

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 2, 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

The Invocation was given by Father McCabe, St. Theresa's Catholic Church.

BOARDS AND COMMISSIONS

Mayor McClellan announced the following Board and Commission appointments are scheduled to be made on July 9, 1981:

Building Code Board of Appeals - 2
Electric Utility Commission - 5
Energy Conservation Commission - 5
Ethics Review Commission - 1
Hospital Board - 4
Environmental Board - 9
Plumbing Advisory Board - 4
Renewable Energy Resources Commission - 3
Employee's Retirement System - 2
Solicitation Board - 3
Citizen's Traffic Safety Commission - 1
Construction Advisory Commission - 1
Building Standards Commission - 1

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On-Going Goals Assembly Committee - 1 and 6 alternates
Historic Landmark Commission - 2
Manpower Advisory Planning Council - 2
Parks and Recreation Board - 1
Vending Commission - 2
Austin Community Education Consortium - 1
Dental Health Advisory Committee - 1
Elisabet Ney Museum Board of Directors - 1
Private Industry Council - 1
Commission on the Status of Women - 3
Planning Commission - 1
Downtown Revitalization Committee - 4
Community Development Commission - 1

Mayor McClellan announced there are no new appointments scheduled to be made in August.

NORTH OAKS NEIGHBORHOOD PARK

Councilmember Mullen moved that the Council adopt a resolution acquiring 4.602 acres out of the J. C. Harrelson Survey (Presbyterian Development Corporation) for the North Oaks Neighborhood Park. CAPITAL IMPROVEMENTS PROGRAM. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

EASEMENT RELEASE

Councilmember Mullen moved that the Council authorize release of the following easement:

2.5 feet of a 10.0 foot public utility easement located on Lot 4, Block D, The Courtyard Subdivision, Phase I, 5806 Karankawa Cove. (Requested by Brunovsky and Associates, Inc., representing Mr. Phil Bisailon.)

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

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

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CONTRACTS APPROVED

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

MIRANDA CONSTRUCTION COMPANY
4703-B Sagebrush Trail
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
1978-79 Safe School Sidewalks
Ohlen Road - \$14,940.00 C.I.P.
No. 78/61-02

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

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

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

THE OFFICE COMPANY
312 Congress Avenue
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Modular Furniture System, Central
Library
Items 1, 2, 5, and 12 - \$5,686.05
C.I.P. No. 73/85-07

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

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

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

M. G. BRAVO, INC.
P. O. Box 49067
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Northeast Fire Station No. 26 -
\$370,600.00 C.I.P. No. 76/83-02

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

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

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

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GENERAL ELECTRIC SUPPLY COMPANY
7521 North Lamar Boulevard
Austin, Texas

- Relays for Generator Synchronizing
for Decker #1 and Holly #1, #2 and
#3 Power Plants, Electric Utility
Department
Items 1 and 3 - \$8,196.00

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

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

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

Bid Award:

- Coarse Paper Products, Central
Stores Division
Six (6) Month Supply Agreement
Items 1-3, 5-23 and 25 awarded by
line item to appropriate supplier
based on first, second and third
low bidder. Estimated total
\$60,722.00

BANCROFT PAPER COMPANY
2291 East 6th Street
Austin, Texas

CENTURY PAPERS, INC.
3203 Aniol Street
San Antonio, Texas

FLEMING FOOD SERVICE, INC.
220 East St. Elmo Road
Austin, Texas

GRAHAM PAPER COMPANY
210 West Peden Street
Austin, Texas

LAWRENCE PAPER COMPANY
4812 North I.H. 35
Austin, Texas

LONE STAR PAPER COMPANY
200-210 East St. Elmo Road
Austin, Texas

MONARCH PAPER COMPANY
3911 East Woodward
Austin, Texas

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

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

WATER AND WASTEWATER APPROACH MAINS

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

J. D. ABRAMS, INC.

- To construct a 6-inch water approach main to serve J. D. Abrams Addition. Estimated cost will be \$29,595.00. No City cost participation.

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

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

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

BILL MILBURN, INC.

- To construct the Upper Big Walnut 30 and 36-inch diameter wastewater approach main to serve three subbasins of Big Walnut Creek. Total cost is estimated at \$514,520.00. City's estimated cost \$226,549.00.

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

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

TEMPORARY STREET CLOSING

Councilmember Mullen moved that the Council adopt a resolution temporarily closing Rain Creek Parkway from 5805-5905, 24 hours daily from July 10 through July 19, 1981, as requested by Mr. Terry Edgar, representing the Austin Association of Builders. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

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FIFTH YEAR CDBG 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 extending the contract period to September 1, 1981. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

COMMUNITY SERVICES ADMINISTRATION

Councilmember Mullen moved that the Council adopt a resolution authorizing submission of a two-year funding application to the Community Services Administration (CSA) for \$1,224,000 (\$864,000 federal and \$360,000 local match) to continue the Austin-Travis County Community Action Program. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

RESTRICTIVE COVENANT

Councilmember Mullen moved that the Council adopt a resolution authorizing execution of a restrictive covenant in connection with zoning case No. C14-80-202. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

ZONING CASE WITHDRAWN

Councilmember Mullen moved that the Council approve a request from Mr. Ray F. Chester to withdraw zoning case No. C14-80-237, Brentwood Church of Christ. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

PUBLIC HEARING SET

Councilmember Mullen moved that the Council set a public hearing on the Austin Southwest Quadrant Transportation Study for July 23, 1981 at 5:00 p.m. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

FAMILY PLANNING SERVICES

Councilmember Mullen moved that the Council adopt a resolution extending the City's contract with the Texas Department of Human Resources (TDHR) until October 31, 1981 to provide family planning services to eligible recipients under Title II. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

ITEM PULLED FROM AGENDA

Council pulled off the agenda an item approving and ratifying the Judgement in Cause No. 318138 (Mount Bonnell Shores Development Company v. City of Austin) because there is no longer a judgement to ratify.

CITY ATTORNEY TO ACT AS PARLIAMENTARIAN

Councilmember Mullen moved that the Council adopt a resolution designating the City Attorney to serve as the Parliamentarian at City Council meetings. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

ROBERT'S RULES OF ORDER

Councilmember Mullen moved that the Council adopt a resolution approving the use of Robert's Rules of Order, Newly Revised, 1981 Edition, copyrighted by Henry M. Robert III, published by Scott Foresman and Company, to govern the conduct of all City Council meetings. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

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BOND ELECTION

Councilmember Mullen moved that the Council establish a timetable for a bond election on August 29, 1981, with bond package to be discussed on July 23, 1981, and election be called. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

CAPITAL CABLE

Councilmember Mullen moved that the Council adopt a resolution approving a statement to Capital Cable (Time, Inc.) for payment of expenses incurred during the franchise process (\$143,726.95). The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

ITEM POSTPONED

Councilmember Mullen moved that a resolution approving a contract for a medical director for the Austin Police Department, Jail Division, be considered on July 9, 1981. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

PUBLIC HEARINGS SET

Councilmember Mullen moved that the Council set a public hearing for July 9, 1981 at 4:00 p.m. to consider an amendment to restrictive covenant for Zoning Case C14-80-153, Edward Joseph, Trustee, 1200 East Anderson Lane. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

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Councilmember Mullen moved that the Council reschedule the public hearing to amend the Fair Housing Ordinance from 6:00 p.m., July 23, 1981 to August 6, 1981 at 6:00 p.m. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

Councilmember Mullen moved that the Council set a public hearing for the purpose of determining Capital Improvements Program Projects to be included in a bond election to be held on August 29, 1981 for July 9, 1981 at 4:15 p.m. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

COUNCIL MEETING TIMES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE OF THE CITY OF AUSTIN; ESTABLISHING MEETING TIMES AND DATES FOR REGULAR WEEKLY CITY COUNCIL MEETINGS; REPEALING ALL OTHER ORDINANCES IN CONFLICT HERewith; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

City Council meeting times and dates as follows:

Thursday meetings - 3:00 p.m. - Effective July 9, 1981

Wednesday meeting - 3:00 p.m. on 1st, 2nd and 4th Wednesdays
2:00 p.m. on 3rd Wednesday Effective August

BOUNDARIES OF LAKE AUSTIN WATERSHED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 41 (SUBDIVISION) OF THE AUSTIN CITY CODE OF 1967; AMENDING SECTION 41-11.1 THEREOF; DEFINING THE TERM "LAKE AUSTIN WATERSHED" FOR THE PURPOSES OF THIS CHAPTER; AMENDING SUBSECTION 41-13(n) AND SECTION 41-35.3 THEREOF SO AS TO MAKE SUCH PROVISIONS CONFORM TO SUCH DEFINITION; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; DECLARING AN EMERGENCY 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 Mayor McClellan, carried by the following vote:

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

Noes: Councilmembers Deuser, Duncan

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 29 (RIVERS, LAKES AND WATERCOURSES) OF THE AUSTIN CITY CODE OF 1967; AMENDING SECTION 29-1 THEREOF; DEFINING THE TERM "LAKE AUSTIN WATERSHED" FOR THE PURPOSES OF THIS CHAPTER; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; DECLARING AN EMERGENCY 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 Mayor McClellan, carried by the following vote:

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

Noes: Councilmembers Deuser, Duncan

The Mayor announced that the ordinance had been finally passed.

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EMPLOYEES' RETIREMENT ORDINANCES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING A SEPARATE RETIREMENT AND PENSIONING SYSTEM FOR CERTAIN EMPLOYEES OF THE CITY OF AUSTIN PURSUANT TO AUTHORITY GRANTED THE CITY COUNCIL UNDER SECTION 4 OF ARTICLE IX OF THE CHARTER OF THE CITY OF AUSTIN; CREATING A RETIREMENT BOARD TO ADMINISTER AND OPERATE THE RETIREMENT AND PENSIONING SYSTEM AND DEFINING ITS POWERS, DUTIES AND FUNCTIONS; PROVIDING A METHOD OF FINANCING THE SYSTEM; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HERewith; PROVIDING A SEVERABILITY AND A SAVINGS CLAUSE AND DECLARING AN EMERGENCY," PASSED BY THE CITY COUNCIL ON OCTOBER 10, 1940, AND AS AMENDED FROM TIME TO TIME THEREAFTER, BY CHANGING THOSE PARTS OF AFORESAID ORDINANCE TO EFFECTUATE THE FOLLOWING; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Disability provisions)

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

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING A SEPARATE RETIREMENT AND PENSIONING SYSTEM FOR CERTAIN EMPLOYEES OF THE CITY OF AUSTIN PURSUANT TO AUTHORITY GRANTED THE CITY COUNCIL UNDER SECTION 4 OF ARTICLE IX OF THE CHARTER OF THE CITY OF AUSTIN; CREATING A RETIREMENT BOARD TO ADMINISTER AND OPERATE THE RETIREMENT AND PENSIONING SYSTEM AND DEFINING ITS POWERS, DUTIES AND FUNCTIONS; PROVIDING A METHOD OF FINANCING THE SYSTEM; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HERewith; PROVIDING A SEVERABILITY AND A SAVINGS CLAUSE AND DECLARING AN EMERGENCY," PASSED BY THE CITY COUNCIL ON OCTOBER 10, 1940, AND AS AMENDED FROM TIME TO TIME THEREAFTER, BY CHANGING THOSE PARTS OF AFORESAID ORDINANCE TO EFFECTUATE THE FOLLOWING; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Actuarial valuations)

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

The Mayor announced that the ordinance had been finally passed.

ITEM PULLED FROM AGENDA

Consideration of amending the Plumbing Code to permit installation of Saunier Duval tankless water heaters was pulled from the Agenda by the Council.

DUCT HEATERS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 39 OF THE CODE OF THE CITY OF AUSTIN OF 1967; ADDING SECTION 39-712 PERTAINING TO THE INSTALLATION OF DUCT HEATERS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE (3) 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 Mayor McClellan, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
A 6.840 ACRE TRACT OF LAND, LOCALLY KNOWN AS 5708-6000 BLOCKS OF BALCONES DRIVE (BETWEEN BALCONES DRIVE AND MOPAC, NORTH ON NORTHLAND DRIVE), FROM INTERIM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (City of Austin, C14-80-202)

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

The Mayor announced that the ordinance had been finally passed.

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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:

AN APPROXIMATE ONE ACRE TRACT OF LAND, LOCALLY KNOWN AS 6012-6106 SOUTH FIRST STREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (The Wesleyan Church, C14-79-012)

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

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

LOTS ONE AND THREE MATTHEWS PLACE, LOCALLY KNOWN AS 6711-6713 MANCHACA ROAD, FROM INTERIM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (South Austin Church of the Nazarene, C14-80-036)

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

NORTHEAST FIRE STATION NO. 26

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE CAPITAL IMPROVEMENTS PROGRAM BUDGET FOR THE FISCAL YEAR 1980-85 BY APPROPRIATING \$30,000 FROM THE UNAPPROPRIATED FIRE DEPARTMENT CAPITAL IMPROVEMENT PROGRAM FUND TO FUND THE CONSTRUCTION OF THE NORTHEAST FIRE STATION NO. 26, CAPITAL IMPROVEMENT PROGRAM NO. 76-83-02; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

The Mayor announced that the ordinance had been finally passed.

AUSTIN'S SOUTHWEST QUADRANT TRANSPORTATION STUDY

Dr. Jim Benson, Director, Urban Transportation Department, presented the City Manager Report on the Status of Austin Southwest Quadrant Transportation Study. Consultants with the firm of PRC Voorhees have presented the study to the applicable City Boards and Commissions. Public hearings have been held by the Urban Transportation Commission, Planning Commission, Parks and Recreation Board, Environmental Management Board, Citizens' Traffic Safety Commission and the Urban Transportation Commission to receive citizen input on the study. A copy of Dr. Benson's memo concerning findings as the result of the public hearings is on file in the City Clerk's Office.

WATER AND WASTEWATER SERVICES

Mr. Bill Bulloch, Director, Water and Wastewater Services, presented a report on Water and Wastewater Services. "Right now we have service available in three or four major areas. In the northwest there is water and wastewater service available along the 183 corridor, particularly in the Bull Creek watershed, Lateral A. Along the Jollyville Reservoir there is water and wastewater service available to the Municipal Utility Districts that were created. Northwest MUD 1 and Springswoods MUD, which will be building wastewater facilities probably in the next year or two to provide wastewater service up in that area.

"The Council has not reviewed the final northwest study which speaks to actual service areas for the wastewater capacity specific water issues and that will probably be coming back to Council in the month of July as we wrap up our work with the Planning Commission subcommittee that has been reviewing that issue. That will be something that Council will review before any subdivision activity past McNeil Road, Spicewood Springs Road up off 183 will proceed, and we will be bringing that to you for your consideration. Because of the timing issues

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as far as the construction of the Big Walnut Creek Wastewater Line additional service, there is no water or wastewater capacity available in the Big Walnut and Little Walnut drainage basins in northwest pressure Zone A. There is some water and wastewater service available to the east of Lamar and the Little Walnut Creek drainage basin that is in the north pressure zone. In the Shoal Creek and Walnut Creek drainage basin we are waiting for possible improvements through the bond program in the Upper Walnut Creek and Upper Shoal Creek relief mains to enable us to proceed with additional wastewater service.

"We are not responding to subdivisions as far as wastewater until we get some direction from the voters on those specific projects. In the south portion of the community we have service available in the Boggy Creek watershed where the wastewater line is totally in the growth corridor and in the Williamson Creek watershed between Brodie Lane easterly to the Williamson Creek ponds east of IH 35 there is some wastewater service still available in the south branch of Williamson Creek between Brodie Lane and Western Oaks. Other than that there really are no additional services available by the utility at this time for either redevelopment or new development. There have been a lot of people in the private sector who have been asking us about service, and we had gotten to the point where we felt it was necessary to bring something on a comprehensive basis to get a lot of the rumors and misconceptions out on the table for everyone to have the same information. We will be taking this to the Planning Commission at their next meeting, and will be happy to pursue any detail with the Councilmembers or their aides in the future."

A discussion by members of the Council and Mr. Bulloch followed.

SHUTTLE SYSTEM FOR CITY EMPLOYEES

Mr. Bruce Conover, Urban Transportation Department, reported on the Proposed Shuttle System for City Employees. He said the service will be run in the downtown area and will begin July 6, 1981 for a three-month trial basis. He said electric vehicles will be used from 8:30 a.m. to 4:30 p.m. and busses will be used during the peak morning and afternoon hours.

Councilmember Goodman and Mayor Pro Tem Trevino expressed their approval. Mr. Trevino has some concern with parking at the auditorium during the times when the auditorium is used for activities which take a lot of parking places. He was told this will be worked out. Council informally approved. Tom Muehlenbeck, Deputy City Manager, stated they would make monthly reports to the Council.

RENT CAR PROPOSAL FOR MUNICIPAL AIRPORT

Mr. Roy Bayless, Director of the Airport, presented the Rent Car Proposal for Municipal Airport as follows:

"On May 27, 1981, the Department of Aviation together with Purchases and Stores and the legal staff held a pre-bid meeting with potential rent car concession bidders at the Municipal Airport at which time we reviewed the bid documents page by page. The City staff agreed to several minor changes suggested by the potential bidders (for example, space to be provided and prorated fees mentioned later in this report).

"The bid format proposed is essentially unchanged from our previous five-year agreement with four concessionaires except that it provides for the establishment of a fifth operator just as soon as the appropriate improvements are constructed in the terminal. Some of the pertinent points of the document are as follows:

Contract period is for five years.

Fifth concessionaire will occupy additional premises to be constructed in the same area and manner in which the existing concessionaires to be relocated by the terminal improvements.

All concessionaires will bid on a five-year basis. The successful fifth operator will not have the premises on which to conduct business until completion of the terminal improvements and will, therefore, have all fees prorated accordingly.

The estimated cost of the construction change order to accommodate the fifth operator is \$22,500.

Bids are based on a percentage of gross revenue with a minimum annual guarantee. The lowest acceptable minimum guarantee has been established at \$50,000 per annum. We should point out that there was some early concern voiced to the City Council by prospective bidders regarding the appropriateness of setting such a minimum. This item is in the proposed bid document and none of the potential bidders objected to this amount at the pre-bid conference.

Airport revenue from rent car concessionaires has gone from approximately \$180,000 in FY 1975/76 to \$571,000 in FY 1979/80. Inflation and passenger traffic increases should produce approximately \$4 million in revenues over the next five years."

Motion

Councilmember Goodman moved that the Council approve the RFP (Request For Proposal) for additional rent car space for Municipal Airport. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

Mayor Pro Tem Trevino asked for a report on what happens during the time he is on Council.

MUNICIPAL JAIL NURSE

Chief of Police Frank Dyson presented a report on Municipal Jail Nurse. "Council approved this program last year, and we have encountered a number of problems in getting the program implemented. Our last problem is providing a medical director for the program. We finally worked that out with Dr. Bluett and have a contract developed which is agreeable to all parties. With Council approval of the contract today, we can commence implementing."

Councilmember Mullen expressed concern with the delay and asked when the problem of the medical director arose. Chief Dyson said very late. Hospital authorities informed him that one is needed. Bill Howze, Associate Administrator of Brackenridge Hospital, told Council a separate contract had to be negotiated with Dr. Bluett. Nurses must work under the supervision of a doctor. Discussion followed and because of the many questions, Mr. Muehlenbeck, Deputy City Manager, said they will prepare more information for Council next week.

PUBLIC HEARING - APPEAL OF SPECIAL PERMIT

Mayor McClellan opened the public hearing scheduled for 9:45 a.m. on an appeal from Mr. R. H. Pitts, Pleak Oil Company, of the Planning Commission's decision to deny a Special Permit for the sale of beer and wine in an "O" Office District (2803 San Jacinto, C14p-81-021)

Mr. Lillie, Director of Planning, reviewed the appeal.

The applicant did not appear.

STEVE McNALLY, who lives in the neighborhood, said the site is all right for food and/or gasoline, but no more.

Motion

Councilmember Deuser moved that the Council close the public hearing and deny the appeal from Mr. R. H. Pitts, Pleak Oil Company, of the Planning Commission's decision to deny a special permit for the sale of beer and wine in an "O" Office District (2803 San Jacinto) C14p-81-021, with finding of fact 1 and 4. The motion, seconded by Mayor McClellan, carried by the following vote:

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

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ZONING HEARING - DENIED

Mayor McClellan announced Council would hear the zoning case scheduled for 10:00 a.m. Pursuant to published notice thereof, the following zoning case was publicly heard.

ROGERS D. WILSON
C14-80-173

7404 Geneva Drive

(Valid petition on file)

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

Prior to the vote, Mr. Lillie reviewed the application.

No one appeared to be heard.

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

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

The Mayor announced that the zoning change had been DENIED.

PUBLIC HEARING - CONGRESS AVENUE PLAN

Mayor McClellan opened the public hearing scheduled for 10:00 a.m., to continue the hearing to consider Congress Avenue Plan as proposed by the Congress Avenue Task Force.

ROBERT BARNSTONE, Chairman, Congress Avenue Task Force, told Council the plan is a result of a task force which represents a broad selection of the community. The advantages to Congress Avenue is that the plan will beautify by adding trees and peninsulas.

Councilmember Deuser questioned parallel parking. There was much discussion on this point, and other members of the Council pointed out to him that the referendum petition submitted by the citizens last November clearly stated 45 degree angle parking is to remain on Congress Avenue.

Mayor McClellan wants all of the merchants and owners of property informed concerning any public hearings re Congress Avenue. Councilmember Goodman said that additional funding needs to be worked out as there is a shortage of \$1,000,000 for the project. Mr. Barnstone said he thinks there should be a design consultant.

STEVE DOMINICK, Chairman, American Society of Landscape Architects, appeared before Council to request the program be under the direction of a landscape architect.

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CHARLES NEWTON, Executive Director, American Society of Architects, said trees should be located to the corners with a bus stop under the trees with spacing equal on both sides of the street. He said there could be problems with islands. He discussed parking.

Mayor McClellan is of the opinion that the amount of parking is most important. She asked for a report on the inclusion of mobility impaired in the plan and parallel versus head-in parking.

Councilmember Mullen expressed the thought that Council should not require staff to use so much time to cover Council's indecision on issues.

ROBB SOUTHERLAND appeared before Council to say the angular parking opinion on the petition is just as important as the number of lanes remaining at six, and they still want angle parking as stated in the petition or they would be back.

RUBY GOODWIN said Congress Avenue, if beautified, will bring more people into the city.

Mayor McClellan said the public hearing should be continued at a later date.

Councilmember Deuser stated for the record that Council should be open-minded about another plan being presented.

Motion

Councilmember Goodman moved that the Council continue the public hearing on the Congress Avenue Plan on August 6, 1981, at 4:00 p.m., with staff present, as well as the Parks Board and architect. 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

Later in the day there was a motion to reconsider.

Motion to Reconsider

Councilmember Mullen moved that the Council reconsider the above motion. The motion was seconded by Councilmember Goodman, and the Council unanimously approved.

Motion

Councilmember Mullen moved that the Council set a public hearing for July 23, 1981, at 4:30 p.m. The motion, seconded by Councilmember Urdy, carried by the following vote:

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

PUBLIC HEARING - STREET VACATIONS

Mayor McClellan opened the public hearing scheduled for 10:30 a.m. to consider vacating the following and passage of ordinance:

1. 80 feet of East Avenue right-of-way from the Clermont Street Alley to the south end.
2. Flores Street from San Marcos Street to East Avenue.
3. Clermont Street from San Marcos to East Avenue.
4. Clermont Street Alley (900 block)

(All requested by Metcalfe Engineering, representing adjoining property owners.)

Mr. John German appeared before Council to state the street vacations as proposed are in order. The City will receive \$250,000 for this right-of-way.

MR. BERT PENCE, owner of surrounding property in the immediate area, said the question is whether these streets are needed by the public. None of the streets are paved and the alley is not even there. The property is not part of the Rainey Street area. It is on the highway, next to the Holiday Inn. He said there had been many meetings with the neighborhood to determine what would be best in the area. He proposes to build a condominium. The alternative would be a hotel or office building which would generate considerable traffic.

MARCUS DELEON appeared in opposition to the closing of the streets. He represented the Council of East Austin Neighborhoods. He said it would not help the tax situation on Rainey Street. It would make the tax base too high. He also said citizens of the area would no longer be able to use the property, as it would have armed guards. Councilmember Duncan said he does not see this as part of the master plan.

Mayor Pro Tem Trevino discussed the Rainey Street neighborhood master plan, which calls for some commercial activity on this site. He said the neighborhood probably would like to see nothing built there, but the Council would be arbitrary and capricious if they said Mr. Pence could build nothing there. Mr. Trevino said he did not know of anyone who wants to live on an expressway. However, he said, the issue at hand today is whether or not to vacate the streets and alley.

PETE MARTINEZ, President, Rainey Street Organization, presented a petition to Council opposing the closing of the streets. He said they are against the condominiums and against a hotel. He said if the streets are closed something can be built there. The neighborhood wants a grocery store and a laundromat.

GILBERT HERRERA, a friend of the neighborhood, spoke against condominiums and a fence and guard as not being compatible.

JOHN HENNEBERGER spoke against the vacation and proposed project.

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Discussion followed concerning notification of the neighborhood concerning the street vacation. Mr. German said everyone within 300 feet were notified. There were signs put up by the Urban Transportation Commission notifying the public of this hearing.

PAUL HERNANDEZ said there were two meetings with Mr. Pence and they were not aware of the vacation. Mayor Pro Tem Trevino asked how many meetings had been held, and Mr. Pence enumerated the five meetings and who attended. He said the vacation of the streets was discussed at the meeting, and a site plan was shown which showed vacation of the streets. Mr. Hernandez said safeguards are needed for Rainey Street regarding taxes, rents, etc. He said there should be compatible development in the area.

MR. ARRIGAS, Texas Housing Development Corporation, said one of the biggest fears of Rainey is that redevelopment will increase taxes. They want low cost loans for development of the area.

JESUS REYES appeared before Council and talked about policemen.

ART MILLICUM, Texas Housing Development Corporation, discussed changing the mandate.

PAT WEAVER, architect for Mr. Pence, said he kept traffic out of the area, so it will enter and leave on IH 35. He said street vacations are needed, otherwise traffic will go through the Rainey area.

CAMPBELL MCGINNIS, former owner of the land (his family), showed maps of the area and explained the streets.

SAM HERNANDEZ appeared before Council to say the neighborhood is opposed to the plan.

MILDRED MILLER, who owns property in the area at 55 and 59 Rainey Street, said she has worked to upgrade the neighborhood. She said the proposed condominium project would be one which the City will be proud of.

LYDIA MARTINEZ said the condominium would be a 13-story fortress with a gate around it to keep people out.

Councilmember Mullen stated condominiums with gates around them are all over town for reasons of security. Councilmember Goodman cited the Cornerstone Development Project which are condominiums in west Austin to be built. Mayor McClellan pointed out she lives next door to an expensive club which is fenced and her children cannot use the grounds.

JESSE JOHNSON said expensive condominiums should not be in a poor neighborhood.

Mr. Pence returned to say the taxes are based on fair market value of property. He asked the audience members concerned with the development if they would prefer a hotel in the area. He said the condominiums would be compatible with the revitalization of the area. He said a hotel builder has offered him more than he has paid for the property. Mr. Pence feels he has demonstrated good faith with the neighborhood in letting them know what he is going to build.

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Motion

Mayor Pro Tem Trevino moved that the Council close the public hearing and grant vacation of streets. The motion was seconded by Councilmember Mullen.

Mayor Pro Tem Trevino said he has concern with the Rainey area and sees a potential for something worse happening, such as a hotel. He said no one would want to buy houses there. Councilmember Goodman feels the proposed project would be a good one for the area. Councilmember Duncan said there will be no displacement of residents and the Rainey area will be saved as well as have a minimum of traffic. Councilmember Deuser asked Mr. Pence to continue meeting with the neighborhood. Councilmember Mullen told Mr. Pence not to bend over too far for the neighborhood. Councilmember Urdy said he agrees this is the best use of the land. He said there is buffering of fences all over the city. He feels Mr. Pence should continue working with the neighborhood, and the neighborhood should work with the developer.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THOSE CERTAIN PORTIONS OF EAST AVENUE, FLORES STREET, CLERMONT AVENUE AND CLERMONT AVENUE ALLEY IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING EASEMENTS IN THE CITY FOR PUBLIC UTILITY PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Pro Tem Trevino 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 Mullen, 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 ordinance had been finally passed.

PUBLIC HEARING - QUORUM VOTE SOVEREIGN BOARDS
AND COMMISSIONS

Mayor McClellan opened the public hearing scheduled for 11:00 a.m. on the requirement of a quorum vote for action by any sovereign board or commission.

No one appeared to be heard. Mr. Albert DeLaRosa explained the quorum vote.

Mayor McClellan introduced the following ordinance:

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AN ORDINANCE OF THE CITY OF AUSTIN; PROVIDING THAT NO ACTION OF ANY SOVEREIGN BOARD OR COMMISSION OF THE CITY OF AUSTIN SHALL BE OF ANY FORCE OR EFFECT UNLESS IT IS ADOPTED BY AN AFFIRMATIVE VOTE OF ITS MEMBERS EQUAL AT LEAST TO THE NUMBER OF MEMBERS NECESSARY TO PROVIDE A QUORUM OF ITS MEMBERSHIP; LISTING SOVEREIGN BOARDS AND COMMISSIONS; 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, exempting MH/MR Board and Airport Zoning Board. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

RECESS

Council recessed its meeting at 1:40 p.m. and resumed its recessed meeting at 2:45 p.m.

SWIMMING FACILITIES

MR. HOWARD K. SHACKELFORD, Chairman, Parks Committee, North Oaks Neighborhood Association, appeared before Council to discuss the feasibility of swimming facilities in the Balcones Oak Forest Park. He said they would handle the park maintenance and there would be a fee charged for the pool, which would help with the pool maintenance cost. He said Council must find a practical way to put pools in neighborhoods.

MR. THOMAS W. CUMMINS appeared before Council to discuss funding for a swimming pool in conjunction with the Balcones Oaks Neighborhood Park.

Mr. Leonard Ehrler, Director of Parks and Recreation, stated the City does not yet own park land and will talk to people about a pool, but nothing can be done until the land is purchased. He said it is on high priority to purchase the land as soon as possible.

Councilmember Deuser asked if there is any pending zoning next to the park that will require the City to acquire the land at a certain price. Mr. Joe Morahan, Director of Property Management, said the builder stated he would lose some apartments and asked about building duplexes on the land. Mr. Morahan said the property owner will resubmit his request. Mr. Ehrler is to meet with the neighborhood.

W.C.I.D. NO. 20

MR. GARY BRADLEY appeared before Council to request consent of the City of Austin to the creation of Travis County Water Control and Improvement District No. 20 to serve Rob Roy Phase III. He showed a map of the area and said the justification for the creation of the district is service to the area. He said they are asking for bonding authority for water, not sewer.

MR. ED WENDLER appeared before Council to speak on the same subject.

Councilmember Goodman moved that the Council adopt a resolution relating to the creation of Travis County Water Control and Improvement District No. 20. 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

Councilmember Goodman asked for the ordinance to come back in 30 days, "and in the consent resolution we very clearly spell out that any sewer facilities are disallowed in terms of bonding authority. In conjunction with the motion, I would like to add the following: that the staff be directed to return to us at that time, or as soon as possible, with a pretty simple model to follow for a W.C.I.D. policy. It took the previous Council a number of months to pass a Municipal Utility District (MUD) policy. There are many more implications to dealing with a municipal utility than there are in a W.C.I.D. The policy should specifically spell out that the City of Austin will ask that in consent agreements for W.C.I.D.'s that we prohibit bonding for sewer facilities, that we limit bonding authority for drainage facilities to major drainage facilities and not internal drainage system. That we require developers in the City of Austin to do it with their own money and not with bond money and that we develop a formula for defining internal lines in not allowing the bonding of internal lines within a W.C.I.D. The reason we need a formula is what we consider internal lines in the City of Austin, transmission mains and so forth, sometimes is an internal line in the City of Austin and a transmission main in a small water district. ...I think it would be important for us to not approve any other W.D.I.D.'s that do not comply with that criteria."

HOUSING REHABILITATION

MR. JOE MOSQUEDA appeared before Council to read a prepared statement requesting Council to vote for a citizen's oversight committee on housing rehabilitation. Copy of the statement is on file in the City Clerk's office.

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M.A.P.

MS. BEVERLY POND and MS. HARRIET MONSELL both appeared before Council to discuss recommendation on the City's Medical Assistance Program (M.A.P.) Pharmacy Services. They both contended people should be allowed to choose their own pharmacy.

Dr. Randall, Director, City/County Health Services, said there will be a meeting on July 13, 1981 to discuss the recommendation.

ACL POSITION ON GROWTH

MR. ROYAL MASSET appeared before Council to discuss the ACL position on growth. He said Austin will grow rapidly, and the growth can be planned with a realistic master plan if the Council accepts the reality of growth. He said Council's attempt to control growth can only happen if it is realistic. Mr. Masset stated Proposal 7 is throwing away a way to control growth, and that the present master plan for Austin with its north-south corridor is out of date.

PARADE PERMITS

Mayor Pro Tem Trevino moved that the Council approve the following Parade Permit requests:

Request for a Parade Permit from UT Frank Erwin Center, from 12:00 Noon to 1:00 p.m., Friday, July 17, 1981, beginning from East 5th Street and San Marcos (rail site) to East 6th Street, west on 6th to Congress Avenue, north on Congress Avenue to 11th Street, east on 11th Street to Red River, north on Red River to the Frank Erwin Center.

Request for a Parade Permit from Mr. Samuel A. Griswold for Delwood II Neighborhood Association from 9:00 a.m. to 10:30 a.m., Saturday, July 4, 1981, beginning from Elwood to Fernwood, to Parkwood, to Fairwood, to Rowood, to Bentwood, to Norwood to Elwood.

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

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PUBLIC HEARING - SANITARY LANDFILL

Mayor McClellan opened the public hearing, scheduled for 11:30 a.m. on the continued hearing to establish a sanitary landfill fee of one dollar (\$1.00) per tire for the disposal of more than three (3) used tires at any one time.

Jesus Garza, Public Works Department, showed slides of the volume of tires deposition with the City of Austin. There have been 28,832 since May 18, and 10,000 in the past week. He said Longhorn is in the process of purchasing a shredding machine. He then gave the comparison of the proposed fee with those charged by other cities.

BAILEY GRIFFITH, from Perry Rose Tire Company, said he sympathizes and gave figures of cost comparison with the 15 markets where they do business.

JOHNNY CRANE of Crane Tire Company and Tejas Tire Company Retreading, said his company takes 1500 tires a day to the dump. He said the \$1.00 fee would make it prohibitive for him. Mr. Crane told Council there will be a seminar on tire disposal soon and that there is a machine which cuts tires in two which costs \$6,000.00. This alleviates the problem of buried tires rising to the surface when they fill with water.

ERNEST WAGNER, Rhoades Transfer, told Council that tire disposal is a national problem. A lot of research has been done, and more information should be obtained.

JOHN FRANKLIN, Walker Tire Company, said they cannot afford to pay the City \$1.00 a tire for the tires which they dispose of.

Councilmember Urdy said recycling tires should be tried. He does not think charging for disposal will solve the problem.

A man who did not identify himself said he buys and sells used tires. He cannot afford to pay a higher price.

Motion

Councilmember Goodman moved that the Council close the public hearing on establishing a sanitary landfill fee of one dollar per tire for the disposal of more than three (3) used tires at any one time. The motion, seconded by Mayor McClellan, carried by the following vote:

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

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PARKING SPACES

Councilmember Goodman moved that the Council approve a contract between Brackenridge Hospital and the University of Texas at Austin for the use of 150 parking spaces at the Erwin Special Events Center at a cost of \$20,000 per year. 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

Prior to the motion and vote, Mayor McClellan asked why the fees are being changed now when it is not budget time. Mr. Spurck, Director, Brackenridge Hospital, told her that the Hospital Board had reviewed this two months and recommended the raising of fees.

Council had before it an ordinance to consider increasing the parking fee for Brackenridge Hospital employees from \$3.00 to \$8.00 per month. No action was taken by Council. The Mayor said she wants to see an overall study done on the parking situation for City employees. Mr. Peter Fears, AFSCME, told Council no other City employees pay to park.

EXECUTIVE SEARCH**Motion**

Councilmember Mullen moved that the Council select the executive search firm of PARA, Inc. and approve a contract to provide City Manager Executive Search services. The motion was seconded by Mayor Pro Tem Trevino.

Substitute Motion

Councilmember Deuser moved that the Council strike and insert Anderson and Associates. There was no second to the motion.

Roll Call on Motion

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

OFFICE FOR ROBERTSON HILL AREA

Council had before it a resolution to establish a "Neighborhood Revitalization Office" to assist in the preparation of a plan for the Robertson Hill area. Carlos Herrera, Director of Human Services, discussed the idea. Mr. Badgett, Assistant City Manager, asked how the money should be used for the office. RAY GALLOWAY, Co-president, Robertson Hill area, discussed the

idea. He said they have a meeting each week and listen to proposals. They may combine two ideas. MS. VELMA ROBERTS, member of the Robertson Hill Steering Committee, said they have no help from the City. She said they need someone with experience to help them with their plight. Councilmember Urdy pointed out the problem is not uncommon and they need an office to use. Councilmember Deuser wanted to know if they could use the facilities of ARA. Mr. Badgett suggested the Urban League facilities. Mayor Pro Tem Trevino suggested neighborhood centers.

MRS. O. B. CONLEY said not everyone on the committee agrees, but she feels there are too many people involved. She said people from the City staff are not needed.

HELEN MARIE VAN DYKE told Council their organization desperately needs office space. A long discussion followed concerning what is and what is not being done.

Councilmember Goodman recommended staff and steering committee meet before next week's Council meeting. Mayor McClellan suggested staff look into the possibility of finding office space for them.

AGENDA ITEM POSTPONED

Consideration of a resolution to set a meeting with the Austin Chamber of Commerce to discuss industrial recruitment will be brought back July 9, 1981.

SOUTHWEST B IMPROVEMENTS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE CAPITAL IMPROVEMENTS PROGRAM BUDGET FOR THE FISCAL YEAR 1980-85 BY APPROPRIATING \$469,900 FROM THE WATER CAPITAL IMPROVEMENT PROGRAM UNAPPROPRIATED FUND BALANCE FOR THE PURPOSE OF FUNDING IMPROVEMENTS TO THE SOUTHWEST B AREA; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

Noes: None

Abstain: Councilmember Duncan

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

Mayor McClellan announced that the ordinance had been finally passed.

Prior to roll call, Councilmember Duncan asked about the necessity of this at this time. Mr. Bulloch, Director of Water and Wastewater, told him the water pressure in that area for the past five years has been the worst in the City.

At the time of roll call, Councilmember Duncan said he is abstaining because he does not think there is enough money in the budget right now.

AMENDMENTS TO RETIREMENT ORDINANCE

Council had before it an ordinance to consider amendments to the Employee's Retirement Ordinance. Two provisions were approved during the consent motion.

Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING A SEPARATE RETIREMENT AND PENSIONING SYSTEM FOR CERTAIN EMPLOYEES OF THE CITY OF AUSTIN PURSUANT TO AUTHORITY GRANTED THE CITY COUNCIL UNDER SECTION 4 OF ARTICLE IX OF THE CHARTER OF THE CITY OF AUSTIN; CREATING A RETIREMENT BOARD TO ADMINISTER AND OPERATE THE RETIREMENT AND PENSIONING SYSTEM AND DEFINING ITS POWER, DUTIES AND FUNCTIONS: PROVIDING A METHOD OF FINANCING THE SYSTEM; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HERewith; PROVIDING A SEVERABILITY AND A SAVINGS CLAUSE AND DECLARING AN EMERGENCY," PASSED BY THE CITY COUNCIL ON OCTOBER 10, 1940, AND AS AMENDED FROM TIME TO TIME THEREAFTER, BY CHANGING THOSE PARTS OF AFORESAID ORDINANCE TO EFFECTUATE THE FOLLOWING; 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, amending the Employees' Retirement Ordinance as follows:

1. Reduce the period of salary averaging for computing retirement benefits from 60 months to 36 months.
2. Continue member and City Contributions after age 62.

The motion, seconded by Mayor McClellan, 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 ordinance had been finally passed.

Consideration of an amendment to reduce the normal (unreduced) retirement age to the earlier age of 62, or age 55 with 30 years creditable service, will be considered during budget hearings.

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AGENDA ITEM POSTPONED

No action was taken on an ordinance creating a Water and Wastewater Commission. Councilmember Mullen said it would be appropriate to wait until the Planning Commission divides into a Planning Commission and a Zoning Commission before considering this. It will be brought back to Council on July 23, 1981.

REFERENDUM PETITION

City Clerk Grace Monroe submitted certification of the result of examination of Referendum Petition on Ordinance No. 810611-A. Mayor McClellan asked why time was spent to validate the petition when the issue is not petitionable. Mr. Albert DeLaRosa and Mrs. Monroe explained the Ordinance may be challenged in Court and the Judge's ruling may differ.

CABLE COMMISSION

Councilmember Goodman moved that the Council create a nine-member Cable Commission by ordinance next week; appointments will be made no earlier than July 30, 1981. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

INDUSTRIAL DEVELOPMENT IN AUSTIN

Councilmember Goodman introduced to Council MR. BOB ALLEN who wrote a paper while a student at the LBJ School, on coordination of industrial development. Mr. Allen highlighted his report for Council. Copy of the report is on file in the City Clerk's Office.

ADJOURNMENT

Council adjourned its meeting at 6:45 p.m.

ATTEST:


Mayor


City Clerk