



# **Austin City Council MINUTES**

**For** JANUARY 6, 1983 -- 1:00 P.M.

Council Chambers, 301 West Second Street, Austin, Texas

## **City Council**

**Carole Keeton McClellan**  
Mayor

**John Treviño, Jr.**  
Mayor Pro Tem

Council Members  
Larry Deuser  
Roger Duncan  
Richard Goodman  
Ron Mullen  
Charles E. Urdy

**Nicholas M. Meiszer**  
City Manager

**Grace Monroe**  
City Clerk

## **Memorandum To:**

Mayor McClellan called to order the meeting of the Council, noting the absence of Councilmember Deuser, who arrived at 1:10 p.m., and Mayor Pro Tem Trevino, who arrived at 1:15 p.m.

### **INVOCATION**

The Invocation was given by Reverend Dr. Thomas K. Farmer, University of Texas Presbyterian Church.

### **BOARD & COMMISSION VACANCIES**

Mayor McClellan announced the following vacancies are due for appointment on boards and commissions: Community Development Commission, 1; Austin Tomorrow On-Going Committee, 4; Manpower Advisory Planning Council, 1; Environmental Board, 2; Vending Commission, 1; Downtown Revitalization Task Force, 1; Energy Conservation Commission, 4; Renewable Energy Resources Commission, 2; Arts Commission, 1; Human Relations Commission, 2; Commission on the Status of Women, 1; Sesquicentennial Committee, 7; Affirmative Action Plan Advisory Committee, 5; Medical Assistance Program Advisory Board, 2; Board of Adjustment, 4; EMS Quality Assurance Team, 4; Hearing, Air-Conditioning and Refrigeration Appeals Board, 2; Library Commission, 6; MH/MR Public Responsibility Committee, 3; Citizen's Traffic Safety Commission, 5; Urban Transportation Commission, 5.

### **CONSENT RESOLUTIONS**

The Council, on Councilmember Deuser's motion, Mayor Pro Tem Trevino's second, adopted the following resolutions in one consent motion: (7-0 Vote)

Release of Easements

Authorized release of the following easements:

- a. A 10' Public Utility Easement retained in a special warranty deed recorded in Volume 7841, Page 408 of the Travis County Deed Records, 6101 Balcones. (Requested by the Electric Department)
- b. A portion of an Electric Easement recorded in Volume 4793, Page 1708 of the Travis County Deed Records and located on Lot 1, Block A, Valley View Acres revised. (Requested by Kivlin and Associates.)
- c. A Public Utility Easement on the common lot line of lots 521 and 522, The Hills of Lakeway Phase 8 P.U.D. (Requested by Mr. Chris J. Chapla of Cabelevision of Lake Travis)
- d. 1.5' of 7.5' Public Utility Easement on Lot 13, Block C, Southampton Hills III, 8013 Burley Bend. (Requested by Doyle Wilson Builder, Inc.)

License Agreements

Entered into the following license agreements to allow:

- a. The encroachment of private utilities across the public right-of-way adjoining outlots 44 and 49, Division E, City of Austin, 1700 Block Congress Avenue. (Requested by Mr. Robert M. Sexton, Jr., P.E.)
- b. The encroachment of landscaping, low retaining walls and steps into the public right-of-way adjoining outlot 49, Division E, City of Austin. (Requested by Mr. Robert M. Sexton, Jr., P.E.)
- c. The encroachment of landscaping into the public right-of-way adjoining Lot 8, Block 18, Westfield-A, 3111 Windsor Road, (Requested by Kenny Dryden)
- d. The encroachment of a pedestrian bridge across a drainage and public utility easement on Ward Subdivision and Volume 7622, Page 91 of Travis County Deed Records, Old Jollyville Road at Bell Avenue. (Requested by Drexel Properties, Inc.)

Brackenridge Energy Conservation

Selected engineering services of Energy Engineering, Inc., in connection with design and construction of Energy Conservation Measures (ECM) at Brackenridge Hospital (D.O.E. Cycle IV - 1983 Improvements)

Change Orders

Approved the following change orders:

- a. In the amount of \$8,287.00 to Leland Equipment Company for an additional service body. (4.4% change to original contract)
- b. CAPITAL IMPROVEMENTS PROGRAM - In the amount of \$94,512.00 to Centel Business Systems, for additional tele-communication equipment and maintenance at the Municipal Court. C.I.P. No. 80/87-01 (16.5% increase in the original contract)

Capital Improvements Program

Approved acquisition of 806 East Riverside Drive for the East Riverside Drive-Newning to I.H. 35 Project. CAPITAL IMPROVEMENTS PROGRAM No. 73/62-03.

Contracts Approved

Approved the following contracts:

- |  |   |
|--|---|
| a. LENDELL BUILDERS, INC.<br>P. O. Box 3534<br>Austin, Texas                                     | - CAPITAL IMPROVEMENTS PROGRAM -<br>Construction contract to<br>modernize Fire Station No. 1,<br>Public Works Department -<br>\$292,577.00 C.I.P. No. 81/83-01                            |
| b. J. & S EXCAVATION<br>P. O. Box 1017<br>Kyle, Texas  | - CAPITAL IMPROVEMENTS PROGRAM -<br>Construction contract for<br>demolition of White Rock Drive<br>Bridge at Shoal Creek, Public<br>Works Department - \$22,076.00<br>C.I.P. No. 82/60-05 |
| c. APPLEGATE TOOL COMPANY<br>309 Industrial Boulevard<br>Austin, Texas                           | - CAPITAL IMPROVEMENTS PROGRAM -<br>Aluminum Transducer Panels,<br>Electric Utility Department<br>Item 1 - \$6,460.00 C.I.P. No.<br>75/11-01  |
| d. TRANS DATA, INC.<br>c/o Len T. Deloney Company, Inc.<br>1900 Mistywood Drive<br>Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM -<br>Electric Transducers, Electric<br>Utility Department<br>Items 1 thru 3 - \$58,968.75<br>C.I.P. No. 75/11-01   |
| e. Bid award:  | - Disposal of PCB-contaminated<br>capacitors and debris, Electric<br>Utility Department<br>Twelve (12) Month Contracts<br>Not to exceed \$92,205.00                                       |

## CONTRACTS - (Continued)

- (1) EOI PCB MANAGEMENT SYSTEMS  
201 I St., SW, Suite 823  
Washington, DC
  - Item Alt. 1 - Not to exceed \$18,005.00
- (2) ENSCO, INC.  
1015 Louisiana Street  
Little Rock, Arkansas
  - Item Alt. 2 - Not to exceed \$74,200.00
- f. WATSON DISTRIBUTING COMPANY, INC.  
5511 Brewster Drive  
San Antonio, Texas
  - Turf Tee Mower, Parks and Recreation Department  
Item 1 - \$9,945.00
- g. GOLDTHWAITE'S OF TEXAS, INC. (MBE)  
10751 Sentinel  
San Antonio, Texas
  - Riding Rotary Mowers, Parks and Recreation Department  
Item 1, 10 ea. - \$75,250.00
- h. R. L. POLK AND COMPANY  
7618 Envoy Court  
Dallas, Texas
  - City of Austin Directories, Office Services Division  
Item 1 - \$11,770.00
- i. BLAUER MANUFACTURING COMPANY, INC.  
160 N. Washington Street  
Boston, Massachusetts
  - Uniform Officer Jackets, Central Stores Division  
Twelve (12) Month Supply Agreement  
Item 1 - \$17,775.00
- j. HALL SIGNS, INC.  
300 West 3rd Street  
Bloomington, Indiana
  - Traffic Sign Blanks, Urban Transportation Department  
Items 1 thru 3, - \$7,245.00
- k. Bid award:
  - Firefighting Hoses, Fire Department - \$23,043.50
- (1) CLAUDE WRIGHT AND ASSOCIATES, INC.  
9018 Ruland  
Houston, Texas
  - Items 3 and 4 - \$17,265.00
- (2) AUSTIN CARBONIC COMPANY, INC.  
501 East 3rd Street  
Austin, Texas
  - Item 2 - \$5,778.50
- l. THE OFFICE COMPANY  
312 Congress Avenue  
Austin, Texas
  - Service contract for assembling, changing, and repairing of Herman Miller modular furniture, Police Department  
One (1) Year Contract - \$10,000.00
- m. CEN-TEX DATSUN, INC.  
1400 South Congress Avenue  
Austin, Texas
  - Datsun captive repair parts, Vehicle and Equipment Services Department  
Item 1 - Estimated \$20,000.00

## CONTRACTS - (Continued)

- n. CLAUDE WRIGHT & ASSOCIATES, INC.  
9018 Ruland  
Houston, Texas
- Custom Squad Truck Bodies & Accessories, Fire Department  
Item CST-1, 3 ea. - \$276,669.00
- o. Bid award:
- Car Wash Services for City Vehicles, Vehicle and Equipment Services Department  
One (1) Year Contract  
Estimated cost \$20,000.00
- (1) GENIE CAR SERVICE CENTER  
7320 Burnet Road  
Austin, Texas
- \$12,000.00
- (2) AUSTIN QUALITY CAR WASH  
3120 Guadalupe Street  
Austin, Texas
- \$8,000.00
- p. AUSTIN CATERING SERVICE, INC.  
4720 S. Congress Avenue  
Austin, Texas
- Food Service Concession at Brackenridge Hospital  
Fifteen (15) Month Contract - \$37,500.00 - Revenue to the City
- q. CAPITAL MECHANICAL, INC.  
1538 E. Anderson Lane  
Austin, Texas
- Energy Conservation Measures 1982, Phase B Improvements for Brackenridge Hospital - \$44,784.00
- r. ENCO SYSTEMS, INC.  
7951 Fairview  
Houston, Texas
- Energy Conservation Measures, 1982 Phase A Improvements for Brackenridge Hospital - \$49,377.30
- s. Bid award:
- Water and Wastewater Standard Items, Water and Wastewater Utility Department  
Six (6) Month Supply Agreement  
Estimated amount \$200,000.00 to be awarded by progressive purchasing method from low to high bidder.
- (1) ALAMO IRON WORKS  
101 Montana  
San Antonio, Texas
- Line items 9
- (2) AUSTIN PIPE AND SUPPLY COMPANY, INC.  
300 Medina  
Austin, Texas
- Line items 207

## CONTRACTS - (Continued)

- (3) BIG STATE UTILITY SUPPLY COMPANY - Line items 90  
9324 Circle Drive  
Austin, Texas
- (4) MECHANICAL INDUSTRIAL SUPPLY - Line items 5  
4704-C East 1st Street  
Austin, Texas
- (5) PFV SUPPLY COMPANY - Line items 108  
4700-R Burleson Road  
Austin, Texas
- (6) THE ROHAN COMPANY - Line item 8  
508-D East St. Elmo Road  
Austin, Texas
- (7) TRANS TEX SUPPLY COMPANY - Line Items 58  
4618 East 7th Street  
Austin, Texas

Contract to be Brought Back

Consideration of the following contract will be on the January 13, 1982 agenda:

- |   |   |
|---|---|
| PRICE WATERHOUSE<br>1200 Milam Street, Suite 2900<br>Houston, Texas | - Comprehensive Financial Plan<br>Water and Wastewater Department<br>\$189,000.00 |
|---|---|

Wastewater Approach Mains

Approved the following wastewater approach mains:

- a. FAIN-WEEKLY DEVELOPMENT COMPANY - Wastewater approach main to serve Matthews Park Subdivision.  
Estimated cost \$20,670.00  
(No City cost participation)
- b. JWR DEVELOPMENT, INC. - Wastewater approach main to serve 1006 Joint Venture.  
Estimated cost \$136,750.00  
(No City cost participation)
- c. JERYL HART ENGINEERS, INC. - Wastewater approach main to serve Spicewood Club Oaks.  
Estimated cost \$55,330.00  
(No City cost participation)

January 6, 1983

Payment Authorized

Authorized payment to the following:

Bill Milburn, Inc.

- The cost difference of a 12-inch water main to serve Pheasant Run Section One & Section Two.  
(City cost participation is \$26,789.90)

Rehabilitation Loans

Authorized and approved CDBG funds for Standard Rehabilitation Loans for the following:

<u>CONTRACTOR</u>	<u>LOAN AMOUNT</u>	<u>RECIPIENT</u>
Bluebonnet Construction	\$ 8,140.00	Celsa Acosta - 1109 E. 1th St.
Imperial Construction	\$ 13,950.00	Eulalia Berlanga - 2606 Francisco
Texas Western Assoc., Inc.	\$ 14,000.00	Dora Quinonez - 1112 Vasquez
Chapa Construction	\$ 12,180.00	Dorothy Willis - 2303 East 21st St.
Fulford Construction	\$ 14,000.00	Soledad Pescina - 1209 E. 9th St.
*Texas Western	\$ 12,000.00	Mary Ramirez - 4611 South 2nd St.
Andtree Construction	\$ 6,500.00	Blossom Reed - 3009 E. 18½ St.

\* Awarded by casting of lots

Legislative Package Approved

Approved a Legislative package for the City of Austin.

Contract Pharmacy Services

Approved renewal of an Inter-Local Cooperative Agreement with Travis County for the provision of contract pharmacy services to County MAP enrollees. (October 1, 1982 through September 30, 1983)

Urological Services

Authorized a contract for \$20,000 with Dr. Larry Phillips and Associates for the provision of urological physician services. (January 1, 1983 through December 31, 1983 - Approved by Hospital Board)

WIC Supplemental Program

Approved renewing the agreement with the Texas Department of Health for the local administration of the Women, Infants and Children (WIC) Food Supplemental Program in Austin from October 1, 1982 through September 30, 1983. (No City funding is required.)

Ophthalmological Services

Authorized a contract for \$26,000 with Dr. James McNabb and Associates for the provision of ophthalmological physician services. (January 1, 1983 through December 31, 1983 - Approved by Hospital Board.)

Restrictive Covenants

Authorized the substitution of restrictive covenants applicable to Lots 12-15 Block F, Burnet Heights, a subdivision in the City of Austin, Travis County, Texas of record Book 5, Page 39 of the Plat Records of Travis County, Texas. (Previous owner John Hathaway; current owners John Hathaway, Virginia T. Abercrombe and Lillian G. Carrigan.)

Alcohol Counseling Services

Authorized a contract with Travis County for \$31,000 in City funds to provide Austin-Travis County Alcohol Counseling Services.

Public Hearings Set

Set the following public hearings:

- a. Proposed Industrial Development Bond financed commercial project for Austin Airport Hotel Associates to be located in the area designated by the City Council as an Economically Blighted Area: January 27, 1983 at 2:00 p.m.
- b. An Industrial Development Bond financed project proposed by the Austin Airport Hotel Associates: January 27, 1983 at 2:00 p.m.
- c. An Industrial Development Bond financed commercial project proposed by the Sampson Building Joint Venture: January 27, 1983 at 2:00 p.m.
- d. The Ninth Year Community Development Block Grant (CDBG) Program's Citizen Participation Plan and Schedule: January 20, 1983 at 7:30 p.m.

LATER IN THE DAY the Council unanimously approved reconsideration of the date for Ninth Year CDBG.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Mayor McClellan's second, set the public hearing for 9th year CDBG Program's Citizen Participation Plan and Schedule for January 27, 1983 at 7:30 p.m. (6-0 Vote, Councilmember Goodman absent.)

- e. An amendment to the Zoning Ordinance deleting apartment hotels as permitted uses in "B" Residence Districts: January 27, 1983 at 3:00 p.m.
- g. An appeal from Merle L. Moden, president, North Austin Civic Association,



## HEARINGS SET - (Continued)

of the Planning Commission's decision to grant a Special Permit to Peyton Gin Apartments (C14p-82-042): January 20, 1983 at 7:30 p.m.

(Listed on the agenda was setting of a public hearing for an appeal to Planning Commission's decision to grant a Special Permit to Lanier Village Apartments. The hearing had been set at the 12/16/82 Council Meeting for January 13, 1983 at 5:00 p.m.)

Contract to Radian

Authorized a contract with Radian, Inc. for a study and demonstration project of commercial air conditioning through ice storage. (\$61,400.00 CAPITAL IMPROVEMENT PROGRAM funds.) C.I.P. No. 81/12-02.

Councilmember Deuser said he would like to see the City reimbursed if this results in savings to Radian. He suggested for every \$3.00 saved, \$2.00 should be given to the City and \$1.00 to Radian until the \$60,000 is repaid. No Council action was taken on Councilmember Deuser's suggestion.

Inaugural Parade

Approved temporarily closing the parking lanes along the east curb in the 1000 block of Congress Avenue between the alley and 11th Street from 6:00 a.m. January 17, 1983 to 12:00 noon January 20, 1983 for the reviewing stand for the Governor's Inaugural Parade.

CONSENT ORDINANCES

The Council, on Councilmember Mullen's motion, Councilmember Duncan's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (7-0 Vote unless otherwise noted)

Budget Amendments and Approval of Contracts

Amended the 1982-83 Operating Budget by:

- a. Accepting \$878,565 from the Texas Department of Human Resources to operate a Homemaker/Home Health Aide Project during an eleven month period from February 1, 1983 through December 31, 1983 and appropriating this amount to the Health Department to operate the Homemaker/Home Health Aide Project.
- b. Acceptance of \$72,690 of Community Service Block Grant Funds from the Texas Department of Community Affairs for Conduct of Community Action Program in Austin and Travis County.
- c. Accepting a Title X grant award in the amount of \$42,348 from the Texas Department of Health (TDH) and approving the contract with TDH for the provision of family planning services from October 1, 1982 through March 31, 1983.
- d. Accepting \$38,103.00 from the Capital Area Planning Council to provide transportation for the elderly and authorization to enter into a contract.

Street Name Change

Changed the street name of Doris Ann Boulevard to Capital Parkway. (Requested by Ellon Investments.)

Five Year Approach Main

Authorized approval of the following Five Year Approach Main Contract:

Bill Milburn, Inc.

- To pay developer the City's share of the cost of an 8-inch wastewater approach main to serve Pheasant Run Subdivision. (City cost participation is \$20,425.44)

Election Judges

Appointed election judges for the January 15, 1983 bond election as submitted by the City Clerk.

Zoning Ordinances

Amended Chapter 13-2 of the Austin City Code (Zoning Ordinance) to cover the following: (6-0 Vote, Councilmember Deuser abstained.)

- |                            |                   |                  |
|----------------------------|-------------------|------------------|
| a. Howard L. Long          | 508 West Live Oak | From "A" 1st H&A |
| C14-82-143                 |                   | to "C" 1st H&A   |
| b. Margaret T. Engelbrecht | 619 West 37th St. | From "A" 1st H&A |
|                            |                   | to "O-1" 1st H&A |

Arts Commission Ordinance

Amended the Arts Commission Ordinance by adding another member as an interested citizen.

Zoning Ordinance - THIRD READING

Passed through third reading of an ordinance amending Chapter 13-2 of the Austin City Code (Zoning Ordinance) to cover the following: (6-1 Vote, Councilmember Duncan voted No.)

Durelle A. Eidson	1809 Pearl and 809	From "A" 1st H&A
Harry T. Eidson	Martin Luther King	to "O" 1st H&A
By James J. Amis		
C14-82-121		

Zoning Ordinance - SECOND READING ONLY

Passed through SECOND READING ONLY an ordinance amending Chapter 13-2 of the Austin City Code (Zoning Ordinance) to cover the following:

M.K. Parson	11101 Selma & 11100	From Interim "AA" 1st
By Miguel "Mike" Guerrero	& 11102 Plains Trail	to "LR" 1st H&A
C14-82-078	1200-1202 Kramer Lane	

(4-2-0 Vote, Councilmember Duncan and Deuser voted No, Councilmember Goodman abstained.)

Annexation - FIRST READING ONLY

Passed through FIRST READING ONLY the annexation of Walnut Creek District Park.

Item to be Brought Back

Consideration of an amendment to appropriate \$189,000 from the Water and Wastewater Utility Fund balance for a consultant study on a Water and Wastewater Comprehensive Financial Plan will be brought back on January 13, 1983 agenda.

CLAIM AGAINST HOUSTON LIGHTING & POWER

Council had before them a resolution to direct the City Attorney to institute a claim against Houston Lighting and Power related to the South Texas Project.

Mr. Albert DeLaRosa, City Attorney, told Council, "This morning I filed, on behalf of the City of Austin, a lawsuit in the Travis County District Court against Houston Lighting and Power and Houston Industries (the parent company of HLP). The lawsuit seeks the reformation of the South Texas Participation Agreement by having HL&P ordered to take over Austin's 16% interest in STP and paying Austin back the money which we have already paid into the project and all other future sums which we will be making.

"In addition, we are seeking an unspecified amount of additional damages which the City has suffered. The fundamental basis of the lawsuit is simply that HLP did not properly prepare and discharge its duties as Project Manager of the STP. I have copies of the lawsuit to distribute to Council."

The Council made the following motion endorsing the action of the City Attorney:

Motion

The Council, on Councilmember Duncan's motion, Mayor McClellan's second, adopted a resolution endorsing the City Attorney's claim against Houston Lighting and Power related to the South Texas Project. (7-0 Vote)

## RECESS

Council recessed its meeting at 1:50 p.m. and resumed its recessed meeting at 1:55 p.m.

## ZONING ACTION

Council had before them the following zoning cases for action. Public hearing was held and closed at a previous meeting. These cases were recommended by the Planning Commission, with conditions. Council took the following action.

- |     |         |              |                       |                                |
|-----|---------|--------------|-----------------------|--------------------------------|
| (1) | C14r-82 | DOYLE WILSON | 1613 Capital of Texas | From Interim "AA" 1st H&A      |
|     | 094     | By David B.  | Hwy., also bounded    | To "0-1" 1st & 2nd H&A         |
|     |         | Armbrust     | by Camp Craft Road    | RECOMMENDED as amended         |
|     |         |              |                       | with restrictive covenant      |
|     |         |              |                       | limiting height to that        |
|     |         |              |                       | of existing building.          |
|     |         |              |                       | <u>GRANTED AS RECOMMENDED;</u> |
|     |         |              |                       | <u>DRAINAGE WILL MEET 1982</u> |
|     |         |              |                       | <u>STANDARD</u>                |

(On Councilmember Mullen's motion, Councilmember Goodman's second, 7-0 Vote.)

- |     |         |                 |                       |                                |
|-----|---------|-----------------|-----------------------|--------------------------------|
| (2) | C14r-82 | WESTLAKE II     | 1515 Capital of Texas | From Interim "AA" 1st H&A      |
|     | 095     | OFFICE BUILDING | Hwy., South, also     | To "0-1" 1st &                 |
|     |         | JOINT VENTURE   | bounded by Camp       | 3rd H&A                        |
|     |         |                 | Craft Road.           | RECOMMENDED "0-1" 1st &        |
|     |         |                 |                       | 3rd subject to restric-        |
|     |         |                 |                       | tive covenant limiting         |
|     |         |                 |                       | height to that of              |
|     |         |                 |                       | existing building.             |
|     |         |                 |                       | <u>GRANTED AS RECOMMENDED;</u> |
|     |         |                 |                       | <u>DRAINAGE WILL MEET 1982</u> |
|     |         |                 |                       | <u>STANDARD</u>                |

(On Councilmember Mullen's motion, Councilmember Goodman's second, 7-0 Vote.)

Prior to the vote, Mr. Jim Nias, Assistant City Attorney, stated: "As you remember you asked, the last time this came up on December 15th, about whether or not the detention on the property could be made to meet the current criteria or the criteria that were in effect back when the plat note was put on the plat and the whole issue has become moot because both cases have agreed they will meet the current criteria."

David Armbrust, representing the applicant in both cases, stated as follows: "At the public hearing we had a few weeks ago there had been at that time, we were unaware of it, but there had been some mistakes in the engineering calculations and we found in order to meet the 1982 standards we can do it in the \$1,000 to \$2,000 range. At the time of the public hearing we were thinking in the \$10,000 to \$20,000 range. Because of the discovery of the mistakes we now feel like we can do it, it is reasonable and we are willing to do it to meet the 1982 drainage criteria."

## NEIGHBORHOOD REVITALIZATION COMMISSION REPORT

Victor Baez, chairperson, Neighborhood Revitalization Commission, presented the Annual Performance Report to Council. Report is on file in the City Clerk's office. Mr. Baez told Council the Commission recommends and requests them to direct the City Manager to provide the following assistance to O.N.R. Mr. Meiszer said he will work on it and does not know if there is enough personnel in Public Works to take care of all the requests but "I believe in training and will see it gets done".

The Commission hereby recommends and requests this City Council to direct the City Manager to provide supplemental assistance to O.N.R. as follows:

1. Provide for a monitoring and training team from the Architects of the Public Buildings Division of Public Works Department in order to:
  - A. Review and make recommendations of administrative procedures and policies as soon as possible.
  - B. Review performance on a monthly basis, thus monitoring results and make recommendations.
  - C. Provide training sessions to Staff.
  - D. Provide the vehicle to Public Bldgs. to make recommendations to restructure the Construction Division of O.N.R., if required, in order to ensure effective delivery.
  - E. Provide a bidding system that can encourage Minority and Target Area Contractor participation in conjunction with Purchases and Stores.
2. Maintain two-way communication and assistance between O.N.R. and other City Departments. This should, hopefully, result in a constructive and positive response by O.N.R. to both program delivery in the neighborhood and to the City's periodic monitoring. These additional procedures are intended by the Commission to assist O.N.R. and define its' problem areas.

Due to the Office of Neighborhood Revitalization's inadequate program performance in 1982, the Commission shall also provide Council with quarterly reports of O.N.R. activities and performance. In March, we shall advise Council of a real and probable Standard Rehab Goal. The Commission shall at that time, also recommend action for Council on remaining rehab funds, if any.

Finally, as the Council's Representatives, thus also the Public's, we intend to monitor O.N.R.'s performance and continue to make recommendations to Council as fairly and objectively as we can. O.N.R.'s birthing process has been a difficult one. Now, we must all help O.N.R. in its development. Keep in mind, that it was the Commission that came to Council about O.N.R.'s problems. And it was the Commission who asked for the Manager's Investigation. And it is also the Commission who is requesting Council for additional assistance to O.N.R. We believe in concept, that it is the best vehicle to deliver these Housing Programs for the City. We feel that O.N.R. can become one of the most valuable Office of the City given the right foundation.

DRAINAGE AND FIREFLOW CAPACITY PROBLEMS  
VICINITY OF MANACHACA & BERKELEY

Mr. Lillie introduced the Planning Commission report on Drainage and Fireflow Capacity Problems in the Vicinity of Manchaca Road and Berkeley Avenue.

Mr. Richard Ridings, Director of Public Works, said there are drainage problems around the Berkeley Avenue apartment area, but a permit cannot be approved until a design is submitted. He said the flooding problems need to be addressed. Mayor Pro Tem Trevino said the developer indicated a willingness to pay a certain amount.

Mr. Schwing, Director of Water and Wastewater, gave a detailed report on the drainage problems in the area.

Mr. Rick Goldberg, petitioner, said there are the two problems of drainage and fireflow. He said a 30" drainage pipe should be laid on his property along Buffalo Pass and then down further. He said he will pay for the pipe on his property and the City can take it from there. Mr. Goldberg said the fireflow would involve a lot more money. The staff wants him to build an approach main to Stassney Lane and that is not acceptable to him.

Mayor Pro Tem Trevino asked the City Manager to work with Mr. Goldberg on a solution. Mr. Meiszer said he will return to Council in two weeks with an agreement for Council approval.

(Mr. Goldberg had requested to speak during Citizen Communications; since his area was being addressed in the Planning Commission Report, he was asked by Council to speak at this time.)

PUBLIC HEARING - DEFINITION OF IMPERVIOUS COVER IN  
BARTON CREEK WATERSHED ORDINANCE

Mayor McClellan opened the public hearings set for 2:00 p.m. on:

- (a) An amendment to Chapter 13-3 (subdivisions) of the Austin City Code to define "Impervious Cover" for the purpose of the Barton Creek Watershed.
- (b) An amendment to Chapter 9-10 (Rivers, Lakes and Watercourses) of the

## HEARING - (Continued)

Austin City Code to define "Impervious Cover" for the purpose of the Barton Creek Watershed.

Mr. Jim Nias, Assistant City Attorney, stated, "We had a dispute arise recently at the City staff level concerning the Barton Creek Ordinance. As you know, it has impervious cover limitations for commercial development. One major problem, however, in the Barton Creek Ordinance, we failed to define the term impervious cover. We need to get that in the City Code one way or the other. We have a subdivision pending now that is contending that it should not be counted. Some City staff members think it should. We have before you alternate ordinance proposals. One would include streets within the definition of impervious cover and would include them in the impervious cover limit calculations; and one which would exclude dedication of public streets."

David Armbrust said he had helped develop the Barton Creek ordinance. "The question has come up because of Mr. Nalle's subdivision. He is a developer and the subdivision is called Tremont. The question is whether or not you count streets adjoining a commercial tract as impervious cover. The Barton Creek Ordinance has an extremely low ceiling on impervious cover on commercial tracts. The maximum is 35%. In Mr. Nalle's situation we find if he is required to count the public streets that adjoin the commercial tracts, his effective impervious cover on the commercial lot will be 18.9%, so it has a substantial impact. I recognize in some of the other ordinances that we have in some of the other watersheds that streets are counted as impervious cover. However, the limits on commercial tracts are substantially higher in those watersheds. This is a fairly significant issue. We are talking about thousands of acres of commercial development. To have a standard of 35% seems to be a reasonable standard. If you have to count the adjoining public roadway it reduces then your building and parking lot cover to, in Mr. Nalle's case, 18.9%. It seems to me that is a bit too far."

Bert Kromack, president, Save Barton Creek Association, said he is concerned about the precedent that might be set by allowing a high percentage of impervious cover and suggests that the Barton Creek Ordinance follow the other ordinances in the impervious cover limitation. Impervious cover in Barton Creek is very important because of the run off. We have witnessed recently several floodings because of the springs themselves. More impervious cover can only serve to increase the incidence of this."

Councilmember Duncan said he still believes that "streets should be included and it is the same definition we have in other ordinances. The Barton Creek Ordinance has lower impervious cover standards, but if you change the definition of impervious cover then it would no longer have the stricter standards and I think it should have stricter standards. I would be willing to look at the impervious standards again but I don't think we should change the definition of one ordinance as opposed to the other. I've always had in mind that it included streets."

Motion

Councilmember Duncan made a motion to amend the ordinance to include streets in the definition of impervious cover.

## HEARING - (Continued)

Mayor McClellan said she recalls that at no time during the discussion of the ordinance prior to its passage did they say that streets would be part of the impervious cover limit.

Councilmember Mullen said he will be more comfortable if he can get more information before making a final decision.

Motion Withdrawn

Councilmember Duncan withdrew his motion.

Discussion continued among Councilmembers

Motion

The Council, on Councilmember Duncan's motion, Councilmember Mullen's second, voted to continue the public hearings on January 13, 1983 at 2:00 p.m. (5-0 Vote, Councilmember Goodman and Mayor Pro Tem Trevino were out of the room.)

PUBLIC HEARING - CERTIFICATES OF APPROPRIATENESS FROM  
HISTORIC LANDMARK COMMISSION

Mayor McClellan opened the public hearing set for 2:30 p.m. on amending Chapter 13-2-159 (Zoning Ordinance) of the Austin City Code providing that applicants for Certificates of Appropriateness from the Historic Landmark Commission may waive in writing the notice of the hearing thereon.

No one appeared to be heard.

Motion

The Council, on Councilmember Duncan's motion, Councilmember Urdy's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance providing that applicants for Certificates of Appropriateness from the Historic Landmark Commission may waive in writing the notice of the hearing thereon. (5-0 Vote, Mayor Pro Tem Trevino, Councilmember Goodman out of the room.)

## CDBG REVIEW

Mayor McClellan opened the public hearing set for 2:45 p.m. on reviewing the progress and performances of the Community Development Block Grant.

Sondra Meyer, Human Services Department, presented slides.

Harold Wells, Austin Urban League, said they need additional funding of \$250,000.00 for emergency repairs.



## CDBG REVIEW - (Continued)

Mark Draeger, executive director of Vaughn House, thanked the Council for the CDBG funds allotted to them.

Zeke Romo, EAECDC, reviewed what they have done so far.

Raol Esperanza spoke about CDBG funds.

Motion

The Council, on Councilmember Goodman's motion, Mayor McClellan's second, closed the public hearing on reviewing the progress and performances of the Community Development Block Grant. (7-0 Vote)

## SELECTION OF INDEPENDENT AUDITOR

Council had before it a resolution to select an independent auditor for the five year period beginning with FY 82-83 and ending with FY 84-85.

Tom Nurse, Peat Marwick Mitchell, told Council they are completing the 5th year with the City. The complete change in the Finance Department has given the department tremendous progress and for the first time they are in a complete auditing mode rather than both bookkeeping and audit. He asked for a three year contract and then they will leave when the Finance Department is self sustaining.

Councilmember Goodman asked if a one year extension would be agreeable. Mr. Nurse said yes.

Gary Prascher, Coopers, Lybrand, Morris, told Council that their team is better prepared to serve the City than any other firm in Austin.

Councilmember Goodman said Peat Marwick Mitchell has worked well with the City and favors a one year extension to their contract. He said he believes in the rotation of firms but felt this is not the year to start a new auditor.

Motion

Councilmember Goodman made a motion, seconded by Councilmember Duncan to extend the contract with Peat Marwick Mitchell for one year, and then they are not to resubmit for several years so the Council can rotate appointments.

Mayor McClellan said she disagrees. The firm of Peat Marwick Mitchell has done a fine job and all firms applying are excellent but she feels the need to rotate. The Mayor also pointed out the difference in price of \$39,000 between Peat Marwick and Arthur Anderson.

Substitute Motion

The Council, on Councilmember Deuser's motion, Councilmember Mullen's second, adopted a resolution to select the firm of Arthur Anderson as an independent auditor for a three year period beginning with FY 82-83 and ending with FY 84-85. (4-3 Vote, Mayor Pro Tem Trevino, Councilmembers Goodman and Duncan voted No.)

CITY CONSTRUCTION CONTRACTS  
DISCUSSED

Mr. William McIntyre appeared before Council to discuss City construction contracts for the unskilled and unemployed. He passed out a resolution. CITY CLERK DID NOT RECEIVE A COPY.

Mayor McClellan asked the City Manager to work with Mr. McIntyre and bring back a report.

## FILMS DISCUSSED

Richard Francis Flynn appeared before Council to discuss features being filmed in the City of Austin. He said he is running for president for the third time. He asked Council to send him to New York as a drummer in the St. Patrick Day Parade. He said Austin is a good city, and he has been in and out of jail. Mr. Flynn then referred to some films which are being made in Austin.

## SALVATION ARMY EMERGENCY HOUSING SERVICE CENTER

Mr. Neal Spelce showed slides on the need for a new salvation emergency housing service center in the core area.

Mr. Robert K. Moeser appeared before Council requesting a 30 year lease of City property located on River Street for the purpose of constructing a new Salvation Army emergency housing service center.

Councilmember Duncan said he sympathizes with the need and realizes there is a tremendous transit problem and something has to be done about it. He pointed out that a year ago the Council voted for another use for the site at Red River. If, however, if he is convinced that is the only site available then he will think again about favoring it. Mr. Moeser said they have looked all over the core area and need 15,000 square feet of land. He said the Salvation Army provides for men, women and children.

Mayor McClellan commented that the Salvation Army is more than just an organization to serve transients. It always come through in an emergency.

Councilmember Deuser said the transient problem is city-wide and everyone should participate. He said he will be happy to participate in a fund raising function.

Reverend Cecil Henniger, who had signed for Citizen Communications to discuss assistance in providing housing for transients, said he will give his support to the Salvation Army. He said he wished they would change their three day rule for housing and food to a longer time. Mr. Moeser pointed out to him that there is no limit set on lodging or food.

Councilmember Urdy expressed his support in looking for a site. Councilmember Mullen suggested Mr. Moeser get together with John McPhaul. Mr. McPhaul said he

## CENTER - (Continued)

has already looked and was unable to find an appropriate site in the core area.

## RAINEY STREET BARRIO DISCUSSED

Ms. Maria S. Limon discussed the Rainey Barrio Preservation Plan. She said there is a critical need for low income housing in Austin, and particularly in East Austin.

Marcos DeLeon said he is not against East Austin but there are two problems, one is of the transients and the other is homes for east Austin residents. He suggested using the City Coliseum or warehouses for the transients.

Narciso Gil, who lives in the Guadalupe area, said he supports Rainey because it is in their church boundary.

## SALVATION ARMY SITE

Council had before it a resolution to approve a thirty-year lease of City property located on River Street to the Salvation Army for the purpose of constructing an emergency housing service center.

After some discussion, Council directed the City Manager to report back with a short range recommendation in one week and a recommendation concerning the site in 30 days, and to keep the Rainey neighborhood informed of recommendations.

## DISCUSSION OF LAWSUIT

Mr. Merle A. Lang appeared before Council to discuss lawsuit entitled "City of Austin v. Merle Lang". He told Council, "I am here to request that you direct the Manager of Utility Customer Services to provide me with certain information that is pertinent to the lawsuit "City of Austin vs. Merle Lang", Cause No. 110747 in the County Court at Law No. 2, Travis County, Texas. I have already informally requested this information from Sheila Matthews and Carl J. Shahady and in both instances my request was denied.

"The City of Austin has sent letters to certain utility customers in an attempt to collect sales taxes on utility services provided by the City. I understand that these letters threaten to bring lawsuit against those who fail to pay up voluntarily even though they were not previously billed for these taxes. In some instances it seems the City's failure to bill and/or collect these taxes dates as far back as 1975.

"At this time I formally request:

1. The names and addresses of these utility customers from whom sales

LANG - (Continued)

sales taxes were not collected, although due, since January 1, 1975 up to the present time.

2. The total amount of the monies the City failed to collect in this connection.

"The refusal to refund monies due to me because the precedent set threatened the City Budget when over the same period monies legally due the City were not being collected is not consistent with the concept of equal justice under the law. The information I am asking for shall be used in formulating a Defendant's Request for Admissions.

"I am taking this opportunity to also put into the Public Record the following facts:

- "1. On September 10, 1980, I appeared at a public hearing to voice my opposition to a proposed increase in the fee charged for Industrial Waste Permits issued by the City of Austin.
2. On September 15, 1980 five City employees, William Bulloch, Albert G. Randall, Jack Gatlin and two others unknown to me came into my place of business and Mr. Bulloch informed me that an analyses would be made of my wastewater and that a surcharge would be imposed on me for discharge wastewater into the City's sewer system which exceeded the City's allowable level of contamination.
3. On September 17, 1980 City employees commenced taking samples of my wastewater..
4. Starting with the January 1981 bill a surcharge was added to my utility bill and a surcharge was on each and every bill thereafter.
5. This surcharge is part of the monies the City is suing me for.
6. The director of the City's Water and Wastewater Department did not and have not established any procedures that would insure that all those with Industrial Wastewater Permits would be inspected on an orderly basis. Instead sampling, analyzing and the imposition of surcharges were made at the "discretion" of the Director.
7. Between May 12, 1976 and September 16, 1980 no samples were taken at my place of business, no analyses made, and no surcharges imposed on me.
8. Only after my voiced opposition to the preposed increase in the Industrial Wastewater Permit fee did the Director deem that my time and basis for inspection and sampling had come.
9. Amendment I of the Constitution of the United States establishes that the right of the people to peaceably assemble and to petition the Government for redress of grievances without fear of condemnation shall not be abridged.

## LANG - (Continued)

- "10. Amendment IV of the Constitution of the United States establishes the right of the people to be secure against unreasonable searches and siequres.
11. My rights have been and are now being denied in violation of the Constitution of the United States, the State of Texas, and Ordinances of the City of Austin, Texas."

Mr. Glenn Weichert, City Attorney, stated that Mr. Lang has received information as requested from Mrs. Matthews. Mr. Lang told him it was not the information he asked for because addresses were not included.

## ZONING HEARINGS

Mayor McClellan announced Council would hear zoning cases scheduled for 4:00 p.m. The Council heard, closed the public hearings, granted and instructed the City Attorney to draw the necessary ordinances to cover the following zoning changes:

C14 -82 152	CITY OF AUSTIN	Rear of 1505-1509 Kinney Avenue	From "GR" 1st H&A To "B" 1st H&A RECOMMENDED GRANTED AS RECOMMENDED
C14r-82 162	HAYGOOD TOOL OF TEXAS	5016 E. Ben White Boulevard	From Interim "AA" 1st H&A To "D" 1st H&A RECOMMENDED GRANTED AS RECOMMENDED
C14 -82 164	HARRY M. WHITTINGTON, TRUSTEE	219-223 East 8th St. 700-720 San Jacinto 210-222 East 7th St.	From "C" 4th H&A To "C-2" 4th H&A RECOMMENDED GRANTED AS RECOMMENDED
C14r-82 171	RIVER HOTEL COMPANY By Mark Manske	6421 N. IH 35, also bounded by La Posada Drive	From "C" 3rd & 6th H&A To "C-2" 3rd & 6th H&A RECOMMENDED GRANTED AS RECOMMENDED
C14r-82 172	CITY OF AUSTIN PLANNING DEPT.	913-1807 Ed Bluestein Boulevard 1925-1957 Smith Rd.	From Interim "AA" 1st H&A To "D" 3rd H&A RECOMMENDED GRANTED AS RECOMMENDED
C14 -82 174	CITY OF AUSTIN PLANNING DEPT.	6300-6400 Valleyside Road and 3501 North Hills Drive	From "LR" & "B" 1st H&A To "BB" 1st H&A RECOMMENDED GRANTED AS RECOMMENDED
C14 -82 175	CITY OF AUSTIN PLANNING DEPT.	1513-1601, 1605-1703, 1608 Woodlawn Blvd. 1708-1710, 1707-1715 Cromwell Hill 48, 51, 1700, 1705, 1713 Summitt View 1701 Hartford Road 7 Niles Road	From "B" 1st H&A To "A" 1st H&A RECOMMENDED GRANTED AS RECOMMENDED (Later vote & information on following page.)

(On Councilmember Deuser's motion, Mayor McClellan's second, 7-0 Vote)

## ZONING - (Continued)

LATER IN THE DAY: Councilmember Mullen stated Case 175 should be clarified to designate the zoning roll back granted where owner requested.

Motion

The Council, on Councilmember Mullen's motion, Mayor McClellan's second, granted zoning from "B" 1st H&A to "A" 1st H&A on those requested by owners: (6-0 Vote, Councilmember Goodman had left the Council Chamber)

Gray	1710 Cromwell Hill
Dealey	1708 Cromwell Hill
Ludecke	1715 Cromwell Hill
Schneider	1711 Cromwell Hill
Lowd	1707 Cromwell Hill
Avery	1608 Woodlawn Blvd.
Neubauer	1700 Summitt View
Sibley	1703 Woodlawn Blvd.
Smith, William	1701 Woodlawn Blvd.
Nivens	1611 Woodlawn Blvd.
Smith, David	1609 Woodlawn Blvd.
Stephenson	1607 Woodlawn Blvd.
Scott	1605 Woodlawn Blvd.
Ruppa	1515 Woodlawn Blvd.

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C14	h-82 CLARK-EMMERT HOUSE 202 W. 43rd Street	From "A" 1st H&A
	015 By City of Austin	To "A-H" 1st H&A
	(Owners support historic zoning)	RECOMMENDED
		<u>GRANTED AS RECOMMENDED</u>
C14	-82 ROBERT H. 2532 Guadalupe Street	From "C" 1st H&A
	173 MANDERSON	To "C-2" 1st H&A
	By Donald E. Bird	RECOMMENDED
		<u>GRANTED AS RECOMMENDED</u>

(On Councilmember Deuser's motion, Mayor McClellan's second, 7-0 Vote)

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C14-82	JOE A. DUNCAN	4901 Woodrow Avenue	From "A" 1st H&A
167	By Rick Parke	1312 W. 49th St.	To "LR" 1st H&A
			RECOMMENDED subject to
			5' of r.o.w. on W. 49th
			Street and retaining of
			structure as volunteered
			by applicant.
			<u>GRANTED AS RECOMMENDED</u>

## ZONING - (Continued)

C14-82 168	DAVID FENDER By Rick Parke	2105 Rio Grande	From "B" 2nd H&A To "O-1" 1st H&A RECOMMENDED (as amended) "O-1" 1st H&A tied to site plan. <u>GRANTED AS RECOMMENDED</u>
C14-82 166	OZITE M. ALLEN By Dianna L. Brannon	1617 Koenig Lane, also bounded by Jeff Davis Avenue	From "A" 1st H&A To "O-1" 1st H&A RECOMMENDED subject to 10 feet of right-of-way on Koenig Lane. <u>GRANTED AS RECOMMENDED</u>
C14-82 169	GORDON L. JONES & JAMES G. BOYLE By E. L. Ramsey	3800-3804 Clawson Rd. also bounded by Valley View Rd.	From "A" 1st H&A To "BB" 1st H&A RECOMMENDED "BB" with 10' right-of-way on Clawson, 30' right-of-way on Valley View Road and emergency access onto Clawson. <u>GRANTED AS RECOMMENDED</u>
C14 -82 158	J. MICHAEL LANGFORD By Sidney S. Smith	1420 W. 51st Street	From "C" 2nd H&A & "A" 1st H&A To "O-1" 1st H&A RECOMMENDED (as amended) subject to 5' of right-of-way. <u>GRANTED AS RECOMMENDED</u>

(On Councilmember Mullen's motion, Councilmember Deuser's second, 7-0 Vote)

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C14 8-82 007	RIVERBEND P.U.D. By Gary L. Bradley	Capital of Texas Highway North at at Lake Austin	A 33-Unit detached single-family residential development with common area and private streets. From "A" & Interim "LA" 1st H&A To P.U.D. RECOMMENDED
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GRANTED AS RECOMMENDED

Councilmember Duncan stated, "It is my understanding staff is recommending

## ZONING - (Continued)

against the first variance and that is what I wanted to clear up." Mr. Gary Bradley stated, "We had 33.65 acres and our objective was to have 33 residential units on 33 plus acres. We have a large plat area next to the lake front that is not vegetated at all. Our goal is to not have any structures in that open area that are visible from the lake and also from Loop 360 and we have put the homes back in the vegetated area. Under the Peninsula Ordinance if you don't keep an area in a natural undisturbed state you are not supposed to be able to count it in your overall density calculation. We have a seven or eight acre area we are trying to preserve. In the area we have a marina that was cut into the area as opposed to bringing boat docks down along the shoreline. When we cut into the area the concern by staff was echoed by the Environmental Board even though that is bringing more water into the land we want to count that as impervious cover and it is obviously not left in an undisturbed state. The ultimate solution we worked out with the Environmental Board was that since we were in excess of 33 acres, they said as long as I did not disturb more than 6.5 acres in the natural area along the lakeshore, we recommend your variance be granted. That is what we have agreed to do." Councilmember Duncan said that answers his question.

(On Councilmember Goodman's motion, Mayor McClellan's second, 6-0 Vote, Councilmember Deuser abstained.)

C14-82 WELDON D. LAMB  
156 By C.O.R.  
Construction, Inc.

4901 Spicewood  
Springs Road

From Interim "A" 1st H&A  
To "0-1" 1st H&A  
RECOMMENDED subject to  
site plan and 15' of  
right-of-way on Spicewood  
Springs Road.  
GRANTED AS RECOMMENDED

Mr. Lillie reviewed by use of slides.

Robert Counts, speaking for the applicant, said the office site is located in an area that has not been in use for a considerable amount of time. He said he will occupy the office building he plans to erect. The neighborhood associations agree with his plan.

Councilmember Deuser said he has not seen a site plan. Mr. Counts said it was shown to the neighborhood associations and the Planning Commission but did not have it with him in the Council Chamber.

(On Councilmember Deuser's motion, Councilmember Goodman's second, 7-0 Vote)



## ZONING - (Continued)

C14 -82 JAMES N. & 2300 Leon Street  
163 CHARLOTTE CUMMINGS  
DOUGLAS  
By Jeane Franklin

From "A" 2nd H&A  
To "B" 1st H&A  
RECOMMENDED subject to  
approval of site plan;  
structure is to be in  
keeping with residential  
character of neighborhood.

GRANTED AS RECOMMENDED; SITE PLAN TO BE  
APPROVED BY COUNCIL

Mr. Lillie reviewed by use of slides.

Mike Guerrero, representing Mike Harmon and Dave Schifflet, said they are trying to get 10 units on the site with two bedrooms in each unit.

Bob Russell, president, Save University Neighborhood, said the applicant had brought to one of their neighborhood meetings a site plan for the subject lots. Two of the neighbors who live behind the lots asked that the building be moved further back from the rear lot line. Mr. Russell also asked that balconies not be put on the rear of the buildings because it would cause noise in their area. The developer, Mr. Russell said, seemed willing to work with them. Mr. Russell said their main concern is to see the site plan before the zoning is granted.

(On Councilmember Goodman's motion, Councilmember Deuser's second, 7-0 Vote)

C14 -82 CITY OF AUSTIN  
177 PLANNING DEPT.

All of Darlington  
Lane, Rexford Drive,  
Cordell Lane, Chevy  
Circle, Darlington  
Cove, Norwood Hill  
Road, Marymount  
Drive, Wayborne Hill  
Drive, Norwich Cove,  
Dresden Cove,  
Preswyck Drive,  
Woodbriar Lane,  
Ameswood Drive,  
Claymoor Drive,  
Tipton Drive, Pendleton Lane,  
Basswood Lane, Chadwyck Drive,  
Medford Drive, Halmark Drive,  
Gladstone Drive, Beechmoor Drive,  
5101-5611 Manor Road  
5400-5610 & 5401-5611 Gloucester Lane

From Interim "A" 1st H&A  
To "AA" or "A" 1st H&A  
NOT RECOMMENDED  
RECOMMENDED "A"  
for undeveloped  
properties north of  
East 51st Street, lots  
developed with duplex  
uses and all property  
south of East 51st  
Street; "AA" on the  
balance.  
GRANTED AS RECOMMENDED

(Continued on Next Page)

## ZONING HEARINGS - (Continued)

2932-3035, 2918-3036, rear of  
3300-3508, 4707-4805, 4813-5015  
Pecan Springs Road  
4710 and 5200-5538 Springdale Road  
2913-3425 Rogge Lane  
5100 and 5105 Highbury Lane  
2910-2912, 2911-2913 Overdale Road  
2960-3114 East 51st Street

Mr. Glen Weichert, who lives south of East 51st opposes the rollback. He said East 51st is proposed to be extended through his property and access to his property is currently provided through an easement off E. 51st. He does not support "AA" zoning because it will make his property worthless by not allowing access to his property once E. 51st is extended.

Motion

Councilmember Goodman made a motion, seconded by Councilmember Duncan to exempt the Weichert property.

Mr. Lillie said, "Can I respond to a concern? The Interim "A" which exists and the "A", if the Council were to approve it, makes no difference. He can develop it now with single family or duplex or after it is zoned he can develop with single family or duplex and at any time under either situation, he can come in and request a zoning change. Changing it to permanent "A" makes no difference with respect to use he can make of this property."

Discussion followed and it was decided to withdraw the motion.

Motion Withdrawn

Councilmember Goodman withdrew his motion and Councilmember Duncan withdrew his second to exempt the Weichert property.

Alfred Dodson, 5413 Pendelton Lane, said they have been trying, since 1977, to permanently zone their homes in the area. He asked Council to support the Planning Commission.

Reverend W.H. Carrington, 5315 Hallmark Drive, said he would like to know more about "AA" and "A" zoning. Mr. Deuser explained to him that permanent zoning will not affect the property taxes in the neighborhood. He also explained the zoning will allow single family only, unless a complete zoning change is made.

Woodrow Sledge told Council that to the east of Springdale Road there is a school site and has been told it will be five years before East 51st is extended. Councilmember Deuser said he would like a report from staff concerning the plans for the street.

Jack Morton, who represents the Randerson family, requested that their land, if it is zoned permanently, be zoned "A". They would prefer Interim "A" but the land

## ZONING HEARINGS - (Continued)

is being held in a family trust with no plans for development at this time. He said "A" is the Planning Commission's recommendation.

Ralph Hess, who lives at 3408 Norwood Hill Road, the intersection of Basswood Lane and Norwood Hill. He said it is in the best interest of the neighborhood to have his property remain "AA". as recommended by the Planning Commission.

Dorothy Richter discussed the difference between interim and permanent zoning.

(On Councilmember Deuser's motion, Councilmember Urdy's second, 7-0 Vote)

C14 -82 178	CITY OF AUSTIN	<p>All of Bilboa Drive, From Interim "A" &amp; Welland Circle, Interim "AA" 1st H&amp;A Andalusa Drive, Santa To "AA" 1st H&amp;A Cruz Drive, Alhambra NOT RECOMMENDED Drive, Cordova Drive, RECOMMENDED to postpone Toledo Drive, Quarry Tract for 90 Balcones Woods Cove, days to allow new Balcones Woods owners to file proposal; Circle, Gerona Dr., grant "AA" Residence on Las Palmas Drive, balance as requested. Valencia Circle, <u>GRANTED AS RECOMMENDED</u> Malaga Drive, <u>QUARRY TRACT POSTPONED</u> Flagstaff Drive, <u>"AA" ON BALANCE</u> Alamosa Drive, Murcia Drive, Catalonia Drive, Gray Fox Drive, Spotted Horse Drive, Pyrsneese Drive, Bit Trail Cove, Bit Trail, Natrona Cove, Natrona Drive, Elk Park Circle, Elk Park Trail, Fast Horse Drive, Red Cloud Drive, Zuni Drive, Mohican Drive, Steve Scarborough Drive, Running Fox Trail, Shoshone Drive, Blackhawk Drive, Beaver Creek Drive, Running Deed Drive, Big Trail Circle, Powder River Road, Dull Knife Drive, Galacia Drive, Biscay Drive, Aragon Drive, Calle Verde Cove, Madrid Cove, Madrid Drive, Mesa Woods Drive 1116 to 1118, 1117 to 1119 Trent Drive, 3802 to 4804, 3801 to 4805 Balcones Woods Drive, 4600 to 5108, 4601 to 5109 Wind River Road, 4601 to 5111 Duval Road, and 11010 to 11402, 11011 to 11021 Calle Verde Drive</p>
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## ZONING HEARINGS - (Continued)

Waldo Born, 11507 Natrona Cove, representing Mesa Park Civic Association, discussed the quarry and showed slides. He said a considerable part of the area is located in the 100 year flood plain.

Scott Roberts, representing Bill Milburn, spoke on behalf of the Hyde Park Baptist Church, who has recently put the quarry site under contract with the Texas Instruments Employees Association to purchase. They asked him to go to the Planning Commission and request postponement of action on the quarry site, which the Planning Commission did. They postponed action on the quarry site for 90 days.

(On Councilmember Deuser's motion, Mayor McClellan's second, 7-0 Vote.)

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Zonings Denied

Council heard, closed the public hearing and DENIED the following zoning applications:

C14 -82 Verna P. Marx      2107 Greenwood Avenue From "A" 1st H&A  
161 By J. N. Gennette      To "GR" 1st H&A  
NOT RECOMMENDED  
DENIED

(On Councilmember Deuser's motion, Councilmember Goodman's second, 7-0 Vote)

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C14-8-82 MORRO VISTA PUD      1405 Rockcliff Road      A 13-unit project on  
By Westlake Ltd.      Lake Austin Peninsula  
From "A" & Interim "LA"  
1st H&A  
To "P.U.D." 1st H&A  
RECOMMENDED subject to  
limiting the parking  
lot next to the boat  
docks to four spaces.  
DENIED

Mr. Lillie reviewed by use of slides.

Rick Wheeler, representing, representing Harvey Doering, owner of the project, said they have worked with the Planning Commission for 18 months and have been caught in a moratorium.

Mr. Lillie told him the issue is land use and this has to go through the subdivision process.

## ZONING HEARINGS - (Continued)

Jay Powell, president, Windy Cove Neighborhood Association, said they are concerned because of the narrow road which is only 8' to 15' wide and cannot carry the traffic. They are also concerned with the water quality situation.

Mr. Perry, who is the attorney for Mrs. Lyle, said she is concerned about the boat dock which will hold 13 boats and compared it to a marina being put next to her private dock.

William Oxley, 1404 Rockcliffe Road, said putting 13 boats next to him is like putting a single dwelling next to a service station.

Claire Oxley expressed her concern with the narrow road which she said is a mud puddle most of the time. She said one has to back up in order to pass and you can't do that with a boat trailer.

Rick Wheeler presented the summary and told Council they do not plan to develop to any greater intensity than allowed.

Mr. Lillie said a petition had been handed in and it had not been ascertained if it contains 20% of the signatures against. He said he could bring it back to Council on the 13th along with information concerning zoning along the lakeshore.

Mayor McClellan said there were many valid concerns about the zoning including noise, glaring lights, inadequate street size and safety for the motoring public.

(On Councilmember Deuser's motion, Mayor McClellan's second, 7-0 Vote to deny.)

## RECESS

Council recessed its meeting from 6:15 p.m. to 6:55 p.m. At this point, Councilmember Goodman left the Council Chamber.

PUBLIC HEARING - ORDINANCE BANNING OPEN CONTAINERS OF ALCOHOLIC  
BEVERAGES IN THE 6TH STREET HISTORIC DISTRICT  
AND THE CONGRESS AVENUE HISTORIC DISTRICT

Mayor McClellan opened the public hearing set for 6:00 p.m. on an ordinance banning open containers of alcoholic beverages in the 6th Street Historic District and the Congress Avenue Historic District.

David West, president of Old Pecan Street Neighborhood Association, said they voted in favor of the ordinance.

Jonathan Davis, Assistant City Attorney, explained that if customers go into a restaurant and order a bottle of wine with their meal, if the bottle is not empty they may take it out of the restaurant with proof of purchase for Police to inspect.

## HEARING - (Continued)

Councilmember Deuser explained the boundaries included in the ordinance are Town Lake to 11th Street and IH 35 to Congress.

Motion

The Council, on Councilmember Deuser's motion, Councilmember Duncan's second, closed the public hearing; ordinance to be brought to Council on January 13, 1983. (6-0 Vote, Councilmember Goodman absent)

## PARADE PERMIT

The Council, on Mayor Pro Tem Trevino's motion, Mayor McClellan's second, approved the request for a Parade Permit from Mary Sanger, for Hightower Committee, from 5:45 p.m. to 6:30 p.m., Monday, January 17, 1983, beginning from 18th Street to the Capitol on Congress Avenue. (6-0 Vote, Councilmember Goodman absent.)

## MUNICIPAL OFFICE COMPLEX

Jorge Carrasco, Assistant City Manager, reported on the staff recommendation to City Council concerning the Municipal Office Complex. He said their recommendation is separate from the report of the Downtown Revitalization Task Force. "Four months ago Council authorized the City Manager to issue a request for proposal to obtain a development concept for a Municipal Complex. Our aim was to determine the most feasible location, concept and financing opportunities for the City. Our intent, given direction from Council, was to identify the proposal that would: enable the City to construct a public facility without the need to incur additional debts; to maximize the economic value of City owned property, namely the annex site; to provide our community with a governmental center that would enhance our revitalization effort downtown; to design and build a quality structure with unique design and architectural characteristics; and finally to address the outstanding and increasing costs of providing appropriate work space for City employees and to improve our service to the public. ....

"Our evaluation occurred in three stages. First a review of each proposal based on 12 evaluation criteria grouped under three major categories, site implementation and financing, and a rigorous review of financial data." He said two proposers demonstrated strong economic advantage to the City. The last phase, resulting in today's recommendation was a review of the analytical work with the two principal firms and the final recommendation for Council consideration. "Our recommendation places special importance on financing and fiscal impact because of the substantial economic advantage demonstrated by the recommended plan. Watson-Casey is the recommended proposal based on ease of implementation and financial advantages. No additional debt would be incurred depending on the final appraised value of the annex property. The City would realized an accrued benefit over a 30 year period of time of \$55,000,000.00. \$30,000,000 more than the next proposer. The results of our analysis indicate a net positive present value advantage of \$10,000,000 over the 30 year period of time. This proposal can be implemented without any

## COMPLEX - (Continued)

disruption to the daily operation of Municipal services. No development fee is required. A saving of over \$1,000,000.00 to the City. Ownership of all annex property and associated improvements can revert to the City at the conclusion of the proposed ground lease representing a projected development value of \$200,000,000.00. Further, the firm agrees to pay property taxes on the ground lease that otherwise would be the responsibility of the City. Construction of the facility would meet City specifications. The firm has also agreed to pay for all relocation costs required to move City employees to the new proposed facility. Finally, and equally important, there is near term fiscal relief from current and projected leasing expenses. In addition to our primary recommendation we request Council to consider issuance of a second RFP for architectural services and urban design proposals. This is consistent with Downtown Revitalization Task Force recommendation relating to architectural services and urban design. ....If Council deems the annex site as the most desirable and that site considerations outweigh the financial factors that we have outlined for you, then the Barnstone proposal would be our recommendation. It is economically attractive to the City as well."

John German, Assistant City Manager, stated that the City owns 110,000 square feet in the annex and Municipal Building and lease 110,000 square feet in other buildings in scattered areas. The general target area for the new complex was 1st to 5th Streets and San Jacinto to Rio Grande. The complex needs to be 280,000 square feet with parking areas. The location recommended as proposed by Watson-Casey is between 3rd and 4th Streets and between San Antonio and Nueces. Mr. German then completed his presentation with use of slides. He said staff would like Council's direction to proceed with requesting Watson-Casey to present specific plans. This would take until late March or early April and public hearings could be held.

Mr. Meiszer, City Manager, commented, "I think we have gotten to the point that we wanted to explore, initially. To determine first where it should be located and secondly whether it can be constructed in a public/private partnership without adding to the City's financial burden. Both of those questions have been answered. Whether you take this annex site or whether you take that site that is the choice the Council has to make. The financial feasibility shows very clearly that we would do a much better job selling the public. We would not spend any money on the project but we would realize a saving over the life of it of considerable magnitude and I think that is probably the strongest argument for proceeding with it if the Council wishes to do so."

Councilmember Duncan said RFP's for ideas are all right but does not think the Council should choose so soon. He said since we now know the City can build without putting the City in debt, he would like to go to a full RFP.

Mayor McClellan said she would like to see the Council proceed with a decision as the City now spends between \$800,000 and \$900,000 a year for rent for leased space.

Mayor Pro Tem Trevino said neither he nor Councilmember Goodman are ready to vote. Councilmember Deuser said there should be a public hearing and it is appropriate to get several proposals.

## COMPLEX - (Continued)

Mr. Meiszer explained that when staff began the process they did not realize there would be one proposal that would be so overwhelmingly economically feasible.

Motion

The Council, on Councilmember Duncan's motion, Councilmember Urdy's second, adopted a resolution to set a public hearing on January 27, 1983 at 6:30 p.m. on the Municipal Office Complex. (5-0 Vote, Councilmember Deuser out of the room, Councilmember Goodman absent.)

## OAK HILL ANNEXATION

Mr. John German, Assistant City Manager, presented the City Manager Report on Alternatives on Annexation in the Oak Hill Area. He said three options have been presented to limit the annexation in the Oak Hill area to just the Patton Ranch property and a strip of land connecting that property to the current City limits. The three options vary only in the location of the connecting strip and are:

- Option 1: A strip parallel to US 290 extending from the Westcreek Subdivision to the intersection of US 290 at McCarty Lane.
- Option 2: A strip generally following Convict Hill Road to the intersection of Convict Hill Road and US 290.
- Option 3: A strip generally following McCarty Lane to the intersection of McCarty Lane and US 290.

Although these options satisfy the Council request, I must advise that they do not adequately address other pertinent City needs. Those include:

- A. The City needs to annex the right-of-way for the William Cannon Drive extension from Brodie Lane to US 290. Annexation would allow for the currently funded Public Works CIP project on William Cannon to be initiated.
- B. The City needs to acquire a Fire/EMS Station site in the Oak Hill area and begin construction as soon as possible.
- C. Some areas need to be annexed to fill the "hole in the doughnut." Those areas are either undeveloped or already have City utility services. Examples are the land south of McCarty and west of Brodie and portions of the Westcreek Subdivision which have been built out but not annexed.



## OAK HILL - (Continued)

To meet these needs, we have patterned an Option 4 for the Council's consideration. It meets the needs as defined above. In addition, a portion of the area known as Meadows at Travis Oaks is included, as is the Forest Lawn Cemetery property.

If the Council prefers to proceed with a limited, time-phased annexation plan for the Oak Hill area, I would recommend that Option 4 be selected and that staff be directed to prepare field notes and a revised fiscal note for the areas to be annexed.

It is also important that the Council approve the proposed developer's contract to extend and upgrade water and sewer lines to serve the entire area. As those lines are installed and the Fire/EMS Station is constructed, the remaining areas in Oak Hill should be considered for annexation.

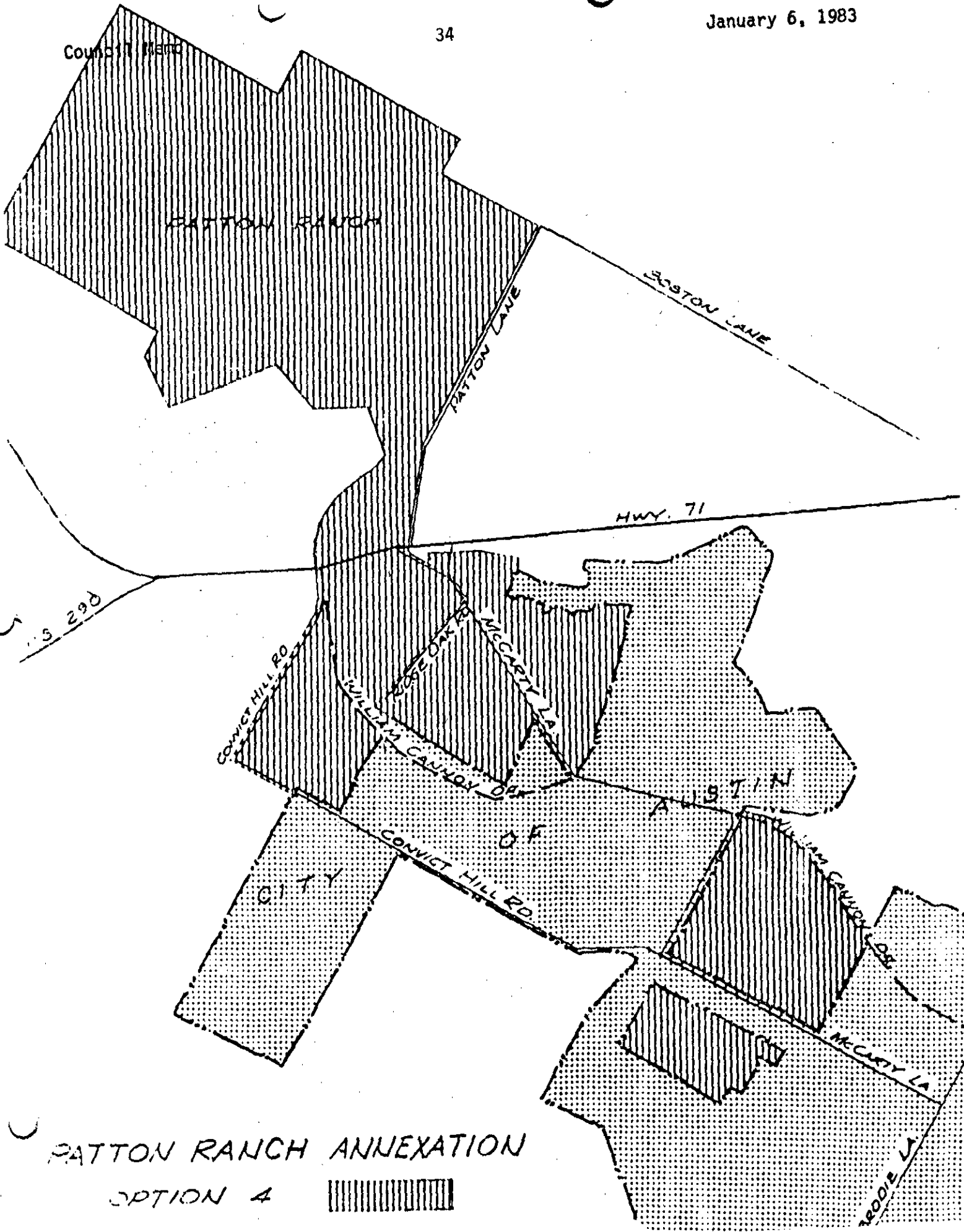
Councilmember Duncan said he will make a motion for Option 4 on the January 20th agenda for first reading only. He said he will propose that a contract be executed between the City of Austin and affected developers for utilities in the entire Oak Hill area, based on the current proposed service plan. The contract should include a site plan for the Patton Ranch for Council approval. Councilmember Duncan said he believes the Council should permit the annexation of the remainder of Oak Hill one year from now. He said the advantages of this approach are:

1. It allows the City of Austin to locate a fire and EMS station site and begin construction before annexation of the entire Oak Hill area.
2. It prevents a MUD being formed by the Patton Ranch and allows the Council site plan approval of that development.
3. It allows utility construction for the area to get underway. This scenario also allows greater developer participation in the contract.
4. It clearly states the intention of the City of Austin to annex Oak Hill in two phases, and to provide full services to the residents of Oak Hill when they are annexed.
5. It does not "strip-annex" the businesses along Highway 290 before full services are provided and the entire area is annexed.

Jerry Harris, attorney, representing the Patton Ranch property, said he understands the intent and that the contract and site plan will be reviewed on the 20th of January.

Water and Wastewater Commission is to review.

(Map on Following Page)



## DOWNTOWN GARAGE REPORT

Frank Rodriquez, Director of Management and Budget, reported on the John Simmons proposal for a downtown parking garage and trolley-bus service. Report is on file with the City Clerk's Office.

Because the proposed garage is estimated to cost the City \$600,000 the first year with no income to cover the deficit, Mr. Rodriquez said there may be other more cost-effective and preferable approaches to take, like using the money the City would spend on this proposal toward the development of a more extensive Park and Ride Transit System to serve the downtown area. The proposal would result in a significant expenditure of City funds in the initial years of the garage's operation. Over the long term suggested repayment and profit sharing plan, as proposed, has potential of providing a substantial return to the City. Dr. Benson, Director of Transportation, stated the routes proposed for the garage. The City Manager said the City does not have the money. Councilmembers Duncan, Deuser and Urdy think the concept is good. After discussion the Council directed the City Manager to direct staff to work on the problem of solving the financing.

## APPEAL FROM GEORGIAN ACRES

Mayor McClellan opened the public hearing set for 7:30 p.m. on an appeal from Georgian Acres Neighborhood Association of the Planning Commission decision on Case No. C14p-81-084

Mr. Lillie reviewed the appeal and said the proposed use is a 500-unit apartment project named "Pepper Tree Apartments".

Alan Haywood, representing Hardesty Company who is the developer of the apartments, told Council the neighborhood's concern is the possibility of flooding. He said the apartments will not increase the run off and they have met all requirements and recommendations. Mr. Haywood pointed out that the apartments are the appropriate project for the location.

Tom Cook, president, Georgian Acres Neighborhood Association, asked to have the apartments denied. He said their neighborhood is in danger because of the 100 year flood plain and that during the Memorial Day flood the water went 200' onto the site. Mr. Cook discussed the proposed privacy fence and said they want it to have 12' clearance under the fence for water to pass through if the apartments are allowed. Mr. Cook asked Council to rescind the decision of the Planning Commission.

Mayor McClellan expressed concern about the flood plain and pointed out that the existing zoning is "C" 5th H&A which means all sorts of detrimental buildings could be incurred in the neighborhood. Mr. Cook told Council that development should be out of the 100 year flood plain.

Bill Cecrle showed maps with the flood plain line which he obtained by walking the area and getting information from people who live in the area concerning the depth of the water in the Memorial Day 1981 flood.

Wesley Dahl, a resident of the area, said no one contacted him. He is for the proposed apartment project and said his home of 20 years went down the creek

## APPEAL - (Continued)

during the flood and he lost everything. Mr. Dahl said he feels the neighborhood association's main purpose is to harass.

Merle Moden, president, North Austin Civic Association, told Council the project will be noisy and there will be a lot more cars, but, he said, the main issue is the potential for flooding and the adverse effect on people's property.

Betty Matu stated her back yard abuts the proposed project and she feels the Peppertree Apartments will have a effect and flood her property.

David Gurss, member of the Environmental Board, told Council the board recommended denial of the site plan, not because of the cut and fill, but because of the plan itself.

H.W. Currington, engineer for the project, stated he had used the Corps of Engineers maps when designing the project. He said they intend to pond all parking areas and individual sites and will pond all excess water that will occur over and above the current natural runoff.

June McAdams, a resident in the area, said the apartment plan has taken the neighborhood into consideration and she is for the project.

Mr. Bourne said water came in his front room during the flooding in 1981. He pointed out the IH 35 bridge does not allow water to run through it.

Mr. Cook returned to say the best information available about the flood plain is not good enough because the Corps of Engineers says the flood plain is in one area and Mr. Currington says it is in another. They feel buildings would be a dam and a disaster for people along the creek. He asked Council to deny the plan as it now exists and have the builder eliminate the last three buildings and no land fill.

Alan Haywood returned for the summary and said limiting or prohibiting building will not solve the homeowners problems. They will still be subject to flooding.

Councilmember Deuser stated "There are a lot of things about this project that I like and particularly that it opens and exits unto IH35 frontage and does not come back into the neighborhood. One of the three buildings Mr. Cook would like to eliminate. He probably feels that a certain street will not be extended to IH35, comes from the neighborhood. There is no great call to achieve the same density on this property as was achieved on Silver Mine I from the standpoint of overall topography. It would seem to me there could be a little more respect to the west they are giving along that line and if the water from that area does drain across and obviously they have some problems in meeting detention requirements or they would not be going to what I consider to be rather dire way of impounding water and that is having basically a wet weather lake in the middle of some of their buildings. And if all that water comes from up stream and along the banks it seems like removing one or two or maybe all three of the buildings to the west would be advantageous from a total water standpoint. It would certainly address the concerns of our Environmental Board that maybe the density is a little too high. I think that the overall general design of the project is fine and I believe the proposed alterations

## APPEAL - (Continued)

along as we allow modification of the 100 year flood plain for development, that they probably are being handled correctly. We really won't know for sure until the next big rain comes but there are always so many variables all around. I would prefer to see the project go but either two or three buildings to the west be removed. I might go with the one remaining in the upper lefthand corner there because it is kind of the most removed from the creek and it is less close to the neighborhood and might also be allowed to move around if you did not have the other two adjacent. I would be willing to vote for it with that modification that either two of the buildings be removed or all three and that also might allow them to redesign their detention facilities. Other than that I don't think I can go with it as is even though it has a lot of desirable properties."

Councilmember Urdy said it is worthwhile trying to work out any details that they can.

Councilmember Duncan said "I still don't like it. We're in the position of having a lot of property in the City that is in the flood plain. ....We are not in the position of being able to confiscate property, particularly when the people have zoning already for much higher density use than this. Frankly, this Council is not in the position to give the relief that is necessary. I don't have a better proposal than the one Councilmember Deuser suggested. I'm concerned if we make the modification about the people that will live in the project and the flooding that will occur to them because I think they are going to be flooded out and where is our obligation as far as allowing occupancy of that project to occur under those circumstances. ....Certainly effect of a dam on that one corner is something that could be addressed. So having no better suggestion I guess I will go along with your recommendation."

Mayor McClellan asked, "Is there a motion?"

( Motion )

Councilmember Deuser moved approval of the project with requirements that a certain amount be eliminated and leave that to additional adjustment. "If you prefer we can have site plan approval come back to us."

Councilmember Dueser and Duncan said they did not know the feasibility of this because they do not know the time lines of the developer. They looked at the map again and Councilmember Deuser said he had left it flexible with the removal of either two or three buildings depending on the economic situation of the builder. "That will allow you a little flexibility in re-arranging over in that end."

Discussion followed on moving of the buildings. Councilmember Deuser said "My idea of cutting down two or three buildings is to cut down on the impervious cover and allowing you a different arrangement for your ponding. You won't have as much water to contend with. We are talking about 3 acre feet of water having to be ponded here. It's quite a bit." Councilmember Duncan said he would like to hear from the neighborhood.

Mr. Cook said, "I believe if the buildings are removed and the parking lot

## APPEAL - (Continued)

is there, you are looking at acres of asphalt." Councilmember Duncan asked, "Why do you want the buildings moved, is it the daming effect?" Mr. Cook said that was one of the areas in the Memorial Day flood that received heavy water flow. We feel like those three buildings right there are going to cause another problem. If you have a parking lot you are going to be covering a surface and there is no place for the water to go." Councilmember Duncan said that is not a daming effect. Mr. Cook asked, "How do you measure a dam, two feet high or 100 feet high, you are going to have a daming effect if landfill is being put there. That was one of our requests, that there be no landfill. We want to try to be reasonable and I think this is not unreasonable. Either eliminate the three buildings or rearrange them..." We are not asking that the project be stopped, we are only asking for a little consideration.

Fred Chastner, representing Hardesty Company, told Council, "We can eliminate this building, which is the only building that stands even above the existing 100 year flood plain, unmodified and all the considerations of the flood plain. We can move this building here but these two buildings have no impact on any of the water that you looked at today. If we may leave those two, or if we can pull this parking on the other side of these and eliminate only the one building involved in the bankwater curve of any calculation you have seen today, that would be very acceptable to us and you can go forward with your motion."

(There was more talking, but muffled. No one was speaking into the microphone. and they were looking at maps.)

Councilmember Deuser stated, "As you remember, you were asking for all of it and they were asking for 3 buildings going away. I started to move for two buildings going away and now you are suggesting one building away. We are getting a little bit of movement here." Councilmember Deuser asked for someone from the neighborhood to speak to this.

Tom Cook stated, "It appears that a decision can't be made this evening. I understand what you are faced with." Councilmember Deuser said there is no problem. Mayor McClellan said she thought that was a reasonable compromise. Mr. Cook said he did not hear clearly what was proposed. Councilmember Deuser told him, "The suggestion was to move the lower left hand building....they are going to sack that part of the project. And then they would like to bring the parking back over by the fence. They are doing that out of deferance to my comment that maybe that might be a better flip around. And move the other two buildings up closer and that would be more of a buffer between the buildings and the privacy fence which still has a set back from your property line. You have a 10' set back, a privacy fence, however many feet, 90' or 100' before you get to the first building under that moot type situation....85 to 90 feet beyond the privacy fence before the building would be there. In between there would be some parking but that is giving visual blockage. It's getting rid of one building..... that's roughly a 4% reduction of impervious cover and cuts down on the amount of parking they need too. It moves it further away from where it might ever result in backing up toward your property. Even if it is flow coming from the north it gives you protection. The parking lot does not act as an effective dam like the building does." More discussion followed by members of the Council and members of the neighborhood. They were not speaking into the microphones.

## APPEAL - (Continued)

Councilmember Deuser said he thought it was a major improvement.

Mayor McClellan asked, "Do you want to put that in motion form, Larry?"  
Councilmember Deuser answered, "Yes".

Motion

Mayor Pro Tem Trevino so moved. Councilmember Deuser seconded the motion, which included closing the public hearing. (6-0 Vote, Councilmember Goodman absent, approving the removal of one building, moving two buildings and placing the parking area closer to the property line.)

## MINUTES APPROVED

The Council, on Mayor Pro Tem Trevino's motion, Mayor McClellan's second, approved minutes for regular meetings of November 18, 1982, December 2, 9, 16, 1982 and special meetings of November 10, 1982 and December 8, 1982. (6-0 Vote, Councilmember Goodman absent)

## MUNICIPAL COURT JUDGE SCREENING COMMITTEE

The Council, on Mayor Pro Tem Trevino's motion, Mayor McClellan's second, approved the following appointments to the Municipal Court Judge Screening Committee: (6-0 Vote, Councilmember Goodman absent)

Travis County Women's Attorney Association:	Nancy Lynch
Travis County Bar Association:	Bob Jones
Austin Young Lawyer's Association:	Bert Pluymen
Mayor Pro Tem Trevino's appointment:	Gabe Gutierrez
Mayor McClellan's appointment:	Pam Giblin
Councilmember Deuser's appointment:	Jerry Saegert
Councilmember Goodman's appointment:	Mack Kidd
Councilmember Duncan's appointment:	Ken Houp
Councilmember Mullen's appointment:	Broadus Spivy
Councilmember Urdy's appointment:	Isaiah Hardy

## ITEM POSTPONED

Appointment of a member to the Travis County Appraisal District Board has been postponed until January 13, 1983.

## ZONINGS SET FOR PUBLIC HEARING

The City Manager reported the following applications have been referred to the Planning Commission for recommendation and have been set for public hearing before the City Council on February 3, 1983:

1. C14-73-144 PHARO INVESTMENTS  
By: Peter K. Gallaher  
416-622 Eberhart Lane  
6115-6321 S. 1st Street.  
(Pleasant Hill Neighborhood Assn.)  
(Far South Austin Community Assn.)  
Amendment to  
Restrictive Covenant
2. C14-82-157 FRANCES DUEY  
By: George Bastanjoo  
1503 Koenig Lane  
(Koenig Lane Neigh. Assn.)  
FROM: "A", 1st H&A  
TO: "O", 1st H&A
3. C14-82-160 AMERICAN PROPERTY SYSTEMS, INC.  
By: George E. Jamail  
4907 Spicewood Springs Road  
(Northwest Austin Civic Assn.)  
FROM: "I-A", 1st H&A  
TO: "O", 1st H&A
4. C14-82-176 BALCONES WOODS SHOPPING CENTER/  
HARVEY W. DOERRING  
By: Jeff Calechman  
Rear of 11150 Research Blvd.  
5124 Balcones Woods Drive and  
11139 Jollyville Road  
(Northwest Oaks Neigh. Assn.)  
FROM: "O", 1st H&A  
TO: "GR", 1st H&A
5. C14-82-179 DR. A. A. KRUMHOLTZ  
By: John Pirkle  
505 Powell Street  
(Concerned Citizens for the  
Development of West Austin)  
FROM: "B", 2nd H&A  
TO: "O", 2nd H&A
6. C14-82-180 JOE E. TRUCHARD  
903 Neans Drive  
(North Austin Civic Assn.)  
FROM: "I-AA", 1st H&A  
TO: "A", 1st H&A
7. C14-82-181 FRANK T. SMITH  
1403 W. 6th Street  
(Concerned Citizens for the  
Development of West Austin)  
FROM: "B", 2nd H&A  
TO: "O", 2nd H&A
8. C14-82-182 JOHN A. & JENNIFER JO BIRD  
By: Thomas Goebel  
2009 W. Rundberg Lane  
(North Austin Civic Assn.)  
FROM: "I-A", 1st H&A  
TO: "B", 1st H&A



## ZONING SET - (Continued)

9. C14-82-183 AL TAUB & JOHN ZARSKY FROM: "B", 2nd H&A  
By: Danze & Davis Architects, Inc. TO: "C", 3rd H&A  
716 W. 24th Street  
(Save University Neighborhoods)
10. C14-82-184 HUGH C. RUSHING FROM: "A", 1st H&A  
By: Larry W. Langley TO: "GR", 2nd H&A  
3409 Glenview  
(West Austin Neighborhood Group)
11. C14-82-185 LEON McMORROW FROM: "A", 1st H&A  
4401-4403 Gillis Street TO: "O", 1st H&A  
1315-1317 James Casey St.  
(Far South Austin Community Assn.)  
(Williamson Creek Neighborhood Assn.)  
(Southwood Neighborhood Assn./ACORN)
12. C14-82-186 CHARLES S. TEEPLE, TRUSTEE FROM: "GR", 1st H&A  
2428 Riverside Drive (temporary) TO: "C", 1st H&A  
(No formal neighborhood group)
13. C14-82-187 RIVERSIDE PLAZA JOINT VENTURE FROM: "GR", 1st H&A  
By: Gary Lee Falkenburg TO: "C-2", 1st H&A  
2237 E. Riverside Dr., Suite 208  
(No formal neighborhood group)
14. C14-82-188 NPC REALTY COMPANY FROM: "AA", 1st H&A  
4500, 4501 & 4502 Brown Bark Place TO: "A", 1st H&A  
4405 Pamona Drive, 12100, 12108,  
12112 & 12114 Arrowwood Drive  
(Milwood Neighborhood Assn.)  
(Northwood Neighborhood Assn.)  
(Dorsett Road Neighborhood Assn.)
15. C14-82-189 NPC REALTY COMPANY FROM: "AA", 1st H&A  
12102 & 12106 Arrowwood Dr. TO: "A", 1st H&A  
(Milwood Neighborhood Assn.)  
(Northwood Neighborhood Assn.)  
(Dorsett Road Neighborhood Assn.)
16. C14-82-190 NPC REALTY COMPANY FROM: "AA", 1st H&A  
12123 Dorsett Road TO: "A", 1st H&A  
also bounded by Arrowwood Dr.  
(Milwood Neighborhood Assn.)  
(Northwood Neighborhood Assn.)  
(Dorsett Road Neighborhood Assn.)
17. C14-82-191 ROLAND HAMPTON FROM: "A", 1st H&A  
By: Hal Haralson TO: "C", 1st H&A  
209 - 211 Redbird Lane  
5501-5507 Bluebird Lane  
(Far South Austin Community Assn.)

## ZONINGS SET - (Continued)

18. C14-82-192 SANDERS BUILDERS, INC.  
By: Alvin W. Sanders  
604 Gaylor Street and  
605 Canon Street  
(No formal neighborhood group)  
FROM: "A", 1st H&A  
TO: "C", 1st H&A
19. C14r-82-193 GREYSTONE LIMITED  
By: Jack C. Goodman  
7120 & 7304 MoPac  
(Northwest Austin Civic Assn.)  
FROM: "O", 1st H&A  
TO: TR. 1: "LR",  
2nd H&A  
TR. 2: "LR",  
1st H&A
20. C14-82-194 R. G. MUELLER, JR.  
By: Randolph G. Mueller  
3701-3705 Jefferson St.  
(Ridgelea Neighborhood Assn.)  
FROM: "A", 1st H&A  
TO: "GR", 1st H&A

## ADJOURNMENT

Council adjourned its meeting at 9:45 p.m.