

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

**March 26, 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 Revered Jim Noffke, from Our Savior
Lutheran Church.**

CLASS INTRODUCED

**Sixth grade students from Williams Elementary School who are studying
City government were present in the Council Chamber. Mayor McClellan introduced
the students and their teachers, Mrs. Castillo and Mrs. Hardy to the Council
Chamber.**

EBONY FASHION FAIR DAY

**Commission Jimmy Snell; Dr. and Mrs. Q. T. King, President of Huston-
Tillotson College; Jacklyn Williams, President of Huston-Tillotson College
Alumni; and Matthew Edwards, General Manager of Ebony Fair, were in the Council
Chamber to receive a proclamation read by Mayor McClellan, designating March 26
as Ebony Fashion Fair Day. They all thanked the Mayor and Council for the
proclamation.**

BIG WHEEL FIESTA DAY

Mayor McClellan presented a proclamation designating Saturday, April 4, as Big Wheel Fiesta Day to T. W. Johnson, procurement officer; Peggy Simmons, chairman; and Willie Kocurek, vice chairman. They all thanked the Mayor for the proclamation.

RESOLUTION FOR BOB BECKHAM

Bob Beckham, who is retiring as the Assistant Director of Public Works Department, received a resolution signed by all Councilmembers and read by the Mayor. The resolution cited Mr. Beckham for his 27 years of expertise which has helped guide the City's public works program. Mr. Beckham's wife, Freddie, and Director of Public Works John German joined Mr. Beckham at the podium. He expressed his thanks and said he had been fortunate in working with a fine group of City employees.

BOARD AND COMMISSION APPOINTMENTS

Mayor McClellan announced the following Board and Commission appointments are due to be made on April 2, 1981:

- Building Standards Commission - 2
- EMS Quality Assurance Team - 1
- Ethics Review Commission - 1
- On-Going Goals Assembly Committee - 5
- MH/MR Public Responsibility Committee - 1
- Urban Transportation Commission - 5
- Renewable Energy Resources Commission - 1
- Water Quality Review Board - 5
- Community Development Commission - 6
- Dental Health Advisory Committee - 9
- Downtown Revitalization Committee.

Council representatives are to be chosen for the following:

- Capital Area Planning Council - 1
- Police Department Internal Affairs Committee - 1
- Employees Retirement System of the City of Austin - 1
- Social Policy Advisory Committee - 1

MINUTES APPROVED

Councilmember Cooke moved that the Council approve the Minutes of the Meeting of November 20, 1980. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

SALE OF CITY-OWNED PROPERTY

Councilmember Mullen moved that the Council adopt a resolution approving the sale of the following City-owned property:

| | |
|----------------------|-------------|
| 1507 Harrell Lane | \$61,580.00 |
| Philip Chase Bobbitt | |

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

CONTRACT WITH SUNDOWN CENTER SERVICE

Councilmember Mullen moved that the Council adopt a resolution entering into a contract with Sundown Center Service, Incorporated from April 1, 1981 through September 30, 1981 in the amount of \$39,600 for the purpose of sweeping the Central Business District. 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

RELEASE OF EASEMENTS

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

A portion of a 10.0' Sanitary Sewer Easement on Lot 11, Block B
Salem Village Subdivision as recorded in Volume 3839, Page 1883,
800 Ramble Lane. (Requested by Mr. John H. Curttright)

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

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

A Sanitary Sewer Easement as recorded in Volume 417, Page 65 of
the Travis County Deed Records, 3115 Tom Green Street. (Requested
by Mr. William T. Carlisle)

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

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

A 10.0' Electric and Telephone Easement as recorded in Volume 6704,
Page 637 of the Travis County Deed Records, 905 Ken Street. (Re-
quested by the Electric Department)

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

CONTRACTS APPROVED

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

TYMCO, INC.
225 East Industrial Boulevard
Waco, Texas

- Used Street Sweepers, Public
Works Department
Item 1, 3 ea. - \$139,410.00

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

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

TEMPLE ASSOCIATES, INC.
P. O. Box 730
Diboll, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Interim Terminal Improvements
for Robert Mueller Municipal
Airport - \$4,795,000.00
C.I.P. Nos. 81/70-74 and 81/70-86

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

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

Bid Award:

- CAPITAL IMPROVEMENTS PROGRAM -
Office Furniture for the Rosewood
Zaragosa Medical Health Clinic,
Health Department, C.I.P. No.
79/91-02

OFFICE FURNITURE LIQUIDATORS
5310 Burnet Road
Austin, Texas

- Items 8-11, 14, 16-17 and 19 -
\$8,066.45

GENERAL OFFICE EQUIPMENT
4108 North Lamar Boulevard
Austin, Texas

- Items 1-7, 12-13, 15 and 18 -
\$8,909.55

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

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

Bid Award:

- Concrete Ready-Mix, Electric
Utility, Parks & Recreation, Public
Works & Water & Wastewater Departments
Twelve (12) Month Supply Agreement
Items 1.0, 2.0, and 3.0 awarded by
line item to appropriate vendors
based on first, second and third low
bidder, etc. - Estimated total
expenditure is \$200,000 per year.

CENTEX MATERIALS
2525 Wallingwood Avenue
Austin, Texas

TEXAS INDUSTRIES
825 Ed Bluestein Boulevard
Austin, Texas

CAPITOL AGGREGATES
Bolm Road
Austin, Texas

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

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

GOLDTHWAITE'S OF TEXAS
10851 Sentinel
San Antonio, Texas

- Riding Rotary Lawn Mowers,
Parks and Recreation Department
\$99,480.00

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

CAPITAL IMPROVEMENTS PROGRAM

Councilmember Mullen moved that the Council adopt a resolution approving a Change Order in the amount of \$14,796.00 to Faulkner Construction Company for Ullrich Water Treatment Plant High Service Pump Station. CAPITAL IMPROVEMENTS PROGRAM No. 76/22-81. 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

TEMPORARY STREET CLOSINGS

Councilmember Mullen moved that the Council adopt a resolution temporarily closing the following street:

PEARL STREET from 24th Street to 25th Street on April 24, 1981,
from 1:00 p.m. to 8:00 p.m., as requested by Mr. James Allen,
representing Lambda Chi Alpha Fraternity.

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

Councilmember Mullen moved that the Council adopt a resolution temporarily closing the following street:

25TH STREET between Pearl and San Gabriel from 3:00 p.m. to 6:00 p.m.
on April 2, 1981, as requested by Mr. David Hudson representing
the Texas Cowboys.

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

LEGISLATIVE SUPPORT

Councilmember Mullen moved that the Council adopt a resolution approving support of House Bill 315 relating to the disposition of revenue collected from the State Inheritance Tax. 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

Councilmember Mullen moved that the Council adopt a resolution approving support of House Bill 116 relating to motor fuel tax exemptions for cities. 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

Councilmember Mullen moved that the Council adopt a resolution approving support of House Bill 629 relating to raising the interest rates on municipal bonds. 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

OPPOSITION TO LEGISLATION

Councilmember Mullen moved that the Council adopt a resolution opposing House Bill 1815 relating to the deposit and investment of retainage to secure performance of public works contracts. 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

HOSPITAL TRACT FOR PUBLIC PURPOSES

Councilmember Mullen moved that the Council adopt a resolution directing the City's legislative counsel to work with the Travis County delegation to submit a bill granting the City of Austin the right to use the Hospital Tract for any public purpose. 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

INTERLOCAL ASSISTANCE AGREEMENT

Councilmember Mullen moved that the Council adopt a resolution authorizing the City of West Lake Hills to become a party to the Interlocal Assistance Agreement and to participate in the Greater Austin Area Organized Crime Control Unit. 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

SITE PLAN APPROVAL

Councilmember Mullen moved that the Council adopt approval of a site plan as a condition of Zoning Case No. C14-80-144. 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

CHERRY CREEK DRAINAGE IMPROVEMENTS

Councilmember Mullen moved that the Council adopt a resolution approving proceeding with the Cherry Creek Drainage Improvements and waiving property owner participation in the project. 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

PUBLIC HEARINGS SET

Councilmember Mullen moved that the Council set a public hearing on April 9, 1981 at 10:45 a.m. to modify a restrictive covenant, including a site plan, for a 12-unit apartment dwelling group on a 1.579 acre tract at 6902 Thorncliffe Drive and 3804 Knollwood Drive (C14p-81-009 and C14-79-202). 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

Councilmember Mullen moved that the Council set a public hearing on April 16, 1981 on amendment to Chapter 41A relating to subdivision platting within the Barton Creek Watershed, at 7:00 p.m. 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

WASTEWATER SERVICE

Councilmember Mullen moved that the Council adopt a resolution reprogramming \$170,000 from the Wastewater Utility Adjustment CIP Accounts to fund the extension of wastewater service to existing areas within the City. 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

CAPITAL IMPROVEMENTS PROGRAM

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE 1980-85 CAPITAL IMPROVEMENTS PROGRAM BY ACCEPTING AND APPROPRIATING FUNDS IN THE AMOUNT OF \$616,609.00 FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY FOR THE ENGINEERING AND DESIGN PHASE OF THE GOVALLE WASTEWATER TREATMENT PLANT IMPROVEMENTS PROJECT (CIP NO. 73/23-83); SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS; AND DECLARING AND EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

ITEMS TO BE BROUGHT BACK

During the consent motion, Councilmember Himmelblau moved that the following item be brought back April 2, 1981:

Appropriating \$126,613 from the budget of Brackenridge Hospital (financed by increased Hospital revenues) to fund 16 additional full-time equivalents.

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

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

Councilmember Himmelblau moved that the following item be brought back after the task force looks at it:

Appropriating \$89,848 from the General Fund ending balance and transferring \$69,642 to the Public Works Department and \$20,206 to the Planning Department to provide for implementation of the Williamson Creek Ordinance.

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

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

ELECTRIC RATES

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

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

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

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

Noes: None

Abstain: Councilmember Goodman, Mayor Pro Tem Trevino

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:

TRACT 1: A 42,789 SQUARE FOOT TRACT OF LAND, SAVE AND EXCEPT A 6,000 SQUARE FOOT TRACT OF LAND, DESCRIBED IN TRACT 2 BELOW, TO REMAIN "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2: A 6,000 SQUARE FOOT TRACT OF LAND, FROM "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

ALL OF ABOVE PROPERTY BEING LOCALLY KNOWN AS 600-700 NELRAY AND 5426 GUADALUPE STREET, 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. (C14-80-189, Commerce Park Associates, Ltd.)

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

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

Noes: None

Abstain: Councilmember Himmelblau

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 96.794 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 2: A 4.00 ACRE TRACT OF LAND, SAVE AND EXCEPT THE EAST FIFTEEN FEET PARALLEL TO THE EAST PROPERTY LINE, SET OUT IN TRACT 8 BELOW, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 3: A 14.487 ACRE TRACT OF LAND, SAVE AND EXCEPT 1,500 SQUARE FEET, 18,944 SQUARE FEET AND 495 SQUARE FEET, AS SET OUT IN TRACTS 5, 6 AND 7 BELOW, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 4: AN 8.82 ACRE TRACT OF LAND, SAVE AND EXCEPT THE EAST FIFTEEN FEET PARALLEL TO THE EAST PROPERTY LINE, AS SET OUT IN TRACT 8 BELOW, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT;

TRACT 5: A 1,500 SQUARE FOOT TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT;

TRACT 6: AN 18,944 SQUARE FOOT TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;

TRACT 7: A 495 SQUARE FOOT TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 8: A 0.399 ACRE TRACT OF LAND, (15 FOOT STRIP) FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;

ALL OF THE ABOVE PROPERTY BEING LOCALLY KNOWN AS 5501-5901 U. S. 183 (ED BLUE-STEIN BOULEVARD) AND 5650-5800 PATTERSON ROAD (JOHNNY MORRIS ROAD), 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. (John E. Miller, Richard W. Miller and Clarence E. Miller, C14-80-199)

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

LEGISLATIVE COUNSEL REPORT

MR. JOE LONGLEY, legislative counsel, reported as follows: "H.B. (House Bill) 635, which would reallocate the sales and use tax for cities, has been postponed until after adjournment this afternoon. This particular legislation, using the figures of the bill's sponsor, would have an adverse effect on revenue of Austin of about three quarters of a million dollars. It was my intention, as a resource witness, to go up and oppose the bill until we can get problems worked out on their allocation so it would not have an adverse impact on the City of Austin. The Council has not made any resolution concerning this matter. We have been contacted by the City of Dallas to help out and I have coordinated my efforts with them and told them we will try to help. ... We had a meeting recently with the City Attorney's office and the Land Commissioner's office on the changing of the designated purpose for Brackenridge Hospital. I know many of you will recall that it has been an ongoing source of concern for many years. Since the new hospital been built, many of the functions have been moved out of the red brick building. We are in agreement with the Land Commissioner's Office that the City of Austin and the State can agree to change the use designation that has been on that property since the days of the Republic of Texas from hospital to any municipal public purpose. A bill has been drafted by Miss Gloria Vera of the City Attorney's office and has been transferred over to the State Land Commission and we are in the process of getting their okay on that bill. It will then be introduced by Representative Barrientos in the House and by Senator Doggett in the Senate. I don't anticipate there will be any problem with that legislation. It will be an agreed bill simply to change the designation from hospital to any municipal public purpose."

Councilmember Goodman said that is good news and thanked Mr. Longley and the staff for their efforts.

Mr. Longley continued, "The update on H.B. 309 is that it is coming out of sub-committee this week and companion bill S.B. (Senate Bill) 89 is still in Senate committee. This is the compensation for resident physician bill which would mean a net positive cash flow to the City of around \$45,000, given the affiliation agreement we have with the University of Texas in Houston on the OB-GYN program. That bill is coming out of sub-committee this week. Wilhelmina Delco is Chairman of that committee in higher education. We expect favorable consideration on that bill.

"H.B. 236, taking the cities of 200,000 and over out of the Council of Governments, is still in sub-committee. It doesn't look like it will come out until about July 4th and that will be good news for us.

"The mass transit authority bill that the City is interested in, S.B. 425 is on the Senate calendar for consideration and it should be passed any day now. The population figure is a minimum of 325,000.

"...H.B. 1040 which the Council passed a resolution opposing. This is the sign compensation ordinance and it is still in subcommittee.

"H.B. 315 is on your Agenda today which will share the inheritance tax with the City and we request Council give favorable consideration to that resolution. ...

"We had good reports from our reception co-sponsored with the Travis County delegation and the Austin Chamber of Commerce. Everyone had a very fine time, and we received complimentary letters from everyone concerned. As to future items, we have packets of chili that are Austin-made that will be going out very soon with a letter from the Mayor accompanying that. We purchased earlier this year the Willie Nelson "Stardust" album, which I believe will be going out around May 1. This is in our coordination of efforts with the Legislature in providing them with items of information and small gifts which are Austin related."

REPORT POSTPONED ONE WEEK

The City Manager Report on ARA Housing Rehabilitation will be heard next week, April 2, 1981.

TERMINAL IMPROVEMENTS - MUNICIPAL AIRPORT

Mr. Roy Bayless, Director, Municipal Airport, reported on Terminal Improvements for Robert Mueller Municipal Airport. He said, "We are pleased the Council has awarded the contract for the improvements." He showed drawings by the Temple Construction Company who will do the improvements. Bovay Engineers will be the project managers; Holt, Fatter and Scott designed the terminal expansion; and Pflueger and Pockinghorn designed the concourse expansion. Mr. Bayless continued, "It is important to tell you today that we have concluded new agreements with the airlines which establishes a compensatory rate base. Essentially, this establishes a construction rental rate that is sufficient to retire debt service on improvements we construct for the airlines. In addition to the construction rental rate we have a maintenance and operation cost that is established on top of that and it is adjusted each year, based upon actual costs. The agreements have been concluded with the airlines but we need to refine the agreements. They are quite complicated, but I believe they are the Cadillac of the industry. Some of the airports years ago talked about single cash register concepts and Chicago O'Hare is that type concept. But the concept we have, the airlines have absolutely no call on revenue from parking, concession fees, from fixed base operations and others. The project cost is \$4.8 million and we have been telling you for several years that we are just about to turn the corner to make the airport fully self-sufficient.

"On January 1, 1983 we will begin to do that. We will pay the debt service on \$3.2 million dollar bond money that is a part of this project. Also the current revenues that we applied to this will be paid for, returned to the City over a 20-year period, same as the bonds, at the effective bond interest rate of 7.256%. You may remember that this year we are paying the General Fund \$50,000 in lieu of services from Purchases and Stores, Research and Budget, Legal and departments like that which we had never paid before. Next year, we will increase that to \$90,000. Additionally, beginning January 1, 1983, if indeed the Council sends forth to the voters the \$10.4 million bond package, we

will be able to pay debt service on that also. The ending balance this year is about \$300,000.00 so we are in exceptionally good financial shape. We are thrilled about the whole thing and certainly thrilled that there will be no tax money going into the airport whatsoever and over the last five years there has not been any tax money except for debt service payments and services such as legal and others that we have not been paying for. So this is the thing we have strived for the seven years we have been here."

Councilmember Goodman asked how long it will take to complete the project. Mr. Bayless said 15 to 17 months..455 days.

GROUP HEALTH INSURANCE PROGRAM

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

BOON-CHAPMAN, LTD.
7600 Chevy Chase Drive
Austin, Texas

- Administrator for the Group Health
Insurance Program
Thirty-six (36) Month Contract
\$11,550.00 monthly

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

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

Noes: None

Councilmember Mullen stated for the record, "At the present time it is not to be brought back to Council what group life or health back up, accidental death, stop loss coverage..that is just going to be made by the City Manager or his designee, but I would like for us to have a report on how you came to the conclusion so we will be able to evaluate that before it is finalized. I don't think we have to vote on everything we do, but at least we need to be kept abreast of it. Also, whoever is on the City Council three years from now needs to be kept aware of extension of the contract and a report of why and how much it has gone up and the details of it plus I understand by the contract that what we have here is not correct. It is 80% of the CPI instead of 100% of CPI. That sounds a lot better. I visited with the County yesterday about the possibility of us joining hands and having a health program together. Their thousand plus the City's 7500 could be a joint effort and maybe reduce the cost for both of us. Jimmy Snell and I worked together on this and it was met very positively by the Commissioner's Court, and I would like the City Council to be aware of what we are looking at."

ZONING HEARINGS

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

REINHARD CAPS
By Raymond Wendland
C14r-81-023

11862 Research Boulevard

From "O" Office
1st Height and Area
To "LR" Local Retail
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Himmelblau moved that the Council grant "LR" Local Retail, 1st Height and Area District, as recommended by the Planning Commission. 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 change had been granted to "LR" Local Retail, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

ALLIED DEVELOPMENT
COMPANY
By Barry Smith
C14r-81-041

805 East William
Cannon Drive, Suite 3

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

Councilmember Himmelblau moved that the Council grant "C-1" Commercial, 1st Height and Area District, as recommended by the Planning Commission. 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 change had been granted to "C-1" Commercial, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

AUSTIN MALL COMPANY
ALLADIN'S CASTLE,
INC. (Lessee)
By Tom Curtis
C14r-81-031

2901 Capital of Texas
Highway South

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

Councilmember Himmelblau moved that the Council grant "C" Commercial, 1st Height and Area District, as recommended by the Planning Commission. 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 change had been granted to "C" Commercial, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

VAN CLEAVE DEVELOP-
MENT CO., INC.
By Thomas Delisi
C14-81-018

9700 North Lamar
Boulevard

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

Councilmember Himmelblau moved that the Council grant "C" Commercial, 1st Height and Area District, as recommended by the Planning Commission. 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 change had been granted to "C" Commercial, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

CITY OF AUSTIN
By Bill Richardson
C14-81-040

1507 Harrell Lane

From "B" Residence
1st Height and Area
To "A" Residence
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Himmelblau moved that the Council grant "A" Residence, 1st Height and Area District, as recommended by the Planning Commission. 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 change had been granted to "A" Residence,
1st Height and Area District, and the City Attorney was instructed to draw the
necessary ordinance to cover.

CROSLIN, JACKSON, 1615 West 6th Street
ROZELLE PARTNER-
SHIP
By Charles W.
Croslin, Jr.
C14-81-026

From "B" Residence
2nd Height and Area
To "O-1" Office
1st Height and Area
RECOMMENDED (as amended) by
the Planning Commission

Councilmember Himmelblau moved that the Council grant "O-1" Office, 1st
Height and Area District, (as amended) as recommended by the Planning
Commission. 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 change had been granted to "O-1" Office,
1st Height and Area District, (as amended), and the City Attorney was instructed
to draw the necessary ordinance to cover.

CITY OF AUSTIN Loop 360 and F.M. 2222
PLANNING
DEPARTMENT
C14-81-020

From Interim "AA" Residence
and Interim "AA-PUD"
Residence-Planned Unit
Development, 1st Height and
Area
To "AA" Residence and "AA-PUD"
Residence-Planned Unit
Development, 1st Height and
Area
RECOMMENDED by the Planning
Commission

Councilmember Himmelblau moved that the Council grant "AA" Residence and
"AA-PUD" Residence-Planned Unit Development, 1st Height and Area District, as
recommended by the Planning Commission. 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 change had been granted to "AA" Residence and "AA-PUD" Residence-Planned Unit Development, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

CITY OF AUSTIN
PLANNING
DEPARTMENT
C14-81-021

Loop 360 and Lakewood
Drive

From Interim "AA" Residence,
"AA-PUD" Residence-Planned
Unit Development, and
Interim "A" Residence, 1st
Height and Area
To "AA" Residence and "AA-PUD"
Residence-Planned Unit
Development, 1st Height and
Area
RECOMMENDED by the Planning
Commission

Councilmember Himmelblau moved that the Council grant "AA" Residence and "AA-PUD" Residence-Planned Unit Development, 1st Height and Area District, as recommended by the Planning Commission. 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 change had been granted to "AA" Residence and "AA-PUD" Residence-Planned Unit Development, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

WOODBURN HOUSE
By George Boutwell
C14h-81-001

4401 Avenue D

From "A" Residence
1st Height and Area
To "A-H" Residence-Historic
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Cooke moved that the Council accept the finding of fact a, d, f, l, m and grant "A-H" Residence-Historic, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

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

CITY OF AUSTIN
PLANNING
DEPARTMENT
C14-81-043

5517-5603 Montview Street From "B" Residence
1st Height and Area
To "AA" Residence
1st Height and Area
RECOMMENDED by the Planning
Commission "AA" Residence, 1st Height and
Area, save and except 20-foot existing
driveway access to Savings and Loan.

Councilmember Mullen moved that the Council grant "AA" Residence, 1st Height and Area District, save and except 20-foot existing driveway access to Savings and Loan, as recommended by the Planning Commission. The motion, seconded by Mayor McClellan, carried by the following vote:

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

Noes: None

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

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

JOHN D. POUNDS
By Donald E. Bird
C14-81-030

8732 North Lamar
Boulevard

From "GR" General Retail
1st Height and Area
To "C" Commercial, 1st Height
and Area (Tract 1), and "A"
Residence, 1st Height and
Area (Tract 2)
RECOMMENDED by the Planning
Commission

Councilmember Himmelblau moved that the Council grant "C" Commercial, 1st Height and Area on Tract 1, and "A" Residence, 1st Height and Area on Tract 2, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the change had been granted to "C" Commercial, 1st Height and Area District on Tract 1, and "A" Residence, 1st Height and Area District on Tract 2, and the City Attorney was instructed to draw the necessary ordinance to cover.

JOHN McPHAUL
C14r-81-027.

4427-4467 Frontier
Trail
2304-2330 Western
Trails Boulevard
2309-2311 West Ben
White Boulevard

From "C" Commercial
1st Height and Area
To "C" Commercial
2nd Height and Area
RECOMMENDED by the Planning
Commission "C" Commercial, 2nd
Height and Area for the build-
ing envelopes only.

Mr. Lillie reviewed the application by use of slides.

MR. McPHAUL, applicant, appeared before Council and said there will not be a usage change, only a change in the height and area.

DR. JOHN KERR appeared before Council to say if a five-story building is allowed, there is not allowance for enough parking spaces in the present plan. He said there should be a building 2 to 3 stories high to fit in with the neighborhood so there will not be congested parking. Mr. McPhaul told him that the way it is now, he could put in two three-story buildings and have adequate parking. Mr. Lillie said the site plan has to be approved and discussion centered on the 80 extra parking spaces for a five-story building. Councilmember Mullen said if the 80 extra spaces are not put in, he wants to know about it and made his motion conditional upon them.

Councilmember Mullen moved that the Council grant "C" Commercial, 2nd Height and Area District, subject to conditions, as recommended by the Planning Commission, and conditional on 80 parking spaces. 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

The Mayor announced that the change had been granted to "C" Commercial, 2nd Height and Area District, subject to conditions, and conditional on 80 parking spaces, and the City Attorney was instructed to draw the necessary ordinance to cover.

HIGHLAND MALL
BOULEVARD LTD.
PARTNERSHIP
By Michael Kuhn
C14-81-036

404 Highland Mall
Boulevard East

From "C" Commercial
3rd Height and Area
To "C-2" Commercial
3rd Height and Area
RECOMMENDED by the Planning
Commission

Mr. Lillie reviewed the application by use of slides.

MR. ERWIN SALMANSON, attorney for the applicant, said the restaurant will be topless and under the present zoning it is allowed. Mr. Albert DeLaRosa, Assistant City Attorney, stated the principle use will be a bar, which is in order for "C-2" Commercial zoning.

MS. JANET REED, general manager, Highland Mall, spoke for the mall and the bank in the area in opposition to a sexually oriented business in the area. She said they do not object to "C-2" but do object to topless. She asked Council to add a restrictive covenant banning sexually oriented business. Discussion of toplessness not being covered by a State or City ordinance ensued.

Councilmember Goodman moved that the Council grant "C-2" Commercial, 3rd Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Mullen

The Mayor announced that the change had been granted to "C-2" Commercial, 3rd Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

ABBOTT LABORA-
TORIES
By Robert Sneed
C14r-81-037

13900-14512 Burnet Road
3600-4402 Howard Lane
13801-14599 McNeil-
Merrelltown Road

From Interim "D" Industrial
1st Height and Area
To "D" Industrial
2nd Height and Area

RECOMMENDED by the Planning
Commission "D" Industrial, 2nd Height and
Area, except for 200-foot setback on
Howard and F.M. 1325 and 100-foot set-
back for balance of perimeter, which is
to be zoned "D" Industrial, 1st Height
and Area District.

MR. JOE RIDDELL appeared to speak against the zoning change. He said if Abbott comes to Austin, they should live under our ordinances. Mr. Jim Nias, Assistant City Attorney, said they are not exempt from zoning ordinances.

MR. ROBERT SNEED, attorney for Abbott, explained a Planned Development Area provides where the territory is outside the City limits an agreement may be entered into. Councilmember Goodman asked why it is necessary to zone all 206 acres "D" Industrial, and Mr. Sneed told him it will be allied use.

Motion

Councilmember Cooke moved that the Council grant "D" Industrial, 2nd Height and Area District, subject to conditions, as recommended by the Planning Commission, with restrictive covenant as stated in the PDA (Planned Development Area) contract. The motion was seconded by Councilmember Himmelblau.

Mr. Riddell questioned whether the City's zoning ordinance would prevail over a restrictive covenant. Mr. Nias told him it would.

Roll Call on Motion

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

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

The following two zonings, C14r-81-034 and C14-81-239, were heard together:

WILSON DEVELOPMENT
CORPORATION
By David Hutton
C14r-81-034

10000 Block of North
IH-35 (Rear)
10101-10105 North Lamar
Boulevard (Rear)

From Interim "AA" Residence
1st Height and Area
To "BB" Residence
1st Height and Area

RECOMMENDED by the Planning
Commission "BB" Residence, 1st Height
and Area with conditions as volunteered by
applicant (limit density of Tract 3 to
13 units per acre and have 25-foot
setback from existing "A" Residence
zoning on Tracts 1 and 2.)

NORTHWEST PROPER-
TIES, LIMITED
By Daryl Taylor
C14-81-239

9400-9600 blocks
North Lamar

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

NOT RECOMMENDED. RECOMMENDED by the
Planning Commission Tract 1 "GR" General
Retail, 1st Height and Area; Tract 2 "O"
First Height and Area; Tract 3 "A"
Residence, 1st Height and Area; Tract 4
"O" Office, 2nd Height and Area for
building envelopes only; "O" Office, 1st
Height and Area for remainder of tract
subject to site plan review as agreed by
applicant for Tract 4; Tract 5 "BB"
Residence 1st Height and Area with 25
foot buffer on east, 6 foot privacy fence;
Tract 6 "GR" General Retail, 1st Height
and Area subject to site plan; Tract 7
"BB" RESidence, 1st Height and Area with
25 foot buffer on east and north.

Mr. Lillie reviewed both applications by use of slides.

MR. CHARLES GRAVES, representing the applicants said they have both agreed to the recommendation of the Planning Commission. He showed maps. Councilmember Mullen said he preferred one-story buildings next to the fence and Mr. Graves said the applicant would agree. There was discussion of the roads, buildings, etc.

MS. WANDA CRICKEY appeared and expressed concern regarding the entrance to the school.

CATHERINE HULL discussed Georgian Drive and said it will be confusing because it will be going two different ways.

DAVID HUTTON summed up the area and said there will be certain things no one likes.

Motions

C14r-81-034:

Councilmember Mullen moved that the Council grant "BB" Residence, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission, with modifications that all areas adjoining present developed residential areas have 25-foot buffer and that first units be one-story only and buildings be no more than 5 stories according to site plan presented; temporary barricades on Longspur until Brownie open and request Urban Transportation to expedite opening of Brownie Street. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: Councilmember Goodman

Not in Council Chamber when roll was called: Mayor McClellan

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

C14-81-239:

Councilmember Mullen moved that the Council grant the following:

Tract 1: "GR" General Retail, 1st Height and Area;

Tract 2: "O" Office, 1st Height and Area;

Tract 3: "A" Residence, 1st Height and Area;

Tract 4: "O" Office, 2nd Height and Area for building envelopes only,
"O" Office, 1st Height and Area for remainder of tract, subject to conditions;

Tract 5: "BB" Residence, 1st Height and Area subject to conditions;

Tract 6: "GR" General Retail, 1st Height and Area subject to site plan;

Tract 7: "BB" Residence, 1st Height and Area subject to conditions;

with modifications that all areas adjoining present developed residential areas have 25-foot buffer and that first units be one story only and buildings be no

more than 5 stories according to site plan presented; temporary barricades on Longspur until Brownie open and request Urban Transportation to expedite opening of Brownie Street. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: Councilmember Goodman

Not in Council Chamber when roll was called: Mayor McClellan

The Mayor announced that the change had been granted to the following: Tract 1: "GR" General Retail, 1st Height and Area District; Tract 2: "O" Office, 1st Height and Area District; Tract 3: "A" Residence, 1st Height and Area; Tract 4: "O" Office, 2nd Height and Area for building envelopes only, "O" Office 1st Height and Area District for remainder of tract, subject to conditions; Tract 5: "BB" Residence, 1st Height and Area subject to conditions; Tract 6: "GR" General Retail, 1st Height and Area subject to site plan; Tract 7: "BB" Residence, 1st Height and Area subject to conditions; and subject to modifications as in motion above, and the City Attorney was instructed to draw the necessary ordinance to cover.

Zoning Cases Postponed

The following two zonings, C14r-81-045 and C14r-81-046, were considered together:

GULF OIL CORPORATION
By K. L. Vaughn
C14r-81-045

10947 Research
Boulevard

From "A" Residence
1st Height and Area
To "GR" General Retail
1st Height and Area
RECOMMENDED by the Planning
Commission

PAUL ROCHESTER
By Roger Eames
C14r-81-046

11001 Research
Boulevard

From "A" Residence
1st Height and Area
To "C" Commercial
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Cooke said he is deeply concerned because the building for the service station is already up and this request for a zoning change is after the fact. Mr. Lillie reviewed the application by use of slides. Councilmember Cooke stated several citizens have already been killed on this section of Research Boulevard and he has concerns with the safety problem of more curb cuts causing more traffic. Five driveways are planned. He asked if staff can assimilate a report on traffic hazards of this strip of Highway 183. Dr. Benson, Director of Transportation, said he would obtain a report by the afternoon.

Later in the day: Mr. Lillie reported concerning the area between the 10000 block to 10400 block there were four deaths in 1978; two deaths in 1979; zero deaths in 1980; and 17 serious collisions in 1980. He said the letters can be sent to the owners of businesses along the strip to have common access openings. Councilmembers Cooke and Mullen said the building is up and there is no way to get through residential "A" zoning. Mr. Lonnie Davis, Building Inspection Department, said an administrative error was made when the permit was granted for the building. After more discussion it was decided to bring these zoning applications back on April 9, 1981.

Councilmember Mullen moved that zoning cases C14r-81-045 and C14r-81-046 be brought back April 9, 1981 at 10:00 a.m. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

CORNERSTONE DEVELOPMENT CORP. & LARRY LANGLEY, Trustee
 By William George Gurasich
 C14-81-035

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" Residence
 1st Height and Area
 RECOMMENDED by the Planning Commission "A-2" Residence,
 with conditions that site plan meet ordinance requirements and the applicant plan to save some existing trees. Variance granted to allow 10-foot setback rather than 15-foot setback on Bridle Path.

Mr. Charles Boyd appeared and requested a postponement.

Councilmember Goodman moved that the Council postpone the hearing on the above zoning case to April 16, 1981 at 6:30 p.m. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

Later in the meeting, Councilmember Goodman moved that the Council postpone the above zoning case to April 23, 1981, at 3:30 p.m. The motion, seconded by Mayor Pro Tem Trevino carried by the following vote:

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

The Mayor Pro Tem announced that the zoning case had been postponed.

JEANNE S. ATKIN-
SON ET AL
By William Carson
C14r-81-226

7531 North Capital of
Texas Highway

From Interim "AA" Residence
and "AA" Residence, 1st
Height and Area
To "O" Office, 1st Height
and Area District
RECOMMENDED by the Planning
Commission "O-1" Office, to
be tied to site plan
elevation.

There was a request to postpone the hearing. Mr. Carson objected because he said the moratorium postponed it three months, the corridor study one month, and the neighborhood two weeks. He said there has been ample time and further delay would cause serious problems and will present contractual problems. Council indicated they always grant a request for postponement of a hearing.

Councilmember Goodman moved that the Council postpone the zoning case to April 7, 1981 at 5:30 p.m. The motion, seconded by Mayor McClellan, carried by the following vote:

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

THE ESTATES OF
FRANCES G. BRODIE
AND H. E. BRODIE
By J.M. Patterson,
Jr.
C14r-81-033

Intersection of South
Lamar and West Loop 360

From Interim "AA" Residence,
1st Height and Area
To "C" Commercial and "C-1"
Commercial, 1st Height and
Area; "GR" General Retail,
1st and 2nd Height and Area;
"B" Residence, 2nd Height
and Area; and "O" Office,
2nd Height and Area
RECOMMENDED by the Planning
Commission as requested, waive 50-foot
setback requirement for Tract C; accept
Letter of Credit for \$10,000 to insure
that a TIA will be completed on a timely
basis through a review of the subdivision
process.

Councilmember Himmelblau moved that the Council postpone the zoning case to April 9, 1981 at 3:00 p.m. The motion, seconded by Mayor McClellan, carried by the following vote:

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

WILSON FOREMAN
C14-81-006

3416-3418 Duval Road

From Interim "AA" Residence
1st Height and Area
To "GR" General Retail
1st Height and Area
NOT Recommended
RECOMMENDED by the Planning
Commission "LR" Local Retail subject to
site plan approval for development and
proper buffering.

Councilmember Mullen moved that the Council postpone the zoning case to April 23, 1981 at 9:30 a.m. 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

MYERS K. PARSONS
C14-81-029

2720-2802 Lyons Road

From "A" Residence
1st Height and Area and
"C" Commercial
1st Height and Area
To "DL" Light Industrial
1st Height and Area
NOT Recommended

Councilmember Mullen moved that the Council postpone the zoning case to April 9, 1981 at 7:00 p.m. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

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

Councilmember Goodman moved that the Council postpone the zoning case to April 2, 1981 at 11:00 a.m. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

No Action Taken

JOSEPH M. AND
SARAH SUTTON
By Marsh & Box
Company
C14-81-022

609 West 33rd Street

From "BB" Residence
1st Height and Area
To "O-1" Office
1st Height and Area
RECOMMENDED by the Planning
Commission "O-1" 1st Height and Area;
applicant volunteered to retain existing
structure.

Mr. Lillie reviewed the application by use of slides.

MR. SUTTON appeared and said he had bought the house thinking the neighborhood would be preserved but since then he has been burglarized, a law office has come in next door, houses across the street have been moved, the Party Barn is across the street, a shopping center is around the block, etc. He said he wants to be able to sell his home and move to a neighborhood more suitable for his family.

CHARLES MARSH, realtor, told Council that the house has been for sale and there has been only one offer, which is contingent upon "O" Office zoning. The house, he said, is not suitable for a family with children, so no one is buying it.

Councilmember Cooke said he knows the area well and was pleased to see it change from "acid alley" to a residential preservation.

JACK JENNINGS, 607 West 32nd Street, representing the neighborhood, said he would rather have a high density use than "O" Office.

SHERRY SMITH, 611 West 33rd, said her house is also "BB" Residence. They bought their home a few months ago and feel the neighborhood is on the upswing. Councilmember Cooke asked about neighbors around her being reluctant to have a roll back in zoning for long term protection. Ms. Smith said they are discussing the roll back.

MR. LEE SAMUELSON, Ms. Smith's husband, discussed the neighborhood.

NATALIE DuVOIS, West 32nd Street, said she backs up to the Sutton's and does not want to change to "O". Wants more neighborhood cooperation.

DAVID GRAY, 3901 Grandview, said he had his house rolled back to "A". He is in favor of the neighborhood staying the way it is.

Mr. Sutton returned and said he is willing to file a restrictive covenant to retain the structure and restrict use of property to professional or semi-professional use.

Motion

Councilmember Cooke moved that the Council close the public hearing. The motion, seconded by Mayor McClellan, carried unanimously with Councilmember Himmelblau not in Council Chamber when roll was called.

Later in the day when the entire Council was present, discussion was resumed.

Councilmember Cooke said a decision on "this case is tough." He said a lot of time and money has been spent in the re-establishment of this area as residential.

Motion

Councilmember Cooke moved that the Council approve "D-1" Office, 1st Height and Area District. The motion was seconded by Councilmember Mullen.

Friendly Amendment - Accepted

Mayor McClellan offered a friendly amendment to add restrictive covenants concerning professional or semi-professional use. Councilmember Cooke accepted the friendly amendment.

Councilmember Cooke said he thinks the neighborhood really wants to preserve this street. He said the neighborhood should ask for a roll back.

Roll Call on Motion with Friendly Amendment

Ayes: Mayor McClellan, Councilmembers Cooke, Mullen

Noes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Trevino

The Mayor announced no action had been taken.

Councilmember Himmelblau said she feels all housing in the inner city should be residential. Mayor Pro Tem Trevino feels an additional roll back will occur. Councilmember Cooke said in order to protect the character of the street everyone must ask for a roll back.

Public Hearing Closed - To Be Brought Back
For Action

| | | |
|---|---|---|
| BALCONES ASSOCIATES, LTD. By James Moritz C14r-81-032 | 3301-3309 Northland 5400-5618 MoPac Boulevard | From "LR" Local Retail 2nd Height and Area To "LR" Local Retail 3rd Height and Area NOT Recommended by the Planning Commission |
|---|---|---|

Mr. Lillie reviewed the application by use of slides.

MR. JAMES MORITZ, applicant, appeared and said they want to build a nine-story residential condominium.

ALLEN McMURTRY, Co-Chairman, Allendale Neighborhood Association, appeared and spoke against the height requested. He said this would set a precedent of tall buildings allowed in a congested area and would be a bad precedent for MoPac.

Councilmember Cooke said he does feel there would be a problem with a nine-story building on Far West but he said all the areas around Northland and MoPac are already under construction, so this would not be a precedent setting because there are no more areas to build upon at this point.

Motion

Councilmember Cooke moved that the Council approve the zoning request. The motion was seconded by Councilmember Himmelblau.

Friendly Amendment

Councilmember Himmelblau offered a friendly amendment to tie "LR" Local Retail to residential only. Councilmember Cooke accepted the amendment.

Mr. McMurtry returned to say this would be the tallest building north of the medical complex and asked about building two five-story buildings instead.

JOE RIDDELL appeared in opposition and stated it would create a problem and set a precedent.

Mr. Moritz said they have the zoning for two five-story buildings but want to alleviate any traffic problem. Councilmember Goodman said he is not in favor of the zoning change and said they probably should postpone it until there is a full Council as the Mayor was not present in the Council Chamber at this time.

Substitute Motion

Councilmember Goodman moved that the Council close the public hearing, and schedule for action April 2, 1981. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Mayor McClellan

The Mayor

Zoning Denied

R. C. ARMSTRONG
ESTATE AND LIEF
JOHNSON FORD
By Claud Baumbach
C14-81-024

700-702 East 55th Street
5501-5507 Martin Avenue

From "C" Commercial
1st Height and Area
To "D" Industrial
1st Height and Area
NOT Recommended by the
Planning Commission

Councilmember Goodman moved that the Council DENY the zoning change.
The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Mayor McClellan

The Mayor Pro Tem announced that the zoning had been DENIED.

Pending Zoning Applications

AP 803, LTD.
By Gary F. Brown
C14-79-126

13900-13902 U.S. Highway
183, also bounded by
F.M. 620

From Interim "AA" Residence
1st Height and Area
To "GR" General Retail
1st Height and Area
RECOMMENDED Extension by the
Planning Commission

Councilmember Cooke moved that the Council approve extension of the
pending zoning. The motion, seconded by Councilmember Mullen, carried by the
following vote:

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

Noes: None

ANDERSON MILL
CENTER, LTD.
C14-79-127

13584-13600 US. Highway
183

From Interim "AA" Residence
1st Height and Area
To "O" Office
1st Height and Area
RECOMMENDED EXTENSION by the
Planning Commission

Councilmember Cooke moved that the Council approve EXTENSION of the pending zoning case. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

DOUGLAS SHORT,
ET AL
By W. Lee Choate
C14-79-149

1500-1618 Dungan Lane
9501-9517 Dessau Road

From Interim "AA" Residence
1st Height and Area
To "O" Office and "DL" Light
Industrial, 1st Height and
Area
RECOMMENDED EXTENSION by the
Planning Commission

Councilmember Cooke moved that the Council approve EXTENSION of the pending zoning case. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

CITY OF AUSTIN
C14-79-155

1715-1901 East St. Elmo
Road, also bounded by
Frederick Lane

From Interim "A" Residence
1st Height and Area
To "D" Industrial
1st Height and Area
RECOMMENDED EXTENSION by the
Planning Commission

Councilmember Cooke moved that the Council approve EXTENSION FOR 30 WEEKS, of the pending zoning case. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

JACK L. BURKETT
By John M. Joseph
C14-80-082

3809 Spicewood Springs
Road

From Interim "A" Residence
1st Height and Area
To "A-2" Residence
1st Height and Area
RECOMMENDED EXTENSION by the
Planning Commission

Councilmember Cooke moved that the Council approve EXTENSION of the pending zoning case. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

SPICEWOOD SPRINGS
ENTERPRISES, INC.
By John M. Joseph
C14-80-083

3811-3903 Spicewood
Springs Road

From Interim "A" Residence
1st Height and Area
To "O" Office
1st Height and Area
RECOMMENDED EXTENSION by the
Planning Commission

Councilmember Cooke moved that the Council approve EXTENSION of the pending zoning case. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

C. R. HAMILTON
ESTATE
By Robert Schmidt
C14-80-086

10125-10307 Jolly-
ville Road
10214-10304 U. S.
Highway 183

From Interim "A" Residence
1st Height and Area
To "GR" General Retail and
"O" Office
1st Height and Area
RECOMMENDED EXTENSION by the
Planning Commission

Councilmember Cooke moved that the Council approve EXTENSION of the pending zoning case. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

MIKE SHEIMAN
C14-80-087

1621 West 6th Street
also bounded by
Campbell Street

From Interim "A" Residence
1st Height and Area
To "O" Office
1st Height and Area
RECOMMENDED EXTENSION by the
Planning Commission

Councilmember Cooke moved that the Council approve **EXTENSION** for the pending zoning case. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

CLASSES RECOGNIZED

Mayor McClellan welcomed to the Council Chamber the 6th grade class from Cooke Elementary School and the 7th grade class from Pearce Junior High.

RECESS

Council recessed its meeting at 12:25 p.m. and resumed its recessed meeting at 2:40 p.m.

PLANNING COMMISSION REPORT

Mr. Lillie reported on the Planning Commission's "Recommendations and Guidelines with respect to Development within the Capital of Texas Highway Corridor." He told Council, "After completion of the Loop 360 study submission to the Commission and Council, the Commission began to look at ways in which the thoughts and ideas of that Loop 360 study might be implemented. A sub-committee was selected and rather than adopt a new ordinance the sub-committee looked at all the ordinances that were in existence and are in existence at this time and thought a policy statement ought to be adopted concerning development along Loop 360. A portion of this area, as you know, is within the corporate limits of the City of Austin and a portion of it, the middle section basically along Bee Caves Road, south to Westlake Hills High School, are in other jurisdictions. So the Commission has recommended to Council a series of policy guidelines that they would review on all zoning cases and all development that will occur along the 360 roadway. That statement of policy has some 13 points to it. After a statement of purpose, they are:

1. DEVELOPMENT IN THE CORRIDOR SHOULD UTILIZE PLANNED UNIT DEVELOPMENT PHILOSOPHY.

Planned Unit Developments are defined by the Zoning and Subdivision Ordinances as follows:

"A planned unit development is a development of land which is under unified control and is planned and developed as a whole in a single development operation or programmed series of development, and which includes streets, utilities, lots or building sites, and which indicates all structures and their relationship to each other and to adjacent uses and improvements, as well as open spaces. A planned unit development may consist of dwelling units and detached, semi-detached, attached or multi-family structures or any combination thereof and may also include non-residential uses such as religious, cultural, recreational, commercial or industrial uses, compatibly and harmoniously incorporated into the unitary design of the planned unit development."

Those developments of the appropriate nature and magnitude to be zoned and/or subdivided as PUD's (Planned Unit Developments) are strongly encouraged to do so. The Planning Department should be consulted as to the factors which make actual PUD development appropriate.

Developments which are not zoned or subdivided as actual PUD's are nevertheless encouraged to be designed in the spirit of harmonious integration which PUD's represent.

2. LANDSCAPED COVER SHOULD BE PROVIDED FOR CUTS AND FILLS FOR ANY BUILDING SITE OR ROAD VISIBLE FROM THE HIGHWAY.

Subdividers along the corridor in the Lake Austin and Barton Creek Watersheds are subject to the cut and fill provisions of the Lake Austin Ordinance (Sec. 41-35.3(a)(6)) and Barton Creek Ordinance (Sec. 41A-113.2) which both provide that "cuts and fills shall be restored to blend with the natural character of the land."

Similar site disturbance controls are found in Sec. 29-55.3(b) of the City Code which regulates site development in the Lake Austin Watershed in contexts other than subdivision.

Developers are urged to give heed to this recommendation even in situations where no controls are necessarily imposed by law due to the impact which cuts and fills have, not only on the aesthetic nature of the highway, but also on erosion and sedimentation and the implication of those natural processes with respect to the City's water supply.

3. HEIGHT LIMITATIONS SHOULD BE APPLIED TO PROTECT SCENIC VISTAS OF AREA LANDMARKS. FIRST HEIGHT AND AREA PROVISIONS SHOULD APPLY EXCEPT WHERE THE SITE IS BELOW THE ROADWAY GRADE. SECOND HEIGHT AND AREA MAY BE CONSIDERED IN THE CONTEXT OF TERRAIN AND PROVIDED SIGNIFICANT VISTAS ARE NOT OBSCURED.

Height and area regulations are set out in Sec. 45-33 of the Zoning Ordinance.

4. OUTDOOR LIGHTING MUST NOT CREATE A NUISANCE OR TRAFFIC HAZARD. The Sign Ordinance, Sec. 3-20 of the City Code contains provisions which control the lighting of signs. These provisions are primarily directed at preventing traffic hazards. Flashing lights are also restricted. The Principal Roadway Area Ordinance specifically forbids flashing lighted signs on designated Scenic Arterials. The Capital of Texas Highway is designated as a Scenic Arterial.
5. THE VISUAL IMPACT OF PROJECTS ON HILLSIDES, VISTAS AND REGIONAL VIEWS OF LANDMARKS WILL BE EVALUATED, INCLUDING IMPACTS ARISING FROM OUTDOOR LIGHTING, CLEARING AND TREE CUTTING. BUILDING MATERIALS AND ARCHITECTURAL STYLE SHOULD BLEND INTO THE NATURAL LANDSCAPE AND BE NON-REFLECTIVE. FOR SETBACK REQUIREMENTS REFER TO THE PRINCIPAL ROADWAY AREA ORDINANCE.
6. VEHICLE ACCESS TO DEVELOPMENT ALONG THE HIGHWAY SHOULD BE FROM INTERSECTING OR ABUTTING STREETS, INCLUDING JOINT USE DRIVEWAYS AND ACCESS EASEMENTS WHERE FEASIBLE RATHER THAN ACCESS DIRECTLY FROM THE HIGHWAY. WHERE DEVELOPMENT IS PROPOSED THAT WOULD GENERATE APPROXIMATELY 3,000 OR MORE VEHICLE MOVEMENTS PER DAY, A TRAFFIC IMPACT ANALYSIS SHOULD BE SUBMITTED TO THE DIRECTOR OF URBAN TRANSPORTATION FOR HIS/HER REVIEW AND COMMENT PRIOR TO PLANNING COMMISSION REVIEW. FOR PARTICULAR LAND USES AND SITE LOCATIONS THE DIRECTOR OF URBAN TRANSPORTATION MAY REQUEST INFORMATION FOR PROJECTS GENERATING LESS THAN 3,000 VEHICLE MOVEMENTS PER DAY.
7. PARKING AREAS SHOULD BE LANDSCAPED, AND/OR SURROUNDED WITH EARTHEN BERMS, OR OTHERWISE BUFFERED.
8. THE PLANNING COMMISSION WILL ENCOURAGE MIXED LAND USES, PARTICULARLY LOW AND MEDIUM DENSITY RESIDENTIAL LAND USES, AND USES NO MORE INTENSIVE THAN OFFICE EXCEPT AT THE INTERSECTIONS OF MOPAC (LOOP 1), US. 183, R.M. 2222 AND U.S. 290 AND WITHIN CLUSTER DEVELOPMENT. INTENSIVE LAND USE PROPOSALS AT THESE INTERSECTIONS WILL BE CRITICALLY ASSESSED.
9. EACH DEVELOPMENT WILL BE CAREFULLY EXAMINED FOR ADEQUATE BUFFERING FROM ALL VANTAGE POINTS.

10. THE CREATION OF AUTONOMOUS OR QUASI-AUTONOMOUS JURISDICTIONS IN THE CORRIDOR SHOULD BE DISCOURAGED. IF PERMITTED, CREATION AGREEMENTS SHOULD INCLUDE PROVISIONS FOR EFFECTIVE LAND USE CONTROL BY THE CITY OF AUSTIN.
11. THE CITY OF AUSTIN SHOULD CONSIDER ACQUISITION OF THOSE PROPERTIES ALONG BULL CREEK, BARTON CREEK, AND BEE CREEK (WILD BASIN) WHICH ARE NECESSARY TO PROTECT OR BUFFER EXISTING OR PROPOSED RECREATIONAL FACILITIES.
12. THE CITY SHOULD WORK WITH THE COUNTY, STATE AND OTHER JURISDICTIONS TO PRESERVE IDENTIFIED SCENIC VISTAS.
13. AN INVENTORY OF EXISTING PLANNING LAND USES ALONG THE CAPITAL OF TEXAS HIGHWAY WILL BE MAINTAINED AND INCLUDED WITH STAFF PRESENTATION OF DEVELOPMENT PROPOSALS.

Mr. Lillie continued, "These are recommended for your consideration. They are being used by the Planning Commission, have been used with two zoning cases. One that was on your agenda earlier and the second that will follow next month. Hopefully they will be such an import that they will assist them and you in the valuation of development proposals on the roadway."

Mayor McClellan said the recommendations are very good and very useful and asked Mr. Lillie if he needs an expression of support from Council. Mr. Lillie said the item is not on today's agenda for action, but he will bring a resolution to them if it is needed. Mr. DeLaRosa said it would be appropriate for the Council to indicate their support of the report. Council unanimously did so.

PUBLIC NOTIFICATION OF WORKSHOPS AND HEARINGS

Mr. Lillie reported on the Planning Commission's "Public Notification of Workshops and Hearings scheduled for the Revised Zoning Ordinance". He said the Planning Commission has met with Mr. Glenn Cootes, Director of Public Information, and requests that funding in the amount of \$7,875 be made available to support the notification program. Mayor McClellan ascertained that this amount of money is not budgeted and she said she does not want to amend the budget to do so, nor does she want paid publicity. She said notices of meetings should be posted everywhere and the news media should be asked to advertise. She asked for a report on the ways to disseminate information without paying for it from the City's budget.

AQUATIC TASK FORCE REPORT

Mayor McClellan opened the continued public hearing on the Aquatic Task Force scheduled for 2:00 p.m. Mr. Leonard Ehrler, Director of Parks and Recreation, reviewed the information from the previous public hearing and said notices had been mailed to all private care centers concerning this hearing. He said the Parks Board Task Force has recommended the proposed report.

SALLY SCOTT appeared before Council representing Red Cross and the Day Care Committee. As a water safety instructor for the City of Austin, she favors the policy. She said a change should be made in wading pool policy, to include three-year-old's supervision on 1-5 ratio. She said one of the supervising staff should be 18 years old. Sixteen and seventeen year old individuals are hired as staff members.

FLOYD RAY appeared in behalf of his son who is a pre-school student. He said the rate is too high for swimming and felt there are problems at the pools.

CHARLOTTE STRIPLING said they use 5-6 people when they go to the pool and some provision needs to be made so vacations can be allowed. Some of the substitutes cannot be qualified in time and so she suggested the director or assistant director take water safety courses so they can fill in.

KEN JORDAN, Child Craft Schools, said if the recommendations are adopted, there will be thousands of children not allowed to swim. He said it is not fair to discriminate just because parents are working.

GARLAND FRANCIS, owner and director of Windsor School, thinks the recommendations are in the right direction for getting supervision. He said \$1.25 is high for an hour lesson. (He later withdrew his objection when it was explained the amount is for the whole session of two weeks or more and not per day.)

CYNTHIA ROLAND told Council if the price is raised for swimming it will hurt many families in Austin.

FLORENE VOIGHT, Heights Day Care Center, said they will have to raise their rates.

ROSE LANCASTER told Council she approves of the policy. She has taught swimming for 25 years and works in a day care center.

DAVID HEFNER, Open Door Day Care Centers, does not like the suggested ratios. He said they take 12 children supervised by two adults, and have handicapped children also.

JANET RUFFLER, a parent, is against the proposal. She thinks the ratios are unrealistic.

CYNTHIA RANERO asked about the fee. Mr. Prenis Williams, Superintendent of Athletics and Aquatics, stated the \$1.25 fee has to do with instruction and does not have anything to do with day care.

JUDY GRAY, Department of Human Resources, said her department has quotas and they should be used.

JACKIE WILLIAMS, a parent, said ratios are a discrimination against day care centers.

DAVID HUTTON said his son almost drowned in a pool used by day care centers because there were not enough supervisors.

JIM HILLER, member of the Task Force, discussed the ratio of people in the pool.

CAROLYN COOK said the standards should be more strict.

SUSAN deFORCE said the number of children in the pool at one time should be limited. The mother that brings in ten children from the neighborhood should be included in the regulations.

FRANK KNIGHT, who has a child in a day care school, thinks the children are properly watched.

MILDRED CURRY discussed the number of near drownings and talked about the regulations put forth by Department of Human Resources.

DOROTHY RICHTER said it should be possible for any child to learn to swim.

DAVID LEWIS, Safety Service Director, American Red Cross, explained the water safety course.

Leonard Ehrler discussed the ratios of staff personnel. He said the Aquatic Division of the Parks and Recreation Department has people who can substitute when the day care personnel are on vacation. He said he will advise his staff to see that this works out. A discussion of ratios followed and some changes were made to the policy concerning ratios. (ON FILE IN CITY CLERK'S OFFICE) Mayor McClellan suggested they adopt the policy today, work on modification of the numbers and bring the policy back for changes.

Motion

Councilmember Goodman moved that the Council close the public hearing and adopt proposed policy with a \$1.00 fee. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmembers Cooke,
Himmelblau

PARK AND RIDE SERVICE

Mayor McClellan opened the public hearings, scheduled for 2:15 p.m. to:

1. Establish a South Austin Park and Ride Service
2. Modify the Downtown-Fox Theatre Park and Ride Service

MS. ARI WRIGHT said this is not enough and said Austin needs a good public transportation plan. MRS. BOB RYLAND appeared and said she lives in South Austin.

Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ESTABLISHING THE SOUTH AUSTIN PARK AND RIDE SERVICE; LEVYING A ONE-WAY FARE OF \$.70 FOR SUCH SERVICE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Mullen 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 Mayor McClellan, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

Motion

Councilmember Mullen moved that the Council close the public hearing, and adopt a resolution approving modifications to the Downtown-Fox Theatre Park and Ride Service. 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

**FIFTH RENT CAR OPERATOR
MUNICIPAL AIRPORT**

Mayor McClellan opened the public hearing scheduled for 2:30 p.m. on Fifth Rent Car Operator at Municipal Airport. She reviewed the report presented by Mr. Bayless at a recent meeting. The recommendation is to keep four rent car operators. Mayor McClellan said whatever is done will be done on a bid basis.

MR. ED WENDLER appeared representing Dollar-Rent-A-Car. He stated the power of franchise is awesome and told Council they have it in their power to determine how much competition there should be. He said Council should do everything possible to let all compete, but should limit the number of cars, not the number of companies.

GARY PAXTON, vice-president, Dollar-Rent-A-Car, discussed the present situation of rent cars at the airport and asked for a fifth spot with an equitable bidding procedure. He said the City would not lose by adding. Councilmember Goodman asked how many operators should be allowed and Mr. Paxton told him as many as there is space for.

JIM PHILLIPS, executive vice-president, American-International, said a fifth operator is needed for the city and for the consumer. He said more revenues will be gained by the City. At present the majority of travelers go off the airport because they think it will be less, but service is the key to business and if space is available, he feels several operators should be allowed to operate.

Councilmember Himmelblau asked Mr. Bayless if there is a need for another operator. Mr. Bayless told her there is not room for more operators, and he has heard no complaints about the way the situation is now being handled at the airport.

KATHY AMMER, president of American-International Car Rental, said she had to go to the Airport for passengers because rent cars were not available.

Motion

Councilmember Goodman moved that the Council close the public hearing and scheduled the question of a fifth rent car operator at Municipal Airport for action next week. The motion, seconded by Mayor McClellan, carried by the following vote:

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

Noes: None

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

PARTY AT FIESTA GARDENS

Councilmember Goodman moved that the Council approve the request of Mr. Jay Beckman, representing Kappa Alpha Fraternity, for sound amplification until 11:00 p.m. and time extension until 1:00 a.m., Tuesday, March 31, 1981. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

PUBLIC RELATIONS STUDENT SOCIETY

Councilmember Goodman moved that the Council approve the request of Mr. Steve Hill, Treasurer, Public Relations Student Society of America, for permission to serve beer and have amplified music in Eastwoods Park, April 5, 1981. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

EYOR'S BIRTHDAY PARTY

Councilmember Cooke moved that the Council approve the request of Mr. Edward Bennett, representing the University of Texas YMCA for use of Pease Park, May 1, 1981, for the 18th Annual Eeyor's Birthday Party and permission to serve beer from 3:30 p.m. to 8:00 p.m. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

CARNALES SELF-HELP HOUSING PROJECT

MS. ADELA MANCIAS appeared before Council to discuss the Carnales Self-Help Housing Project and request prioritization of 6th year CDBG (Community Development Block Grant) funds to rehab 12 homes in East Austin. Council requested the City Manager to request staff to look at this.

CITIZEN COMMUNICATIONS POSTPONED

The following asked for their communication to be postponed until April 2, 1981:

1. Mr. Lee Yeakel, representing West Austin Little League, requesting to discuss the Vehicular Access to the ballfields in the area north of West 1st Street and west of Lamar Boulevard, referred to as the West Sand Beach Reserve North.
2. Mr. Bill Bednar, representing Town Lake YMCA, requesting to discuss safety of pedestrians between the YMCA and the Town Lake Hike and Bike Trail.
3. Mr. Jack Holford, requesting to present a plan to reduce the safety hazard of both pedestrians and vehicles along the west 1st Street corridor.
4. Mr. Joe Riddell, requesting to show slides of the "Trail of Broken Promises" along Barton Creek.

CITIZEN DID NOT APPEAR

MR. PETE MARTINEZ, president, Rainey Area Neighborhood Association, who had requested to appear before Council to discuss the Rainey area, did not appear.

USE OF PARKLAND FESTIVAL BEACH

Councilmember Cooke moved that the Council approve the request of Mr. Sam Hernandez for permission to use Parkland Festival Beach on March 29, 1981, contingent on electrical use. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Mayor McClellan, Councilmember Mullen

PARADE PERMITS APPROVED

The following parade permits were approved by Council:

Councilmember Cooke moved that the Council approve the following parade permit:

Mr. Antonio Cortez, for Metz Recreation Center Advisory Board, from 10:00 a.m. to 11:00 a.m., Saturday, May 2, 1981, beginning from parking lot of Sanchez Elementary School, north to East 1st Street, east on East 1st Street, south to Anthony Street to entrance of Fiesta Gardens.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember
Mullen, Mayor McClellan

Councilmember Cooke moved that the Council approve the following parade permit:

Mr. Alfredo Rangel, for Brown Berets and Black Citizens Task Force, from 2:00 p.m. to 6:00 p.m., Saturday, March 28, 1981, beginning from Montopolis Drive to Bastrop Highway, left down to East 1st, down 2nd Street to Canadian Street, left to Holly, to Rainey, right on Rainey to Driskill to Red River, right on Red River to 6th Street, left on 6th to Congress, right on Congress to Capitol.

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

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

Noes: None

Abstain: Councilmember Himmelblau

Not in Council Chamber when roll was called: Mayor McClellan

CITIZEN DID NOT APPEAR

Ms. Karen McGraw, who had requested to discuss membership and responsibilities of task force for downtown development, did not appear.

CDBG PUBLIC HEARING

Mayor Pro Tem Trevino opened the public hearing, scheduled for 3:45 p.m. on an amendment to the FY 1979-80 CDBG (Community Development Block Grant) Application. He said this is the first of two public hearings. These public hearings are held to insure ample opportunities to citizens to comment on projects. For the record the City Clerk will read the title of each project included in the amendment.

Mrs. Monroe, City Clerk, read: "Projects included in the FY 1979 amendment are: Corridors Project, Zoning Study and Preservation Plan, Housing Rehabilitation Loans and Grants, Code Enforcement, Rosewood Neighborhood Center, Montopolis Neighborhood Center, Boggy Creek Improvements, Comprehensive Community Development, Guadalupe Neighborhood Project, Waterloo Elevator, Revitalization for Stability and Pride, and Urban Renewal Projects (Disposition of Land)."

MRS. MINOR appeared and told Council, "Citizen's National Bank application which was approved for \$1,000,000 of CDBG funds is under a lump sum draw down contract and is a part of this amendment package. The contract represents the largest lump sum draw down that we know of that HUD (Housing and Urban Development) has considered. We have worked diligently with City staff and people from HUD to be sure the language we included in our contract will be acceptable. City staff is now reviewing the final draft version of the contract, after which it will be presented to the HUD area office. We've received considerable interest from the community and they wait for the funds to become available. Citizen's Bank is anxious to implement the program and put these funds to use for neighborhood preservation and revitalization."

MR. PERALEZ appeared before Council and asked what is being considered in this hearing. "If there are specific amendments proposed, I believe it would be appropriate to allow the groups that are interested in CDBG monies to have copies of proposed amendments and see what effect it will have on the particular groups. We have not had access to amendments or proposals being changed. ... I don't know how you can be having a hearing if we don't have access to what you are talking about."

Carlos Herrera, Director of Human Services, stated, "The public hearing notice establishes that people who wanted information are welcome to pick it up. What we are doing is this amendment is nothing more than what you did last year segregating it completely from considering it in conjunction with a six-year application. This is an action that has previously been taken. HUD ruled we had to have two separate hearings in order to be able to formally submit that amendment which had previously been submitted. This is the direction from HUD that we need to perform these hearings in order to be able to formally be able to adopt it to be heard, read into the record, submitted so they can rule on the appropriateness of these programs."

Mayor Pro Tem Trevino said, "For the record I think we need to say exactly how much money we are talking about."

Paula Manning, Department of Human Services, reported, "We have read the projects into the record, but we will be happy to tell you the specific amounts. There was a reprogramming for the Austin Development Authority (ARA) that dealt with disposition of lands for \$15,000; the Citizen's National Bank Revitalization for Stability, Value and Pride is a \$1,000,000 contract for housing rehabilitation; the Waterloo Elevator by the City of Austin, with application done by Parks and Recreation Department, to provide an elevator for elderly persons in the Senior Citizen's facility for \$40,000. The Guadalupe Neighborhood Project...we had some rearranging of funds during the year for that organization and that is \$122,000. East Austin Chicano Economic Development Corporation comprehensive community development project for \$252,600. City of Austin Public Works Department Boggy Creek Improvements for \$230,000. Montopolis Neighborhood Center and Rosewood Neighborhood Center, each for \$107,000 which helps us complete the amount of funding needed to get those two centers built. The Code Enforcement Program for clearance of vacant and dilapidated structures for \$20,000 which was sponsored by the building department. And, an amendment to do housing rehabilitation to increase the number of rehab jobs by the Austin Development Authority for \$558,708. The Planning Department Zoning and Preservation Study for \$110,000 which helped complete that. The project is currently being reviewed by citizens. And the Corridors Projects funds which are for 12th, 6th and South 1st street areas were allocated \$1,024,500. And that is the complete list."

Mr. Peralez said they have not had an opportunity to review the proposals as stated, but one of the major things they need to look at is to find out how much impact these programs do have. How many employees are being effected by it? Is it something that will be self-sustaining for the future, especially when discussing business type programs? He said the Council should look at the programs for continuation of perpetual funding, especially in light of the new approach the administration is going to be taking in the future.

Mr. Herrera stated, "All of the amendments have been heard by the joint sub-committee and their respective parent committees last year. This again is simply segregating it from discussion that took place last year incorporating both 5th and 6th. The only issue that you listened to is one of listening to this in isolation and looking at what happened with the 5th year. They have been through the joint subcommittees. All we are doing is pulling it apart as HUD has directed us to."

Motion

Councilmember Goodman moved that the Council close the public hearing on the amendment to the FY 1979-80 CDBG Application. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Mayor McClellan, Councilmember Himmelblau

AGENDA ITEMS TO BE BROUGHT BACK

Council agreed the following items will be brought back on the April 2, 1981 agenda:

(Approval of Contract)

JOHN R. HUGHES
Drawer 3400
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM
Southwest Austin Water Transmission
Main, Phase A-1 - \$666,880.00
C.I.P. No. 73/22-23

(Approval of oversize water and wastewater main)

MILWOOD JOINT VENTURE CORP.

- For construction of a 16-inch water main and 21-inch wastewater main through Milwood Section 11. Estimated cost participation by City will be \$39,275.00 for water and \$65,520.00 for wastewater if annexed within one year.

(Resolution)

Consider authorizing a contract with the Austin Redevelopment Authority under the FY 1980-81 Community Development Block Grant (CDBG) Program in the amount of \$2,095,391 for the following programs:

- (a) Standard Rehabilitation - \$1,528,264.00
- (b) Section 312 - \$28,640.00
- (c) Historic Revolving Loan Fund - \$2,738.00
- (d) Acquisition-Rehabilitation - \$24,251.00
- (e) Section 8: Substantial Rehabilitation - \$292,438.00
- (f) Brackenridge Urban Renewal Project Area - \$3,299.00
- (g) Blackshear Urban Renewal Project Area - \$198,636.00
- (h) Glen Oaks Urban Renewal Project Area - \$17,125.00

(Resolution)

Consider appointing members of a Citizens Technical Task Force for Alternatives Analysis of major transit options for Austin.

(Ordinance)

Consider amending Chapter 7, Articles I and II of the City Code relating to the management and operation of City Cemeteries.

(Item from Council)

Discussion of the City's Progress with Housing Rehabilitation. (Councilmember Betty Himmelblau and Mayor Pro Tem John Trevino, Jr.)

(City Manager Report)

Report on ARA (Austin Redevelopment Authority) Housing Rehabilitation.

ADJOURNMENT

Council adjourned its meeting at 8:00 p.m.

APPROVED:


Mayor

ATTEST:


City Clerk