



Austin City Council MINUTES

For MAY 4, 1989 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

Mayor Cooke called to order the meeting of the Council, noting the absence of Councilmember Carl-Mitchell.

MINUTES APPROVED

The Council approved the minutes of the regular meeting of April 27, 1989 and special meeting of April 25, 1989, on Councilmember Humphrey's motion, Councilmember Nofziger's second, 5-0 Vote, Councilmember Urdy out of the room, Councilmember Carl-Mitchell absent.

CITIZEN COMMUNICATIONS

Mr. Brendan McDavid discussed City Health Department Clinic. Mr. Elbert Van Dyke talked about property located at 1505 New York. Mr. Rob Dickson discussed the Santa Clara Convention Center. Mr. Lyndon Henry made remarks about Capitol Metro's rapid transit planning. Ms. Jheri Fleet told Council about the National Magazine Editors Conference to be held in Austin May 11-15, 1989. Mr. Paul Robbins discussed funding for energy related programs.

LEGISLATIVE UPDATE

Gwen Webb, Acting Director, Intergovernmental Affairs, presented the Legislative Update.

LEGISLATIVE BILLS

Council had before them for consideration a resolution to consider supporting certain bills related to annexation/land use before the 71st Legislature.

Motion

The Council, on Councilmember Nofziger's motion, Mayor Cooke's second, adopted the first nine items of the resolution, excluding Section 6. (6-0 Vote, Councilmember Carl-Mitchell absent.)

After discussion of item 10, concerning zoning in the ETJ, the following motion was made:

Motion

The Council, on Councilmember Urdy's motion, Mayor Cooke's

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second, adopted a resolution supporting the item concerning zoning in Austin's ETJ. (6-0 Vote, Councilmember Carl-Mitchell absent)

Mayor Pro Tem Shipman stated for the record: "This will in no way negate the sector plan."

CONSENT ORDINANCES

The Council, on Councilmember Urdy's motion, Councilmember Nofziger's second, waived the requirement for three readings and finally passed the following ordinances all in one consent motion: (6-0 Vote, Councilmember Carl-Mitchell absent)

Disannexation

Approved the following requests for disannexation, pursuant to the provisions of SB 962, of certain property annexed for limited purposes:

- A. C7ad-89-047 Approximately 0.53 acres at Tomanet and Parmer Lane owned by Elberta Burba.
- B. C7ad-89-048 Approximately 2.73 acres at RM 2222 and RM 620 owned by Bill Atwood.
- C. C7ad-89-049 Approximately 7.94 acres on Bullock Hollow Road owned by Bill Atwood.
- D. C7ad-89-050 Approximately 30.74 acres in five tracts at RM 620 and Cornerwood Drive owned by William B. Pohl.
- E. C7ad-89-051 Approximately 34.85 acres at RM 2222 and RM 620 owned by Daphene Shultze Clarke.
- F. C7ad-89-052 Approximately 57.77 acres at Loop 360 and Spicewood Springs Road owned by Vaughn Stenis.
- G. C7ad-89-053 Approximately 19.02 acres at RM 2222 and RM 620 owned by Fred Purcell.
- H. C7ad-89-054 Approximately 0.46 acre at RM 2222 and City Park Road owned by Odus Crumley.
- I. C7ad-89-055 Approximately 0.39 acre at RM 2222 and City Park Road owned by C.L. Sherrod.
- J. C7ad-89-056 Pamela Heights Subdivision located at I.H. 35 North and Pamela Drive owned by L.W. Parker and others.
- K. C7ad-89-057 Approximately 14 acres on Highway 71 at Southwest Parkway owned by N. B. Hutto.

Settlement of Reyna v. AYCO Development and City of Austin

Passed through second/third readings of an ordinance amending Ordinance No. 880915-V by appropriating \$2,300,000 from the Liability Reserve Fund to the Law Department funding settlement of Reyna V AYCO Development and the City of Austin.

CONSENT RESOLUTIONS

The Council, on Councilmember Urdy's motion, Councilmember Barnstone's second, adopted the following resolutions all in one consent motion: (6-0 Vote, Councilmember Carl-Mitchell absent)

Capital Improvements

Authorized and approved the professional services agreement with P&D Technologies for overall Master Plan Services. C.I.P. 81/78-25.

Authorized and approved the Professional Services Agreement with Page Southerland Page for Terminal/Building Master Plan Services. C.I.P. No. 81/78-26.

Grant Application

Approved a grant application and acceptance to the Texas State Library and Archives Commission in the amount of \$786,292.00 for the period September 1, 1989 to August 31, 1990.

Umlauf Garden

Authorized and approved a land trade between the City of Austin and the State of Texas for the addition of property to the Umlauf Garden located at Robert E. Lee and Barton Springs Road.

License Agreement

Authorized a License Agreement to allow the encroachment of a wooden deck into a 15' Sanitary Sewer Easement of record in Vol. 8133, Pg. 152 of the TCRPR as located on Lot 3, Block A, Jester Estates Section I, Phase II, locally known as 6903 Agave Cove.

Community Facility Contract

Approved Braker Lane Community Facility Contract.

Restrictive Covenant Terminated

Approved termination of Restrictive Covenant on 6504 Bridgepoint Parkway.

PUBLIC HEARING - ANNEXATION

Mayor Cooke opened the public hearing set for 3:00 P.M. on annexation of the I.H. 35 Right-of-Way to the Hays County Line. No one appeared to be heard.

Motion

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Nofziger's second, continued the public hearing to May 11, 1989 at 3:00 P.M. (5-0 Vote, Councilmember Humphrey out of the room, Councilmember Carl-Mitchell absent)

FM 973

The Council, on Councilmember Urdy's motion, Councilmember Nofziger's second, adopted a resolution of appreciation to Travis and Williamson Counties and encouraged the Texas Highway Department to upgrade FM 973. (4-0 Vote, Councilmembers Barnstone and Humphrey out of the room, Councilmember Carl-Mitchell absent)

PUBLIC HEARING SET

The Council, on Councilmember Barnstone's motion, Councilmember Nofziger's second, set a public hearing for May 25, 1989 at 5:00 P.M. on initiating the renaming of Canadian Street to Robert Martinez Jr. Street. (5-0 Vote, Councilmember Humphrey out of the room, Councilmember Carl-Mitchell absent.)

LITTER CONTROL OFFICER

The Council, on Councilmember Nofziger's motion, Councilmember Humphrey's second, approved an Interlocal Agreement with Travis County to hire a Litter Control Officer. (5-0 Vote, Councilmember Humphrey out of the room, Councilmember Carl-Mitchell absent.)

REYNA SETTLEMENT

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Nofziger's second, adopted a resolution approving a settlement regarding Reyna vs. AYCO Development and the City of Austin. (5-0 Vote, Councilmember Urdy out of the room, Councilmember Carl-Mitchell absent)

BOARD & COMMISSION APPOINTMENTS

The following board and commission appointments were voted upon by Council.

Capital Metropolitan Task Force - Larry Jackson - On Councilmember Urdy's motion, Councilmember Humphrey's second, 6-0 Vote, Councilmember Carl-Mitchell absent.

Child Care Commission - Viola Garza, Ron Hubbard and Dr. Marian Monroe - On Mayor Pro Tem Shipman's motion, Mayor Cooke's second, 6-0 Vote, Councilmember Carl-Mitchell absent.

Community Development Commission - Ronald Vasey - Affirmation of the appointment by the area churches - On Mayor Pro Tem Shipman's motion, Mayor Cooke's second, 6-0 Vote, Councilmember Carl-Mitchell absent.

Solid Waste Advisory Commission - Hugh Hornsby - on Councilmember Humphrey's motion, Mayor Cooke's second ---- Frank Ringer Jr., - on Councilmember Urdy's motion, Mayor Cooke's second. 6-0 Vote on both nominations, Councilmember Carl-Mitchell absent.

RECESS

Council recessed its meeting from 3:23 to 4:00 P.M.

EXECUTIVE SESSION

Mayor Cooke announced Council would enter executive session, pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation and for personnel matters. No final action, decision or vote by the City Council will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

Pending Litigation - Section 2, Paragraph e

- (a) City of Austin vs. Houston Lighting and Power
- (c) Springwood (MUD) et al v. City of Austin, Tx. Water Commission, Docket #7144-M; 7439-D; 7466-M; 7518-M

RECESS

Council recessed for executive session from 4:00 to 5:00 P.M.

RESOLUTIONS CONCERNING ENVIRONMENTAL ISSUES

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Shipman's second, adopted the following resolutions: (5-0 Vote, Councilmember Barnstone out of the room, Councilmember Carl-Mitchell absent.)

Directed the City Manager to prepare a report on the options and the associated costs involved in the replacement or repair of air conditioning units which are potentially releasing chlorofluorocarbons, and to take steps to ensure that all new air conditioning units use the least ozone depleting compounds possible for refrigerants.

Directed the City Manager to formulate a cost-effective energy consumption plan which would reduce overall energy usage in each

department by at least 10%.

Approved requesting that future diesel fuel contract request low sulfur diesel fuel in its specifications, and that the City consider the adverse impacts of diesel vehicles and compare alternatives prior to purchasing new fleet vehicles.

Directed the City Manager to develop a car pool program for all City employees.

Directed the City Manager to require that energy efficiency and the use of renewable energy resources be incorporated in the specifications for all major City construction projects.

Directed the City Manager to prepare a report concerning the use of non-recyclable, non-biodegradable materials that are to be used for food packaging by the City of Austin.

PUBLIC HEARING - APPEAL

Mayor Cooke opened the public hearing set for 5:00 P.M. on an appeal of Ms. Leonora C. Aguilar of the Building Standards Board's decision regarding the demolition recommendation for property located at 2601-B Hoeke Lane.

After the City's report by means of slides, Council directed this be brought back at a later date.

Motion

The Council, on Councilmember Urdy's motion, Councilmember Nofziger's second, closed the public hearing. (5-0 Vote, Councilmember Humphrey out of the room, Councilmember Carl-Mitchell absent.)

PUBLIC HEARING - LAND DEVELOPMENT CODE

Mayor Cooke opened the public hearing set for 6:00 P.M. on amendments to the Interim Land Development Code to address properties subject to right-of-way condemnation. Cards for people who spoke are on file in the City Clerk's office.

Motion

The Council, on Mayor Pro Tem Shipman's motion, Mayor Cooke's second, closed the public hearing and approved amending the Land Development Code, except for billboard section. (6-0 Vote, Councilmember Carl-Mitchell absent)

RECESS- Council recessed from 5:47 to 6:00 P.M.
LAGUNA GLORIA ART MUSEUM TRACT

The Council, on Councilmember Barnstone's motion, Councilmember Nofziger's second, adopted a resolution authorizing an escrow agreement

and Special Warranty Deed extending the applicable date for a reverter clause on proposed Laguna Gloria Art Museum Tract. (6-0 Vote, Councilmember Carl-Mitchell absent.)

RECESS

Council recessed from 6:39 to 7:00 P.M.

PUBLIC HEARING - TWO-WAY TRAFFIC ON EAST 1ST & EAST 2ND STREETS

Mayor Cooke opened the public hearing set for 7:00 P.M. on conversion of East 1st Street and East 2nd Street to two-way traffic. Cards for people who spoke are on file in the City Clerk's office.

Motion

The Council, on Councilmember Nofziger's motion, Councilmember Humphrey's second, closed the public hearing.

Motion

The Council, on Councilmember Barnstone's motion, Councilmember Humphrey's second, directed the City Manager to direct staff to begin the conversion process. (6-0 Vote, Councilmember Carl-Mitchell absent.)

ITEMS POSTPONED

Pulled from the agenda was Zoning Case C14-88-0131 - L.W. PARKER, 10505 North I.H. 35 Service Road NB.

Postponed to May 11, 1989 is an ordinance concerning restrictions on the use of City swimming pools with supervision by day care centers or agencies and private swimming instructors.

Postponed indefinitely is a request from Travis County to proceed with City of Austin participation in Spicewood Springs Road Right-of-Way and easement acquisition, and construction of certain Water Treatment Plant No. IV Water Mains, in conjunction with Travis County Roadway Improvements to Spicewood Springs Road.

Postponed to May 25, 1989 is consideration of adoption of a proposed set of selection criteria to be used for the evaluation of Engineering Professional Services.

ADJOURNMENT

Council adjourned its meeting at 8:02 P.M.