and approve additional items of \$25,000 for supplemental audit fee; \$10,000 for anticipated overruns and \$40,000 assistance from City Auditing Department. The motion was seconded by Councilmember Goodman.

Councilmember Cooke said, "I do not feel like I can support the additional costs. I feel like that drives the audit to an unacceptable high level for cost in an American city today. I think if you do a cursory study of what audits are going for around this country, we're paying too much if you start tacking on all these additional costs." Councilmember Mullen said, "I think you are probably right. The problem seemed to lay with our staff though and our situation at the time and either you do it or you don't get the bonds out, so if you are looking for a place to lay some problems, it will not be at the feet of Peat, Marwick, Mitchell. They came in and did the help required to get the stuff done."

Councilmember Cooke said he is just saying "I have had enough of these additional costs on external audits, and I feel like we have to draw the line somewhere, and I am drawing the line here."

Roll Call on Motion

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

ENDING BALANCES AMENDED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET OF THE CITY OF AUSTIN FOR THE FISCAL YEAR 1980-1981 BY APPROPRIATING VARIOUS FUNDS FOR THE EXTERNAL AUDIT OF THE CITY OF AUSTIN'S SEPTEMBER 30, 1980 FINANCIAL STATEMENT, SUCH SUMS BEING AS FOLLOWS: (1) \$37,400 FROM THE GENERAL FUND ENDING BALANCE; (2) \$29,750 FROM THE UTILITY FUND ENDING BALANCE; (3) \$11,050 FROM THE HOSPITAL FUND ENDING BALANCE; (4) \$3,400 FROM THE AUDITORIUM FUND ENDING BALANCE; AND (5) \$3,400 FROM THE AVIATION FUND ENDING BALANCE; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

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FAJITA COOK-OFF

Mayor Pro Tem Trevino moved that the Council approve the request of Mr. Ramiro Guzman, Chairperson, Greater Southwest Optimists, for permission for the following:

1. Use of Auditorium Shores for Second Annual Fajita Cook-off on June 20, 1981 from 8:00 a.m. to 12:00 midnight.
2. To place banners at Manchaca and Ben White, 6700 block Airport Boulevard and 1600 block Lamar from June 8, 1981 to June 20, 1981.
3. Sale of beer during event.

The motion, seconded by Mayor McClellan, 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

MOTION TO RECONSIDER ZONING CASE

Councilmember Mullen moved that the Council approve the request of Mr. and Mrs. John Doyle to reconsider Zoning Case C14-80-203 and set a public hearing for April 9, 1981 at 9:15 a.m. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

ZONING DISCUSSION

MS. DOROTHY RICHTER, Zoning Chairperson, Hyde Park Neighborhood Association, appeared before Council to discuss Council's policy of over ruling the negative recommendation of the Planning Commission by a majority vote. She said the State law requiring a 3/4 vote had been overruled, and it is the local option to set the percentage. This Council requires a 4-3 vote to over rule, but Mrs. Richter thinks it should still be a 3/4 vote. Mayor McClellan told her that the neighborhood associations had indicated their preference for a majority vote.

ROB ROY SUBDIVISION NUMBERING SYSTEM

MR. JEFFRY J. WOOLEY appeared before Council to present the request of the Austin Rob Roy Corporation to allow use of one and two digit street numbering system for the Rob Roy Subdivision. He said the numbers tentatively set up are in the high 6000 and low 7000. The streets do not connect with any other streets or grid system and they would like to use one and two digit street numbers.

Mr. John German, Director of Public Works, said his department does not recommend a change in the numbering system, as it would set a precedent for the grid system. He said it is important for the Fire Department and Police Department to know the street numbers and be familiar with them.

Councilmember Himmelblau said she would hate to see the City move away from the grid system because she feels the peninsula will eventually be annexed.

Motion - Died for Lack of Second

Councilmember Himmelblau moved that the Council stay with the grid system and deny the use of one and two digit street numbering system for the Roy Roy Subdivision. There was no second to the motion.

Discussion followed concerning the possibility of annexing and the fact that Niles Road in Austin has one and two digits.

Motion

Councilmember Mullen moved that the Council approve the request of Mr. Jeffrey J. Wooley to allow the use of one and two digit street numbering system for the Rob Roy Subdivision. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

CITIZEN DID NOT APPEAR

MR. SAMUEL LEE GRAVES who had requested to submit a proposal for spot checking system for small cleanups working with the City ordinances for private property owners, did not appear.

PRESENTATION FROM SOROPTIMISTS

MS. BETTY KAISER, President of the Soroptimist Manor of Austin, appeared before Council to make a presentation. She told them they are going to publish a book concerning the leaders in Austin which will be similar to "Who's Who." They want to begin with the Mayor and Council so Ms. Kaiser presented letters to them with biographical data for them to fill in and submit. Mayor McClellan and Councilmembers thanked the Soroptimists.

ZONING HEARING

Mayor McClellan opened the public hearing scheduled for 9:40 a.m. on the termination of a restrictive covenant relating to Zoning Case C14-76-060.

Mr. Lillie, Director of Planning, told Council that in 1976 a zoning case was granted at Cameron Road and 290 East near Reagan High School for "GR" General Retail, with a covenant that prohibited certain uses. The reason for the covenant was expressed by Mr. Sledge representing the School Board that certain uses not be located close to Reagan High School that would invite students off campus. That covenant was adopted and was signed. Mr. Joseph is now interested in having that covenant removed for restaurant use. Policy of the City Council is that covenants be treated like new zoning cases and go back to the Planning Commission with notices sent. That procedure was followed, including a notice to the Austin Independent School District. No response was received from the notices sent and the Planning Commission has recommended on a 9-0 vote that the covenant be deleted with respect to restaurant use.

Mr. John Joseph, applicant, was present in the Council Chamber.

Motion

Councilmember Mullen moved that the Council close the public hearing and approve termination of a restrictive covenant relating to Zoning Case C14-76-060. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

PUBLIC HEARING ON APPEAL CONCERNING
STECK OFFICE PARK

Mayor McClellan opened a public hearing, scheduled for 10:00 a.m. on an appeal from Terrance Kendall, attorney for Steck Office Park, Ltd., on the Planning Commission's decision requiring Steck Office Park, Ltd. to be responsible for the cost of off-site water line grid pattern extension.

Mr. Bill Bulloch, Director of Water and Wastewater, showed a map to Council of the specific location. He said Steck Office Park is adjacent to two other subdivisions that have been developed in the past years. The specific request of the subdivision is to extend the 8" water line across the front of the property to complete the portion of the City water system. The improvement is adjacent to the property in question. Mr. Bulloch said Council should be aware that HSR subdivision was required to extend 800' of 8" water line down Steck Avenue. They did not need that to provide adequate water supply to their subdivision. Neither did the Woodlands need the connection in their area to provide adequate water supply for their subdivision. In the context of the subdivision process that the department has consistently applied "we have always asked property owners to extend basic water service in front of their property. The only times there have been variances to the policy has been when there has been a piece of property that's been at the end of the system where there is no

property beyond it that would be subdivided. Then there are negotiations between the staff and the property owner at the appropriate point to terminate the water line and provide service to the piece of property. Otherwise the requirement for extension across basic water service across the front of property has always been maintained by staff and people working with the development industry realize that and except in some instances, adhere to it. This area is building out very rapidly and there is a tremendous amount of infill in this area. This improvement is needed long term for the integrity of the system."

MR. TERRANCE KENDALL, attorney for Steck Office Park, appeared before Council, to say the water line required by the Planning Commission is not necessary for the construction of improvements on the Steck Office Park property. The water service is already available immediately adjacent to the subdivision boundary and the action of the Planning Commission will require his client to be responsible for the cost of completion of a water line grid that is not necessary for the subdivision and does not specifically benefit the subdivision. Mr. Kendall said they have attempted to ascertain whether or not there is authority for such a requirement and have concluded that such authority does not exist. The requirement appears to violate the City's policy as set forth in the resolutions adopted by the City Council on June 29, 1978 and January 11, 1979. Those resolutions state the City will not require completion of pipes and water lines just for off-site grid work. The only purpose of the proposed main the Commission put as a requirement is simply to complete that grid. The connection between the two services is already supplied by the pipe the Woodlands has put in. Mr. Kendall said the completion point is not on Steck Office Park property but is in the right of way for Steck Avenue. "I think that requirement would violate Texas law since the law says it has to benefit the complex in some way or be necessary to provide service, and it does not do either one. For that reason we have asked this Council, on appeal, to overturn the requirement by the Planning Commission that this water line off the Steck Office Park be completed."

Councilmember Mullen commented, "It sounds like we're treating this development as fair as anybody else and I don't see where we can start treating people differently. I don't think we are treating them any differently than any other developers that come in."

Motion

Councilmember Mullen moved that the Council close the public hearing, and deny an appeal from Steck Office Park on the Planning Commission's decision in requiring Steck Office Park, Ltd., to be responsible for the cost of off-site water line grid pattern extension. The motion was seconded by Councilmember Himmelblau.

Mr. Kendall returned to say, "Whether or not some other property owner along the line has agreed to that, I think the Council has set the policy and has not generally required completion of a grid where that grid is not necessary for the adjacent property for service and does not benefit it. We have completed the grid, we're simply being asked to put another water line down that does not benefit anybody in any way except for completion of the grid. What we are being asked to do that others are not is come along at a second point and put in an additional water line at our cost." Mr. Bulloch said they could have

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worked with additional properties and not require more than 400 feet of 8" line to satisfy only the water needs of HSR subdivision, not of the system. Mr. Bulloch said they were working with the Woodlands looking at their cost as they developed. He said they could have told them to put in the line on Steck Avenue and then let their engineers decide how to get back to the grid. Mr. Kendall said they have completed the grid by going down the left side of the page and going back to the existing water line. The grid has been completed. Councilmember Mullen said, "I am not an engineer and not an expert in these areas but if the staff says that is needed to properly complete the grid....based on the information I have that is why I made the motion and will stick by it."

Roll Call on Motion

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

HISTORIC DESIGNATIONS

Mayor McClellan opened the public hearing scheduled for 10:15 a.m. to consider amending Section 45-51(a) of the Austin City Code (Zoning Ordinance) providing that an application for demolition or removal of a designated Historic Landmark shall be accompanied by an application for removal of Historic designation.

Mr. Lillie, Director of Planning, told Council, "Back during the time the Woodburn House was being deliberated by the Landmark Commission, Planning Commission and Council, a relocation permit for the structure was approved to another location in the Hyde Park area. As you know, the zoning stays with the land, and what we had was an "H" Historic designation on the land with no structure there. At the time it was decided or agreed it was decided it was a useless exercise unless a removal permit and a request to change the designation occur at the same time, so it is possible to remove the "H" Historic designation with the structure as opposed to leaving it on the lot. The proposed ordinance amendment suggests that when an application for the removal or demolition has been received, an application also be considered for the removal of the designation itself. In addition, rather than just notice going to the owner, that owners of lots within 300 feet of the application also be notified of the relocation or demolition permit or removal of the Historic designation also be notified. This ordinance amendment has been reviewed by the Landmark and Planning Commission and is recommended for your consideration."

No one appeared to be heard.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ARTICLE IV OF CHAPTER 45 (ZONING ORDINANCE) OF THE 1967 CODE OF THE CITY OF AUSTIN; AMENDING SECTION 45-51(a) THEREOF; PROVIDING THAT AN APPLICATION FOR DEMOLITION OR REMOVAL OF A DESIGNATED HISTORIC LANDMARK SHALL BE ACCOMPANIED BY AN APPLICATION FOR REMOVAL OF HISTORIC DESIGNATION; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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Councilmember Mullen moved that the Council close the public hearing, waive the requirement for three readings, and finally pass the ordinance. The motion, seconded by Mayor McClellan, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Himmelblau

The Mayor announced that the ordinance had been finally passed.

RECESS

Council recessed its meeting at 11:45 a.m. and resumed its recessed meeting at 2:17 p.m.

CHRISTOPHER CROSS RECOGNIZED

Christopher Cross, Austin musician, who recently won five Grammy awards, was welcomed to the Council Chamber by Mayor McClellan and members of the Council. Mr. Cross appeared with his wife and small son to receive a proclamation and plaque honoring his achievements in the music field. He thanked the Mayor and Council for the recognition.

AQUATIC TASK FORCE REPORT

Mayor McClellan opened the public hearing, scheduled for 2:00 p.m. on the Aquatic Task Force Report.

Mr. Leonard Ehrler, Director of Parks and Recreation, presented the Aquatic Task Force Report to Council. "As was previously brought before you, in order to set up this public hearing, and at the direction of the Council, an Aquatic Task Force was formed six months ago to study the problems that have arisen from the use of our public pools by private instructors and by day care centers. We have all but two of the Task Force members in the Council Chamber today." He said the Task Force had worked long and diligently to formulate policies which the department and private individuals can live with. Mr. Ehrler then reviewed the proposed policies. (Copy on file in the City Clerk's Office.)

JO MARTIN, a member of the Task Force, said at the time they met they agreed Red Cross instruction would not be restricted to just municipal pools. She said the policy states under VI. F. "Red Cross is assigned to municipal pools."

MR. PRENIS WILLIAMS, Superintendent of Athletics and Aquatics, told Council that this can be amended. The thinking on it was that swimming instruction should be confined to the larger pools.

CYNTHIA RYLAND appeared before Council to state that the recommendation of one person supervising seven children is not enough. The ratio should be smaller. She also said she does not think that if a child is at a pool for a swimming lesson, the child should be required to pay an entrance fee also.

Mr. Ehrler stated the entrance fee will not be required.

ROSE LANCASTER, representing Extend-A-Care, said they did not know about this public hearing and would like more time.

Mayor McClellan said there should be an additional public hearing so day care centers can participate. She suggested March 26, 1981 at 2:00 p.m.

LARRAINE BENEDICT, a member of the Task Force, said she would like to have a letter sent out explaining the questions which the Task Force was dealing with. She also said she wanted to go on record and say they notified all the centers about the Task Force.

Motion

Mayor Pro Tem Trevino moved that the Council continue the public hearing on the Aquatic Task Force Report on March 26, 1981 at 2:00 p.m. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

Noes: None

PUBLIC HEARING - CITIZEN VIEWPOINTS ON FY 1981-82 CDBG PROGRAM

Mayor McClellan opened the public hearing scheduled for 2:30 p.m. on Citizen Viewpoints on the FY 1981-82 CDBG (Community Development Block Grant) Program. She said the purpose of the hearing is to give citizens the opportunity to express their viewpoint on local needs and priorities for the 1981-82 Community Development Block Grant Program. This is the third of three public hearings on the general needs assessment. The first two were held on March 2 and March 5 by the Joint Subcommittee of Community Development Commission and the Planning Commission. The needs identified during the initial public hearings even though there will be no action, will be useful to the joint subcommittee and to the staff during their review of CDBG proposals. The Council is scheduled to act on the proposed 1981-1982 Community Development Block Grant application on May 7.

Mr. Carlos Herrera, Director of Human Services, said many people from the community have attended the public hearings. He reported there have been no new needs identified. One recent issue which has been discussed is a program of fire alarm protection to houses in the target area. This has been advanced by the Fire Department.

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MS. CLOTHILDE DAVIS, Supervisor, CDBG Unit, reviewed the major category of needs which have been discussed at the earlier needs assessment hearing of the Joint Subcommittee. They are housing rehabilitation as well as new construction of housing; neighborhood preservation; concern with stopping displacement and providing control to neighborhood organizations in the development of their neighborhoods; improving park facilities, including paving streets, providing street lights, sidewalks, drainage, etc.; economic development activities including assistance to businesses and loan packaging; and along with the proposal of the Fire Department the provision of smoke alarms in houses in the CDBG target areas; health care facilities in the Mt. John's area for senior citizens.

BOB GARRETT appeared and said the Black businessmen should be able to make it in Austin if they are given money for their businesses.

DOROTHY MALONE, a citizen of East Austin speaking for ACORN, wants streets paved, better parks and drainage problems solved.

KEN CASWELL, manager of Austin Symphony, discussed Symphony Square and said some aspects of the Square have not been completed. He asked assistance with improvements which would enhance the area.

NANCY WARD, from Max Gotchman Center for Cerebral Palsy, spoke in favor of the removal of architectural barrier program.

RANDY KISCHNEK, from United Cerebral Palsy, spoke of their program and the good they do in Austin.

STAN PINTO, recipient of a grant for his son from United Cerebral Palsy expressed gratitude for the work done by the organization.

VIC RICHTER, a recipient of help from United Cerebral Palsy, said they have put in a sidewalk on the side of his house so his wheel chair can move more freely. He wants to see the program continued.

CYNTHIA RYLAND, member of CCEMP Task Force, expressed her support and agreement with the cause to help handicapped people who live in the target area.

SUZIE HENDERSON appeared to speak in favor of Vaughn House. She said there are 19 deaf clients in a halfway house. They have a sheltered workshop and serve 30 clients.

HARLEY D. WILLIAMS spoke of the many problems in the Black community which need CDBG fund help. Some of them are unemployment, child abuse, school drop out, and protection and help for senior citizens.

GILBERT HERRERA, Director of Development for EACEDC, said they help people to appear before Council to ask for their needs.

CLYDE McQUEEN, Austin Centex Chapter of the National Business League, stated, "We would like to go on record as officially thanking the City Council for allowing us the opportunity to participate in the CDBG corridor revitalization program, providing us funding for the hiring of a staff and the maintenance

of our office to coordinate our activity. We believe the community based economic development, wherein community organization and their constituents are allowed to plan and implement strategy which they perceive is necessary for the revitalization and upgrading of our overall economic climate is essential to the development of our community. Since our inception five years ago we have strived for this end. We are also proud of what we have accomplished with those funds. We have packaged and secured at this point 16 packages for start up and expansion financing totalling \$1,404,137.00. According to economist figures, one job is either created or retained for every \$20,000 of new money created. Using this formula, we have either created or retained at least 68 jobs through our activities. We also presently have pending approximately three loans totalling \$159,531 that appear to be positive. If these loans are approved, an additional seven jobs will be added. These 16 packages exceeded our City contract requirements of 14 and we still have two months to go to go on our contract. In addition, we have also sponsored 5 workshops, with 142 persons in attendance that focus on tax accounting, cost management, consumer cooperatives and the like. This exceeds our projected number 4 for the year. We now have 20 consultants in a volunteer consultant pool who serve as free resource to our clients. We provide management and technical assistance to 117 persons and have outreach activities which have reached 150 persons. In our grant, approximately \$50,000 have been expended on personnel. The dollars spent on personnel versus the dollars procured in financing, shows the City of Austin gets \$28.00 back for every dollar they invest in our program." 31

JOYCE BURROUGH, representing Huston-Tillotson College, talked of the good being done by their Home and Family Center. She said they need funds to run it.

A representative of EACEDC asked Council to continue their funding for 1981-82.

Ernest Perales, Austin Minority Economic Development Corporation, recommended that the following be carried out to address the economic revitalization of the target areas:

1. Improve the physical appearance of corridor areas to attract market from outside areas.
2. Improve storefront appearance of corridor area businesses to attract new market from outside areas.
3. Develop new and unique small businesses and light industry in business sectors that will attract new customers. Utilizing vacant lots and buildings in corridor streets.
4. Increase parking in the corridor streets by utilizing the vacant lots and by redirecting traffic flow where feasible and compatible with the total community.
5. Select specific targeted block areas by phases to make improvements more visible.
6. Leverage low income business and improvement loans and generate building grants to specific targeted block areas.

7. Market and promote the improved areas to the community at large. 32
8. Provide business loan packaging assistance to CDBG area residents on new markets.
9. Provide management technical assistance to new and existing businesses in the CDBG areas.
10. Develop corridor area business associations to promote the areas as complete community market areas.
11. Research and study other financial alternatives for new and existing businesses in CDBG areas. (i.e. franchises, consignment sales, trade, joint ventures).

SUZANNE SLEY, Independent Living Skills Coordinator for MIGHT, and ARCIL (Austin Resource Center for Independent Living), addressed the question of housing for the disabled in Austin. She said they are trying to assist individuals to become more independent in the community in a variety of services. The big problem they have is there is no place for them to move to. More accessible housing is needed for fixed income citizens.

DARIUS McDONALD, Travis County Extension Agent, spoke in behalf of the Family Life Learning Center proposed for Huston-Tillotson College. He said a lot of community development resources can be pooled in working from this agency. He asked for support in their endeavors.

JULIAN CERRA, who works for Huston-Tillotson College, said they need help in their Family Life Learning Center.

MELVIN FLOWERS, member of the Joint Subcommittee, spoke about the demand for housing in the various areas of East Austin. He said it looks like the lack of housing is going to be one of the biggest shortcomings and help will be needed in this area.

A woman who did not identify herself, said the Family Life Center at Huston-Tillotson College needs financial aid.

Mayor Pro Tem Trevino pointed out there has been more than one speaker who has talked about physical improvements in the neighborhood. He maintains this is the responsibility of the City to do through bond money and release Federal money to be used for activities that cannot be done with our tax money. "I would urge you to consider as we begin to put together a bond package that we keep this in mind and include it in a bond package so we can have use of limited monies and spread them out a little more judiciously."

Mayor Pro Tem Trevino moved that the Council close the public hearing. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmembers
Goodman, Mullen

ACTION ON ZONING CASE

Council was scheduled to take action on Zoning Case No. C14-80-224, James Willis and Ida Mae Whatley, by Jim Akin, 1908 and 1910 West 35th Street.

Ms. Donna Kristoponis, Assistant Director of Planning, reviewed the case for Council.

Councilmember Himmelblau discussed the possibility of a restriction against a three-story office building being constructed on the two lots. She pointed out her concern during the previous hearing on this case had been the question of ingress and egress and these problems have not yet been solved. She asked what the maximum size of a building would be which could be constructed on the lots.

Ms. Kristoponis said she would have to research the answer. Council then continued with its regular agenda and came back later to discuss the case. Ms. Kristoponis told them a building of 7,150 square feet could be built. Councilmember Himmelblau said that worries her because there could be more than two doctor's offices, which is what the applicant says will be built there at the present time. Assistant City Attorney Albert DeLaRosa said there could be a restrictive covenant. Ms. Kristoponis reminded Council that at the previous hearing the applicant had discussed the possibility of obtaining the corner lot.

JIM AKIN, attorney representing the applicant, told Council the applicant does not have the lot yet. They do have a viable alternative for ingress and egress with ingress being on 35th Street and egress through the alley. The adjoining property owners are in agreement with this arrangement. There will be no parking in the alley and appropriate signs will be placed on Jackson.

Councilmember Himmelblau said she had received comment from the property owner at 1913 West 36th Street who objects to the use of the alley. Mr. Akin stated the owner had not indicated opposition to him. Councilmember Himmelblau once again expressed her concern for the size of the building on the lot. Mr. Akin told her that two local physicians wish to build a small office building which will not hinder the surrounding property owners. Councilmember Himmelblau reminded him that once the zoning is granted they can build out to whatever the ordinance permits. She feels the area is too sensitive to be zoned with a covenant and will create problems not conducive to residential living. Mr. Akin said he has a preliminary site plan which shows the maximum number of square feet on the first floor to be 4,000. Mr. DeLaRosa said the number of square feet can be restricted and the staff can meet with the applicant and bring this back next week with recommendations. Councilmember Himmelblau said she would like to see the following before she votes for "O-1" Office zoning: a one story site plan of not more than 4,000 square feet and a written agreement from all people adjoining the alley that they do not oppose the use of the alley for egress. Councilmember Mullen said it is difficult to get an agreement from adjoining property owners. Councilmember Himmelblau said she would waive the agreement from property owners but wants the zoning tied to a site plan. Discussion followed concerning the size and Mr. Akin said a one-story building automatically limits the size.

MS. DOROTHY RICHTER asked if Urban Transportation can look at the zoning request. She is concerned about the amount of traffic on West 35th Street.

Councilmember Himmelblau asked questions of Dr. Benson, Director of Urban Transportation, and ascertained that with a site plan, his department would look at the ingress-egress question.

Motion

Councilmember Himmelblau moved that the Council grant "0-1" Office contingent on site plan for one story building with comments from Urban Transportation concerning ingress and egress, on Zoning Case No. C14-80-224, James Willis and Ida Mae Whatley. 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

The Mayor announced that the change had been granted to "0-1" Office, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

CONTRACTS APPROVED

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

Bid Award:	- Generic Pharmaceuticals for Brackenridge Hospital and Health Department Twelve (12) Month Supply Agreement Estimated \$1,257,961.65
AMFAC DRUG COMPANY 11927 Warfield San Antonio, Texas	- \$197,439.98
SOUTHWESTERN DRUG CORPORATION P. O. Box 1231 San Antonio, Texas	- \$137,926.84
UPJOHN COMPANY P. O. Box 225451 Dallas, Texas	- \$115,519.52
ABBOTT LABORATORIES P. O. Box 225295 Dallas, Texas	- \$79,689.99
AMERICAN RED CROSS 1124 Austin Avenue Waco, Texas	- \$76,671.92

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ELKINS SINN, INC. 4116 Bronze Way Dallas, Texas	- \$68,769.98
E. R. SQUIBB & SONS P. O. Box 1510 Houston, Texas	- \$68,326.35
BRISTOL LABORATORIES P. O. Box 657 Syracuse, New York	- \$62,259.04
MERCK SHARP DOHME 925 111th Street Arlington, Texas	- \$57,038.82
PARKE DAVIS COMPANY P. O. Box 225206 Dallas, Texas	- \$33,971.38
PFIZER, INC. P. O. Box 22249 Dallas, Texas	- \$27,821.42
HOECHST PHARMACEUTICALS, INC. Route 202-206 North Somerville, New Jersey	- \$25,586.18
ROCHE LABORATORIES 2727 Northaven Road Dallas, Texas	- \$22,733.07
WYETH LABORATORIES 8717 Directors Row Dallas, Texas	- \$22,177.34
ALPHA THERAPEUTICS 820 Mission Street South Pasadena, California	- \$21,379.14
BEECHAM LABORATORIES P. O. Box 5883 Arlington, Texas	- \$18,449.00
MALLINCKRODT DIAGNOSTICS P. O. Box 5439 St. Louis, Missouri	- \$16,295.35
LEDERLE LABORATORIES P. O. Box 225731 Dallas, Texas	- \$15,728.74

JANSSEN PHARMACEUTICAL, INC. 3129 Pinewood Drive Arlington, Texas	- \$15,688.00
WINTHROP LABORATORIES 6627 Maple Avenue Dallas, Texas	- \$13,629.12
S K & F LAB CO. P. O. Box 1983 Carolina, Puerto Rico	- \$13,500.16
ORGANON PHARMACEUTICALS 4301 Pleasantdale Road Atlanta, Georgia	- \$13,216.04
MARION LABORATORIES, INC. P. O. Box 9627 Kansas City, Missouri	- \$13,019.50
ENDO LABORATORIES 4956 West Belmont Avenue Chicago, Illinois	- \$11,868.70
J. B. ROERIG COMPANY P. O. Box 22249 Dallas, Texas	- \$10,649.99
CUTTER LABORATORIES P. O. Box 400358 Dallas, Texas	- \$10,080.00
EATON LABORATORIES P. O. Box 5490 Dallas, Texas	- \$9,317.33
INVENEX PHARMACEUTICALS 9203 Chancellor Row Dallas, Texas	- \$8,380.75
McNEIL LABORATORIES 3129 Pinewood Drive Arlington, Texas	- \$7,172.52
AMSCO MEDICAL PRODUCTS 2828 West 23rd Street Erie, Pennsylvania	- \$6,978.00
ORTHO DIAGNOSTICS Highway 202 Raritan, New Jersey	- \$6,822.00
PHILIPS ROXANE LABORATORIES P. O. Box 1738 Columbus, Ohio	- \$8,168.60

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KNOLL PHARMACEUTICAL COMPANY - \$6,522.84
30 North Jefferson Road
Whippany, New Jersey

E. FOUGERA COMPANY - \$6,204.66
P. O. Box 730
Hicksville, New York

U.S.V. PHARMACEUTICAL COMPANY - \$6,138.00
P. O. Box 3040
Bridgeton, Missouri

SAVAGE LABORATORIES - \$5,907.96
P. O. Box 1000
Missouri City, Texas

MERRELL-NATIONAL LABORATORIES - \$5,749.84
P. O. Box 15250
Cincinnati, Ohio

SCHERING CORPORATION - \$5,639.25
1921 Gateway Drive
Irving, Texas

STUART PHARMACEUTICALS, INC. - \$5,524.33
P. O. Box 2376
Wilmington, Delaware

Total: \$1,257,961.65

The motion, seconded by Councilmember Himmelblau, 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

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

WESTINGHOUSE ELECTRIC CORP. - Emergency Vorescopic Examination
1455 West Loop South of Holly #1, high pressure turbine
Houston, Texas rotor, Holly Power Plant -
Estimated Total - \$50,000

The motion, seconded by Councilmember Mullen, 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

CAPITAL IMPROVEMENTS PROGRAM

Councilmember Himmelblau moved that the Council adopt a resolution approving a Change Order in the amount of \$29,854.80 to Austin Testing Engineers, Inc. for Upper Walnut Creek Wastewater Interceptor, Phase I, CAPITAL IMPROVEMENTS PROGRAM No. 72/23-05. The motion, seconded by Councilmember Mullen, 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

Prior to the vote Councilmember Himmelblau said this is a lot of money for a Change Order, especially when \$25,000.00 has already been spent. Mr. Bill Bulloch, Director of Water and Wastewater, told her that more blast monitoring was required than had been anticipated. Councilmember Himmelblau said she would move approval since the money had already been spent, but she does not like it.

WATER TAP AUTHORIZED

Councilmember Mullen moved that the Council adopt a resolution authorizing a 4-inch water tap for service to Water District 10 from the Southwest Austin Transmission Main in Bulian Lane (No cost to City). Capital increment fee to be charged and the tap will be installed with no charge to the City. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Noes: Mayor Pro Tem Trevino

Not in Council Chamber when roll was called: Councilmember Goodman

Prior to the vote, JOE RIDDELL appeared before Council and said that if the water tap is approved it will take away the usefulness of the line and therefore, Water District 10 should pay a \$50,000 charge. Councilmember Himmelblau wondered how they could charge more than the incremental fee. Mr. Riddell told her they were in a good bargaining position.

CLIFF DRUMMOND, Vice-President, Water District 10, told Council that they should have a second source of supply because of the serious fire flow problem. The tap is not needed for new service, but is needed for safety precautions. He said they will pay for the cost of the tap themselves.

Councilmember Himmelblau said she would second the motion, if the Council Meeting minutes include that the capital increment fee be charged and the tap will be installed with no charge to the City.

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AGENDA ITEM TO BE BROUGHT BACK

A resolution to consider appointing members of a Citizens' Technical Task Force for Alternatives Analysis of major transit options for Austin, will be included in the March 19, 1981 Agenda.

DEAF INTERPRETER AT COUNCIL MEETINGS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1980-81 BY APPROPRIATING \$2,178.00 FROM THE GENERAL FUND ENDING BALANCE TO PROVIDE FOR A DEAF INTERPRETER AT REGULAR CITY COUNCIL MEETINGS; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

Noes: Councilmembers Cooke, Himmelblau

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

Prior to the vote, Councilmember Himmelblau said a communication had come from the deaf community that the use of an interpreter could be handled on demand. Mr. Floyd Bermea, Special Assistant to the City Manager, said it would be preferable to have an interpreter for the deaf at all the meetings. Councilmember Mullen asked that a record be kept of the utilization of the interpreter because he thinks it is silly to have the service at each meeting if there is no one in the Council Chamber who needs it.

AGENDA ITEM TO BE BROUGHT BACK

A resolution considering the definition of the scope of responsibilities of the Task Force for Downtown Development, will be brought back March 19, 1981.

CABLE TV WORK SESSIONS AND PUBLIC
HEARINGS SET

Mayor Pro Tem Trevino moved that the Council set the following work session and public hearing pertaining to the proposed cable TV franchise agreement:

Work Session - 7:30 p.m. on March 23, 1981

Public Hearing - 8:00 p.m. on March 31, 1981

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Mayor
Pro Tem Trevino, Mayor McClellan 40
Noes: None

Councilmember Goodman moved that the Council set an additional work session on April 7, 1981 at 7:00 p.m. The motion, seconded by Councilmember Himmelblau, carried unanimously.

CITIZEN COMMUNICATION

MR. BOB GARRETT, who was scheduled to appear during Citizen Communications earlier in the day, but did not appear at that time, spoke to Council. He said he is a member of the third army working underground to see how the City Council operates. He concluded by reading a poem.

ADJOURNMENT

Council adjourned its meeting at 5:21 p.m.

APPROVED:


Mayor

ATTEST:


City Clerk