

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Council Meeting

September 20, 1979
6:00 P.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

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

Absent: None

INVOCATION

Reverend J. Chris Hines, Episcopal Chaplain at the University of Texas, gave the Invocation.

RESOLUTION FOR DOROTHY NAN MCLEAN

A Resolution, signed by the Mayor and all Councilmembers, was presented to Dorothy Nan McLean, who, after almost a quarter of a century as an employee of the City of Austin, is concluding her professional career as Superintendent of Special Activities in the Parks and Recreation Department. Mrs. McLean thanked the Mayor and Council for the Resolution.

NEW MAYOR PRO TEM

Mayor McClellan thanked Councilmember Cooke for his service the past four months as Mayor Pro Tem and presented him with a special Certificate. She announced Councilmember Himmelblau will be the next Mayor Pro Tem.

MONTY NITCHOLAS RECEIVES FINANCIAL
REPORTING AWARD

Mayor McClellan announced the City of Austin has been awarded the Certificate of Conformance in Financial Reporting by the Municipal Finance Association of the United States and Canada. In conjunction with the certificate, and individual award of achievement had been presented to individuals who have been instrumental in their government receiving the Certificate of Conformance.

Mr. Nitcholas expressed his appreciation of the award, giving credit to his staff and the auditors of Peat, Marwick and Mitchell.

BEN HUR SHRINE CIRCUS WEEK

Mayor McClellan read a proclamation designating the week of September 24-30, 1979 as Ben Hur Shrine Circus Week. Horace Ivy, Potentate; John Pope, Chief Rabban; and Harry Balagia, Assistant Rabban, were in the Council Chamber to accept the proclamation. Mr. Ivy accepted the resolution on behalf of the Shriners, with their thanks and appreciation.

NEIGHBORHOOD ASSOCIATION WEEK

Mayor McClellan read a proclamation designating October 1-7, 1979 as Neighborhood Association Week. Marilyn Simpson, president, Austin Neighborhood Council, accepted it with her thanks.

BOARDS AND COMMISSIONS

Mayor McClellan announced the following Board and Commission appointments will be made October 11, 1979:

- Joint Airport Zoning Board, 1
- Community Development Commission, 2
- Plumbing Advisory Board, 1
- Employee's Retirement System, 1
- Wrecker Standards Commission, 1
- On-Going of Goals Assembly Committee, 1
- Manpower Advisory Planning Council, 1
- MH/MR Board, 2
- Arts Commission, 5
- Building Standards Commission, 1
- Construction Advisory Committee, 3
- Human Relations Commission, 1
- Urban Transportation Commission, 1
- Electric Utility Commission, 3
- Hospital Board, 3

CAPITAL IMPROVEMENTS PROGRAM

Mayor Pro Tem Himmelblau moved that the Council adopt a resolution to acquire certain land for Balcones District Park, CAPITAL IMPROVEMENTS PROGRAM No. 78/86-13.

50.02 acres and .42 of one acre of land out of the T.J. Chambers Grant and the James Rogers Survey. (Bill Milburn, Inc.)

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

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

RELEASE OF EASEMENTS

Mayor Pro Tem Himmelblau moved that the Council adopt a resolution to authorize release of the following Easement:

A five by Twenty-five foot (5' x 25') Electric Guy Wire Easement located on Lot 2, Bednar Addition, local address, 5300 North Lamar Boulevard. (Requested by B.G. Holcomb of L.H. Builders for the owners)

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

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

Mayor Pro Tem Himmelblau moved that the Council adopt a resolution to authorize release of the following Easements:

The Public Utility Easements retained upon the vacation of a portion of East Johanna Street between Brackenridge Street and South Congress Avenue, and Nickerson Street between East Johanna Street and East Mary Street, and the alleys traversing Blocks 33 and 34, Swisher Subdivision between East Johanna Street and East Mary Street. (Requested by Bill Moellendorf for the Austin Independent School District)

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

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

Mayor Pro Tem Himmelblau moved that the Council adopt a resolution to select the firm of Snowden and Meyer for professional soils investigation and engineering testing services for East Austin Multipurpose Center, CAPITAL IMPROVEMENTS NO. 76/91-03. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Mayor Pro Tem Himmelblau moved that the Council adopt a resolution to acquire, including by condemnation if necessary, the right-of-way for the electric transmission line, CAPITAL IMPROVEMENTS PROGRAM, ELECTRIC POWER TRANSMISSION LINE RIGHT-OF WAY EASEMENT ACQUISITION (South Texas Project to Holman Substation), C.I.P. No. 51/53-10. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

CONTRACTS APPROVED

Mayor Pro Tem Himmelblau moved that the Council adopt a resolution to approve the following contracts:

Bid Award: - Repair Parts, Equipment Technical Supervision, and other Items necessary for Holly Unit No. 4, Electric Utility Department -

GENERAL ELECTRIC COMPANY \$100,000.00
(Principal Supplier)
4219 Richmond Avenue
Houston, Texas

Various other suppliers for support - \$75,000.00
and other items determined necessary.

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

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

Mayor Pro Tem Himmelblau moved that the Council adopt a resolution to authorize release of the following Easement:

A ten (10.00') foot Public Utility Easement located five (5.00) feet on the side of the common line between lots 8 and 9, Block 3, Section 3, Onion Creek, local address 10501 and 10411 LaCosta Drive. (Requested by Roberta P. Crenshaw, owner)

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

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

Mayor Pro Tem Himmelblau moved that the Council adopt a resolution to authorize release of the following Easement:

A ten (10.00') foot Public Utility Easement located five (5.00') feet on each side of the common line between lots 13 and 14, Block "F-F", Barrington Oaks Section Six, locally known as 11501 and 11503 Heathrown Drive. (Requested by H.W. Curington, President, Bryant-Curington, Inc. for Bill Milburn, Inc., owners)

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

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

LICENSE AGREEMENT FOR PASSAGEWAYS

Mayor Pro Tem Himmelblau moved that the Council adopt a resolution to approve a License Agreement to allow construction of two underground passageways and one aerial passageway across the East-West Alley in Outlot 31, Division E. City of Austin, Texas. (Requested by Mr. Tom Curtis for the University State Bank). The motion, seconded by Councilmember Cooke, carried by the following vote:

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

PAYMENT AUTHORIZED

Mayor Pro Tem Himmelblau moved that the Council adopt a resolution authorizing payment to the following:

COTTON TEXAS, LIMITED

- The cost difference of a 30"/8" wastewater interceptor north fork of Bull Creek, Great Hills Area - \$131,509.22

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

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

Mayor Pro Tem Himmelblau moved that the Council adopt a resolution authorizing the payment to the following.

COTTON TEXAS, LIMITED

- The cost difference of 36"/8" Water Main installed in Great Hills Parkway in Great Hills Section VIII-A - \$173,726.05.

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

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

CAPITAL IMPROVEMENTS PROGRAM

Mayor Pro Tem Himmelblau moved that the Council adopt a resolution to select the architectural firm of James A. Blake and Associates for architectural services in connection with Fire Vehicle Maintenance Facility for the Fire Department. CAPITAL IMPROVEMENTS NO. 76/83-05. The motion, seconded by the following vote:

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

Mayor Pro Tem Himmelblau moved that the council adopt a resolution to approve the following contract:

KISCO BOILER AND ENGINEERING COMPANY	- Anion Exchange Resin, Electric
c/o Eggelhof, Inc.	Utility Department
618-C West Rhapsody	Item 1, 126 cubic feet @ \$102.00
San Antonio, Texas	Total \$12,852.00

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

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

Mayor Pro Tem Himmelblau moved that the Council adopt a resolution to approve the following contract:

GRAYBAR ELECTRIC	- Floodlights, Electric Utility
7434 North Lamar Boulevard	Department
Austin, Texas	Item 1-4 - \$7,034.72

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

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

Mayor Pro Tem Himmelblau moved that the Council adopt a resolution to approve the following contract:

INTERNATIONAL BUSINESS MACHINES CORP.	- Key punch Machines, I.B.M. Model.
1609 Shoal Creek Boulevard	Data Systems and Various
Austin, Texas	Purchase of items presently
	installed and under rental/lease
	from I.B.M. - \$18,954.00

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

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

Mayor Pro Tem Himmelblau moved that the Council adopt a resolution to approve the following contract:

TEX CON OIL COMPANY
4906 Burleson Road
Austin, Texas

- Antifreeze, Vehicle and Equipment
Service Department
Twelve Month Supply Agreement
Item 1, est. 4,680 gal @ \$3.58
Estimated Total \$16,754.40

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

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

Noes: None

Mayor Pro Tem Himmelblau moved that the Council adopt a resolution to approve the following contract:

R.L. POLK
7618 Envoy Court
Dallas, Texas

- City of Austin Directories,
Various City Departments
Item 1, 75 ea. @ \$88.00
Total \$6,600.00

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

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

Noes: None

Mayor Pro Tem Himmelblau moved that the Council adopt a resolution to approve the following contract:

BLANEY-DYETT,
joint venture with Charles Hall
Page and Associates, Inc.
364 Bush Street
San Francisco, California

- Revise City Zoning Ordinance
and Drafting of a Historic
Preservation Plan, Planning
Department.
Nineteen Month Contract -
\$175,000.00

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

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

Noes: None

Mayor Pro Tem Himmelblau moved that the Council adopt a resolution to approve the following contract:

UZZELL'S T.V. SERVICE
Bastrop Highway
Bastrop, Texas

- Patient T.V. Services, Brackenridge Hospital.
Five year contract - Estimated revenue \$49,275.00/annually

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

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

Mayor Pro Tem Himmelblau moved that the Council adopt a resolution to approve the following contracts:

Bid award:

- TRAFFIC SIGN POSTS, Caps & Clamps
Urban Transportation Department
Twelve Month Supply Agreement

SOUTHWESTERN PIPE, INC.
13 Hirsch Street
Houston, Texas

- Item 3, 3000 ea. @ \$6.82
Item 5, 2000 ea. @ \$5.68
Total \$31,820.00

AMERICAN TRAFFIC SIGN AND SUPPLY
4700 Pawnee Street
Oklahoma City, Oklahoma

- Item 7, 3000 pr. @ \$1.70
Total \$5,100.00

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

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

RESOLUTIONS PULLED FROM AGENDA

Mayor Pro Tem Himmelblau moved that the following items be pulled from the Agenda:

Bid award:

- Custodial Cleaning of Municipal, Municipal Annex Buildings, Purchases & Stores Department; Electric/Service Building and Kramer Lane Center, Electric Department

M & R MAINTENANCE
908 Chihuahua Trail
Austin, Texas

- Item 1 - Municipal Building
\$1,251.25 per month

AMERICAN BUILDING MAINTENANCE
1922 South First
Austin, Texas

- Item 2 - Municipal Annex
\$3,045.00 per month

HILLS MAINTENANCE & CLEANING
6601 Bradley
Austin, Texas

- Electric/Service Buildings
and Kramer Lane Center
\$3,250.00 per month

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

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

TEMPORARY STREET CLOSING

Mayor Pro Tem Himmelblau moved that the Council adopt a resolution to temporarily close 25th Street from Pearl to San Gabriel from 3:00 p.m. to 7:00 P.M. September 21, 1979 as requested by Mr. Jeffrey S. Genecov representing the Texas Cowboys. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

BOARD AND COMMISSION APPOINTMENTS

Mayor Pro Tem Himmelblau moved that the Council adopt a resolution amending the Resolution on Board and Commission Appointments to provide that members of the City Boards and Commissions will serve for the term of their appointment or until their successor has been duly appointed by the City Council. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

PUBLIC HEARING SET - NON-EMERGENCY AMBULANCE
TRANSFER SERVICE

Mayor Pro Tem Himmelblau moved that the Council set a public hearing for October 4, 1979 at 2:00 P.M. concerning the non-emergency ambulance transfer service in Austin, Texas. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

PUBLIC HEARING CANCELLED

Mayor Pro Tem Himmelblau moved that the Council cancel the October 11, 1979 public hearing on appeal of the decision of the Building Standards Commission for relocation of the Woodburn House. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

STREET NAME CHANGED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE CHANGING THE NAME OF A STREET FROM MOUNTAIN BEND DRIVE TO FALL TRAIL; 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 Goodman, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

FAA GRANTS

Mayor McClellan introduced the following ordinance:

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 Goodman, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

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 Goodman, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

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 Goodman, carried by the following vote:

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

Mayor McClellan announced that the ordinance had been finally passed.

CRIMINAL JUSTICE GRANT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1978-1979, BY ACCEPTING AND APPROPRIATING \$64,365 FROM THE CRIMINAL JUSTICE DIVISION OF THE OFFICE OF THE GOVERNOR FOR THE PURPOSE OF FUNDING THE DELINQUENCY PREVENTION OFFICERS PROJECT WITHIN THE POLICE DEPARTMENT; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ 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 Goodman, carried by the following vote:

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

Mayor McClellan announced that the ordinance had been finally passed.

1980 MINI BLOCK GRANT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1978-79, BY ACCEPTING AND APPROPRIATING \$137,238 FROM THE CRIMINAL JUSTICE DIVISION OF THE OFFICE OF THE GOVERNOR FOR THE PURPOSE OF FUNDING THE GREATER AUSTIN AREA ORGANIZED CRIME CONTROL UNIT/4; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ 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 Goodman, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

RESIDENTIAL PLUMBING INSPECTOR

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

AN ORDINANCE AMENDING CHAPTER 42 OF THE AUSTIN CITY CODE OF 1967 BY AMENDING SECTION A-207 AND ADDING THERETO QUALIFICATIONS AND PROVISIONS FOR A RESIDENTIAL PLUMBING INSPECTOR; SUSPENDING THE RULING REQUIRING THE READING OF ORDINANCES ON THREE (3) SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

The Mayor announced that the ordinance had been finally passed.

ANNEXATION ORDINANCE

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 535.89 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES COLEMAN NO. 25, WILLIAM BELL SURVEY NO. 44, L. LINDSEY SURVEY NO. 287, ROBERT FOSTER SURVEY NO. 43, JAMES JETT SURVEY NO. 1, T.J. CHAMBERS 8 LEAGUE GRANT AND M.D. WILLIAMS SURVEY NO. 49, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; AND PROVIDING AND EFFECTIVE DATE. (C7a-79-002)

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

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

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 .482 ACRE TRACT OF LAND, LOCALLY KNOWN AS 12012 NORTH I.H. 35, ALSO BOUNDED BY WREN AVENUE AND POLLYANNA AVENUE, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT OT "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. (Ivy Dean Hunt, C14-78-047)

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 Goodman, carried by the following vote:

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

LOT 27, BLOCK E, NORTH MEADOWS SUBDIVISION, LOCALLY KNOWN AS 1105 SOUTH MEADOWS, FROM INTERIM "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, 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. (Victor V. Velicka, C14-78-082)

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 Goodman, carried by the following vote:

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

TRACT 1: A 5.03 ACRE TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2: A 14.10 ACRE TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE FIRST HEIGHT AND AREA DISTRICT; LOCALLY KNOWN AS 3100-3616 OAK CREEK DRIVE, ALSO BOUNDED BY FARM ROAD 1423; 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. (Northwood Development Corporation, C14-78-147) (Tract 1)

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 Goodman, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

~~CITY OF AUSTIN, TEXAS~~ September 20, 1979
EXPERIMENTAL LOAD CONTROL PROGRAM

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1978-79 BY ACCEPTING AND APPROPRIATING \$98,300 FROM THE U.S. DEPARTMENT OF ENERGY FOR THE PURPOSE OF FUNDING AN EXPERIMENTAL LOAD CONTROL PROGRAM FOR THE ELECTRIC UTILITY; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ 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 Councilmember Goodman, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

PUBLIC HEARING ON PROPERTY TAX RATE

Mayor McClellan opened the public hearing, scheduled for 6:00 P.M. on the property tax rate. She stated, "The public hearing is set according to state law. The proposed 1979-80 budget that the Manager presented to the Council includes a property tax increase of 10¢ for operating purposes. This would raise the total tax rate from the current 96¢ per assessed \$100.00 evaluation to \$1.06. I want to emphasize at the outset of this public hearing that this Council has not voted to increase taxes. That decision has not been made yet. The 1979-80 tax rate will be set this next week. Later this evening we'll be setting three meetings next week and to set the tax rate. When the Council votes on the operating budget, then we will set the tax rate. The increase of 10¢ would generate an additional revenue of \$3,563,780.00 in the general fund."

Mr. Jack Jackson, representing ACORN Executive Board, stated they think the proposed \$3½ million proposed increase in revenues from the increased taxes is a sham. He said the money can be found someplace other than through taxes. They believe it is designed to cover up high utilities.

ANDRESTE HERRINA, Travis County Senior Lunch Program, appeared before Council on behalf of the new kitchen facility for their program. He said they have all money needed with the exception of \$62,000.00 and asks for the Council's consideration for that amount. He asked all those in the Council Chamber audience who were there because of the Senior Lunch Program to stand and there were many who did.

MRS. O.B. CONNALLY, 1319 Rosewood Avenue, stated she uses the Senior Lunch facilities. She commented that old people are not useless, and because of the things they did when they were younger, the Council is able to function today. She asked Council to vote favorably on the \$62,000.

FRANCISCO SOLIS, (who spoke in Spanish, translated by Andreste Herrina) stated he believes the Council will find the \$62,000 because they will use the kitchen when they are older.

JAMES H. COCHRAN, vice president and member of Board of Directors of the Austin Citizen's league, said they voted to maintain the tax as is. He said a 14% increase in expenditures is possible without a tax increase.

JOE CROW appeared to review the budget and give his impression of it. Mr. Daron Butler, Budget Director, summarized the budget and stated that Mr. Crow has spoken to him each year about the budget. They have a different analysis of the budget, but, Mr. Butler pointed out, the auditors have never found anything wrong because the budget is not deceptive, It presents an accurate picture.

ED HOLDREN spoke about the waste in the bus system. He thought the city should: 1. Sell 20 buses and replace them with two vans; and 2. Raise the bus fare to 70¢ each way. He said if his proposal is not adopted it is because Austin just wants to tax people more. Councilmember Trevino asked Mr. Holdren if he rides the bus often. Mr. Holdren said No. Mr. Trevino pointed out that a 70¢ fare would be a hardship on most of the bus riders.

VALERIE DUNHAM, Library Commission member, said they have voted on the following changes and suggest them to Council: \$2.00 lost card replacement fee; 15¢ to hold a book; \$12.00 for an out of city card. They feel the Manager's budget should be approved in order for the library service to continue as it is.

CHARLES GROSS appeared before Council and told them they need to hold to human service commitments and not cut them back.

HELEN SPEAR, Library Commission member, spoke as a private citizen and asked that the budget not be cut.

J.C. HURD, speaking as a private citizen, handed out information regarding his property tax and stated that one month of his pay goes for city and state taxes. He is retired and this is a great hardship. Councilmember Mullen told him he brought out a good point and instead of lumping all taxes together from city, county and AISD, he should realize the city lowered their taxes last year while the school district increased theirs. He said he hopes Mr. Hurd plans to talk to the School District also.

JUDY HELBURN, member of the Austin Library Commission, speaking as a private citizen, asked that the level of service be maintained for the library; and asked that human services not be cut.

RANDY GONZALES, representing St. Julia's Church, asked what benefits they will receive from a tax increase. He asked if Council will decrease human services if the tax increase is not approved.

A man who did not identify himself spoke in favor of Council subsidizing the Senior Lunch Program with \$62,000.

ROBERT COTNER appeared and challenged the budget. Mr. Davidson, City Manager, explained the zero based format to him.

A man who did not identify himself, but who lives at 5004 Heflin Lane, said the city needs taxes and the people need human services. He feels he gets nothing for his money. The street in front of his house needs fixing but it is not done.

A man who did not identify himself, said he certainly is not in favor of a 70¢ fare as suggested by an earlier speaker.

Mayor McClellan thanked all who spoke at the hearing and said the Council will be busy during the next week working toward the adoption of the 1979-80 operating budget. She announced the tax rate will be adopted at 2:00 P.M. Thursday, September 27, 1979 during the regular session of the Council.

Motion

Councilmember Trevino moved that the Council close the public hearing on the Property Tax Rate. The motion, seconded by Councilmember Snell, carried by the following vote:

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

CONSULTANT'S AIRPORT SITE SELECTION

The City Manager announced there would be a report on the Consultant's Airport Site Selection. Mayor McClellan pointed out that this would not be a public hearing, no site has been selected yet. She noted that Commissioners Honts and Samuelson were in the Chamber audience. Mr. Davidson stated the report will be given by Mr. Ray Kusche, consultant with R. Dixon Speas Associates of Los Angeles, California.

MR. KUSCHE reviewed, for Council and Chamber audience, what has already been done toward a site selection, by use of slides. He stated the airport site selection study, authorized in June of 1978, has been completed and is submitted herewith. This document has been prepared in accordance with FAA guidelines and has had the benefits of informal airspace evaluation by that agency. The extent of the area studied recognized the regional aspects of selecting a site for a new airport, although the major demand centers of the City of Austin have strongly influenced the sites selected for detailed

consideration. This study developed five search areas in the region, extending from San Marcos on the south to Georgetown and Liberty Hill on the north. Within these search areas 51 potential sites were identified of which nine were selected for further evaluation. The three most likely candidates studied in detail are in the search area northeast of Austin. They are identified as Decker Lake, Pflugerville East, and Manor East Alternatives. The FAA also requested detailed consideration of the San Marcos Airport. From the information developed from the study, it is recommended that the City consider the site identified as Manor-Alternate B for the future air transportation needs of the Austin region.

Mayor McClellan stated Council will need work sessions before they have public hearings and said the setting of the work sessions should be an item on next week's agenda.

Councilmember Goodman questioned about the size of the site of an airport and how it might hinder the production of food. Mr. Kusche said 1,500 to 2000 acres would be taken up by the airport. The rest of the acreage acquired would be used for agriculture. Councilmember Cooke said the use of land for agriculture would be preferable to use of the land by homes. Mr. Kusche stated this would be a tremendously compatible use of land. And in answer to a question of the cost of an airport, he said according to 1979 figures, the cost would be \$115-\$120 million dollars. Mayor McClellan asked if the consultants could develop finance options. Mr. Kusche told her that would be developed with the master plan and environmental study.

Councilmember Snell asked if Manor East - Alternate B, the preferred site, is chosen, would it cause more families to be disrupted, than the other sites would because of the taking over of New Katy. Mr. Kusche went through the figures and said they regret they have been unable to solve the impact problem on New Katy. Councilmember Snell felt work sessions and public hearings should be held in Manor. Councilmember Goodman inquired regarding the formal reply from the Air Force saying Bergstrom cannot be used in conjunction with an airport for Austin. Mr. Kusche said there is no way this can be done because of the increased activity at Bergstrom. Councilmember Trevino suggested that with the study before them, Council may be able to appeal to the Air Force, with the backing of the people of Manor who are opposed to the suggested airport site. Councilmember Cooke pointed out that in 10 years Bergstrom may be reduced in its use and it would then be feasible to incorporate our municipal airport there.

PARADE PERMITS

Councilmember Trevino moved that the Council approve the request for the following Parade Permit:

Request for a Parade Permit from Sue Towery, for Travis State School Volunteer Council from 9:30 A.M. to 11:00 A.M., Saturday, Sept. 29, 1979, beginning at Capitol, south on Congress to East 1st, to Trinity, north on Trinity to 14th Street, west on 14th back to parking area from beginning.

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

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Goodman

Noes: None

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

Councilmember Trevino moved that the Council approve the request for the following Parade Permit.

Request for a Parade Permit from Mr. I.P. Bell, for Austin-Travis County Veterans Committee, from 9:30 A.M. to 11:00 A.M., Saturday, November 10, 1979, beginning from 2nd and Congress, up Congress Avenue to 11th Street.

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

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Goodman

Noes: None

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

CITIZEN DID NOT APPEAR

MR. JAMES CHOQUETTE, president, Clean Sweep Company, who had requested to appear before Council under Citizens Communications to discuss bidding, award, and announcement procedures on certain types of contracts offered by the City of Austin, did not appear.

PROPOSED AIRPORT LOCATED IN MANOR I.S.D.

MR. MILTON DENHAM, Superintendent, Manor Independent School District, appeared before Council to discuss the proposed airport located in the Manor Independent School District. He said if the recommended site in Manor is used they would lose their new school. He thought San Antonio and Austin should get together and build a joint airport in San Marcos. He stated the City of Austin owes Manor \$1,500 back taxes on Decker Lake and they intend to collect it.

AIRPORT SITE SELECTION

MR. JIM LUTZ, representing Manor Concerned Citizens, appeared before Council to discuss the airport site selection. He spoke against the Manor site.

Mayor McClellan asked the City Manager to prepare a report, in chronological order, of everything that has transpired thus far in the selection of an airport site...letters, trips, reports, etc.

JOB GRIEVANCE DISCUSSED

MR. MARK ANTHONY MARIANI, city employee, appeared before Council to discuss job grievances. He felt there are city-wide problems among the employees, and that he has been unjustly accused of things which he did not do. Mayor McClellan asked the City Manager to have a staff member talk with Mr. Mariani and report back to City Council. Mr. Mariani said he was not trying to cause any problem for the city, but is trying to help.

RED BUD TRAIL TO BE USED FOR FILMING

Councilmember Goodman moved that the Council approve the request of Mr. Terry Lickona, representing KLRN/KLRU, and authorization to utilize a section of Red Bud Trail on Friday, September 21st from 6:10 p.m. to 7:10 p.m. under the supervision and control of the Austin Police Department for filming purposes. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll called: Councilmembers Trevino, Cooke

PUBLIC HEARING ON PDA FOR ABBOTT LABORATORIES

Mayor McClellan opened the public hearing scheduled for 8:00 P.M. on Planned Development Area for Abbott Laboratories located at F.M. 1325 and Howard Lane. Mr. Lillie, Director of Planning, stated: "The Council's policy on consideration of industrial uses inside the City limits is fairly clear in that industrial zoning is required, but outside the city limits where there is no zoning you have set a policy on working with owners and potential industry to develop a site plan and set up performance standards to have that site plan and standards reviewed by the Planning Commission and brought to your attention through public hearings." He referred to a map in the Council Chamber which refers to the Abbott Laboratory site which is approximately 3/4 miles north of the city limit line. He said the site plan and performance standards were submitted to city departments, the County Commissioner from that precinct, the county engineer, the school districts in which it will be located and the utility districts in which it will be located. Complimentary notices were sent to property owners in the area with a legal ad and a map placed in a newspaper. The Planning Commission held a public hearing on the 206 acre area and did recommend after consideration of departmental reports by the city and the county that the Planned Development Area on this tract be approved. Mr. Lillie noted there is also, on tonight's agenda, a request for an approach main on this site. It would require an approximately 9,000 foot extension from an 18" to a 24" wastewater line and a 7,120 foot 12" waterline that would basically parallel F.M. 1325 from the existing system out to the site. Both the site plan, the Planned Development Area and the approach mains have been recommended by the Planning Commission. The Planning Commission, in their recommendation, according to

the Approach Main Policy, suggested that Council consider city participation in the cost of the Approach Main if the annexation which would be requested by the owner would extend beyond the one year at no fault to the industry. There might be circumstances in which there is some delay, but the Commission is recommending city participation in that line if it cannot be annexed within the year.

Councilmember Goodman asked when the anticipated annexation would come. Mr. Lillie said if the site were requested by the industry, the request for annexation would come immediately.

MR. ROBERT SNEED, attorney representing the applicant, stated that Abbott would engage 2,000 to 2,500 employees in the production of saline solution for hospitals.

MR. JIM GREEN, representing Abbott Laboratories, said they have looked at many cities, and are most pleased with Austin and would like to locate here.

Mayor McClellan stated, "I want to have read into the record that we really welcome our good new friends with Abbott Laboratories and we are very anxious to watch your industry develop here and we will help you in any way that we can. I've seen the proposed facility and I really believe it's going to be a tremendous asset to our city.

Motion

Councilmember Cooke moved to close the public hearing and accept the recommendation for the Planned Development Area for Abbott Laboratories located at F.M. 1325 and Howard Lane. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Trevino

WATER AND WASTEWATER APPROACH MAIN

Mayor Pro Tem Himmelblau moved that the Council adopt a resolution authorizing the following Water and Wastewater Approach Mains:

ABBOTT LABORATORIES

- For Construction of both water and wastewater approach mains to serve the Abbott Laboratories Site at the Northeast corner of Howard Lane and FM 1325. Estimated cost for wastewater mains is \$523,800; City's share \$381,000 if annexed within one year; Estimated cost of water main is \$261,200; City's share \$83,000 if outside the City or \$110,700.00 if inside the City.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Trevino

HUMAN RELATIONS COMMISSION

The Housing Patterns Study Recommendations of the Human Relations Commission was presented to Council by Jana Zumbrum, chairman of the Commission. She reviewed the following recommendations of the Commission to Council:

1. The City adopt a housing policy which includes goals for housing de-segregation and specific action steps for achieving these goals.
2. The City housing policy be developed with the assistance of the Human Relations Commission, the Community Development Commission, the Building Standards Commission, the Urban Renewal Board, the Austin Housing Authority, the Planning Commission, and other appropriate boards and commissions. These boards and commissions should be responsible for developing a mechanism for obtaining assistance in the entire policy development process from interested citizens, community organizations, and agencies.
3. The Human Relations Department be given authority and responsibility to implement the City housing policy.
4. The housing policy grant authority to the Human Relations Department to carry out strong measures which further housing integration, such as the overriding of laws and regulations pertaining to large lot zoning, minimum square footage requirements, and building codes when such laws and regulations impede the realization of housing integration.

5. All City Applications for federal funds which are related to housing be consistant with the City housing policy.
6. The City require a certain percentage of housing units in all new subdivisions and in all new apartment complexes in the city to be low to moderate cost housing.
7. The City require housing developers within the city to develop and follow affirmative housing marketing plans.
8. The City vigorously pursue loan and grant programs for the rehabilitation of low and moderate cost housing. Where federal government programs are inadequate for this effort, the City should investigate the possibility of establishing a City guaranteed loan program with cooperating financial institutions.
9. The City enact an ordinance prohibiting "redlining" in home mortgage and home improvement loans by local financial institutions. Such an ordinance should; a) require lending institutions to develop affirmative action plans for lending, b) require lending institutions to keep public records concerning loan applications, awarding of loans, and denial of loans, c) prohibit lending institutions from committing more than a specified amount of money in loans to areas outside of the community (Austin) in which they are located, and d) prohibit the deposit of City funds in financial institutions which do not comply with such an ordinance.
- 10) The City prohibit subdivision restrictions which are designed to inflate the cost of housing.
- 11) The City expand the Fair Housing Ordinance to prohibit discrimination based on parenthood, on marital status, or on sexual orientation.
- 12) The City strengthen the Fair Housing Ordinance to include coverage of all public sales and rental of housing.
- 13) The Fair Housing Ordinance be strengthened to allow the Human Relations Department Director to file housing discrimination complaints upon his own motion, when he finds evidence of discriminatory practices.
- 14) The Human Relations Department staff be utilized to actively seek out violations of the Fair Housing Ordinance by posing as house seekers. Incidents of discrimination unveiled in this manner should be pursued as are all other discrimination complaints.
- 15) The City, through the Human Relations Department undertake a comprehensive public relations campaign to inform citizens of the Fair Housing Ordinance and of the complaint procedure of the Human Relations Department.
- 16) The Austin Independent School District vigorously pursue school desegregation, which will contribute to future housing integration.

17) The Austin Housing Authority use the programs it manages in an affirmative effort to promote desegregation.

18) The Human Relations Commission investigate, through public hearings and research, allegations of blockbusting, steering, redlining, and other practices which limit integration.

19) The City, through the Human Relations Department, conduct a study of housing problems of physically handicapped citizens. Such a study should determine approximately how many residents of Austin are physically handicapped, what kinds of discrimination they encounter in seeking housing, what architectural barriers pose problems in housing for the handicapped, what physical modifications Austin landlords and apartment complex managers are willing to make on their property for handicapped tenants, the costs of needed modifications, etc.

20) The City Council adopt a single-member district plan for City Council elections in order to ensure that ethnic minorities in segregated areas are represented.

Mayor McClellan said the City Attorney's staff should determine the legalities of some of the matters discussed. Councilmember Goodman said he would strongly support a loan program initiated by the City, and asked when Council might expect a response from the Legal Department.

Mr. Jerry Harris, City Attorney, stated, "It's hard to say right now, but we need to meet with the Commission. I think they have some very valuable information we need to look at. We need to look at some of the places talked about and double check to make sure their laws are the same, etc. We need to work with the Commission to establish a time when we can come back to the Council in a week or so and let the Council make determinations about any other aspect of it. I would hope we can meet with them at their next meeting on Monday night."

It was decided there would be a posting of the City Attorney's intent to meet with the Human Relations Commission to determine legalities.

AGENDA ITEMS POSTPONED

Mr. Davidson, City Manager, asked that consideration of extension of a contract with Houston Lighting and Power Company providing for the sale of electric generating capacity for calendar years 1982 through 1985 be postponed until September 27, 1979. He said Mr. R.L. Hancock, Director of Electric Utility, is providing some additional information to Council and to the Electric Utility Commission.

By unanimous consent, Council postponed for two weeks consideration of authorizing and amending agreements with the City of Rollingwood to provide water and wastewater service.

MEETING TIMES FOR 1979-80
OPERATING BUDGET

Councilmember Goodman moved that the Council call Special Council Meetings for the adoption of the 1979-80 Operating Budget and the 1979-84 Capital Improvements Program on September 25, 1979 at 5:00 P.M. and September 26, 1979, at 9:00 A.M. The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Trevino

CENTER FOR BATTERED WOMEN

Council had before it for consideration a resolution appropriating \$75,000 from the General Fund Balance for the Center for Battered Women. Mayor McClellan said she requested this be on the Agenda because, "I felt like we had made a commitment to the Center for Battered Women even though I realize it was from the HCD monies. There had been a lot of plans made following that, and of course since the new direction on the Center for Battered Women it would be necessary to take the \$75,000 from our General Fund Ending Balance for this year." Mayor Pro Tem Himmelblau said, "I am in full support of the Center and I had no problems when we were going to use the Community Block Grant money, but the way we're working to cut down on tax raises and stripping out our departments, I really have a problem with taking it from the General Fund right now."

Councilmember Mullen asked if any other method has been investigated.

Mr. Jim Miller, Assistant City Attorney, said, "Any Federal Funding creates a problem in this sense. It comes under the Davis-Bacon Act which sets certain requirements and in this case the Homebuilders Association is donating a great deal of time, energy and effort, which means they would have to come under the Davis-Bacon Act on the prevailing wage rates that are set by the Department of Labor. So, in effect, what you do is escalate your cost and do away with your volunteer Homebuilders part, using any Federal money." Mayor Pro Tem Himmelblau asked if this is why Block Grant money was not used. Mr. Miller said when you go to a new building it is not eligible under Block Grant money for the type of facility it is. It has to be a neighborhood facility to be eligible for Block Grant money. Mayor Pro Tem Himmelblau asked if there are any other Community Block Grant monies that would be eligible for projects or things that are now in our operating budget that we're working on so we would not have what I consider a deficit of \$75,000.00. Mr. Miller said there are several projects which can be looked at that so far have no appropriations for them. We'll have to stay away from those that are

designated projects in unfunded years. Mrs. Himmelblau asked if there is any way they can be used in the Operating Budget. She said she wondered if there was some way they could work an exchange because trying to cut down on the operating budget has been a gigantic job and she does not want to bring the ending balances down any more than they have to.

Councilmember Goodman stated he understands the concerns of Mayor Pro Tem Himmelblau. They allocated \$75,000 in HCD money and if they can't do it with those kinds of monies now, he concurs they should take it out of the General Fund ending balance and keep their commitment.

Motion

Councilmember Goodman made a motion, seconded by Mayor McClellan to waive the requirements for three readings and finally pass an ordinance appropriating \$75,000 from the General Fund Ending Balance for the Center for Battered Women.

Councilmember Mullen asked if thought had been given to raising the money from some place besides taxes.

DEBBIE MEISMER, Executive Director, Center for Battered Women, told Council the Homebuilders are ready to move on the Center. She said they have had numerous small contributions and \$6,000 from the Junior League, but really are counting on the \$75,000 from the City. Discussion followed on the amount of money available from the City.

Substitute Motion

Councilmember Mullen made a substitute motion, seconded by Mayor Pro Tem Himmelblau to appropriate \$50,000 from the General Fund Ending Balance for the Center for Battered Women, and finally pass an Ordinance.

After more discussion:

Motion Withdrawn

Councilmember Goodman withdrew his motion, and Mayor McClellan withdrew her second.

Mayor Pro Tem Himmelblau said, "The city house will be sold and go back on the market. And anything above what is needed to pay back the bonds, can this go back into the General Fund?" Mr. Harris, City Attorney, said he would have to check into it. "Generally any appreciation that is gained off a sale should go to the fund the original money came out of. We'll check into it and see if the profit off the sale can be transferred to the General Fund and bring a report back to you next week." Mrs. Himmelblau stated if this cannot be accomplished, Council will look again at a way to obtain funding.

Roll Call on Substitute Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1978-79 BY APPROPRIATING \$50,000 FROM THE GENERAL FUND ENDING BALANCE TO FUND CONSTRUCTION OF A PERMANENT HOME FOR THE CENTER FOR BATTERED WOMEN; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ 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 Pro Tem Himmelblau, carried by the following vote:

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

Noes: Mayor McClellan

Not in Council Chamber when roll was called: Councilmember Trevino

The Mayor announced that the ordinance had been finally passed.

At the time of roll call the following comments were made:

Councilmember Snell said: "I don't mind supporting this but I think we should face all issues with recommendations as if they are just as important as this one is, and I do support the home for battered women, but I don't think we take this attitude toward all proposals and I think we need to change. I would certainly like to see us go for the \$75,000 also. But I'll go on record supporting \$50,000."

Mayor McClellan: "I want \$75,000 funding and I think they have banked on it and there are a lot of groups who have worked on it so I'm going to vote No on the motion. I want the record to reflect that I am not opposed to the Center, I just think we should fund the whole \$75,000."

Councilmember Goodman: "I'll vote yes, but I support the \$75,000."

Councilmember Goodman asked the Mayor if they can put the other \$25,000 on the Agenda for next Thursday and between now and then get a report on where to get the money.

COMMITTEE FOR THE EMPLOYMENT OF THE HANDICAPPED

Councilmember Cooke moved that the Council appoint the following people to the Mayor's Committee for Employment of the Handicapped:

Martha Arbuckle
M.I.G.H.T.!

Ken Cargill
IBM

Charles Eskridge
M.I.G.H.T.!

Joe Alcola
Southwestern Bell

Texana Conn
Travis County Services for the Deaf

Ric Collins
Texas Instruments

Bernice Ellington

Murray Show
Tracor

Fran Harrington
Department of Human Services

Sylvester Smeltzer
Commission for the Blind

Jim Welch
Department of Human Resources

Lonnie O'Dell
Texas Employment Commission

Pat Moore
Texas School for the Deaf

W.W. McFarland
Texas Rehabilitation Commission

Maurice Zuniga
Austin State School

Virginia Roberts
M.I.G.H.T.!

Merle Miles
Human Relations Commission

Terry McFarland
Goodwill Industries

Dr. Pat Cole
Austin Speech, Language and Hearing Clinic

Doris Thielemann
Austin Association for
Retarded Citizens

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

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Himmelblau
Councilmember Mullen

Noes: None

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

SOLID WASTE DISPOSAL AND RECYCLING STUDY

Mayor McClellan introduced an item to Council to consider selecting a consultant to conduct a study on Solid Waste Disposal and Recycling Using Current Public Works CIP Funds. Mr. Richard Ridings of the Public Works Department discussed the request made by Ecology Action concerning some participation in the cooperative effort with the Department of Public Works and the

Environmental Board to participate in the selection of a consultant; to also help set up the procedure and after the selection allow the Environmental Board to work with the Department of Public Works and with the City in reviewing the work of the consultant.

Mayor McClellan said her understanding is to take the \$30,000 which is currently available in the Public Works Department CIP. She said she certainly endorses this. She also endorses letting the Environmental Board and Ecology Action having participation in selection of the consultant.

Motion

Councilmember Goodman moved that the Council authorize a study on solid waste disposal and recycling using current Public Works Funds (\$30,000) and let the Environmental Board Sub-Committee and Ecology Action have participation in selection of a consultant. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Trevino

Ms. Beth Brown of Ecology Action said they are concerned that recycling be given a fair study in Austin. She said she had spoken with Mr. German, Director of Public Works, and had specifically asked that the Environmental Board be assigned a subcommittee on recycling and be assigned to working on an equal basis with the Public Works people on formulating the contract and that they also be included in the selection of a consultant and in monitoring, not in the review, but in the monitoring along of the study.

ITEMS PULLED FROM AGENDA

The following items were pulled from the Agenda for one week:

1. City Managers Report on Proposed CIP Fund Transfer for Pleasant Valley Softball Complex; and
2. Approval of Contract:

RANDALL and BLAKE, INC.
2525 Manana Drive
Dallas, Texas

- CAPITAL IMPROVEMENT PROGRAM -
Pleasant Valley Road Softball
Complex Improvements -
\$836,285.42
C.I.P. No. 75/86-56

CITY PARK ROAD IMPROVEMENTS

MR. LEONARD EHRLER, Director of Parks and Recreation, presented a report on City Park Road Improvements. He said the road is in dire need of repair. Councilmember Cooke said he wanted to make sure any money used was not taken from the Waller Creek Project.

Motion

Councilmember Goodman moved that the Council transfer funds to repair the City Park Road according to Alternate 2 as recommended by Mr. German:

Alternate 2 - Hot Mix Asphalt Overlay	
42,700 S.Y. @ \$2.50/S.Y.	= \$106,750
10% Contingency	10,675

Total	\$117,425
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The motion, seconded by Mayor McClellan, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Trevino

REALLOCATION OF PARD CIP FUNDS

Council began to reconsider reallocation of PARD CIP funds concerning tennis courts. Mr. Ehrler recommended improvements be made at Givens and Pharr and construction begin at the new tennis center. He said there are not adequate funds for a pro shop and lighting at LBJ. Councilmember Goodman made a motion, seconded by Councilmember Cooke, which they withdrew.

Mayor McClellan suggested this item be postponed for one or two weeks for review and then bring back to Council. She asked that neighborhood associations be contacted regarding this.

DECISION ON RAINEY STREET POSTPONED

A City Manager Report considering deletion of Rainey Street Neighborhood Area from the area designated as appropriate for an Urban Renewal Development Project was pulled from the Agenda for one week.

PROPOSED LEASE AGREEMENT POSTPONED

A City Manager Report on Specialty Restaurant Corporation (94th Aero Squadron) Proposed Lease Agreement, was postponed.

ADJOURNMENT

Council adjourned its meeting at 11:00 P.M.

APPROVED

Carole Keeton McClellan
Mayor

ATTEST:

Grace Monroe
City Clerk