



Austin City Council MINUTES

For

FEBRUARY 18, 1982 -- 3:00 P.M.

Council Chambers, 301 West Second Street, Austin, Texas

City Council

Carole Keeton McClellan
Mayor

John Treviño, Jr.
Mayor Pro Tem

Council Members
Larry Deuser
Roger Duncan
Richard Goodman
Ron Mullen
Charles E. Urdy

Nicholas M. Meiszer
City Manager

Grace Monroe
City Clerk

Memorandum To:

Mayor McClellan called to order the meeting of the Council scheduled for 3:00 p.m., noting the presence of all Councilmembers.

INVOCATION

The Invocation was given by Reverend Charles Watts, Zion Hill Missionary Baptist Church.

CAPITAL IMPROVEMENTS PROGRAM

The Council, on Mayor Pro Tem Trevino's motion, Mayor McClellan's second, adopted resolutions to acquire certain land for the following, CAPITAL IMPROVEMENTS PROGRAM: (5-0 Vote, Councilmembers Goodman and Mullen were out of the room)

a. U.S. 183/Loop 1 Interchange (C.I.P. No. 81/62-26)

24,841.9 sq. ft. or 0.5703 acre of land, more or less, part of Lot No. 5, J.O. Hamilton Estate Subdivision in Travis County, Texas, according to the map or plat of said subdivision found of record in Vol. 4, Page 14, Plat Records of Travis County, Texas.

b. Mesa Park and Angus Valley Neighborhood Park Project, (C.I.P. Nos. 85/86-14 & 81/86-03)

Sections 1 and 3, Mesa Park Section Two, Austin, Travis County, Texas containing 12.08 acres of land. City Tax Parcel No. 2-6003-0801.

SALE OF CITY-OWNED PROPERTY

The Council, on Councilmember Deuser's motion, Councilmember Urdy's second, adopted a resolution to sell a parcel of City-owned real estate that has been declared surplus, 709 West 29th Street. (5-0 Vote, Councilmembers Goodman and Mullen were out of the room.)

MAY & JUNE ZONING HEARINGS
SUSPENDED

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Goodman's second, adopted a resolution suspending the regular zoning hearings during May and June, 1982. (5-1 Vote, Mayor McClellan voted No, Councilmember Mullen was out of the room.)

Prior to the vote, Mayor McClellan asked how this can be done. Mr. Lillie, Director of Planning, told her there are 25 cases a month. This will mean a back log of 50 cases for the Council to review in July. The request for suspension has been made, he said, because the Planning Commission has six public hearings scheduled during May and June on the revised Zoning Ordinance and they have requested this so they do not have to have their regular Planning Commission meetings too. Mr. Lillie said time for receiving zoning applications for the next cycle has been extended to Friday, February 26, 1982.

OPERATING BUDGET AMENDED

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Goodman's second, adopted a resolution to amend the 1981-82 Operating Budget by accepting \$45,850.00 of CDBG funds for four (4) standard rehabilitation loans and authorize staff to enter into appropriate contract. (6-0 Vote, Councilmember Mullen was out of the room)

Prior to the vote, Mayor Pro Tem Trevino said he has no problems with the approval but is concerned that a lot of other cases will fall into the same category and "I would ask the City Manager to ask the Commission to come back to Council soon so we can revise the limits we have set on housing rehab. I think we realize the limits we have set under the present policy is not workable. We find that most homes require more than the maximum we have allowed and therefore they go beyond the limits and then we criticize them. I would like the Commission to look at this as soon as possible and come back with recommendations.

Motion

The Council, on Councilmember Goodman's motion, Mayor Pro Tem Trevino's second, waived the requirement for three readings and finally passed an ordinance appropriating \$75,039 fro the Claims Division of the Legal Department to augment delinquent Brackenridge Hospital account collection activity. (5-0 Vote, Councilmembers Duncan and Mullen were out of the room.)

CAPITAL IMPROVEMENTS PROGRAM

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Goodman's second, waived the requirement for three readings and finally passed an ordinance amending the 1980-85 Capital Improvements Program by increasing the level of funding of William Cannon Overpass from \$1.2 million to 2.6 million and to consider increasing the engineering services contract with URS Company from \$63,000 to \$125,000 to cover the increased cost of designing the William Cannon Overpass. CAPITAL IMPROVEMENTS PROGRAM No. 74/61-02)

Council had before it for consideration an ordinance amending the 1980-85 CIP by transferring the remaining balance of \$37,000 from Capital Improvements Program Project (LBJ Tennis Center) to create a new Capital Improvements Program Project category entitled "Tennis Court Resurfacing".

Councilmember Urdy is of the opinion there are other projects which are more critical and suggested part of the fund be put in resurfacing, part in the re-roofing of Doris Miller Auditorium and part in Colony Park Development. He wanted to make a motion to allocate \$11,000 to tennis resurfacing, \$16,000 for Doris Miller Auditorium and \$10,000 for Colony Park. Mayor McClellan informed Councilmember Urdy that Council is not posted correctly for that. It was decided to postpone a vote on this until next week.

EXECUTIVE SESSION

The Mayor announced Council would convene in a closed or executive session pursuant to Article 6252-17 V.T.C.S. to discuss a personnel matter involving the employment of a City employee under Paragraph 2, Section g.

RECESS

Council recessed its meeting at 3:32 p.m. for an executive session and resumed its recessed meeting at 4:12 p.m.

NEIGHBORHOOD PLAN PRESENTED

Mr. Richard Wackerbarth, Balcones Civic Association, appeared before Council to present them with a new Master Plan for their neighborhood.

CITIZEN DID NOT APPEAR

Mr. Merle A. Lang, who had requested to present Council with legal briefs regarding refunds of electric overcharges, did not appear.

ADDITIONAL ROOM REQUESTED

Ms. Pam Anilla appeared before Council to discuss the need for an additional room to the South Austin Recreation Center, 1100 Cumberland Lane, for arts and crafts.

Mayor requested this be presented to the Parks Board for CIP consideration.

DISCUSSION OF ENERGY CONSERVATION
PROPOSAL

Mr. Richard M. Buratti appeared before Council to discuss the energy conservation proposals suggested by the City. He asked how they will be implemented. The proposal, Mr. Buratti said, states to require and direct. To him this sounds like elite-ism and "big brother-ism". He said implementation should be encouraged but retrofitting should not be mandatory.

AUSTIN'S GROWTH

Mr. T. Paul Robbins appeared before Council to express his opinion about Austin's growth. He said Austin's Master Plan needs to be extended beyond its present boundaries. He also spoke against Lockheed.

LANDSCAPE ORDINANCE DISCUSSED

Mr. Frank Herron appeared before Council to express his opinion about the proposed amendments to the Landscape Ordinance. He said the question has not yet been asked what is specifically wrong with the present ordinance.

CITIZEN DID NOT APPEAR

Mr. Pete Dwyer, who had requested to appear before Council to discuss lack of water and wastewater planning, did not appear.

PARADE PERMITS

The Council, on Councilmember Mullen's motion, Councilmember Urdy's second, approved the following parade permits: (6-0 Vote, Councilmember Goodman was out of the room.)

- a. Milton Francis for Anderson High School Band Parents' Association from 2:30 p.m. to 4:30 p.m., Sunday, April 4, 1982, beginning from 8400 block of Mesa Drive, right down Cima Serena, right onto Greenslope, right one block on Steck.
- b. Mr. Charles Shidlofsky for Alpha Epsilon Pi Fraternity Olympiad for Muscular Dystrophy, from 4:00 p.m. to 4:15 p.m., Friday, March 5, 1982, beginning on San Pedro to San Gabriel, left on San Gabriel to 22nd Street, 22nd to Nueces, to 21st Street, 21st to San Jacinto, to 26th Street, to 27th Street, left onto Nueces to San Pedro.
- c. Willis Ira Littlefield, for Sweet Home Missionary Baptist Church, from 3:30 p.m. to 4:00 p.m., Sunday February 21, 1982, beginning from 12th & West Lynn Street to 11th & Toyath Street.

CITY POLICY DISCUSSED

Ms. Dorothy Richter, 3901 Avenue G, appeared before Council to tell them to look at fees charged private enterprise for swimming lessons in public pools; find out about the opening time of pools; and the policy's at Stacy pool bother her. She said smokers should not be allowed in the area and only serious lap swimmers should be allowed to use the pool, not pleasure swimmers.

Mayor McClellan requested the City Manager to request the staff for a report.

CITIZEN DID NOT APPEAR

Mr. Bert Cromack had requested to appear before Council to discuss City policy on flood plain. He did not appear.

ZONING ORDINANCE DISCUSSED

Ms. Susanne Cannon appeared before Council to discuss the parking lot at the Lantana Apartments. She is president of the Original City Neighborhood Association. She said they need 101 parking spaces and there are only 50 there. Mayor McClellan referred her to the Legal Department.

ALEXANDER OAKS

Councilmember Mullen introduced an item to Council to consider exempting Alexander Oaks from the Water and Wastewater Subdivision moratorium.

Tom Curtis, representing Alexander Oaks, appeared before Council to say he has met with City Attorney DeLaRosa, whose opinion is consistent with their position. He said they were told that water and wastewater was available. Mr. DeLaRosa stated that in his opinion the City has an obligation to serve Alexander Oaks.

Motion

The Council, on Councilmember Mullen's motion Councilmember Goodman's second, approved exemption of Alexander Oaks from the Water and Wastewater Subdivision Moratorium. (5-2 Vote, Councilmembers Deuser and Duncan voted No.)

WORDING OF BALLOT

Council had before them an ordinance to consider the wording of the ballot proposition for the ordinance ordering an election April 3, 1982, relating to the completion of Mo-Pac Boulevard (Loop 1) from FM 1325 to Highway 290 west.

Motion

Councilmember Goodman made a motion, seconded by Councilmember Urdy, as follows:

BALLOT - (Continued)

Proposition 1: Should MoPac Boulevard (Loop 1) be extended from Highway 183 north to Farm to Market Road 1325?

For _____
Against _____

Proposition 2: Should MoPac Boulevard (Loop 1) be extended from Loop 360 south to Highway 290 west?

For _____
Against _____

Substitute Motion

Councilmember Mullen offered a substitute motion seconded by Mayor McClellan to have one question on the ballot:

Should MoPac Boulevard be completed from Highway 290 west to FM 1325?

Roll Call on Substitute Motion - FAILED

3-4 Vote, Councilmember Urdy, Mayor Pro Tem Trevino, Councilmembers Goodman and Duncan voted No.

Amendment to Main Motion

Councilmember Mullen offered an amendment to the main motion to change the word extended to completed. Mayor McClellan seconded the amendment.

Roll Call on Amendment - FAILED

2-5 Councilmember Urdy, Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan and Goodman voted No.

Roll Call on Motion - PASSED FIRST READING ONLY

4-3 Vote, Councilmember Mullen and Mayor McClellan and Councilmember Deuser voted No.

Councilmember Deuser said he would change his vote so the ordinance can pass through all three readings.

Motion to Reconsider

Councilmember Goodman made a motion, seconded by Councilmember Duncan to reconsider. Vote was by acclamation, Mayor McClellan and Councilmember Mullen voted No.

Roll Call on Main Motion - ORDINANCE PASSED 3 READINGS

5-2 Vote, Mayor McClellan and Councilmember Mullen
voted No.

FAIR HOUSING ORDINANCE

The Council, on Councilmember Urdy's motion, Councilmember Goodman's second, waived the requirement for three readings and finally passed an ordinance amending Chapter 7-4 of the Code of the City of Austin relating to discrimination in housing. (5-2 Vote, Mayor McClellan and Councilmember Mullen voted No.)

Prior to the vote, Mayor McClellan stated for the record: "I would like the minutes to reflect my reasons for voting no on the motion. They are not new reasons. My colleagues have heard them before. We have been discussing this issue for years. It is one of the first issues discussed when I first came on as Mayor. Let me say several things for the record and then I will be quiet and vote. First of all I want to put into the record what many citizens have brought to my attention and that is that they like the Fair Housing Ordinance precisely as it is. In the literature that was distributed by Citizens for a United Austin it says what happens if this ordinance is defeated. Of course, speaking to the ordinance, the very negative election that we had recently, what happens if this ordinance is defeated? In bigger print it says, 'Nothing'. I'll read you part of what is in that literature. It is kind of like we put out bond brochures on bond issues. It says, 'No changes or additions will be made in the present Fair Housing Ordinance. Protection from discrimination because of sexual preference is not currently listed, nor will it be.' I'm reading parts of this, not en toto. Another point says 'defeat of this proposal leaves all laws just as they are now', this is their wording not mine. It says, 'Austin will not be made more attractive to gays because no laws will be changed.' They simply want Austin to remain as it is now. That was in literature which was distributed at our recent election. Let me state for the record my own sentiments and again I am repeating myself but I think it is an important issue. I think the proposed amendment and I am not just talking about sexual orientation, I'm talking about age, marital status, parenthood and sexual orientation. That the proposed amendments to the Zoning Ordinance again poses the important question as to how far government should go in trying to determine the conditions and the circumstances under which persons are required to live in multiple units provided by housing. I believe that private enterprise should be a large measure of freedom in providing the kind of housing conditions that people want and demand so long as this can be done without interfering in some social, basic interest. Our society, and I certainly am well committed to the proposition that everyone should live around people of all races, it is very definitely in the best interest of all to prevent discrimination based on race regarding private homes in residential areas and housing units in private apartment complexes and the like. This obviously promotes the common good

FAIR HOUSING - (Continued)

in many ways. Segregated housing has rekindled many problems including school problems and every effort should be made to bring about better integrated living conditions for all races. But the proposed amendments to the Fair Housing Ordinance seek to make it impossible for people in society to demand and receive from private enterprise and in the market place the kind of life style and living conditions they wish in the way of apartment living and the like regarding such matters as abiding in a facility with people without children...there are many who do not want to live around small children. People who want to live with those of the same age, particularly older citizens who want to live with other older citizens. And those who feel and live as they do about sexual orientation. For some five years I have listened to a great deal of the same discussion and I've listened to it again recently to the arguments pro and con for amending Austin's Fair Housing Ordinance to cover age, marital status, parenthood and sexual orientation. I do not have any quarrel, obviously with parenthood or children, nor do I have any quarrel with age or diversity of life style per se. As we have said before, and I repeat, I don't feel that government should be dictating life styles. I do, however, continue to have a major problem and concern with the proposed amendments because then this Council would be providing criminal sanctions against individuals who do not choose to live near children or who might want to choose to live near older citizens or who do not choose a diversity or a different life style. I believe that the purpose and duty of government as I have long understood it is to promote the common good and I know that when government promotes divisiveness as I believe these proposed amendments will promote, then that government has abandoned its purpose and its duty and so I have not been persuaded that these proposals are either needed or necessary. I would also like to because again, a number of people have asked, I hate to see this community in perpetual petitioning and referendums. This issue, obviously if it is passed, 5-2, you cannot referendum it, I've had people ask me the question, however, the City Attorney has stated that you could do an initiative petition which would have the effect of repealing, is that correct, with no time limit, would have the effect of repealing the proposed amendment without repealing the Fair Housing Ordinance but simply repealing these amendments with an initiative petition. Is that right?"

Mr. Albert DeLaRosa, City Attorney, said, "Yes you can have an initiative petition." Mayor McClellan then requested the City Attorney to cooperate, like he always does, with any citizens along that line.

Councilmember Goodman stated, "I recognize it as just a difference of opinion between what you think and what I think on the issue of what the government is dictating as life style or condoning indiscrimination and obviously the former view is yours, the latter is mine in that we should not condone discrimination and I don't perceive us as dictating to anyone a particular lifestyle. I respect your view, however. I point out two new sections of the draft considered today that address some of the concerns you raised. One reads, 'Nothing in this article shall prohibit the sale, rental, lease or occupancy of any dwelling designed and operated exclusively for senior adults'. And senior adults are defined as those being 55 years and over, and their spouses. 'Unless the sale, lease or occupancy is further restricted on account of race, color, creed, religion, sex, national origin, physical or mental handicap, marital status and sexual orientation.' So this provision was added specifically to protect those apartment and/or condominium complexes that are designed for senior citizens. Secondly, Section G says, 'Nothing

FAIR HOUSING - (Continued)

in this article shall bar a person who owns, operates or controls a housing project or development whose total number of dwellings exceeds 50 in number.' That particular section goes on but the main point of that particular section is not to cause undue hardship on small apartment complexes so that they are then required to accept families with children. That actually is probably the major issue in this community in terms of availability in rental units. Parents with children have a harder time finding an apartment in Austin than someone who has a sexual orientation that may be objectionable to the landlord.The ordinance only covers those who have considerable property. There are some other provisions that also protect the landlord who only owns a few pieces of rental property."

After more discussion the vote was taken.

CLOSING OF JAMES CASEY STREET
DISCUSSED

Council had before them an ordinance to close James Casey Street south of Radam Lane (public hearing held and closed February 10, 1982). After some discussion Council made the following motion:

Motion

The Council, on Councilmember Goodman's motion, Councilmember Deuser's second, directed the City Manager to direct staff to work on the cul-de-sac with provisions for emergency vehicles and bring back for a vote in March 4, 1982. (6-1 Vote, Mayor McClellan voted No.)

PUBLIC HEARING - LAKE AUSTIN SHORELINE

Mayor McClellan opened the public hearing scheduled for 5:00 p.m. on the subdivision and development controls along the Lake Austin Shoreline; and passage of ordinance.

Ed Wendler Jr., chairman of the Joint Subcommittee of the Planning Commission, Parks Board and Environmental Board that looked at the Shoreline Ordinance said it has been looked at by the Planning Commission to consider annexation rather than subdivision process. At first they thought the process for studying annexation would take too long because field notes are needed. At the last meeting of the sub-committee the Legal Department ruled that they would not have to have field notes, and they could annex using assistance from some known line such as 500' from the 504.9 elevation line. "The ordinance before you is a subdivision ordinance. It is simpler than the last ordinance that was before you."

Mayor McClellan asked, "How quickly could we annex and could we extend the moratorium until we get the annexation complete?" Jim Nias, Assistant City Attorney, said there still must be compliance with the Municipal Annexation Act and all the public hearings, etc. It would take 10-12 weeks.

SHORELINE - (Continued)

Mr. Lillie, Director of Planning, told Council, "The subdivision ordinance deals with how land is developed, the standards by which subdivisions are processed. It is the how. The zoning ordinance deals with what goes on the land. So there are two different ordinances for two different purposes and one can't have one without the other. Both ordinances need to be in place. They will not overlap."

After some discussion Mayor McClellan said the moratorium should be extended and an item should be placed on next week's agenda to do so.

Bill Long, Parks Board member, favors the ordinance. He said they want below ground holding tanks prohibited. Kent Butler said they have been prohibited 100' from shoreline.

Mark Swanson read a letter from Mrs. Georgia Lucas. She favors the ordinance.

Dick Stanford, vice president, Lake Austin Hill Country Association, said the ordinance is better than nothing and asked for it to be passed now.

Charles Cleveland urged Council to adopt the ordinance.

The president of the Lake Austin Hill Country Neighborhood Association, said a stringent ordinance should be passed with the peninsula included in the shoreline zone.

Musty Roller, "We Care Austin", asked Council to pass the ordinance.

Guy Thompson, resident of the peninsula area said that area should be included.

Gary Bradly asked Council to annex and zone without another tier of subdivision ordinances.

Carmin Johnson, Save Our Lakes Association, said Council could pass the subdivision ordinance and later pass the zoning ordinance.

Jason Pavlovik thinks the City should address pollution at the source with proper sewer systems and should annex the area completely...no limited annexation.

Ed Wendler Sr. appeared and said if Council continues to pass regulations they will create an area that only the wealthy can afford.

Hank Phillips appeared and discussed the ordinance.

Betty Cleland asked Council to do something.

Discussion followed.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, closed the public hearing; two options will be brought back in two weeks. (7-0 Vote)

APPEAL WITHDRAWN

Mayor McClellan announced that Mr. Ken D. Johnson, whose appeal was set for 6:00 p.m. on the Planning Commission's decision regarding Case No. C14p-81-043, had asked to withdraw.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Mullen's second, approved withdrawal of the appeal from Mr. Ken D. Jordan of the Planning Commission's decision regarding Case No. C14p-81-043. (6-0 Vote, Councilmember Goodman was out of the room.)

LOCKHEED PLANNED DEVELOPMENT AREA

Mayor McClellan opened the public hearing, scheduled for 6:30 p.m. on the Lockheed Planned Development Area (P.D.A.) application; and passage of ordinance and approval of approach main contract.

Mr. Lillie, Director of Planning, said that PDA's have been used since the late 1960's and explained them to the Chamber audience.

William Terry Bray, attorney representing Lockheed, presented the plan for development. He said the project will have no direct impact on the Montopolis area. Employees for Lockheed will be hired locally as much as possible. They plan a training program for prospective employees. There will be no weapons manufactured on the site. Some industrial chemicals will be used but they will comply with all ordinances.

Councilmember Deuser asked if Lockheed is familiar with the electric rate structure in the City of Austin. Mr. Bray told him they are.

B.E. Moore, Pastor, United Pentecostal Church, favors the PDA.

Sophia Gibson, ACORN listed several points she would like to see included in a hiring practice clause which includes a residency requirement and child care facility.

Dan Gierschke, Southeast Neighborhood Association, said the residents support Lockheed.

Mamie Pitts, ACORN, spoke in favor of a hiring practice clause in the PDA.

Mr. Scott asked City Council to ask Lockheed for funds for retraining, etc.

Gloria McCreary said Lockheed should provide a day care facility for working mothers.

Walter Timberlake, AFL-CIO, supports Lockheed.

LOCKHEED - (Continued)

Betty Walker, ACORN, discussed hiring quotas.

Fred Ebner discussed taxpayers roll in subsidizing growth.

Ann McAfee spoke against Lockheed.

Ron Rogers, president, Austin Chamber of Commerce, said their 6000 members support the proposal.

T. Paul Robbins opposes Lockheed.

Eugenio Hinojosa opposes until traffic safeguards are met in Montopolis.

Erma Cruz opposes the PDA. She is concerned with traffic.

Baldomer Cruz wants traffic signals.

John Emerson, Austin City Council of PTA's read a letter supporting traffic signals on Montopolis Drive and Vargas Road.

Enrique Lopez opposes Lockheed. He discussed the added traffic, and said the Montopolis safety plan should be adopted. He said there should be a hiring practice clause if they are approved.

Alicia Garcia, asked for renovation of the Govalle Treatment Plant.

Frank Herron discussed the traffic concerns and said he is opposed to a local employment clause. He said Lockheed should be judged on their performance standards.

Joan Dubinski, Assistant City Attorney, said there is no legal authority by the City to require a hiring clause. Mayor Pro Tem Trevino asked questions and Ms. Dubinski said the City has met with Lockheed, who has offered resources for recruiting and training.

Jeff West read the resolution passed by Council on November, 1981. He asked Council to make certain Lockheed brings nothing nuclear to Austin.

David Weir opposes Lockheed.

Several people of the Texas Mobilization for Survival opposed.

David Butts, a teacher back from Japan, opposes.

Corky Peavey, Dan Harrison, Miss Joyce, Mr. Huxley, Miss Brenda, all spoke in opposition.

Frank Horsfall discussed peace versus employment.

Joe Riddell opposes. He discussed the sewage.

LOCKHEED - (Continued)

Tom Mullens, ACORN, discussed affirmative action and said the Federal Affirmative Action Plan should be included in the contract with Lockheed.

Palmer Wright discussed jobs and taxes.

Roxanne Elder opposes.

Ms. Theresa supports the Montopolis area concerns and opposes Lockheed.

Paul Hernandez spoke for the Montopolis neighborhood and questioned whether Lockheed will create employment for the poor.

Bill Carter read a proposal.

John Watson, United Way, discussed Lockheed in Sunnyvale, California and said they are active in the community with an impeceable track record.

Ms. Monicas discussed Paul Hernandez. He had been arrested earlier in the evening for parking fines. Mayor McClellan said Lockheed cannot be blamed for that.

Jesse Johnson opposes.

Randy Kingsley spoke in support.

Council and Dr. Benson, Director of Urban Transportation, discussed the traffic situation in the area of the proposed P.U.D.

Mr. Rodger White, Acting Director, Water and Wastewater, told Council the Govalle Plant is adequate for the water supply needed for Lockheed.

Mr. William Terry Bray appeared before Council with his summation. He said Lockheed has studied the area for a long time.

Council discussed the proposal. Mayor McClellan announced Councilmember Deuser was not feeling well and has left the Council Chamber. He has requested a one week delay in the vote. Mr. Nias, Assistant City Attorney, told Council the approach main ordinance must be passed before the preliminary plat. Councilmember Duncan stated the traffic problems in Montopolis must be solved regardless of the decision on Lockheed.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Goodman's second, closed the public hearing. (6-0 Vote, Councilmember Deuser absent)

Motion

The Council, on Councilmember Mullen's motion, Councilmember Goodman's second, approved the approach main for the Lockheed Development Area application. (6-0 Vote, Councilmember Deuser absent)

ACTION ON ZONING HEARING

The Council, on Councilmember Mullen's motion, Councilmember Goodman's second, granted as recommended the following zoning application with no access on Lakewood Drive: (5-1 Vote, Councilmember Duncan voted No, Councilmember Deuser absent.)

C14-r81 CORNERSTONE
015 DEVELOPMENT
COMPANY
By Mike Guerrero

6907 Capital of
Texas Hwy. North

From "AA" 1st H&A
To "O" 2nd H&A
NOT RECOMMENDED
RECOMMENDED "O-1" 1st H&A
with Items 1, 2 & 3 as set
out in applicant's letter.
GRANTED AS RECOMMENDED WITH NO
ACCESS ON LAKEWOOD DRIVE

Councilmember Goodman said he talked to Councilmember Deuser before he left and he said there was no need to hold up the vote on the Cornerstone Development project but "he did want to go on record saying he would vote against it, that he thought that was the least desirable site for an office project north of the Loop 360 bridge."

Mayor McClellan stated, "I wanted to make clear that on approving this as recommended by the Planning Commission will not be a driveway onto Lakeway. The only access is on 360. I also want to point out that in the future each case, as we have done in this case, must be taken on a case by case basis. This is not in any way a precedent of what is going to happen. There are some noise considerations here that are very different from other situations in that area. This does meet all the 360 guidelines and meets the Lake Austin standards. It has not been an easy decision but it is unique in that it is across the street from a residential area. If you close off the back side it will be shut off from the residential park area behind. I just want to state for the record that this is for this case only."

Councilmember Duncan stated for the record, "I have similar concerns that Councilmember Deuser has in that even though there are some unique circumstances regarding the tract, I think it could be used for multi-family dwellings, either condominiums or apartments since it is surrounded by existing residential. That is why I will not vote for this project."

APPROVAL OF CONTRACTS

The Council, on Councilmember Mullen's motion, Mayor Pro Tem Trevino's second, approved the following contracts: (6-0 Vote, Councilmember Deuser absent)

Bid Award:

(1) TOWN LAKE CHRYSLER PLYMOUTH
841 West 6th Street
Austin, Texas

(2) LEIF JOHNSON FORD TRUCK CITY
502 E. Ben White
Austin, Texas

-Automobiles, Vehicle and Equipment
Services Department

- Item AS-2, 3 ea. - \$20,559.00

- LT-1-1, 1 ea., LT-1-2, 3 ea., LT-2-
2, 1 ea., LT-6-1, 1 ea., LT-6-2,
1 ea., LT-10-1, 3 ea., LT-10-2, 9 ea.-
\$168,464.00

CONTRACT - (Continued)

- (3) TOWN NORTH DATSUN
9150 Research
Austin, Texas
- Items LT-3-2, 15 ea. LT-3-2, 2 ea.,
LT-3-4, 1 ea., LT-3-5, 10 ea.,
LT-3-6, 8 ea., LT-3-7, 2 ea., LT-3-9
1 ea. - \$275,482.67
- (4) RIO DODGE, INC.
7309 N. Interregional Hwy.
Austin, Texas
- Items LT-4-3, 3 ea., LT-5-2, 3 ea.,
LT-5-3, 1 ea., LT-6-3, 1 ea., LT-7-2,
2 ea., LT-11-2, 1 ea. - \$97,497.00

ITEM PULLED FOR TWO WEEKS

Council agreed to pull for two weeks consideration of a contract to Austin Community Disposal Co., Inc., 9708 Giles Road, Austin, Texas for disposal of municipal solid waste, Public Works Department, 12 month contract, estimated cost: \$108,680.00.

ITEM PULLED

Consideration of adoption of Renewable Energy Development (RED) Plan was pulled from the Agenda. Councilmember Duncan, who had introduced it, asked for a delay.

PUBLIC HEARING - COMMUNITY DEVELOPMENT BLOCK GRANT

Mayor McClellan opened the public hearing scheduled for 7:00 p.m. on the proposed Community Development Block Grant "Citizen Participation Plan and Citizen Participation Schedule."

Carlos Herrera, Director of Human Services, presented the proposal. He said the public hearing will be in May rather than August.

Councilmember Urdy stated there is a fundamental problem with the RFP process.

John Henneberger said he thought the new proposal was worst in 7 years.

Jim Piper discussed the RFP process.

Paul Hernandez spoke against the RFP process.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Dunan's second, closed the public hearing; action to be taken February 25, 1982. (5-0 Vote, Councilmember Deuser absent, Councilmember Goodman was out of the room.)

CDBG

Mayor McClellan opened the public hearing scheduled for 8:00 p.m. on Community Development Block Grant Ordinance as approved by the Community Development Commission.

Carlos Herrera, Director of Human Services presented a report.

Antonio Hernandez, ACORN, spoke about the ordinance.

Tom Mullens, ACORN, said the ordinance is needed.

Jim Piper said he helped draft the ordinance.

Bennie H. Sarratt, Community Development Commission member, said the CDC approved unanimously.

Clotile Davis Haynes said the proposed ordinance would violate present programs.

Motion

Mayor Pro Tem Trevino made a motion, seconded by Councilmember Duncan to close the public hearing and take action in two weeks on the Community Development Block Grant Ordinance. Motion passed by 5-0 Vote, Councilmember Mullen was out of the room, Councilmember Deuser absent.)

BIKE LANES

The Council, on Mayor Pro Tem Trevino's motion, Mayor McClellan's second, waived the requirement for three readings and finally passed an ordinance amending the 1981 Austin City Code to delete Sections 11-3-44 and 11-3-45 of the City Code pertaining to bicycle lanes. (5-0 Vote, Councilmember Mullen out of the room, Councilmember Deuser absent.)

ZONING ORDINANCE TO BE BROUGHT BACK

Council agreed to bring back on the March 3-4, 1982 Agenda an amendment to the 1981 Austin City Code (Zoning Ordinances) as follows:

DR. ROBERT M. CAIN &
GEORGE A. CAIN
By Tom Curtis
C14-81-228

8112-8212 Cameron Road
1316-1430 Rutherford
Lane

From "GR" & "BB" 1st
to "DL" 1st H&A

HEIGHT LIMITATIONS

Council unanimously agreed to request the Downtown Revitalization Task Force to report to the City Council on February 25, 1982 concerning their findings on height limitations in the Central Business District of Austin.

ADJOURNMENT

Council adjourned their meeting at 1:15 a.m., February 19, 1982.