

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 5, 1981  
3:00 P.M.

Council Chambers  
301 West Second Street

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The meeting was called to order at 3:25 p.m., with Mayor McClellan presiding.

Roll Call:

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

INVOCATION

The Invocation was given by Victor Harris, Minister of Education, Congress Avenue Baptist Church.

LICENSE AGREEMENT DENIED

Councilmember Deuser moved that the Council deny the request of Sneed, Vine, Wilkerson, Selman and Perry representing J. Harold Box et ux to enter into a license agreement for the encroachment of a fence into the right-of-way adjoining the west part of Lots 9, 10, 11, 12, Royal Oaks Subdivision, Meriden Lane. The motion, seconded by Councilmember Duncan, carried by the following vote:

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

Prior to the vote, Mayor McClellan said the Box's have a real problem and she does not know what moving the fence will accomplish. She said on the other side of the street there are shrubs encroaching into the right-of-way and blocking the view. Councilmember Deuser pointed out there is a problem having enough width for walking and also a drainage problem. He felt a fence on the property line is the only correct thing to do. Mayor McClellan pointed out the fence has been acting as a buffer against accidents and the accident rate at that spot has subsided since the fence has been there. Therefore, from a safety standpoint she voted against removing the fence.

#### HOSPITAL AGREEMENT

Councilmember Goodman moved that the Council adopt a resolution approving an amendment to the agreement between Brackenridge Hospital and the Pedernales Hospital Authority. (Lyndon B. Johnson Memorial Hospital) The motion, seconded by Councilmember Deuser, carried by the following vote:

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

#### PUBLIC HEARING SET

Councilmember Duncan moved that the Council set a public hearing to discuss the Planning Commission recommendation on views of the Capital for December 3, 1981 at 8:00 p.m. The motion, seconded by Mayor McClellan, carried by the following vote:

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

(At this point, Councilmember Mullen entered the Council Chamber)

CANVASSING OF NOVEMBER 3, 1981 ELECTION

Mayor McClellan announced Council would now canvass the returns and adopt the resolution declaring the results of the November 3, 1981 Special Municipal Election. (Nuclear)

The following precincts were then reviewed:

Councilmember Goodman	Precinct 341 - Okay
Councilmember Mullen	Precinct 338 - Okay
Councilmember Goodman	Precinct 342 - Okay
Councilmember Duncan	Precinct 433 - Okay
Mayor McClellan	Precinct 238 discrepancy of 1 1305 counted 1304 on poll list
Mayor Pro Tem Trevino	Precinct 447 - Okay
Councilmember Duncan	Precinct 437 - Okay
Councilmember Urdy	Absentee - Okay
Councilmember Deuser	Precinct 442 - Okay
Councilmember Duncan	Precinct 434 - Okay
Councilmember Mullen	Precinct 334 - Okay
Mayor Pro Tem Trevino	Precinct 343 - Okay

Motion

Mayor Pro Tem Trevino moved that the Council adopt a resolution verifying the results of the Special Municipal Election (Nuclear) held on November 3, 1981: The motion, seconded by Mayor McClellan, carried by the following vote:

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

For selling Austin's share in South Texas Nuclear Project - 34,726  
Against selling Austin's share in South Texas Nuclear Project - 24,976

EXECUTIVE SESSION

Mayor McClellan announced Council will convene in a closed or executive session authorized by Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes annotated; and after such closed or executive session, any final action, decision or vote with regard to any matter considered in the closed or executive session will be made in open session, should such action, decision or vote be necessary.

RECESS

Council recessed for Executive Session at 3:35 p.m. and resumed their recessed meeting at 4:15 p.m.

SEWER CONNECTIONS

Mrs. Vivian Naddef appeared before Council to discuss sewer connections to her home. She asked why they are being done elsewhere in the neighborhood but not for her property. Mr. Bullock, Director of Water and Wastewater, told her he would send an engineer to her home to study the connection question.

SALE OF CHRISTMAS TREES

Mayor Pro Tem Trevino moved that the Council approve the request of Mr. Bill Brophy, past president, Manchaca Optimist Club, for permission to use city property (portion of Garrison Park at Manchaca Road) for the sale of Christmas trees from November 15, 1981 to December 27, 1981. The motion, seconded by Mayor McClellan, carried by the following vote:

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

ARMS LIMITATION

Ms. Roxanne Elder appeared before Council to request they pass a resolution dealing with arms resolution. This will be brought back November 12, 1981 under Items from Council, from Councilmember Duncan.

LIGNITE MINING IN BASTROP COUNTY

The Honorable Curtis McDonald, City Councilman, City of Bastrop, appeared before Council to discuss lignite mining activities. He said there have been several devastating moves to make this come about and reviewed history of the purchase. He told Council that they are asking the Bastrop community for subsidy which they cannot afford.

Mr. John R. Prager had requested to present data relating to proposed lignite operation in Bastrop County. He did not appear.

The Honorable Jerry Alexander, County Commissioner, Bastrop County, discussed lignite strip mining. He said they have passed a resolution against mining in the area. He said their tax base is too small to support the schools, roads, etc. that would be added as a part of a mining operation.

Mr. Jim Fowler appeared before Council to discuss lignite mining. He said it will be a threat to their environment. He feels that weatherization can be used and have the same effect as the use of lignite.

#### AUSTIN'S ENVIRONMENT

Ms. Jane Anne Morris appeared before Council to request further consideration of socioeconomic and environmental concerns relevant to Austin.

#### LIGNITE MINING DISCUSSED

Mr. Bill Carter appeared before Council to discuss lignite mining. He asked Council to draft an ordinance restraining lignite mining. He said it would be extremely hazardous and also Austin's share for \$306,000,000 would not include operating the mine.

#### ALTERNATE ENERGY

T. Paul Robbins appeared before Council to discuss potential of conservation and alternate energy. He said there are eleven energy management alternatives and he does not want strip mining in Bastrop. He said the Council should fund a study of alternative options.

#### STNP PROJECT

Mr. Erling Rohde appeared before Council to discuss the STNP project. He said a properly operating nuclear power plant can be done with no damage and said coal power is extremely dirty. Non-support of STNP will really slow us up when our fuel source runs out.

#### GREAT AMERICAN SMOKEOUT

Ms. Dorothy Richter appeared before Council as president, Texas United for Rights of Non-Smokers, to discuss the American Cancer Society's Great American Smokeout on November 19, 1981. Councilmember Deuser said he supports this in principle and Councilmember Duncan asked the City Manager to come back with a plan concerning how this can be conducted.

CITIZEN DID NOT APPEAR

Mr. Jim R. Manlove who had requested to discuss proposed mall in northwest Austin at the intersection of Jolleyville and 360 did not appear.

BID FOR LIGNITE

Council had before them a resolution to authorize the submission of a bid for the lignite reserves at Camp Swift and the appropriate bid deposit to be funded from the Ending Balance of the Electric Utility.

Councilmember Duncan said he will not vote in favor of this because in his opinion there has been a miscalculation on the cost of gas and lignite and the potential and cost of renewable resources.

Councilmember Deuser stated that the major decision on this question will be some time away. Fayette III, he said, will bring about the first time Council decides regarding lignite. He said it is important to get involved in an energy plan for Austin and he will vote to keep the back up of lignite if we need it.

Councilmember Goodman said he agrees with Councilmember Deuser's view and said they should face the situation when the time comes.

Councilmember Urdy said he agrees with Councilmember Deuser's views but will vote against the resolution. He said he is disturbed because our neighbors in Bastrop say we have not considered them. He feels lignite development should be the last thing considered.

Mayor McClellan stated Austin needs diversity and an energy source our citizens can afford.

Motion

Councilmember Mullen moved that the Council adopt a resolution to authorize the submission of a bid for the lignite reserves of Camp Swift and the appropriate bid deposit to be funded from the Ending Balance of the Electric Utility. The motion, seconded by Mayor McClellan, carried by the following vote:

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

Noes: Councilmember Duncan, Urdy

Abstain: Councilmember Goodman

SETTLEMENT AGREEMENT WITH J.W. SMITH

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving a settlement agreement between J.W. Smith and the City of Austin relating to a contractual dispute between these parties. The motion, seconded by Mayor McClellan, carried by the following vote:

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

OPERATING BUDGET AMENDMENT

Mayor McClellan introduced the following ordinance:

Mayor Pro Tem Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance by appropriating \$600,000 from the Ending Balance of the Electric Utility for the purpose of funding the bid deposit to be submitted with the bid for lignite reserves at Camp Swift. The motion, seconded by Mayor McClellan, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

This was done in conjunction with the City Manager Report regarding the Lignite Option.

M-12  
811105-A

## SALE OF AUSTIN'S SHARE OF STNP

Councilmember Duncan moved that the Council proceed with the initiation of the sale of the City of Austin's interest in the South Texas Nuclear Project. The motion, seconded by Mayor McClellan, carried by the following vote:

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

## CHANGE ORDER

Mayor Pro Tem Trevino moved that the Council act on the change order for Neal Spelce Associates in the amount of \$3,666.10 & Mike Lacey Productions in the amount of \$1,275.00 for preparation of "Request for Joint Use of Bergstrom Air Force Base" proposal. The motion, seconded by Mayor McClellan, failed to carry by the following vote:

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

No action was taken on the above motion, as there was a tie vote:

Prior to the vote Mr. Roy Bayless, Director, Municipal Airport, discussed the calculation of the number of hours it took to prepare the presentation. After the vote Mayor McClellan asked Mr. Bayless to bring to Council a further break down of the expenses next week.

## INTERFUND TRANSFER

Mayor McClellan introduced the following ordinance:

Councilmember Deuser moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance approving an enterfund transfer of \$194,134 from the Water C.I.P. fund to the Electric C.I.P. fund for the installation of alternate electric power supply to Green, Davis and Ullrich Water Treatment Plants. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmember Urdy, Mayor Pro Tem Trevino, Councilmembers  
Deuser, Duncan, Goodman, Mullen  
Noes: None  
Not in Council Chamber when roll was called: Mayor McClellan

The Mayor announced that the ordinance had been finally passed.

811105-2  
811105-B



ROBERTO PULIDO Y LOS CLASSICOS DAY

Mayor Pro Tem Trevino read a proclamation designating November 7, 1981 as Roberto Pulido Y Los Classicos Day in Austin. Mr. Pulido received the proclamation with his thanks and appreciation.

ITEM NOT CONSIDERED

Council did not discuss an item from Councilmember Duncan which was consideration of a EUC representative at the STNP legal session.

BOARDS & COMMISSIONS

Mayor McClellan announced the following board and commission appointments are due to be made November 12: Building Code Board of Appeals, 2; Ethics Review Commission, 1; On-Going Goals Assembly Committee, 1 and 6 alternates; Hospital Board, 5; Plumbing Advisory Board, 1; Vending Commission, 2; Downtown Revitalization Task Force, 1; Manpower Advisory Planning Council, 7; Historic Landmark Commission, 1; Private Industry Council, 4; Affirmative action Plan Advisory Committee, 3; MTA, 10; Neighborhood Revitalization Commission, 11; Construction Advisory Committee, 3; Human Relations Commission, 6; Medical Assistance Program Board, 4. On December 3, there are five appointments due to be made on the Affirmative Action Plan Advisory Committee and three on the Electrical Board.

ADJOURNMENT

Council adjourned its meeting at 5:50 p.m.

APPROVED Carole Keeton McClellan  
Mayor  
10/19/89

ATTEST:

Grace Monroe  
City Clerk