

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 19, 1981
6:00 P.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

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

Absent: None

The Invocation was given by Reverend Stephen Whitfield, St. David's Episcopal Church.

SPECIAL GUESTS

Mayor McClellan recognized the presence in the Council Chamber of Dr. Ian Doig of Sydney, Australia who is a visiting professor at the Department of Chemical Engineering, University of Texas. The Mayor also introduced Dr. Doig's wife, Robin and son, Bruce. Mayor McClellan presented Dr. Doig with a Certificate of Honorary Citizenship and also a key to the City of Austin. Dr. Doig thanked the Mayor and Councilmember Himmelblau who helped present the awards. He said it is an honor and a privilege to be in Austin and gave a road sign to the Mayor which warned of kangaroos in the area. Mayor McClellan accepted the sign with appreciation. Dean Gloyna, College of Engineering, was also present at the podium.

ENGINEER'S WEEK ✓

Mayor McClellan read a proclamation designating the week of February 22-28, 1981 as Engineer's Week in Austin. Mr. Gerry Fox accepted the proclamation, along with Dean Glynna, S. A. Garza, George Human, John German, Ben Alley, Robert Lee, James Thompson, and Adrian Huckabee.

Mr. John German, Director of Public Works, announced to Council that the repair work done on the Congress Avenue Bridge has won first place award for design, awarded by the New York Association of Consulting Engineers, Engineering Excellence competition. Mr. German explained that the firm which did the design work on the bridge has its headquarters in New York.

BRAILLE SIGNS FOR THE BLIND WEEK

Braille Signs for the Blind Week will be observed February 22, 1981 to March 1, 1981, according to a proclamation read by the Mayor and accepted with appreciation by Sue Baum, Terry Monaghan, Margerine Beaman, and Charles Vanhoutan.

FREEDOM WEEK

Dan Valdez was in the Council Chamber to accept a proclamation, read by Councilmember Mullen, designating February 22-28, 1981 as Freedom Week. This was sponsored by the Sertoma Club.

AUSPEX '81 DAYS

Austin Stamp Club will observe AUSPEX '81 Days February 21 and 22, 1981 according to a proclamation read by the Mayor and accepted by Howard Eads, Chairman, AUSPEX '81.

APPROVAL OF MINUTES POSTPONED

Council asked that approval of the Minutes for February 12, 1981 be postponed because they have not yet read them.

BOARDS AND COMMISSIONS

Mayor McClellan announced the following Board and Co-mission appointments will be made at the February 26, 1981 Council Meeting:

Building Standards Commission - 2
EMS Quality Assurance Team - 1
Ethics Review Commission - 1
On-Going Assemblies Committee - 5
MHMR Public Responsibility Commission - 1
Urban Transportation Commission - 5

Capital Area Planning Council - 1
Police Department Internal Affairs Committee - 1 Council representative
Employees Retirement System, City of Austin - 1 Council representative
Social Policy Advisory Committee - 1 Council representative
Renewable Energy Resources Commission - 1
Water Quality Review Board - 1

CAPITAL IMPROVEMENTS PROGRAM

Councilmember Himmelblau moved that the Council adopt a resolution approving acquisition of the following land for East Riverside Drive, Summit to IH-35. CAPITAL IMPROVEMENTS PROGRAM No. 73/62-03:

5,385 square feet of land out of the Santiago Del Valle Grant.
(Tom H. Davis, Trustee)

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

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

AERIAL SURVEY

Councilmember Himmelblau moved that the Council adopt a resolution selecting United Aerial Mapping for professional services in connection with Aerial Survey, Planimetric and Topographic Mapping Program - Phase III A (1981). The motion, seconded by Councilmember Cooke, carried by the following vote:

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

WASTEWATER APPROACH MAIN

Councilmember Himmelblau moved that the Council adopt a resolution approving the following wastewater approach main:

LARRY PEEL - For construction of an 8-inch wastewater approach main to serve Neeley Canyon. Estimated cost participation by the City will be \$34,238.00 which includes a 6% engineering fee.

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

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

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UTILITY POLE AGREEMENT

Councilmember Himmelblau moved that the Council adopt a resolution approving a Utility Pole Agreement allowing the State of Texas to install a traffic control system using City of Austin utility poles on Bee Caves Road from Westlake Drive to Camp Craft Road and U.S. Highway 290 from Brodie Lane to Travis Country Boulevard. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

CONTRACTS APPROVED

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

J. C. EVANS CONSTRUCTION COMPANY, INC. -	CAPITAL IMPROVEMENTS PROGRAM -
919 East 32nd Street	Southwest "A" Water Service Area
Austin, Texas	Improvements - Davis Hill
	Utilization Project - \$22,732.00
	C.I.P. No. 81/22-04

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

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

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

AUSTIN CONCRETE WORKS, INC.	-	Concrete Products, Water and
801 Airport Boulevard		Wastewater Utility, Public Works and
Austin, Texas		Electric Utility Departments
		Twelve (12) Month Supply Agreement
		Items 1-8, 10-58 - Total \$288,154.00

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

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

Councilmember Himmelblau moved that the Council adopt a resolution approving the following contract: 5

BANCROFT PAPER COMPANY
2201 East Sixth Street
Austin, Texas

- Poly Bag Liners, Central Stores
Six (6) Month Supply Agreement
Items 1 thru 5 - \$9,944.00

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

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

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

BOUND TO STAY BOUND BOOKS, INC.
West Morton Road
Jacksonville, Illinois

- Juvenile Prebound Books, Austin
Public Libraries
Item 1 - \$45,000

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

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

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

PPG INDUSTRIES
624 North Lamar Boulevard
Austin, Texas

- Swimming Pool Paint, Parks and
Recreation Department
Item 1-4 - \$5,469.85

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

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

AUSTIN BIKEWAY PLAN

Councilmember Himmelblau moved that the Council adopt a resolution authorizing submission of a letter of interest to the U.S. Department of Transportation to consider supplemental funding for the implementation of the Austin Bikeway Plan. (Proposed budget \$500,000 - 100% Federal funding) The motion, seconded by Councilmember Cooke, carried by the following vote:

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

NATIONAL RIDESHARING DISCRETIONARY FUNDING PROGRAM

Councilmember Himmelblau moved that the Council adopt a resolution authorizing submission of a letter of interest to the U.S. Department of Transportation for consideration in the National Ridesharing Discretionary Funding Program. (Proposed budget \$400,000 - 75% Federal funding; 25% City Participation) The motion, seconded by Councilmember Cooke, carried by the following vote:

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

BUS SHELTERS

Councilmember Himmelblau moved that the Council adopt a resolution authorizing submission of a letter of interest to the U.S. Department of Transportation to consider funding the purchase and installation of bus shelters under the Comprehensive Transportation Systems Management Program. (Proposed budget \$115,450 - 100% Federal funding) The motion, seconded by Councilmember Cooke, carried by the following vote:

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

CETA CLASSROOM TRAINING

Councilmember Himmelblau moved that the Council adopt a resolution authorizing an increase in the current contract with Texas Employment Commission in the amount of \$302,000 to provide allowance payments for CETA Classroom training participants enrolled in Titles II-B, IV and VII for fiscal year 1981. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

LIBRARY CONTRACT

Councilmember Himmelblau moved that the Council adopt a resolution approving a contract in the amount of \$147,465 (federal funds) between the City of Austin (Austin Public Library) and the Texas State Library for the operation of the Central Texas Library System Office. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

TEMPORARY STREET CLOSING

Councilmember Himmelblau moved that the Council adopt a resolution approving temporarily closing San Pedro from 2600 block of 26th Street to Poplar on February 20, 1981 from 2:20 p.m. to 6:30 p.m., as requested by Mr. Robert Liener, representing Alpha Epsilon Pi Fraternity. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

CETA

Councilmember Himmelblau moved that the Council adopt a resolution entering into a non-financial agreement with local proprietary schools to operate vocational education programs for CETA (Comprehensive Employment Training Act) eligible individuals for FY 1981. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

SITE PLAN

Councilmember Himmelblau moved that the Council approve site plan: C14-80-055 Hughes, Boatright, Adams, Williams, Neely, Law, Coopwood and Crow and Associates, Neely Drive and Spicewood Springs Road. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

PUBLIC HEARINGS SET

Councilmember Himmelblau moved that the Council set a public hearing for March 19, 1981 at 7:15 p.m. on an appeal from Mr. Rudolph Williams of the Building Standards Commission's decision to deny him a moving permit to relocate a structure from 40 East Avenue to 1910 East 18th Street. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Councilmember Himmelblau moved that the Council set a public hearing for March 5, 1981 at 2:00 p.m. on the elimination of the declining block concept on all electric rates. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Councilmember Himmelblau moved that the Council reschedule the public hearing on the City Manager Report on Cable Television Franchise Negotiations for March 23, 1981 at 7:00 p.m. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

FIVE YEAR APPROACH MAIN

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN APPROACH MAIN CONTRACT WITH THE AUSTIN CORPORATION; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES 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 Goodman, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

GENERAL FUND AMENDED

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

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1980-1981 BY TRANSFERRING \$27,700 FROM THE GENERAL FUND ENDING BALANCE TO THE 1980-1981 OPERATING BUDGET OF THE MUNICIPAL COURT FOR THE PURPOSES OF FUNDING POSITIONS FOR HANDLING THE DELINQUENT PARKING NOTICE SYSTEM AND PROVIDING FOR FUNDS FOR MERIT INCREASE FOR MUNICIPAL COURT JUDGES AND THE COURT CLERK; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

CONNECTION CHARGES

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

AN ORDINANCE PRESCRIBING AND LEVYING NEW CHARGES FOR CERTAIN CONNECTIONS TO THE WATER SYSTEM AND WASTEWATER SYSTEM OF THE CITY OF AUSTIN; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

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

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mullen

Noes: Mayor Pro Tem Trevino

Abstain: Councilmember Himmelblau

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

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:

LOT 2, GRUVER-HAYNES SUBDIVISION, LOCALLY KNOWN AS 4025 MANCHACA ROAD, FROM INTERIM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O-1" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND PROVIDING AN EFFECTIVE DATE. (Delilah M. Haynes, C14-80-221)

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

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

Noes: None

Abstain: Councilmembers Goodman, Himmelblau

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

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:

LOT 12, OUTLOT 5, DIVISION "E", ORIGINAL CITY OF AUSTIN, LOCALLY KNOWN AS 1104 WEST AVENUE, FROM "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND PROVIDING AN EFFECTIVE DATE. (Stratton, C14-80-222)

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

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

Noes: None

Abstain: Councilmembers Goodman, Himmelblau

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

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:

AN APPROXIMATE 17,639 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 816-818 WEST 11TH STREET, FROM "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND PROVIDING AN EFFECTIVE DATE. (George S. McGee, Trustee, C14-80-225)

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

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

Noes: None

Abstain: Councilmembers Goodman, Himmelblau

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

Mayor McClellan brought up the following ordinance for its second reading: 12

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 7,574 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 2704-2708 RIO GRANDE AND 2705-2707 SALADO, FROM "O" OFFICE, SECOND HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND PROVIDING AN EFFECTIVE DATE. (C14-80-227)

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

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

Noes: None

Abstain: Councilmembers Goodman, Himmelblau

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

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:

A 546 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 6929-B MANCHACA, 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; AND PROVIDING AN EFFECTIVE DATE. (Allied Development Company, C14-80-240)

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

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

Noes: None

Abstain: Councilmembers Goodman, Himmelblau

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

Mayor McClellan brought up the following ordinance for its first 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:

TRACT 1: A 2.398 ACRE TRACT OF LAND, SAVE AND EXCEPT A 0.1921 ACRE TRACT OF LAND HEREINBELOW DESCRIBED AS TRACT 2, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2: A 0.1921 ACRE TRACT OF LAND, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, THIRD HEIGHT AND AREA DISTRICT;

ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 1208-1216 EAST LIVE OAK STREET; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND PROVIDING AN EFFECTIVE DATE. (Asa E. Rutledge, C14-80-041)

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

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

Noes: None

Abstain: Councilmembers Cooke, Goodman

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

ORDINANCE POSTPONED

Councilmember Mullen moved that consideration of an ordinance creating the City of Austin Deferred Compensation Plan for City employees; establishing the Deferred Compensation Committee and providing for the power and duties of the Deferred Compensation Committee, be postponed until February 26, 1981. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Noes: None

AQUATIC TASK FORCE

Mr. Leonard Ehrler, Director of Parks and Recreation, reported on the Aquatic Task Force which was appointed to study the use of public (City) pools by Day Care Centers and private instructors. He referred to proposed policies, which Council received. Mayor McClellan said this needs a public hearing and set one for March 12, 1981 at 2:00 p.m.

FUNDING ALTERNATIVES FOR DEAF INTERPRETERS

Ms. Lee Thomson, Budget Director, reported to Council that the total cost for an interpreter for the deaf at Council Meetings for the remainder of this fiscal year will be approximately \$7,000. Assuming there will be 31 Council meetings between March 5 and September 30 and the meetings average eight hours in length, the cost of providing licensed interpreters will be \$2,178. Since the Austin Community Television (ACTV) currently televises these meetings, its manager has indicated a willingness to provide a split screen broadcast that would show the interpreter. To accomplish this, ACTV will need to purchase the following equipment: 1 camera @ \$2,300; 1 special effects generator @ \$1,700; 1 synchronizer unit @ \$500; and 1 tripod for \$200; for a total of \$4,700.

Councilmember Cooke ascertained from Ms. Thomson that the ending balance is down \$2.6 million from \$4.6 million. Mayor McClellan suggested this be posted for action next week. She said in the meantime the funding should be discussed with ACTV. Ms. Thomson told Council that using the General Fund is the only alternative. Councilmember Himmelblau wondered about CETA funds and Floyd Bermea, Special Assistant to the City Manager said Texana Conn quoted the figure of between \$5.50 and \$8.00 for the interpreter which includes a finder's fee for each meeting. Mayor McClellan thought they should try to have the same person each week so they do not have to pay a finders fee each week. Ms. Thomson said Mr. Herrera had told her this is not eligible for CETA funding. Councilmember Cooke cautioned Council that the ending balance is getting dangerously low. Mayor McClellan expressed her feeling that the amount is small and she would like to have an interpreter for Council meetings.

City Manager Davidson stated, "I'd like to address that and I hope this will not disagree with anything that either you or Mr. Cooke have said. The ending balance and the condition of the General Fund is very important. The fact is that the ending balance is, at this time, a great deal less than what we anticipated at the time the City Council adopted the budget. I sent a communication to the Council advising that I have a series of teams operating right at this time trying to come up with some means of restoring the original ending balance level, which I think is absolutely essential. I do say and I'm not targeting any one of these proposals, but any such further erosion of the ending balance is going to make it more difficult to recover back to the point where we were at the time the budget was adopted. We're going to comply with any decision the Council makes. We're going to do our best to restore that balance, no matter what level your expenditures might be. But I just think that needs to be put on the record."

Mayor McClellan requested the question of an interpreter for the deaf for Council Meetings be brought back on February 26, 1981, for action.

FIRE AND BUILDING CODE ENFORCEMENT

Chief Kirkham presented the City Manager report on Fire and Building Code Enforcement in the City of Austin as follows: "We transmitted to you through the City Manager's office today a request that the Council begin consideration of a number of Building Code amendments. These are things that the Fire Department and Building Inspection Departments have been working on for

several months with Assistant City Manager Guymon Phillips and other representatives of the City Manager's office. As we explored this, in addition to examining our codes we've conducted research through several channels. The National Fire Protection Association, The United States Fire Administration, International Association of Fire Chiefs, and others. Some conclusions we've arrived at very definitely, and one is that our 1979 Uniform Building Code and Uniform Fire Code are as comprehensive and as up to date as any codes in existence in this country today. And we have well surveyed this.

"Beginning last summer, we began to take some positive steps including high rise rescue planning and training, a task force inspection program which has been concluded in all buildings more than 75 feet high. We have adopted a command control system, accelerated pre-fire planning and intensified code enforcement. One thing we've tried especially is to clarify the difference between a fire code and a building code. As mentioned in our transmittal, one fire code is no more retroactive than another in that they deal primarily with the actions and conduct of people within a building. Any retroactive changes would have to deal with the Building Code and to date we find no major city who has taken positive steps in that direction. Again, as we said in our transmittal, our record is very good in Austin."

Mr. Davidson addressed Council by saying, "Basically Chief Kirkham and Lonnie Davis have recommended that the City Council consider, through an adequate public hearing process, that smoke detector systems be installed within 12 months after adoption of the ordinance, which might not be for several months from today, if at all. That they be installed in all structures except for single family detached units and that consideration should be given for buildings above 75 feet in height to be retro-fitted with sprinkler systems. I suggest that if we are going to pursue these ideas to further improve the safety of citizens in this community that the Council allow me to appoint an informal citizens advisory review committee for 90 days to study this matter, both from a standpoint of economics and from a standpoint of how much fire safety this would provide. This would include building owners and managers, construction groups, people from the insurance industry, general citizens and certain representatives of boards and commissions that work with the Building Inspection Department. In addition, I pointed out in my cover memo to the Council, that should they decide to adopt any retroactive ordinance requiring the expenditures of money by owners of existing buildings, that we might want to consider asking the Legislative delegation to seek a Constitutional amendment so the people experiencing those costs might be able to reflect some property tax advantage in connection with those expenditures. These are some ideas I personally think are going to be sweeping the country and considered by City Councils all over the United States. No city in Texas has as yet adopted these changes although some are beginning to consider them. I submit this for your review, comment, and suggestions as to where this should go any time in the future."

Councilmember Cooke said he thought the City Manager should proceed. Council directed the City Manager to appoint a study group and proceed.

REVISED ZONING ORDINANCE

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Mr. Lillie, Director of Planning, presented to Council the concept of the Revised Zoning Ordinance, as follows: "For the past eight years this community with four Planning Commissions and three City Councils have supported the Austin Tomorrow Comprehensive Planning Program resulting in action in 1977 and again in 1979 by this Council, the adoption of the Comprehensive Planning Program. This set of policy guidelines reflected in that program with the prior goals program calls for a new and updated zoning ordinance. In 1979 the City Council adopted in their goals and priorities, under the comprehensive planning category that we establish a program for revising our forty year old Zoning Ordinance. It was placed in high priority by the City Council. Later that year the Council budgeted \$185,000 from HCD Block Grant money, not only to undertake the revision of that Zoning Ordinance, but also to undertake the drafting of the Historic Preservation Plan. Requests for Proposals were sent out to over 70 firms in this country. Ten firms responded and two firms were interviewed by a joint committee of the Planning Commission, the Landmark Commission and the Environmental Board. The selection of the Blauney-Dyett and Charles Hall Page joint venture was made by the Council and in the fall of 1979 the program began. Part of that program is a very strong position taken by the staff and Planning Commission that the program should be opened. In January, 1980 some 15 meetings were held with special groups, plus four community meetings to identify the perceptions of the community, and the problems they saw with the current zoning ordinance. Following that series of meetings a working paper was drafted by the consultant and in May a similar set of meetings was held with the same group to discuss the working paper. Following that set of meetings the consultants began to work on the ordinance." Mr. Lillie then introduced Mr. Bruce Anderson, representing the joint venture, who presented the document to the Council.

BRUCE ANDERSON, Vice-President of Charles Hall Page and Associates of San Francisco, introduced a member of his firm, Robert Glover, and Daniel Mandelker, Professor of Law at Washington University, St. Louis, who has provided legal guidance on drafting recommendations in three major aspects. Mr. Anderson said that this week they are presenting three products to the City. He said one is the recommended revisions to the Zoning Ordinance. The second is the summary report of the recommended revisions and third, a preliminary draft of the Austin Historic Preservation Plan. The latter is now undergoing review of the Historic Landmark Commission and Planning Department staff. The final document will be submitted to the Council in May. He then presented an overview of the revisions to the Zoning Ordinance. (Copy is on file in the City Clerk's office.)

Mayor McClellan then introduced members of the Planning Commission and Historic Landmark Commission who were present in the Council Chamber. Mr. Lillie then outlined the process which will be followed toward the adoption of a new zoning ordinance, and introduced Marie Gaines, who is the coordinator in the Planning Department.

Councilmember Cooke pointed out that interim zoning is a sore spot, and Mr. Lillie told him it is suggested to zone within 45 days after annexation. Councilmember Cooke asked about the energy impact and Mr. Lillie pointed out that provisions for solar energy are included in the planning.

CENTRAL BUSINESS DISTRICT RAIL RELOCATION STUDY

Mayor McClellan opened the public hearing, scheduled for 6:30 p.m., to consider the Austin Central Business District Rail Relocation Study.

Dr. Benson, Director of Urban Transportation, told Council this is a feasibility study, not a plan, which has been done so far. He said there are several alternatives and that three railroads are involved.

MR. ED SHIPMAN, a member of Harland Bartholomew & Associates, Inc., who prepared the study together with S. A. Garza Engineers, Inc., showed slides of the area.

MS. PAT GREGORY, Department of Urban Transportation, reviewed what has been done so far concerning the study and said their recommendation, after talking with several groups, is to relocate the rail center to McNeil Road.

Mayor McClellan read a letter into the record from Waldi Browning, West Austin Neighborhood Association:

"I was planning to speak to Item D.1. but had to leave for a 7:00 p.m. event at S.F.A.H. School and therefore, please accept this note. In a nutshell, my statement was requesting to integrate the Austin Central Business District Rail Relocation Study with a downtown task force and their plan for the Urban Renewal District in downtown Austin. The task force should have representatives from all kinds of Austin citizens. Consultants should be local and the goals and objectives for the consultants should be defined by the task force, resulting in a study that keeps the human element of this City in proper perspective in order to insure a lively, viable downtown Austin."

P. W. WRIGHT appeared and said Alternate 9 is not desirable.

JOE RIDDELL told Council the rails should not be pulled out and questioned the use of public money to enhance private land. He thinks the railroad companies should be required to fix up the facilities.

PHIL CONARD thinks there should be a comprehensive study by a downtown task force.

ROGER BAKER supports the recommendation of the Planning Commission and thinks there should be a task force study before the tracks are removed.

MR. ROLLIN called for a comprehensive study with 6 months of monitoring, an in-city consultant and citizen involvement.

A citizen who did not identify himself, urged Council to take no action.

KAREN MCGRAW encouraged the appointment of a citizen body to study redevelopment.

ROBERT MATHER spoke about energy, current growth, and use of land in the central city.

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Councilmember Mullen said it appears no one is in favor of the plan. Councilmember Goodman suggested a task force be created, perhaps to be appointed by the new Council. He said this is a major decision and will impact more than the downtown area. He suggested a work session where Council would receive a detailed presentation. Mayor McClellan expressed the opinion that Alternate 9 has a high price tag and comprehensive planning is needed. Councilmember Mullen spoke in favor of a task force and Councilmember Goodman suggested on next Thursday's Agenda Council discuss the creation of a task force with this Council appointing Phase 1 of the task force and the next Council appointing Phase 2.

Councilmember Mullen brought up a point for discussion. "If someone comes into the Planning Commission next Thursday and says they want a project started, we need to discuss what the department should do. Tell them to put everything on hold temporarily...hold for a month..what do you want to do?" Councilmember Goodman asked about the legality of the Planning Commission delaying a Building Permit and the City not issuing any demolition permits in downtown Austin. Mr. DeLaRosa, Assistant City Attorney, told him the Council would have to formally enact a moratorium. If the Council has a firm intention in mind and the time is needed to evaluate whatever goal the Council wants to articulate and in order to preserve the status quo a moratorium is needed in order to provide the proper time to do the study and then to do the evaluation in order to have the time to implement whatever the final action the Council takes. Therefore, Council needs articulate goals to outline what is to be done during the moratorium period.

Councilmember Mullen said he thought "we could just request that the development community hold off on any plans in this area until a study is done and if it becomes a problem then we can discuss a moratorium. No one can make any firm plans until they know what is going to happen down there."

The consultant, who did not identify himself, said they had been charged to study the relocation of rails, not study a long range plan.

Motion

Councilmember Mullen moved that the Council close the public hearing, and accept the plan and proceed with appointing a citizen task force on February 26, 1981. Councilmember Goodman seconded the motion.

Friendly Amendment - Accepted

Councilmember Goodman offered a friendly amendment to post on the February 26, 1981 Agenda for the creation of a task force rather than the actual appointment. Councilmember Mullen accepted the friendly amendment.

Roll Call on Motion

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

Councilmember Mullen said he wanted to discuss this again and there are two things we need to ask staff to do. "One is to be sure we have a resolution stating what our intent is and what we want staff to bring us in the event that

a demolition permit, zoning change or whatever comes to a department. We need that brought back to us and I'm not sure we made that clear."

Mr. DeLaRosa said, "I understand, Mr. Mullen, you want us to make the staff to monitor what activity occurs." Councilmember Mullen said, "And we also want a resolution to appoint the body brought back to Council." If it is clear here, then we don't need a resolution, Councilmember Mullen said. Mr. DeLaRosa said, "You will be advised of what activity occurs and you will not be enacting a moratorium."

PUBLIC HEARING ON PARK SITE FOR BATTLE BEND

Mayor McClellan opened the public hearing scheduled for 7:30 p.m. to consider a neighborhood park site in the Battle Bend Springs Subdivision.

Mr. Leonard Ehrler, Director of Parks and Recreation, said the Parks Board made two recommendations. The number one recommendation is for the Shapiro tract of 11.5 acre park site with the whole area being 45.3 acres. The second recommendation is for the Howerton tract consisting of 4.9 acres. He said the Shapiro site is recommended because of better accessibility.

Councilmember Himmelblau referred to the map Mr. Ehrler showed Council and said, "It looks like you are carving a piece out of the Shapiro tract that really doesn't leave him with a great deal. You are just taking a hunk out there. I don't think Mr. Shapiro wants to sell a part; I think he wants to sell whole or not any." Mr. Ehrler said a dozen configurations can be worked out but what they need is something in the southwest corner of the tract so it can serve the neighborhood." Mayor McClellan expressed her preference for the Howerton Tract. Discussion followed concerning the benefits of both tracts.

Ron Anderson, architect representing Battle Bend Springs and Greenwood Hills, spoke on his behalf and of two neighbors. He said the Shapiro recommendation is a floating park, and would be at the landowner's discretion. He said the streets would only be built when Mr. Shapiro wanted to build and then Austin taxpayers would then have to bear half of the cost.

CONNIE SIMPSON appeared and showed slides. She said they would prefer the Howerton tract.

Mayor McClellan said it is apparent the Howerton tract is the one which the public prefers.

Councilmember Cooke moved that the Council close the public hearing and instruct the City Manager to pursue purchase of the Howerton tract for a neighborhood park site in the Battle Bend Springs Subdivision. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

Noes: None

Abstain: Councilmember Himmelblau

Councilmember Himmelblau abstained because she owns property in the area.

FOOD AND FOOD ESTABLISHMENT ORDINANCE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE REPEALING ALL OF CHAPTERS 12, 19, 20 AND SECTIONS 18-4(h) AND 18-8(e) OF CHAPTER 18 OF THE AUSTIN CITY CODE OF 1967; ESTABLISHING A NEW CHAPTER 12 OF THE AUSTIN CITY CODE OF 1967, "FOOD AND FOOD ESTABLISHMENTS"; DEFINING TERMS; PROVIDING VARIOUS SANITARY REQUIREMENTS FOR FOOD SERVICE ESTABLISHMENTS, RETAIL FOOD STORES, MOBILE FOOD VENDORS, FOOD PRODUCTS ESTABLISHMENTS, AND FOOD VENDING MACHINE OPERATORS; REGULATING USE OF MICROWAVE OVENS; REQUIRING CERTIFICATION OF FOOD MANAGERS; REGULATING MOBILE FOOD VENDORS; PROVIDING PROCEDURES FOR INSPECTIONS AND CORRECTION OF VIOLATIONS; PROVIDING PROCEDURES FOR ISSUANCE, SUSPENSION, AND REVOCATION OF PERMITS; PROVIDING FOR PENALTIES AND INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; 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 McClellan, 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.

CITIZEN COMMUNICATION

Ms. Karen McGraw, who was to appear under Citizen Communications to discuss the status of a plan for the Urban Renewal District in downtown Austin, had already spoken during the rail location study hearing.

TEXAS EXES SCHOLARSHIP FUND

Councilmember Goodman moved that the Council approve the request of MR. RICHARD K. HOTZE, representing Delta Sigma Phi Fraternity, for permission to sell beer at Disch Field on March 1, 1981 to raise money for a Texas Exes Scholarship Fund. 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

COMMUNITY CROSSROAD HOME

MS. CLAIRE NEEDAM appeared before Council to request \$3,700 for the Community Crossroad Home. She said they owe that money to the Internal Revenue Service and did not incur the indebtedness by misappropriation. They are a private, non-profit organization operating a half-way house for drug and alcohol addicts. They served about 250 individuals last year.

Mayor Pro Tem Trevino requested staff to come back next week with suggestions for funding.

TEMPORARY STREET CLOSING

Councilmember Mullen moved that the Council approve the request of Mr. Wright Alcorn, representing Kappa Sigma Fraternity, to temporarily close San Gabriel from West 24th Street to West 25th Street, from 3:00 p.m. to 7:00 p.m., March 6, 1981, for a street dance. The motion, seconded by Mayor Pro Tem Trevino, 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

NAACP BANNER

Councilmember Mullen moved that the Council approve the request of Ms. Whatley, representing NAACP, to place a banner at 1704 East 12th Street from February 23, 1981 to April 6, 1981. The motion, seconded by Mayor Pro Tem Trevino, 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

ENERGY CONSERVATION COMMISSION REPORT

MS. ELAINE McDADE, Energy Conservation Commission, appeared before Council to recommend additions be made to the Comprehensive Community Energy Management Task Force by March 23, 1981. Written requests will be received by the Department of Renewable Energy Resources and reviewed by the Energy Conservation Commission.

Motion

Councilmember Cooke moved that the Council approve additions to the Comprehensive Community Energy Management Task Force with deadline for new applications on March 23, 1981. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Mayor Pro Tem Trevino,
Councilmember Cooke
Noes: Councilmember Himmelblau
Not in Council Chamber when roll was called: Mayor McClellan

PARK LAND ACQUISITION

Councilmember Himmelblau moved that the Council adopt a resolution for an alternative method of park land acquisition management as follows:

Option 3

Replace the performance of Mr. Walker's site selection and acquisition functions with City staff. Continue with local firms listed in the Walker plan to perform engineering and appraisal functions.

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
Not in Council Chamber when roll was called: Councilmember Goodman

AUTHORIZATION FOR WATER IN BULIAN LANE POSTPONED INDEFINITELY

Council had before them a resolution to consider authorizing a 4-inch water tap for service to Water District 10 from the City of Austin's Southwest Austin Transmission Main in Bulian Lane. (No cost to City of Austin)

JOE RIDDELL appeared before Council to state the area it would serve would be in the expansion of Water District 10 and would promote growth in an undesirable area. He said it would be improper use of the Southwest Transmission Main which was approved to serve South Austin. The proposed usage would serve the Hill country. He encouraged Council to not approve the tap and suggested a capital increment fee. Mr. Bill Bulloch, Director of Water and Wastewater, said a capital increment fee is not mentioned in the contract but he will be glad to look into it.

Councilmember Himmelblau said, "Seeing that we haven't adopted any new policy and this is a water district, I would like to see if we can negotiate a capital increment fee with them, or at least wait until we have the policies to look at."

Mr. Bulloch said the reason the City has been approached concerning the tap is because we are in the process of laying the pipe now and this would be least cost to the water district at this point. Councilmember Mullen asked how far away we are to the point where a decision has to be made. Mr. Bulloch said he does not know if this section is in the ground yet or not. Mr. Davidson told Councilmember Mullen that he will find out. Councilmember Mullen expressed concern about pumping water out of an area in the south where it looks like we will be short, and pumping it to the west.

Council decided to take no action and to postpone indefinitely.

PARKING METER ZONE INSTALLATIONS 23

Council had before it for consideration approval of several parking meter zone installations. Councilmember Himmelblau said she understands it is 20¢ an hour on a five-hour meter and asked how many of these there are in town. Dr. Benson told her 150. Councilmember Himmelblau said this is a lot of parking for a dollar and Mayor McClellan stated she had had complaints expressed to her also. Mr. Davidson said Council might like to consider having Dr. Benson bring a review of the original proposal that indicated on the map the areas different parking meters will be placed. Dr. Benson said that he would do so, and an ordinance would be required to change the parking meter rates.

Council withheld approval on the following:

<u>METER TYPE</u>	<u>STREET</u>	<u>LOCATION</u>	<u>SIDE OF STREET</u>
300 minute	West Avenue	1400 block	East and West

Motion

Councilmember Mullen moved that the Council adopt a resolution approving the following parking meter zone installations:

120 minute	San Antonio Street	1200-1300 block	East and West
30 minute	Brazos	400 block	West
120 minute	West 13th Street	600 block	North and South

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

Ayes: Mayor McClellan, Councilmembers Cooke, Himmelblau, Mullen

Noes: None

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

CDBG HEARING RESCHEDULED

Councilmember Goodman moved that the Council reschedule the April 23, 1981 hearing on the FY 1981-82 CDBG (Community Development Block Grant) applications to May 7, 1981 at 2:00 p.m. and schedule a public hearing to obtain general citizen viewpoints on the FY 1981-82 CDBG program on March 12, 1981 at 2:30 p.m. The motion, seconded by Mayor McClellan, carried by acclamation, Councilmember Mullen not in Council Chamber when vote was taken.

Carlos Herrera explained, prior to the vote, his department needs the extra week because of the enormous amount of work they have to do.

A.C.E.D.C. CONTRACT 24

Council had before them for consideration a resolution to allow discussion and the possible extension of the A.C.E.D.C. Contract.

Mayor Pro Tem Trevino stated, "We're going to drop this item from the Agenda but I would like to know what happens now." Mr. Herrera, Director of Human Services, said, "The only recommendation I would make at this point is if we are going to be dropping it, I know the corporation has been involved in a lot of work recently in trying to generate some additional work trying to gear up for a UDAG application. If we drop it, I think in fairness to the organization, they will need some time to make close out efforts for the contract, so I would still recommend they have some time. We normally go to a 30-day phase out which I think, in fairness to the organization in closing out their records and getting their accounts settled and leases terminated, the recovery of furniture for the City, etc., I recommend we have a phase out period of 30 days."

Councilmember Himmelblau asked how much money they would draw down in the 30 day period, and if a limit would be put on it. Mr. Herrera said they have already drawn about 75-80% of the total for \$75,000 to \$80,000. Councilmember Cooke asked how much they will draw down in the next month. Mr. Herrera said they would be limited to only the bare essentials.

Councilmember Cooke said, "They are coming close to one year now. ... I'm interested in knowing how much money they have drawn down and how much will they draw down in the phase down period?" Mr. Herrera said the cost would be basic. Councilmember Himmelblau asked what will happen to the furniture and equipment. Mr. Herrera said it remains the property of the City of Austin. Councilmember Cooke stated, "In other words we're into \$75-80,000 and basically don't have anything for it. We don't even know if it would be feasible...they wanted to extend to July just to see if they could get a UDAG grant, right?" Mr. Herrera said, "They are maintaining that the time element would be in the conversion from one type of financing to another." Councilmember Cooke said, "They want to go to a UDAG grant and I have a hard time believing any CDC's in this city have any chance of getting a UDAG grant considering UDAG may be cut in half....I think we are chasing a ghost to think we will ever get UDAG money to fund any project in this City."

Motion

Mayor Pro Tem Trevino moved that the Council approve a 30-day phase out of the A.C.E.D.C. contract. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

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CITIZEN COMMUNICATION

MR. BILL ROLLIN appeared before Council to discuss the amendment to the Austin City Code relating to Food and Food Establishments. He said he does not want to see a requirement of a manager on the premises completely stripped away. Someone who is a food manager should be on duty at least a minimum amount of hours a week and should be written into the amendment to the ordinance.

Mayor McClellan suggested that Dr. Randall talk with Mr. Rollin and advise the Council what to do about modifying the amendment.

ADJOURNMENT

Council adjourned its meeting at 10:10 p.m.

APPROVED:


Mayor

ATTEST:


City Clerk