

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Special Emergency Council Meeting

May 29, 1981  
1:00 P.M.

First Floor Conference Room  
124 West Eighth Street

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The meeting was called to order with Mayor McClellan presiding.

Roll Call:

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

Mayor McClellan stated the purpose of the Special Emergency Meeting is to 1.) Consider adopting a resolution amending, modifying or repealing the Resolution opposing the enactment of H.B. 1952 relating to annexation of, disannexation of, and provision of services to certain areas which resolution was adopted by the City Council on Thursday, May 28, 1981; and 2.) Consider adopting a new resolution relating the City of Austin's position on H.B. 1952.

Mr. Joe Longley, Austin's Legislative Counsel, said he had talked to several people concerning H.B. 1952. "I'm not an expert on annexation or de-annexation or service plans or many of the things that were in the bill, however, this has been a part of the Texas Municipal League package in that it was a compromise they had reached with some other groups and I do not even know who those other groups are. TML would like to see some kind of a bill passed, whether in the form it was yesterday or something that can be compromised and amended where the Council or other parties could state this would be a good thing to be passed." Mr. Longley then introduced Mr. David J. LaBrec to explain changes in the resolution.

Mr. LeBrec, general counsel, Texas Municipal League, said he had not been aware of any problem with this bill with the City of Austin until two days ago. He said Councilmember Duncan had explained to him the difficulty with Texas Municipal District language and he said there would be no problem in taking it out. The other point is to have some language to allow flexibility for the City to provide differing levels of service where topography, population, and density, etc. are needed.

Motion

Councilmember Duncan moved that the Council adopt a resolution amending, modifying or repealing resolution opposing the enactment of H.B. 1952 relating to annexation of, disannexation of, and provision of services to certain areas which resolution was adopted by the City Council on Thursday, May 28, 1981. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Motion

Councilmember Duncan moved that the Council adopt a resolution supporting the passage of H.B. 1952 with the following amendments:

1. The following be added as a final sentence to Section 10.C:  
"However, it is not the intent of this act to require that a uniform level of service be provided to all areas of the City where differing characteristics of topography, land utilization and population are considered a sufficient basis for providing differing service levels.
2. The following sentence be deleted from Section 10.F:  
"A municipal utility district may be created in the disannexation area under Chapter 54, Water Code, as amended, without consent of the city from which the area has been disannexed.

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

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

ADJOURNMENT

Council adjourned its meeting at 1:15 p.m.

APPROVED Carole Keith McEllen  
Mayor

ATTEST:

Grace Monroe  
City Clerk