

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Council Meeting

May 21, 1981
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, Mayor Pro Tem Trevino, Councilmembers
Deuser, Duncan, Goodman, Mullen, Urdy
Absent: None

INVOCATION

The Invocation was given by Reverend B.E. Moore, United Pentacostal Church.

MRS. DEUSER RECOGNIZED

Mrs. Anna E. Deuser, mother of Councilmember Deuser, was a guest in the Council Chamber. Mayor McClellan recognized her presence by making her an Honorary Citizen of Austin, and presenting her with a key to the City. Mrs. Deuser resides in Indiana.

SUDDEN INFANT DEATH SYNDROME WEEK

Mayor McClellan read a proclamation setting aside the week of May 24-30, 1981 as Sudden Infant Death Syndrome Week. Raymond Walker and his wife, Sheila, co-presidents of SIDS, accepted the proclamation with their thanks and appreciation.

DELWOOD NORTHEAST OPTIMIST DAY

Mayor McClellan read a resolution naming May 23, 1981 as Delwood Northeast Optimist Day in Austin. Walt Lundin, president of Delwood Northeast Optimists Club Baseball/Softball League, thanked the Mayor for the proclamation.

MINUTES APPROVED

Councilmember Mullen moved that the Council approve the Minutes of the Meeting for May 7, 1981. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

BOARD AND COMMISSION APPOINTMENTS

Mayor McClellan announced her appointment for the Community Development Commission is Suzanne Coleman.

The following appointments are due to be made on May 28, 1981:

Building Standards Commission - 2 (1 low income tenant; 1 home builder)
Ethics Review Commission - 1
On-Going Goals Assembly Committee - 5
Renewable Energy Resources Commission - 1
Community Development Commission - 1 representative to be chosen by Mayor
McClellan; 1 representative to be chosen
by Mayor Pro Tem Trevino, and 1 Council
representative who in turn will choose a
representative
Dental Health Advisory Committee - 1 CDC representative
Downtown Revitalization Task Force - 4
Medical Assistance Program Advisory Board - 1 citizen; 1 service provider
(pharmacist)
MH/MR Board of Trustees - 1 citizen
Board of Equalization - 3 to be appointed no later than May 31, 1981
Council Representatives - 1 Police Department Internal Affairs Committee;
1 Employees Retirement System of the City of Austin;
and 1 Social Policy Advisory Committee

RELEASE OF EASEMENTS

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

A 10.0' Public Utility Easement located on Lot 7, Block F, Oak Ridge Section Three (11911 Renalee Loop) Outside City Limits. (Requested by Small, Craig and Werkenthin)

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

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

Noes: None

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

Two 10.0' Public Utility Easements on Lot 8, 9, 10 & 11, Cardinal Hills Unit Four (919-913 R.R. 620) Outside City Limits. (Requested by Five Fairway Corp)

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

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

Noes: None

WASTEWATER APPROACH MAINS

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

N.P.C. Realty Company

- To construct an 8-inch wastewater approach main to serve Walnut Ridge Section II - \$18,211.00. No City cost participation.

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

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

Noes: None

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving the following Wastewater Approach Main:

RICKY L. LAX

- To construct an 8-inch wastewater approach main to serve the existing Crestview Mobile Home Park - \$11,800.00. No City cost participation.

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

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

CONTRACTS APPROVED

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

WESTINGHOUSE ELECTRIC CORPORATION
 201 N. St. Mary's Street, Suite 512
 San Antonio, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
 Network Transformers and Protectors,
 Electric Utility Department
 Items 1 & 2 - 2 ea., 3 - 5 ea. &
 4 - 8 ea. Total \$283,365.00
 C.I.P. No 81/15-02

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

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

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

Bid award:

- Utility Materials, Water and Wastewater Utility Department Six (6) Month Supply Agreement, Multiple Progressive award, Bid Items No. 1-549 awarded by line item to appropriate suppliers based on 1st, 2nd and 3rd low bidder; etc.- Estimated total \$70,000

AMERICAN UTILITY SUPPLY
Route 1, Georgetown Industrial Park North
Georgetown, Texas

AUSTIN PIPE AND SUPPLY COMPANY
300 Medina
Austin, Texas

MECHANICAL INDUSTRIAL SUPPLY
4707 East 1st Street
Austin, Texas

ROHAN COMPANY
440 East St. Elmo Road
Austin, Texas

TRANS-TEX SUPPLY COMPANY
4618 East 7th Street
Austin, Texas

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

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

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

HUSKY INDUSTRIES, INC.
US 41 North
Dunnellon, Florida

- Emergency purchases of Powdered
Activated Carbon, Water and
Wastewater Department
Item 1 \$8,297.40

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

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

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

BERGEN BRUNSWIG
Medical Surgical
2530 Fairway Park
Houston, Texas

- Surgeon's Disposable Sterile Gloves,
Brackenridge Hospital
Twelve (12) Month Agreement
Items 1 - 6 - \$30,481.96

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

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

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

INDUSTRALEASE CORPORATION
3000 Marcus Avenue
Lake Success, New York

- Dupont Automatic Clinical Analyzer
(A.C.A.) - III, Ladd ICP Monitor for
Brackenridge Hospital
Items 1-2 - \$94,200.00
60 months & \$1,570.00 average/mo.

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

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

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

INDUSTRALEASE CORPORATION
3000 Marcus Avenue
Lake Success, New York

- Echo-Comp Model MX-200 for Brackenridge Hospital
Thirty-six (36) Month Lease
Item 1 - \$25,020.00
36 months @ 695.00 average/mo.

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

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

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

MOORE BUSINESS FORMS
8301 Balcones Drive, Suite 304
Austin, Texas

- Printing of Utility Meter Read Documents, Utility Customer Services and Data Systems Departments
Item 1 - \$9,449.50

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

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

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

TOM FAIREY COMPANY
5005 East 7th Street
Austin, Texas

- General Purpose Tractor, Vehicle & Equipment Services Department
Item 1, 1 ea. - \$9,565.00

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

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

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

PPG INDUSTRIES
624 N. Lamar Boulevard
Austin, Texas

- Base Paints, Purchases and Stores
Department
Twelve (12) Month Supply Agreement
Item 1-3 - \$15,298.00

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

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

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

GRAYBAR ELECTRIC COMPANY
7434 North Lamar Boulevard
Austin, Texas

- Street Light poles Assemblies,
Purchases and Stores Department
Item 1 - \$89,040

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

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

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

CAPITAL CITY LEASING ASSOCIATION
313 E. Anderson Lane Suite 325
Austin, Texas

- Twelve (12) Month Lease of three
Vans, Austin Transit System
Item 1, 3 ea. - \$25,470.00

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

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

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

ARMOUR OF AMERICA
1760 Stewart Street
Santa Monica, California

- Bullet Proof Vests, and Covers,
Police Department
Twelve (12) Month Supply Agreement
Items 1 & 2 - \$8,535.00

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

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

SALE OF PROPERTY

Mayor Pro Tem Trevino moved that the Council adopt a resolution authorizing the Austin Redevelopment Authority to sell the structure located at 1121 Leona Street to Ms. Lamesa Edmondson for an amount of \$21,640.00. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

TEMPORARY STREET CLOSING

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving the temporary closing of the 700 block of West 22nd Street from Pearl Street to Rio Grande Street on June 5, 1981 from 7:00 p.m. to 10:30 p.m. as requested by Richard G. Hardin, representing the Austin Natural Science Association Guild, Inc. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

AGENDA ITEM POSTPONED

Mayor Pro Tem Trevino moved that the Council request a resolution to consider recommendation relating to H.B. 1952 relating to annexation of, disannexation of, and provision of services to certain areas be brought back on May 28, 1981. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

PUBLIC HEARINGS SET

Mayor Pro Tem Trevino moved that the Council set a public hearing for June 4, 1981 at 9:45 a.m., on an appeal from Mr. R.H. Pitts, Pleak Oil Company, of the Planning Commission decision to deny a special permit for the sale of beer and wine in an "O" Office District (2803 San Jacinto). (C14P-81-021) The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Mayor Pro Tem Trevino moved that the Council set a public hearing for June 11, 1981 at 7:30 p.m. on the Congress Avenue Plan as proposed by the Congress Avenue Task Force. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

TAXES REFUNDED

Mayor Pro Tem Trevino moved that the Council adopt a resolution authorizing refund of excessive personal property taxes paid by I.F.G. Leasing Company for tax year 1981 in the amount of \$835.74. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

MEETING WITH AIR FORCE RESCHEDULED

Mayor Pro Tem Trevino moved that the Council reschedule the Special Called Meeting on May 26, 1981 to Wednesday, June 3, 1981 at 7:00 p.m. for presentation of U.S. Air Force Environmental Impact Statement for increased flight activity at Bergstrom Air Force Base. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

POLICE RETIREMENT ORDINANCES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING A SEPARATE RETIREMENT AND PENSIONING SYSTEM FOR COMMISSIONED POLICE OFFICERS OF THE CITY OF AUSTIN, PURSUANT TO THE AUTHORITY GRANTED THE CITY COUNCIL OF AUSTIN BY THE 66TH TEXAS LEGISLATURE, IN THAT CERTAIN ACT ENTITLED 'AN ACT RELATING TO ALLOWING CERTAIN CITIES TO ESTABLISH A SEPARATE RETIREMENT SYSTEM FOR POLICE DEPARTMENT EMPLOYEES,' TEX. LAWS 1979, CH. 253, SEC. 1 AT 537; CREATING A RETIREMENT BOARD TO ADMINISTER AND OPERATE THE RETIREMENT AND PENSIONING SYSTEM AND DEFINING ITS POWERS, DUTIES AND FUNCTION; PROVIDING A METHOD OF FINANCING THE SYSTEM; PROVIDING AN EFFECTIVE DATE OF JANUARY 1, 1980; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HERewith; PROVIDING A SEVERABILITY AND SAVINGS CLAUSE;" AND AS AMENDED FROM TIME TO TIME THEREAFTER, BY CHANGING THOSE PARTS OF AFORESAID ORDINANCE TO EFFECTUATE THE FOLLOWING; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

The Mayor announced that the ordinance had been finally passed.

ANNEXATION ORDINANCES

Mayor McClellan brought up the following ordinance for its first 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 7.31 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE BARRINGTON OAKS, SECTION ELEVEN SUBDIVISION 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-80-013)

The ordinance was read the first time, and Councilmember Mullen moved that the ordinance be passed to its second reading. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

Noes: None

The Mayor announced that the ordinance had been passed through its first reading only.

Mayor McClellan brought up the following ordinance for its first 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 201 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE THOMAS ANDERSON LEAGUE NO. 17 SUBDIVISION 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-80-014)

The ordinance was read the first time, and Councilmember Mullen moved that the ordinance be passed to its second reading. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

The Mayor announced that the ordinance had been passed through its first reading only.

(The Council requested a fiscal note.)

ENERGY CONSERVATION COMMISSION

Ms. Mary Elaine McDade, chairperson, Energy Conservation Commission, appeared before Council to present the Energy Conservation Award to Mr. B.J. Williams, owner of the National Life Building, 815 Brazos. Mr. Williams and Mr. Arabula were in the Council Chamber to accept the award. Ms. McDade announced they had reduced the use of electricity by 34%, gas by 42% and water by 38% with cost efficient methods which caused no discomfort to tenants. Mr. Williams and Mr. Arabula thanked the Commission for the Certificate of Appreciation.

POLICE RETIREMENT BOARD

The Police Retirement Board report on Proposed Amendments to Police Retirement Ordinance was not given because the ordinance was passed during the consent motions.

EMERGENCY FUNDING FOR WRIGHT ROAD FARM

Councilmember Mullen moved that the Council bring back next week for consideration an ordinance amending the 1980-81 Operating Budget by appropriating \$7,200 from the General Fund ending balance to provide emergency funding for the Wright Road Farm with consideration of obtaining the money from the jail fund. The motion, seconded by Councilmember Duncan, carried by unanimous vote.

Prior to the vote Davis Jones, Director of Austin Rehabilitation Center, told Council, "We want to work with Municipal Court and we have for several years. For the past three months we have taken far more referrals from Municipal Court than we can really afford. We gave you a cut rate of \$12.00 a day but we have to get in a position to sell the other beds so we don't lose so much money. Being a service delivery agency we do not expect to make a profit, of course." He referred to a letter Council had received from Judge Russell explaining the situation.

Councilmember Mullen said both he and Councilmember Goodman feel this would save the City money if they participate in the program and "I'm wondering if, since we are saving people money by keeping people out of the City jails if we might not go to Chief Dyson and see about amending the jail budget and getting the money from there."

C.I.P. WORK SESSION AND PUBLIC HEARING

Councilmember Duncan moved that the Council adopt a resolution setting a work session for the purpose of determining C.I.P. Projects to be included in a bond election for May 27, 1981 at 4:00 p.m.. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

Councilmember Duncan moved that the Council set a public hearing on proposed projects to be included in a bond election for June 11, 1981 at 5:00 p.m. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

WATER AND WASTEWATER CAPITAL RECOVERY CHARGES

Council had before them an ordinance establishing interim water and wastewater capital recovery charges in growth management areas 4 and 5 for consideration.

Mr. Gary Bradley, member of the subcommittee, appeared before Council to read a statement from David Bodenman, chairman of the subcommittee, who stated it would be premature to adopt the ordinance today. They are working as expeditiously as possible and do not perceive any problems with developers. He said the big question is the capital recovery fees and a number of other questions have not yet been studied. He said they need about 60 days, and it will also take the Legal Department quite some time.

Councilmember Duncan said the Council would like to be notified by the Planning Department concerning plats coming in. Mr. Lillie, Director of Planning, told him this can be done on a weekly basis.

ZONING HEARING

Mayor McClellan opened the public hearing scheduled for 7:00 p.m. on the following zoning case. Pursuant to published notice thereof, the following zoning was publicly heard:

LEON HOWARD, CHARLES HOWARD, JAMES K. EICHELBERGER, JR. AND LEE BLOCKER By James K. Eichelberger, Jr. C14-81-012	7115 Burnet Road	From "GR" General Retail 6th Height and Area To "C-2" Commercial 1st Height and Area NOT RECOMMENDED by the Planning Commission
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Mr. Lillie, Director of Planning, reviewed the application by use of slides. He said the plan is to extend the existing lounge by 8,280 square feet. The Planning Commission did not grant because of safety to the public, fire hazard, excess noise after closing hours, and inadequate parking. Mr. Lillie said there is an invalid petition and a Special Permit has been filed with the application but it is on hold.

Charles Webb, representing the applicant, said the Dallas Club cannot sell 50% food as required under "GR" and want to expand their facility to meet the demand of the customers. He said they have met with the neighbors and will hire guards. They have received approval from Gibson's for joint use of the lot, and Mr. Webb read into the record a letter from Gibson's Discount Center: "By this letter we wish to withdraw our objection to the zoning request for "C-2" zoning for the portion of LePromenade Center occupied by the Dallas Restaurant and Bar. We are happy to report that we have solved the problems which led to our objections, specifically our concern with the potential parking spill over into our parking lot at Gibson's Discount Center located at 7301 Burnet Road. We have agreed to a joint use agreement which

will protect our rights to the exclusive use of our lot until 9:00 p.m. and provide for use by Dallas patrons after that time. This not only removes our objections but also provides adequate parking for the application. We support the zoning change sought as an asset to the Burnet Road business community." Mr. Webb went on to say he has met with the neighbors and feels the problems have been resolved.

Jim Eichelberger, one of the owners of Promenade Center said Dallas will handle all problems and the City has recommended the zoning change.

Rick Hudell, owner of a building supply business on Burnet Road said the Dallas club is a good, versatile club with good clientele and he favors the zoning request.

Mike Glover, general manager of Coors, said Dallas has a high class operation. They do not serve Coors, and cited the fact the clientele prefers to drink and dance rather than eat there.

Russ Hodies, president, Crestview Neighborhood Association asked Council to deny the permit. He cited the inadequacy of the 6' fence which divides Gibson's parking lot from the neighborhood and discussed the noise, litter and fights. He said he has never seen guards. Parking is a problem and the Dallas Club should not cater to client's demands. The neighborhood is worried about "C-2" zoning.

Discussion followed regarding fights in the parking lot, frequency of, reports to Mr. Webb, and distance of club from residences.

Jim Poole appeared and read three letters. Mrs. Helen Lauden is concerned with traffic jams. She lives across the street on Burnet Road. Edward Gilmore who owns a paint and body shop cited traffic jams. Joe T. Meredith, owner of Allendale Service Station, dislikes the litter. Mr. Poole said he personally is inconvenienced by the parking problems. Fights continue and the guards are not there when the problems are.

Nolen Wade, who is in charge of security on Gibson's and Dallas lots, said he is not familiar with fighting and the throwing of beer bottles. He said he knows of only two fights since February and favors the ordinance.

A man who did not identify himself, said the trouble begins when patrons leave the club. They are noisy and leave beer bottles and cans on the parking lot and on people's yards.

Charles Webb returned to say the fencing problem can be solved and complaints have not been communicated to him. He said the guards will stop the noise and the club will continue to serve food.

Councilmember Mullen moved that the Council close the public hearing, grant "C-2" Commercial, 1st Height and Area District as requested. 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, Mullen
Noes: None

The Mayor announced that the change had been granted to "C-2" Commercial, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

SOFTBALL TOURNAMENT

Mayor Pro Tem Trevino moved that the Council approve the request of Mr. Jack Thompson for permission to sell beer in Bartholomew Park on May 23 and 24, 1981 during slow pitch softball tournament, sponsored by Austin Club of the Deaf, Inc. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

CITIZENS DID NOT APPEAR

The following citizens had requested to appear before Council to discuss installation of a 20-mile school zone on Gunter Street. They did not appear because the problem is being worked out. Citizens are: Cynthia Agnell; Greg Swimelar, assistant principal, Govalle Elementary School; and Representative Gonzalo Barrientos, State Representative.

ZONING ROLLBACKS DISCUSSED

Mrs. Regan Gammon, president, North University Neighborhood Association appeared before Council to discuss priorities of rescheduling zoning rollback study of the area already underway. Mr. Lillie stated the Zoning Ordinance provides the Planning Commission or Council the right to initiate zoning cases. Mayor Pro Tem Trevino said some may have higher priorities. Mr. Lillie said he will come back with a recommendation next week.

PUBLIC HEARING SET

Councilmember Goodman moved that the Council set a public hearing for June 11, 1981 at 7:00 p.m. on an appeal from Regan Gammon, president, North University Neighborhood Association, of the Planning Commission decision to grant a special permit for construction of 41 condominiums at 201-209 East 32nd Street and 110-116 East 31st Street, C14p-81-019. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

RESERVOIRS DISCUSSED

Mr. David Bloch appeared before Council to discuss reservoirs whose elevations are too low to serve the south, but high enough to serve the west.

MOTOROLA DISCUSSED

Ms. Connie Moore appeared before Council to discuss how approval of Motorola's PDA is contrary to the Master Plan and the detrimental effects it will have on Barton Springs. She suggested monitoring of water at Barton Springs because, in her opinion, the present tests are not frequent or extensive enough. She said Barton Springs Posse is circulating a petition to rescind Motorola.

Councilmember Mullen said he would like to have Mr. Bulloch respond to the question of how water can be supplied to the west and problems of elevation. Mr. Bulloch told Council, "The reason why we are not using the Eberhardt Lane Reservoir is because when the City took over that water district and continued to provide expansion of the south system, it was set up on a basis of having reservoir overflows at an 860 elevation as opposed to 820. This meant that the pumping that went into the south system in that area plus the refill of reservoirs was at an 860 overflow level. If Eberhardt were to be used, water would flow into it but because the elevation is lower than 860 water could not flow out of it except by pump. The specific proposal the staff asked Council to consider was that Motorola would install the line and pay the operational costs of the pumps. The City would not incur the energy costs to pump the water out of the reservoir. That is why the staff has not recommended using the reservoir for two years because of the operation cost to lock out the reservoir from the system and pump water out of it. Basically the way it is being used in the proposal as approved by Council, it is being used as a holding tank during off peak periods. We're pumping water into the tank, locking it out from the system and allowing Motorola to use their pumps to pump water out of it. That was the condition under which the staff made the presentation to Council meeting the criteria as far as not impacting the existing system and existing customers and the issue about the diversion for the primary growth corridor was only if we could refill the reservoir off peak to not take water away from existing customers. We would not recommend using the reservoir and have not used it

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for the last couple of years because of the operating situation. ...The reservoir is in structurally sound condition. We will need to go in and clean it out and refill before it can be operated. Valves will have to be installed on either side of the reservoir to make sure it can be locked out of the system and those costs will be incurred by Motorola.

Some discussion followed and Councilmember Urdy asked for a report concerning monitoring technique of Barton Springs.

PARADE PERMIT

Mayor Pro Tem Trevino moved that the Council approve the request for a Parade Permit from Mr. James B. Hodge, for Juneteenth Committee, from 10:00 a.m. to 12:00 noon, Friday, June 19th, 1981, beginning from Comal and Martin Luther King, east to Chicon, south to Rosewood Street, east to Doris Miller Auditorium. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

ADJOURNMENT

Council adjourned its meeting at 8:38 p.m.

APPROVED

Carole Keeton McClellan
Mayor

ATTEST:

Grace Monice

City Clerk