

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 4, 1981
9:00 A.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

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

Absent: Mayor Pro Tem Trevino

INVOCATION

The Invocation was given by Harwell E. Norris, Jr., Minister of St. Andrew's Presbyterian Church.

MINUTES APPROVED

Councilmember Mullen moved that the Council approve the Minutes for May 21, 1981 and Special Meeting of May 15, 1981. The motion, seconded by Mayor McClellan, carried by the following vote:

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

Noes: None

Absent: Mayor Pro Tem Trevino

BOARDS AND COMMISSIONS

Councilmember Mullen moved that the Council make the following Board and Commission appointments:

Building Standards Commission

George Bowers
Terry Moore
Craig Clark
Arthur ~~Turner~~
Robert Phillips

Terms expiring 6-1-83

Rudy Montoya

Term expiring 6-1-83

Ethics Review Commission

Alicia Mitchell

Term expiring 7-1-82

On-Going Goals Assembly Committee

Robert Greenwood (Zone 1)
Brenda Oliver (Zone 2)
Richard Glasco (Alternate - Zone 2)
Brian Greig (Zone 4)
Ruth Williams (Zone 5)
Jack Evins (Alternate - (Zone 5)
Elizabeth Washington (Zone 6)

Terms to expire 8-1-83

Palmer Wright (Alternate - Zone 8)
Carl Siegenthaler (Zone 3)
Gordon Warren (Zone 10)

Terms to expire 6-1-82

Renewable Energy Resources Commission

Brad Rockwell

Term expires 7-1-83

Medical Assistance Program Advisory Board

Carol McCauley

Term expires 12-1-81

Arts Commission

Joan Holtzman (to be changed to
the Choral Music category)
Cheryl Jefferson (Dance)
Beverley Griffith (Drama)

Terms to expire 6-1-82

Historic Landmark Commission

Blake Alexander
Philip Creer
Jane Hickie
Ina Ray Smith

Terms to 6-1-83

Parks and Recreation Board

Ray Hall
Bob Coffee
Irene Dominguez
Linda Doering
Kenneth Conway
Patsy Petersen
Lawrence Britton

Terms to expire 6-1-83

Planning Commission (effective July 1, 1981)

Mary Ley
Gilbert Martinez
Ed Wendler, Jr.
Bernard Snyder
Ken Manning

Terms to expire 6-1-83

Commission on the Status of Women (effective 6-30-81)

Alexander Blackerby
Trish Calhoun
Vanessa McQueen
Jean Cornelius
Susan Krute
Catherine Hrnclir

Terms to expire 6-30-83

Vending Commission

Angela Licht
Mary Rakes

Terms to expire 6-1-83

Council representatives

Mayor McClellan (Audit Finance Committee)
Councilmember Duncan (Austin Transportation Study, Social Policy
Advisory Committee, Employee's Retirement)
Councilmember Urdy (Community Development Commission, Capital
Area Planning Council, Police Internal Affairs Committee)
Councilmember Deuser (Capital Area Planning Council, Police Internal
Affairs Committee)

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

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

Noes: None

Absent: Mayor Pro Tem Trevino

Councilmember Mullen moved that the Council make the following Board
and Commission appointment:

MH/MR Board of Trustees

Dr. Theodore Dake, Jr.

Term to expire 9-30-81

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

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

Noes: None

Absent: Mayor Pro Tem Trevino

Mayor McClellan announced the following Board and Commission appointments are due to be made June 11, 1981:

Building Standards Committee - 1
On-Going Goals Assembly Committee - 1
Historic Landmark Commission - 2
Manpower Advisory Planning Council - 2
Parks and Recreation Board - 1
Vending Commission - 1

The Mayor announced that the following appointments are due to be made July 2, 1981:

Building Code Board of Appeals - 2
Electric Utility Commission - 5
Energy Conservation Commission - 5
Ethics Review Commission - 1
Hospital Board - 4
Environmental Board - 8
Plumbing Advisory Board - 4
Renewable Energy Resources Commission - 3
Employees' Retirement System - 2
Solicitation Board - 3

Release of Easements

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

A portion of a sanitary sewer easement recorded in Volume 417,
Page 65 of the Travis County Deed Records and located on Lot 38
of the Resubdivision of Lots 29 and 43 of Speedway Heights, 3117
Tom Green (Requested by Mr. George C. Shipley)

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

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

Noes: None

Absent: Mayor Pro Tem Trevino

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

A 3.0' Public Utility Easement on Lot 8, Block B, Barton Hills Section Seven, 1700 Graywood Cove. (Requested by Mr. Gary B. Chiles, owner.)

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

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

Noes: None

Absent: Mayor Pro Tem Trevino

LICENSE AGREEMENT

Councilmember Mullen moved that the Council adopt a resolution to enter into a license agreement with Mr. C. Ben Hibbetts to allow the encroachment of a building into a drainage easement recorded in Volume 7103, Page 1419 of the Travis County Deed Records, 1721 East Riverside Drive. (Requested by Mr. C. Ben Hibbetts, owner) The motion, seconded by Councilmember Duncan, carried by the following vote:

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

Noes: None

Absent: Mayor Pro Tem Trevino

Councilmember Mullen moved that the Council adopt a resolution to enter into a License Agreement with the Great Hills Trail from Loop 360 to U.S. 183. (Requested by Great Hills Company, Inc.) The motion, seconded by Councilmember Duncan, carried by the following vote:

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

Noes: None

Absent: Mayor Pro Tem Trevino

CONTRACTS APPROVED

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

FREEMAN PLASTIC
Atlantic and Albany Avenues
Brooklyn, New York

- Printing Plastic Patron Library
Cards, Austin Public Library
Items 1 and 2 - \$7,808.00

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

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

Noes: None

Absent: Mayor Pro Tem Trevino

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

PITNEY BOWES
104 East Huntland
Austin, Texas

- Ten (10) Station Electronic
Inserters and one (1) year
Maintenance Agreement, Office
Services Division
Item 1 - 1 ea. - \$135,009.10 total
\$126,894.00 plus maintenance
agreement of \$8,115.00

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

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

CHANGE ORDER

Councilmember Mullen moved that the Council adopt a resolution approving a Change Order in the amount of \$69,885.00 to CES Telecommunications for additional consulting engineering/communications service for a city-wide Radio Communication Feasibility Study. The motion, seconded by Councilmember Duncan, carried by the following vote:

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

SUMMER YOUTH EMPLOYMENT PROGRAM

Councilmember Mullen moved that the Council adopt a resolution authorizing an additional \$211,153 of CETA Title IV Summer Youth Employment Program funds to SER-Jobs for Progress, Inc. bringing their total contract amount to \$904,144.00. The motion, seconded by Councilmember Duncan, carried by the following vote:

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

Councilmember Mullen moved that the Council adopt a resolution authorizing \$413,893 to Williamson-Burnet Counties Opportunities, Inc., the Rural Program Agent, to operate the FY '81 CETA Title IV, Summer Youth Employment Program. (SYEP) The motion, seconded by Councilmember Duncan, carried by the following vote:

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

PRIVATE SECTOR INITIATIVES PROGRAM

Councilmember Mullen moved that the Council adopt a resolution authorizing a contract with Executive Travis Rural Areas, Inc., in the amount of \$18,286 to operate an on-the-job training program under CETA Title VII, Private Sector Initiatives Program. The motion, seconded by Councilmember Duncan, carried by the following vote:

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

LEASE OF LAND FOR RAGSDALE AVIATION

Councilmember Mullen moved that the Council adopt a resolution approving an agreement for lease of additional land to Ragsdale Aviation. The motion, seconded by Councilmember Duncan, carried by the following vote:

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

JOINT USE

Councilmember Mullen moved that the Council adopt a resolution to enter into an agreement with the Austin Independent School District for the joint use and development of school and recreation facilities. (Recommended by Parks Board) The motion, seconded by Councilmember Duncan, carried by the following vote:

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

ORIENTATION AND WORK SESSIONS

Councilmember Mullen moved that the Council set the following times for an orientation and work session to discuss Council goals and objectives:

June 11 - 1 to 5 p.m.
June 13 - all day
June 16, 17 and 23 - all afternoon

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

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

PUBLIC HEARINGS SET

Councilmember Mullen moved that the Council set a public hearing on the following:

Amending the current sanitary landfill fees as described in Chapter 28-18 of the City Code to reflect a charge of one dollar (\$1.00) per tire for the disposal of more than three (3) used tires at any one time on June 25, 1981 at 9:45 a.m.

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

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

CAPITAL IMPROVEMENTS PROGRAM

Councilmember Mullen moved that the Council adopt a resolution acquiring one acre for Givens Park, CAPITAL IMPROVEMENTS PROGRAM No. 75/86-13:

1.07 acres of land out of Outlot 17, Division B, Government Outlots. (Travis County)

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

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

5TH YEAR CDBG CREDIT UNION CONTRACT

Councilmember Mullen moved that the Council adopt a resolution amending the 5th Year CDBG (Community Development Block Grant) Credit Union Contract with the Austin Area Urban League to extend the contract period to July 1, 1981 with no increase in allocation. The motion, seconded by Councilmember Duncan, carried by the following vote:

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

TAX REFUND

Councilmember Mullen moved that the Council adopt a resolution authorizing refund of excessive taxes paid by Mr. A. Edwin White for tax year 1980 in the amount of \$787.65. The motion, seconded by Councilmember Duncan, carried by the following vote:

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

LEGAL AID

Councilmember Mullen moved that the Council adopt a resolution supporting continued funding for Legal Aid through an expression of support for continued funding for the Legal Services Corporation Act. The motion, seconded by Councilmember Duncan, carried by the following vote:

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

PUBLIC HEARING CANCELLED

Councilmember Mullen moved that the Council cancel the June 11, 1981, public hearing of Special Permit No. C14p-81-019 due to withdrawal of application by owner. The motion, seconded by Councilmember Duncan, carried by the following vote:

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

OPERATING BUDGET AMENDMENT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1980-1981 BY APPROPRIATING \$7,200 FROM THE JAIL OPERATIONS DIVISION OF THE POLICE DEPARTMENT BUDGET TO THE AUSTIN REHABILITATION CENTER, INC., FOR EMERGENCY FUNDING FOR WRIGHT ROAD FARM; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

ITEM POSTPONED

Councilmember Mullen moved that the Council postpone until June 11, 1981, consideration of amending the 1980-81 Operating Budget by appropriating \$340,343 from the General Fund ending balance to fund additional expenses as required by the Finance Department. The motion, seconded by Councilmember Duncan, carried by the following vote:

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

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:

8,280 SQUARE FEET OUT OF THE GEORGE W. SPEAR LEAGUE, LOCALLY KNOWN AS 7115 BURNET ROAD, FROM "GR" GENERAL RETAIL, SIXTH HEIGHT AND AREA DISTRICT TO "C-2" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Leon Howard, Charles Howard, James K. Eichelberger, Jr., and Lee Blocker, C14-81-012)

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

Ayes: Councilmembers Mullen, Urdy, Mayor McClellan, Councilmembers Deuser, Duncan, Goodman
Noes: None
Absent: 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 1: A 2.82 ACRE TRACT OF LAND;

TRACT 2: A 1.90 ACRE TRACT OF LAND; AND

TRACT 3: A 18.30 ACRE TRACT OF LAND;

FROM INTERIM "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; LOCALLY KNOWN AS REAR OF 10101-10105 NORTH LAMAR BOULEVARD AND REAR OF 10800 BLOCK OF I.H. 35; 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. (Wilson Development Corporation, C14-81-034)

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

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

The Mayor announced that the ordinance had been finally passed.

VACATION OF RIGHTS-OF-WAY

Mayor McClellan brought up the following ordinance for second and third readings:

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 the second time, and Councilmember Mullen moved that the Council waive the requirement for third reading, and finally pass the ordinance. The motion, seconded by Councilmember Duncan, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan brought up the following ordinance for second and third readings:

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 second time, and Councilmember Mullen moved that the Council waive the requirement for third reading, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Duncan, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan brought up the following ordinance for second and third readings:

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 second time, and Councilmember Mullen moved that the Council waive the requirement for third reading, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Duncan, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

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CITY OF AUSTIN, TEXAS

Mayor McClellan brought up the following ordinance for second and third readings:

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 second time, and Councilmember Mullen moved that the Council waive the requirement for third reading, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Duncan, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

JULY COUNCIL MEETING

Mayor McClellan introduced the following ordinance:

AN ORDINANCE CANCELLING THE REGULARLY SCHEDULED CITY COUNCIL MEETING OF JULY 16, 1981; RESCHEDULING THE JULY 23, 1981 CITY COUNCIL MEETING; AND CHANGING THE REGULAR STARTING TIME FOR THE JULY 23, 1981 CITY COUNCIL MEETING FROM 9:00 A.M. TO 6:00 P.M.; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

The Mayor announced that the ordinance had been finally passed.

PROJECTED GENERAL FUND ENDING BALANCE

Ms. Lee Thomson, Budget Director, appeared before Council to report on Projected General Fund Ending Balance. She referred to the report given to Council, (CLERK DID NOT RECEIVE A COPY) and said the figures are April financial data with the best projections at this time, but they will change monthly as they are updated based on new financial data. The budgeted General Fund Balance is \$4.6-million and the projected balance for the end of the fiscal year is \$4.7-million. Total available funds projected through the end of the fiscal

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year at this time are \$111.1-million, which is a gain of \$2.1-million in revenue over the budgeted amount of \$109-million. Total requirement projected through the end of the fiscal year are \$106.5-million compared to budget requirement totalling \$106.4-million. At this time, no department or expense category has overspent their total appropriations. Ms. Thomson said that as times goes on, the budget picture will become clearer, but there are still question marks in the analysis of the General Fund Ending Balance. For example, the flood repair costs are still being assessed. There is a projected overrun in the medical assistance program and at this point, the City Auditors are looking at the program and trying "scrub down" the numbers as closely as they can. There will be more information on the medical assistance program in the near future. Ms. Thomson said seasonal costs, e.g. summer weather, may have some impact on general funding.

Mayor McClellan and Councilmember Goodman both asked for a weekly report regarding the ending balance be sent to Council. Ms. Thomson said she will report in two weeks on the flood repair costs and medical assistance program.

(At this point, Mayor Pro Tem Trevino entered the Council Chamber.)

COMPREHENSIVE TELEPHONE COMMUNICATION ANALYSIS

Mr. Solon Bennett, Director of Purchasing, presented the report on Comprehensive Telephone Communication Analysis. He said "recent Court decisions have made it possible to utilize an inter-dependent telephone connect company to provide a link between the City's telephone system and the Bell system at what appears to be a substantial monetary savings to the City. A review of our system in 1980 indicated to the City staff that our telecommunication system is obsolete in view of the technology now available. ... It was decided to explore the opportunity for savings through utilization of an up to date telephone interconnect system. It was determined the City did not possess the in-house expertise to review our present system, assess our needs, determine the type of system that would be cost effective, meet the City's operating needs and keep pace with the rapidly changing technology in this field. It was decided the best approach would be to consider the services of an outside consultant. An RFP (Request for proposal) was mailed to 16 firms on July 25, 1980. Seven responses were received. ..." Mr. Bennett described the RFP and said the City's entire telephone system will be covered, including the Municipal Airport. A central point for telecommunications over all the City, perhaps even including cable TV is envisioned. He asked Council to consider the need for a telecommunications consultant. The recommendation for contract approval will be presented on next week's Council Agenda.

STATUS REPORT ON FLOOD CLEAN-UP

Mr. Guymon Phillips, Assistant City Manager, reported on the Status of Flood Clean-Up following the Memorial Day flood. He said the City received 2,700 calls for help and outlined what was done. They are currently monitoring all sanitation trucks and have set up booths with SBA (Small Business Administration) for assistance regarding loans and how to deal with repairs. Mayor McClellan told him if equipment is needed for firefighters, police or EMS (Emergency Medical Service), he should not wait until budget time to request it, but should do so immediately if there is a need. Mr. Phillips said instructions for citizens in time of disaster needs to be held. He also said they are in the process of appealing the President's proclamation concerning claiming Austin a disaster area.

Mr. John German, Director of Public Works, showed charts to explain the recent rainfall and said there were 6 to 10 inches in north and northwest Austin and 2 inches in southeast Austin. He discussed the 100-year flood and the amount and rapidity of the water in the creeks. Mr. German pointed out the Espey-Huston Report of 1974 showing where flooding would most likely occur was accurate. Information will be studied to find out helpful facts for future reference. He detailed the cleanup procedure and said the costs are not final yet.

FLOOD CONTROL PROJECT

Mr. German reported on a possible Flood Control Project under contract with United States Army Corps of Engineers. He said the City may be eligible for \$2,000,000 along Shoal Creek.

Motion

Councilmember Mullen moved that the Council adopt a resolution to request a study by the U.S. Army Corps of Engineers to determine the engineering and economic feasibility of constructing a flood protection project and the extent of local participation. The motion, seconded by Councilmember Duncan, carried by the following vote:

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

COMPENSATION FOR CITY JAIL PRISONERS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 10-9 OF THE AUSTIN CITY CODE OF 1967, AS AMENDED, RELATING TO PERSONS IMPRISONED IN THE CITY JAIL IN LIEU OF FINE PAYMENT AND THE CREDIT FOR DAYS SERVED; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Ayes: 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 ordinance had been finally passed.

MOTOROLA

Motion

Councilmember Mullen moved that the Council approve an ordinance (1) designating approximately 150 acres in the Oak Hill area (proposed Motorola, Inc. plant site) a Planned Development Area and/or an Industrial district, and (2) approving a Planned Development Area Agreement and/or Industrial Agreement with Motorola, Inc. covering the proposed Motorola, Inc. plant site located on said approximately 150 acres in the Oak Hill area. The motion was seconded by Mayor McClellan.

Council had before them an ordinance (1) designating approximately 150 acres in the Oak Hill area (proposed Motorola, Inc. plant site) a Planned Development Area and/or an Industrial District, and (2) approving a Planned Development Area Agreement and/or Industrial District Agreement with Motorola, Inc. covering the proposed Motorola, Inc. plant site located on said approximately 150 acres in the Oak Hill area.

Councilmember Duncan registered his opposition to the ordinance by stating Motorola should develop in the preferred growth corridor. He said water, wastewater and transportation would pose problems in the Oak Hill area.

Councilmember Deuser expressed concern as to whether this is a final resolution of the issue before the Council. He asked the City Attorney whether or not action taken on this item today will be binding, "if indeed we have a resolution which is binding on the City Council and the City of Austin, then this body has no business taking a vote today to try to overturn that. That should also be ruled as the same type thing as rescinding the previous contract which we have been advised by Legal Department to be undesirable and we would be subject to damages. My question is whether or not we're being asked to take an act today which would be purely perfunctory and all for show. I'd like to know the purpose when yes will not mean go ahead with Motorola and no will not mean Motorola find another site.

Mr. Harris, City Attorney, stated, "Number one, the act is not perfunctory in any sense of the word. It will be a binding act by the City Council and should resolve most of the problems where they should be resolved, in our opinion, before the City Council of the City of Austin. There are not going to

be any damages that can result from this act. It's a reaffirming of previous Council actions taken in this matter. We believe the previous actions are legal and binding. However, as lawyers, we have a very strong responsibility to our client to not unnecessarily involve our client in litigation that can be expensive, time consuming and can frustrate the purpose of the Council just because of the time, expense and delay involved in that situation. Based on those considerations, it is our advice and suggestion to the Council that this action be taken in developing this Planned Development Area industrial district as an ordinance and it has basically the same terms and provisions as was previously approved by the City Council, and mainly, I do think it will resolve the issue that was brought up in this particular lawsuit. It will resolve them in a more convenient form. I think it will resolve them where it ought to be resolved, and there is nothing really inconsistent or contrary in this action to what was taken by the City Council previously."

Mayor McClellan said she thinks the proposed development does go with the Master Plan. It is not in the preferred area but Motorola's Planned Development Area (PDA) would provide a good corporate neighbor. They have a good affirmative action program and Council should keep the commitment the City has made.

Councilmember Goodman asked if the resolution passed is legally binding. Mr. Harris said, in his opinion, it is. Councilmember Urdy said the situation was a complex one and requested postponement for one week, so he can go over all the material.

Motion Withdrawn

Councilmember Mullen withdrew his motion and Mayor McClellan withdrew her second.

Councilmember Deuser said he would like to wait for the Court's decision before they vote on the ordinance. Mayor Pro Tem Trevino pointed out none of them may still be in office by that time, and Mayor McClellan said they, as Councilmembers have been elected to make decisions and they should not wait for the Court to decide.

After some discussion, the following motion was made:

Motion

Mayor Pro Tem Trevino moved that the Council postpone further decision on the ordinance until June 11, 1981 at 5:15 p.m. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

Motion to Reconsider

Council voted unanimously to reconsider their vote.

Motion

Mayor Pro Tem Trevino moved that the Council take action on the ordinance at 4:45 p.m., June 11, 1981. The motion, seconded by Mayor McClellan, carried by the following vote:

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

RECESS

Council recessed its meeting at 10:55 a.m. and resumed its recessed meeting at 11:10 a.m.

PUBLIC HEARING RESCHEDULED

Mr. Lillie, Director of Planning, announced that proper notification had not been made concerning a public hearing scheduled for 9:45 p.m. on an appeal from Mr. R. H. Pitts, Pleak Oil Company, of the Planning Commission decision to deny a special permit for the sale of beer and wine in an "O" Office District (2803 San Jacinto; - C14p-81-021)

Motion

Councilmember Duncan moved that the Council reschedule the public hearing for July 2, 1981 at 9:45 a.m. The motion, seconded by Mayor McClellan, carried by the following vote:

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

PUBLIC HEARING - AMENDMENT TO ZONING ORDINANCE

Mayor McClellan opened the public hearing scheduled for 10:00 A.M. to consider amending Section 45-29(e) of the Austin City Code (Zoning Ordinance) providing for definition of when a special permit is "Granted" and providing for the disposition of presently pending special permit cases.

Mr. Lillie, Director of Planning, stated, "The current zoning ordinance provides that a Special Permit has a life of two years. The interpretation of the Legal Department is that the two-year period starts not with the action of the Commission or the action of the Council on appeal, but two years from the time the site plan is released by the Planning Department, and that could be from a month to maybe even five years after the action of Commission and Council. The Commission was concerned about that because conditions do change and a Special

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Permit may not be applicable or may not be compatible with the area if it is allowed to wait that long so we drafted an ordinance that would require that the two-year period would start from 10 days after the appeal period of the Planning Commission, or if appealed, upon action of the City Council. That locks in more directly the two-year life of the Special Permit. That life then can be extended for a year by the Planning Commission if construction had started or an occupancy permit issued or if a request had been made by the applicant to extend it a year.

"The second part of the ordinance says that for those Special Permits that have already been granted and the two years has been exceeded, we would notify those applicants if they are interested in having their Special Permit extended and if so, notices of public hearing would be held on those extensions. If not then the Special Permit would be void from the effective date of this ordinance. The Planning Commission has held a public hearing on the item and does recommend the ordinance to you."

No one appeared to be heard.

Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 45 (ZONING ORDINANCE) OF THE AUSTIN CITY CODE OF 1967; AMENDING SUBSECTION 45-29(e) THEREOF; PROVIDING A DEFINITION OF WHEN A SPECIAL PERMIT IS "GRANTED" FOR THE PURPOSES OF SAID SUBSECTION; PROVIDING FOR THE DISPOSITION OF PRESENTLY PENDING SPECIAL PERMIT CASES; PROVIDING FOR SEVERABILITY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmembers Urdy, Goodman

The Mayor announced that the ordinance had been finally passed.

NORTH OAKS NEIGHBORHOOD PARK

Council had before it a resolution to consider acquisition of certain land for the North Oaks Neighborhood Park. C.I.P. No. 81/86-03: 4.602 acres out of the J. C. Harrelson Survey (Presbyterian Development Corp.)

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Mr. Joe Morahan, Director of Property Management, told Council this is part of Parks and Recreation CIP. Councilmember Deuser thought the site too small and asked if 8 acres isn't more reasonable. Mr. Ehrler, Director of Parks and Recreation, told him the area is deficient in park land and 5 to 10 acres would be preferred, but there is no land available. The proposed park will be designed basically as a neighborhood park. He said the 4 acres is now available and it would be expedient to purchase it now. The annexation of the acreage is imminent. Councilmember Deuser asked for this item to be postponed one week. He asked for a list of the status of parcels which are being acquired.

ITEM PULLED FROM AGENDA

A resolution to consider contracting with Tele-Techniques, Inc. to provide support services for the implementation and operation of the Austin Access Authority was pulled from the Agenda.

ZONING ROLLBACK PRIORITIES

Council had before it a resolution to consider zoning rollback priorities. Mr. Lillie stated, "At last Thursday's City Council Meeting, Councilmember Deuser requested we provide some guidelines for the City Council if we chose to amend the procedure by which the department processes zoning roll back applications. Historically, we have taken first come first served and we try and get at them as the work load permits. The zoning workload is high each month and we have requested the Planning Commission if the work load exceeds 25 cases, because of staff limitations, we are not able to process the zoning roll back. ...We have 11 neighborhood associations which have requested a roll back. We are proceeding on the Fairview Park application and it will be before the Planning Commission in July, so we really have 10. We've identified for each of the 10 development pressures identified in the number of zoning cases which have been submitted where the area has an inconsistent zoning pattern, that is, a residential use but is over zoned, whether it's an older area or a younger area, and its size. If there is going to be a prioritizing of that list, the inner city neighborhoods generally float to the top and the neighborhoods at the edge of town will move to a lesser priority." Mr. Lillie then referred to a chart and map which Council received showing priorities.

Councilmember Deuser stated that if a neighborhood followed the guidelines, they could move ahead and regardless of where their priority is, if they completed all steps, they would be next in line for consideration. Mr. Lillie agreed. Councilmember Deuser asked Mr. Lillie to contact neighborhood associations and ascertain where they would be in priority if they follow the guidelines themselves and then report back to Council next week.

Mayor Pro Tem Trevino said Guadalupe is presently third on the list. He reminded Council this is one neighborhood which has been working quite some time trying to develop a comprehensive plan which would be submitted to City Council very soon. "I think the previous City Council made a commitment to help that neighborhood to develop a plan for their neighborhood. We targeted \$600,000 for that neighborhood and I think this Council should not shift the rules. I respectfully ask the Council to maintain that priority."

LAKE AUSTIN WATERSHED

Council had before it the setting of a public hearing to amend Chapter 41, Section 41-11.1 of the Austin City Code Subdivision Ordinance relating to the boundary of the Lake Austin Watershed.

After some discussion, the following motion was made:

Motion

Councilmember Deuser moved that the Council set a public hearing on amending Chapter 41, Section 41-11.1 of the Austin City Code Subdivision Ordinance relating to the boundary of the Lake Austin Watershed for June 25, 1981 at 3:00 p.m. The motion, seconded by Councilmember Duncan, carried by the following vote:

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

The Council requested the staff to check and see if Chapter 29 is included.

RECESS

Council recessed its meeting at 11:55 a.m. and resumed its recessed meeting at 2:05 p.m.

AUSTIN SUNSHINE CAMP WEEK

Mayor McClellan read a proclamation setting aside the week of June 8, 1981 as Austin Sunshine Camp Week. It was received with thanks and appreciation by Dan Laney, President, Young Men's Business League; Steve Gallers, Vice-President, YMBL; and Jeff Heard, Vice-President, YMBL.

RECESS

Council recessed its meeting at 2:08 p.m. and resumed its recessed meeting at 2:15 p.m.

CITIZENS DID NOT APPEAR

The following citizens who had requested to appear before Council under Citizen's Communications did not appear:

Bryon Taylor to discuss equal rights for citizens.

David Bloch to discuss areas in Austin that are served by water but do not require pumping.

Randolph Fain Reece to request the renaming of a street.

Phillip Blackerby to discuss flooding as a function of overdevelopment and poor planning.

BARTON SPRINGS POOL

MR. DOROTHY RICHTER appeared before Council to discuss the aftermath of the flood at Barton Springs Pool. She said the dredging of Barton Springs should be included in next year's budget.

PORTABLE SIGN APPROVED

Mayor Pro Tem Trevino moved that the Council approve the request of MR. LEROY HAVERLAH, JR., Executive Director of the Capital Area Rehabilitation Center, for permission to place a portable sign advertising their garage sale, beginning June 8, 1981 for the June 13th sale. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember
Goodman

FLOOD CONTROL MEASURES

MR. ED CREW appeared before Council to discuss flood control measures. He said there was 6 feet of water in his house and his next door neighbor died. He asked for immediate temporary flood control of sandbags or earthen dike. He asked what the Mayor and Councilmembers will do to enact flood measures.

Mr. John German, Director of Public Works, told him the situation in the Jefferson area has been reviewed. He asked Council to purchase 16 houses and parcels of land on Jefferson. Appraisals will be made for individual houses. Mr. German said the sandbag proposal will be looked at but sandbags would keep water from getting into the creek.

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MR. VICTOR BAEZ appeared before Council to discuss flood control measures. He lives at 4005 Jefferson and thanked the City for post flood response to victims. However, he does not think the response time of the police and firemen during the crisis was fast enough. He spoke of the problems encountered by sightseers and looters and asked for a system of lifesaving support and flood warning. It is the contention of Mr. Baez that the flooding occurred because of run-off from development.

WILL HOWARD, 4100 Jefferson, said he had water to his hips in his house and to his arm pits in the back yard and his house is not in the flood plain. He wanted to know if the City can devise a system to notify people they do live in a flood plain. Mr. Tom Muehlenbeck, Deputy City Manager, told him that legal notices are published, but he will check into the notification of residents they are in the 100-year flood plain. Mr. German appeared before Council to discuss Mr. Howard's remarks. He said he will check maps regarding the flood plain. He questioned what the City's responsibility will be after residents are told they are in a flood plain.

Councilmember Deuser questioned prediction systems. Mr. Guymon Phillips, Assistant City Manager, said the disaster review committee has checked ways to alert the citizens. They do not feel that sirens are effective because 50% of the people would not hear the sirens. He said the whole area needs review.

WATER TAP MORATORIUM

MR. JOHN MEINRATH appeared before Council to discuss recent water tap moratorium in Southwest Service Area B. He represents the Bill Milburn Company. There was some discussion and Mr. Bulloch said there is a line and pumping problem; not a problem with water supply in the A and B water zones.

LIGHT RAIL DISCUSSED

MR. DAVE DOBBS appeared before Council to request them to hire a consultant to study corridor for light rail solution.

PUBLIC HEARING - CLARKSVILLE JAZZFEST

Mayor McClellan opened the public hearing scheduled for 3:00 p.m. on use of the West Austin Park on Sunday, June 21, 1981 from 2:00 p.m. to 10:00 p.m. for the 4th Annual Clarksville Jazzfest and permission to sell beer during event.

PHIL TOLER, representing the Jazzfest, appeared to say 275 people have signed the petition and think the festival is a good idea.

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Mr. Leonard Ehrler, Director of Parks and Recreation, told him there are three other sites available for the festival which would be more suitable. They are: Waterloo Park, Auditorium Shores, and Zilker Park. Mr. Ehrler said a festival of the size the Clarksville Jazzfest has become is not a good precedent for use of City parks.

MS. PAULINE BROWN, President, Clarksville Community Association, said they object to the use of the name "Clarksville" being used, as it is not in the Clarksville area. They are not trying to stop the festival but would like to have a food booth.

A man who did not identify himself, said he lives 150 feet from West Austin Park and has a lot of fun at the festivals. He called it a neighborhood get together.

A woman who did not identify herself said the park is too small for the festival.

Tony Switzer said the Jazzfest is advertised all over the City, so it is not just a neighborhood gathering.

Motion

Councilmember Duncan moved that the Council uphold the Parks Board decision and deny the permit, and directed staff to work with them concerning an alternate site. The motion, seconded by Councilmember Deuser, carried by the following vote:

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

ZONING HEARING POSTPONED

Councilmember Deuser moved that the Council postpone until June 11, 1981 at 7:00 p.m., the public hearing scheduled for 3:00 p.m. on the following zoning application, at the request of Mr. Friedman, representative for the applicant:

TEXACO, INC.
By Jeffrey M.
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.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Mullen

ZONING HEARINGS

Mayor McClellan announced the Council would hear the zoning cases scheduled for 3:30 p.m. Pursuant to published notice thereof, the following zoning cases were publicly heard:

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

3311-3435 Paisano Trail
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. SITRA said he was unable to meet with the neighborhood and ROY BUDROW, President, South Hampton Neighborhood Association, told Council he attempted to contact Mr. Sitra twice and found him unavailable. ERNEST LUNDELIUS appeared before the Council to object to the zoning change, as did Keith Byron, Mark McKarl. Mayor Pro Tem Trevino said the Planning Commission did not have a quorum. Council then had a discussion of Planning Commission procedures.

Motion

Councilmember Deuser moved that the Council uphold the recommendation of the Planning Commission, and DENY the zoning request. The motion was seconded by Councilmember Goodman.

Substitute Motion

Councilmember Mullen moved that the Council uphold the recommendation of the staff with 125 feet of buffer zoned "AA" Residence and the rest "A" Residence. The motion, seconded by Mayor Pro Tem Trevino, failed to carry by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmember Mullen

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

Roll Call on Original Motion

Roll call on the original motion, showed the following vote:

Ayes: Mayor McClellan, Councilmembers Deuser, Duncan, Goodman

Noes: Councilmembers Mullen, Urdy, Mayor Pro Tem Trevino

The Mayor announced that the zoning request had been DENIED.

Mayor McClellan asked for a report on the use of hearing examiners.

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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

Councilmember Goodman moved that the zoning change be DENIED. The motion, seconded by Councilmember Duncan, carried by the following vote:

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

Noes: None

The Mayor announced that the zoning change had been DENIED.

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 & setback; "BB" Residence
on Tract 3 west of collector, "B"
Residence on remainder, "DL" Light
Industrial on Tract 4 with 50 foot green-
belt along "BB". All subject to site plan
approval and no construction until
completion of Riverside Drive.

Motion

Councilmember Goodman moved that the Council zone Tract 4 "BB" Residence, instead of "DL" Light Industrial as recommended by the Planning Commission. The motion was seconded by Councilmember Mullen.

Substitute Motion - Died for Lack of Second

Councilmember Deuser moved that the Council grant "A-2" zoning for condominiums. There was no second to the motion.

Councilmember Goodman suggested that Tract 1, "O" Office, should be permanent "A" Residence.

Substitute Motion

Councilmember Duncan moved that the Council DENY the zoning request. The motion, seconded by Councilmember Deuser, carried by the following vote:

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

Noes: Councilmembers Goodman, Mullen, Mayor McClellan

The Mayor announced that the zoning had been DENIED.

REQUIREMENTS FOR ZONING CASES

Councilmember Deuser introduced an item to Council to reinstate the 3/4 vote requirement for City Council granting a zoning change over a negative recommendation by the Planning Commission.

Mayor McClellan agreed there should be a change but does not favor this. She said more authority should not be vested in an appointed body rather than elected body. Councilmember Mullen expressed the same view. Mayor Pro Tem Trevino pointed out if the Planning Commission was given more authority than the Council, this could carry over to all boards and commissions.

Motion - Failed

Councilmember Deuser moved that the Council refer to the Planning Commission the concept of 3/4 vote requirement for City Council granting a zoning change over negative recommendation by the Planning Commission for consideration and public hearings. The motion, seconded by Councilmember Goodman, failed to carry by the following vote:

Ayes: Councilmembers Goodman, Deuser, Duncan

Noes: Councilmembers Mullen, Urdy, Mayor McClellan, Mayor Pro
Tem Trevino

CDBG

Councilmember Goodman moved that the Council adopt a resolution to authorize contract extension and additional funding in the amount of \$33,000 from the CDBG (Community Development Block Grant) contingency fund for the Clarksville Community Development Corporation administered by the Austin Tenants Council, with additional funding to go back through the process. The motion, seconded by Councilmember Duncan, carried by the following vote:

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

Noes: None

Prior to the vote, Mr. Buck Apelt said the funding will be valid and could be taken from the 4th year contingency fund.

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CITY COUNCIL MEETINGS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE PROVIDING THAT CITY COUNCIL MEETINGS HELD ON THE SECOND THURSDAY OF EACH MONTH SHALL BEGIN AT 5:00 P.M.; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

Noes: Mayor McClellan, Mayor Pro Tem Trevino

The Mayor announced that the ordinance had been finally passed.

A work session will be set to discuss Council Meeting procedure.

EXECUTIVE SESSION

Mayor McClellan announced Council will convene in a closed or executive session authorized by Section 2, Paragraphs (a), (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 AND ADJOURNMENT

Council recessed its meeting at 5:30 p.m. for an executive session and adjourned its Council Meeting at 6:00 p.m.

APPROVED:

Constance McClellan
Mayor

ATTEST:

Grace Monroe
City Clerk