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Austin City Council MINUTES

For APRIL 6, 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 presence of all Councilmembers.

MINUTES APPROVED

The Council, on Councilmember Nofziger's motion, Councilmember Humphrey's second, approved minutes for regular meetings of March 28, 1989 and March 30, 1989 and special meeting of March 28, 1989. (4-0 Vote, Mayor Pro Tem Shipman, Councilmember Carl-Mitchell and Urdy out of the room.)

CITIZEN COMMUNICATIONS

Ann Moore Stafford discussed the relocation of airport. David Samuelson talked about the airport relocation. Ann Bower discussed the Committee on Cultural Facilities Policy. Chuck Hempstead talked about affordable housing. Charlotte London discussed Austin Travis County MHMR. Darien McWhirter discussed a sewer project and Carol Justus was not present. The Resource Management Department Training Program was the subject of Dorothy Turner's remarks. Carol Hadnot talked about the contract with Peat, Marwick, Main. Rudolph Zapata discussed status of the Unit Report for fiscal year 1989.

BOARD AND COMMISSION REPORTS

Gwen Webb and Sandy Sanford presented the Legislative Update report.

The Airport Advisory Report will be given on April 11, 1989.

CONSENT ORDINANCES

The Council, on Councilmember Humphrey's motion, Councilmember Urdy'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 out of the room.)

Codes

Approved second/third readings of amendments to Title XIII (Land Development Code of the Austin City Code of 1981 relating to the adoption of the 1988 editions (together with respective local amendments) of the Uniform Building Code, Uniform Fire Code, Uniform Housing Code and the Uniform Code for the Abatement of dangerous

Buildings; revisions to the Energy Code; and revisions to the adopted local amendments to the 1987 National Electric Code.

Approved third reading of amendments to Chapter 13-1 (Land Development Procedures) of the Austin City Code of 1981 relating to adoption of the 1988 editions of the various technical codes, local amendments to such technical codes, and an amnesty for building uses in existence on March 1, 1986.

Approved third reading of establishing fees for permits and licenses authorized by local amendments to the Uniform Fire Code, 1988 edition.

Approved third reading establishing fees for relocation and demolition permits authorized by local amendments to the Uniform Building Code, 1988 editions.

Operating Budget

Approved amending the 1988-89 Operating Budget by transferring the entire fiscal year appropriation of \$157,628.00 and the expenses incurred for the Office of Emergency Management from the Austin Police Department to the Austin Fire Department.

Item Postponed

Postponed indefinitely is consideration of amending the 1988-89 Operating Budget by increasing expense appropriations for the Austin-Travis County Health Department by \$21,487.00 and increasing General Fund revenues by \$21,487.00; amending Ordinance No. 870514-R to increase the fees charged for Food Establishment permits; amending Ordinance No. 840920-FF to increase the fees charged for permits for mobile food vendors; and establishing fees for recertification of food managers.

Fern Bluff

Approved amending the Fern Bluff MUD consent agreement.

Item Postponed

Postponed indefinitely is consideration of revisions to Chapter 6-5 of the Code of the City of Austin, 1981; relating to the regulation of food and food handlers to implement recommendations of the Mayor's Task Force on Food Inspection.

Ordinance Amendment

Approved amending Ordinance No. 860918-E, Zoning Case No. C14-85-149.70, locally known as land generally located along Parmer Lane (no assigned address) to correct the legal description and use designation.

Zoning Changes

Approved second/third readings amending Chapter 13-2 of the Austin Code Land Use Ordinance to cover 12306 Burnet Road from "GO" General Office District to "GR" Community Commercial District, NCNB TEXAS NATIONAL BANK, C14r-87-071. First reading on January 7, 1988 (6-0). Councilmember Humphrey out of the room at roll call. Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed. Development restricted to that shown on the site plan attached as an exhibit to the ordinance.

Approved second/third readings amending Chapter 13-2 of the Austin Code Land Use Ordinance to cover property situated south of U.S. Hwy. 290 west along (proposed) Staggerbrush Road from "DR" Development Reserve District to "GR-CO" General Office District-Conditional Overlay Combining District, C14-86-305-CO (tract 4). First reading on June 4, 1987. (5-1-0 Mayor Cooksey voted No, Councilmember Urdy out of the room.) Conditions met: Restrictive Covenant, Conditional Overlay and Phasing Agreement incorporating conditions imposed by Council has been executed.

CONSENT RESOLUTIONS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, adopted the following resolutions in one consent motion: (6-0 Vote, Councilmember Barnstone out of the room)

Public Utility Easement

Approved release of a portion of the Public Utility Easement on Lot 17, Block "D", Countryside Section One, recorded in Book 75, Page 46 of Plat Records of Travis County, locally known as 3107 Mistyglen Circle. (Request submitted by Dawn Elise Reveley on behalf of Jim and Barbara Redfield)

Electric and Telephone Easement

Authorized release of a portion of the Electric and Telephone Easement of record in Volume 3079, Page 2115 TCRPR and located on Lot 4, Loma Graciosa Subdivision, locally known as 4611 Bee Caves Road. (Request submitted by James Grant, R.P.S., on behalf of Southwest Savings Association)

Capital Improvements Program

Approved a Change Order in the amount of \$112,048.39 to Hunter Industries, Inc., contractor for the Robert Mueller Municipal Airport Interim Terminal Expansion, Phase I Contract. (2.8% increase in the original amount of \$3,927,323.80 - Total change orders to date equal to -8.9%) C.I.P. No. 86/81-01 (For adjustments in quantities based on actual amounts needed for construction and addition of new items required due to field conditions)

Capital Improvements

Approved acquisition of 40.545 acres out of the Peter Conrad Survey #112 along Walnut Tributary 9 fronting on Huntsville Drive for park and regional watershed facility purposes. C.I.P. No. 83/86-8.

Approved selection of The University of Texas at Austin, Texas, Archeological Research Laboratory for Professional Archeological Testing Monitoring Services for the South Austin Outfall in the estimated amount of \$91,794.70. C.I.P. No. 85/23-19

Approved the selection of professional engineering services for the following project: 1989-90 Robert Mueller Municipal Airport Airfield Rehabilitation and Improvements Program: Martinez & Wright Engineers, Inc.
C.I.P. No 87/81-02

POSTPONED to April 13, 1989 is selection of professional engineering services for 1989-1990 Robert Mueller Municipal Airport Terminal April Area Pavement Evaluation and Rehabilitation Program, C.I.P. No. 89/81-02.

Estimated costs for both is \$328,000.00.

Contracts Approved

COFFEE EQUIPMENT, INC.
P. O. Box 845
Buda, Texas
Low Bid of 8
1.52% W/MBE

- CAPITAL IMPROVEMENTS PROGRAM -
CDD 18, Phase IIIA, Pickle Road,
Transportation and Public Services
Department
Total \$108,248.70 C.I.P. Nos.
82/62-01, 83/22-03 & 83/23-03

LEIF JOHNSON FORD, INC.
501 E. Koenig Lane
Austin, Texas
Low Bid of 3 Meeting Specs (2 Lower)
OX M/WBE 5-0 Vote, Councilmember Humphrey abstained, Councilmember Barnstone out

- Fifty-Three (53) Police Patrol
and Administrative Sedans,
General Services Department
Total \$708,652.00 89-0066-OM
of the room.

CAPITAL IMPLEMENT COMPANY
445 Bastrop Hwy.
Austin, Texas
Low Bid of 8 Meeting Specs (2 Lower)
OX W/MBE

- Gasoline Powered Lawn Care
Equipment, Parks and Recreation
Department
Twelve (12) Month Supply Agreement
Items 4 & 6 - \$30,185.00
89-0060-RD

AUSTIN DIAGNOSTIC CLINIC
ASSOCIATION
801 West 34th Street
Austin, Texas
Sole Source - OX M/WBE

- Organ Procurement, Brackenridge
Hospital
Twelve Month Service Contract
Total \$116,125.25 BC9-155

AUSTIN DIAGNOSTIC CLINIC
ASSOCIATION
801 West 34th Street
Austin, Texas
Sole Source - OX M/WBE

- Kidney Transplant Program,
Brackenridge Hospital
Twelve Month Service Contract
Total \$61,993.00 BC9-156

AUSTIN DIAGNOSTIC CLINIC
ASSOCIATION
801 West 34th Street
Austin, Texas
Sole Source - OX M/WBE

- Renal Dialysis Services,
Brackenridge Hospital
Twelve Month Service Agreement
Total \$550,000.00 BC8-15

Block House Municipal Utility District

Approved a License Agreement to Block House Municipal Utility District for an underground 12-inch potable water pipeline crossing City-owned railroad right-of-way milepost 83.11 (AU&NW) at New Hope and establishing an annual fee of \$200.00.

Fiber Optic Cable

Approved Electra Communications Corporation for attaching a multiple fiber optic cable enclosed in a 4-inch steel pipe to and across the City-owned railroad bridge at Boggy Creek, Milepost 55.28 (AU & NW) and waive fees. This is a license agreement.

CDBG

Approved reprogramming \$825,000.00 in unexpended 13th Year Community Development Block Grant funds to conduct a street and drainage Capital Improvements Project in the area known as the Rodriguez Subdivision.

Interlocal Jail Consolidation

Approved the revised amendment to the Interlocal Jail Consolidation Agreement between Travis County and the City of Austin.

Item Referred for Review

Council had before them for consideration approval of criteria for the creation of a Hyde Park Special District. They referred this to Hyde Park Neighborhood Association and the Hyde Park Baptist Church for review.

Federal Aviation Grant

Authorized the City Manager to accept a Federal Aviation Grant offer in the amount of \$10 Million for master planning and property acquisition.

Public Hearings Set

Set a public hearing on the site selection for the Convention Center for April 13, 1989 at 7:00 P.M.

Set a public hearing on amendment to the Land Development Code regarding impervious cover limitations in the SF-2 and SF-3 Zoning Districts for April 27, 1989 at 6:00 P.M.

ITEM POSTPONED

Sent to the Child Care Commission and rescheduled for the April 20, 1989 agenda is consideration of amending Chapter 10-4 of the Austin City Code by adding Section 10-4-2.1, "Restrictions on the use of City swimming pools: Supervision by day care centers or agencies and private swimming instructors", which will provide for pre-registration and certification, establish a ratio for supervisory staff to children, establish a use fee, and assign day care center and agencies to municipal swimming pools.

ITEM POSTPONED

Postponed to April 11, 1989 is consideration of approval of a contract with Cahaba Construction Company 13430 N.W. Freeway, Suite 750 Houston, Texas, for Robert Mueller Municipal Airport Interim Terminal Improvements, Phase III Construction Project, Aviation Department Total \$8,430,700.00 C.I.P. No. 86/81-01.

ITEM POSTPONED INDEFINITELY

Postponed indefinitely is approval of a variance from right-of-way dedication for Ross Venture Office Building. (Case No. C14R-85-954)

CITY MANAGER REPORT POSTPONED

The City Manager Report on Braker Lane Community Facility Contract Request was postponed to April 27, 1989.

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
- (b) IN RE - Nash, Phillips Copus, Inc. Bankruptcy
- (c) Reyna vs. AYCO Development Corporation and the City of Austin

RECESS

Council recessed its meeting at 3:02 for executive session and resumed its recessed meeting at 3:50 P.M.

ZONING HEARINGS

Mayor Cooke announced Council would hear the following zoning cases. Council heard, closed the public hearings and approved as follows:

-88	P-WB JT VENTURE/	7200 to 7500 North	From "DR" & "SF-2"
0097	PEROT GRP.	F.M. 620 Road	To "PUD"
	By Minter, Joseph		(As Amended)
	& Thornhill		<u>FIRST READING</u>

APPROVED PLANNING COMMISSION RECOMMENDATION; R & D WILL GO UP TO 2.17 MILLION SQUARE FEET AND TOTAL OF MULTI-FAMILY LOTS NOT TO EXCEED 670; CONVERT LOT A2 OFFICE SITE TO MULTI-FAMILY TRACT; TOTAL CAP 3.488 MILLION SQUARE FEET ON ENTIRE PROJECT; DEVELOPER TO WORK OUT HOW THEY CAN CONTINUE TO STAY ANNEXED

(On Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, 4-3 Vote, Mayor Pro Tem Shipman, Councilmembers Humphrey and Nofziger voted No.)

-88	LAND & LEASE INC.	6247-6263 McNeil Rd.	From "LR"
0147	KAREN SHELTON		To Tr. 1 "GR-CO"
	By Holford Group		Tr. 2 "MF-3"

EMERGENCY PASSAGE OF ORDINANCE

RECOMMENDED to grant "GR-CO" for Tr. 1 and "MF-3-CO" for Tr.2; subject to conditions recommended and agreement with Travis County which states: "Triangular sight distance easements shall be dedicated at the time of site plan approval to provide adequate sight distance for the posted speed limit on McNeil Cutoff at all driveways and public and private streets. The precise configuration of the easements shall be determined at the site plan approval based on AASHTO criteria for vehicles approaching an intersection with a stop condition on the minor approach."

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(a) Discuss proposals for Convention Center property exchange.

RECESS

Council recessed its meeting from 6:22 to 8:20 P.M. for executive session.

SPAC

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Barnstone's second, voted to support the expansion of the Social Policy Advisory Committee by establishing advisory subcommittees. (5-0 Vote, Councilmembers Humphrey and Urdy out of the room.)

CONTRACT FOR TRUCKS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Barnstone's second, adopted a resolution approving a bid award to Leif Johnson Ford, Inc., 501 Koenig Lane, Austin, Texas for Item LT7-1&2 - \$46,920.00. (This is part of the contract for forty-four (44) Light Duty Trucks, General Services Department totaling \$465,258.00 89-0094-OM) (5-0 Vote, Councilmembers Humphrey and Urdy out of the room.)

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Barnstone's second, adopted a resolution approving a bid award to Leif Johnson Ford Truck City, 502 East Ben White Boulevard, Austin, Texas for Items 1, 2 & 6 totaling \$125,853.00. (This is part of the ten (10) truck cab and chassis contract, General Services Department totaling \$266,998.00 89-0088-OM)

PUBLIC HEARING SET

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Barnstone's second, adopted a resolution setting a public hearing on the conversion of East 1st Street and East 2nd Street to two-way traffic, for May 4, 1989 at 7:00 P.M. (6-0 Vote, Councilmember Urdy out of the room.)

SANITARY EASEMENT RELEASE

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Barnstone's second, adopted a resolution authorizing the release of a Sanitary Easement of record in Volume 821, Page 119, of the Travis County Road Property Records, located on Lot 36, Block 40, Travis Heights, locally known as 1915 Kenwood Avenue. (6-0 Vote, Councilmember Urdy out of the room.)

USA BASEBALL

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, directed the City of Austin to actively encourage the USA Baseball team to choose Austin as a site for its exhibition games and to participate as a co-sponsor in the event. (6-0 Vote, Councilmember Urdy out of the room.)

LEGENDS OF GOLF TOURNAMENT

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, approved having the City of Austin participate as a sponsor for the 1989 Legends of Golf Tournament. (6-0 Vote, Councilmember Barnstone out of the room.)

ITEM POSTPONED

Postponed to April 13, 1989 is consideration of a resolution to set aside \$390,287.00 of Fiscal Year 1988-89 Rental Rehabilitation Program funds for contractual grants to Austin Mutual Housing Association and Bryan Kastleman.

CONTRACT APPROVED

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Barnstone's second, adopted a resolution approving the following contract: (7-0 Vote)

MOTOROLA/MOBILE DATA
INTERNATIONAL, INC.
11411 Number Five Road
Richmond, British Columbia

- CAPITAL IMPROVEMENTS PROGRAM -
Mobile Data Terminal System,
Police, Fire and Emergency Medical
Departments
Total \$2,566,309.00 C.I.P. No.
85/83-04

MCNEIL ROAD AREA PARK PROJECT

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Barnstone's second, waived the requirement for three readings and finally passed an ordinance amending the 1988-89 Capital Budget by appropriating \$125,000.00 from the Subdivision Participation Fund to the McNeil Road Area Park Project. C.I.P. No. 83/86-18. (7-0 Vote)

PAY FOR CERTAIN CITY EMPLOYEES

The Council, on Councilmember Nofziger's motion, Mayor Cooke's second, passed through SECOND READING of an ordinance establishing the number of hours in a work day for use in the computation of pay and benefits for City of Austin employees. (4-3 Vote, Mayor Pro Tem Shipman, Councilmembers Barnstone and Carl-Mitchell voted No.)

RADIO MAINTENANCE FOR POLICE DEPARTMENT

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance amending the 1988-89 Operating Budget by increasing revenues to the General Services Fund by \$69,000.00 in order to provide for radio maintenance for the Police Department which is currently provided by an outside vendor. (7-0 Vote)

ITEM PULLED

Pulled off the agenda was an item to consider funding Austin Metropolitan Business Resource Center with \$50,000.00 of CDBG monies for Management and Technical Assistance.

ADJOURNMENT

Council adjourned its meeting at 9:22 P.M.