



Austin City Council MINUTES

For **MAY 6, 1985 - 2:00 P.M.**
SPECIAL CALLED MEETING

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 Special Meeting of the Council, noting the absence of Councilmember Spaeth. The Mayor announced the purpose of the meeting is for the canvassing of the May 4, 1985 Runoff Municipal Election and other items on the agenda.

CANVASSING RETURNS

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, adopted a resolution canvassing the returns and declaring the results of the May 4, 1985 Runoff Municipal Election as follows: (6-0 Vote)

Mayor - Frank Cooksey

Council Member Place 2 - Smoot Carl Mitchell

Council Member Place 4 - George Humphrey

CDBG FUNDS

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Shipman's second, waived the requirement for three readings and finally passed an ordinance amending Ordinance No. 820401-D which set requirements for Community Development Block Grant Funds. (6-0 Vote)

ANNEXATION HEARINGS

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, adopted a resolution

instituting annexation proceedings for and setting two (2) public hearings on the full-purpose annexation of the following described areas, May 22 and May 23, 1985 at 4 p.m. in the Council Chambers: (6-0 Vote)

- a. Commencing at the intersection of the full-purpose city limits and the Colorado River in southeast Austin, 250 feet on either side of the center line of the Colorado River and continuing along said center line to the existing boundary of the extraterritorial jurisdiction ("ETJ") of the City of Austin.
(Colorado River Annexation, Phase I)
- b. Commencing at the most distant city limit established by the Colorado River, Phase I Annexation, two hundred fifty feet on either side of the center line of the Colorado River and continuing along said center line to the boundary of the ETJ of the City of Austin established by the Colorado River, Phase I Annexation.
(Colorado River Annexation, Phase II)
- c. Commencing at the most distant city limit established by the Colorado River, Phase II Annexation, two hundred fifty feet on either side of the center line of the Colorado River and continuing along said center line to the boundary of the ETJ of the City of Austin established by the Colorado River, Phase II Annexation.
(Colorado River Annexation, Phase III)
- d. Commencing at the intersection of U.S. Highway 290 East and the existing full-purpose city limits, a five hundred foot wide strip of land adjoining and parallel to the public right-of-way along the following roads: U.S. Highway 290 East to its intersection with Giles Lane; north on Giles Lane to Cameron Road; north on Cameron Road to the existing boundary of the ETJ of the City of Austin, near the intersection of Cameron Road and FM 1825.
(U.S. Highway 290 East/Cameron Road Annexation)
- e. Commencing at the most distant city limit established by the U.S. Highway 290 East/Cameron Road Annexation, a five-hundred foot wide strip of land adjoining and parallel to the public right-of-way along the following roads: Cameron Road east and north to its intersection with Schmidt Lane; Schmidt Lane east to its intersection with FM 973; FM 973 north to the ETJ boundary of the City of Austin established by the U.S. Highway 290 East/Cameron Road Annexation, near the intersection of FM 973 with Herman Lane.
(Cameron Road/FM 973 Annexation)

- f. Commencing at the intersection of FM 969 and the existing full-purpose city limits, a five hundred foot wide strip of land adjoining and parallel to the public right-of-way along the following roads: FM 969 East to its intersection with Taylor Lane, continuing north on Taylor Lane to its intersection with Lockwood Road, continuing east on Lockwood Road to the existing boundary of the ETJ of the City of Austin, near the intersection of Lockwood Road and Jones Road. (FM 969 Annexation)
- g. Commencing at the intersection of State Highway 71 and the existing city limits, a five hundred foot wide strip of land adjoining and parallel to the public right-of-way along the following roads: State Highway 71 east to its intersection with FM 973, continuing south on FM 973 to its intersection with Pearce Lane, continuing east on Pearce Lane to the existing boundary of the ETJ of the City of Austin. (Pearce Lane Annexation)

ZONING HEARING

Mayor Mullen announced Council would hear the following zoning case. Council heard, closed the public hearing, granted and instructed the City Manager to instruct the City Attorney to draw the necessary ordinance:

-85 WARRENA COLLINS
038 GIBSON & JOHN
REYNOLDS & ASSOC.
INC.
By John Reynolds &
Assoc., Inc.

10900-11100 Dessau
Road

From "I-SF-2"
To "SF-2" & "SF-3"
RECOMMENDED subject to
dedication of up to 60'
of right-of-way from
centerline of Dessau
Road.

GRANTED "SF-2" ON ALL EXCEPT "SF-3"
ON BACK PORTION OF TRACT "D" EAST
OF THE FOURPLEXES.

Councilmember Rose announced he would abstain from discussion and voting on this case because the land is next to a nursing home he formerly represented and since he did not vote on the land on the other side of the nursing home he wanted to be consistent and abstain from a vote on this case, also.

Jeff Friedman, representing the applicant, told Council he had a meeting with neighborhood representatives on Saturday morning, May 4, 1985 and the following agreement, which he read into the record, was decided upon:

AGREEMENT BETWEEN JOHN REYNOLDS & ASSOCIATES, INC. AND HOMEOWNERS' ASSOCIATIONS

This agreement is between John Reynolds & Associates, Inc., (Owner), North Acres Homeowners' Association, Woodcliffe Homeowners' Association and Northeast Walnut Creek Homeowners' Association (HOA's), concerning the property being subdivided by Owner into Collinwood West, Sections I and II. The Owner and HOAs hereby agree:

1. The zoning application filed by the Owner of Collinwood West and approved by the Planning Commission on April 2, 1985 will be amended so that lots 11 through 19 inclusive, Block "B" and lots 1 through 9 inclusive, Block "E", Collinwood West Section I will be changed from SF-3 as approved by the Planning Commission to SF-2.

2. All SF-2 lots in Collinwood West, Section II, all phases, will have a minimum lot width at the building line of 65 feet. However, Owner reserves the right to present to HOAs (for the HOA's approval) a revised layout of lots 18 through 22 inclusive, Block "D" and lots 1 through 5 inclusive Block "C" if they fail to conform to the above.

3. The subdivision restrictions on all SF-2 lots in all phases of Section I and II will provide for a minimum of 1,400 square feet of living area. However, special designs may be submitted to HOAs for their approval. Such approval of special designs may not be unreasonably withheld.

All SF-3 lots in Section I and II, all phases, will provide for 1,800 square feet of living space.

4. HOAs agree not to oppose but rather support, Owner's zoning application on the 7+ acre tract and the 5+ acre tract of land located in the Southwesterly and Northwesterly corners, respectively, of the intersection of Dessau Road and Wandering Way so long as the density applied for does not exceed PUD, 12 units to the acre, or SF-6, 12 units to the acre. It is also hereby understood that Owner may submit to HOAs a design on these tracts of land for a density in excess of 12 units to the acre, not to exceed 15 units to the acre, for their review and request their approval. HOAs do not hereby agree to approved the increased density but rather to give it due consideration and not unreasonably withhold their approval.

Janet Klotz, Far North Austin Neighborhood Alliance, refuted the agreement.

Dan Spencer, president, Whitcliffs Neighborhood Association, said he has not had time to canvass the neighborhood but was encouraged by the outcome of the meeting.

Jim Kuntas, North Oaks Neighborhood Association, said he supports the recommendations for Section II but half of their board members do not support the duplexes.

Mr. Friedman returned to state he had not received any negative comments from Saturday's meeting and said "Let's withdraw our agreement and proceed with what the Planning Commission recommends."

Motion

Councilmember Shipman made a motion, seconded by Councilmember Duncan to grant "SF-2" on Tracts A, B, D and "SF-3" on Tract C.

Councilmember Urdy said that motion is not as good as the agreement and that when you dictate a house next to a fourplex you will get inferior housing. Councilmember Shipman agreed with him.

Motion Withdrawn

Councilmember Shipman withdrew her motion and Councilmember Duncan withdrew his second.

Motion

Councilmember Duncan made a motion to go with the agreement but "SF-2" on all except "SF-3" on back portion of tract D, east of fourplexes. Motion passed by a 6-0 Vote, Councilmember Spaeth absent.

SWEARING-IN CEREMONIES

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Rose's second, adopted a resolution calling a Special Called Council Meeting for May 15, 1985, Mayor and Councilmembers swearing-in ceremonies, for 7 p.m. on Auditorium Shores and LBJ Library Auditorium if it rains. (6-0 Vote)

INTERIM DEVELOPMENT CONTROLS FOR RR 620 BETWEEN FM 2222 & HWY. 71

The Council, on Councilmember Shipman's motion, Councilmember Duncan's second, waived the requirement for three readings and finally passed an ordinance approving Interim Development Controls for RR 620 between FM 2222 and Hwy. 71 excluding property along 620 now in injunction. (6-0 Vote)

EXECUTIVE SESSION

Mayor Mullen announced Council would go into Executive Session, pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss the following matters; and action, if any, on the matters will be taken during the public meeting after the conclusion of the Executive Session:

- a. Personnel Matters - Section 2, paragraph g, City Manager Evaluation
- b. Pending Litigation - Discuss contemplated litigation by Austin Independent School District regarding tax-increment zone and the Municipal Office Complex. Section 2, paragraph e.

RECESS

Council recessed its meeting at 3:35 p.m. and resumed its recessed meeting at 5:45 p.m.

CITY MANAGER'S EVALUATION

Mayor Pro Tem Trevino announced, "We have been meeting in executive session to discuss personnel matters including the evaluation of the City Manager and I think there is a motion in order."

Councilmember Rose said the Council has evaluated the Manager's performance and also "to discuss our salary arrangement with him. The Manager's anniversary date was March 30th."

Motion

Councilmember Rose made a motion to give the City Manager a vote of confidence based on his outstanding performance this past year, and the Council sets his compensation retroactive to March 30, 1985 at \$100,000 a year with his discretion to decide what amount he will put into deferred compensation. that he be given a \$500.00 a month car allowance; severance pay arrangements and vacation arrangements remain the same and that the whole-life insurance conversion is a matter, after he decides what is best for his personal needs, Council will discuss at a later date. Mayor Pro Tem Trevino seconded the motion.

Councilmember Rose explained about the car allowance. "Council's in the past have given the Manager a car which is a City owned vehicle and declared that is an unrestricted use. There is some concern about the City's ability to give someone unrestricted use of a City vehicle. It is better for the City Manager not to have that vehicle and just have a car allowance like other City Managers across Texas do. Therefore, the \$500.00 a month car allowance would be a substitute for the City owned vehicle, which would be returned to the motor pool or sold with the understanding we don't have a use for that vehicle."

Roll Call on Motion

6-0 Vote, Councilmember Spaeth absent.

APPRECIATION FOR MAYOR MULLEN

Mayor Pro Tem Trevino expressed his appreciation for the years of leadership Ron Mullen has given to the City of Austin as Councilmember for six years and Mayor for two years. He told Mayor Mullen that under his leadership more has been accomplished than with any Council he (Mayor Pro Tem Trevino) has worked with. He said they had met more and spent more hours together, and "this Council has worked together with your leadership".

Councilmember Rose stated the recorded history will prove the productivity of this Council who initiated many positive things, "because of your leadership".

Councilmember Duncan said he is proud of the way "this Council has faced issues under your leadership".

Councilmember Shipman thanked Mayor Mullen for his leadership and his open door policy whereby Councilmembers could talk to him at any time.

Councilmember Urdy said he echoed all expressed views and commented the Council had worked very well together.

Mayor Mullen expressed his appreciation for the kind words. "All seven of us were committed to it and stuck with it." He pointed out that successes are all wrapped up in the staff, who do the hard work.

PRESENTATION TO MEMBERS OF THE COUNCIL

City Manager Carrasco presented a memento to the Mayor and each Councilmember made from the last red bricks from Brackenridge Hospital and a framed picture of "Old Red", Brackenridge Hospital. He thanked the Council for allowing him to serve as their City Manager.

PUBLIC HEARING - RECOMMENDATIONS ON BRACKENRIDGE HOSPITAL

Mayor Mullen opened the public hearing set for 4:00 p.m. on recommendations on Brackenridge Hospital.

Reg Todd, chairman of the task force on Brackenridge Hospital, told Council they recommend the City should transfer Brackenridge to a non-governmental entity.

Andrea Tonn, speaking for Bill Youngblood, recommended Brackenridge Hospital should be removed as an enterprise fund and any profit should pay for bonds or transferred to the general operating fund.

Stephen Ross thinks Brackenridge should be kept City-owned.

A member of the Black Citizen's Task Force discussed G.O. bond funding.

Kay Francis Ross, ACORN, wants the hospital kept as it is.

Karen Langlon also wants Brackenridge to stay city-owned.

Peter Fears wants the City to keep Brackenridge and asked Council to adopt the Manager's report, take action and support. The employee program of "We Care" has brought a great response. Mr. Fears said an administrator should be hired before there is an affiliation agreement.

Don Bell supports the City Manager's idea but said the room rates are too high.

Emily Untermeyer supports City control but wants the management structure changed.

Jorge Carrasco, City Manager, clarified his position and his report is on file in the City Clerk's office.

Motion

The Council, on Councilmember Duncan's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance repealing Chapter 6-3 Article 2 of the City Code and substituting a new Article 2, providing for the restructuring of the Brackenridge Hospital Board. (6-0 Vote)

Motion

The Council, on Councilmember Duncan's motion, Councilmember Urdy's second, adopted a resolution approving and accepting the City Manager's recommendations on the future operation of Brackenridge Hospital. (6-0 Vote)

Councilmember Shipman instructed the City Manager to report the the Council monthly on the restructuring of Brackenridge Hospital.

Mr. Carrasco said the selection of a hospital administrator is well under way.

Mayor Mullen said his concern is that management will have an opportunity to do what needs to be done and that unions can have too much say about matters. Mayor Mullen said the City Council should not interfere because management and the hospital board should make the hard decisions. Mayor Mullen stated, "If the Council becomes too involved regarding employees of the hospital, we will have the same problems as we do now, very soon".

ADJOURNMENT

Council adjourned its meeting at 7:50 p.m.