

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 14, 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, Goodman,
Himmelblau, Mullen, Mayor Pro Tem Trevino

Absent: None

INVOCATION

The Invocation was given by Reverend John Ellwanger, Hope Lutheran Church.

ATLANTA SPIRITUAL RESPONSE DAY

Mayor McClellan read a proclamation designating May 16, 1981, as Atlanta Spiritual Response Day. It was received with thanks by Rev. Waldo Williams, president, Black Leadership Coalition; and Rev. Barry A. Jackson, first vice-president and program committee chairman, Black Leadership Coalition.

THEFT AND VANDALISM PREVENTION WEEK

Mayor McClellan read a proclamation proclaiming the week of May 17-23, 1981 as Theft and Vandalism Prevention Week. Rhonda Morris, president, Greater Austin Builders Women's Auxiliary; Margaret Gilbreth, past president, GABWA; and Ann Stewart, local education chairman, GABWA, received the proclamation with their thanks and appreciation.

**O'HENRY JUNIOR HIGH SCHOOL HONORS BAND
AND ORCHESTRA DAY**

Mayor McClellan read a proclamation naming May 14, 1981, as O'Henry Junior High School Honors Band and Orchestra Day. Receiving the proclamation with their thanks were James Perry, band director; Bill Dick, orchestra director; Will Fitzgerald, band president; and Supria Sarma, orchestra president.

MARINE DAY

Captain Rick Bivens, Commanding Officer, Bravo Company, 1st Battalion, 23rd Marines; and First Sergeant Robert Pubh, Inspector/Instructor Staff, 1st Battalion, 23rd Marines; and members of Bravo Company, were in the Council Chamber to receive with their thanks a proclamation read by the Mayor designating May 16, 1981 as Marine Day in Austin.

MENTAL HEALTH MONTH

Councilmember Himmelblau read a proclamation designating the month of May as Mental Health Month. It was received with thanks by John Brubaker, executive director, Austin Travis County MHMR; and Judy Yudof, board chairman, Austin Travis County MHMR.

MOPAC RESOLUTION

A Resolution, signed by all Councilmembers, was read by Councilmember Mullen commending the cooperation and participation of the Texas Department of Highways and Public Transportation in the noise attenuation fence and landscaping installed along MoPac from Enfield to Northland Drive. Bob Brown, District Engineer, District 14, Texas Department of Highways and Public Transportation; and Ben Alley, Assistant District Engineer, District 14, Texas Department of Highways and Public Transportation, thanked the Mayor and Council for the Resolution.

MINUTES APPROVED

Councilmember Cooke moved that the Council approve the Minutes of the Meeting for April 30, 1981. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Noes: None

CAPITAL IMPROVEMENTS PROGRAM

Councilmember Cooke moved that the Council adopt a resolution to acquire certain land for the East Riverside Drive Project, Wickersham to East Ben White. CAPITAL IMPROVEMENTS PROGRAM 73/62-03:

7,540 square feet of land out of a 0.736 of one acre tract of the Santiago Del Valle Grant. (James J. City)

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

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

LEASE AGREEMENT

Councilmember Cooke moved that the Council adopt a resolution approving a Lease Agreement with Lehndorff Properties, USA Ltd. and Szymkowiak Properties, Ltd. for space for the North Village Branch Library at 2135 West Anderson Lane. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

SALE OF HOUSE

Councilmember Cooke moved that the Council adopt a resolution approving sale of house at 2702 Gonzales Street to Austin Redevelopment Authority. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

RELEASE OF EASEMENTS

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

2.0' of a 5.0' Public Utility Easement on Lot 16, Block A, Lost Creek Hilltop, 1312 Thaddeus Cove. (Requested by E. M. Sykes Company, Inc.)

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

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

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

A 10.0' Drainage Easement on Lot "A", Kanetzky Subdivision, 3815 Manchaca Road. (Requested by Southwest Classic Building Company)

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

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

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

A 10.0' Public Utility Easement on Lot 3394, Lakeway Subdivision Section 26-B, 3394 South El Dorado. (Requested by Topletz Custom House, Inc.)

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

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

Councilmember Cooke moved that the Council adopt a resolution authorizing release of the following easements:

A 5' x 25' Public Utility Easement on the resubdivision of Lot 6, Koger Executive Center, Unit Three and the release of a 5' x 30' Guy Wire Easement as recorded in Volume 6150, Page 154 of the Travis County Deed Records, Spicewood Springs Road and Ceberry Drive. (Requested by the Electric Department)

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

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

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

2.5' of a 7.5' Public Utility Easement located on Lot 9, Block M, Castlewood Forest Section 7, 9203 Comburg Drive. (Requested by Daniel E. Thornton, representing Col. and Mrs. Kenneth L. Roehrig, owners)

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

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

CAPITAL IMPROVEMENTS PROGRAM

Councilmember Cooke moved that the Council adopt a resolution selecting the firm of Robert Jackson, Architects, for architectural services and approving a contract in connection with renovation to Rebekah Baines Johnson Center, CAPITAL IMPROVEMENTS PROGRAM No. 76/91-02. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

CONTRACTS APPROVED

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

ROBERT JENTSCH CONSTRUCTION
P. O. Box 3334
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Greystone and Justin Sidewalks,
1978-79. Safe School Sidewalk -
\$23,288.35. CIP No. 78/61-02

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

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

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

B. G. BOYD CONSTRUCTION COMPANY
9701 Gray Boulevard
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
1978-79 Safe Street Sidewalk
Phase II, Bull Creek Road and West
35th Street - \$21,496.40.
CIP No. 78/61-02

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

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

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

DOUBLE D CONSTRUCTION SERVICES
8412 Staunton
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Installation of South Center Street
Pump - \$19,554.00 C.I.P. No.
75/22-11

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

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

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

INTERNATIONAL POWER MACHINES
CORPORATION
c/o Getty-Eads-Adair, Inc.
3920 Braxton
Mesquite, Texas

- CAPITAL IMPROVEMENT PROGRAM -
Uninterruptible Power Supply,
Electric Utility Department
Item 1, 1 ea. - \$82,295.00
C.I.P. No. 75/11-01

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

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

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

MCKINNEY & MOORE, INC.
1801 Wayne Street
Copperas Cove, Texas

- North Austin 36-inch Transmission
Main, Phase IV for the North Austin
Growth Corridor M.U.D. No. 1 -
\$572,667.00

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

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

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

H.A. GRAY AND ASSOCIATES
11815 Warfield, Suite 115
San Antonio, Texas

- Precise Environmental Control
System, Electric Utility Department
Item 1, 1 ea. - \$9,219.00

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

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

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

THE FOXBORO COMPANY
38 Neponset Avenue
Foxboro, Massachusetts

- Replacement Item for Boiler Control,
Decker No. 1, Electric Utility
Department
Item 1 - \$350,928.00

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

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

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

GENERAL ELECTRIC COMPANY
5555 North Lamar Boulevard
Austin, Texas

- Mobile Radios, Vehicle & Equipment
Services Department
Items 1-12 - \$84,988.00

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

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

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

LELAND EQUIPMENT COMPANY
6900 South IH 35
Austin, Texas

- Animal Carcass Truck Body, Vehicle
and Equipment Services Department
Item 1, 1 ea. - \$7,081.00

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

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

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

DATA DOCUMENTS
4265 Gate Crest
San Antonio, Texas

- Stock Paper, Office Services
Division
Items 1 and 2 - \$8,608.95

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

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

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

COMPROL CORPORATION
4242 Piedras Drive, Suite 200
San Antonio, Texas

- Automated Billing Services,
Health Department
Twelve (12) Month Contract
Item 1, Service not to exceed
\$22,000

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

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

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

I.B.M.
1619 Shoal Creek Boulevard
Austin, Texas

- Direct Access Storage Controller,
Data System Department
Sixty (60) Month Lease Plan
Item 1, \$1,625.00 per month
Total \$108,890.23

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

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

WATER APPROACH MAIN

Councilmember Cooke moved that the Council adopt a resolution approving a water approach main agreement with the South Austin Growth Corridor Municipal Utility District No. 1. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

WEST RIM WATER APPROACH MAIN

Councilmember Cooke moved that the Council adopt a resolution authorizing cost participation for water and wastewater approach mains for the West Rim Development in the amount of \$20,945.60 (total cost \$110,240) for wastewater and \$2,590.64 (total cost \$38,856) for water. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

ROUTE STUDY

Councilmember Cooke moved that the Council adopt a resolution approving the State Department of Highways and Public Transportation Commission's Minute Order No. 78431 which allows the City of Austin to participate in a route study for future development of Parmer Lane from F.M. 1325 to R.M. 620.. (Cost of participation \$30,000). The motion, seconded by Councilmember Goodman, carried by the following vote:

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

TEMPORARY STREET CLOSING

Councilmember Cooke moved that the Council adopt a resolution approving temporarily closing of Dawson Road from Riverside Drive to Barton Springs Road, Riverside Drive from Civic Circle to Lee Barton, and Bouldin Avenue from Riverside Drive to Barton Springs on May 17, 1981 from 8:00 a.m. to 4:00 p.m. as requested by Mr. Joe Wilson, representing the Austin Parks and Recreation Department. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

TECHNICAL STUDIES GRANT

Councilmember Cooke moved that the Council adopt a resolution authorizing submission of an application to the Urban Mass Transportation Administration for a Technical Studies Grant, TX-09-0161, in the amount of \$80,000. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

VERY SPECIAL ARTS FESTIVAL PROGRAM

Councilmember Cooke moved that the Council adopt a resolution authorizing submission of an application to the National Committee, Arts for the Handicapped, for funding in the amount of \$4,435 for a year-around Very Special Arts Festival Program (October 1, 1981 - October 15, 1982). The motion, seconded by Councilmember Goodman, carried by the following vote:

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

LIBRARIES

Councilmember Cooke moved that the Council adopt a resolution approving an application for \$510,764 to cover expenses of the Central Texas Library System for FY 1982 in the provision of materials and support services to 38 member libraries. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

AFFIRMATIVE ACTION PLAN

Councilmember Cooke moved that the Council adopt a resolution authorizing submission of the Human Services Department Affirmative Action Plan to the Community Services Administration by June 22, 1981. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

CETA

Councilmember Cooke moved that the Council adopt a resolution authorizing the obligation of an additional \$30,000 of CETA (Comprehensive Employment and Training Act) Title IV Youth Employment and Training Program funds to Region XIII, Education Service Center bringing their total contract amount to \$152,177. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Councilmember Cooke moved that the Council adopt a resolution authorizing an increase in Williamson-Burnet County Opportunities, Inc.'s FY '81 contract under the Comprehensive Employment and Training Act (CETA) by the following amounts:

Title II-B	-	\$200,000
Title IV-YETP	-	56,456
		<u>\$256,456</u>

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

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

HOUSE SALE

Councilmember Cooke moved that the Council adopt a resolution authorizing the Austin Redevelopment Authority to sell the structure located at 1302 Willow to Mr. and Mrs. Jose Gutierrez for the amount of \$30,000.00. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

BRACKENRIDGE HOSPITAL CELEBRATION

Councilmember Cooke moved that the Council adopt a resolution approving a request from Brackenridge Hospital to sell beer and food in Waterloo Park on July 3, 1981 from 1:00 p.m. to 10:00 p.m. to mark its 97th year of service to the Austin Community. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

TPERF

Councilmember Cooke moved that the Council adopt a resolution approving an Interlocal Agreement between the City of Austin and Travis County to provide pharmaceutical services to qualified individuals living in Travis County outside the City of Austin, utilizing the current agreement of the City of Austin with Texas Pharmaceutical Education and Research Foundation, Inc. (TPERF). The motion, seconded by Councilmember Goodman, carried by the following vote:

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

TERMINATION OF CONTRACT WITH ROLLINGWOOD

Councilmember Cooke moved that the Council adopt a resolution authorizing a 90-day termination notice for the purpose of terminating wastewater contract of November 19, 1979, with the City of Rollingwood. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

ITEM PULLED

Councilmember Cooke moved that the Council postpone until May 21, 1981 consideration of opposing H.B. 1952 relating to annexation of, disannexation of, and provision of services to certain areas. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

PUBLIC HEARING SET

Councilmember Cooke moved that the Council set a public hearing for June 4, 1981 at 10:00 a.m. to amend Section 45-29(e) of the Austin City Code (Zoning Ordinance) providing a definition of when a Special Permit is "Granted" and providing for the disposition of presently pending Special Permit cases. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

ITEMS PULLED

Councilmember Cooke moved that the Council pull the following off the agenda:

Consider rescinding the Council Resolution of April 2, 1981 authorizing the City Manager to contract with the Austin Redevelopment Authority for the implementation of certain CDBG funded neighborhood revitalization and housing rehabilitation programs.

Consider authorizing the City Manager to create, fund and staff an office of Neighborhood Revitalization to plan and administer neighborhood revitalization and housing rehabilitation programs.

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

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

AMENDMENT TO OPTION AGREEMENT

Councilmember Cooke moved that the Council adopt a resolution authorizing an amendment to the Option Agreement between the City of Austin and BWC Associates, dated July 14, 1980, to provide that construction documents may be submitted at any time prior to January 14, 1982. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

ZONING ORDINANCE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE REPEALING ORDINANCE NO. 780302-D, ENACTED BY THE CITY COUNCIL ON MARCH 2, 1978 AND ORDINANCE NO. 800424-H, ENACTED BY THE CITY COUNCIL ON APRIL 24, 1980; ADOPTING A NEW 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 A: BEING THE REMAINDER OF AN APPROXIMATE 13.82 ACRE TRACT OF LAND BEING COMPRISED OF FOUR (4) TRACTS OF LAND, EXCLUDING THE WESTERNMOST 300 FEET OF LAND PARALLEL AND ADJACENT TO THE EAST R.O.W. LINE OF NORTH LAMAR BOULEVARD, MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, SAVE AND EXCEPT THE NORTH 85 FEET, THE EAST 135 FEET AND THE SOUTH 85 FEET, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; AND

TRACT B: BEING THE NORTH, EAST, AND SOUTH 15 FEET OF AN APPROXIMATE 13.82 ACRE TRACT OF LAND BEING COMPRISED OF FOUR (4) TRACTS OF LAND, EXCLUDING THE WESTERNMOST 300 FEET OF LAND PARALLEL AND ADJACENT TO THE EAST R.O.W. LINE OF NORTH LAMAR BOULEVARD, MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT C: BEING THE SOUTH 70 FEET OF THE NORTH 85 FEET, THE WEST 120 FEET OF THE EAST 135 FEET, AND THE NORTH 70 FEET OF THE SOUTH 85 FEET OF AN APPROXIMATE 13.82 ACRE TRACT OF LAND BEING COMPRISED OF FOUR (4) TRACTS OF LAND, EXCLUDING THE WESTERNMOST 300 FEET OF LAND PARALLEL AND ADJACENT TO THE EAST R.O.W. LINE OF NORTH LAMAR BOULEVARD, MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 10,511-10,621 NORTH LAMAR BOULEVARD 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. (C14-77-138)

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 Mullen, 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.

MEDICAL ASSISTANCE PROGRAM ADVISORY BOARD

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 790104-C TO PROVIDE THAT ONE OF THE THREE "PROVIDER" MEMBERSHIP SLOTS ON THE MEDICAL ASSISTANCE PROGRAM ADVISORY BOARD SHALL BE FILLED WITH A REGISTERED PHARMACIST; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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 Mullen, 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.

WILLIAMSON CREEK ORDINANCE

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

AN ORDINANCE AMENDING THE OPERATING BUDGET OF THE CITY OF AUSTIN FOR THE FISCAL YEAR 1980-1981 BY APPROPRIATING AND TRANSFERRING A TOTAL OF \$75,782.00 FROM THE GENERAL FUND ENDING BALANCE, \$55,576.00 THEREOF TO THE CITY PUBLIC WORKS DEPARTMENT AND \$20,206.00 THEREOF TO THE CITY PLANNING DEPARTMENT, TO FUND THE IMPLEMENTATION BEGINNING DECEMBER 18, 1980, OF THE "AQUIFER-RELATED WILLIAMSON CREEK WATERSHED SUBDIVISION ORDINANCE," ORDINANCE NO. 801218-W AND THE SUBSEQUENT AMENDMENTS THERETO, AND TO FUND THE IMPLEMENTATION BEGINNING MARCH 19, 1981, OF THE "AQUIFER-RELATED WILLIAMSON CREEK WATERSHED SITE DEVELOPMENT ORDINANCE," ORDINANCE NO 810319-M AND THE SUBSEQUENT AMENDMENTS THERETO; DECLARING A PUBLIC NECESSITY FOR SECURING FUNDS FOR SUCH PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was read the third time, and Councilmember Himmelblau moved that the Council finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

WATER AND WASTEWATER POLICIES

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

AN ORDINANCE ESTABLISHING A POLICY FOR EXTENSIONS AND ADDITIONS TO THE WATER AND WASTEWATER SYSTEMS OF THE CITY OF AUSTIN; PROVIDING DEFINITIONS; ESTABLISHING REQUIREMENTS FOR APPROACH MAINS AND OUTSIDE ON-SITE LINES; PROVIDING FOR REVIEW OF APPROACH MAINS BY THE PLANNING COMMISSION; PROVIDING FOR APPROVAL OF APPROACH MAINS BY THE CITY COUNCIL; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the third time, and Councilmember Himmelblau moved that the ordinance be finally passed. The motion, seconded by Councilmember Mullen, 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.

ZONING ORDINANCES

Mayor McClellan introduced the following ordinance:

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

LOTS 2, 3 AND 4, MINUS THE WEST 20 FEET OF BLOCK A-- FORD PLACE #1, LOCALLY KNOWN AS 4505 AND 4507 MANCHACA ROAD, FROM "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; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (E. B. Hoes, Jr., C14-81-051)

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 Mullen, 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.

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 3.771 ACRE TRACT OF LAND FROM "C" COMMERCIAL, FIFTH HEIGHT AND AREA DISTRICT, AND "GR" GENERAL RETAIL, SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, THIRD HEIGHT AND AREA DISTRICT;

TRACT 2: A 0.854 ACRE TRACT OF LAND FROM "C" COMMERCIAL, FIFTH HEIGHT AND AREA DISTRICT, AND "GR" GENERAL RETAIL, SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; ALL OF THE ABOVE SAID PROPERTY BEING LOCALLY KNOWN AS 5823-5915 NORTH INTERREGIONAL HIGHWAY, LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Donald S. Thomas, Edward W. Clark and Edward W. Joseph, C14r-80-233)

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 Mullen, 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.

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:

3,600 SQUARE FEET OF LAND, LOCALLY KNOWN AS 1433 WEST BEN WHITE BOULEVARD, FROM "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (M. J. Elliot Properties, Ltd., C14-80-207)

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 Mullen, 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.

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 A: A 30.886 ACRE TRACT OF LAND FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT;
TRACT B: A 9.19 ACRE TRACT OF LAND FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT;
TRACT C: A 1.75 ACRE TRACT OF LAND FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT;
TRACT D: A 3.515 ACRE TRACT OF LAND FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT;
TRACT E: A 1.46 ACRE TRACT OF LAND FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;
TRACT F: A 20.48 ACRE TRACT OF LAND FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT;
TRACT G: A 2.44 ACRE TRACT OF LAND FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;
TRACT H: A 1.264 ACRE TRACT OF LAND FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;
TRACT I: A 0.486 ACRE TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;
ALL OF THE ABOVE SAID PROPERTY BEING LOCALLY KNOWN AS 3516-3540 DUVAL, LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Bill Milburn, Inc., C14-80-138 (part) Tracts A through I)

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 Mullen, 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.

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:

A 1,693 SQUARE FOOT TRACT OF LAND OUT OF THE JAMES ROGERS SURVEY AND A PART OF LOT 5 OF THE BRADFORD ADDITION, LOCALLY KNOWN AS 11001 RESEARCH BOULEVARD, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (L. Paul Rochester, C14r-81-046)

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

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

Noes: Councilmember Cooke

Abstain: Councilmember Himmelblau

The Mayor announced that the ordinance had been finally passed.

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:

THE WEST 25 FEET OF LOT FOUR (4), BRADFORD ADDITION, LOCALLY KNOWN AS 10947 RESEARCH BOULEVARD, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, 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. (Gulf Oil Corporation, C14r-81-045)

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

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

Noes: Councilmember Cooke

Abstain: Councilmember Himmelblau

The Mayor announced that the ordinance had been finally passed.

WATER QUALITY REVIEW BOARD

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 1-21 OF THE 1967 CODE OF THE CITY OF AUSTIN; PROVIDING THAT NON-RESIDENTS OF THE CITY MAY BE MEMBERS OF THE WATER QUALITY REVIEW BOARD; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS AND PROVIDING AN EFFECTIVE DATE.

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 Mullen, carried by the following date:

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

MOTOROLA PDA AGREEMENT

Council had before them a resolution to consider approving a water approach main to provide service to the Motorola PDA site only (approval of this approach main is necessary for the City Council's approval of the Motorola PDA Agreement to be effective.)

also

Consider approval of the following Water and Wastewater Oversize and Approach Mains:

GCG DEVELOPMENT, LTD.

- For construction of a 30-inch water approach main to serve Patton Ranch, Meadows of Travis Oaks and Oak Hill Heights. No cost to the City.

also

Consider approving a Planned Development Area for approximately 150 acres in the Oak Hill Area (C2a-81-001 Motorola, Inc.)

Mr. Bulloch, Director of Water and Wastewater, described for Council what the alternative water source is. "Last week the Council asked staff to look for other options for water service to Motorola with specific criteria that any options pursued would not degrade service to existing customers in the area if there were any options which could be developed. We have analyzed several options looking at any source of water in the southwest area that might fit that criteria. We looked at Davis Lane Reservoir, the lines east of Brodie Lane, and the only alternative we could come up with utilizing the criteria was coming out of the Eberhardt Reservoir." Mr. Bulloch said water service can be made available to the Motorola site at Patton Ranch through the currently unused Eberhardt Reservoir at a rate of 1.5 million gallons of water per day without degradation of service to current customers. Because the installation would serve Motorola only, we recommend the point of service to Motorola to be the inlet of the Eberhardt pump station, and that Motorola have full operating responsibility (including electrical costs) for the pump station, the 16 inch line to the Motorola site and all on-site water system facilities.

Councilmember Cooke questioned the demand for water by Motorola and Mr. Armbrust, representing Motorola, told him it is 1.9 million gallons per day. Joe Beal, representing Motorola said he did not know if Eberhardt is capable of making adequate storage for their needs. Councilmember Goodman suggested staff check on this. Councilmember Cooke said there has been a lot of debate on the subject to Motorola wanting to build out of the preferred growth area. He said that area will be developed one way or the other. He said he sent a message to Michelin when they could not build their site in Austin..and that Austin needs the jobs offered by Motorola, which is an environmentally sensitive company. He said he believes Area IV will be developed and septic tanks would pollute more than a water system. Councilmember Cooke concluded that if Motorola is denied a plant it will send a signal across the nation that businesses are not welcome in Austin.

Motion

Councilmember Cooke made a motion, seconded by Mayor McClellan to approve the original PDA with a 30" tap from the Southwest Transmission Main as recommended by the Planning Commission.

Mayor McClellan expressed herself by saying Motorola will be an environmental advantage and said there is nothing in the Master Plan which prohibits growth. The utilities would be at the applicant's expense and the industry would be clean, with the potential of 4,000 jobs dedicated to affirmative action.

Councilmember Goodman thought that this motion would not only approve lines for Motorola but for 4,000 homes as well.

Roll Call on Motion - No Action

3-2-0 Vote

AYES: Mayor McClellan, Councilmembers Cooke and Himmelblau

NOES: Councilmember Goodman, Mayor Pro Tem Trevino

ABSTAIN: Councilmember Mullen

At the time of roll call Councilmember Mullen stated, "Because I want Motorola in Austin and because I think it violates the voter's confidence, I will continue to abstain on any motion to tap Southwest Austin Transmission Main."

Motion

Councilmember Cooke made a motion, seconded by Councilmember Himmelblau to approve the PDA with a 30" water line from the Southwest Transmission Main as recommended by the Planning Commission and restrict development of all the acreage other than Motorola and the garden office park to 10% a year cumulative in order to manage the growth in an orderly fashion in the area.

Roll Call on Motion - No Action

3-2-0

AYES: Mayor McClellan, Councilmembers Cooke and Himmelblau

NOES: Councilmember Goodman, Mayor Pro Tem Trevino

ABSTAIN: Councilmember Mullen

Motion

Councilmember Cooke made a motion, seconded by Councilmember Himmelblau to approve the PDA, utilizing the Eberhardt Reservoir with a 16" water line down the existing and proposed right-of-way of William Cannon as recommended by the Water and Wastewater Department with one half of the cost of facility to be reimbursed to Motorola without interest over a five year period commencing January 1 of the following year following the annexation.

Council said they wanted to study the motion further, as they had not heard this option before. Councilmember Cooke said he would leave the motion in abeyance until staff has the opportunity to come back with an analysis.

LATER IN THE DAY:

Mr. Bulloch addressed Council by saying, "The motion concerning cost participation of the line. I want to start back a couple of steps before that. The proposal that was presented to Council by staff was predicated on the operational relationship being part of the PDA contract. That would tie back to the point of service being at the reservoir, specifically the point of service being between the reservoir and the pump station. As far as finalizing the contract if Council wants to implement the contractual relationship as part of the PDA agreement the total cost of the pump facilities, line and other monitoring equipment make this operational will be approximately \$2,000,000.00. The request was for 50% of that being made a part of the contract paid back to Motorola over a five year period without interest...\$200,000.00 per year. ... Looking at the demand of 1-1/2 million gallons per day to supply to Motorola on an annual basis, that would generate a little over \$400,000.00 of revenue per year to the City on water. We have not looked at the wastewater side. The quote I gave you is inside the City rates because if they are annexed they will be paying inside the City rates....."

Councilmember Mullen asked how long it will take Motorola to build out and Mr. Armbrust told him the four phases of construction will be complete by the end of 1986. Councilmember Mullen said that he thinks this would be the best way to work things out. The key issue, he said, is what Council promises the voters. Each member voted his own conscience. He then explained how the voting has been done for bond issues. Councilmember Cooke, Mayor McClellan and Councilmember Goodman then discussed the past actions and the action of the motion under consideration.

The motion was repeated and Councilmember Mullen asked if it was legal and with the water and wastewater approach main policy. Mr. Bulloch answered, "Council has a number of contracts they enter into on different relationships. They have some with water districts, MUD's, PDA agreements, special performance requirements, and this is a contract being considered by Council. You by contract have specified extension of facilities for general purpose, for special purposes through MUD's on water lines." Councilmember Cooke said he asked the Legal Department to look at this motion very closely after he made it earlier in the day, "to insure that we would not be violating any previous Council policy, any legal interpretation as far as City policy is concerned." Mr. Albert DeLaRosa, assistant City Attorney, said by the attachment of the PDA agreement, there would be no violation.

Councilmember Mullen asked for a close estimate on the amount of taxes the City will receive from Motorola.

LATER IN THE DAY:

Mr. Daron Butler, Assistant City Manager, appeared with answers to the questions concerning potential revenue sources to the City flowing from the Motorola development. ".....the motion as we have since worked on it and some

variations call for a phasing of the annexation and the payment of the line to fall after the last parcel of land is annexed on the property. I have looked at the potential stream of revenue coming to the City over time from the Motorola property on the assumption that the annexation would occur in stages and that all the water and sewer rates would be inside the City rates and that the City would be getting property taxes on the annexed property beginning in 1983. If annexed in 1982 before then the property would not flow to us in taxes until the next year. Over the period in question, beginning about 1982 and extended through the period of 1988 when all of the property would be annexed the City would receive an accumulative total of \$5.4-million in property taxes from the Motorola property and buildings. The one figure that would also be included in the tax rolls over the same period. ...That does not include inventory but I have no reasonable way of projecting that at this time. Water revenue beginning in 1982 at inside the city rates would begin on the basis of water at \$81,280.00 per year, moving to the full number Mr. Bulloch used on the completion of the full build out of the plant of \$406,200 a year when they will be taking the maximum one million five hundred thousand gallons a day. Over those same years the total water revenue is \$1.7 million. Revenue from sewer service which I would like to say is our softest number would begin at \$72,000 moving to \$360,000 a year with the plants full scale operating capacity, generating \$1.5 million over the same period. Electric revenues would begin at \$1,200,000 moving upward at full production capacity to about \$6,000,000 a year for a total of \$20.8 million during the same period of time. Under the proposal the City would assume no payments on that one half of the line until 1989 so that revenue would flow to us over the periods the plant is in operation. These are directly identifiable revenues so we can have some fair understanding of the scope at this time."

Councilmember Cooke said, "\$29.4 million, roughly." ... "In light of the additional modification, let me make a slight modification to the motion that I made earlier."

Motion Amended

Councilmember Cooke made a motion to approve the PDA, utilizing the Eberhardt Reservoir and a 16" water line for Motorola only, down the proposed right of way of William Cannon as recommended by the Water and Wastewater Department and that one half of the cost of the facility, not to exceed \$1,000,000.00 be reimbursed to Motorola without interest for a five year period commencing January 1 of the first year following annexation of the last parcel of the 150 acres; that Motorola be requested to annex each parcel or phase of their facility as it is completed as far as construction and improvement of each one of these phases. Councilmember Mullen seconded the motion.

Councilmember Mullen said strip annexation would be required to get to the plant. Mr. Lillie said the field notes annexing the 290 strip are complete and it goes beyond the Y at Oak Hill. More discussion followed and Councilmember Himmelblau said she wanted a guarantee that Motorola will stay in the City of Austin Electric system.

Friendly Amendment

Councilmember Mullen offered a friendly amendment, accepted by Councilmember Cooke that a clause be in the PDA that construction must commence in two years.

Roll Call on Motion with Friendly Amendment

Roll Call showed the following vote:

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

Noes: Councilmember Goodman

No action was necessary for the resolution under consideration to approve the CGC Development Ltd. for construction of a 30-inch water approach main to serve Patton Ranch, Meadows of Travis Oaks and Oak Hill Heights.

CONGRESS AVENUE TASK FORCE
STATUS REPORT

ROBERT BARNSTONE, Congress Avenue Task Force, presented the Status Report. He explained the plan, which was on display in the Council Chamber, which includes trees and peninsulas. Due to construction of the peninsulas, 100 parking spaces will be lost, but 53 will be gained on the side streets.

Councilmember Cooke asked about the funding. Mr. John German, Director of Public Works, told Council, "We have in Public Works about \$1.8 million available. In parks, roughly \$200,000 so there is about \$2 million available. The monies that were in Water and Wastewater and Electric have been reallocated because of a need to move on and do other projects while we were studying this but there are funds which perhaps can be made available from those two sources for the relocation. \$140,000 in Water and Wastewater and roughly \$240,000 in Electric which would easily cover their share of the cost as the project is proposed."

After a short discussion the following motion was made:

Motion

Councilmember Goodman moved that the Council put an item on next week's agenda to set a public hearing on the proposed Congress Avenue improvements. The motion, seconded by Councilmember Cooke, carried by a unanimous vote.

ROBERTSON HILL UPDATE

Brenda Gooden, Human Services Department, gave the City Manager Report on Robertson Hill Update. "As referred to in your back up material the Robertson Hill Steering Committee is proceeding at your directive to find some sound steps toward neighborhood preservation and keeping the integrity of Robertson Hill neighborhood intact. We are going to be coming back to you at the end of the summer with recommendations from that committee on how to proceed with the project."

FIRE SYSTEMS FOR CITY BUILDINGS

Mr. Tom Muehlenbeck, Deputy City Manager, introduced the City Manager Report on Fire Systems for City Buildings. He said a task force has been appointed to look into the safety of buildings the City employees work in. Mr. John German, Director of Public Works, said that there will be a sprinkler system installed in the basements of City Hall and the annex. Also, many of the older buildings in the City have the same problems and they will be taken care of. City Manager Davidson asked that staff be given authority to design an RFP (Request for Proposal).

Motion

Councilmember Goodman accepted the report and requested the City Manager to request staff to proceed with the design of an RFP. The motion, seconded by Councilmember Cooke, 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

ZONING HEARINGS

Mayor McClellan announced Council would hear zoning change requests, scheduled for public hearing at 9:30 and 9:45 p.m. Pursuant to published notice thereof, the following zoning cases were publicly heard:

J. D. PECK and
R. H. PITTS
C14-81-028

2803 San Jacinto
501-503 Elmwood Place

From "O" Office
1st Height and Area
To "LR" Local Retail
1st Height and Area
NOT Recommended by the Planning
Commission

Mr. Lillie reviewed the application by use of slides and said the applicant wants to build a service station and a convenience store. Councilmember Himmelblau wondered if this would cause a disturbance. The applicant did not appear. David Look appeared and said he is for "LR" Local Retail zoning.

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

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

Noes: Mayor Pro Tem Trevino, Councilmember Himmelblau

The Mayor announced that the zoning change had been DENIED.

RAYMOND H. STEWART
C14-81-048

2013 Bluebonnet Lane

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

Mr. Lillie reviewed the application by use of slides. ROBERT HAGERMAN, representing the applicant, said they plan to build 19 apartments containing 1,000 square feet each.

The following spoke in favor of the zoning change: GARY STEWART and a woman who did not identify herself.

The following spoke against the zoning change: WOODROW SLEDGE, TEXANNA CONN, NICK WILLIAMS.

Motion

Councilmember Goodman moved that the Council close the public hearing. The motion was seconded by Mayor Pro Tem Trevino.

Substitute Motion

Councilmember Mullen moved that the Council close the public hearing, uphold the recommendation of the Planning Commission, and DENY the zoning change. The motion, seconded by Mayor McClellan, carried by the following vote:

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

Noes: Councilmembers Cooke, Goodman

The Mayor announced that the zoning change had been DENIED.

RECESS

Council recessed its meeting at 12:30 p.m. and resumed its recessed meeting at 2:45 p.m.

GLENN HANSELER RESOLUTION AND PLAQUE

The Mayor and Councilmembers gathered on the parking lot next to the dispatcher's to present a resolution, read by the Mayor, to Mrs. Glenn Hanseler. The resolution honored Glenn Hanseler who worked as a Vehicle Dispatcher for the City of Austin from December 9, 1974 until his death on March 30, 1981 and proclaimed "that from this day the dispatcher's office and the area surrounding the office, including Glenn's tree, be officially named the Glenn Hanseler Dispatch Office and Grounds, in recognition of his contributions to the City of Austin." Mrs. Hanseler also received a plaque. Accompanying her were her son, Eddie Hanseler; a friend Beverly Trountman, Shaun Hanseler, grandson; Sheila Hanseler; Gary Hanseler, a son; Tira Hanseler; Chelsea Hanseler, granddaughter; and Zola King.

CITIZEN DID NOT APPEAR

Mr. Dan R. Price, attorney who had requested to appear to protest rejection of low bid by Stearns regarding providing airport passenger loading bridges for Austin Airport Contract, did not appear. By telephone he requested to appear at a later date.

MAYFEST SOUTH

Councilmember Himmelblau moved that the Council approve the request of Mr. Moses Saldana, for permission for the sale of beer at Ricky Guerrero Park, South Austin, on Saturday, May 30, 1981, from 12:00 noon to 7:00 p.m. and a proclamation for Mayfest South, a Memorial Day Event. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Mayor McClellan

Noes: None

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

HEARING RESCHEDULED

MR. CHRIS GRIGASSY, Riverside Farms Neighborhood, appeared before Council to reschedule a hearing on Zoning Case No. C14-81-025 until a night meeting so interested working citizens may attend. Council agreed to have the hearing in the morning as scheduled, but to continue it to 5:30 p.m. in the afternoon for those who cannot appear in the morning.

CITIZEN SPEAKS

MS. DOROTHY RICHTER appeared to criticize Council actions.

LOWENBRAU BICYCLE RACE

Councilmember Cooke moved that the Council approve the request of Mr. Lowell Lebermann, president, Centex Beverages, for permission to sell beer and soft drinks on Town Lake Shore (north side of Riverside Drive), Sunday, May 17, 1981 from 12:00 noon to 4:00 p.m. in connection with the Lowenbrau Bicycle Race. Proceeds from race and beverage sale will go to Muscular Dystrophy. (sponsored by Centex Beverages and 7-11 Stores). The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

PARADE PERMIT

Councilmember Cooke moved that the Council approve the request for a Parade Permit from W. H. McGregor, Department of the Adjutant, The American Legion, Department of Texas, for the American Legion Boys State from 8:15 a.m. to 9:30 a.m., Friday, June 12, 1981, beginning from M. L. King Jr. Boulevard along North Congress Avenue proceeding south to State Capitol, circle Capitol on west and arrive at Capitol steps by Marching up south Congress walkway from 11th Street. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

REQUEST FOR RESTITUTION

MR. MERLE A. LANG appeared before Council to request restitution of electric overcharges. No action was taken.

THANK YOU TO COUNCIL

MR. CURTIS ADRIAN appeared to thank the outgoing Council and congratulate them on their accomplishments. He expressed his appreciation to Councilmembers Himmelblau and Cooke for their years of service. Mr. Adrian is with the First Southwest Corporation.

PUBLIC HEARING ON AN APPEAL

Mayor McClellan opened the public hearing scheduled for 11:00 a.m. on an appeal by Mr. Joe Riddell of the Planning Commission's decision to grant a variance in subdivision case #C8-80-40.3 (Maple Run, Section 3).

Mr. Lillie, Director of Planning, appeared before Council to state, "The Williamson Creek Ordinance provides that variances granted by the Planning Commission can be appealed by any citizen provided that the appeal is no later than the regular second Council Meeting following the Commission's action. The appeal was filed by Mr. Joe Riddell and was on your agenda for the 23rd of April, and pulled down by the Legal Department because the form of the finding of fact drafted by the Planning Commission was not correct, so it was rescheduled by the City Council for today. Mr. Graves is here to discuss the project and I suggest he be allowed to do it so you know the format of why the appeal was made."

MR. CHARLES GRAVES appeared before Council to state, "I represent Mr. Bill Milburn on this variance request. Maple Run preliminary plan was prepared and submitted and approved prior to the adoption of the Williamson Creek Ordinance. Maple Run Section I was also approved as a final plat prior to the adoption of the ordinance. A commitment was made at the time of design to anticipate the provisions of the ordinance to comply with what we thought requirements might be. In Maple Run I it falls short only in one regard. It had the gas line swells, it had the critical water quality zones, it did not have the water quality ponds which were later incorporated into the ordinance. This is under construction at the present time. There were two or three points on that at which it failed to comply with another thing that was not anticipated. It did not have any construction in the 100-year flood plain but we did not anticipate there would be a 200-foot minimum from the center line of the creek on each side which we would call a critical water quality zone. This would represent the 100-year flood plain but not less than 200 feet nor more than 400 feet. We did not have the advantage of this at the time we made the design. There is one point at which, after the ordinance was adopted, we were not able to pull back a full 200 feet, and that is the point in question at the present time. All the rest of the lots we were able to adjust after the passage of the ordinance. Where we made contact with Maple Run I all we could do was put the maximum curve in there and curve it as sharply as we could to get away from that little incursion (referred to map). This left two lots well outside the 100-year flood plain. They are within the theoretical water quality zone. There was no way possible to pull that street further away from there. One of the lots would have a house half within the 200-foot minimum; the other lot would be fully within it. But up one more lot in Maple Run I there is no critical quality zone there since it preceded the ordinance."

MR. DAVID BLOCH appeared for Joe Riddell and read a letter from Mr. Riddell for the record:

"Dear Mayor and Council:

I will probably be unable to get away from work at the Legislature this afternoon for the postponed public hearing at 3 p.m. I ask that you consider this letter as part of my appeal and read it into the record.

May 14, 1981

"I believe that, to protect the Barton Springs aquifer, you should deny Bill Milburn's requested variance to build on two lots in the Critical Water Quality Zone. My particular concerns include:

1. Such construction is undesirable from a water quality standpoint.
2. It would set a precedent for further requests to intrude on the Critical Water Quality Zone.
3. The Planning Commission did not make a finding of fact justifying this variance request.

"Regarding points 1 and 2: You may recall that the CWQZ extends from the centerline of the creek to the boundary of the 100-year flood plain, except that it is never less than 200 feet nor more than 400 feet from the centerline. On the lots in question, the CWQZ is set at the minimum 200-foot distance. You must draw the line on respecting the CWQZ somewhere, and certainly the 200-foot distance is a bare minimum. I do not think that the Williamson Creek ordinance adequately protects Barton Springs. You may. But please do not compromise it any more.

"Regarding 3: The variance provision of the ordinance allows a variance only if the property is deprived of "privileges or safety enjoyed by other similarly situated property with similarly timed development." The only other property cited by the Planning Commission in granting this variance is the adjacent Maple Run Section 1 subdivision. However, that subdivision was finally approved prior to adoption of the Williamson Creek ordinance. Therefore, it does not constitute "similarly timed development." On the contrary, granting this variance contravenes the third sentence of Sec. 207.1(a) because it would provide the applicant with a special privilege not enjoyed by other similarly situated property with similarly timed development.

"Several minor points are raised by Bernard Snyder's letter from the Planning Commission. They primarily seem to be arguments of equity outside the scope of the variance provision. I would point out that the preliminary approval granted to this subdivision prior to the Williamson Creek moratorium was done illegally. The approach main resolution requires that the approach mains be approved prior to approval of the preliminary subdivision. The Planning Commission approved the preliminary in September just before the moratorium. The approach main was not approved until December.

"If you would continue the hearing to a definite time next week or late this evening, I would be able to address you on these issues. Please call me at 475-6011 if you do.

"Thanks. Attached is the Environmental Office's memo recommending denial of the variance request.

Yours truly,

Joe Riddell

"PS. Please excuse the typos."

Mr. Lillie read a summation of the Planning Commission's decision in which they found this to be a "unique situation and discourages further variances of this type." Councilmember Goodman asked about the finding of fact required by Council. Mr. Jim Nias stated, "The Ordinance requires you either affirm or overrule the finding of fact made by the Planning Commission.The finding of fact by the Planning Commission is that it was a special circumstance."

Motion

Councilmember Goodman moved that the Council close the public hearing and the finding of the Planning Commission to grant a variance in subdivision case #C8-80-40.3. The motion, seconded by Councilmember Cooke, 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

RELATIONSHIP WITH INCORPORATED MUNICIPALITIES

Mayor McClellan opened the public hearing scheduled for 10:00 a.m. on several items dealing with Austin's relationship with incorporated municipalities. Mr. Bill Bulloch, Director of Water and Wastewater, introduced the items under consideration, which were:

1. Consider a resolution establishing a review process for the preparation of Contract Assessment Reports.
2. Consider an ordinance establishing a Capital Recovery Charge and associated living unit equivalents for water and wastewater service in Growth Management Areas IV and V and in Incorporated Entities and providing for the elimination of the outside-the-city Capital Increment Fee.
3. Consider amending Ordinance No. 800320-E by providing that subsequent use fees for oversize portions of an approach main will be paid to the City.
4. Consider an ordinance abolishing the Wastewater Privilege Fee.
5. Consider an ordinance abolishing the moratorium on new water and wastewater services to areas within incorporated entities.

MR. DAVID BODENMAN, Planning Commission Subcommittee, said they have met two times and found they have not had time to consider all of the issues in this important decision. They have many unanswered questions which they feel must be answered as a part of this and requested an extension of time.

Motion

Councilmember Himmelblau moved that the Council close the public hearing and delay decision for one week on the above five items. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

ALLEY VACATION

Mayor McClellan opened the public hearing scheduled for 11:30 a.m. to consider vacating the 1800 Block of Congress Avenue as requested by the State Purchasing and General Services Commission, CIOV-81-009; and passage of Ordinance.

Mr. John German appeared before Council to state everything is in order and action is recommended.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF CONGRESS AVENUE ALLEY (1800 BLOCK), IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITY PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Himmelblau moved that the Council close the public hearing, 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: Mayor McClellan, Councilmembers Cooke, Himmelblau,
Mullen, Mayor Pro Tem Trevino

Noes: None

Not in Council Chamber when roll was called: Councilmember
Goodman

The Mayor announced that the ordinance had been finally passed.

PUBLIC HEARING - LAKE AUSTIN WATERFRONT

Mayor McClellan opened the public hearing, scheduled for 3:00 p.m., which was a continuation of the public hearing on proposed development controls for the area of Lake Austin Waterfront and adoption thereof.

Mr. Lillie, Director of Planning, appeared and said there has been a proposal to send this back to the Planning Commission. Mr. Bodenman appeared and said he favored postponement, as did Mr. Jim Eichelberger.

Motion

Mayor Pro Tem Trevino moved that the Council close the public hearing and send proposals on prepared development controls for the area of Lake Austin Waterfront back to the Planning Commission. The motion, seconded by Mayor McClellan, carried by the following vote:

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

MORATORIUM EXTENDED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE EXTENDING UNTIL THE 26TH DAY OF JUNE, 1981, THE TEMPORARY MORATORIUM ON THE PROCESSING OF CERTAIN SUBDIVISION PLAN AND PLAT APPLICATIONS COVERING LAND LOCATED WITHIN THAT PORTION OF THE LAKE AUSTIN WATERSHED WHICH, ON EITHER SIDE OF LAKE AUSTIN, LIES BETWEEN THE SHORELINE OF THE LAKE AND A POINT 500 FEET BEYOND THE 504 CONTOUR LINE ESTABLISHING THE AUSTIN CITY LIMITS BEYOND BEING ACCEPTED FOR FILING AND DISAPPROVED BY THE PLANNING COMMISSION; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

WATER AND WASTEWATER OVERSIZE
APPROACH MAINS

Council had before them for consideration resolutions dealing with water and wastewater oversize and approach mains for the following: Milwood Joint Venture Corporation; Bill Milburn, Inc.; Milwood Joint Venture Corporation; Bill Milburn, Inc.; and Bill Milburn, Inc.

There was some discussion concerning payment. The following motion was made:

Motion Made and Withdrawn

Councilmember Himmelblau moved that the Council approve the water and wastewater approach mains with the stipulation repayment occur up to two years pursuant to oversize payments when project is complete. The motion was seconded by Councilmember Cooke. Councilmember Himmelblau withdrew her motion and Councilmember Cooke withdrew his second.

JOHN MEINRATH, representing the applicant, said he wanted to check with his client concerning the staged pay back.

LATER IN THE DAY THE FOLLOWING MOTIONS WERE MADE: (Mr. Meinrath had returned and said his client agrees to 5-year staged pay out and will revise Maple Run so there is no City participation.)

Motions

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

MILWOOD JOINT VENTURE CORP.

- For construction of a 24-inch water oversize main and a 21-inch wastewater oversize main through Milwood Section 11. Estimated cost participation by the City will be \$108,785 for water and \$41,370 for wastewater if subdivision is annexed within one year.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

Councilmember Mullen moved that the Council adopt a resolution approving the following wastewater oversize mains:

BILL MILBURN, INC.

- For construction of a 12-inch wastewater oversize main and a 15-inch wastewater oversize main to be installed in Maple Run Section Six. Cost participation by the City will be \$26,320.00

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

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

MILWOOD JOINT VENTURE CORP.

- Consider revising a resolution adopted by Council on March 19, 1981, for authority to construct a 24-inch water oversize main and a 21-inch wastewater oversize main through Milwood Section 10. The estimated cost participation by City will be \$81,330 for water and \$14,580 for wastewater if subdivision is annexed within one year.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

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

BILL MILBURN, INC.

- Consider revising a resolution adopted by Council on January 8, 1981, for authority to construct a 24-inch water oversize main through Milwood Section 8. The estimated cost participation by the City will be \$40,050 for water if the subdivision is annexed within one year.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

Councilmember Mullen moved that the Council adopt a resolution approving the following water approach main:

BILL MILBURN, INC.

- Consider revising a resolution adopted by Council on October 30, 1980, for authority to construct a 24-inch water approach main to serve Milwood Section 8. The estimated cost participation by City will be \$116,007 if the subdivision is annexed within one year.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

CONTRACTS APPROVED

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

J. C. EVANS CONSTRUCTION
COMPANY
9111 Reid Drive
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Tennis Center Facility Improvements
(South Austin Recreation Center Site),
Parks and Recreation Department -
\$1,164,000 C.I.P. Nos. 77/86-12,
80/86-04 and 81/86-35.

The motion, seconded by Mayor McClellan, 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

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

TRANS-TEX SUPPLY COMPANY
4618 East 7th Street
Austin, Texas

- Fire hydrants, repair kits, repair
parts, hydrant extensions, Central
Stores Division
Twelve (12) Months Supply Agreement
Items 19 items, (209 units) -
\$73,782.00

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

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

Noes: None

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

Mr. Solon Bennett, Director of Purchasing, said this supply agreement is 50% repair parts.

INSURANCE PROGRAM

Council had before it a resolution to approve a contract with Washington National Insurance Co. for excess loss, group term life, accidental death and dismemberment and supplemental life coverages relative to the self-funded health insurance program.

Mr. Carl Lynch, Director of Personnel, appeared before Council and recommended the following plan:

CITY OF AUSTIN
GROUP MEDICAL PLAN IVMEDICAL BENEFITSMAJOR MEDICAL

Lifetime Maximum per Person	\$1,000,000
Deductible - Individual	\$ 100
- Family	\$ 300
- Accumulation Period	Per Calendar Year
Co-Payment - first \$2,500 Major Medical Payment	80%
- after \$2,500 Major Medical Payments	100%
Room Allowance under Major Medical	80% of Semi-Private
Maternity	As any other illness
Physicians Charges	80%

HOSPITAL AND SURGICAL

Daily Hospital Semi-Private Room	100%
Number of Days, Daily Room Benefit	120
Hospital Services and Supplies	100%
Ambulance	50
Surgery Maximum	\$1,600
Maximum for Multiple Surgery	\$4,800
Doctors In-Hospital Visits	\$ 12
Diagnostic X-Ray and Laboratory	\$ 100
Accident Expense Benefit per Calendar Year	\$ 300
Maternity	As any other illness

RETIREES

Retired employees and their dependents eligible for Medicare will be covered under a Medicare Major Medical Benefit Plan as described on page 38 of the current benefit booklet.

MR. PETER FEARS, AFSCME, appeared and expressed concern with proposed Plan II, specifically the fact that January 1 will be the date for changes. He said there is a question as to whether employees who live out of town or become ill out of town will be fully covered. He suggested Council approve Washington National Insurance Co. and then come back to adopt Plan II. He said the employees should be asked what they want in the program and then come back to Council with recommendations.

Motion

Councilmember Mullen moved that the Council adopt a resolution to approve a contract with Washington National Insurance Co., and approve all parts of the contract but the January dates. 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

MR. BOON of Boon-Chapman, appeared to state Plan II will increase the use of Brackenridge Hospital. Plan II is as follows:

CITY OF AUSTIN GROUP MEDICAL PLAN II

MEDICAL BENEFITS

LIFETIME MAXIMUM PER PERSON \$1,000,000

Payment of benefits for expenses resulting from treatment of mental and nervous conditions is limited to \$50,000.

BENEFITS PROVIDED AT 100%

- Confinement at Brackenridge Hospital (overnight stay)
- Same-Day Surgery at Brackenridge Hospital
- Emergency Room treatment at Brackenridge Hospital for an accident
- Out-Patient Services (Physical Therapy, Lab, and X-Ray) at Brackenridge Hospital

PHYSICIANS' CHARGES AT 100%

- Confinement at Brackenridge Hospital (overnight stay)
- Same-Day Surgery at Brackenridge Hospital

OTHER ELIGIBLE MEDICAL EXPENSES AT 80% (including but not limited to the following)

- Confinement at another hospital
- Physicians' services
- Prescription drugs

Calendar Year Deductible

\$100/person (waived on accident expenses)

If three covered members of a family satisfy the deductible during a calendar year, no further deductibles apply to any other covered member of that family during the remainder of that calendar year.

(cont.)

Co-Payment

80% (Maximum of \$500/person)

When a covered individual has met his/her deductible (except on accidents) and his/her co-payment limit of \$500 (20% of eligible expenses) in a calendar year, the plan will reimburse 100% of the eligible expenses for that covered individual for the remainder of that calendar year.

Room and Board

Semi-Private

If confined to an intensive care or coronary care unit, the eligible expense is the daily rate of those special units.

Out-Patient Mental and Nervous Limit

\$2,500 maximum/year

RETIREES

Retired employees and their dependents eligible for Medicare will be covered under a Medicare Major Medical Benefit Plan as described on page 38 of the current benefit booklet.

Councilmember Mullen said the \$5,000 life insurance is out of date and it should be \$10,000. There was discussion.

WOODROW SLEDGE appeared and stated that as a public employee he always paid for insurance himself. Councilmember Mullen told him the Council pays for their own insurance.

Mayor McClellan thought the employees should know about the proposed plan before a decision is made.

Motion - No Action Taken

Councilmember Mullen moved that the Council approve Plan II and increase life insurance from \$5,000 to \$10,000. The motion, seconded by Councilmember Himmelblau, showed the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen

Noes: None

Abstain: Mayor Pro Tem Trevino, Mayor McClellan, Councilmember Goodman

The Mayor announced that no action had been taken.

Mayor McClellan said the staff and insurance people should get together with representatives of employees and come back with recommendations on July 30, 1981.

CABLE TV

Council had before them the following:

1. Third reading of ordinance granting Capital Cable Company a Cable Television Franchise.
2. Third reading of ordinance establishing rates that can be charged for Cable Television Services in the City of Austin.
3. Third reading of ordinance consenting to the sale and transfer of 100% of the ownership interest in Capital Cable Company to Time Incorporated.
4. Consider authorizing a pole rental agreement with Capital Cable Company.
5. Consider authorizing a contract with Capital Cable Company regarding local origination and public access.
6. Consider extending the contract of Paul Smolen and Associates, now doing business as Tele-Techniques, to provide assistance in the cable television process, as well as in the origination and implementation of the Austin access authority and the City's Office of Tele-Communications. (Not considered)
7. Consider directing the City Manager to issue Request for Proposals (RFP) for professional services during the transition phase and implementation of the Cable Franchise Ordinance. (Not considered)

COMPLETE TRANSCRIPT OF PROCEEDINGS ON FILE IN CITY CLERK'S OFFICE

MR. HORN, Austin's consultant for cable television; Mr. Jerry Harris, City Attorney; MR. RIFKIN of Time, Inc.; MR. JEFF FRIEDMAN, attorney representing Capital Cable; Mayor McClellan and members of the Council discussed the proposed ordinances.

Mr. Rifkin stated for the record: "We are totally committed within the framework of the ordinance that the City adopts. And any prerogatives that we have on our own outside of that ordinance."

Following discussion, the following motions were made:

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

AN ORDINANCE GRANTING A FRANCHISE TO CAPITAL CABLE COMPANY, TO OWN AND OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN AUSTIN, TEXAS, AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

The Mayor announced that the ordinance had been finally passed.

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

AN ORDINANCE REGULATING AND PRESCRIBING RATES TO BE CHARGED FOR CABLE TELEVISION SERVICE WITHIN THE CITY OF AUSTIN BY CAPITAL CABLE CO., INC., PURSUANT TO THE CABLE TELEVISION FRANCHISE ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF AUSTIN; PROVIDING FOR INSTALLATION RATES; PROVIDING FOR MONTHLY SERVICE RATES; PROVIDING FOR RECONNECTION, RELOCATION, AND EXTENSION CHARGES; PROHIBITING RESELLING OF CABLE SERVICE; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

The Mayor announced that the ordinance had been finally passed.

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

AN ORDINANCE CONSENTING TO THE SALE AND TRANSFER OF ONE HUNDRED PERCENT (100%) OF THE OWNERSHIP INTEREST OF CAPITAL CABLE COMPANY TO TIME, INCORPORATED; AND PROVIDING AN EFFECTIVE DATE.

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

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

The Mayor announced that the ordinance had been finally passed.

Councilmember Cooke moved that the Council adopt a resolution authorizing a pole rental agreement with Capital Cable Company. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

Motion

Councilmember Cooke moved that the Council adopt a resolution authorizing a contract with Capital Cable regarding origination and public access with the responsibility for administering local access as well as cable rates, to be a 9-member Austin Communications Commission appointed by the City Council. The motion was seconded by Councilmember Himmelblau.

Mayor McClellan told Council, "I would just respectfully submit to you that we have up to 180 days to do this particular step and we are acting on something we really don't have that worked out well this evening. And yet we are locking ourselves into it, so I would prefer that we wait on this."

Motion Withdrawn

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

Motion

Councilmember Mullen moved that the Council adopt a resolution authorizing a contract with Capital Cable Company regarding local origination and public access. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

OFFICE OF CABLE TELEVISION

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE CITY OF AUSTIN BY ADDING THERETO A NEW CHAPTER CREATING AN OFFICE OF CABLE COMMUNICATIONS AND PROVIDING AN EFFECTIVE DATE.

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

The Mayor announced that the ordinance had been finally passed.

ZONING HEARINGS

Mayor McClellan opened the public hearing scheduled for 7:00 p.m. on the proposed zoning change. Pursuant to published notice thereof the following zoning case was publicly heard:

CORNERSTONE
DEVELOPMENT
CORPORATION
By Don Walden
C14-81-015

6907 Capital of Texas
Highway, North

From "A" Residence
1st Height and Area
To "O" Office
2nd Height and Area
NOT Recommended

RECOMMENDED by the Planning Commission
"O-1" Office, 1st Height and Area with
Items 1, 2 and 3 as set out in applicants
letter.

The Mayor said the applicant had sent a request to the Council to postpone the hearing indefinitely.

Councilmember Goodman moved that the Council postpone indefinitely the above zoning case. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

The Mayor announced that the zoning case had been POSTPONED INDEFINITELY.

Mayor McClellan oped the public hearing, scheduled for 7:30 p.m. on the following Planned Unit Development. Pursuant to published notice thereof, the following Planned Unit Development was publicly heard:

MT. BONNELL SHORES
DEVELOPMENT COMPANY
By Raymond Thomas
C814-81-004

20.587 acre tract
of land out of the
T. J. Chamber Eight
League Grant, locally
known as Mt. Bonnell
Road, 1/4 mile south
of R.R. 2222.

A Planned Unit Development (PUD)
called Mt. Bonnell Shores.

The applicant requested that the zoning case be withdrawn.

Councilmember Himmelblau moved that the Council WITHDRAW the zoning application. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

The Mayor announced that the zoning case had been WITHDRAWN.

ZONING HEARING

Mayor McClellan opened the public hearing scheduled for 6:00 p.m. on the following zoning application. Pursuant to published notice thereof, the following zoning case was publicly heard:

CORNERSTONE
DEVELOPMENT
CORP. & LARRY
LANGLEY, TRUSTEE
By W. G. Gurasich
CI4-81-035

1701-1713 Scenic Drive
3703-3715 Cherry Lane
3706-3720 Bridle Path
1708 Rockmoor Path

From "A" Residence
1st Height and Area
To "A-2" Condominium-Residence
1st Height and Area

RECOMMENDED by the Planning

Commission "A-2" with conditions that site plan meet ordinance requirements and the applicant plan to save some existing trees; allow 10-foot setback rather than 15-foot setback on Bridle Path

Mr. Lillie reviewed the application by use of slides.

MR. WILLIAM GURASICH, applicant, told history of how he obtained the property. GERARD KINNEY and EDWARD LEE, architects who designed the project, described how they had researched prior to finalizing plans and showed slides of the plans. BRYON BACKNER appeared to state he did a traffic study and determined the impact of cars would be 10 cars per hour during peak periods. SAM BYERS, attorney, appeared and said the alternative would be duplex units. Cluster housing, he stated, would be more environmentally sensitive. DON WALDEN, co-owner of the property, said they do not want to build duplexes and that trees will be preserved with only 11 of the 92 trees cut. ED WENDLER, representing Cornerstone, said the Master Plan states there shall be development of inner city land.

The following appeared and spoke in favor of the development: PETE DWYER, MIKE SANDERS, LISA CONLEY, RAY HEAD, BARRY KEITH, PHILIP BIBLE, MAURICE OLIEN and TYE CUNNINGHAM.

The following people appeared and spoke against the zoning change. Their reasons were disturbance of the natural beauty, added traffic, setting of precedence so others will change zoning and get away from family neighborhood, opposition to town houses, opposition to people who live in town houses, fear of pollution. BILLY STRAW, CHARLES BOYD, SHIELA FINNERAN, BROOK DUDLEY, JIM HARRISON, CLAY STRANGE, KAY BEAVERDORF, PAUL WOODRUF, CHARLES PALMER, ALLEN SAND, ROBERT REDFIELD, PATTY HOUGHTON, DUDLEY HOUGHTON, DOUGLAS HARWELL, STEVE PARRINO, BOB CLAR, SUE ROBERTS, LAUREEN BRADY, MARK DOBBRO, EDWARD SELLEY, JOHN BAKER, ANN FIELDS, FERTH SAFELAND, JIM WATT, FRANK COOKSEY, BELLE WILLIAMS.

ROY SPENCE, one of the co-owners, appeared to say if the zoning is awarded they will be good neighbors. Mayor McClellan said her biggest concern is whether the change will be precedent setting. She wondered why they do not request a PUD (Planned Unit Development). Mr. Spence said "A-2" was devised as a tool for this type of zoning. They want to do what is right for the neighborhood and the land.

Councilmember Cooke discussed "A-2" zoning. Mayor McClellan expressed concern. She said she does not question the quality of the houses, but she said the neighborhood does not want zoning change.

Councilmember Himmelblau moved that the Council close the public hearing and grant "A-2" Condominium-Residence, 1st Height and Area District as recommended by the Planning Commission, with conditions that site plan meet ordinance requirements and the applicant plan to save some existing trees; allow 10-foot setback rather than 15-foot setback on Bridle Path.

Councilmember Cooke offered a friendly amendment to reduce the number of units to 22 and seconded the motion. Councilmember Himmelblau accepted the friendly amendment, which carried by the following vote:

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

The Mayor announced that the change had been granted to "A-2" Condominium-Residence, 1st Height and Area District, with conditions that site plan meet ordinance requirements and the applicant plan to save some existing trees; allow 10-foot setback rather than 15-foot setback on Bridle Path; and reduce number of units to 22.

The Mayor introduced the following ordinance:

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

LOT 1, J.G. SHELTON NO. 3 AND APPROX. 2.2786 ACRES OUT OF THE D.J. GILBERT SURVEY, LOCALLY KNOWN AS 1701-1713 SCENIC DRIVE, 3703-3715 CHERRY LANE, 3706-3720 BRIDLE PATH AND 1708 ROCKMOOR AVENUE, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "A-2" CONDOMINIUM-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 DECLARING AN EMERGENCY. (Cornerstone Development Corp. & Larry Langley, Trustee; C14-81-035)

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

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

The Mayor announced that the ordinance had been finally passed.

7TH YEAR CDBG APPLICATIONS

Council had before it a resolution to consider approving the proposed 7th Year CDBG (Community Development Block Grant) Applications.

What then
Mayor Pro Tem Trevino said the Council needed to decide whether they want to continue funding the EACEDC (East Austin Chicano Economic Development Corporation), AMEDC and NBL (National Business League). Staff has recommended against this. "We need to decide or not to continue funding and if so we need to realize whatever funding level we may arrive at, it would be deducted from the other CDBG activities. If we go over the CDBG recommendations of either the staff or the joint sub-committee, we in effect will provide no monies for the activities of the economic development corporations." Councilmember Himmelblau said they had never received a report regarding the City's liabilities from HUD (Housing and Urban Development). Mayor Pro Tem Trevino said HUD has informed them they (the City) will hear from HUD at a later date.

Councilmember Cooke discussed proposed funding for AMEDC and said it was high. EACEDC, he said, wants \$286,000 which is a 12% increase in salary for its executive direction and other staff members, 13.8%. "We only gave our own City employees 10%...this seems high. Looking at the Urban League, some of their projects are very good, but the \$24,000 salary for the manager of the credit union seems high." Councilmember Cooke went on to review the rest of the proposed funding. He asked, "Do we want to fund to the proposed level on everything?" Councilmember Goodman said we cannot afford to do that. Councilmembers Cooke and Goodman agreed the Vaughn House needs \$135,000. Councilmember Himmelblau expressed her concurrence with Councilmember Cooke's concern regarding salary jumps.

Recess

Council recessed its meeting at 12:00 Midnight to discuss figures for CDBG and resumed its recessed meeting at 12:20 a.m., May 15, 1981.

Motion

Mayor Pro Tem Trevino moved that the Council fund the economic development corporations up the following level: Austin Minority Economic Development Corporation (AMEDC), \$200,000; National Business League, \$150,000; East Austin Chicano Economic Development Corporation, \$125,000. Councilmember Goodman seconded the motion.

Mayor Pro Tem Trevino said he had discussed the situation the Council finds itself in with the chairmen of these corporations.

ABE GUITERREZ appeared and said as far as the corridor projects the City has never discussed taking the initiative on their own. They (economic development corporations) have done this. He said the staff has never told this City Council how much total Federal money there is. That should be done forthwith, so Council knows where they stand.

Mayor Pro Tem Trevino stated, "You said staff had not done any activity regarding the corridor project. I remind you that two years ago I personally sent out letters to 30 to 40 businessmen in East Austin and invited a lot of our friends to sit down. Some monies had already gone into the 11th and 12th street corridor and I had suggested to the Mexican-American community that we start efforts on 6th and 7th streets so we could start a similar project. I did not think it was the position of a Councilmember or staff to devise plans. We have had experience when we suggest things to a neighborhood they are not necessarily received wholeheartedly. At that meeting I suggested to the group that met that they develop a plan and at that time I recall we had at least half a million dollars, and there was a consensus from the Council at that point that we would provide the monies as we have to the Black communities we would do it to the Chicano community. I was disappointed that the individuals who I met with who I assumed were going to pick up the ball and start working toward a plan we could take to the Council and appropriate the monies never materialized. I wanted to go on record that we have, or at least I have, gone into the Chicano Community when monies were available for such activity."

PAUL HERNANDEZ, EACEDC, told Council he did not think their proposed amount is fair. He said they will take cuts in salaries for staff, but asked not to be penalized. He asked for \$200,000 limit.

Substitute Motion - Died for Lack of Second

Councilmember Cooke offered a substitute motion to increase EACEDC to \$200,000 and NBL \$150,000; AMEDC \$200,000. There was no second.

Motion

Councilmember Mullen moved that the Council divide the question. Mayor McClellan asked all those in favor of dividing the question to raise their right hand. Mayor Pro Tem Trevino, Councilmembers Goodman, Cooke and Himmelblau raised their right hand, for a unanimous vote.

Councilmember Himmelblau said she did not understand the motion was to divide the question, but thought it was a motion to reconsider.

Motion

Mayor McClellan called for a vote to reconsider and asked all in favor to say Aye. There was a unanimous vote.

Mayor McClellan said, "All right, we are going to roll it all back together again."

Motion

Mayor Pro Tem Trevino moved that the Council fund as follows: AMEDC, \$200,000; EACEDC, \$125,000; and NBL, \$150,000. The motion was seconded by Councilmember Goodman.

Substitute Motion - Died for Lack of Second

Councilmember Cooke made a substitute motion that the Council fund AMEDC, \$200,000; NBL, \$150,000; and EACEDC \$200,000. There was no second to the motion.

Roll Call on Motion

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

No action was taken as a result of this vote.

Motion

Councilmember Goodman moved that the Council approve \$200,000 for AMEDC. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

Motion

Councilmember Goodman moved that the Council approve \$150,000 for NBL. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

Motion

Mayor Pro Tem Trevino moved that the Council approve \$150,000 for EACEDC. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Motion

Councilmember Goodman moved that the Council adopt a resolution approving the proposed 7th year CDBG Application as recommended by the joint sub-committees of Planning and Community Development Commission on remainder with exceptions made by Council as follows:

HOUSING:

1. Austin Area Urban League	
Housing Counseling	\$ 86,698
Housing Improvement	188,875
2. Austin Fire Department	10,000
3. Austin Housing Authority	505,730
4. Austin Redevelopment Authority	
Blackshear	181,850
Brackenridge	2,300
Glen Oaks	30,860
Section 8	215,000
Standard Rehabilitation	2,410,000
Administration	357,934
5. Austin Tenants Council	110,706
6. MIGHT/ARCIL	27,330
7. United Cerebral Palsy	160,000
8. Vaughn House	135,000

COMMUNITY/ECONOMIC DEVELOPMENT:

1. AMEDC	200,000
2. Austin Area Urban League	
Credit Union	60,230
3. EACEDC	150,000
4. NBL	150,000

PLANNING & ADMINISTRATION:

1. Human Services Department	650,000
TOTAL	\$5,632,574
CONTINGENCY BALANCE	1,426
GRAND TOTAL	\$5,634,000

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

Motion

Councilmember Goodman moved that the Council adopt a resolution to extend 5th Year CDBG funds out of the Corridors Project to October 1, 1981 as follows: AMEDC, \$70,000; NBL, \$25,000; and EACEDC, \$33,000, which is the balance of their present fund. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

Motion to Reconsider

The Council by acclamation voted to reconsider.

Motion

Councilmember Goodman moved that the Council adopt a resolution to extend 5th Year CDBG funds out of the Corridors Project to October 1, 1981 as follows: AMEDC, \$70,000; NBL, \$25,000. 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, Himmelblau
Noes: None

Motion

Councilmember Goodman moved that the Council adopt a resolution to allow EACEDC to use \$33,000 from now until October 1, 1981, which is the balance. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

BOARD AND COMMISSION APPOINTMENTS

Mayor McClellan announced the following Board and Commission appointments will be made on May 21, 1981:

Building Standards Commission - 2

1 low income tenant

1 home builder

Ethics Review Commission - 1

On-Going Goals Assembly Committee -

1 zone 1

1 zone 2

1 zone 7

1 zone 10

1 zone 3

In addition, alternates need to be appointed for the following zones: 1, 2, 3, 5, 6, 9 and 10

Renewable Energy Resources Commission - 1

Community Development Commission - 2 representatives to be chosen by Mayor Pro Tem Trevino and Mayor McClellan

Dental Health Advisory Committee - 1 CDC representative

Downtown Revitalization Committee - 4

Medical Assistance Program Advisory Board - 2

1 citizen

1 service provider (pharmacist)

MH/MR Board of Trustees - 1 citizen

Board of Equalization - 3 to be appointed no later than May 31, 1981

Council representatives from:

Police Department Internal Affairs Committee

Employee Retirement System of the City of Austin

Social Policy Advisory Committee

Motion

Councilmember Goodman moved that the Council approve the following appointments:

EMS Quality Assurance Team - Dr. Barry Hafkin

Urban Transportation Commission

Doug Nichols

Dr. Michael Walton

Stacy Suits

Chuck Hrcir

Water Quality Review Board

Dr. Kent Butler

Keith Hopson

Barrett Allison

Maury Hood

John Noel

Community Development Commission
2 Council representatives - Mayor McClellan and John Trevino
AFL/CIO - Brenda Jones
Urban League - LaSalle Barnett
Jaycees - Edwin Morris
National Business League - Arthur Sauls
Dental Health Advisory Committee
Dr. Ed White
Dr. John Fraser
Dr. Richard Ross
Mary Musta
Donna Knapp
Phyllis Hartzell
Ola Johnson
Michael McKinney
Hospital Board
Terry Sasser
On-Going Goals Assembly Committee
Dan Joseph (zone 4) as an alternate
MH/MR Public Responsibility Committee - Scotty Oliver
Joint Airport Zoning Board
Michael Renck
Elizabeth Ney Museum Board of Directors
Hope Sanford
Mary Zapalac
Thomas Haga
Environmental Board
William Benz
Susan Hadden
Commission on the Status of Women
Olivia Guerrero
Dorthea Brown
Renee Delaune

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

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

Noes: None

Councilmember Goodman moved that the Council approve the following appointments:

Downtown Revitalization Task Force

Robert Davis
Sanford Gottesman
Donna Carter
Karen McGraw
Frank Niendorff
Elizabeth Wendland
Bob Coffee
Paul Norris
Paul Hernandez

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

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

AGENDA ITEMS POSTPONED

The Council postponed until May 21, 1981 the following:

Consideration of a resolution to set a work session and public hearing for the purpose of determining Capital Improvements Program Projects to be included in a bond election to be held on June 27, 1981.

Consideration of an ordinance approving an increase in parking fees at the Brackenridge Hospital parking garage for City employees from \$3.00 to \$8.00 per month.

REVISED AGREEMENT

Councilmember Cooke moved that the Council adopt a resolution to amend the Revised Agreement concerning Springwoods Municipal Utility District relating to capitalized interest. 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

COMPENSATION FOR CITY MANAGER

Councilmember Cooke moved that the Council adopt a resolution approving a 12.5% increase in compensation for City Manager Dan Davidson, to be retroactive to February 1, 1981. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

CHAPTER 41A AND 29A AMENDMENTS

Council had before them for consideration ordinances amending Chapter 41A and Chapter 29A concerning development controls for land within the Aquifer-related watersheds of Slaughter, Bear, Little Bear and Onion Creek.

The proposed ordinance, including the suggested changes, compares with the Williamson Creek as follows:

	<u>Lower Watersheds</u>	<u>Williamson Creek Watershed</u>
Single family residential/ duplexes	30% impervious cover or 40% with TDI	40% Impervious cover no TDI
Commercial/multi-family residential	40% impervious cover or 55% with TDI	100% impervious cover for commercial; 65% for multi-family
Water Quality Buffer Zone (WQBZ)	Parallel to all Critical Water Quality Zones for 300 feet along major and intermediate waterways and 100 feet along minor waterways	no WQBZ
	Single-family residential and duplex development will be limited to 18% impervious cover in this zone and commercial/multi- family residential development will be limited to 15% impervious cover in this zone.	no restriction
35% slopes	no development permitted	no restriction
Sedimentation/filtra- tion basins	Cannot be located in WQBZ if serving development in uplands zone except to serve that portion of commercial development located in WQBZ	no restriction
Critical Water Quality Zone	no blasting allowed	limited blasting allowed

Councilmember Mullen moved the approval of the proposed ordinance for the lower watersheds, with the following changes:

<u>Page</u>	<u>Section</u>
5	302.1 (b) change 10 acres to 5 acres
14	305.1 delete this section
14	305.2 add new sub-section (d) No development shall be permitted on slopes exceeding 35% gradient.
14	305.3 substitute new sub-section (b) (b) The projected impervious cover in any subdivision or portion thereof that lies within the Water Quality Buffer Zone shall not exceed 18% for single-family and duplex development or 15% for commercial or multi-family development.
15	305.3 add new sub-section (d) (d) No detention and/or sedimentation/filtration basins which serve development in the uplands zone shall be permitted in the buffer zone. Provided, however, that sedimentation/filtration basins to serve that portion of any commercial development located in the buffer zone shall be permitted in the buffer zone.
15	305.4 (a) change 25% to 30%
15	305.4 (b) change 25% or 60% to 40%
15	305.5 (b) change 40% or 70% to 55% and change 35% to 40%
15	305.5 (c) in second line, after "concurrently" add "and transfer all development rights on the land from which the transfer was made"
21	308.1 (d) substitute language from the Barton Creek Ordinance, Section 103.5
21	308.1 add new sub-section (e) (e) The Planning Commission shall seek the review of the Water Quality Review Board on proposed variances that may directly impact the water quality.

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

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

Noes: None

Abstain: Councilmember Cooke

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ADDING CHAPTER 41A, ARTICLE III TO THE CODE OF THE CITY OF AUSTIN; DECLARING CERTAIN FINDINGS OF FACT; PROVIDING STANDARDS FOR THE DEVELOPMENT OF LAND LOCATED WITHIN THE AQUIFER-RELATED WATERSHEDS OF SLAUGHTER, BEAR, LITTLE BEAR AND ONION CREEKS; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

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

Noes: None

Abstain: Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ADDING CHAPTER 29A, ARTICLE II TO THE CODE OF THE CITY OF AUSTIN; DECLARING CERTAIN FINDINGS OF FACT; PROVIDING STANDARDS FOR THE DEVELOPMENT OF LAND LOCATED WITHIN THE AQUIFER-RELATED WATERSHEDS OF SLAUGHTER, BEAR, LITTLE BEAR AND ONION CREEKS; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

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

Noes: None

Abstain: Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE

Mayor McClellan introduced the following ordinance:

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

LOTS 5 AND 6, BLOCK 2, OAKMONT HEIGHTS, LOCALLY KNOWN AS 1908 AND 1910 WEST 35TH STREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (James Willis and Ida Mae Whatley, C14-80-224)

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 Goodman, carried by the following vote:

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

Noes: None

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

ADJOURNMENT

Council adjourned its meeting at 1:20 a.m., May 15, 1981.

APPROVED:

Carole Zetter McClellan
Mayor

ATTEST:

Grace Monroe
City Clerk