

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 28, 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, Mayor Pro Tem Trevino, Councilmembers
Deuser, Duncan, Goodman, Mullen, Urdy

Absent: None

INVOCATION

The Invocation was given by Reverend Don Vinzant, North Side Church of Christ.

AMERICAN NATIONAL RED CROSS DAY

Mayor McClellan read a proclamation designating May 28, 1981 as American National Red Cross Day in Austin. Doug Nichols, public relations, American Red Cross and Ina Ray Smith received the proclamation with their thanks and appreciation.

AUSTIN TEXANS DAY

Austin Texans Day will be observed June 6, 1981 according to a proclamation read by the Mayor and received with thanks by John Waller, general manager; and Randy Johnson, head coach.

MINUTES APPROVED

Councilmember Goodman moved that the Council approve the Minutes of the Special Meeting of May 8, 1981. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Deuser, Goodman, Mullen

Noes: None

Abstain: Councilmembers Duncan, Urdy

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

BOARDS AND COMMISSIONS

Mayor McClellan announced the following board and commission appointments are due to be made June 4, 1981:

Building Standards Commission - 2

Ethics Review Commission - 1

On-Going Goals Assembly Committee - 5

Renewable Energy Resources Commission - 1

Community Development Commission - 1 representative chosen by
Mayor Pro Tem Trevino

Dental Health Advisory Committee - 1 CDC representative

Downtown Revitalization Task Force - 4

Medical Assistance Program Advisory Board - 2

1 citizen

1 service provider (pharmacist)

MH/MR Board of Trustees - 1

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

Council representatives:

2 Capital Area Planning Council

1 Community Development Commission

Police Department "internal affairs" Committee - 1

Policy Advisory Committee, Austin Transportation Study - 1

Employee's Retirement System - 1

Social Policy Advisory Committee - 1

Audit and Finance Committee

RIGHT-OF-WAY FOR EAST RIVERSIDE DRIVE

Councilmember Goodman moved that the Council adopt a resolution certifying that right-of-way for East Riverside Drive (IH-35 to Summit) was acquired in accordance with applicable Federal and State policies and laws. The motion, seconded by Councilmember Urdy, carried by the following vote:

Ayes: Councilmembers Deuser, Goodman, Urdy, Mayor McClellan

Noes: None

Abstain: Councilmember Mullen

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

LEASE AGREEMENT

Councilmember Goodman moved that the Council adopt a resolution approving a lease agreement with First National Life Building for space for the Human Services Department. (Three-year lease) The motion, seconded by Councilmember Urdy, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

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

RELEASE OF EASEMENTS

Councilmember Goodman moved that the Council adopt a resolution authorizing release of the following Easement:

A portion of an Electric and Telephone Easement recorded in Volume 486, Pages 325-327 of the Travis County Deed Records, The Quest Subdivision at 4017 Victory Drive. (Requested by Mr. Doyle Wilson)

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

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

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

Councilmember Goodman moved that the Council adopt a resolution authorizing release of the following Easement:

A portion of an Electric Easement recorded in Volume 4295, Page 1710 of the Travis County Deed Records. (Requested by the Layton B. Wilson Company)

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

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

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

Councilmember Goodman moved that the Council adopt a resolution authorizing release of the following Easement:

A tract of land containing 72.7 acres out of the Lucas Munos Survey No. 55 from an Electric and Telephone Easement recorded in Volume 551, Page 467 of the Travis County Deed Records, 11216 Sprinkle Cut-off Road. (Requested by Billy F. Priest Surveyors, Inc. representing Mr. Wallace L. Smith, owner)

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

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

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

Councilmember Goodman moved that the Council adopt a resolution authorizing release of the following Easement:

A portion of a Blanket Electric Easement recorded in Volume 535, Page 420 of the Travis County Deed Records, 8900 IH-35. (Requested by the Hardesty Company)

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

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

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

CONTRACTS APPROVED

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

Bid Award:

- Asphaltic Concrete and Asphalt Stabilized Base, Public Works Department
Twelve (12) Month Supply Agreement
Items to be awarded on a multiple progressive basis from 1st low bidder, 2nd low bidder, etc.
Estimated total annually \$483,900.00

AUSTIN ROAD COMPANY
428 East Anderson Lane
Austin, Texas

CAPITOL AGGREGATES, INC.
Bolm Road
Austin, Texas

POOL & ROGERS PAVING
10731 Manchaca Road
Austin, Texas

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

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

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

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

AUSTIN ROAD COMPANY
528 East Anderson Lane
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
1978-79 Safe School Sidewalks
East 12th Street and Manor Road
\$23,705.25 C.I.P. No. 78/61-02

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

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

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

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

ROBERT JENTSCH CONSTRUCTION
P. O. Box 3443
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
East Live Oak at Oltorf Street
Intersection Improvements
\$9,219.00 C.I.P. No. 78/62-02

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

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

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

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

AUSTIN ENGINEERING COMPANY
P. O. Box 3255
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Water Main Adjustments for U.S.
Highway 183 Ed Bluestein Boulevard -
\$70,910.00 C.I.P. No. 75/22-09

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

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

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

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

TAYLOR DIVISION OF AMERICAN DESK
1353 West 2nd Street
Taylor, Texas

CAPITAL IMPROVEMENTS PROGRAM -
Laboratory Furniture, Police
Department
Items 1, 2, 4, and 6 (162 units)
Total \$58,920 C.I.P. No. 79/87-03

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

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

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

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

INDUSTRIAL DISTRIBUTING COMPANY
9411 Neils Thompson Drive
Austin, Texas

- Air Cooled, Electric Air Compressor,
Water and Wastewater Department
Item 1 - 1 ea. - \$6,751.00

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

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

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

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

AMERICAN COMMUNICATIONS OF AUSTIN, INC. 400 East Anderson Lane, Suite #112 Austin, Texas	- Telephone Automatic Call Sequencer, Tax Department Item 1 - 1 ea. - \$7,650.00
---	--

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

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

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

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

WESTINGHOUSE ELECTRIC CORPORATION 201 North St. Mary's Street San Antonio, Texas	- Bolt Heater, Electric Utility Department Item 1-14 - \$5,988.00
--	---

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

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

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

BRACKENRIDGE HOSPITAL PERSONNEL

Councilmember Goodman moved that the Council adopt a resolution approving a contract between the Brackenridge Hospital/City of Austin and the Texas Department of Human Resources to provide the hospital with a caseworker and a secretary to complete Title XIX applications for patients in the hospital. (Recommended by the Hospital Board) The motion, seconded by Councilmember Urdy, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

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

MEDICAL ASSISTANCE PROGRAM

Councilmember Goodman moved that the Council adopt a resolution amending Sections 3300 (Minors) and 3710 (Citizenship) of the Medical Assistance Program Eligibility Determination Manual. The motion, seconded by Councilmember Urdy, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

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

SUPPORT FOR S.B. 1087

Councilmember Goodman moved that the Council adopt a resolution supporting S.B 1087 authorizing the State Department of Human Resources to investigate cases of abuse to the elderly. The motion, seconded by Councilmember Urdy, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

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

ITEM TO BE BROUGHT BACK

A resolution to consider setting times for an orientation session and a work session to discuss Council goals and objectives will be brought back on June 4, 1981.

FIELD NOTE CORRECTION

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 680613-E WHICH VACATED AND PERPETUALLY CLOSED A PORTION OF JIM HOGG AVENUE, BY VACATING AND PERPETUALLY CLOSING TWO ADDITIONAL FIVE FOOT (5') STRIPS OF LAND BORDERING ON EACH SIDE OF SAID VACATED STREET AREA; RETAINING AN EASEMENT IN THE CITY FOR ELECTRIC GUY WIRE PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

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

The Mayor announced that the ordinance had been finally passed.

COUNCIL MEETINGS CANCELLED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE CANCELLING THE FOLLOWING REGULARLY SCHEDULED CITY COUNCIL MEETINGS: June 18, 1981, July 23, 1981, October 1, 1981. SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

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

The Mayor announced that the ordinance had been finally passed.

MEETING TIME CHANGED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE CHANGING THE REGULAR STARTING TIME FOR THE CITY COUNCIL MEETING OF JUNE 11, 1981 FROM 9:00 A.M. TO 5:00 P.M.; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: 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 8.145 ACRES TRACT OF LAND FROM INTERIM "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT;
TRACT 2: A 1.56 ACRE TRACT OF LAND FROM "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT;
ALL OF 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. (Leon A. Schmidt Children's Trust #1, C14-80-086)

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

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

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

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

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

TRACT A: AN APPROXIMATE 1.099 ACRE TRACT OF LAND FROM INTERIM "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT;
TRACT B: A 0.239 ACRE TRACT OF LAND FROM INTERIM "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT
TRACT C: A 7.138 ACRE TRACT, SAVE AND EXCEPT A 1.099 ACRE TRACT OF LAND, SAVE AND EXCEPT A 1.099 ACRE TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT;
TRACT D: A 1.756 ACRE TRACT OF LAND FROM INTERIM "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT;
ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 1500-1618 DUNGAN LANE AND 9501-9517 DESSAU ROAD; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Martin & Short Partnership, C14-79-149)

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

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

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

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:

LOTS 58 AND 59, BLOCK 1, ST. ELMO HEIGHTS, SECTION 1, LOCALLY KNOWN AS 625 INDUSTRIAL BOULEVARD, ALSO BOUNDED BY TERRY-O LANE, FROM INTERIM "A" RESIDENCE FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (J. C. McKinnon and Charlene McKinnon, C14-70-001 (part))

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

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

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

The Mayor announced that the ordinance had been finally passed.

WATER QUALITY MONITORING FOR BARTON SPRINGS

Dr. Maureen McReynolds, Director, Environmental Resources Management, presented the City Manager Report on Water Quality Monitoring Program for Barton Springs. "At last week's meeting, you asked for a report on additional water quality monitoring at Barton Springs. We have contacted Ms. Moore concerning the parameters she felt should be monitored and also contacted the Geological Survey who is currently doing monitoring in Barton Springs for their opinion of what they felt should be monitored. The Geological Survey recommended that monitoring once a week would be sufficient to collect from the spring and this would be monitored for a variety of parameters. There was a specific concern about monitoring for asphalt and as we have discussed in our memorandum this is more expensive than the parameters that would be tested for.

"The total cost of assessing for hydrocarbons doing a scan for hydrocarbons is about \$400.00 per test. To determine specifically if the hydrocarbons came from asphalt would require additional tests and there seems to be an opinion among most water quality experts that the contribution of asphalt once it is set to urban run-off would be very small compared to other greases and

oils that would come from cars that were parked on asphalt or using the asphalt. We obtained estimates on costs from the Geological survey and from one of the private laboratories in Austin that does water quality sampling.Cost for U. S. Geological Survey would be \$2,000 per sample. This would include quality control measures they currently have in their program to insure any data collected would be comparable to any other data we have and could be used in any kind of a legal challenge.

"The estimate from the private lab was lower. It would require that City of Austin personnel be trained to collect samples at the springs. Because the springs are below the surface of the water, this involves using a vacuum type hose that has to be sterilized and samples are collected and transported to the lab. The cost for their analysis once a week and several times during storm events would be about \$10,300 per year. We also looked at the possibility of using automatic samplers at the springs and those were not recommended by the Geological Survey because it would be most appropriate in the storm water monitoring situation and the flow from the springs does not fluctuate very rapidly so it would not be required in that situation. Secondly, the sampler would need to be housed in some kind of structure located in the pool area which might interfere with recreational activities there.

"Our recommendation is, if Council desires immediate implementation at a minimum cost, that we could train the staff to take grab samples at the springs and contract with a private laboratory through the summer months and determine during that time period whether the data we are gathering would warrant an extensive program."

She went on to say a long term gathering of information would give the City data which is repeatable with appropriate water quality control and would be the kind of data which can be relied on over a long term basis. Initially, however, it may be appropriate to use a less expensive method. The cost for sampling during the summer months would be about \$3,000.00. Some discussion followed. Dr. Urdy requested results of sampling before he acts.

(At 9:30 a.m., Mayor Pro Tem Trevino entered the Council Chamber.)

5TH YEAR CDBG AMENDATORY PROCESS

Mr. Ed Badgett, Assistant City Manager, presented the City Manager Report on Grant Agreement for 5th Year CDBG (Community Development Block Grant) Amendatory Process. "I'd like to give you the latest status on HUD's (Housing and Urban Development) determination on the City's first amendment to the 5th Year CDBG program. We received a letter dated May 20, 1981 along with a grant agreement. Yesterday we visited the HUD area office people in community development and planning and with representatives of their legal staff to receive some clarification on the determination letter and to assess the City's true liability.

"There are three issues in the determination letter and in the grant agreement. One is for a rehabilitation program budget for \$1,000,000.00. HUD has conditioned expenditures of that \$1,000,000. There is no liability to the

City because we have not expended any monies from it. Before we can spend, we have to have written approval from HUD and have to submit certain documents and materials to them before we can receive the \$1,000,000.00. Item 2 involves the economic development corporations as have been stated in the May 20 letter and the grant agreement the City has been prohibited from spending funds with these agencies. HUD has determined the agencies to be eligible under a certain part of the regulations. However, they have chosen to hang their hats on the environmental review issue and have deemed that an environmental review is required and claims the City failed to get that. That is open to interpretation as to whether or not these types of activities do require environmental review. They have expressed it very clearly that we are prohibited from spending funds, whatever the situation is.

"We also asked about subsequent year funding for the agencies and it was pointed out to us that none of the agencies are listed in the 6th year CDBG application. This is true, but activities carried out by the agencies are contained in the corridors project and there is no mention there as to who the agencies are or who may carry it out. It may be the City or whoever the City chooses. HUD did suggest to us that since Council has authorized a contract with these agencies to conduct the same activities in the 6th year as has been conducted in the 5th year that final official notification to HUD of this is what the City has done, we are likely to expect the same kind of difficulty that we have expressed with the 5th year. As far as the 7th year is concerned this Council did include the agencies in the 7th year application and have opted to wait and give us a determination of eligibility at the time of submission of the 7th year application. We were told they are waiting for us to come in with it, and we expect to have some trouble in the 7th year.

"The third item involved neighborhood facilities and here the potential liability is some portion of \$214,000.00. Right now the actual liability may be \$70,000.00. This one, where we are dealing with an argument between the HUD general counsel in Washington who has determined the expenditures to be ineligible and the area counsel had determined them to be eligible. The City is charged with having to prove the case and we feel we can simply, by clarifying the way the project is written in the application.The options to the City as we see them are the appeal process to anything that any Federal agency does. In this case we can appeal first to the area office in San Antonio and if no satisfaction there, we can appeal to the regional administrator in Fort Worth. If no satisfaction there, we can go to Secretary Pearce for an appeal and finally we have the option of going to Federal Court. We indicated we would appeal and the area office told us they would entertain an appeal only on item 3, the neighborhood facilities and AMEDC. However, they feel their position is not likely to change in the case of AMEDC. We will opt to make an appeal for full range in item 2 and item 3.

"We also talked to them about having to pay back the \$497,130.00 plus any funds that have been expended by virtue of Council's action two weeks ago in extending the EDC's. We have been advised we can petition them to extend the repayment date past June 10, 1981, and of course we will do that. In terms of continuing funding, we have a determination letter. HUD has skillfully woven their way through sections of the regulations to determine the agencies be ineligible because of the environmental review. There are other ways they can be found to be ineligible and HUD expresses to us this was their first time, so they will hang it on the environmental piece.

"The document most critical is the grant agreement. This is the contract we have with the United States. There are two ways the City can go. If the grant agreement is executed, the City agrees to spend no more funds on the agency and is liable to the amount that has been expended. If the City chooses not to execute the grant agreement, then we are without authority to spend funds. In either case we are still liable for the \$497,000 plus any additional funds that have been spent. Of course our recommendation in this light is to execute the grant agreement. We have added to the grant agreement a clause specifically saying the City by executing the grant agreement in no way waives its right of appeal, etc."

Mayor Pro Tem Trevino asked if the City chooses to appeal item 2, EDC's and during the appeal process there is no monies authorized to be expended by the corporations, how long would the appeal process last. Mr. Badgett said if it gets involved in the Federal courts, it could take months or years. There is no obligation for HUD to respond on an appeal in any given time frame.

Discussion followed among Councilmembers and members of the staff.

Mayor McClellan said, "They are talking about duplication and many agencies doing the same type of work but I note that we have in Fort Worth four organizations for economic development. We are talking about a City not much larger than Austin having four organizations on economic development. I don't think any of us know the scope of these activities, but if there are too many agencies and one of the complaints about Austin is we have too many organizations in economic development, and they point the finger at us and say nothing about Fort Worth, then I think HUD may be speaking with forked tongue."

Councilmember Duncan then asked some questions and Carlos Herrera reviewed actions taken during the tenure of the previous Council.

JOSE URIEGAS, EACEDC, appeared and said they have had difficulty understanding the staff.

Mr. Navaroo appeared and said they have tried to get 6th year funding since last summer with no results.

(The discussion, at this point was interrupted by the sale of bonds since it was 10:30 a.m.)

Later:

Mr. Badgett told Council that we did not have the 5th year settled and extending it was the easiest thing to do. They were advised not to spend 6th year funds.

ERNEST PERALES appeared for EACEDC, and questioned the ability of the City staff to perform. He said HUD does not like the corridors project and staff knows that but they continue to go that route.

Mayor McClellan and members of the Council agreed they should give notice and set up a meeting with HUD.

PAUL HERNANDEZ said EACEDC is suffering because of the City staff.

BERT ADAMS, National Business League, wondered why HUD is picking on Austin.

Council decided to proceed.

Motion

Councilmember Goodman moved that the Council approve a grant agreement for 5th year Community Development Block Grant Amendatory Process:

1. Start appeal process
2. 30-day notice to corporations to close out
3. Set up meeting with HUD

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

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor
Pro Tem Trevino, Mayor McClellan, Councilmember Deuser
Noes: None

Motion

Councilmember Goodman moved that the Council adopt a resolution authorizing the City Manager to execute the grant agreement for the 5th year CDBG Amendatory Process. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor
Pro Tem Trevino, Mayor McClellan, Councilmember Deuser
Noes: None

BOND SALE

Mayor McClellan announced, "The City Council of the City of Austin has advertised that it will receive bids until 10:30 a.m. this day in the City of Austin, Texas, \$27,000,000 City of Austin Texas Utility System Revenue Bonds, Series 9; and \$7,500,000 City of Austin, Texas General Obligation Bonds, Various Purposes, Series 262.

Mayor McClellan inquired about the assembly of the bids and if all bids had been received, and whether there were any others either through the mail, from members of the Council, the City Clerk, the Director of Finance, or anyone else present in the Council Chamber. She announced it was 10:30 a.m., C.D.T. and the time for receiving bids was closed.

Mr. Philip Scheps, Finance Director, then opened and read bids on \$7,500,000 General Obligation Bonds, Series 262, stating the net interest costs as follows: Morgan Guaranty Trust, New York and American National Bank - 9.4124; Bache, Halsey, Stuart, Shields - 9.479602; First City National Bank & Associates - 9.5310; Harris Trust & Others - 9.491845; First National Bank of Dallas & Associates - 9.5408; First National Bank of Chicago - 9.5675; Republic National Bank of Dallas and Cullen Center - 9.59007; Merrill-Lynch - 9.5009872.

Mr. Scheps next opened and read bids on \$27,000,000 of Utility System Revenue Bonds, Series 9, stating net interest costs as follows: Bache, Halsey, Stuart, Shields - 10.103032; Blythe and Associates - 10.1476667; Solomon Brothers - 10.2585; Bear-Stearns - 10.264100; First Boston - 10.195347.

At this point Mayor McClellan referred the bids to Mr. Scheps, staff members and Mr. Adrian, Austin's bond counsel for verification. They left the room to confer.

LATER:

Mr. Scheps returned to the Council Chamber to state the bids had been checked, they are in order, with a good faith check and recommended the award of the General Obligation Bonds to Morgan Guaranty Trust at a net interest cost of 9.4124; and the Utility Bonds to Bache, Halsey, Stuart, Shields at a net interest cost of 10.103032.

Mr. Adrian addressed Council as follows: "You have heard me say this before and I will say it again, I'm never completely happy with a sale of Municipal bonds. However, consistently, without exception the City of Austin bonds sell well in the market. They have for some 22 years to my personal knowledge and they have always sold below Dow-Jones averages with the exception of four years in the 22 years, and we are well below Dow-Jones averages this time. The present Dow-Jones averages which are 20 select bonds throughout the United States is 11.73% now. Your General Obligation bonds are tax bonds. Your best bid is 9.4124, representing 2.32% below Dow-Jones averages. When this is reduced to dollars, we are talking about \$1,861,568.00 difference between what the bonds will sell for if you sell them, and if you were to sell them at Dow-Jones average rate of 11.73. That's a lot of money. Keeping in mind the Dow-Jones average of 11.73 the Revenue Bonds will sell at 10.10303. This represents a difference of 1.63%. Reducing that to dollars we are talking about a difference of \$5,867,837.00. This represents a savings of \$5,867,837.00. That simply means those paying utility rates will pay that much less per month than they would if they paid based on the Dow-Jones average." Councilmember Goodman asked, "Can we apply for a rebate and replenish our ending balance?" Mr. Adrian said he will do that in the morning.

Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE by the City Council of the City of Austin, Texas, authorizing the issuance of \$7,500,000 "CITY OF AUSTIN, TEXAS, GENERAL OBLIGATION BONDS, SERIES 262," dated June 1, 1981, for various purposes hereinafter provided; prescribing the form of the bonds and the form of the interest coupons; levying a continuing direct annual ad valorem tax on all taxable property within the limits of said City to pay the interest on said bonds and to create a sinking fund for the redemption thereof, and providing for the assessment and collection of such taxes; enacting provisions incident and relating to the purpose and subject of this ordinance, and declaring an emergency.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance, authorizing issuance of \$7,500,000 City of Austin, Texas General Obligation Bonds, Various Purposes Series 262 to Morgan Guaranty Trust, New York and American National Bank. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino, Councilmembers Deuser, and Duncan
Noes: None

The Mayor announced that the ordinance had been finally passed.

\$2,000,000	Hospital	Authorized 1-20-79
\$3,450,000	Street Improvement	Authorized 1-20-79
\$ 300,000	Drainage	Authorized 1-20-79
\$1,750,000	Police Building	Authorized 1-20-79

Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE by the City Council of the City of Austin, Texas, authorizing the issuance of \$27,000,000 "CITY OF AUSTIN, TEXAS, UTILITY SYSTEM REVENUE BONDS, SERIES 9," dated June 1, 1981, for the purpose stated in this ordinance; as authorized by the General Laws of the State of Texas, particularly Article 1111 et seq., V.A.T.C.S.; prescribing the form of the bonds and the form of interest coupons; pledging the net revenues of the City's combined Electric Light and Power, Waterworks and Sewer System to the payment of the principal of and interest on said bonds; enacting provisions incident and relating to the subject and purpose of this ordinance and declaring an emergency.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency, and finally pass the ordinance, authorizing issuance of \$27,000,000 City of Austin, Texas Utility System Revenue Bonds, Series 9 to Bache Halsey Stuart Shields, Inc. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan
Noes: None

The Mayor announced that the ordinance had been finally passed.

\$27,000,000	Electric System Nuclear	Authorized 1-20-79
--------------	-------------------------	--------------------

Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE APPROVING THE OFFICIAL STATEMENT DATED MAY 7, 1981, PERTAINING TO THE SALE OF \$7,500,000 CITY OF AUSTIN, TEXAS, GENERAL OBLIGATION BONDS, SERIES 262, DATED JUNE 1, 1981; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmember Urdy, Mayor McClellan, Mayor Pro Tem Trevino,
Councilmembers Deuser, Duncan, Goodman, Mullen
Noes: None

The Mayor announced that the ordinance had been finally passed.

Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE APPROVING THE OFFICIAL STATEMENT DATED MAY 7, 1981, PERTAINING TO THE SALE OF \$27,000,000 CITY OF AUSTIN, TEXAS, UTILITY SYSTEM REVENUE BONDS, SERIES 9, DATED JUNE 1, 1981; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

The ordinances concerning the Official Bid Form were passed at the request of MR. ED ESQUIVEL, representing Mr. Claude Boothman, Austin's bond counsel. He said, "in conformity with the Official Statement it does call for the Council to also pass a resolution relating to the General Obligation bonds and another for the Revenue Bonds which ratifies and approves the Official Statement and authorizes the purchase of the bonds to use that in connection with the sale of bonds." Mr. Jerry Harris, City Attorney said, "Those have not been placed on the Agenda under Resolutions but it is covered under 'authorized the issuance.' In fact there is no reason why we cannot do that by an ordinance."

PLANNING COMMISSION REPORT

Mr. Richard Lillie, Director of Planning, presented a report to Council on a request from Mr. Palmer Wright concerning the Planning Commission. He said on April 30, 1981 Mr. Wright requested certain amendments to Chapter IV of the Master Plan. The Council instructed the Planning Commission to hold a public hearing and submit its recommendations within 30 days. On May 12 the Planning Commission conducted a public hearing. At its May 19, 1981 work session the Commission unanimously voted to recommend that the amendments not be made. The motion stated there was no attempt to subvert the 1977 version of Chapter IV and that making the proposed changes would only add to an already cumbersome document. Further concern about the cost of the amendment concerning biennial goals revision was expressed. Mr. Lillie then referred Council to material provided to them to give them an indication of the considerable effort that went into the review of Chapter IV before it was approved by the Planning Commission and submitted to the City Council. Mr. Lillie told Council their option is to accept the report and not take action to make amendments or possibly to set a public hearing to consider the full report by Mr. Wright.

Councilmember Deuser asked for this to be brought back on a future agenda when they have the information.

PUBLIC HEARINGS - STREET NAME CHANGES

Mayor McClellan opened the public hearing scheduled for 9:45 a.m. to consider street name changes and passage of ordinances:

- a. Red River Street between the north line of East 26th Street and the west line of relocated Red River Street to Medical Arts Way.

Councilmember Deuser pointed out the similarity of sound of Medical Arts Way and Medical Parkway.

Mr. John German addressed Council and told them this is a necessity because of the opening of the new Red River. He said they have coordinated the street names with the property owners in the area, and there was considerable discussion about Medical Arts Way and other combinations. He said he thought Street or Avenue would also be amenable to the residents.

- b. Swisher Street between the south line of Manor Road as vacated by ordinance dated December 5, 1980, and the south line of East 26th Street to Red River Street.

Mr. German said there are two owners and they have been coordinated with the property owners and the change is satisfactory to them.

Mayor McClellan asked City Attorney Harris if Council needs to re-post to change the "Way" part of Medical Arts Way to some other noun. Mr. Harris stated that in his opinion a new posting is not required.

Discussion followed concerning the right noun, and it was decided "street" would be best.

Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE CHANGING THE NAME OF A PORTION OF RED RIVER STREET TO MEDICAL ARTS STREET; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Deuser moved that the Council close the public hearing, waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Urdy, Mayor McClellan,
Councilmembers Deuser, Duncan

Noes: None

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

Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE CHANGING THE NAME OF A PORTION OF SWISHER STREET TO RED RIVER STREET; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Deuser 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 Mullen, Urdy, Mayor McClellan,
Councilmembers Deuser, Duncan, Goodman

Noes: None

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

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:

PAUL ASSOCIATES
By Carl Paul
C14r-81-056

10200 I.H. 35

From Interim "AA" Residence
1st Height and Area
To "0" Office
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Mullen moved that the Council grant "0" Office, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmember Urdy, Mayor McClellan, Mayor Pro Tem Trevino,
Councilmembers Deuser, Duncan, Mullen

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the change had been granted to "0" Office, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

LEWIS D. GILLETTE, 1713-1719 Kramer Lane
ET UX BARBARA,
CLIFFORD J. HOMEYER,
ET UX SARAH D AND
JAMES E. SPINN,
ET UX MERLENE
By McCanse
Development, Inc.
C14-81-060

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

Councilmember Mullen moved that the Council grant "A-2" Condominium, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmember Urdy, Mayor McClellan, Mayor Pro Tem Trevino,
Councilmembers Deuser, Duncan, Mullen

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

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

CHIP N DALE'S, INC. 7601-A North Lamar
By Charles Holley
C14-81-061

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

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

Ayes: Councilmember Urdy, Mayor McClellan, Mayor Pro Tem Trevino,
Councilmembers Deuser, Duncan, Mullen

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

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

MOUNTAIN CLIMB
VENTURE, JAMES
M. CADDEN
By J. David
Holmes
C14-81-068

3832 Dry Creek Drive
3824 and 3828 Dry Creek
Drive
5905 Mountain Climb
Drive

From "LR" Local Retail and
"A" Residence
1st Height and Area
To "A-2" Condominium
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Mullen moved that the Council grant "A-2" Condominium, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmember Urdy, Mayor McClellan, Mayor Pro Tem Trevino,
Councilmembers Deuser, Duncan, Mullen

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

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

DR. CAREY LEGETT,
JR.
By Leopold Danze
C14-80-145

6000 Manchaca Road

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

Councilmember Mullen moved that the Council grant "O" Office and "A-2" Condominium, 1st Height and Area, as recommended by the Planning Commission. The motion, seconded by Councilmember Duncan, carried by the following vote:

RICHARD MATZ,
TRUSTEE
By John Meinrath
C14-81-039

9105-9303 Dessau Road

From Interim "AA" Residence
1st Height and Area
To "C" Commercial
1st Height and Area

RECOMMENDED by the Planning
Commission (as amended) noting
dedications offered by applicant
at April 8th meeting concerning
Rundberg Lane.

Councilmember Mullen moved that the Council grant "C" Commercial, 1st Height and Area District (as amended), subject to conditions, as recommended by the Planning Commission. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Trevino, Deuser, Duncan,
Mullen, Urdy

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 (as amended), subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

JOSIE CHAMPION
C14-81-054

3406 Glenview and
3407 Jefferson

From "A" Residence
1st Height and Area
To "O" Office
1st Height and Area

RECOMMENDED by the Planning
Commission subject to applicant's
filing a restrictive covenant agreeing
to office use only for ten years, also
no Special Permit application for ten
years. If used residentially, density
no greater than a duplex. A four foot
picket fence and vegetation on
Jefferson; also a 6 foot privacy fence
along southern line of property.

Councilmember Mullen moved that the Council grant "O" Office, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Trevino, Councilmembers
Deuser, Duncan, Mullen, Urdy.

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

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

LOUIS M. HENNA,
JR., ET AL
By Jay Milzman
and Carl Daywood
C14-81-055

2103-2305 Montopolis
Drive

From "A" Residence
1st Height and Area
To "O" Office
1st Height and Area

RECOMMENDED by the Planning Commission
subject to site plan approval, dedica-
tion of required right-of-way for
Montopolis and residential density of
20 units per acre.

Councilmember Mullen moved that the Council grant the change to "O" Office, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Trevino, Councilmembers
Deuser, Duncan, Mullen, Urdy

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

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

SILVERSTONE JOINT
VENTURE
By Phil Mockford
C14-81-062

5008-5208 Canella Drive
4902, 4904, 5000, 5002,
5004, 5100, 5102, 5104,
5108 Quicksilver Boule-
vard

From "AA" Residence
1st Height and Area
To "A" Residence
1st Height and Area
RECOMMENDED by the Planning
Commission, subject to a

4 by 8 foot sign on Quicksilver to
indicate duplexes and maps in sales
office to identify this section as
duplexes.

Councilmember Mullen moved that the Council grant the change to "A" Residence, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Trevino, Councilmembers
Deuser, Duncan, Mullen, Urdy

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

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

SAM NEUMAN, GARY
NEWMAN DEUTSCH,
MAURICE E. RUBY,
JR.

By Tom Curtis
C14-81-067

10923 U.S. 183 North
(rear) End of Trend
Drive

From Interim "AA" Residence
1st Height and Area
To "BB" Residence, "B"
Residence, and "O-1" Office
1st Height and Area

RECOMMENDED by the Planning Commission
as agreed to by applicant and neighbor-
hood as shown on agreement. "B"
recommended and agreed to by applicant
for Tract 4, subject to same density
western portion of Tract 2.

Councilmember Mullen moved that the Council grant "BB" Residence, "B" Residence, and "O-1" Office, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Trevino, Councilmembers
Deuser, Duncan, Mullen, Urdy

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

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

Zoning Denied

HARVEY DOERRING
By John S. Lloyd
American Design
Group, Inc.
C14-81-069

Corner of F. M. 2222
and Lakewood Drive and
6318 Sprucewood Drive

From "AA" Residence
1st Height and Area
To "A-2" Condominium
1st Height and Area
NOT Recommended by the
Planning Commission

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

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor
McClellan, Mayor Pro Tem Trevino, Councilmember Deuser

Noes: None

The Mayor announced that the zoning had been DENIED.

AT THIS POINT THE BIDS FOR THE BONDS WERE AUTHORIZED (on previous
pages)

EXECUTIVE SESSION

Mayor McClellan announced that Council will convene in a closed or executive session authorized by Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes Annotated; and after such closed or executive session, any final action, decision or vote with regard to any matter considered in the closed or executive session will be made in open session, should such action, decision or vote be necessary.

RECESS

Council recessed at 11:45 a.m. for an Executive Session and the noon hour and resumed its recessed meeting at 2:05 p.m.

LATER IN THE DAY ZONING HEARINGS CONTINUED:

UVAG REALTY	1004-1012 West 32nd Street	From "A" Residence, 1st & 5th
PARTNERSHIP	1004-1012, 1007-1013, 1207-	Height and Area; "B"
By Bill Faust	1209 West 33rd Street	Residence, 2nd Height and
C14-81-053	1307-1315 West 34th Street	Area; "O" Office, 1st
	3300-3310 North Lamar	Height and Area and 3rd
	3203-3307 Shoal Creek	Height and Area; and "C"
	3201-3311 Wabash	Commercial, 5th Height and
	3200-3208 Bailey	Area
		To "O" Office, 2nd and 3rd
		Height and Area; and "B"
		Residence, 2nd Height and
		Area

RECOMMENDED by the Planning Commission
"O" Office, 3rd Height and Area on
Tracts 1 and 2; "B" Residence, 2nd Height
and Area on Tract 4; "B" Residence, 2nd
Height and Area on southern portion of
Tract 5; "O" Office, 2nd Height and Area
on northern portion of Tract 5; deletion
of Tract 3 as amended by applicant.
Letter-of-Credit to Parks and Recreation
Department for \$50,000. Should there be
any modifications to the site plan,
surrounding property owners and neighbor-
hood associations are to be notified.

Mr. Lillie reviewed the application by use of slides. He said a question had been asked about drainage. Mr. Jim Thompson, Department of Engineering, said a study has not been made but this is outside the 100-year flood plain. Councilmember Deuser spoke about the large amount of impervious cover and expressed concern for the quality of run off.

BILL FAUST, representing the applicant, discussed the amount of impervious cover and said parking for tenants will be underground.

Councilmember Mullen moved that the Council grant "O" Office, 3rd Height and Area on Tracts 1 and 2; "B" Residence, 2nd Height and Area on Tract 4; "B" Residence, 2nd Height and Area on southern portion of Tract 5; "O" Office, 2nd Height and Area on northern portion of Tract 5; deletion of Tract 3, as amended by applicant, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Urdy, Mayor McClellan,
Councilmembers Deuser, Duncan

Noes: None

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

The Mayor announced that the change had been granted to "O" Office, 3rd Height and Area District on Tracts 1 and 2; "B" Residence, 2nd Height and Area District on Tract 4; "B" Residence, 2nd Height and Area District on southern portion of Tract 5; "O" Office, 2nd Height and Area District on northern portion of Tract 5; deletion of Tract 3, as amended by applicant, subject to conditions; and the City Attorney was instructed to draw the necessary ordinance to cover.

CHESTER H. AND
EVELYN DORMAN
By George Patton
C14-81-058

4317 Gillis Street
1302 Casey Street

From "A" Residence
1st Height and Area
To "B" Residence
1st Height and Area
NOT Recommended

RECOMMENDED by the Planning Commission
"BB" Residence, 1st Height and Area
limited to 12 units, site plan approval
and access only to Gillis.

Mr. Lillie reviewed the application by use of slides. He discussed Planning Commission action and said, "The other requirements were that a site plan be submitted and the access to the subdivision come in from Gillis from the west across the "GR" General Retail zoning. The site plan that we have received has two driveways from Casey Street and so while the 12 units are appropriate on the site plan, it does not meet the requirements of the Commission with respect to driveway access. There are some trees along this west edge of the property next to Gillis, and it appears some of the trees would have to come down for the driveway, but a driveway could be put in at that location. There are two residents on the south side of the street, and my guess is the Commission may not want to put any traffic burden across from the residences."

GEORGE PATTON, representing the applicant appeared before Council. He discussed the access and said the Transportation Department thinks that Casey Street is the best entrance.

STEVE MOEHLER, an architect who lives in the house currently occupying the property, appeared before Council to say he is in favor of the zoning change. He said there are apartments across the street on Gillis and one has a driveway right across from where the Planning Commission wants them to put a driveway. This could be a traffic hazard.

George Patton returned and said they have no problem with the recommendation of "BB" Residence, but do have with the "Gillis Street only access" and by deleting that particular provision, it can be handled at the time of site approval if you are going to hold us to site approval. I'm actually offering that as an alternate proposal. I would prefer to have the site approval deleted so we can proceed with construction."

Councilmember Duncan moved that the Council grant "BB" Residence, 1st Height and Area District, as recommended by Planning Commission, limited to 12 units, but delete "access only to Gillis." The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Urdy, Mayor McClellan, Councilmembers
Duncan, Goodman, Mullen

Noes: None

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

The Mayor announced that the change had been granted to "BB" Residence, 1st Height and Area District, limited to 12 units, but delete "access only to Gillis," and the City Attorney was instructed to draw the necessary ordinance to cover.

LATER: Councilmember Duncan stated, "I had a request from Mr. Lillie to clarify my last motion. My motion was to include the submitted site plan in the zoning change. I would like the record to reflect the access only to Gillis is removed, but the site plan is accepted as part of the zoning."

CITY OF AUSTIN
By Bill Richardson
C14-80-202

5708-6000 block of
Balcones Drive

From Interim "A" Residence
1st Height and Area
To "O" Office
1st Height and Area

NOT Recommended. RECOMMENDED by the
Planning Commission "O-1" Office, 1st
Height and Area District, subject to
conditions as set forth in May 11, 1981,
Property Management memorandum.

Mr. Lillie reviewed the application by use of slides. Mr. Joe Morahan, Director of Property Management, described the property located northwest of Northland Drive and MoPac, which was originally acquired for acquisition to MoPac. "We held the land in abeyance for some time while studies were being made on possible City uses of the land such as for drainage ponding or other uses. We also wanted to have MoPac completed so the City or a potential buyer

would have an idea of what they were buying. We finally decided to go ahead and proceed. We prefer to offer City-owned property without going through zone changes and we did that in advertising for bids on this last September. The bids were not acceptable and they were rejected. Due to the size of the tract and the amount of money involved and some input from the prospective bidders, we would not be successful in selling a tract of that size unless we went ahead with the zone change." Mr. Morahan went on to describe the conditions, etc.

DAVID WARNER, who owns the property adjoining the site, said their reservation is the emptying into Shoal Creek from the property and thought if the City continues to own the land it would be prudent to have holding ponds.

Councilmember Duncan moved that the Council grant "O-1" Office, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission, with a different site plan to be approved by Council. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Urdy, Mayor McClellan,
Councilmember Duncan

Noes: None

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

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

BEE CAVE WOODS
DEVELOPMENT COMPANY
By Thomas B. Watts,
Jack Dempsey and
Ralph Harris
C14-81-019

1800-1907 Doris Ann
Boulevard

From Interim "AA" Residence
1st Height and Area
To "A-2" Condominium and
"O" Office
1st Height and Area
NOT Recommended

RECOMMENDED by the Planning Commission
"A-2" Condominium, 1st Height and Area
on Tracts 1 and 2; "O-1", 1st Height and
Area, review of site plan; deed restric-
tion against reflective materials,
height limitation of 20 feet on Tract 3;
and "O-1" Office, 1st Height and Area,
deed restriction against reflective
materials on Tract 4.

Councilmember Mullen moved that the Council grant "A-2" Condominium, 1st Height and Area District on Tracts 1 and 2; "O-1" Office, 1st Height and Area District, subject to conditions on Tract 3; and "O-1" Office, 1st Height and Area District, subject to conditions on Tract 4, as recommended by the Planning Commission. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Urdy, Mayor McClellan,
Councilmember Duncan

Noes: None

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

The Mayor announced that the change had been granted to "A-2" Condominium, 1st Height and Area District on Tracts 1 and 2; "O-1" Office, 1st Height and Area District, subject to conditions, on Tract 3; and "O-1" Office, 1st Height and Area District, subject to conditions on Tract 4; and the City Attorney was instructed to draw the necessary ordinance to cover.

Zoning Case Postponed

Mayor Pro Tem Trevino moved that the Council postpone hearing on the following zoning case until June 25, 1981 at 10:00 a.m., at the applicant's request:

HERBERT C. AND
EVELYN NADEAN
TAYS
By Sam Graham
C14-81-065

5008 Caswell Avenue

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

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

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan, Mayor Pro Tem Trevino

Noes: None

Public Hearings Closed - Action Scheduled for Later Date

WAYNE R. HOLBROOK
AND WIFE DEBORAH
C14-81-066

1103 Enfield

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

Mr. Lillie reviewed the application by use of slides. MR. JOHN MEINRATH asked Council to hold their vote until a full Council is present. He said "O-1" Office zoning is tighter zoning than "B" Residence, 2nd Height and Area. Mrs. Holbrook wants to use this as her office.

BRENDA/BELL, Castle Hill Neighborhood Association, appeared against the zoning change.

Members of the Council discussed the parking and whether or not an interior design shop is appropriate for the site.

NAN ANDERSON appeared in opposition to the zoning change, as did CLAUDIA ROSS, DAFFY DANIEL, ELIZABETH HAMILTON.

Councilmember Duncan moved that the Council close the public hearing and schedule action on the zoning case on June 4, 1981. The motion, seconded by Councilmember Deuser, carried by the following vote:

Ayes: Councilmembers Duncan, Mullen, Urdy, Mayor McClellan,
Councilmember Deuser

Noes: None

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

WALTER W. FONDREN,
III AND R.P.C.
INVESTMENTS, INC.
By Rick Triplett
C14-81-025

5207-5711 Riverside
Drive
5800 block of proposed
Oltorf Road

From Interim "A" Residence
1st Height and Area
To "DL" Light Industrial,
"O-1" Office and "B"
Residence, 1st Height and
Area

NOT Recommended

RECOMMENDED (as amended) by the Planning
Commission "O-1" on Tract 1; "DL" Light
Industrial on Tract 2 and provide 50
foot greenbelt and setback; "B" Residence
on Tract 3 west of collector; "BB"
Residence on remainder; "DL" Light
Industrial on Tract 4 with 50 foot
greenbelt along "BB". All subject to
site plan approval and no construction
until completion of Riverside Drive.

Mr. Lillie reviewed the application by use of slides.

TERRY BRAY, representing the applicant, said the objective is to provide an industrial park. He said it will blend with the other used in the area and described what will be done. Nothing, however, will be built until Riverside Drive is completed.

Councilmembers discussed the zoning application.

MRS. CRENSHAW was asked about The Crossing. She said it has been a failure. She was a partner in it and has taken part of it back.

DEBBIE TUCKER, Center for Battered Women, said they are neither for or against the zoning but want the street through Mr. Bell's property and not theirs.

MICHAEL PORTER read a statement which said no one wants to take the risk of having residences in the area. He said except for the low density recommendation, the request should be denied.

MR. GONZALES appeared and said there must be a better zoning solution.

LINDA JOHNSON read a statement.

CLIFTON GRIFFIN, representing Montopolis Neighborhood Association and St. Edward's Church, appeared in opposition to the zoning request. He said they are becoming encircled with industrial zoning and asked Council to do a study..

ROGER SMITH thought residences would be more suitable for the area.

LINDA WATKINS said the terrain is not conducive to high density and there is no guarantee what it will look like.

CHRIS GRIGISEE appeared and said the major issue is whether this part of East Austin is going to be residential or industrial. He asked Council to give more consideration to the zoning request than the Planning Commission did.

MRS. GONZALES said there is too much traffic. Children cannot go to the library because of the traffic in the Montopolis area.

Mrs. Crenshaw appeared and said she has owned acreage there for 30 years and does not want Montopolis destroyed. She feels the area can be developed well.

Terry Bray returned to state industry will not destroy the area.

Councilmember Mullen moved that the Council close the public hearing on the zoning case and schedule action for June 4, 1981. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy

Noes: None

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

May 28, 1981

Public Hearings to be Continued

TEXACO, INC.
By Jeffrey Friedman
C14-81-057

6407-6415 Manor Road
3401-3411 Northeast
Drive

From "LR" Local Retail
1st Height and Area
To "C" Commercial
1st Height and Area

RECOMMENDED by the Planning Commission
"C" Commercial, but restricted to operation for delivery and pickup of parcels and temporary storage of parcels, also a privacy fence on south and west sides of tract.

Mr. Lillie reviewed the application by use of slides.

MR. JEFF FRIEDMAN appeared, representing the applicant, and said no one knew the property was surrounded by park land. He said they will give a restrictive covenant and suggested the City place the property on the map with deed restrictions.

Councilmembers then discussed the park land aspect. Mr. Friedman told them this is just a pick-up and delivery service which is being moved from the airport.

Councilmember Deuser moved that the Council vote to continue the public hearing to June 4, 1981 at 3:00 p.m. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Urdy, Mayor McClellan, Councilmembers
Deuser, Duncan, Goodman

Noes: Councilmember Mullen

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

BILLY PRIEST AND
JOE W. MCDANIEL
By Adon Sitra
C14-80-236

3311-3435 Paisano
Trail and 7401-7505
Brodie Lane

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

Mr. Lillie reviewed the application by use of slides.

MR. ADON SITRA, representing the applicant, told Council they will put up a 6-foot privacy fence and will not impact the neighborhood. He said the staff recommended "A" Residence zoning. There were only five members present at the Planning Commission meeting and four voted against the zoning change.

KEITH BYMAN appeared before Council to state there are two main issues of concern: increased traffic and neighborhood integrity. There is concern this area will become apartment rental area and will establish a precedent. They prefer to have single family dwellings.

ERNEST LUNDELIUS spoke in opposition to the zoning application. He said there is a drainage problem and this is in the Edwards Aquifer. He knows the area will be developed, but how?

MARKO CARL is concerned with the drainage.

Mr. Sitra returned to state that "A" Residence allows for duplexes. The owner will live on one side and the renter on the other. There will be a homeowners' association, which will have an obligation to maintain the property.

Councilmember Goodman moved that the Council continue the public hearing to June 6, 1981 at 3:30 p.m. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Mullen, Urdy, Duncan, Goodman

Noes: None

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

AMERICAN NATIONAL RED CROSS DAY

Mayor McClellan read a proclamation designating May 28, 1981 as American National Red Cross Day in Austin. Doug Nichols, public relations for American Red Cross, Austin; and Ms. Ina Ray Smith accepted the proclamation with their thanks and appreciation.

AUSTIN TEXANS DAY

Mayor McClellan read a proclamation setting aside June 6, 1981 as Austin Texans Day. It was received with appreciation by John Waller, general manager and Randy Johnson, head coach of the Austin Texans.

REQUEST FOR USE OF WEST AUSTIN PARK

Mr. Phil Toler appeared before Council to request permission for the use of West Austin Park on Sunday, June 21, 1981 from 2:00 p.m. until 10:00 p.m. for the 4th Annual Clarksville Jazzfest and for the sale of beer during the event. He noted the success of last year's Jazzfest, said the people in the neighborhood can walk to the park, litter was picked up and it was not too crowded. He said there is some opposition from the neighborhood to their having the Jazzfest there this year.

Mr. Leonard Ehrler, Director of Parks and Recreation, appeared to say there have been objections raised to the continuance of the Jazzfest at West Austin Park. He said a more appropriate area can be found, such as Zilker Park or Auditorium Shores. Discussion followed among Councilmembers. Mayor McClellan said other sites should be investigated and problems with the proposed site discussed with the applicant. Council will have a hearing on the request on June 4, 1981 at 3:00 p.m.

CITIZENS DID NOT APPEAR

Mr. Dan R. Price requested to appear before Council to protest rejection of low bid by Stearns regarding providing airport passenger loading bridges for Austin Airport contract. He did not appear.

Ms. Sally Shipman who had requested to appear before Council to discuss protection for members of City boards and commissions did not appear. She will submit her comments in writing.

Mr. David Bloch who had requested to discuss areas in Austin that are served by water that doesn't require pumping did not appear. He will appear next week.

PARKING REGULATIONS

MS. SHELLY NATHAN, who is a bike rider, appeared before Council to discuss parking regulations. She said cars are continually parked in bike lanes around the University area, the Hyde Park Baptist Church area where bike lanes are provided, and the whole Speedway area from 30th to 45th. She wants the City to make certain people know they cannot park in bike lanes.

Councilmember Goodman and Mayor McClellan requested a report from Urban Transportation Department and the Police Department concerning bike lanes and parking problems.

AQUIFERS DISCUSSED

MR. KEN ANSCHUTZ appeared before Council to discuss pollution of aquifers by industrial waste. He specifically discussed the Motorola site.

H.B. 1952

Council had before it a resolution to consider recommendation relating to H.B. 1952 relating to annexation of, disannexation of, and provision of services to certain areas.

Councilmember Duncan said he felt this legislation would significantly weaken the City's annexation powers and said it is not in the interest of the City of Austin to have Municipal Annexation Act amended. He proposed the following resolution:

"Whereas the City of Austin is engaged in implementing a comprehensive plan to manage and direct growth and whereas the efforts of the City of Austin to implement such a plan go beyond measures utilized by other municipalities in the State of Texas and whereas the City of Austin's Growth Management Plan envisions providing differing levels of service for areas of differing topography, population density and land usage, and whereas H.B. 1952 would allow the creation of Municipal Utility Districts without the

consent of the City, and whereas H.B. 1952 would damage the City of Austin's ability to implement its Growth Management Plan, now therefore be it resolved by the City Council of the City of Austin that the Austin City Council hereby oppose the passage of H.B. 1952."

Motion

Councilmember Duncan moved that the Council adopt the above resolution and instruct the City's lobbyist to oppose passage of H.B. 1952. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor McClellan

Noes: Councilmember Deuser

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

AGENDA ITEM TO BE BROUGHT BACK

Councilmember Deuser introduced an item to Council to consider reinstating the 3/4 vote requirement for City Council granting a zoning change over a negative recommendation by the Planning Commission. Because Mayor Pro Tem Trevino was absent from the Council Chamber and had expressed a wish to be in on the discussion of the proposal, Council postponed consideration until June 4, 1981.

CONTRACT APPROVED

Councilmember Mullen moved that the Council approve the following contract:

**WILLIAMS JEWELRY AND
MANUFACTURING**
3152 Morris Street North
St. Petersburg, Florida

- Key chains, Leather Key Cases,
Billfolds and Money Clips with
City of Austin Seal, Personnel
Department
Items 1-10 (757 total units)
Total \$5,946.70

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

Ayes: Mayor McClellan, Councilmembers Duncan, Goodman, Mullen, Urdy

Noes: None

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

AGENDA ITEM POSTPONED

Consideration of establishing zoning rollback priorities was postponed until the June 4, 1981 Agenda.

BOARDS AND COMMISSIONS

Councilmember Mullen moved that the Council make the following appointments:

Board of Equalization

Leonard DeLaGarza
James Thompson
Dr. Howard Hawkins

Medical Assistance Advisory Committee

Dr. William Sheffield

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

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy, Mayor
McClellan

Noes: None

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

Mayor McClellan announced the following appointments are due to be made on June 4, 1981:

Building Standards Commission - 2
Ethics Review Commission - 1
On-Going Goals Assembly Committee - 5
Renewable Energy Resources Commission - 1
Community Development Commission - 1 chosen by Councilmember Trevino
Dental Health Advisory Committee - 1 CDC representative
Downtown Revitalization Task Force - 4
Medical Assistance Program Advisory Board - 2
 1 citizen
 1 service provider
MH/MR Board of Trustees - 1
Board of Equalization - 3

Council representatives for the following:

Capital Area Planning Council - 2
Community Development Commission - 1
Police Departmental Internal Affairs Committee - 1
Police Advisory Committee, Austin Transportation Study - 1
Employees Retirement System - 1
Social Policy Advisory Committee - 1

AGENDA ITEM TO BE BROUGHT BACK

An ordinance to consider amending the 1980-81 Operating Budget by providing emergency funding in the amount of \$7,200 for the Wright Road Farm will be brought back for consideration on June 4, 1981.

UMTA GRANT APPLICATION

Councilmember Mullen opened the public hearing scheduled for 3:00 p.m. on grant application to the UMTA for a Capital Assistance Grant, TX-03-CAPL, for \$1,863,639.00

DR. JIM BENSON, Director of Urban Transportation, stated the subject of our public hearing today is the grant application to the Urban Mass Transportation Administration for the Section 3 Discretionary Funds. The grant provides for land acquisition and construction of both an expanded local terminal and a local terminal, a purchase of full-size coaches and for regular transit service and vehicles for mobility-impaired service or STS service and the auxiliary equipment to go with those, maintenance, support equipment, route display tubes and bus stop signs, a general purpose computer and miscellaneous equipment, including two supervisory sedans, a pick-up truck, electronic designation signs, communication equipment and a slide projector.

No one appeared to be heard.

Councilmember Goodman moved that the Council close the public hearing and approve the submission of a Grant Application to Urban Mass Transportation Administration for a Capital Assistance Grant, TX-03-CAPL, for \$1,863,639.00. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Urdy, Duncan, Goodman, Mullen

Noes: None

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

STREET VACATIONS

Councilmember Mullen opened the public hearing scheduled for 3:30 p.m. on vacation of certain streets and passage of Ordinance.

MR. TONY DARVA, president, Greenwood Cemetery Association, appeared before Council to discuss the right of way adjacent to Bergstrom Air Force Base located on the southeast corner of State Highway 71 and U.S. Highway 183, a portion of Dalton Lane, State Highway 29 (Old U.S. Highway 183) and the old Austin Del Valle Road. "With the exception of the continuation of Riverside Drive, which goes right to the opening of the cemetery, I don't think you are familiar with what we are speaking to. The question I have is, what is going to happen to the portion of Riverside Drive that comes off 183. Is the City going to keep it, turn it over to the cemetery, or what?We wish you would keep it as a public street because we do not have the money to maintain it." He was told by a member of the Engineering Department that Old Riverside Drive will be maintained as a public right of way.

Motion

Councilmember Mullen introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THOSE CERTAIN PORTIONS OF OLD U.S. HIGHWAY 183 (STATE HIGHWAY NO. 29), DALTON LANE, AND OLD AUSTIN DEL VALLE ROAD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING IN THE CITY EASEMENTS FOR WATER AND ELECTRIC UTILITY PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was read for the first time, and Councilmember Goodman moved that the Council close the public hearing, and pass the ordinance to its second reading. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy

Noes: None

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

Councilmember Mullen announced that the ordinance had been passed through first reading only.

Councilmember Mullen introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF WEST 6TH STREET ALLEY (200 BLOCK) IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING IN THE CITY EASEMENTS FOR PUBLIC UTILITY AND EMERGENCY ACCESS PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was read the first time, and Councilmember Goodman moved that the Council close the public hearing, and pass the ordinance to its second reading. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy

Noes: None

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

Councilmember Mullen announced that the ordinance had been passed through first reading only.

Councilmember Mullen introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF EAST 44TH STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was read the first time, and Councilmember Goodman moved that the Council close the public hearing, and pass the ordinance to its second reading. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy

Noes: None

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

Councilmember Mullen announced that the ordinance had been passed through first reading only.

Councilmember Mullen introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF COLORADO STREET IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was read the first time, and Councilmember Goodman moved that the Council close the public hearing, and pass the ordinance to its second reading. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Duncan, Goodman, Mullen, Urdy

Noes: None

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

Councilmember Mullen announced that the ordinance had been passed through first reading only.

CITIZEN DISCUSSED CRIME WATCH

MS. SUSAN PUTTER appeared to express concern regarding the use of City employees in crime watch.

ADJOURNMENT

Council adjourned its meeting at 6:43 p.m.

May 28, 1981

APPROVED:

Carole Zettler McClure
Mayor

ATTEST:

Grace Monroe
City Clerk