

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Special Called Meeting
November 20, 1980
12:30 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, Himmelblau, Mullen

Absent: Councilmember Snell, Mayor Pro Tem Trevino

Mayor McClellan stated that this was a Special Called Meeting for the purpose of hearing tax appeals. The Council then heard the following tax appeals:

| Ownership and Description | Property | 1979 Appraised Value 100% | 1980 Appraised Value 100% | Disposition by Board | Disposition by City Council |
|--|---------------|------------------------------------|------------------------------------|----------------------------|-----------------------------------|
| C. L. Reeves Burnet Road 6.83 acres James P. Wallace Survey ID #2-4901-0130 | Land Imps. | \$136,600 -0- | \$223,136 -0- | No appeal | \$193,385 -0- |
| | Total | \$136,600 | \$223,136 | | \$193,385 |
| C. L. Reeves US. Hwy 183 North .14 acre James P. Wallace Survey ID #2-5002-0102 | Land Imps. | \$ 6,098 -0- | \$ 10,672 -0- | No appeal | \$ 3,964 -0- |
| | Total | \$ 6,098 | \$ 10,672 | | \$ 3,964 |

Mr. Reeves stated that the two properties really were one piece of land. As of January 1, 1980, the property did not have a sewer. A comparable property a few blocks away on Loop 360 had utilities and was valued at \$60,860 by the Tax Department. Based on the size of that property, Mr. Reeves said that his property was worth \$38,550. He thought that the \$233,000 valuation was totally unfair.

Mr. Klitgaard stated that there was a comparable piece of property closer to Mr. Reeve's property that was valued at 75¢/square foot.

Motion - Died for Lack of Second

Councilmember Cooke moved that the Council appraise the property at 50¢ per square foot for a total valuation of \$151,806 on the two pieces of land. The motion died for lack of a second.

Motion

Councilmember Himmelblau moved that the Council set the valuation on the property at 65¢ per square foot for a total valuation on the two pieces of land of \$197,349. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Mayor McClellan

Noes: None

Absent: Councilmember Snell, Mayor Pro Tem Trevino

| Ownership and Description | Property | 1979 Appraised Value 100% | 1980 Appraised Value 100% | Disposition by Board | Disposition by City Council |
|--|---------------|------------------------------------|------------------------------------|----------------------------|-----------------------------------|
| Professional Contractors, Inc. By C. L. Reeves 1900 E. Oltorf St. Lt 2-A Resub of Lts 2-A of the Resub of Lts 1-2 Parker Heights Sec 2-A ID #3-0705-0317 | Land Imps. | \$ 79,953 <u>85,000</u> | \$127,924 <u>353,238</u> | No appeal | \$127,924 <u>353,238</u> |
| | Total | \$164,953 | \$481,162 | | \$481,162 |
| C L R Development, Inc. 3-0705-0810 By C. L. Reeves 1945 E. Oltorf St. Lt. 27 Less East 76 Ft Av Parker Heights Sec 4 | Land Imps. | \$ 6,789 <u>-0-</u> | \$ 27,156 <u>-0-</u> | No appeal | \$ 10,000 <u>-0-</u> |
| | Total | \$ 6,789 | \$ 27,156 | | \$ 10,000 |

| Ownership and Description | Property | 1979 Appraised Value 100% | 1980 Appraised Value 100% | Disposition by Board | Disposition by City Council |
|---|----------|------------------------------------|------------------------------------|----------------------------|-----------------------------------|
| C.L.R Development, Inc. | Land | \$ 65,820 | \$131,639 | No appeal | \$131,639 |
| | Imps. | <u>5,486</u> | <u>5,421</u> | | <u>5,421</u> |
| By C. L. Reeves Burleson Road Tract A Resub of Parker Heights Sec 1A ID #3-0804-1301 | Total | \$ 71,306 | \$137,060 | | \$137,060 |
| C L R Development, Inc. 3-0804-1501 | Land | \$ 22,198 | \$ 54,786 | No appeal | \$ 37,500 |
| | Imps. | <u>-0-</u> | <u>-0-</u> | | <u>-0-</u> |
| By C. L. Reeves 2427 Burleson Ct Lt 1 Parker Heights Sec 4 | Total | \$ 22,198 | \$ 54,786 | | \$ 37,500 |
| C L R Development, Inc. 3-0804-1518 | Land | \$ 8,518 | \$ 12,777 | No appeal | \$ 10,000 |
| | Imps. | <u>-0-</u> | <u>-0-</u> | | <u>-0-</u> |
| By C. L. Reeves 2420 Burleson Ct Lt 25 Parker Heights Sec 4 | Total | \$ 8,518 | \$ 12,777 | | \$ 10,000 |
| Professional Contractors, Inc. S Pleasant Valley Road .672 acre Santiago Del Valle Grant ID #3-1702-0710 | Land | \$ 8,442 | \$ 16,847 | No appeal | \$ 6,000 |
| | Imps. | <u>-0-</u> | <u>-0-</u> | | <u>-0-</u> |
| | Total | \$ 8,442 | \$ 16,847 | | \$ 6,000 |
| Professional Contractors, Inc. By C. L. Reeves 4310 Bellvue Ave Lt 11 Less SW 15 x 26 Ft B1 6 Alta Vista ID #2-2203-0611 | Land | \$ 4,574 | \$ 10,006 | No appeal | \$ 10,006 |
| | Imps. | <u>13,375</u> | <u>19,579</u> | | <u>19,579</u> |
| | Total | \$ 17,949 | \$ 29,585 | | \$ 29,585 |

Mr. Reeves first discussed Case No. 3-0705-0317 by stating that he was only appealing the land valuation of \$127,924. He presented what he felt were comparables in the area. He thought that the land was worth no more than \$63,000.

Mr. Klitgaard showed other comparables in the area which were more than the \$2.00 per square foot valuation on Mr. Reeves' property.

Motion

Councilmember Cooke moved that the Council uphold the Tax Department's valuation of \$2.00 per square foot for the land for a valuation of \$127,924. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Mayor McClellan,
Councilmember Cooke

Noes: None

Absent: Councilmember Snell, Mayor Pro Tem Trevino

Not in Council Chamber when roll was called: Councilmember Goodman

Mr. Reeves next discussed Case No. 3-0705-0810 located at 1945 East Oltorf Street. The property was one-half of a subdivided lot and as of January 1, 1980 did not have sewer. A building permit could not be obtained because the property had not been subdivided. Mr. Reeves thought that the property was worth \$7,500.

Mr. Reeves next discussed Case No. 3-0804-1301 located on Burleson Road. The property was the site of an old lumber yard, was subdivided and had been for sale but with no offers. Improvements were temporary and moveable. He thought that the property was worth no more than \$42,780.

The next case discussed by Mr. Reeves was Case No. 3-0804-1501 located across the street from the preceding case. The same situation existed on that case and Mr. Reeves felt that the property was worth no more than \$15,000.

The fourth case in that general area discussed by Mr. Reeves was Case No. 3-0804-1518 located at 2420 Burleson Court, with the same situation as the two preceding cases. Mr. Reeves thought that the property was worth no more than \$8,500.

Mr. Klitgaard presented comparables for each of the preceding cases and felt that the valuations were justified.

After further discussion among the Council, Mr. Reeves and Mr. Klitgaard, the following motions were made.

Motion

Councilmember Mullen moved that the Council reduce the valuation on Case No. 3-0705-0810 to \$10,000. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Snell, Mayor Pro Tem Trevino

Not in Council Chamber when roll was called: Councilmember Goodman

Motion

Councilmember Cooke moved that the Council uphold the Tax Department's valuation on Case No. 3-0804-1301 at \$137,060. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Himmelblau, Mullen
Noes: None
Absent: Councilmember Snell, Mayor Pro Tem Trevino
Not in Council Chamber when roll was called: Councilmember Goodman

Motion

Councilmember Cooke moved that the Council set the valuation on Case No. 3-0804-1501 at \$37,500. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Himmelblau, Mullen
Noes: None
Absent: Mayor Pro Tem Trevino, Councilmember Snell
Not in Council Chamber when roll was called: Councilmember Goodman

Motion

Councilmember Cooke moved that the Council set the valuation on Case No. 3-0804-1518 at \$10,000. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Himmelblau, Mullen
Noes: None
Absent: Councilmember Snell, Mayor Pro Tem Trevino
Not in Council Chamber when roll was called: Councilmember Goodman

Mr. Reeves next discussed Case No. 3-1702-0710 located on Pleasant Valley Road. He had bought the property in 1979 for \$3,000 for speculation. A zoning change request for "O" Office was denied by the Planning Commission, which had recommended Interim "A" Residence zoning. The property was a long, narrow tract which was not useable in its present condition. Mr. Reeves felt that the property was worth no more than \$3,000.

Mr. Klitgaard stated that the property was not worth anywhere near \$16,000, but did not particularly agree with Mr. Reeves' \$3,000 figure. He thought that the property was worth about \$5,000 to \$6,000.

Motion

Councilmember Mullen moved that the Council set the valuation on Case No. 3-1702-0710 at \$6,000. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Mayor McClellan
Noes: None
Absent: Councilmember Snell, Mayor Pro Tem Trevino
Not in Council Chamber when roll was called: Councilmember Goodman

Mr. Reeves next discussed Case No. 2-2203-0611 located at 4310 Bellvue Avenue. The property was in an older neighborhood with a house that was over 50 years old, which had been converted to a duplex on a substandard lot. Professional Contractors, Inc. had bought the house for \$20,000 in 1979. It was his opinion that as of January 1, 1980, the land was worth \$7,000 and the house \$13,000.

Mr. Klitgaard indicated to the Council the Tax Department's appraisal of the property and also said that vendor's lien notes on old houses in the area showed values of over \$30,000. Lot sales in the area showed valuation of over \$10,000.

Motion

Councilmember Mullen moved that the Council uphold the valuation on Case No. 2-2203-0611 set by the Tax Department at \$29,585. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Mayor McClellan,
Councilmember Cooke

Noes: None

Absent: Councilmember Snell, Mayor Pro Tem Trevino

Not in Council Chamber when roll was called: Councilmember Goodman

----- TAX APPEAL WITHDRAWN

Mayor McClellan announced that the following tax appeal had been withdrawn:

| Ownership and Description | Property | 1979 Appraised Value 100% | 1980 Appraised Value 100% | Disposition by Board | Disposition by City Council |
|---|----------|------------------------------------|------------------------------------|----------------------------|-----------------------------------|
| Robert J. Swanson et al | Land | \$ 56,354 | \$ 78,895 | No appeal | |
| By Daniel Nelson | Imps. | <u>390,289</u> | <u>541,882</u> | | |
| 1407 W North Loop Boulevard ID #2-2604-0358 | Total | \$446,643 | \$620,777 | | |

| Ownership and Description | Property | 1979 Appraised Value 100% | 1980 Appraised Value 100% | Disposition by Board | Disposition by City Council |
|---|----------------------------|--|--|----------------------------|-----------------------------------|
| C. L. Reeves By Thomas Hedrick S Rayburn Drive 8205 ID #2-3515-0803 | Land Imps. Total | \$ 3,682 <u>42,798</u> \$46,480 | \$ 5,020 <u>61,003</u> \$66,023 | No appeal | |
| C. L. Reeves By Thomas Hedrick S Rayburn Drive 8207 ID #2-3515-0804 | Land Imps. Total | \$ 3,682 <u>42,798</u> \$ 46,480 | \$ 5,020 <u>61,003</u> \$ 66,023 | No appeal | |
| C. L. Reeves By Thomas Hedrick S Rayburn Drive 8209 ID #2-3515-0805 | Land Imps. Total | \$ 3,682 <u>42,798</u> \$ 46,480 | \$ 5,020 <u>61,003</u> \$ 66,023 | No appeal | |
| C. L. Reeves By Thomas Hedrick S Rayburn Drive 8210 ID #2-3515-0713 | Land Imps. Total | \$ 3,960 <u>40,496</u> \$ 44,456 | \$ 5,400 <u>54,660</u> \$ 60,060 | No appeal | |
| C. L. Reeves By Thomas Hedrick S Rayburn Drive 8211 ID #2-3515-0806 | Land Imps. Total | \$ 3,862 <u>41,868</u> \$ 45,550 | \$ 5,020 <u>60,318</u> \$ 65,338 | No appeal | |
| C. L. Reeves By Thomas Hedrick S Rayburn Drive 8212 ID #2-3515-0712 | Land Imps. Total | \$ 4,290 <u>41,013</u> \$ 45,303 | \$ 5,850 <u>55,166</u> \$ 61,016 | No appeal | |
| C. L. Reeves By Thomas Hedrick S Rayburn Drive 8213 ID #2-3515-0807 | Land Imps. Total | \$ 3,682 <u>41,868</u> \$ 45,550 | \$ 5,020 <u>60,318</u> \$ 65,338 | No appeal | |
| C. L. Reeves By Thomas Hedrick S Rayburn Drive 8215 ID #2-3515-0808 | Land Imps. Total | \$ 3,682 <u>41,868</u> \$ 45,550 | \$ 5,020 <u>60,318</u> \$ 65,338 | No appeal | |

| Ownership and Description | Property | 1979 Appraised Value 100% | 1980 Appraised Value 100% | Disposition by Board | Disposition by City Council |
|---|----------------------------|--|---|----------------------------|-----------------------------------|
| C. L. Reeves By Thomas Hedrick S Rayburn Drive 8217 ID #2-3515-0809 | Land Imps. Total | \$ 3,682 <u>41,868</u> \$ 45,550 | \$ 5,020 <u>60,318</u> \$ 65,338 | No appeal | |
| C. L. Reeves By Thomas Hedrick S Rayburn Drive 8219 ID #2-3515-0810 | Land Imps. Total | \$ 3,682 <u>41,868</u> \$ 45,550 | \$ 5,020 <u>60,318</u> \$ 65,338 | No appeal | |
| C. L. Reeves By Thomas Hedrick S Rayburn Drive 8221 ID #2-3515-0811 | Land Imps. Total | \$ 3,682 <u>41,868</u> \$ 45,550 | \$ 5,020 <u>60,318</u> \$ 65,338 | No appeal | |
| C. L. Reeves By Thomas Hedrick S Rayburn Drive 8223 ID #2-3515-0814 | Land Imps. Total | \$ 9,105 <u>153,927</u> \$ 163,032 | \$ 12,416 <u>217,618</u> \$ 230,034 | No appeal | |

MS. SUSAN MATHIS, representing Mr. Thomas Hedrick, cited several problems with the subject property, including foundation problems. She asked the Council to reduce the valuation on the 12 lots by 10%.

Mr. Klitgaard stated that the Tax Department had recommended a 10% allowance on the apartment complex to the Board of Equalization because of extensive damage. He thought that some maintenance may have been deferred on the properties.

After further discussion of the condition of the properties, Mr. Klitgaard requested that the appeal be postponed until December 4th so that the Tax Department could look at the properties again. The Council rescheduled the appeal for 3:00 p.m., December 4, 1980.

Mayor Pro Tem Trevino entered the Council Chamber.

| Ownership and Description | Property | 1979 Appraised Value 100% | 1980 Appraised Value 100% | Disposition by Board | Disposition by City Council |
|--|----------------------------|------------------------------------|--|--|--|
| Dinerstein Company By James Archer 2819 Foster Lane ID #2-3904-0101 | Land Imps. Total | \$657,936 125,000 \$782,926 | \$ 877,248 4,311,717 \$5,188,965 | \$ 877,248 4,311,717 \$5,188,965 | \$ 877,248 4,311,717 \$5,188,965 |
| Dinerstein Company By James Archer I H 35 N 3 acres J. P. Wallace Survey ID #2-3516-0407 | Land Imps. Total | \$130,680 22,703 \$153,383 | \$ 163,350 26,470 \$ 189,820 | \$ 163,350 20,309 \$ 183,659 | \$ 163,350 17,112 \$ 180,462 |

Mr. Archer first discussed the Northcross Apartments. The land was bought in July, 1978 for \$659,260 and the improvements were completed on June 30, 1979 at a cost of \$3,654,250. He felt that the valuation should be no higher than those figures. The Tax Department had increased the valuation by 33%.

Mr. Klitgaard cited comparables in the area, each of which was higher than the \$2.00 per square foot valuation on the property. He felt that the 33% increase was justified in that area. He stated that if exposed to the market, the property would readily command the price placed on it by the Tax Department.

Mr. Archer agreed that the property had increased in value, but felt that the Tax Department increase was too high.

Motion

Councilmember Cooke moved that the Council uphold the valuation set by the Tax Department. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

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

Mr. Archer next discussed the three acres of land on North I H 35 by stating that he was appealing the improvements. The building on the property had been used as a construction shack during the building of some adjacent apartments. He stated that the building was not being used now and asked that the valuation be lowered.

Mr. Klitgaard stated that the Tax Department had agreed with a 20% salvage value for the building, but had checked the property and found that the building was being used as a field office. The Board of Equalization had earlier granted a reduction in valuation, but reversed itself after the new information was called to their attention by the Tax Department.

Motion

Councilmember Mullen moved that the Council set the valuation on the improvements at \$17,112. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Mayor McClellan, Councilmembers Cooke, Mullen

Noes: None

Absent: Councilmember Snell

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

| Ownership and Description | Property | 1979 | 1980 | Disposition by Board | Disposition by City Council |
|--|---------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------------|
| | | Appraised Value 100% | Appraised Value 100% | | |
| Evergreen Management Company | Land Imps. | \$142,980 <u>450,853</u> | \$200,172 <u>763,970</u> | \$200,172 <u>763,970</u> | \$200,172 <u>763,970</u> |
| By James Archer 7300 Duval St. ID #2-3114-0948 | Total | \$593,833 | \$964,142 | \$964,142 | \$964,142 |
| Evergreen Management Company | Land Imps. | \$105,034 <u>379,741</u> | \$126,041 <u>661,052</u> | \$126,041 <u>661,052</u> | \$126,041 <u>661,052</u> |
| By James Archer 5506 Grover Ave. ID #2-2705-0411 | Total | \$484,775 | \$787,093 | \$787,093 | \$787,093 |
| Evergreen Management Company | Land Imps. | \$103,635 <u>472,733</u> | \$138,180 <u>781,259</u> | \$138,180 <u>781,259</u> | \$138,180 <u>781,259</u> |
| By James Archer 7200 Duval St. ID #2-3114-0947 | Total | \$576,368 | \$919,439 | \$919,439 | \$919,439 |

Mr. Archer said that the three properties were the Brittany, French Colony and Posada Del Norte Apartments. The first two properties were purchased for \$1.5 million in July, 1978. Under the income approach and using a net operating income and a capitalization rate of 11% a value of \$997,781 would be obtained. Using an 8% rate would indicate a value of \$1,371,949. He asked that the taxes be reduced from a 30-40% increase to a 19% increase.

Mr. Klitgaard stated that the present valuation on the properties was well within the range of increases for real estate in that period of time. Income approach was a viable approach to value, but his information was supposed to come from the market place. The apartment industry in Austin had just about recovered from earlier setbacks, which was one of the reasons for substantial increases in valuations. The Tax Department was simply removing a temporary discount. He felt that the values were appropriate for the three properties.

Mr. Archer felt that a 40% increase was unrealistic.

Motion

Councilmember Mullen moved that the Council uphold the valuations set by the Tax Department. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

Not in Council Chamber when roll was called, Councilmember Himmelblau

| Ownership and Description | Property | 1979 | 1980 | Disposition by Board | Disposition by City Council |
|--|---------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------------|
| | | Appraised Value 100% | Appraised Value 100% | | |
| Nash Phillips & Clyde Copus, Jr. By James Archer 5005 Manor Road ID #2-1718-0520 | Land Imps. | \$ 63,140 <u>475,292</u> | \$ 67,997 <u>662,616</u> | \$ 67,997 <u>662,616</u> | \$ 67,997 <u>613,895</u> |
| | Total | \$538,432 | \$730,613 | \$730,613 | \$681,892 |

Mr. Archer next discussed Chateau Trianon which he said had a high vacancy rate, possibly due to its proximity to the Airport. He asked for a reduction in the valuation.

Mr. Klitgaard responded that he did not disagree with the appellant. However, the Tax Department had allowed a 15% adjustment on the property, and he felt that the amount was adequate.

Motion

Councilmember Mullen moved that the Council set the valuation on the improvements at \$613,895. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

Not in Council Chamber when roll was called: Mayor McClellan,
Councilmember Himmelblau

ITEM NOT APPEALED

The following tax valuation was not appealed:

| Ownership and Description | Property | 1979 Appraised Value 100% | 1980 Appraised Value 100% | Disposition by Board | Disposition by City Council |
|--|------------------------|---|---|---|---|
| Barcelona Aparts. By James Archer 2201 Elmont Drive ID #3-0407-0504 | Land Imps. Total | \$ 108,138 <u>1,022,042</u> \$1,130,180 | \$ 138,176 <u>1,409,789</u> \$1,547,965 | \$ 138,176 <u>1,241,957</u> \$1,380,133 | \$ 138,176 <u>1,241,957</u> \$1,380,133 |

| | | | | | |
|---|------------------------|--|--|--|--|
| W.C. Weed Properties By James Archer 7304 Twin Crest Drive ID #2-3114-0814 | Land Imps. Total | \$ 25,339 <u>147,571</u> \$172,910 | \$ 35,474 <u>204,566</u> \$240,040 | \$ 35,474 <u>204,566</u> \$240,040 | \$ 35,474 <u>204,566</u> \$240,040 |
|---|------------------------|--|--|--|--|

Mr. Archer stated that the property was the El Mirada Apartments and that again the appeal was based on the income approach. Councilmember Mullen stated that he would vote against any appeal based on the income approach.

Motion

Councilmember Mullen moved that the Council uphold the Board of Equalization's decision. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

Not in Council Chamber when roll was called: Councilmember Himmelblau,
Mayor McClellan

| Ownership and Description | Property | 1979 Appraised Value 100% | 1980 Appraised Value 100% | Disposition by Board | Disposition by City Council |
|---|------------------------|---|---|---|---|
| Greenwoods Joint Venture By James Archer 1666 Rutland Dr. ID #2-4412-0438 | Land Imps. Total | \$ 406,937 <u>1,799,151</u> \$2,206,088 | \$ 488,325 <u>3,284,936</u> \$3,773,261 | \$ 488,325 <u>3,284,936</u> \$3,773,261 | \$ 488,325 <u>3,098,292</u> \$3,586,617 |

Mr. Archer stated that the Greenwoods Apartments had only a 65% occupancy rate and were still in the process of recovering from mismanagement. There was a minus net operating income.

Mr. Klitgaard responded that he believed that the area was recovering and that he did not feel that a reduction was justified.

Motion - Failed

Councilmember Cooke moved that the Council uphold the decision of the Board of Equalization. The motion, seconded by Mayor Pro Tem Trevino, failed to carry by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Trevino, Councilmember Cooke

Noes: Councilmember Mullen

Absent: Councilmember Snell

Not in Council Chamber when roll was called: Councilmember Himmelblau, Mayor McClellan

Motion

Councilmember Mullen moved that the Council grant a 5% discount on the improvements for a valuation of \$3,586,617. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Mullen, Mayor Pro Tem Trevino, Councilmembers Cooke, Goodman

Noes: None

Absent: Councilmember Snell

Not in Council Chamber when roll was called: Councilmember Himmelblau, Mayor McClellan

| Ownership and Description | Property | 1979 Appraised Value 100% | 1980 Appraised Value 100% | Disposition by Board | Disposition by City Council |
|---|----------------------------|--|--|--|--|
| Delta Investments By James Archer 8600 Research Boulevard ID #2-4110-0325 | Land Imps. Total | \$ 7,653 <u>27,355</u> \$ 35,008 | \$ 13,776 <u>35,847</u> \$ 49,623 | \$ 13,776 <u>35,847</u> \$ 49,623 | \$ 13,776 <u>35,847</u> \$ 49,623 |
| Delta Investments By James Archer 8600 Research Boulevard ID #2-4110-0326 | Land Imps. Total | \$ 12,130 <u>27,355</u> \$ 39,485 | \$ 21,833 <u>35,847</u> \$ 57,680 | \$ 21,833 <u>35,847</u> \$ 57,680 | \$ 21,833 <u>35,847</u> \$ 57,680 |
| Delta Investments By James Archer 8600 Research Boulevard ID #2-4110-0327 | Land Imps. Total | \$ 39,608 <u>107,659</u> \$147,267 | \$ 71,294 <u>141,688</u> \$212,982 | \$ 71,294 <u>141,688</u> \$212,982 | \$ 71,294 <u>141,688</u> \$212,982 |

| Ownership and Description | Property | 1979 Appraised Value 100% | 1980 Appraised Value 100% | Disposition by Board | Disposition by City Council |
|---|----------------------------|--|--|--|--|
| Delta Investments By James Archer 8600 Research Boulevard ID #2-4110-0328 | Land Imps. Total | \$ 55,350 <u>163,347</u> \$218,697 | \$ 92,250 <u>227,516</u> \$319,766 | \$ 92,250 <u>227,516</u> \$319,766 | \$ 92,250 <u>227,516</u> \$319,766 |
| Delta Investments By James Archer 8600 Research Boulevard ID #2-4110-0332 | Land Imps. Total | \$ 86,430 <u>249,623</u> \$336,053 | \$144,050 <u>332,934</u> \$476,984 | No appeal | \$144,050 <u>332,934</u> \$476,984 |

Mr. Archer stated that the preceding five accounts all applied to one apartment project. The fifth item inadvertently was not appealed to the Board of Equalization. The apartments had a bad vacancy rate and low income.

Motion

Councilmember Cooke moved that the Council uphold the valuations set by the Tax Department on the five accounts of Delta Investments. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Mullen, Mayor Pro Tem Trevino, Councilmembers
Cooke, Goodman

Noes: None

Absent: Councilmember Snell

Not in Council Chamber when roll was called: Mayor McClellan,
Councilmember Himmelblau

| | | | | | |
|---|----------------------------|--|--|--|--|
| Normandy Assocs. Ltd. By James Archer 2500 Steck Ave. ID #2-4106-0819 | Land Imps. Total | \$109,160 <u>409,857</u> \$519,017 | \$174,656 <u>653,287</u> \$827,943 | \$174,656 <u>653,287</u> \$827,943 | \$174,656 <u>653,287</u> \$827,943 |
|---|----------------------------|--|--|--|--|

Mr. Archer stated that the appeal was on the Normandy Apartments. He felt that using the income approach that the increase was too high.

Mr. Klitgaard stated that he thought that the increase was about normal for apartments. The property was well-located and he did not feel that further adjustments were justified.

Motion

Councilmember Himmelblau moved that the Council uphold the valuation placed on the property by the Tax Department. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Mayor McClellan, Councilmembers Goodman, Himmelblau

Noes: None

Absent: Councilmember Snell

Not in Council Chamber when roll was called: Councilmembers Cooke, Mullen

| Ownership and Description | Property | 1979 Appraised Value 100% | 1980 Appraised Value 100% | Disposition by Board | Disposition by City Council |
|--|----------------------------|--|--|--|--|
| Oak Creek Associates By James Archer 1507 Houston St. ID #2-2705-0522 | Land Imps. Total | \$ 97,594 <u>466,359</u> \$563,953 | \$136,631 <u>648,759</u> \$785,390 | \$136,631 <u>648,759</u> \$785,390 | \$136,631 <u>648,759</u> \$785,390 |
| Oak Creek Associates By James Archer 5310 Joe Sayers Avenue ID #2-2705-0523 | Land Imps. Total | \$ 75,264 <u>404,621</u> \$479,885 | \$105,369 <u>562,755</u> \$668,124 | \$105,369 <u>562,755</u> \$668,124 | \$105,369 <u>562,755</u> \$668,124 |

Mr. Archer stated that the two pieces of property consisted of 90 units of apartments. Using the income approach, Mr. Archer felt that the property should be assessed lower.

Mr. Klitgaard stated that there were some problems with the apartments, but that the Tax Department had allowed an extra 5% decrease in its assessment. He reminded the Council that this was the first year that valuations on apartments had been pushed up.

Motion

Councilmember Goodman moved that the Council uphold the Board of Equalization. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

Not in Council Chamber when roll was called: Councilmember Mullen

| Ownership and Description | Property | 1979 Appraised Value 100% | 1980 Appraised Value 100% | Disposition by Board | Disposition by City Council |
|---|---------------|------------------------------------|------------------------------------|----------------------------|-----------------------------------|
| Spanish Trace Associates | Land Imps. | \$112,567 696,482 | \$ 120,071 1,230,085 | \$ 120,071 1,230,085 | \$ 120,071 1,230,085 |
| By James Archer 1212 Westheimer ID #2-2817-1510 | Total | \$809,049 | \$1,350,156 | \$1,350,156 | \$1,350,156 |

Mr. Archer stated that the Spanish Trace Apartments consisted of 100 units and were purchased in November, 1978 for \$1,025,000. Based on the capitalization rate, the property was worth \$1,001,270, which was close to the purchase price. The tax increase from 1979 to 1980 was 44%. He felt that a 30% to 35% increase was more realistic.

Mr. Klitgaard stated that a 15% depreciation adjustment had been allowed on the property. He felt that the 44% increase was justified.

Motion

Councilmember Goodman moved that the Council uphold the Board of Equalization. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro Tem Trevino

Noes: None

Absent: Councilmember Snell

Not in Council Chamber when roll was called: Councilmembers Himmelblau, Mullen

| Ownership and Description | Property | 1979 Appraised Value 100% | 1980 Appraised Value 100% | Disposition by Board | Disposition by City Council |
|--|---------------|------------------------------------|------------------------------------|----------------------------|-----------------------------------|
| Spanish Villa Associates | Land Imps. | \$ 177,636 923,199 | \$ 266,454 1,249,035 | \$ 266,454 1,249,035 | \$ 266,454 1,249,035 |
| By James Archer 901 Reinli St. ID #2-2512-0401 | Total | \$1,100,835 | \$1,515,489 | \$1,515,489 | \$1,515,489 |

Mr. Archer felt that the industry had not fully recovered and stated that based on the income approach, he felt that the assessment on the apartments was too high.

Mr. Klitgaard responded that he did not see sales coming through for extremely low prices as they had sold for previously, nor did he see the mass of foreclosures that occurred in the mid 1970's for the industry. There would always be an exception, but he did not think that the area in question had a problem. He thought that the values were appropriate for the subject property.

Motion

Councilmember Cooke moved that the Council uphold the Board of Equalization. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Mullen, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

Absent: Councilmember Snell

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

| Ownership and Description | Property | 1979 Appraised Value 100% | 1980 Appraised Value 100% | Disposition by Board | Disposition by City Council |
|---|--------------------------------|-------------------------------------|--------------------------------------|--------------------------------------|-------------------------------------|
| Joseph. G Rountree, IV 4906 Westfield Drive ID #1-2800-0110 | Land Imps. Total | \$ 5,534 22,499 \$ 28,033 | \$ 10,980 33,890 \$ 44,870 | \$ 10,980 33,890 \$ 44,870 | \$ 6,980 33,890 \$ 40,870 |

Mr. Rountree stated that he was appealing the parcel in behalf of his son. The valuation had increased \$16,837 from last year for a 60% increase. The property abutted MoPac Boulevard and a 345 KV transmission line had been constructed behind the house. He stated that increasing traffic on MoPac would diminish the value of the property. He asked that the valuation be decreased.

Mr. Klitgaard stated that the Tax Department was aware of the conditions pointed out by Mr. Rountree. However, value influences were measured in the marketplace. A number of sales had occurred in the area, and a unit value of \$125 per front foot had been established to measure land values. He felt that all of the value influences effecting the property had been considered, particularly the prices people were willing to pay for property in the area.

After further discussion, the following motions were offered:

Motion

Councilmember Cooke moved that the Council reduce the valuation by \$2,000 for a total valuation of \$42,870. Mayor McClellan seconded the motion.

Substitute Motion

Mayor Pro Tem Trevino made a substitute motion that the Council reduce the valuation by \$4,000 for a total valuation of \$40,870. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

Not in Council Chamber when roll was called: Councilmember Himmelblau

| Ownership and Description | Property | 1979 Appraised Value 100% | 1980 Appraised Value 100% | Disposition by Board | Disposition by City Council |
|---------------------------------|----------|------------------------------------|------------------------------------|----------------------------|-----------------------------------|
| J. G. Rountree | Land | \$ 5,906 | \$ 10,547 | \$ 10,547 | \$ 10,351 |
| 4905 Westfield | Imps. | <u>26,551</u> | <u>37,601</u> | <u>37,601</u> | <u>35,389</u> |
| Drive | | | | | |
| ID #1-2800-0523 | Total | \$ 32,457 | \$ 48,148 | \$ 48,148 | \$ 45,740 |

Mr. Rountree stated that the property was bought in 1972 for \$27,000. In 1979 the property was valued at \$32,457. The proposed 1980 valuation was a 48.3% increase over the 1979 valuation. He did not recognize as valid comparison of his home with other more expensive homes of that area.

Mr. Klitgaard felt that the marketplace adequately justified the value placed on the property. If exposed to the market, the house would command the valuation placed on it by the Tax Department.

Motion

Councilmember Goodman moved that the Council reduce the valuation by 5% for a total valuation of \$45,740. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

Not in Council Chamber when roll was called: Councilmember Himmelblau

APPEAL WITHDRAWN

Mr. Klitgaard stated that the following appeal had been withdrawn:

| Ownership and Description | Property | 1979 Appraised Value 100% | 1980 Appraised Value 100% | Disposition by Board | Disposition by City Council |
|---|----------|------------------------------------|------------------------------------|----------------------------|-----------------------------------|
| Lemuel Scarbrough, Jr., et al | Land | \$568,399 | \$913,498 | \$811,998 | |
| By Wendal Phillips | Imps. | -0- | -0- | -0- | |
| Anderson Square Lot 2, Anderson Square ID #2-3710-0312 | Total | \$568,399 | \$913,498 | \$811,998 | |

The Council next heard the following appeal:

| | | | | | |
|---|-------|-----------|-----------|-----------|-----------|
| Paul O. Simms | Land | \$207,520 | \$221,734 | \$221,734 | \$ 95,340 |
| By Paul Wendler | Imps. | -0- | -0- | -0- | -0- |
| 2 Street East 11.91 acres OLS 14 & 30, Division 0 ID #2-0012-0801 | Total | \$207,520 | \$221,734 | \$221,734 | \$ 95,340 |

Mr. Paul Wendler stated that he had no quarrel with the valuation on the 3.263 acre tract laying between 1st and 2nd Streets. However, since the rollback zoning on the 8.6 acre tract from industrial to residential, he felt that the property should have a lower assessment. He asked the Council to assess the property at the same level as a four-block area of residences lying just west of the subject tract, less the cost of putting the tract in condition to subdivide for residences. He estimated that it would cost \$75-\$100 per front foot, plus legal and survey costs, to develop the lots. There would be additional costs for streets. About 305,000 square feet would be available for lots. He asked that that area be assessed at 37.25¢ to 37.50¢ per square foot, less development costs of about \$89,250, for an assessed valuation of \$24,000 to \$25,000.

Mr. Klitgaard responded that in spite of the rollback he doubted seriously that the property would ever be developed by dividing it into residential lots. It was a difficult problem, and he did not have a good answer for the Council as to the proper valuation. It was difficult to find a comparable in the market-place.

After further discussion, the following motion was offered:

Motion

Councilmember Mullen moved that the Council assess the 8.6 acre tract at 37.5¢ per square foot, less the cost to develop. Councilmember Goodman seconded the motion, and it carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

Not in Council Chamber when roll was called: Councilmember Himmelblau

Reconsideration of Motion

Councilmember Mullen moved that the Council reconsider the preceding motion. The motion was seconded by Councilmember Goodman, and passed by acclamation.

Motion

Councilmember Mullen moved that the Council set the valuation on the 8.6 acre tract at \$30,000, for a total valuation on the 11.91 acres of \$95,340. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

Not in Council Chamber when roll was called: Councilmember Himmelblau

| Ownership and Description | Property | 1979 | 1980 | Disposition by Board | Disposition by City Council |
|---------------------------------|----------|----------------------------|----------------------------|----------------------------|-----------------------------------|
| | | Appraised Value 100% | Appraised Value 100% | | |
| Woodstone, Ltd. | Land | \$ 96,268 | \$ 288,803 | \$ 288,803 | \$ 288,803 |
| By Stephen Dean | Imps. | -0- | 1,822,640 | 1,822,640 | 1,748,998 |
| 4021 Steck Ave. | | | | | |
| ID #1-4401-0201 | Total | \$ 96,268 | \$2,111,443 | \$2,111,443 | \$2,037,801 |

Mr. Stephen Dean, Property Manager, Paragon Properties, stated that he was representing Woodstone Apartments. He presented comparable properties in Northwest Hills and stated that Woodstone was identical to Woodcliff, except for the number of units and no tennis courts at Woodstone. However, Woodstone Apartments were valued at \$2.01 per square foot higher than Woodcliff.

Councilmember Goodman asked Mr. Klitgaard for an explanation of the difference in valuation between the two apartment complexes.

Mr. Klitgaard replied that this was a hazardous way of valuing properties. The Tax Department system valued the basic structure only on a classified system. He did not think that Mr. Dean's system was a proper way to value property.

Motion

Councilmember Goodman moved that the Council reduce the valuation on the improvements by 4% for a total valuation of \$2,037,801. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

Not in Council Chamber when roll was called: Councilmember Himmelblau

ADJOURNMENT

The Council adjourned at 5:20 p.m.

APPROVED:

Carole Keeton McClellan
Mayor

ATTEST:

Grace Monroe

City Clerk

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 20, 1980
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,
Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino

Absent: None

Dr. John Shouse, University Baptist Church, gave the Invocation.

PROJECT S.O.B.E.R.

Mayor McClellan read a proclamation, signed by all Councilmembers, designating the month of December, 1980 as the time when the Austin Council of Alcoholism will sponsor Project S.O.B.E.R. Messrs. Dan Love, Jim Hughey and Jim Donohue were present in the Council Chamber to receive the Resolution with their thanks and appreciation.

SILVER GLOVES WEEK

Silver Gloves Week will be observed December 1-6 according to a Resolution read by the Mayor. Ms. Gina Flores-Morales, Director, Parks and Recreation Department Montopolis Recreation Center, and Paul Alba received the proclamation with their thanks and appreciation.

MINUTES APPROVED

Councilmember Trevino moved that the Council approve the Minutes of the Meeting for November 13, 1980. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Mullen, Mayor Pro Tem Trevino
Noes: None
Not in Council Chamber when roll was called: Councilmembers Goodman, Himmelblau, Snell

BOARDS AND COMMISSIONS

Councilmember Mullen moved that the Council appoint Mike McCall to the Community Development Commission. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Cooke, Mullen, Mayor McClellan, Councilmember Snell
Noes: None
Not in Council Chamber when roll was called: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Trevino

Mayor McClellan announced the following board and commission appointments will be made on December 4, 1980:

On-Going Goals Assembly Committee, 4
Vending Commission, 1
Dental Health Advisory Committee, 2
Human Relations Commission, 7
Manpower Advisory Planning Council, 5
Building Standards Commission, 1
Austin Community Education Consortium, 3
EMS Quality Assurance Team, 1
PARC, 1
Environmental Board, 1

EMINENT DOMAIN PROCEEDINGS

Mayor Pro Tem Trevino moved that the Council adopt a resolution authorizing eminent domain proceedings to acquire the following tracts of land for the widening and improvements of Ponca Street, in C.D.D. Project #12:

705 sq. ft. of land out of Block 10, J. Gordan Brown Subdivision
(Rudolph Williams, owner)

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

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

Mayor Pro Tem Trevino moved that the Council adopt a resolution authorizing eminent domain proceedings to acquire the following tracts of land for the widening and improvements of Ponca Street, in C.D.D. Project #12.

501 Sq. Ft. of land out of Block 13, J. Gordan Brown Subdivision.
(J.T. Duvall, owner)

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

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

EASEMENT RELEASES

Mayor Pro Tem Trevino moved that the Council adopt a resolution authorizing release of the following easement:

1.5' of 7.5' public utility easement on Lot 25-A, Block "H"
Resubdivision of Lots 25 & 26 Block "H" and Lots 5,6 & 7 Block
"I" of Cherry Creek Phase III Sec. II locally known as 6606
Krollton Drive. (Requested by Mr. J.B. Ruebsahm, representing
Mr. and Mrs. Robert A. Parker)

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

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

Mayor Pro Tem Trevino moved that the Council adopt a resolution authorizing release of the following easement:

An electric and telephone easement on Lot A, G.C. Seiders Subdivision No. 2 as recorded in Volume 2524, Page 147, 1500 Toomey Road, Requested by Mr. Harvey Smith representing Mr. John Brougher, Trustee and Mr. Richard Seiders.

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

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

CONTRACTS APPROVED

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving the following contract:

Bid award:

- Elevator Maintenance Service
City Wide
Three (3) Year Service Agreement

AUSTIN ELEVATOR COMPANY
2005 Bert Street
Austin, Texas

- Items 1.1 thru 1.4, 1.10 thru 1.12,
2.0, 5.0 - \$23,724.00

DOVER ELEVATOR, INC.
1906 Mirian
Austin, Texas

- Items 1.5 thru 1.9, 4.0, 8.0,
& 10.0 - \$22,148.00

ESCO ELEVATORS, INC.
P.O. Box 1084
Austin, Texas

- Item 7.0 - \$5,251.20

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

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

November 20, 1980

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving the following contract:

| | | |
|-------------------------------------|---|-----------------------------------|
| EMERGENCY POWER ENGINEERING COMPANY | - | CAPITAL IMPROVEMENTS PROGRAM - |
| 3593 Cadillac Avenue | | Equipment for Emergency Generator |
| Costa Mesa, California | | System for Holly Power Plant, |
| | | Electric Utility Department |
| | | Item 1 - \$8,900.00 |
| | | C.I.P. No. 79/12-01 |

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

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

CAPITAL IMPROVEMENTS PROGRAM

Mayor Pro Tem Trevino moved that the Council adopt a resolution to select engineering services and approve the following contract:

Koenig Lane and Southern Pacific Railroad Grade Separation for
Public Works and Urban Transportation Departments. CAPITAL
IMPROVEMENTS PROGRAM, No. 74/61-02 -- Freese & Nichols, Inc.

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

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

Mayor Pro Tem Trevino moved that the Council adopt a resolution to select engineering services and approve the following contract:

William Cannon Drive at Missouri-Pacific (MoPac) Railroad
Separation for Public Works and Urban Transportation De-
partments. CAPITAL IMPROVEMENTS PROGRAM No. 74/61-02 --
URS Company

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

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

BROWNING AERIAL SERVICE INC. LEASE

Mayor Pro Tem Trevino moved that the Council adopt a resolution to amend the existing Browning Aerial Service, Inc. lease by the addition of approximately 71,950 square feet to allow the construction of an additional storage hangar and aircraft parking area. The motion, seconded by Councilmember Snell, carried by the following vote:

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

HUMAN SERVICE AGENCY CONTRACTS

Mayor Pro Tem Trevino moved that the Council authorize execution of twenty-three (23) Human Service Agency Contracts for FY 1980-81. The motion, seconded by Councilmember Snell, carried by the following vote:

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

Later in the meeting, Mayor Pro Tem Trevino said he would like to reconsider action.

Motion

Mayor Pro Tem Trevino moved that the Council reconsider action. The motion, seconded by Councilmember Goodman, carried by unanimous vote.

Mayor Pro Tem Trevino stated that there are some questions being raised by some of the contract agencies and he has not had time enough to look into the questions therefore he wanted to postpone action until December 4, 1980.

Deputy City Manager Muehlenbeck told Council, "We are presently going along with a continuing contract and those contracts will expire December 1. I'd like Council to authorize those contracts until you do have a chance to take action."

Motion

Mayor Pro Tem Trevino moved that the Council reconsider on December 4, 1980, authorizing execution of twenty-three (23) Human Service Agency Contracts for FY 1980-81; present contracts to extend until then. The motion, seconded by Councilmember Goodman, carried by unanimous vote.

504 HOT LINE

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving the City's participation in an Employers 504 Hotline with Texas Employment Commission for the purpose of providing information to local employers seeking assistance in employing handicapped individuals. The motion, seconded by Councilmember Snell, carried by the following vote:

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

INWATS LINE - PROSPECTIVE HOSPITAL EMPLOYEES

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving installation of an out-of-Texas Inwats, "800" number for Brackenridge Hospital at an approximate cost of \$2,928/year to enable prospective employees to contact the hospital without charge. (Recommended by Hospital Board) The motion, seconded by Councilmember Snell, carried by the following vote:

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

COMMUNITY ACTION GRANT

Mayor Pro Tem Trevino moved that the Council adopt a resolution accepting a grant from the Community Services Administration in the amount of \$432,000 for the operation of the Community Action Program during FY 1980-81. The motion, seconded by Councilmember Snell, carried by the following vote:

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

PUBLIC HEARINGS SET

Mayor Pro Tem Trevino moved that the Council set a public hearing to amend Brackenridge Urban Renewal Plan for January 8, 1981 at 2:00 p.m. and referred same to City Planning Commission for recommendation. The motion, seconded by Councilmember Snell, carried by the following vote:

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

Mayor Pro Tem Trevino moved that the Council reschedule the public hearing on the Williamson Creek Watershed Development Standards, which was continued to December 18, 1980, to December 11, 1980 at 7:00 p.m. The motion, seconded by Councilmember Snell, carried by the following vote:

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

HOME MORTGAGE REVENUE BOND PROGRAM

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving the request of the Travis County Housing Finance Corporation to operate its Home Mortgage Revenue Bond Program within the City of Austin. The motion, seconded by Councilmember Snell, carried by the following vote:

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

DELINQUENCY PREVENTION OFFICERS/2

Mayor Pro Tem Trevino moved that the Council adopt a resolution authorizing the City Manager or Deputy City Manager to accept a grant from the Texas Criminal Justice Division in the amount of \$35,442 for the project "Delinquency Prevention Officers/2" for the Austin Police Department for the program period December 1, 1980 through September 30, 1981, - \$8,932 cash match required. The motion, seconded by Councilmember Snell, carried by the following vote:

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

"TOYS IN LIEU OF FARE" PROGRAM"

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ESTABLISHING A SPECIAL TRANSIT FARE, "TOYS IN LIEU OF FARE" FOR THE AUSTIN TRANSIT SYSTEM DURING THE WEEK OF DECEMBER 8-13, 1980; 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: Councilmember Snell, Mayor Pro Tem Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau, Mullen
Noes: None

The Mayor announced that the ordinance had been finally passed.

ETHICS ORDINANCE AMENDMENT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ARTICLE VI, SECTION 2-35 (b) OF THE CODE OF THE CITY OF AUSTIN, 1967, AS AMENDED, PROVIDING A FILING DATE FOR STATEMENTS OF FINANCIAL INFORMATION FOR SALARIED CITY OFFICIALS THAT RESIGN OR ARE TERMINATED; PROVIDING FOR REQUIREMENT THAT SUCH EMPLOYEES FILE STATEMENTS BEFORE ACCRUED BENEFIT PAYMENTS ARE MADE TO EMPLOYEES; PROVIDING FOR AN OPTIONAL FILING DATE FOR RESIGNING BOARD AND COMMISSION MEMBERS; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

The Mayor announced that the ordinance had been finally passed.

(On the part of ordinance that states by providing for an optional filing date for resigning board and commission members, Councilmember Cooke voted no.)

Prior to the vote Councilmember Cooke stated, "I'm looking at the issue of whether a Commission member that's resigning would go ahead and submit a statement at that time or submit a statement at the end of the year. Looking at the pro's and con's I'm more compelled to keep them in the same cycle with everyone else rather than submitting a statement at that time. To me, that ethically, is more in keeping with the intent of the Ethics Ordinance. I feel that to require them to terminate and fill out that statement at the time they quit rather than filling out on a cyclical basis at the end of the year like everyone else does would be somewhat subverting the Ethics Ordinance. I couldn't support that."

The Mayor and Mr. Albert DeLaRosa both explained that this makes it optional to file either at the time of termination or wait until the regular cycle.

City Clerk Grace Monroe asked about the keeping of records. Councilmember Goodman explained that if the board and commission members do not submit a statement at the time of their resignation, then at the end of the cycle they should be notified regarding same.

EXTENSION OF MORATORIUM

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 801002-L, PROVIDING FOR THE EXTENSION UNTIL DECEMBER 19, 1980, OF THE MORATORIUM ON THE PROCESSING OF SUBDIVISION PLAT APPLICATIONS COVERING LAND LOCATED WITHIN THAT PORTION OF THE WILLIAMSON CREEK WATERSHED WHICH IS WITHIN THE EDWARDS AQUIFER RECHARGE ZONE OR THE EDWARDS AQUIFER CONTRIBUTING RECHARGE ZONE BEYOND BEING ACCEPTED FOR FILING AND DISAPPROVED BY THE PLANNING COMMISSION; 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: Councilmember Snell, Mayor Pro Tem Trevino, Mayor McClellan,
Councilmembers Cooke, Goodman, Himmelblau, Mullen
Noes: None

The Mayor announced that the ordinance had been finally passed.

STREET VACATION

Mayor McClellan introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING RED RIVER STREET BETWEEN THE NORTHERN BOUNDARY OF MARTIN LUTHER KING, JR. BOULEVARD AND THE SOUTHERN BOUNDARY OF EAST 26TH STREET AND VACATING AND PERPETUALLY CLOSING MANOR ROAD BETWEEN THE WEST BOUNDARY OF THE WEST FRONTAGE ROAD OF INTERREGIONAL HIGHWAY 35 AND THE EAST BOUNDARY OF RED RIVER STREET (EXCLUSIVE OF THE RIGHT-OF-WAY OF SWISHER STREET); RETAINING IN THE VACATED AND PERPETUALLY CLOSED PORTIONS OF RED RIVER STREET AND MANOR ROAD A PUBLIC UTILITY EASEMENT ALONG WITH THE RIGHT OF INGRESS AND EGRESS FOR REPAIR, MAINTENANCE, CONSTRUCTION AND RECONSTRUCTION OF ALL EXISTING PUBLIC UTILITY LINES, PIPES AND SYSTEMS, SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 680627-E, ENACTED BY THE CITY COUNCIL ON JUNE 27, 1968, BY CORRECTING THE LEGAL DESCRIPTION OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Mary Lou Shirer, C14-80-168)

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

THE SOUTH 61.5 FEET OF THE WEST 90 FEET OF OUTLOT 22, DIVISION E, LOCALLY KNOWN AS 1501 WEST AVENUE, ALSO BOUNDED BY WEST 15TH 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. (Wilmot R. Horton, C14-80-171)

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

The Mayor announced that the ordinance had been finally passed.

The Mayor 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 5.050 ACRE TRACT OF LAND, LOCALLY KNOWN AS 4900-5108 TERI ROAD, ALSO BOUNDED BY NUCKLES CROSSING, FROM INTERIM "AA" RESIDENCE, INTERIM 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. (Ted Wendlandt and Edward Wendlandt, C14-80-172)

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

The Mayor announced that the ordinance had been finally passed.

The Mayor 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 820.75 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 11150 RESEARCH BOULEVARD, FROM "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, SECOND 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. (Balcones Woods Joint Venture, C14-80-174)

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

A 1.068 ACRE TRACT OF LAND, LOCALLY KNOWN AS 2000-2118 OLD EAST 51ST STREET, FROM "UND" UNDESIGNATED" DISTRICT TO "GR" GENERAL RETAIL, 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, C14-80-185)

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

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 10-15, BLOCK 10, WHITIS SUBDIVISION, OUTLOT 15, DIVISION D, LOCALLY KNOWN AS 2629 WHITIS AVENUE (ALL SAINTS CHAPEL), FROM "B" RESIDENCE, THIRD HEIGHT AND AREA DISTRICT TO "B-H" RESIDENCE-HISTORIC, THIRD 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. (All Saints Chapel, C14h-80-022)

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

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:

THE WEST 45.77 FEET OF LOT 8, BLOCK 62, ORIGINAL CITY, LOCALLY KNOWN AS 701 EAST 6TH STREET (RANDERSON-LUNDELL BUILDING), FROM "C-2" COMMERCIAL, FOURTH HEIGHT AND AREA DISTRICT TO "C-2-H" COMMERCIAL-HISTORIC, FOURTH 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 EN EFFECTIVE DATE. (Randerson-Lundell Bldg. C14h-80-023)

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: Councilmember Snell, Mayor Pro Tem Trevino, Mayor McClellan,
Councilmembers Cooke, Goodman, Himmelblau, Mullen
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 6, CANTERBURY SQUARE, OUTLOT 33, DIVISION O, LOCALLY KNOWN AS 1301 EAST 1ST STREET (MORELAND HOUSE), FROM "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT TO "A-H" RESIDENCE-HISTORIC, SECOND 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. (Moreland House, C14h-80-024 & C14-80-175)

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: Councilmember Snell, Mayor Pro Tem Trevino, Mayor McClellan,
Councilmembers Cooke, Goodman, Himmelblau, Mullen
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 19.206 ACRE TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT AND "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 2: A 93.037 ACRE TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT AND "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT, TO "DL" LIGHT INDUSTRIAL, SECOND HEIGHT AND AREA DISTRICT;

ALL OF THE ABOVE PROPERTY BEING LOCALLY KNOWN AS 7913-8399 CAMERON ROAD AND 2100-2112 E. ANDERSON LANE (U.S. HIGHWAY 183); SAID PROPERTY BING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Headway Texas, Inc. Rose Hadeler and Willie C. Hadeler, Trust, C14-80-105)

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 McClellan, Councilmembers Cooke, Goodman, Himmelblau, Mullen

Noes: None

Abstain: Mayor Pro Tem Trevino, Councilmember Snell

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 6.206 ACRE TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A-2" CONDOMINIUM RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;

TRACT 2: A 10.272 ACRE TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 3: A 4.698 ACRE TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;

TRACT 4: A 3.59 ACRE TRACT OF LAND, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT AND "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "A-2" CONDOMINIUM RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;

TRACT 5: A 3.49 ACRE TRACT OF LAND, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT AND "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "A-2" CONDOMINIUM RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;

TRACT 6: AN 8.02 ACRE TRACT OF LAND, FROM "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT AND "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT;

ALL OF ABOVE PROPERTY BEING LOCALLY KNOWN AS ONE OAK TRAIL AND THE 4800 BLOCK OF MCCARTY LANE, 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. (Provident Development Company, C14-80-114)

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

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:

AN APPROXIMATE 111.47 ACRES OF LAND, SAVE AND EXCEPT TRACTS 1-36 SET OUT BELOW, LOCALLY KNOWN AS 2200-2212, 2500-3124 AND 2707-2911 EAST 2ND STREET, SAVE AND EXCEPT 2608-2610 AND 2805-2811 EAST 2ND STREET; 1701-2111, 2501-2911 AND 2500-2910 EAST 3RD STREET; 2500-2920 AND 2501-2921 EAST 4TH STREET; 2201-3127 EAST 5TH STREET, SAVE AND EXCEPT 2203-2207 EAST 5TH STREET; 2200-2212 AND 2201-2213 EAST 2-½ STREET; 2200-2412 AND 2201-2411 SANTA RITA STREET; 2200-2412 AND 2201-2413 SANTA ROSA STREET; 213-217 CHALMERS AVENUE; 206-210 AND 207-211 CHICON STREET; 204-206 AND 205-207 ARANSAS STREET; 204-210 AND 205-207 ELKHART STREET; 204-208 AND 205-207 CANEY STREET; 204-206 AND 201-411 CANADIAN STREET; 201-415 AND 300-414 PEDERNALES STREET; 200-410 AND 201-409 SAN SABA STREET; 400-418 AND 401-419 PACE STREET; 110-418 AND 111-421 PLEASANT VALLEY ROAD, SAVE AND EXCEPT 109 PLEASANT VALLEY ROAD; 110-420 AND 111-421 BROADWAY STREET, SAVE AND EXCEPT 203 BROADWAY STREET; 110-424 AND 201-425 LINDEN STREET, SAVE AND EXCEPT 201-307 LINDEN STREET; 110-424 TILLERY STREET; 204-206 AND 205-207 SALINA STREET; 2200-2412 AND 2201-2413 SANTA MARIA STREET; AND ALL OF MATAMORAS STREET AND PROWSE LANE; FROM "B" RESIDENCE, "C" COMMERCIAL, "D" INDUSTRIAL, "E" HEAVY INDUSTRIAL AND "LR" LOCAL RETAIL, FIRST, SECOND AND THIRD HEIGHT AND AREA DISTRICTS TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;

TRACT 1: THE SOUTH 62 FEET OF THE FOLLOWING DESCRIBED PARCEL: THE SOUTH 83 FEET OF THE WEST 50 FEET OF THE EAST 150 FEET OF THE NORTH 150 FEET OF BLOCK 1, OUTLOT 22, DIVISION O OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL FIRST HEIGHT AND AREA DISTRICT;

TRACT 2: LOT 4 OF THE CYPHER RESUBDIVISION OF BLOCK 1, OUTLOT 22, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 3: LOTS 7, 8 AND 9, BLOCK 5 OF FAIR GROUNDS ADDITION; FROM "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 4: LOT 1, BLOCK 6, BUENA VISTA SUBDIVISION; FROM "E" HEAVY INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 5: LOTS 2, 3 AND 4, BLOCK 6, BUENA VISTA SUBDIVISION; FROM "E" HEAVY INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO BE DELETED FROM AREA STUDY;

TRACT 6: LOT 6, BLOCK 6A, INDUSTRIAL ADDITION ANNEX AND .816 ACRES OUT OF OUTLOT 10, DIVISION "O" INDUSTRIAL SUBDIVISION, SAVE AND EXCEPT THE SOUTHERNMOST 5 FEET OF THE AFOREMENTIONED .816 ACRE TRACT WHICH IS ADJACENT AND PARALLEL TO THE NORTH RIGHT-OF-WAY LINE OF SANTA ROSA STREET; FROM "E" HEAVY INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 7: A .094 ACRE TRACT OF LAND, SAME BEING OUT OF AND A PART OF THAT CERTAIN PORTION OF OUTLOT 10, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "E" HEAVY INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT,

TRACT 8: A TRIANGULAR TRACT OF LAND AT THE SOUTHWEST CORNER OF THE INTERSECTION

OF PEDERNALES STREET WITH EAST FIFTH STREET, FURTHER DESCRIBED AS A TRIANGLE 100 FEET BY 107 FEET BY 145 FEET OUT OF THE OUTLOT 10, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN;

TRACT 9: BEING ALL OF THE FOLLOWING DESCRIBED PARCELS: LOT 5, BLOCK 2 OF M. E. CHERNOSKY SUBDIVISION AND 150 FEET BY 120 FEET OUT OF OUTLOT 11, DIVISION "O", LOT 4 AND LOT 6, OF THE AFOREMENTIONED SUBDIVISION, SAVE AND EXCEPT THE SOUTHERNMOST 5 FEET OF LOT 6 PARALLEL AND ADJACENT TO THE NORTH RIGHT-OF-WAY LINE OF EAST 4TH STREET; FROM "E" HEAVY INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 10: ALL OF LOT 16 AND THE NORTH 43 FEET OF LOT 12, BLOCK 2, M. E. CHERNOSKY SUBDIVISION OF OUTLOT 11, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "E" HEAVY INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 11: LOTS 6 AND 7, BLOCK 5, M. E. CHERNOSKY SUBDIVISION OF OUTLOT 11, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, SAVE AND EXCEPT THE SOUTHERNMOST 5 FEET PARALLEL AND ADJACENT TO THE NORTH RIGHT-OF-WAY LINE OF SANTA ROSA STREET; FROM "E" HEAVY INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 12: LOTS 22 AND 23, D. C. PACE ADDITION OF OUTLOT 12, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, SAVE AND EXCEPT THE SOUTHERNMOST 5 FEET PARALLEL AND ADJACENT TO THE NORTH RIGHT-OF-WAY LINE OF SANTA ROSA STREET; FROM "LR" LOCAL RETAIL, THIRD HEIGHT AND AREA DISTRICT TO "LR", LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 13: LOTS 17, 18, 19, D.C. PACE ADDITION OF OUTLOT 12, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, SAVE AND EXCEPT THE SOUTHERNMOST 5 FEET PARALLEL AND ADJACENT TO SANTA ROSA STREET; FROM "E" HEAVY INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 14: LOTS 11-16 OF D.C. PACE ADDITION OF OUTLOT 12, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "E" HEAVY INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT;

TRACT 15: LOTS 1, 2, AND 3, D.C. PACE ADDITION OF OUTLOT 12, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "E" HEAVY INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "C-2" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 16: LOT 4-A OF THE RESUBDIVISION OF LOTS 4, 5 AND 6, D.C. PACE ADDITION, OUTLOT 12, DIVISION "O", CITY OF AUSTIN; FROM "E" HEAVY INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 17: LOT 6-A OF THE RESUBDIVISION OF LOTS 4, 5, AND 6, D.C. PACE ADDITION, OUTLOT 12, DIVISION "O", CITY OF AUSTIN; FROM "E" HEAVY INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "C-2" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 18: A TRACT OF LAND BEING THE NORTH 56 FEET OF LOT 12, BLOCK 24, OF THE SUBDIVISION OF OUTLOTS 13 AND 29, DIVISION "O", OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 19: LOTS 9-A AND 10-A OF THE RESUBDIVISION OF LOTS 9 AND 10, JOHN DOWELL SUBDIVISION; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 20: LOT 8, BLOCK 24-A, SAVE AND EXCEPT THE SOUTH 5 FEET OF JOHN DOWELL SUBDIVISION OF OUTLOTS 13 AND 29, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 21: LOT 7, BLOCK 24-A, SAVE AND EXCEPT THE SOUTH 5 FEET OF JOHN DOWELL SUBDIVISION OF OUTLOTS 13 AND 29, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 22: ALL OF LOTS 8-14, BLOCK 1, INDUSTRIAL SUBDIVISION ADDITION OF OUTLOT 10, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;

TRACT 23: LOTS 5 AND 6, BLOCK 3, HIGHWAY ADDITION; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT, TO BE DELETED FROM AREA STUDY;

TRACT 24: LOTS 11-14, BLOCK 2 OF THE W. B. ANTHONY ADDITION SUBDIVISION OF EAST 2/3 OF OUTLOT 28 AND EAST 2/3 OF SOUTH 1/2 OF OUTLOT 12, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;

TRACT 25: LOT 4, BLOCK 1, W. B. ANTHONY'S SUBDIVISION OF EAST 2/3 OF OUTLOT 28 AND EAST 2/3 OF S. 1/2 OF OUTLOT 12, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "D" INDUSTRIAL, SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 26: LOT 3, BLOCK 1, W. B. ANTHONY'S SUBDIVISION OF EAST 2/3 OF OUTLOT 38 AND E. 2/3 OF S. 1/2 OF OUTLOT 12, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "D" INDUSTRIAL SECOND HEIGHT AND AREA DISTRICT TO "C-2" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 27: ALL OF LOT 2 AND THE SOUTH 50 FEET OF LOT 1, BLOCK 1, W. B. ANTHONY'S SUBDIVISION OF E. 2/3 OF OUTLOT 28 AND E. 2/3 OF S. 1/2 OF OUTLOT 12, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "D" INDUSTRIAL, SECOND HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;

TRACT 28: LOT 12, BLOCK 18, OF THE JOHN DOWELL SUBDIVISION OF OUTLOTS 13 AND 29, DIVISION "O", OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT, TO BE EXCLUDED FROM AREA STUDY;

TRACT 29: LOTS 7-10, BLOCK 18, OF THE JOHN DOWELL SUBDIVISION OF OUTLOT 13 AND 29, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT, TO BE EXCLUDED FROM AREA STUDY;

TRACT 30: LOT 12, BLOCK 4, OF HARTWELL ADDITION, SECTION ONE; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 31: LOTS 7, 8 AND 9, BLOCK 4, OF HARTWELL ADDITION, SECTION ONE, SAVE AND EXCEPT THE NORTHERNMOST 5 FEET BEING PARALLEL WITH THE SOUTH RIGHT-OF-WAY LINE OF EAST 2ND STREET; FROM "D" INDUSTRIAL THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

TRACT 32: LOT A OF THE RESUBDIVISION, LOTS 1 AND 2, BLOCK 3, HARTWELL ADDITION, SECTION 1"; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT, TO BE EXCLUDED FROM AREA STUDY;

TRACT 33: LOTS 1 AND 2, BLOCK 20, OF THE JOHN DOWELL SUBDIVISION OF OUTLOTS 13 AND 29, DIVISION "O", OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL

CITY OF AUSTIN; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;
 TRACT 34: BEING THE SOUTH 1/3 OF LOTS 10, 11 AND 12, BLOCK 20, OF THE JOHN DOWELL SUBDIVISION OF OUTLOTS 13 AND 29, DIVISION "O", OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT;
 TRACT 35: BEING THE NORTH 2/3 OF LOTS 10, 11 AND 12, BLOCK 20, OF THE JOHN DOWELL SUBDIVISION OF OUTLOTS 13 AND 29, DIVISION "O", OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; and,
 TRACT 36: THE SOUTH 1/2 OF LOTS 11 AND 12, BLOCK 22, OF THE JOHN DOWELL SUBDIVISION OF OUTLOT 13 AND 29, DIVISION "O" OF THE GOVERNMENTS ADJOINING THE ORIGINAL CITY OF AUSTIN; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "B" 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. (City of Austin, C14-80-025)

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

Ayes: Councilmember Snell, Mayor Pro Tem Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau, Mullen
 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 HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
 AN 8.682 ACRE TRACT OF LAND, LOCALLY KNOWN AS 201-307 LINDEN STREET, FROM "D" INDUSTRIAL, THIRD 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. (City of Austin, C14-80-025) (Simms Tract)

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

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 AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 7 AND 8, BLOCK A, OAK RIDGE HEIGHTS, SECTION ONE, LOCALLY KNOWN AS 2600 SOUTH FIRST, ALSO BOUNDED BY HERNDON LANE, 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. (Jesse Garza, Jr. C14-80-081)

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

A 23,752 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 6204 FARM ROAD 2222, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, 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. (Rosa Lee Prade, C14-80-035)

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

The Mayor announced that the ordinance had been finally passed.

ANNEXATION

Mayor McClellan brought up the following ordinance for its second 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 22.86 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES HOWLETT SURVEY NO. 30 AND PARTLY OUT OF AND A PART OF THE JAMES IRVINE SURVEY NUMBER 122 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; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C7a-80-012)

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

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

The Mayor announced that the ordinance had been finally passed.

THIRD READING OF ZONING ORDINANCE

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

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 13,000 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1304 WEST AVENUE, 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. (Mr. & Mrs. H.F. Voss, C14-80-015)

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

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

The Mayor announced that the ordinance had been finally passed.

CIVIL SERVICE CLASSIFICATIONS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING PART 2 OF ORDINANCE NO. 800103-C TO INCREASE THE NUMBER OF AUTHORIZED POSITIONS WITHIN THE CIVIL SERVICE CLASSIFICATIONS OF POLICE OFFICER, SENIOR POLICE OFFICER AND POLICE SERGEANT WITHIN THE AUSTIN POLICE DEPARTMENT; REPEALING ALL ORDINANCES IN CONFLICT; ESTABLISHING EFFECTIVE DATES; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ 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: Councilmember Snell, Mayor Pro Tem Trevino, Mayor McClellan,
Councilmembers Cooke, Goodman, Himmelblau, Mullen
Noes: None

The Mayor announced that the ordinance had been finally passed.

DELINQUENCY PREVENTION OFFICERS/2 PROGRAM

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1980-1981, BY ACCEPTING AND APPROPRIATING \$35,442 FROM THE CRIMINAL JUSTICE DIVISION OF THE OFFICE OF THE GOVERNOR FOR THE PURPOSE OF FUNDING THE DELINQUENCY PREVENTION OFFICERS/2 PROGRAM WITHIN THE POLICE DEPARTMENT; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ 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: Councilmember Snell, Mayor Pro Tem Trevino, Mayor McClellan,
Councilmembers Cooke, Goodman, Himmelblau, Mullen
Noes: None

The Mayor announced that the ordinance had been finally passed.

November 20, 1980

Mr. Gordon A. Bailey, Citizens Advisory Committee to the Travis County Juvenile Board, asked that the following letter be put into the record:

Honorable Carole McClellan
Mayor of Austin
124 West 8th Street
Austin, Texas 78701

Dear Mayor McClellan:

At a recent meeting of the Travis County Juvenile Board and the Citizens Advisory Committee we received a report from Capt. John Vasquez of the Austin Police Department and the officers of the Delinquency Prevention Officers Program.

We were very impressed with this report and we are persuaded that this program is significant in reducing juvenile crime in our city. We wish to commend you, the City of Austin and the Austin Police Department for developing this program.

We understand that this program is supported by LEAA funds which may be in jeopardy. In the event such funds are discontinued, we want to express our support for the program and request your help in securing City funds to continue the program as part of the regular budget of the Austin Police Department.

Sincerely,

Gordon A. Bailey
Citizens Advisory Committee
to the Travis County Juvenile Board

ORDINANCE CORRECTIONS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 800313-J, ENACTED BY THE CITY COUNCIL ON MARCH 13, 1980, BY CORRECTING THE LEGAL DESCRIPTION AND ZONING CLASSIFICATION OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (C14-79-044)

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

The Mayor announced that the ordinance had been finally passed.

C.I.P. BOND REQUIREMENTS

Mr. Tom Muehlenbeck, Deputy City Manager, discussed the City Manager Report on Analysis of C.I.P. Bond Requirements. He referred Council to the report they had received and said there will be a Council Work Session on bond requirements.

ROBERTSON HILL PLAN

A City Manager Report entitled Review of the Proposed Robertson Hill Plan was postponed at the request of Councilmember Snell who said there is more information to be obtained.

WILLIAM CANNON DRIVE DUVAL ROAD RELOCATION

City Manager Reports, according to Mr. Muehlenbeck, on William Cannon Drive from Brodie Lane to U.S. 290 West; and Duval Road Relocation, will be brought to Council at a later date.

TV ASCERTAINMENT STUDY

Mr. Muehlenbeck referred Council to the City Manager Report on Cable TV Ascertainment Study Options. Councilmember Mullen recommended "We consider getting Mr. Horn back here to help us write an RFP to put out so we can then proceed to have a firm hired and paid for by whomever gets the cable system...to help us put an RFP together, hire the firm, and then come back in a designated time which we can set later, with a proper ascertainment study completed." He said 90 days would be the amount of time this will take. Mr. Daron Butler, Assistant City Manager, said he will contact Mr. Horn and let Council know on what date the work session will be set according to their calendars and Mr. Horn's availability.

STREET SWEEPING PROGRAM

A report on an Update on Street Sweeping Program was referred to by Mr. Muehlenbeck. He said the Council has the report and asked for comments. Mayor McClellan told him some people on residential streets had said it was not possible to sweep their streets because they do not have a curb or gutter and questioned their having to pay the sweeping fee monthly. Mr. Muehlenbeck explained that it is a city wide assessment and not based on size of property or the existence of curb and gutter.

BRACKENRIDGE HOSPITAL'S FUTURE
DIRECTIONS PLAN

Mr. Bob Spurck, Director, Brackenridge Hospital, presented the City Manager report on Brackenridge Hospital's Future Directions Plan. Mr. Spurck said the end result of his explanation to the Council will hopefully be in a new direction for Brackenridge. He spoke about the work of the long range planning committee of Brackenridge Hospital which is comprised of three physicians, three board members, three administrators. "This program approach has been reviewed by the Hospital Board at a work session two weeks ago for your review and approval a Resolution that addresses the areas of concern that are necessary to guarantee the financial stability and liability of Brackenridge." He then introduced Mr. Gary Chandler who is the Assistant administrator for Development and Planning at the Hospital. Mr. Chandler has a slide presentation concerning the direction Brackenridge Hospital's future plans will be.

After the slide show, Mr. Spurck stated, "The overriding purpose of our plan is to enhance Brackenridge survival as a stable institution serving the entire population of Travis County rather than declining to a financially troubled inner city charity hospital which becomes a distinct burden to Austin taxpayers. Our direction blends progressive and pro-active approaches with definitive measures designed to improve our stability. The foremost important features of our approach include (1) a strengthened Brackenridge Hospital to build a solid foundation; (2) outreach programs to better serve a growing population; (3) linkages and shared services with other hospitals to promote economies of scale and stronger referral problems; (4) diversified services to prevent over dependence on an acute in-patient care facility. The Hospital

Board would like the City Council to consider the following Resolution which will allow us to accomplish our directional mission. The salient points in the Resolution are, (1) endorse the Hospital Board policy regarding Brackenridge's future direction; (2) encourage the hospital to continue to work with outlying communities toward establishing outreach facilities and services in accordance with changing needs; (3) encourage the Hospital to continue to explore and develop multi-institutional arrangements such as lease arrangements and share services throughout the surrounding CAPCO region; and (4) encourage the Hospital to present specific proposals as appropriate for outreach facilities and multi-institutional arrangements to the Council for review and subsequent approval."

Motion

Councilmember Goodman moved that the Council adopt a resolution approving Brackenridge Hospital's Future Directions Plan as recommended by the Hospital Board. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

At the time of roll call Councilmember Himmelblau stated, "I'd like to say that as a consumer of health care I am in support of the planning that is taking place and I think it's exciting."

CONGRESS AVENUE HOLIDAY LIGHTING

A City Manager Report, distributed to Council, indicated that Holiday Lighting Schedule for Congress Avenue and Sixth Street will be the same as last year.

PUBLIC HEARING - RAINEY STREET

Mayor McClellan opened the public hearing, scheduled for 6:00 p.m. on Study Recommendations for the Rainey Street Neighborhood Area and Adoption Thereof.

Mr. Lillie, Director of Planning, reviewed the plans which had been previously shown to Council and also reviewed with slides.

Gilbert Rivera, East Austin Economic Development Corporation, presented a plan to Council of what they want for development of the Rainey Street area.

David Armbrust, representing Tom Lanier, Ted Ritter, and a large number of residents and property owners, appeared before Council to state that Alternate 2 of the Development Alternatives for the Rainey Area, is the only one the city can afford. He said the other plans rely on Federal funds and are contrary to the development realities of the area. Mr. Armbrust says it is unrealistic to want to keep residential areas in the downtown area. He said Lanier, Ritter and Locke paid a premium for their land when it was zoned "O" and a roll back in zoning would be very expensive for them. He also said that another extension of the moratorium is not needed.

Joe Barrantine, president, Waller Creek Neighborhood Association, appeared in support of Alternative II.

Peter Martinez, president, Rainey Street Association, talked about the past history of downtown Austin. He told about the various moves he has had to make during his lifetime as progress took over the areas in which he lived. He said he is happy on Rainey Street and does not want to move again and presented a petition.

Barbara Cox, vice president, Lakeside Activity Center, read the following letter from members of the Center: "I am a resident of the Lakeside Apartments, 85 Trinity Street, and I am extremely concerned about what may happen to our area when the Rainey Street building moratorium is ended. Right now our picnic and lakefront area are unsafe because of the continued presence of transients and alcoholics. Any development plan to provide for concentrated low income housing will only serve to intensify the already undesirable situation. I consider the Lakeside Apartments my permanent home and urge you to support a plan which will develop the area in the manner compatible to a retirement home of 188 residents. I hope you will be favorable to our consideration."

Tom Lee appeared and said that he and Sinclair Black are resource planners for Rainey Street. He said the proposal presented to Council by Mr. Rivera is best for the area. Moderate and low income housing should be insured in the area, as well as mixed land use.

Paul Hernandez said the plan submitted today is not the only solution. He said they have a right to survive and grow. He said they want rent control and special controls for their area, in addition to a tax program and economic controls to maintain survival. He said the Rainey neighborhood is worried about their death.

A man who did not identify himself referred to the people living in the Lakeside Apartments and said they do not have long to live so Council should not pay too much attention to their pleas.

Cecil Riddell, president, Lakeside Activity Center, spoke in favor of Alternate II. He said the grounds are becoming unsafe and the other alternatives would increase risks to the residents. The hike and bike trails are presently unsafe for residents to use.

BESS SCOTT, who lived at Lakeside, addressed the man who cast slurs upon the older people of the area. She said she is 90 years old and does not look back, she looks forward. She said because of the situation in the neighborhood now there is not serenity, peace and security. She feels a low rent project will increase some of the things which have taken serenity, peace and security away from her area. Ms. Scott spoke in favor of Alternative II.

MIKE DELEZEON said there will be less crime in the area if there are more people around and said the Rainey Street Plan offers more protection for everyone.

DAVID PERRY said there are many alternatives and each proposal has its merit. He leans toward the Rainey Street Barrio plan because he feels it will be more neighborhood oriented.

SUE MCBEE appeared before Council and expressed interest because she wants Council to consider carefully the street and bridge property. She feels low income subsidized housing is not the best for the area.

DARO LARO, Austin Community College Student, said low income housing would get run down and favors moderate income housing.

JACK CONNELL said neighborhood and old people should be preserved but feels the old neighborhoods of Austin are in danger.

A man who did not identify himself said downtown revitalization and downtown growth do not go together. He does not want decay of commercialization and the neighborhood should be preserved.

DR. GARY LEGGETT appeared to speak in favor of Plan II with modifications. He discussed living there himself and said there should be more park area along the river.

MR. GUADALUPE, representing LUCHA, said he is the curator of the League of Chicano Artists. He said they had had studios in the Juarez-Lincoln Building but the owners put them out.

Mrs. REGINA HENDERSON appeared before Council and said she and her husband own the Juarez-Lincoln Building. She said LUCHA is still in the building and that she and her husband are victims of racism. Although they have had not opportunity to feed input into the report on Rainey Street, they favor Alternative II.

HERMAN DELANADO appeared to express support for the Rainey Street Barrio Plan.

JOHN MEINRATH, representing owners of Massengill Trust, said they want to build apartments. The high holding costs they have to pay during the moratorium are bad for them and ask Council to not extend the moratorium. He urged adoption of Alternate II.

ROSIE GAMERA, a Chicano artist, spoke about the Rainey Street area.

ROY HENDERSON, owner of the Juarez-Lincoln Building, said he did attempt to evict LUCHA when they were 5-6 months behind in their rent. He said they lost the eviction suit because they had allowed them to fall back. Mr. Henderson spoke about preserving the neighborhood status quo.

SAM HERNANDEZ, member of the Rainey Street Organization, spoke against the City of Austin Planning Department's plan and said the Rainey Street plan should be studied. He demanded extension of the moratorium.

DR. GEORGIA LEGGETT asked Council to take into consideration what they do with this property. She asked Council to leave the north bank of the river as parkland because the city owns that property. She asked Council to not roll back the zoning. She owns two duplexes there and has lived there herself.

LEONARD LUNDGREN, architect, talked about the hotel plans for the area behind the Holiday Inn on IH 35. He said the hotel developers have a limited time to close out their loan so they need to know the outcome right away. He said that since the land for the proposed hotel is on the highway, he does not know of a better use than for a hotel.

STEVE SHIELDS, Pecan Street Recording Studio, said they are developing an artistic center in the area.

A member of the Brown Berets who did not identify himself, told Council that they will stand up and say "this is it" if they do not get what they want.

LORETTA MENZIES appeared and spoke in favor of Alternative IV. She asked Council to keep the neighborhood as it is.

CAMPBELL MCGINNIS, who owns property between East Avenue and IH 35 told Council his property is suited to hotel development on the highway, but it is important for people to have a choice where they live.

MARIA MORALES, member of Rainey Street Association and EACEDC, told Council that the residents are not losing profit, they are losing their neighborhood. She urged Council to take time to study the plan which they have submitted.

MRS. MILDRED MILLER requested the neighborhood be allowed to develop naturally and urged the adoption of Plan 2. She said she hoped to be able to leave her land to her children.

JOSE DERREGAS told Council not many loans are made to the East side so they can buy homes. He asked Council to think of the basic principles of our country.

TERRY DON, a student of government, said he is listening to history repeat itself, and asked Council to give Rainey Street a chance.

A woman who did not identify herself, spoke of Rainey Street as a neighborhood.

BILL THOMPSON addressed Council by stating he is happy he does not have any property in the Rainey Street area he wants to build on. He told Council they should allow progress to continue.

Mayor Pro Tem Trevino stated, "Based on the information that we received quite late yesterday afternoon...I might point out that the Rainey Street Study was given to us only a couple of weeks ago...the 4th Alternative was offered to us late yesterday by the Rainey Street Association. Some Councilmembers have not had a chance to thoroughly review it. Also, based on the testimony given by the public and I dare say this is one of the issues where it's evenly divided. We are concerned about the rights of the property owners. We are also concerned with the rights of the existing neighborhood. I think what we are trying to determine in effect, is the fate of a neighborhood. And also, based on the fact that this decision may have, I think, a precedent setting for other neighborhoods, I would respectfully make the following motion:"

Motion

Mayor Pro Tem Trevino made a motion, seconded by Councilmember Goodman to close the public hearing and extend the moratorium to December 12, 1980.

Friendly Amendment - Not Accepted

Councilmember Cooke offered a friendly amendment that the property in question to IH 35 be exempted.

Mayor Pro Tem Trevino said he had considered what Councilmember Cooke suggested, "however, Mr. McGinnis pointed out that if the decision was to be extended more than a month there perhaps might be some danger to the financing of it. We are talking about less than that, we are talking about three weeks and therefore I will not accept that as a friendly amendment, however, if you wish to split the question that is something else."

Substitute Motion

Councilmember Cooke made a substitute motion, seconded by Councilmember Himmelblau, to exempt the property adjacent to IH 35.

Councilmember Himmelblau asked Mayor Pro Tem Trevino why he went to the 12th instead of the 4th. Mr. Trevino said he did so because the Agenda for the 4th is already very lengthy and Councilmember Cooke will be out of town until the Council Meeting on the 11th and this will give him sufficient time to thoroughly review all information given to Council.

Mayor McClellan told Council that she disagrees on the extension of the moratorium. "We talked about this area at the time we set the six month moratorium and every one was going to adhere very tightly to it. We have tough decisions to make and obviously a lot of diversity of opinion about what the right decision is, but I believe we ought to proceed without making that decision this evening and not have an extension so I will vote No on both of those."

Councilmember Cooke said they have had the staff report for two weeks and he is open to any alternative any Councilmember might have as to what is the best, if they vote on that tonight. He said he is in a dilemma because he does not have any solution or any particular options.

Councilmember Mullen expressed his feelings by saying, "I'm a little bit concerned that people from this neighborhood think that anything that is done is racial. I'm not voting against Proposition 3 or Proposition 1....the same way I did in the Allandale neighborhood where you have 95% white people. The same way I did on the Simms property in far east Austin, and the same way I'll do on any type of roll back that I think is smacking or looking like confiscation of property. I think there is a basic right in this United States that we have built this country around and I think when we start constantly rolling back property in the city, wherever it is, against the will of the property owner, we have lost all sight of what planning really is. If we are going to talk about zoning property, up zoning it from where people live, to apartments or commercial, then that is up for discussion. But when we go into people who have maybe planned their life investment, when they have, as Mrs. Miller, are getting close to retirement, or any other area where people have bought property based on the zoning, thinking they can put in an office building and then we, on this City Council, or any other government entity comes in and says we want that property rolled back. I think it is incumbent upon us to buy that property or not roll it back. So I will consistently vote on this Council, as long as I am here, which may be just a few more months, but whatever it is, I will consistently continue to vote to protect property rights whether it is Black, White, Mexican-American, Chinese, or anything else. I will vote against the extension of the moratorium because I think we should go on and vote for Proposition 2 tonight."

Councilmember Snell stated, "In most cases we allow the community and whoever is involved a chance to work out problems. And I think this is a case where two or three weeks wouldn't make a difference because they just said if a moratorium was extended more than a month, then they would be in trouble. I think the community and everyone should be allowed a chance to work this problem out and come back and decide then. I would like to see the community solve their own problem."

Councilmember Himmelblau expressed her favor for Proposal 2, "But I just received the neighborhood proposal very late yesterday and I have not had a chance to read it and that's the only reason that I would go with the moratorium. In all fairness I cannot vote on something I haven't read."

Mayor McClellan told Council, "I just want to echo a concern about the feeling of uncertainty expressed by a number of people about the neighborhood and uncertainties about their future. My concern is a very deep one which I also voted consistently on the Allandale parcels, that in supporting a proposal to enhance the security of one group in the short run that we may be setting a precedent that will deprive many citizens of their security in the long run and so again, I will vote no."

Councilmember Goodman stated, "I hope that in a month we don't arrive at the same point because the point we are at tonight would bring two very distinct groups in direct conflict with each other and I find it highly regrettable that we have heard some of the statements that we've heard tonight...that they were even made in the first place. I think most of them are without basis. The office zoning that has occurred along West 6th Street certainly had no racial overtones attached to it and I voted against those on West 6th Street. But inevitably and ultimately what is going to have to happen for any plan that we vote on tonight or two weeks from now or whenever, to actually work, is to have these two groups actually acknowledge each other. There were business individuals who made commitments and purchased property and we're going to have to recognize those rights sooner or later and allow them to develop their property in some form or fashion or, as Ron said, compensate them...one of the two, and I would probably favor the first if it were compatible with the neighborhood's right to continue its existence and that is what the property owners are going to recognize. They have been there for decades and decades and we cannot allow a neighborhood of residents to be stamped out. That's the solution we all ought to be working on and I am hopeful we can get there within the next 30 days. If it gets longer than then we need to keep in mind we are dealing not only with people's fortunes but with people's lives."

Roll Call on Substitute Motion

Roll Call on Substitute Motion to exempt the property adjacent to IH 35 FAILED to carry by the following vote:

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

Mayor McClellan introduced the following ordinance:

AN ORDINANCE EXTENDING THE TEMPORARY MORATORIUM ESTABLISHED BY ORDINANCE NO. 800508-M AND PREVIOUSLY EXTENDED BY ORDINANCE NO. 801030-M ON 1) THE ISSUANCE OF BUILDING PERMITS FOR NEW CONSTRUCTION OTHER THAN DETACHED SINGLE FAMILY RESIDENCES, AND 2) THE PROCESSING OF SPECIAL PERMIT APPLICATIONS, AND 3) THE PROCESSING OF ZONING CHANGE APPLICATIONS, AND 4) THE PROCESSING OF SUBDIVISION PLAT APPLICATIONS BEYOND BEING ACCEPTED FOR FILING AND DISAPPROVED BY THE PLANNING COMMISSION, IN THE RAINEY STREET NEIGHBORHOOD AREA, AS DEFINED BY ORDINANCE NO. 800508-M, UNTIL THE 12TH DAY OF DECEMBER, 1980; EXEMPTING CERTAIN PROPERTY FROM THE MORATORIUM; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

Noes: Mayor McClellan, Councilmember Mullen

The Mayor announced that the ordinance had been finally passed.

Motion to Reconsider Substitute Motion

(The substitute motion to exempt the property adjacent to IH 35)
Passed by Acclamation

Motion

Councilmember Mullen moved that the Council exempt the property adjacent to IH 35 (property owned by Campbell McGinnis, et al, designated for hotel development). The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Mullen, Himmelblau

Noes: Councilmembers Goodman, Snell, Mayor Pro Tem Trevino

ROADWAY OVERLAY ORDINANCE

Mayor McClellan opened the public hearing scheduled for 7:00 p.m. on Amendments to the Roadway Ordinance and adoption thereof.

Mr. Lillie, Director of Planning, stated the "City Council, on July 24, 1980, enacted the Roadway Overlay Zone Ordinance after a brief public hearing with no opposing comments. Subsequently, concern rose over various provisions of the Ordinance. Council amended to provide the Ordinance would not be effective until January 1, 1981. During the interim the Planning Commission was requested to review the Ordinance and recommend changes which would address the concerns which had been raised. In response to this request and the substantial criticism of the ordinance that was passed

the Planning Commission convened a sub-committee to reassess the Ordinance. The review is completed and Councilmember Cooke requested the new version of the Ordinance be brought to Council for consideration at this time. The proposed re-drafts up for Council consideration are the products of the sub-committee work and carry with them the recommendations of the Planning Commission as a whole. The major changes in the ordinance can be characterized as procedural and organizational in nature and are intended to afford more due process to citizens and protect existing property rights. The substantive portions of the Ordinance relating to landscaping, signs, driveways are virtually unchanged."

Mr. Lillie then referred to a memorandum which had been sent to Council by Assistant City Attorney Jim Nias and briefly went through the amendments which were identified in the memorandum. Mr. Lillie said, "When Mr. Cooke asked that this ordinance be brought back for possible earlier effective date than January 1, 1981, we wanted to make you aware that the Ordinance will have to be amended to provide for the earlier date. Secondly, in the fiscal note for the Ordinance that was adopted by Council in the summer and then the budget which was passed by the Council in September provided funds for the Urban Transportation Department of \$4,000 beginning October 1 for the implementation of the Ordinance; provided some \$35,000 plus to the Building Inspection Department for enforcement of the Ordinance beginning April 1. If it is in the interest of the Council to move up the effective date of the Ordinance, it is also requested that the fiscal note for the Planning Department be revised and I believe that revision is in the level of about \$5,300 to staff the Planning Department for that additional 3-4 months that the Ordinance may be effective."

Councilmember Himmelblau said, "I was the one that asked for the January 1 date. What is the hurry on moving it up?" Mr. Lillie said, "Mr. Cooke has raised the issue and I will let him answer the question."

Mayor McClellan asked, "Did we plug in that January date in our budget consideration as far as any staffing requirements and what not?" Mr. Lillie replied, "For the Building Inspection Department and the Urban Transportation Department, the answer is yes. For the Planning Department it was an April 1 start." The Mayor told Council that since the funds are not committed, this is something they should keep in mind to do.

Councilmember Cooke told Council that "My concern is we've worked a year on this and we had some alterations to it and we just arbitrarily put it off until January and what is happening now you are seeing direct implication from zoning cases coming in and they are skirting this issue, which I think is a very important one, by coming in now. I think we have resolved the issues that were raised in August and I think we ought to go ahead and put this on the books and pull this up. As far as a fiscal note, let's get one, but I really think that the issue of delaying this until January 1, since the issue has been resolved, just allows us to move away from a very effective ordinance to enhance rather than create more of a problem on our major thoroughfares."

Mayor McClellan said they need to know what will be needed to make this effective December 1. Mr. Lillie told her additional data will have to be provided as well as the Building Inspection Department.

No one appeared to speak at the public hearing.

Motion

Councilmember Mullen made a motion to close the public hearing. Councilmember Goodman seconded the motion.

Councilmember Cooke said, "I think basically what we are talking about with a December 1 implementation date is an additional \$5,000.00 for both Planning and Building Inspection." Mayor McClellan said there should be an item on next Agenda to appropriate \$1,300.

Friendly Amendment - Not Accepted

Councilmember Cooke offered a friendly amendment to make the Ordinance effective December 1, 1980. Councilmember Mullen did not accept the friendly amendment.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 41 (SUBDIVISION ORDINANCE) OF THE AUSTIN CITY CODE OF 1967; PROVIDING CERTAIN REQUIREMENTS FOR THE SUBDIVISION OF LAND LYING WITHIN PRINCIPAL ROADWAY AREAS WITHIN THE CITY OF AUSTIN AND ALONG CERTAIN HEREIN DESIGNATED PRINCIPAL ROADWAYS IN AUSTIN'S EXTRATERRITORIAL JURISDICTION; PROVIDING FOR SEVERABILITY; REPEALING ORDINANCE NO. 800724-K; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Cooke moved that the Council close the public hearing, waive the requirement for three readings, declare an emergency and finally pass the ordinance for Amendments to the Roadway Overlay Ordinance to be effective December 1, 1980. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Noes: Councilmember Mullen

Not in Council Chamber when roll was called: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 45 (ZONING ORDINANCE) OF THE AUSTIN CITY CODE OF 1967; ADDING A NEW ARTICLE V (PRINCIPAL ROADWAY AREAS); DEFINING A PRINCIPAL ROADWAY AREA; PROVIDING FOR SITE PLAN REQUIREMENTS FOR DEVELOPMENT IN A PRINCIPAL ROADWAY AREA; PROVIDING LANDSCAPING REQUIREMENTS IN A PRINCIPAL ROADWAY AREA; PROVIDING SIGN REQUIREMENTS IN A PRINCIPAL ROADWAY AREA; PROVIDING ACCESS AND EGRESS REQUIREMENTS IN A PRINCIPAL ROADWAY AREA; PROVIDING FOR SEVERABILITY; PROVIDING FOR REVIEW OF THIS ORDINANCE ONE YEAR AFTER ITS IMPLEMENTATION; REPEALING ORDINANCE NO.800724-L; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Cooke moved that the Council close the public hearing, waive the requirement for three readings, declare an emergency and finally pass the ordinance for Amendments to the Roadway Overlay Ordinance to be effective December 1, 1980. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau,
Mayor Pro Tem Trevino
Noes: Councilmember Mullen
Not in Council Chamber when roll was called: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

ELECTRIC RATE STRUCTURE

Mr. Bob Binder appeared before Council to discuss Austin's Electric Rate Structure. He said lifeline proposition #7 is supported by 60 civic organizations. It would encourage conservation.

OUTSIDE LIGHTING

Ms. Deborah McNeill appeared before Council to discuss the City Ordinance pertaining to outside lighting. She said that lighting should be required around swimming pools and told about having fallen into the pool at her apartment complex because it was not lighted at night.

Mayor McClellan asked for a report concerning this from the Building Inspection Department and asked that a copy be sent to Ms. McNeill.

CITIZENS DID NOT APPEAR

MR. BOB GARRETT had requested to appear before Council concerning the city tax structure and management. He was not in the Council Chamber.

MR. JACK CONNELL who had requested discussion of Council's assistance in funding a Thanksgiving Community Dinner, did not appear. (He did appear in the Council Chamber after the adjournment of the meeting and Council talked to him informally.)

ANNEXATION PUBLIC HEARING

Mayor McClellan opened the public hearing, scheduled for 9:00 P.M. to consider annexation of and directing the administration to institute annexation proceedings to annex the following: 476 acre tract of land (198.26 acres requested by owner and known as Abbott Laboratory Planned Development Area and 277.74 acres initiated by the City) C7a-80-002

Mr. Lillie, Director of Planning told Council, "In September, 1979, the Council reviewed a Planned Development Area project for Abbott Laboratories located at the northwest corner of Howard Lane and 1325 north of the community and approved the PDA agreement and at the same meeting approved water and wastewater approach mains for that project and instructed that at the request of the property owner that we proceed with annexing the property. The land at the time of approval by the Council did not join the City limits and statutes require that in order for that adjoinder to be made a corridor of at least 500' wide must be provided. As we proceeded through the annexation proposal the decision was that the 500' corridor would extend from the west right of way line of 1325 easterly and the reason for that decision, bordering parallel to the roadway is a railroad right of way without crossings and it was not felt that there was a need to annex the land west of the railroad track. The land to the east of the roadway, however, was important in that we could extend building and zoning controls along that frontage. The corridor you have in your field notes was written and advertised and published for this public hearing. Prior to this evening we have received some inquiry about making some adjustment to that corridor line and let me tell you how. The Abbott Laboratories property is shown in the green and the city limit line is shown in the white and the corridor is 500' wide. As we approach the subdivision which is known as North Shields (on the lower end) the line went through several lots and cut them in half with the rear of the lots being in the city and the other portion left outside of the city and so we were asked to make some adjustment to that. One adjustment might be to include the whole subdivision and the other would be to move to the west side of the railroad right of way as we approach the subdivision and that in effect would leave the subdivision outside of the city limits. The other question that was raised this evening was that while we need to tie the Abbott Laboratories property back to the city, the question was, why did we extend that 500' along the south side of an area already 500' wide. The answer to that is we don't have 500' in this small area and therefore the need to do that. We could make an adjustment in this area

for that to assure that we meet the state statutes. We will do whatever the Council instructs us to do with respect to that line but there is a possibility that we could drop that lower portion and just connect it with frontage on 1325. These requests for annexation are submitted to city departments and the packet that you have includes response from all of the departments and the only one that is an exempt report for one which indicates a problem is fire and the statement is that adequate fire protection cannot be furnished at this time because the distance to the nearest station is at 183 and Duval Road, approximately 4.8 miles. The service time would be not the optimum of three minutes which the Fire Department likes to see. The Public Works Department has raised a number of cost figures in the fiscal report and those numbers can be reduced by \$1.4-million because some of those costs relate to the extension and street improvements where Parmer Lane would intersect with 1325. This area, which you see, is not included in the annexation proposal. If you hear testimony this evening that would cause us to go back and revise field notes, we would like to also revise our fiscal note. We would have to start over with respect to notice, publication and another public hearing."

Mayor Pro Tem Trevino asked if Abbott Laboratories is aware of the Fire Department response time. Mr. Lillie said they were aware of that when the PDA was first proposed to the City Council. Mr. Daron Butler, Assistant City Manager, said Abbott Laboratories will be able to have their own fire control because their whole laboratory is based on water and they will have a plentiful supply. In answer to Councilmember Snell's question about insurance rates because of the slower response time of the Fire Department, Mr. Lillie, said this would not effect the rates. He said the optimum time is what the Fire Department attempts in with corporate limits and does adhere to in most instances. Mayor Pro Tem Trevino asked about response time for the subdivision and Mr. Lillie said that it would be beyond what the Fire Department likes to have for response time. Mr. Lillie said the other departments are planning on extension of services and the effect on the budget is minimal for a subdivision of this size. Mayor Pro Tem Trevino asked for Mr. Lillie's recommendation. Mr. Lillie said he will recommend moving to the west side of the railroad track and leave the subdivision alone. However, Mr. Lillie advised, the Council has adopted an annexation plan which does include this area for annexation within the next couple of years if the schedule is maintained.

Motion

Councilmember Mullen moved that the Council take the recommendation of the Planning Department and bring this back December 4, 1980 with revised field notes. The motion was seconded by Councilmember Goodman.

BILL BROWN, representing Abbott Laboratories, stated, "We just want to make sure Council knows we are agreeable to whatever the staff recommends. We're eager to become a part of the City of Austin and become a taxpayer and we are eager to be annexed and don't want to delay. We made a commitment a long time ago to become a part of the city and we are eager to do so.

JACK DEMPSEY, representing owners of a 40 acre tract, said that they do not want partial annexation.

LARRY DEUSER, president, Angus Valley Neighborhood Association, told Council they are not looking at the full fiscal impact of utility charges.

DR. CARRY LEGGETT asked if the whole 500' corridor is being moved on the west side. Mr. Lillie told him the corridor which effects Dr. Leggett's property remains the same. Mr. Lillie told him the area on the west side has the railroad track which adjoins it and "we did not feel zoning and building controls were as important on the west side as on the east because access is not as available on the west side as it is on the east side. So the corridor basically extends from the roadway east rather than the roadway west. Dr. Leggett said the corridor is being put in strictly to reach Abbott and asked why it can't go straight as it makes no difference whether it is on a railroad track or not. He said he brings up this point and requests it be given consideration.

A man who did not identify himself asked question about the annexation.

JOE RIDDELL told Council that annexing will not improve what is happening in the area and that the property tax revenues from the annexation will not be that significant for the city. He said the road improvements paid for by the city will be more.

MRS. W. GARNER appeared before Council to state she owns a business and a home adjacent to the south of North Shields and asked about the beginning of the corridor. Mr. Lillie said the corridor would remain written as is but delete any land in the North Shields subdivision. Mrs. Garner asked Council to move the corridor to the west side rather than the east side of 1325 for annexation.

DR. GEORGIA LEGGETT appeared and said she would rather see the west side annexed.

JEAN WEST told Council she lives on the east side and half of their front yard would be annexed.

Roll Call on Motion

Roll Call on the Motion to close the public hearing and bring back December 4, 1980 with revised field notes for the 500' on the east side of the railroad, showed the following vote:

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

ANNEXATION HEARING

Mayor McClellan opened the public hearing, scheduled for 9:00 p.m. on annexation of a 32 acre tract of land (29.21 acres requested by owner and known as Maple Run, Section 2 and 2.79 acres initiated by the City) C7a-80-009

Mr. Lillie reviewed the recommended annexation for a subdivision called Maple Run which is on Brodie Lane southwest of the city. He said it is adjacent to the current city limit line. The request was submitted to departments and the fiscal note has been supplied to Council. The exception is that adequate fire protection cannot be furnished at this time. Response time and distance to nearest station is longer than recommended.

Mr. Lillie then discussed the water and wastewater decisions. 12" water lines have been proposed and an approach main of 200' which by Council policy can be administratively approved (if they are less than 500'). It is a 12" oversize from Brodie Lane to the subdivision for a cost of \$6,280 with 1/3 city participation. Within the subdivision there is a 12/8" water line for 840 feet with about 1/3 city participation. On September 18, 1980 sewer approach mains were approved by Council for an estimated cost of \$23,000 with city participation \$12,150.00. Both water and wastewater have been before the Planning Commission and Council has already acted on the wastewater approach main. Council still must act on 12/8" on the water. The Planning Commission has reviewed the request and recommended that the area be annexed.

Mr. Bill Bulloch said that if someone chooses to proceed with the administrative procedures it will be at their cost, not at the city's cost.

Joe Riddell requested Council not to annex the land until it builds out because the builder is subsidized by having the land annexed.

DAVE GUEST pointed out to Council that Maple Run is on the Edwards Aquifer Recharge Zone.

Motion

Councilmember Snell moved that the Council close the public hearing and direct staff to proceed with annexation. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Noes: None

Abstain: Mayor Pro Tem Trevino

ARCHITECT FOR ST. JOHN'S PUBLIC
HEALTH CENTER

Council had before them for consideration a resolution to select the architectural services and approve a contract in connection with the St. John's Public Health Center.

Motion

Councilmember Cooke made a motion, seconded by Mayor McClellan to select the firm of Kinney and Stone, which was the prime recommendation for architectural services with St. John's Public Health Center.

Substitute Motion

Councilmember Snell moved that the Council approve the firm of Fly Associates, Inc. for architectural services and approve a contract in connection with the St. John's Public Health Center. CAPITAL IMPROVEMENTS PROGRAM NO. 76/91-05. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Noes: Mayor McClellan, Councilmember Cooke

CITY HALL PARKING LOT

Council had before it the following two resolutions:

Consider amending option agreement between BWC Associates and City of Austin involving the lease of City Hall Parking Lot located north of the Municipal Building by approving a new schematic plan for the proposed parking garage to be located on said parking lot and for commercial and office building to be located on adjoining property fronting on Congress Avenue.

Consider approving the design development plans for the parking garage to be located on the City Hall Parking Lot located north of the Municipal Building and for the commercial and office building to be located on adjoining property fronting on Congress Avenue pursuant to the option agreement between BWC Associates and the City of Austin.

Phil Conard appeared before Council and said, in his opinion, the major problem with BWC and their many lease arrangements with the City of Austin has been the process through which they have obtained them. He thinks any amendment to the proposed plans should first be submitted for review to either the Landmark Commission or the Planning Commission. Due to the pending legal action concerning BWC and the City of Austin lease agreement, Mr. Conrad does not think there should be any action taken on the amendment until the actual legality of the lease is considered.

Mr. Jerry Harris, City Attorney, stated, "I don't care to comment on the litigation which is ongoing at this time. As you recall the option lease agreement entered into between BWC and the City of Austin called for the approval of a schematic plan and also later on for approval of the construction and design plan by the City Council. Therefore, tonight the request is to amend the schematic plan which has previously been approved by the City Council and I also understand the construction and design plans are ready for Council review. As to whether or not there was any informal agreement that changes to the schematic plan would go anywhere but to the City Council, I really do not have any knowledge of that. As far as the legal procedure goes, there's no legal requirement for the schematic plan and construction and design plans to go except to the City Council. It is true that at the time of the actual demolition permit is applied for the buildings, because the buildings are located in a National Register District, the Building Inspector must refer the demolition permit to the Historic Landmark Commission. The Historic Landmark Commission when it receives such requests can only do one of two things. It can make a recommendation on the issuance of the demolition permit, which has no binding effect, whatsoever. Or in the other circumstance they could place the buildings on the agenda for consideration for Historic zoning. However in this case the historic procedures have already taken place and all the public hearings held. In fact the historic zoning was turned down by both the Planning Commission and by the City Council and therefore, under our own zoning ordinance, they cannot be considered for zoning in a period of 18 months. So, all I've attempted to address is how we got here, what the option agreement says about schematic plans and designs and construction plans and the legalities of where those processes have to go. As to whether the Council wants me to review the amended schematic plans or the construction design plans, or they want a group of people here in the audience to do that, or if they choose to have the Historic Landmark Commission or anyone else to do it, it certainly is within the City Council's prerogative to send those plans for review and comment to whomever they so choose and desire."

Motion

Councilmember Cooke made a motion, seconded by Councilmember Himmelblau to adopt resolutions to amend the option agreement between BWC Associates and the City of Austin involving the lease of City Hall Parking Lot located north of the Municipal Building by approving a new schematic plan for the proposed parking garage to be located on said parking lot and for the commercial and office building to be located on adjoining property fronting on Congress Avenue; and to approve the design development plans for the parking garage to be located on the City Hall Parking Lot located north of the Municipal Building and for the commercial and office building to be located on adjoining property fronting on Congress Avenue pursuant to the option agreement between BWC Associates and the City of Austin; with approval subject to the BWC architect working with the City with regard to traffic pattern in the City.

Councilmember Cooke wanted the record to reflect that the City is the lessor.

TOM LEE asked Council if the information is available to everyone. He was told it is.

JOHN WATSON, BWC Associates, showed slides of the proposed building and garage.

A boy who did not identify himself said the historic district should be resolved.

DOROTHY RICHTER said there has been too much "hush, hush" about this.

Mayor McClellan disagreed with Ms. Richter by saying the proposed building and garage has been through all channels and received ample publicity.

Roll Call on Motion

Roll Call on the Motion to adopt resolutions to amend the option agreement between BWC Associates and the City of Austin, showed the following vote:

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

Councilmember Goodman said he is encouraged by the new design and would like them to pursue retail options and the corner of 9th and Colorado.

PROMOTION OF TOURISM AND CONVENTIONS

Councilmember Himmelblau moved that the Council adopt a resolution entering into a contractual agreement with Mexican-American Chamber of Commerce for promotion of tourism and conventions for the period October 1, 1980 through September 30, 1981. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Councilmember Himmelblau moved that the Council adopt a resolution entering into a contractual agreement with the Austin Chamber of Commerce of promotion for tourism and conventions for the period of October 1, 1980 through September 30, 1981. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Prior to the vote Ms. Ruby Goodwin, Travis County Democratic Women, said she does not think \$470,000.00 should be spent on tourism. Mr. Albert DeLaRosa, Assistant City Attorney, told her that under State law it is required that this money, which is from the bed tax, be used for this.

AGENDA ITEM POSTPONED

Consideration of creation and appointment of a Citizen's Advisory Task Force for Resource Recovery will be included on the December 4, 1980 agenda.

CITY'S LEGISLATIVE PROGRAM

Mayor Pro Tem Trevino requested that his item from Council concerning establishment of a Council subcommittee to review the City's Legislative Program be pulled off the Agenda.

ELECTRIC RATE ORDINANCE

Action on the following was scheduled: Revisions to Electric Rate Ordinance setting the criteria for the General Services Demand Classification at 30 KW of demand and 10,000 KWH of energy consumption. Councilmember Goodman said he would like to hear final comments from Director of Electric Utility, R.L. Hancock.

Mr. Hancock stated, "I certainly sympathize with the discontinuity we have in the rates and the situation that Mr. Lang is faced with. On the other hand, if we made the sort of change that Mr. Lang has suggested we would create a similar problem at a different level and I would recommend that we hold any inclination to try to make an adjustment in that area until we do a complete redesign of both the demand and non-demand general service rate and try to smooth that discontinuity out at that time."

Motion - FAILED FOR LACK OF SECOND

Councilmember Mullen made a motion to approve the amendment as submitted by Mr. Lang. There was no second to the motion.

Councilmember Mullen said that he has spent many hours with Mr. Lang and has been convinced his motion is the right way to go.

Mr. Lang appeared before Council to state, "I think Mr. Hancock is correct in what he stated that something needs to be done about discontinuity. The problem being, this amendment was brought to Mr. Hancock, the Electric Utilities Commission and to the Council's attention before adoption of the current rate ordinance. It was ignored and to let it continue on is a gross injustice to me and the 279 other customers who are now being penalized. It does not move the discontinuity from one place to another. I don't know the reasoning behind that statement. These people are not changed the rates they pay. Only we 280 people are effected. As I said before you have the choice of talking to me for the rest of your term or voting for me."

AGENDA ITEM PULLED

Councilmember Himmelblau asked that action on the following be postponed several weeks as it is still under study: Amending the Electric Rate Ordinance pursuant to proposals developed subsequent to September 15, 1980 (including lifeline rate proposals) and which have been the subject of a prior public hearing.

ELECTRIC RATE PROPOSAL #7

Motion - FAILED

Councilmember Goodman moved that the Council reconsider Proposal #7 electric lifeline rate. The motion, seconded by Mayor Pro Tem Trevino, failed to carry by the following vote:

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

CENTRALIZED TOWING SERVICE & IMPOUNDMENT
FACILITY

Mayor McClellan introduced an Item from Council to instruct the City Manager to consider the feasibility of issuing a request for proposals from the private sector for a centralized towing service and impoundment facility.