



## Austin City Council MINUTES

For JANUARY 31, 1985 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

### City Council

Ron Mullen  
Mayor

John Treviño, Jr.  
Mayor Pro Tem

Council Members  
Mark Rose  
Roger Duncan  
Sally Shipman  
Mark E. Spaeth  
Charles E. Urdy

Jorge Carrasco  
City Manager

Elden Aldridge  
City Clerk

### Memorandum To:

Mayor Mullen called to order the meeting of the Council scheduled for 1:00 p.m., noting the presence of all Councilmembers.

### MINUTES APPROVED

The minutes of regular meetings of December 20, 1984, January 24, 1985 and Special Meetings of November 28, 1984 and January 23, 1985, were approved in a motion made by Councilmember Shipman and seconded by Councilmember Spaeth. (6-0 Vote, Mayor Pro Tem Trevino was out of the room.)

### CONSENT ORDINANCES

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (7-0 Vote)

### Operating Budget

Amended the 1984-85 Annual Operating Budget by

- a. Accepting \$413,000 from the U.S. Department of Housing and Urban Development FY 1985 Rental Rehabilitation Grant. (Council Goals II.10, V.4.)
- b. Appropriating \$80,000 to the Financial Services Department for additional consultant services associated with Municipal Office Complex during the Developer Option Period.

## OPERATIONG BUDGET - (Continued)

- c. Transferring \$48,900 from the Financial Services Department to the Internal Audit Department to implement the Program Evaluation Ordinance.
- d. Appropriating \$110,419 to the Public Works Department - Real Estate Division to pay taxes on City-owned land. (Texas State Law and State Property Tax Code requires the City to pay taxes on land being leased to others.)

Items Pulled

Council pulled from the agenda until February 7, 1985 consideration of amending the 1984-85 Annual Operating Budget by transferring \$30,200.00 from the Civic Center Reserve Fund and appropriating to the CIP Civic Center Feasibility Study project.

Council pulled from the agenda for one week consideration of amending the Capital Improvements Program by accepting \$30,200.00 for the Capital Improvements Program Civic Center Feasibility Study Project.

Hazardous Materials Storage and Registration

Amended the Hazardous Materials Storage and Registration Ordinance.

Moratoriums Extended

Granted extension of the deadline on the moratorium and study of the Downtown Mixed Use Area North of 14th Street to March 14, 1985.

-----  
Granted a 60 day extension to the moratorium on rezoning actions in the Rosedale Neighborhood Area.

Ordinance Amended

Amended the following ordinance to correct the legal description:

Ordinance No. 830922-G - Case No. C14-83-107

Regular Election Called

Called the regular election for Councilmembers and related matters thereto for April 6, 1985.

Zoning Ordinances

Amended Chapter 13-2 of the Austin City Code (Zoning Ordinance) to cover the following changes:

AUSTIN BEN WHITE LTD.  
PARTNERSHIP  
By Donald E. Bird  
C14-79-074

Rear 7000 Block  
E. Ben White Blvd.

From Interim "SR-2"  
to "LI" & SF-3"

ADON E. SITRA  
C14-84-178

11646 Jollyville Rd.  
11331 Taylor Draper  
Lane

From Interim "SF-2"  
to "SF-6", "LO",  
& "SF-3"

CITY OF AUSTIN  
C14-73-253

2311 Rutland Drive

From Interim "SF-3"  
to "LI"

GLENN SYNOTT  
C14-84-092

6100-6306 Bolm Road  
1100-1113 Gardner Road

From "GR" to "LI"

CITY OF AUSTIN OFFICE  
OF LAND DEVELOPMENT  
SERVICES  
C14-84-143

A greenbelt including  
land on either side  
of Barton Creek from  
a point beginning north  
of Ringtail Ridge to the  
point where Barton Creek  
intersects the Barton Skyway

From Interim "SF-3"  
to "SF-6"

CONSENT RESOLUTIONS

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, adopted the following resolutions in one consent motion: (7-0 Vote)

Leases

Approved a lease with A & H Investments for the Construction Inspection Division of the Public Works Department.

-----

Approved lease with Twin Towers Venture for the Health Department.

Release of Easements

Authorized release of the following easements:

- a. An Electric Easement of record in Volume 3138, Page 2389 of the Travis County Real Property Records and located on Lot B, Austin Business Park Number Two, Research Blvd. @ Putnam Drive. (Request submitted by Mr. David Bell Surveyors)
- b. A portion of a Blanket Electric Easement of record in Volume 680, Page 24, of the Travis County Real Property Records insofar as it affects Hidden Valley Phase A. (Request submitted by Cunningham-Graves, Inc.)
- c. A portion of the Blanket Electric Easement recorded in Volume 684, Page 626, of the Travis County Real Property Records insofar as it affects Lot 1, Acme Brick Addition, Section Two. U.S. 183 @ Burnet Road. (Request submitted by Mr. David Bodenman)

Change Orders

Approved the following change orders:

- a. In the amount of \$62,900 to Management Science America, Inc. (MSA) for emergency purchase of a software upgrade to the existing MSA system at Brackenridge. (18% increase of the original contract)
- b. CAPITAL IMPROVEMENTS PROGRAM - In the amount of \$25,520.00 to Olshan Demolishing Company, Inc. for removal of existing transformer vault and new electric service to the existing clinic building in the demolition of the Old Brackenridge Hospital. (4.025% increase of the original contract) CAPITAL IMPROVEMENTS PROGRAM No. 83/74-05.
- c. CAPITAL IMPROVEMENTS PROGRAM - In the amount of \$64,807.60 to Shawnee Construction, Inc. for the Upper Shoal Creek Interceptor Phase II-B Contract. (7% increase of the original contract) CAPITAL IMPROVEMENTS PROGRAM No. 72/23-16

Capital Improvements Program

Approved supplemental amendment to the existing Professional Services Agreement between the City of Austin and L.M. Holder, III, Inc. for energy analysis of the Brackenridge 2000 Project. CAPITAL IMPROVEMENTS PROGRAM No. 84/84-01 (Fixed Fee - \$27,810.00)

-----

Approved additional services in the amount of \$1,500.00 to an existing Professional Services Agreement of \$4,580.00 between the City of Austin and Wilson Stoeltje Martin, Inc. Architects and Planning Consultants, for performing construction phase services to administer

## CIP - (Continued)

the construction of handrail modifications as an emergency safety measure to the Police Headquarters Building. CAPITAL IMPROVEMENTS PROGRAM No. 79/87-03.

-----

## Acquired the following:

- a. Two easements for the Cameron Road/U.S. 183 - Childress Project. (Clear Creek Estates J.V.) CAPITAL IMPROVEMENTS PROGRAM No. 73/62-44
- b. An outdoor advertising sign located on right-of-way for U.S. 290 East Project (Cameron Road to U.S. Highway 183) which is part of the 90-10 Right-of-Way Purchase Agreement with the State Department of Highways & Public Transportation. CAPITAL IMPROVEMENTS PROGRAM No. 78/62-45
- c. A drainage easement for the Shoal Creek Drainage/Foster-Greenlawn Parkway Project. (Owen M. and Veronica Vessels) CAPITAL IMPROVEMENTS PROGRAM No. 82/60-05
- d. A drainage easement for the Shoal Creek Drainage/Foster-Greenlawn Parkway Project. (Timothy and Jacqueline Roberts) CAPITAL IMPROVEMENTS PROGRAM No. 82/60-05

Item Postponed

Postponed until February 7, 1985 consideration of approval of a contract award for the construction of the South Pressure Zone Water Transmission Main Phase II, Water and Wastewater Department. CAPITAL IMPROVEMENTS PROGRAM No. 73/22-23. (continued from January 17, 1985)

Contracts Approved

## Approved the following contracts:

BCM CONVERSE, INC.  
108 St. Anthony Street  
Mobile, Alabama

- CAPITAL IMPROVEMENTS PROGRAM -  
Asbestos Management Planning,  
Department of Public Event  
Facilities - \$37,386.00  
C.I.P. No. 85/80-02

OLMOS CONSTRUCTION COMPANY  
P. O. Box 13172  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Banister Lane Phase II Paving and  
Drainage Improvements, Public Works  
Department - \$493,833.50  
C.I.P. No. 85/62-61

## CONTRACTS - (Continued)

D. L. MEACHAM CONSTRUCTION CO.  
2108 Hoskins Street  
Houston Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Installation of Underground  
Electric Distribution Facilities  
for Milwood Section 26, Phase A,  
Electric Utility Department -  
\$42,592.86 C.I.P. No. 84/15-01

FORNEY ENGINEERING COMPANY  
3405 Wiley Post Road  
Addison, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Gas/electric Fired Igniters,  
Electric Utility Department -  
\$24,920.00 C.I.P. No. 81/12-04

CAPITOL GLASS & MIRROR CO.  
4001 Warehouse Row  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Modification of existing handrail  
system at the Police Headquarters  
Building, Police Department -  
\$28,700.00

BOOTS & COOTS FIRE PROTECTIVE  
EQUIPMENT COMPANY, INC..  
3177 Summit Drive  
Port Neches, Texas

- Firefighting Foam, Austin Fire  
Department  
Item 1 - \$6,195.00 85-0062-AV

Bid award:

- Residential Conservation Service  
Audits, Resource Management  
Department  
Eight (8) Months Contract  
Total \$656,000.00 85-S205-KM

(1) CP NATIONAL  
Energy Management Services  
1200 Concord Avenue  
Concord, California

- \$328,000

(2) PLANERGY, INC.  
901 West Martin Luther King  
Boulevard  
Austin, Texas

- \$328,000

Item Pulled

Pulled until February 7, 1985, consideration of a contract  
to Skidmore, Owens & Merrill, 33 West Monroe Street, Chicago, Illinois  
for project consulting services for Austin Civic Center, Public Event  
Facilities - \$166,700.00 84-S352-FW.

All-Risk Property Insurance

Approved a contract for All-Risk Property Insurance.

ROMA

Approved Amendment No. One to a contract with ROMA for project consulting services for the Municipal Office Complex in the amount of \$80,000 in consultant fees.

Social Service Contract

Authorized the assignment of a Social Service Contract and a Lease Agreement with Capital Area Rehabilitation Center, Inc. to Texas Easter Seal Society, Inc. under certain agreed conditions.

Austin Housing Finance Corporation

Affirmed the action of the Austin Housing Finance Corporation of the appointment of Paula M. Phillips as Secretary/Treasurer.

Council directed the Program Guidelines for 1985 Mortgage Revenue Bond Issue and Selection of an Administrator and Trustee for the 1985 Series Program be brought back on February 7, 1985.

Austin Industrial Development Corporation

Affirmed the action of the Austin Industrial Development Corporation appointing Paula M. Phillips as Secretary/Treasurer.

Memorandum Agreement

Approved extension of the Memorandum of Agreement by and between the City of Austin and the Texas Agricultural Extension Service for the Travis County Horticulturist from October 1, 1984 through September 30, 1985 in the amount of \$5,100.

Zilker Municipal Gardens

Approved a request from the Austin Area Garden Council to raise private funds for construction of a conservatory and placement of the dome in Zilker Municipal Gardens area in Zilker Park.

Grant Application

Authorized submission of a grant application to the Texas Commission on The Arts for the Artist in Residency Program in the amount of \$6,750 matching funds to be administered through the Dougherty Arts Center.

Medical Assistance Program

Amended the Medical Assistance Program policies to extend the length of coverage from 12 months to 24 months for persons who are on fixed income and are disabled, or who are on fixed income and age 65 and over.

Program of Health Science Renewed

Amended and renewed the program agreement with the University of Texas Health Science Center at Houston for obstetrical and gynecological services.

Grant Application

Authorized submission of a grant application to the National Endowment for the Arts in the amount of \$29,737.

City Manager Work Program

Approved City Manager's proposed work program under the Program Evaluation Ordinance No. 841004-P.

Waivers to Northwest Land Use Guidance Plan

Approved granting waivers from compliance with the Northwest Land Use Guidance Plan pursuant to Ordinance No. 841220-FF to certain development projects reviewed by the City Manager: Approved Table 1 and Table 2 and deferred Canyon Creek until February 7, 1985.

Work session will be February 6, 1985 and action will be taken February 7, 1985.

Water-line Easement

Dedicated 1,787.2 sq. ft. for water-line easement out of a City-owned tract of land.

Grant Application

Authorized submission of a grant application to the Criminal Justice Division of the Governor's office for funding a Child Assault Prevention project for 1984-85.

Public Hearing Set

Set a public hearing for March 7, 1985 at 2:15 p.m. on March 7, 1985 on the dedication of a wastewater easement through a portion of Lake Walter E. Long Metropolitan Park.



## ZONING HEARING POSTPONED

The following zoning hearing was postponed until February 14, 1985 at 1:45 p.m.:

C14-84 ESTATE OF ETHEL  
105 BELLE BROWN  
By Robert Olvera

502-504 W. 38th St.

From "SF-4"  
To "LO"  
RECOMMENDED "LO" subject  
to 40' right-of-way from  
centerline of West 38th  
Street, tied to a 5,600 sq.  
ft. building, limited to  
professional, administration  
business offices and no  
financial or medical offices.

## WATER DISTRICT PROCEDURE ORDINANCE

The Council, on Councilmember Rose's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance amending the Water District Procedure Ordinance (821111-K and 830203-E) with a 60 day review period. (6-1 Vote, Councilmember Duncan voted No.)

## CAPITAL RECOVERY FEE REPORT

A copy of the City Manager's report on Capital Recovery Fee, which was presented, is on file in the City Clerk's office.

## REPORTS POSTPONED

The following City Manager reports are postponed until February 14, 1985:

1. MBE/WBE Contracts
2. Evaluation of Home Energy Improvement Program
3. Hyde Park Baptist Church Development
4. Austin Civic Center Feasibility Study

## PUBLIC HEARING - APPEAL OF PLANNING COMMISSION DECISION

Mayor Mullen opened the public hearing set for 2:00 p.m. on an appeal from Mr. Bob Wade of the Planning Commission decision regarding a Special Permit. C14p-84-092.

Marie Gaines reviewed the request for property located at 2108 Hemphill Park. The proposal is for 62 units but the street is narrow, only 28 feet wide. The Planning Commission recommends 40 units. The applicant complies with all ordinance requirements.

Bob Wade appeared and said he will reduce the number of units to 50.

Councilmember Shipman said this would constitute a change in the request so Mr. Wade should go back through the process of the staff and Planning Commission. She said the parking is congested there now and does not want the problem aggravated further.

Mr. Wade agreed to go back to the staff and Planning Commisission.

#### NORTHWEST USE LAND USE GUIDANCE PLAN

Council was scheduled to take action at 2:15 p.m. on consideration of adoption of an office/R & D allocation mechanism for the Northwest Land Use Guidance Plan. The Mayor announced there will be a work session on this subject on February 6, 1985 and action will be taken on February 7, 1985.

#### ZONING POSTPONED

A zoning hearing, scheduled for 2:30 p.m. was postponed until February 21, 1985 at 2:30 p.m.

NORTHEAST  
TERRITORY JOINT  
VENTURE  
By Paul Harris

Rear of 7000-7104  
Millrace  
Rear 5303-5605  
Purple Sage

From "A" 1st H&A  
To "B" 1st H&A  
NOT RECOMMENDED  
RECOMMENDED "B" for  
south 13 lots only.

#### PUBLIC HEARING

Mayor Mullen opened the public hearing set for 2:30 p.m. to consider an ordinance establishing a Planned Development Area and approving a Planned Development Agreement with Schlumberger, Inc.

Terry Bray appeared before Council and said he would combine the request for the Planned Unit Development and a zoning case which will be heard next week, thereby saving Council's time. He showed a map of the area and described the Schlumberger, Inc. research and development company and the site they will build upon. He said they will comply with the Northwest Plan.

#### Motion

The Council, on Councilmember Shipman's motion, Councilmember Rose's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance establishing a Planned Development Area and Approving a Planned Development Agreement with Schlumberger, Inc., subject to staff recommendation of Growth and Management and revision of signage. (6-1 Vote, Councilmember Duncan voted No.)

## HEARING POSTPONED

Council postponed until February 21, 1985 at 2:30 a public hearing on amending Chapter 13-2A of the City Code, amending Section 1680 to include within the definition of food sales the sale of beer and wine in unopened containers and amending Section 4700 to exempt historic zoned structures from compliance with the compatibility standards.

## JANUARY 19, 1985 ELECTION DISCUSSED

Ms. Pauline Gamble appeared before Council to discuss the January 19, 1985 election. She said the lines at the polls were too long, there was a lack of privacy for voting and not enough voting machines. Ms. Gamble also complained that the wording of the propositions were difficult to understand and would like the ballots to be more clear.

Mayor Mullen stated that the ballot was very understandable but the Charter items have to be worded similarly to the way they will actually appear in the Charter. Councilmember Shipman thinks the Legal Department and Public Information should get together and work on the wording of the ballots. Mayor Mullen said that, "in fairness we (the Council) should have worked on this sooner".... Councilmember Rose said the other problems have been discussed with the City Clerk and are being monitored.

Mr. Burnell S. Jones, who had also requested to discuss the election, did not appear.

## NORTH TRAVIS COUNTY MUNICIPAL UTILITY DISTRICTS 1-3 DISCUSSED AND DENIED

Council had before them an ordinance to consider consenting to the creation of the North Travis County Municipal Utility Districts 1-3.

Jim Nias, representing the applicant, said these districts should be approved so that East Austin can have high tech industry and low cost housing. He said the developers will give Austin 20 acres of park land so that it can be developed. The Water and Wastewater Commission and the Planning Commission have both recommended approval.

Commissioner Jimmy Snell discussed the possibility of the MUD's and how they can favorably affect the development of northeast Austin. He asked Council to approve.

Jim Thompson discussed the proposed service plan. He said regionalization may work out better for the area.

## MUD - (Continued)

Jorge Carrasco, City Manager, recommended against the creation of the MUD's. He said the City can serve the area. Mr. Carrasco said the proposal is for the opening of 18,000 acres beyond the perimeter of the districts themselves and said there needs to be a growth management plan for the northeast. He said the MUD's and related development can over-capitalize the system with the City at risk. The MUD's are within the logical annexation paths of the City and have a 15-20 year build-out so there is no reason to commit the money now. Mr. Carrasco said affordable housing is necessary to our community but MUD's do not have to be created to have this.

## RECESS

Council recessed its meeting from 3:45 p.m. to 4 p.m. and resumed discussion of the MUD's when they returned.

Jim Carpenter, representing 4,000 acres one mile east of the applicant, said he favors the granting of the MUD's.

Janet Klotz spoke against the MUD's.

Charles Caldwell, Capital City Chamber of Commerce, favors the MUD's in order to have good economic growth.

Jim Nias asked if the City really can serve the area.

Motion - Died

Councilmember Urdy made a motion, seconded by Councilmember Rose to approve the MUD's.

A long discussion ensued. Councilmember Rose made an extensive amendment to the motion. Ultimately he withdrew his second and the motion died.

No action was taken by Council, therefore the creation of North Travis County Municipal Utility Districts 1-3 were denied.

## ITEMS POSTPONED

Mayor Mullen announced due to inclement weather, Council would adjourn its meeting without completing the agenda and all items not yet considered would be brought back on the February 7, 1985 agenda. They are:

Requests for Council approval from Mr. Bruce Marshal, Mr. Leon J. Barish, Mr. Martin Camp, Ms. Mary Lou Shirer, Ms. Janet Klotz and Mr. Bob Leonard.

ITEMS POSTPONED - (Continued)

Public hearing on Lost Canyon Condominiums

Public hearing on an appeal from Mr. & Mrs. David G. Epstein  
and Glen E. Mellenbruck. C14p-84-095.

ADJOURNMENT

Council adjourned its meeting at 5:30 p.m.