

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 18, 1981
2:00 P.M.

Council Chambers
301 West Second Street

The Meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan

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

Councilmember Mullen entered the Council Chamber at 2:02 p.m.

Councilmember Duncan entered the Council Chamber at 2:03 p.m.

Mayor Pro Tem Trevino entered the Council Chamber at 2:08 p.m.

Councilmember Urdy entered the Council Chamber at 2:10 p.m.

Councilmember Deuser entered the Council Chamber at 2:11 p.m.

Councilmember Goodman entered the Council Chamber at 2:23 p.m.

When a quorum was present at 2:08 p.m. the official business as listed on the Agenda began.

EASEMENT RELEASE

Councilmember Mullen moved that the Council adopt a resolution authorizing release of the following Easement:

A portion of a public utility easement located on Lot 26, Block T, Cherry Creek, Phase VII, Section 3, 7702 Lowdes Drive. (Requested by R.D. Blackwell, P.E. representing N.P.C. Realty Company)

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

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

Noes: None

Absent: Councilmember Goodman

LEASE EXTENSION

Councilmember Mullen moved that the Council adopt a resolution extending the lease for Twin Oaks Branch Library for two years. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

Noes: None

Absent: Councilmember Goodman

LEASE FOR POLICE DEPARTMENT

Councilmember Mullen moved that the Council adopt a resolution authorizing entrance into a three-year lease with the Twin Towers Office Building for the Austin Police Department. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

Noes: None

Absent: Councilmember Goodman

LEASE AGREEMENT

Councilmember Mullen moved that the Council adopt a resolution approving a lease agreement between the City of Austin and the Federal Aviation Administration for continued use by FAA of the Air Traffic Control Tower and associated equipment room. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

FIPSE PROGRAM

Councilmember Mullen moved that the Council adopt a resolution authorizing the Human Services Department to enter into a non-financial agreement with St. Edwards University for the period of November 21, 1981 to September 30, 1982 for the operation of the FIPSE program entitled: "Improving Career Access to the Medical Professions", and to modify the Texas Employment Commission Allowance Payments Contract to incorporate \$41,856 funded under Title IV of CETA to provide allowances to CETA eligible participants in the program. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

COMMERCIAL REHABILITATION LOAN PROGRAM

Councilmember Mullen moved that the Council adopt a resolution entering into contracts with the following local lenders to implement the Commercial Rehabilitation Loan Program:

1. Austin National Bank
2. First Federal Savings
3. Franklin Savings
4. University Savings
5. First City National Bank
6. First Texas Savings
7. Capital National Bank

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

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

LOAN LEVERAGING PROGRAM

Councilmember Mullen moved that the Council adopt a resolution authorizing the Human Services Department to seek U.S. Department of Housing and Urban Development approval to enter into a contract with University Savings Association for residential rehabilitation loan leveraging program. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

TAX REFUND

Councilmember Mullen moved that the Council adopt a resolution approving refund of excess taxes paid by Harry M. Whittington for Parcel No. 2-0801-1603 for the tax years 1978, 1979 and 1980 in the amount of \$1,653.23. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

HEARING AID PROGRAM PROVIDER

Councilmember Mullen moved that the Council adopt a resolution approving a contract between Brackenridge Hospital and the Texas Department of Human Resources, as a Title XIX Hearing Aid Program Provider. (Recommended by Hospital Board.) The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

ITEM PULLED FROM AGENDA

During the consent motion, Council agreed to pull from the agenda a resolution considering setting a public hearing to consider use of RBJ site for Health Department parking purposes.

OPERATING BUDGET AMENDMENT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1981-1982 BY APPROPRIATING \$127,000 FROM THE GENERAL FUND ENDING BALANCE TO COMPLETE THE PURCHASE OF A COMPLETE INVENTORY OF PROTECTIVE CLOTHING FOR THE AUSTIN FIRE DEPARTMENT, AS REQUIRED BY STATE LAW; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ 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 Mayor McClellan, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

PAVING ASSESSMENT PUBLIC HEARING

Mayor McClellan introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS; SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, AND ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 4:00 O'CLOCK P.M. ON THE 14TH DAY OF JANUARY, 1982, IN THE CITY OF AUSTIN MUNICIPAL ANNEX, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID PROPERTY OR IN ANY OF THE PROCEEDINGS CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (C.I.P. NO. 73/62-39)

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 Mayor McClellan, carried by the following vote:

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

TOWING AND STORAGE FEES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 21-5 OF THE AUSTIN CITY CODE OF 1967; ESTABLISHING FEES FOR THE TOWING AND STORAGE OF OFFENDING VEHICLES; DIRECTING THE CHIEF OF POLICE TO INSTITUTE PROCEDURES RELATING TO IMPOUNDING; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ 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 Mayor McClellan, carried by the following vote:

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

Mayor McClellan introduced the following ordinance:

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

LOT 13, BLOCK 2, FROM "B-H", RESIDENCE-HISTORIC, SECOND HEIGHT AND AREA DISTRICT TO "O-H" OFFICE-HISTORIC, SECOND HEIGHT AND AREA DISTRICT, LOCALLY KNOWN AS 200 E. 30TH STREET; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCE ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Timothy J. & Elizabeth Weaver, C14-81-159)

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

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

LOT 22, J.K.P. MC FALL SUBDIVISION OF OUTLOT 5, DIVISION "A" LOCALLY KNOWN AS 1605 EAST 7TH STREET, FROM "A" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "O-1" 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. (Isafah Hardy, Jr. & Kyle B. Collins, C14-81-160)

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

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

TRACT 1: A TRACT OF LAND CONTAINING 0.0914 OF ONE ACRE; AND

TRACT 2: A TRACT OF LAND CONTAINING 0.1648 ACRE OF LAND, LOCALLY KNOWN AS REAR OF 13700-13712 U.S. 183; 12509-12517 HYMEADOW; AND 10000-10004 HIDDEN MEADOW DRIVE, FROM INTERIM "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O-1" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, WILLIAMSON COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Bill Milburn, Inc. C14r-81-162)

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

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

TRACT 1: A TRACT OF LAND CONTAINING 0.636 ACRE, MORE OR LESS FROM INTERIM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND

TRACT 2: A TRACT OF LAND CONTAINING 1.589 ACRES OF LAND, MORE OR LESS, FROM INTERIM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O-1" OFFICE, FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 9532 JOLLYVILLE ROAD; 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. (John H. & Billie G. McGee, C14r-81-170)

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

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

A 56.3 FEET TRACT OF LAND, LOCALLY KNOWN AS 8414 BURNET ROAD, FROM "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT TO "C-1" COMMERCIAL, 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. (Charles Linberg, C14-81-171)

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

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

LOT ONE, ALLANDALE PARK RESUBDIVISION NO. 6, LOCALLY KNOWN AS 7414 BURNET ROAD, FROM "B" RESIDENCE AND "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT TO "B-H" RESIDENCE-HISTORIC AND "C-H" COMMERCIAL-HISTORIC, 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. (Arnold Bakery, C14h-81-008)

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

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

LOT 1, BLOCK 7, GEORGE L. ROBERTSON SUBDIVISION, LOCALLY KNOWN AS 1007-1013 WALLER AND 1101-1105 EAST 11TH, FROM "C-2" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT TO "C-2-H" COMMERCIAL-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. (Kaehne! Store Building, C14h-81-009)

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN 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. ALL OF GREAT HILL SECTION VII-A, FROM INTERIM P.U.D., FIRST HEIGHT AND AREA DISTRICT TO P.U.D., FIRST HEIGHT AND AREA DISTRICT;
TRACT 2: ALL OF GREAT HILLS SECTION VIII-A, SAVE AND EXCEPT COMMON AREA 50, FROM INTERIM "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT: ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 9010-9206 STECK AVENUE, 5100-5314 AND 5101-5313 DOE VALLEY LANE, 9200-9334 AND 9201-9331 KNOLL CREEK LOOP, 5100-5118 AND 5101-5115 SADDLERIDGE COVE, 5100-5200 BLUFFSIDE DRIVE, 9000-9006 AND 9001-9007 ARBOR OAKS COVE, 9100-9106 AND 9101-9107 COUNTRY CANYON COVE, 9100-9104 AND 9101-9105 ECHO POINT COVE, 9100-9106 AND 9101-9105 BREEZE POINT COVE, 9200-9208 AND 9201-9207 AMBERWOOD COVE, 9200-9210 AND 9101-9209 SUMMERHILL COVE, 5006-5506 AND 5009-5505 RAIN CREEK PARKWAY, 5200-5306 AND 5201-5305 WELCOME GLEN, 5300-5408 AND 5301-5409 MUSKET RIDGE, 9600-9700 AND 9601-9703 MORNING COURT, 9700-9706 AND 9701-9705 SORRENTO COURT, 9700-9706 AND 9701-9705 COURTLEIGH CIRCLE, 5300-5406 AND 5301-5405 MARSH DRIVE, 9500-9512 AND 9501-9513 GOLDEN HILLS CIRCLE; 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 Planning Department, C14-81-130)

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

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

TRACT 1: A 69.83 ACRE TRACT OF LAND OUT OF THE J.C. TANNEHILL LEAGUE SURVEY #29; AND,

TRACT 2: A TRACT OF LAND CONTAINING 31.37 ACRES MORE OR LESS OUT OF THE JAMES BURLESON HEADRIGHT LEAGUE NO. 19; LOCALLY KNOWN AS 600-800 BLOCKS OF ED BLUESTEIN BOULEVARD, FROM INTERIM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, 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 Planning Department, C14-74-146 part)

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

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

LOT 13, BLOCK "O" LOCALLY KNOWN AS 5908-6008 WESTGATE BOULEVARD, FROM INTERIM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "AA" 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 DECLARING AN EMERGENCY. (City of Austin Planning Department, C14-80-043, Tract 2 only)

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 Mayor McClellan, carried by the following vote:

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

CONTAINED/WATERLESS SANITARY SYSTEMS

Councilmember Duncan discussed with Council contained/waterless sanitary systems. He asked the Building Inspection Department to review the Code and see if such a system can be used in the City. He asked that there be a consultation with the Public Works Department and Water and Wastewater Department to ascertain how much can be saved.

LIABILITY INSURANCE BOARD AND COMMISSION MEMBERS

Councilmember Deuser discussed with Council liability insurance for members of boards and commissions. He said members should be insured if there is a suit brought against them. Albert DeLeRosa, Acting City Attorney, told him forms have been filled out and the Finance Department is getting quotes. Mayor McClellan asked about liability insurance for the Council. Mr. Tom Muehlenbeck, Acting City Manager, said the entire package will be investigated.

STATUS OF VALERO LIGNITE LEASES

Mr. Peterson, Assistant Director, Electric Utility, told Council, "The Electric Department, on October 21st, presented a report to the City Council on the Camp Swift lignite property and the Valero lignite option. On November 4 the Council authorized the Electric Department to submit a bid jointly with LCRA and the City Public Service Board of San Antonio on the Camp Swift lignite. That bid was submitted on November 10. We have not heard anything as a result of the bid. ... The total bid which was a joint bid was \$2,004,395.00. Austin's share of that was one third or \$362,000 plus. It included meeting the requirement of the Bureau of Land Management of 12½% royalty payable based on the production costs of lignite at the time it is mined and an annual cost of \$3.00 per acre to maintain the leases." Mr. Peterson went on to say the Electric Utility Commission voted unanimously to recommend and the City needs to decide by November 20th in order to notify the others concerning the lignite option.

CITY AND COUNTY DETENTION FACILITIES

Chief of Police Frank Dyson reported to Council on Centralized Booking Facilities for City and County Detention Facilities as follows:

Soon after the election of Sheriff Doyne Bailey I began visiting with him and discussing the functions of the two agencies. As a result of these visits we recognized the duplication of work and record keeping being performed and started looking at ways of consolidating some of these functions.

In February, 1981, I requested the department's Research and Planning Division to look at some of the functional activities of the Sheriff's Department that could be consolidated with our activities. Of particular interest, was the duplication of effort in the booking and transferring of persons between the city detention system and Travis County Jail. The city jail facility is designed for short-term processing of prisoners immediately following arrest. A joint city and county centralized booking operation will provide more adequate detention services and the professional jail management that I desire to achieve at the city jail facility.

I met with the County Attorney, the Sheriff and their respective staffs on June 16, 1981, and again on October 29, 1981. It was agreed at these meetings that a centralized booking process would address mutual problems of duplicate booking, identification, records, and the transferring of prisoners to county facilities. The Texas Commission on Jail Standards (TCJS) has eliminated a stumbling block of cell size requirements for double occupancy by granting a variance between the 52 square feet

of space in the city jail cells and the TCJS standard requirement of 58 square feet for double occupancy. This was within the Commission's authority and was based on prisoners being incarcerated at the city jail no longer than 72 hours. If retained longer than 72 hours, they will have to be housed one to a cell.

The County Attorney is of the opinion that the two local governments could enter into an agreement under the Interlocal Cooperation Act, Article 4413 (32c) VTCS. She further concludes that "Travis County would be legally obligated to pay the City of Austin the reasonable expenses of keeping county prisoners in the city jail."

Mayor McClellan and members of the Council agreed this would benefit the entire community.

ENERGY RESOURCE ACTIVITY

Mr. Peterson, reported on the Energy Resource Activity. He said in Volume II, Conservation and Energy Resource Study, the Electric Department had a series of recommendations. He said one request has been for the Electric Department to develop a fiscal note regarding customer survey. That fiscal note includes appliance survey, customer attitudinal survey, for an estimated cost of about \$12,000.00. If an additional survey was conducted per customer interest in demand limiting devices it would add an additional \$8,000 to \$10,000 to that if the surveys were done in house. If they were done by an outside firm the Electric Department estimate would be about \$20-\$25,000 for the customer survey.

Council decided they would like to know more detail and asked for this to be brought back to Council on December 3, 1981.

LOAN OF JET INDUSTRY EMPLOYEES

Carl Lynch, Personnel Department, discussed the loan of Jet Industry employees to the City. Because of the fire damage to Jet Industries they have loaned five of their employees to the City at no cost to the City. This represents \$17,300 in services to the Electric Department, Park and Recreation Department, VES and Water and Wastewater Department. Mr. Lynch thanked Jet Industries for their cooperation between the public and private sectors. Mayor McClellan said that they will receive a proclamation.

SERVICE AREA TASK FORCE DUTIES

Mr. Bulloch, Director of Water and Wastewater, appeared before Council to request clarification on duties and responsibilities of the Service Area Task Force as it relates to the Water and Wastewater Master Plan. "On August 24th the City Council adopted an ordinance enacting a Water and Wastewater Commission. Under the duties of that ordinance it specifies that until March 1, 1982 the Commission will concern itself solely with development of the Water and Wastewater Master Plan study. The Commission has asked me to request that Council consider authorizing the Commission to review the off-peak pumping criteria that will be reviewed by Council in the month of December. They can only do this with Council authorization based upon the ordinance enacted by Council. They feel it's a very important policy matter that relates to utilization of the existing water and wastewater system and would like the authority from you to review and provide you information back re off-peak pumping use before you enact an ordinance or whatever you choose to do with that information once it comes to you during the month of December.Getting back to the duties of the Water and Wastewater Commission, recently there was a task force enacted to coordinate a number of policy issues that relate to water and wastewater service areas, comprehensive planning issues, wastewater package plants, etc., and the Commission felt very strongly that since their sole responsibility is the development of a water and wastewater master plan until March all of the duties would come as a part of that master plan and felt the Planning Commission, the Environmental Board should all be involved in that directly and not necessarily through a task force because these issues are important and cross commission lines and engineering policy lines and wanted some clarification as to the duties of the task force related to the ordinance as it relates to the water and wastewater master plan." (There was further discussion after the recess and Council decided to continue the discussion tomorrow.)

RECESS

The Council recessed its meeting at 2:55 p.m. to conduct meetings for the Housing and Industrial Corporations. Council resumed its recessed Council meeting at 3:40 p.m.

OFF-PEAK PUMPING CRITERIA FOR WASTEWATER

Mr. Bulloch, Director of Water and Wastewater, presented the Water and Wastewater Commission Report on a request that Council grant the Water and Wastewater Commission the right to review and comment on the proposed off-peak pumping criteria for wastewater service that Council will receive in the near future.

Councilmember Mullen asked why they need to review several times if they are going to have the criteria the staff is supposed to follow. Mr. Bulloch said it is a new way to utilize the wastewater lines and he thinks it is an important thing for them to look at.

After further discussion the following motions were made:

Motion

Councilmember Duncan moved that the Council approve the request to grant the Water and Wastewater Commission the right to review and comment on the proposed off-peak pumping criteria for wastewater service. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

Motion

Councilmember Mullen moved that the Council request the review be complete in 45 days. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

WEATHERIZATION OF CITY BUILDINGS

Mr. Mike Metscher, Energy Conservation Commission, reported on the weatherization of city buildings and asked Council if they want this done. He said to do so will save the City money, add to the data base and will serve as an example to citizens of Austin.

Mr. Muehlenbeck, Acting City Manager, asked the staff to identify the buildings and come back with estimated cost. Councilmember Deuser suggested the cost be quantified to see how much energy can be saved. Mayor McClellan asked the City Manager to request the staff to come back with a report on the energy audit.

ADJOURNMENT

Council adjourned its meeting at 4:20 p.m.

APPROVED

Condoleezza Rice
Mayor
10/19/89

ATTEST:

Grace Monroe
City Clerk