



# **Austin City Council MINUTES**

**For** JUNE 20, 1985 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

## **City Council**

**Frank C. Cooksey**  
Mayor

**John Treviño, Jr.**  
Mayor Pro Tem

**Council Members**  
**Mark Rose**  
**Smoot Carl-Mitchell**  
**Sally Shipman**  
**George Humphrey**  
**Charles E. Urdy**

**Jorge Carrasco**  
City Manager

**Elden Aldridge**  
City Clerk

## **Memorandum To:**

Mayor Cooksey called to order the meeting of the Council scheduled for 1:00 P.M., noting the presence of all Councilmembers.

### **MINUTES APPROVED**

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, approved the minutes for the regular meeting of May 13, 1985 and Special meetings of May 30, 1985 and June 11, 1985. (4-0 Vote, Councilmembers Rose and Urdy and Mayor Pro Tem Trevino out of the room.)

### **CONSENT ORDINANCES**

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

#### **Release of Easement**

Approved release of the following easement: The Public Utility and Drainage Easement retained at the vacation of Old Jollyville Road, Great Hills Trail at Loop 360. (Request submitted by Camp Dresser & McKee Inc on behalf of the Trammel Crow Company.)

#### **Item Postponed**

Postponed until July 11 ordinance allowing offsets to Wastewater Capital Recovery fee for taps in Milwood.

Annexation Ordinances

Passed through FIRST READING of the following annexation ordinances:

- a. 790 acres of land out of Travis County, portion of the Colorado River and unplatted land (Colorado River Annexation, Phase I, C7a-85-013) for full-purpose.
- b. 770 acres of land out of Travis and Bastrop Counties, portion of the Colorado River and unplatted land (Colorado River Annexation, Phase II, C7a-85-014) for full-purpose.
- c. 660 acres of land out of Bastrop County, portion of the Colorado River and unplatted land (Colorado River Annexation, Phase III, C7a-85-015) for full-purpose.
- d. 610 acres of land out of the H. T. Davis Survey No. 30, the Lucas Minos Survey No. 55, and the William H. Sanders Survey No. 54, portion of U. S. Highway 290 East, Giles Lane, Boyce Lane, and Cameron Road, in Travis County (U.S. Highway 290 East/Cameron Road Annexation, C7a-85-016) for full-purpose.
- e. 420 acres of land out of Travis County, including portions of Cameron Road, Schmidt Lane, and F.M. 973 (Cameron Road/FM 973 Annexation, C7a-85-017) for full-purpose
- f. 710 acres of land out of the James Burleson Survey No. 19, the Phillip McElroy Survey No. 17, the Joseph Duty survey No. 20, the O. Buckman Survey No. 40, the James H. Manning Survey No. 37, portions of F.M. 969, Taylor Lane, and Lockwood Drive, in Travis County (FM 969 Annexation, C7a-85-018) for full-purpose.
- g. 270 acres of land out of the Santiago Del Valle Grant, generally east and parallel to Fallwell Lane and north and parallel to Pearce Lane, excluding WCID No. 12 (Pearce Lane Annexation, C7a-85-019) for full-purpose.

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Passed through SECOND READING of the following annexation ordinances:

- a. Approximately 390 acres of land out of Travis County and Hays County, Texas, Oak Hill Heights Section Four and Five and unplatted land, Breezy Pass Cove, Portions of Bird View Blvd., Wolfcreek Pass and along FM 1826, for full purposes. (C7a-85-004 - Phase I - Hwy. 290/FM 1826 Corridor)
- b. Approximately 46.38 acres of land out of and a part of the Thomas Anderson Survey No. 90, and the Jesse Williams Survey No. 62 in Travis County, along U. S. Highway 290 West, said property currently being located within the limited-purpose boundaries of the City of Austin, for full purposes. (C7a-85-004 - Phase I - Hwy. 290/FM 1826 corridor)

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- c. Approximately 306.00 acres of land out of and a part of Hays County, Texas, along FM 1826 for full purposes. (C7a-85-005 - Phase II - FM 1826 Corridor)

Item Pulled

Pulled from the agenda was consideration of the following ordinance for annexation of:

Approximately 406 acres of land out of Hays County Along FM 1826 and FM 150 for full purposes. (C7a-85-006 - Phase III - FM 1826/FM 150 Corridor)

Item to Be Brought Back

An ordinance considering amending Chapters 13-2(A) of the Austin City Code (Zoning Ordinance) to cover the following change will be brought back on June 27, 1985:

- |    |                                                                        |                                                            |                     |
|----|------------------------------------------------------------------------|------------------------------------------------------------|---------------------|
| a. | JERRY D. ANGERMAN,<br>JAMES H. JOHNSON, &<br>JACK GORMAN<br>C14-84-281 | 3423 & 3425 Mirmie<br>Street (7701 or 7703<br>Brodie Lane) | From "SF-3" to "GR" |
|----|------------------------------------------------------------------------|------------------------------------------------------------|---------------------|

Zoning Ordinance

Passed through SECOND AND THIRD readings of an ordinance amending Chapters 13-2 and 13-2(A) of the Austin City Code (Zoning Ordinance) to cover the following change: (6-0 Vote, Mayor Pro Tem Trevino abstained.)

- |    |                                                                      |                   |                        |
|----|----------------------------------------------------------------------|-------------------|------------------------|
| a. | HEALTHCARE<br>INTERNATIONAL<br>By Donna<br>Kristaponis<br>C14-85-055 | 1106 West Dittmar | From "I-RR" to<br>"GO" |
|----|----------------------------------------------------------------------|-------------------|------------------------|

**OPERATING BUDGET AMENDMENT**

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Rose's second, waived the requirement for three readings and finally passed an ordinance amending the 1984-85 Operating Budget by appropriating \$626,845.00 from the General Fund Ending Balance to the Law Department for additional personnel, relocation of the Claims Division, & claims and damages.

**POLICE OFFICERS AS ESCORT GUIDE**

The Council, on Councilmember Humphrey's motion, Councilmember Shipman's second, voted to deny approval of an ordinance amending Section 11-2-7 of the City Code, Vehicle Escorts, to allow off-duty police officers to wear police uniforms while employed as an escort guide. (6-1 Vote, Councilmember Rose No.)

The Council, on Councilmember Humphrey's motion, Councilmember Shipman's second, voted to deny approval of a resolution designating escort services as public service corporations. (6-1 Vote, Councilmember Rose voted No.)

**PUBLIC HEARING SET**

A public hearing has been set for June 27, 1985 at 5:30 p.m. on consideration of an ordinance amending Chapter 9-1 of the City Code, relating to the offense of abetting prostitution.

**CONSENT RESOLUTIONS**

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, adopted the following resolutions in one consent motion: (7-0 Vote)

**Release of Easements**

Authorized release of the following easements:

- a. The 7.5' Public Utility Easement located along the east property line of Lot 34, Block H, Sonesta West One-A, U.S. Hwy. 183 at Fathom Circle. (Request submitted by Jeryl Hart Engineers, Inc.)
- b. The Electric Easement recorded in Volume 4897, Page 999, of the Travis County Real Property Records, 100 West Ben White Boulevard. (Request submitted by Dennick and Harris Engineering on behalf of Norwich Properties, Inc.)

- c. A portion of the Public Utility Easement dedicated by plat of Northwest Estates Section 2 and shown on Lot 2, Highpoint Professional Park. (Request submitted by Coneway and Associates, Inc.)
- d. The Electric Easement on Lots 2 and 3, Larchmont Place, 3504 and 3506 Larchmont. (Request submitted by Dennick & Harris Engineering)
- e. The 5' Public Utility Easements along the side and rear lot lines of Lot 33, Enfield G, 2105 Newfield. (Request submitted by Mr. Grover S. Campbell)
- f. A portion of a Sanitary Sewer Easement of record in Volume 2012, Page 509 of the Travis County Real Property Records and located on Lot 12, Block A, Western Trails Estates, 4901 Buckskin Pass. (Request submitted by Ms. Monika Edwards)
- g. A portion of a 10' Sanitary Sewer Easement on Lots 7 and 8 of Lakeshore Colony. (Request submitted by Cunningham Graves, Inc.)

#### Lease Amendment

Approved entering into Lease Amendment No. Four with Petroleum Ltd. for additional lease space in the Petroleum Building, 1524 South I.H. 35.

#### Capital Improvements Program

Approved a supplemental agreement to existing agreement with Jeryl Hart Engineers, Inc. for engineering design services for Upper Little Walnut Creek Storm Sewer Improvements - Estimated construction cost \$691,000.00 and estimated engineering cost of \$43,500.00. CAPITAL IMPROVEMENTS PROGRAM No. 82/60-05.

Approved Community Facilities Contract for participation with developers in paving boundary streets (Shelby Lane from IH 35 to 300 feet from Wiedmar Lane). CAPITAL IMPROVEMENTS PROGRAM No. 83/62-02.

Approved Community Facilities Contract for participation with developers in paving boundary streets (Cross Valley Run and Mt. Bonnell Road Intersection). CAPITAL IMPROVEMENTS PROGRAM No. 83/62-02)

Contracts Approved

Approved the following contracts:

- |                                                                                     |                                                                                                                                                                                                                  |
|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a. KANETZKY ELECTRIC<br>3235 East 1st Street<br>Austin, Texas                       | - CAPITAL IMPROVEMENTS PROGRAM -<br>Airfield Lighting Control Regulator<br>Vault Renovation at Robert Mueller<br>Airport, Aviation Department -<br>Total \$210,315.16 C.I.P. No.<br>84/81-02                     |
| b. MCGRAW EDISON POWER SYSTEM<br>c/o Power Supply of Austin<br>Austin, Texas        | - CAPITAL IMPROVEMENTS PROGRAM -<br>Autotransformer, Electric Utility<br>Department - \$1,452,290.00 C.I.P.<br>No. 85/16-08                                                                                      |
| c. W. K. JENNINGS ELECTRIC CO., INC.<br>1707 Dungan Lane<br>Austin, Texas           | - CAPITAL IMPROVEMENTS PROGRAM -<br>Overhead Electric Distribution<br>Facilities for Loop 360 to Ponton,<br>Electric Utility Department -<br>Total \$120,981.70 C.I.P. No.<br>85/14-02                           |
| d. ELECTRIC UTILITY CONSTRUCTION,<br>INC.<br>5401 South Sheridan<br>Tulsa, Oklahoma | - CAPITAL IMPROVEMENTS PROGRAM -<br>Overhead Electric Distribution<br>Facilities for Loop 360 to<br>Highway 290-71 West thru Lost<br>Creek, Electric Utility<br>Department - \$168,975.40 C.I.P.<br>No. 85/14-01 |
| e. DON E. PHILLIPS, INC.<br>800 Blue Goose Road<br>Manor, Texas                     | - CAPITAL IMPROVEMENTS PROGRAM -<br>Installation of Underground<br>Electric Distribution Facilities<br>for Lomas Subdivision, Electric<br>Utility Department - \$26,759.02<br>C.I.P. No. 85/15-01                |
| f. SIEMENS MEDICAL SYSTEMS, INC.<br>2020 North Hwy. 360<br>Grand Prairie, Texas     | - Digital Multi-modality<br>Scintographic System,<br>Brackenridge Hospital - \$212,199.00<br>EH5-1165                                                                                                            |
| g. INTERNATIONAL BUSINESS MACHINES<br>505 Barton Springs Road<br>Austin, Texas      | - Ninety-nine (99) Terminals,<br>Brackenridge Hospital<br>Twenty (24) Month Plan<br>Total \$635,464.32 BS5-1081                                                                                                  |
| h. NICOLET ANALYTICAL INSTRUMENTS<br>2020 Avenue G<br>Plano, Texas                  | - Infrared Spectrophotometer,<br>Police Department<br>Item 1 - \$37,198.00 85-0251-0M                                                                                                                            |

- |                                                                     |                                                                                                                                       |
|---------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| i. TECHLINE, INC.<br>8750 Shoal Creek Boulevard<br>Austin, Texas    | - Traffic Signal Assemblies,<br>Central Stores Division<br>Total \$109,430.96 84-0279-AV/DC                                           |
| j. ROSCOE BROWN CORPORATION<br>Rural Route 1, Box 48<br>Lenox, Iowa | - Four Wheel Drive Rubber Tired<br>Sludge Aerator and Composter,<br>Water & Wastewater Utility<br>Department<br>Item 1 - \$141,437.00 |

Items Postponed

Postponed until July 18, 1985 is consideration of approval of the following 34 water and wastewater approach mains.

a. Upper Shoal Creek Relief Interceptor:

- (1) Water Approach Main to include 2 acres for office use for 16 LUE's with a peak flow of 35.2 gpm - Spicewood Joint Venture AM #455. No City cost participation. (Jeryl Hart Engineers, Inc.)
- (2) Water Approach Main to include 6.2 acres for apartment use for 82 LUE's with a peak flow of 180 gpm - Mesa Oaks Section 4 AM #418. No City cost participation. (Jeryl Hart Engineers, Inc.)
- (3) Water Approach Main to include approximately 15 acres of land for commercial use. The tract will have 213 LUE's with a peak flow of 468 gpm - Morris-Crow Joint Venture AM #603. No City cost participation. (Jeryl Hart Engineers, Inc.)
- (4) Wastewater Approach Main to include approximately 15 acres for commercial use. The applicant is requesting 213 LUE's with a peak flow of 237 gpm - Morris-Crow Joint Venture. No City cost participation. (Jeryl Hart Engineers, Inc.)
- (5) Wastewater Approach Main to include approximately 6.17 acres for commercial use. The applicant is requesting 63 LUE's with a peak flow of 74 gpm - Austin Center, Phase 2-A, Lot 2. No City cost participation. (Jeryl Hart Engineers, Inc.)
- (6) Water Approach Main to include +3 acres for commercial use. The applicant is requesting 32 LUE's with a peak flow of 70.4 gpm - Triangle Site on No. MoPac AM #756. No City cost participation. (Freese and Nichols, Inc.)

- (7) Wastewater Approach Main to include +3 acres for commercial use. The applicant is requesting 32 LUE's with a peak flow of 39 gpm - Triangle Site on No. MoPac AM #757. No City cost participation. (Freese and Nichols, Inc.)
  - (8) Water Approach Main to include 36.3 acres for commercial use. The applicant requests 462 LUE's with a peak flow of 1017 gpm - Gateway Austin (Phase II) AM #758. No City cost participation. (Jeryl Hart, Engineers, Inc.)
  - (9) Wastewater Approach Main to include 36.3 acres for commercial use. The Applicant is requesting 462 LUE's with a peak Flow of 513 gpm - Gateway Austin (Phase II) AM #759. No City cost participation. (Jeryl Hart, Engineers, Inc.)
  - (10) Water Approach Main to include 7.93 acres for office use. The Applicant is requesting 35 LUE's with a peak flow of 77 gpm. Spicewood Springs Road Office Park AM #796. No City cost participation. (Meyer-Lytton-Allen, Inc.)
- b. Big Walnut Creek Interceptor:
- (11) Water Approach Main to include 100.22 acres of commercial and residential use. The applicant is requesting 1432 LUE's with a peak flow of 3150 gpm - Walnut Creek Center A.M. #567. No City cost participation. (Oscar W. Holmes and Associates)
  - (12) Water Approach Main to include 39.34 acres for commercial use. The tract will have 211 LUE's with a peak flow of 464.2 gpm - Parmer Square A.M. # 561. No City cost participation. (Espey, Huston & Associates, Inc.)
  - (13) Water Approach Main to include 4.16 acres for commercial use. The Applicant is requesting 27 LUE's with a peak flow of 59.4 gpm - Parmer Point AM #617. No City cost participation. (Espey, Huston & Associates, Inc.)
  - (14) Wastewater Approach Main to include 66.55 acres for commercial use. The tract will have 448 LUE's with a peak flow of 469 gpm - C. Aubrey Smith Tract AM #625. No City cost participation. (Camp Dresser & McKee Inc.)
  - (15) Water Approach Main to include 3.31 acres for residential use. The Applicant is requesting 40 LUE's with a peak flow of 88 gpm - Duval Road Tract AM #651. No City cost participation. (Haynie & Kallman, Inc.)



- (16) Water Approach Main to include 14.1 acres for light industry use. The applicant is requesting 70 LUE's with a peak flow of 154 gpm - Jenkins Tract AM #682. No City cost participation. (Turner, Collie & Braden, Inc.)
- (17) Wastewater Approach Main to include 14.1 acres for light industry use. The applicant is requesting 70 LUE's with a peak flow of 77 gpm - Jenkins tract AM #683. No City cost participation. (Turner, Collie & Braden, Inc.)
- (18) Water Approach Main to include 186 acres of residential, commercial, industrial, retail use. The applicant is requesting 974 LUE's with a peak flow of 2,143 gpm - Watt-Schieffer AM #734. No City cost participation. (Barry Campbell Engineering, Inc.)
- (19) Water Approach Main to include 2.76 acres for office use. The applicant is requesting 14 LUE's with a peak flow of 31 gpm - Wind River Road AM #744. No City cost participation. (Jeryl Hart & Associates, Inc.)
- (20) Water Approach Main to include 37.2 acres for commercial use. The applicant is requesting 274 LUE's with a peak flow of 603 gpm - Parmer Oaks Center AM #750. No City cost participation. (Espey, Huston & Associates, Inc.)
- (21) Water Approach Main to include 24.5 acres for office, retail, apartments use. The applicant is requesting 332 LUE's with a peak flow of 731 gpm - 24.5 Merriltown Road Tract AM #770. No City cost participation. (Dernick and Harris Engineering)
- (22) Wastewater Approach Main to include 24.5 acres for office, retail, apartments use. The applicant is requesting 332 LUE's with a peak flow of 331 gpm - 24.5 Merriltown Road Tract AM #771. No City cost participation. (Dernick and Harris Engineering)
- (23) Water Approach Main to include 10.88 acres for Residential Use. The applicant requests have 39 LUE's with a peak flow of 86 gpm - Arrow AM #774. No City cost participation. (Carlson & Dippel, Inc.)
- (24) Water Approach Main to include 123 acres for residential, single family, duplex, fourplex use. The applicant is requesting 1050 LUE's with a peak flow of 2310 gpm - North Oaks Estates AM #778. City cost participation will be \$360,400.00. (Carlson and Dipple, Inc.)
- (25) Water Approach Main to include 342.40 acres for commercial use for 3,186 LUE's with a peak flow of 7,009 gpm - Caywood Anderson Highway 290 AM #801. City cost participation will be \$779,079.00. (Cunningham-Graves, Inc.)

- (26) Wastewater Approach Main to include 342.40 acres for commercial use for 3,284 LUE's with a peak flow of 3,940.8 gpm - Caywood Anderson Highway 290 AM #802. No City cost participation. (Cunningham-Graves, Inc.)

c. Little Walnut Creek Interceptor:

- (27) Water Approach Main to include 146.5 acres for commercial use for 955 LUE's with a peak flow of 2101 gpm - Pecan Springs Business Park AM #722. No City cost participation. (Murfee Engineering, Inc.)
- (28) Wastewater Approach Main to include approximately 15 acres for commercial development. The applicant is requesting 87 LUE's at a peak flow of 97 gpm - Global Tract A.M. #578. No City cost participation. (Cunningham-Graves, Inc.)

d. Big & Little Walnut Creek Interceptors:

- (29) Water Approach Main to include 115.27 acres for research and manufacturing use for 418 LUE's with a peak flow of 919.6 gpm - Rolm Corporation AM #731. No City cost participation. (Bovay Engineers, Inc.)
- (30) Water Approach Main to include 66.55 acres for commercial use. The Applicant is requesting 448 LUE's with a peak flow of 985 gpm - C. Aubrey Smith Tract AM #624. ~~City~~ City cost participation, (Camp Dresser & McKee, Inc.) \$346,800.00
- (31) Water Approach Main to include 15 acres for residential, commercial use. The applicant requests 300 LUE's with a peak flow of 660 gpm - 3M/183 Tract AM #791. No City cost participation. (Espey, Huston, & Associates, Inc.)
- (32) Water Approach Main to include 11.04 acres for office use. The applicant requests 147 LUE's with a peak flow of 323.4 gpm - Spicewood Springs Road Interests AM #790. No City cost participation. (Lockwood Engineers, Inc.)
- (33) Water Approach Main to include 6.81 acres for commercial use. The applicant requests 228 LUE's with a peak flow of 501.6 gpm - Western Trails of Quail Creek Sections-2, AM #732. No City cost participation. (Penrose & Associates, Inc.)
- (34) Wastewater Approach Main to include 13.41 acres for office use. The applicant is requesting 177 LUE's with a peak flow of 196.5 gpm - Spicewood Springs Road Interest AM #780. No City cost participation. (Lockwood Engineers, Inc.)

Contract with Attorney

Approved a contract between the City and Shanley & Fisher, Attorneys, Morristown, New Jersey, for representation of the City in U.S. District Court, Newark, New Jersey in various proceedings regarding the bankruptcy of Bevill, Bresler and Schulman.

Civil Service Commission

Confirmed the reappointment of Monsignor Lonnie Reyes to the Civil Service Commission.

Setting of Hearings Postponed

Consideration of setting a public hearing on adoption of the Austin Metropolitan Area Roadway Plan as an ordinance was postponed until July 11, 1985.

Pulled off the agenda was consideration of setting a public hearing on an appeal from Mr. Vernon Baker of the Planning Commission's decision to deny a project (153 Barton Springs Road). Case No. SP-85-057.

Item Postponed

Postponed until June 27, 1985 is consideration of setting the schedule for consideration of the comprehensive plan pursuant to Proposition 15 charter amendment for the Upper Williamson Creek Area.

## CITY MANAGER REPORTS

Jorge Carrasco, City Manager, announced the reports on Moore's Crossing and EMS Helicopter Service, will be postponed until July 18 and June 27 respectively.

Mr. Carrasco presented the report on Comprehensive Plan Steering Committee and said appointments will be made Tuesday, July 9, 1985. His report is on file in the City Clerk's office.

## ETJ EXCHANGE WITH PFLUGERVILLE

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, adopted a resolution implementing the ETJ exchange with the City of Pflugerville as conceptually agreed to on April 25, 1985. (7-0 Vote)

## CITY OF TAYLOR AND ETJ

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, adopted a resolution approving an agreement with the City of Taylor regarding boundaries of Extra-Territorial Jurisdiction, contingent on their agreement. (7-0 Vote)

## PUBLIC HEARING - DEDICATION OF PUBLIC UTILITY EASEMENT

Mayor Cooksey opened the public hearing set for 2:30 p.m. on dedication of Public Utility Easement through a portion of Zilker Park.

No one appeared to be heard.

Ramon Miguez, representing the Public Works Department, answered affirmatively when Mayor Cooksey asked whether all prudent and feasible alternatives had been investigated before deciding on using parkland for a public utility easement.

Motion

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance dedicating a public utility easement through a portion of Zilker Park. (6-0 Vote, Councilmember Urdy was out of the room.)

## ENERGY RESOURCES

Mr. Bill Oakey appeared before Council to discuss establishing a National Research and Development Center for Alternative Energy Resources in Austin.

## CITY COUNCIL LIVE ON CHANNEL 6

Mr. Peter Varteressian appeared before Council to discuss improvements on Municipal Channel 6 which means the City Council meetings are being telecast live.

## NOISY AND VIOLENT CONSTRUCTION

Ms. Carol J. Humphrey Dillard appeared before Council requesting: (1) investigation of possible change in City ordinances regarding noisy and violent construction in neighborhoods. (2)

investigation of permit for construction for compliance with existing city ordinances, and (3) investigation of possible environmental resource management group.

Council advised her the City Attorney will define the scope of the ordinance and advise staff how to interpret it.

#### RAINEY AREA

Ms. Crystal Mendez Mancias appeared before Council requesting an indefinite moratorium on Rainey Area.

#### PUBLIC HEARINGS ON AMENDMENTS TO WATER AND WASTEWATER UTILITY SERVICE AREA ORDINANCE

- Mayor Cooksey opened the public hearings set for 3:00 p.m. on
1. Amending the Water and Wastewater Utility Service Area Ordinance (810820-B) to include the Harris Creek tract,
  2. Amending the Water and Wastewater Utility Service Area Ordinance (810820-B) to include the JML Joint Venture Tract,
  3. Amending the Water and Wastewater Utility Service Area Ordinance (810820-B) to include the Franklin 1800 tract.

Jim Thompson, Director of Water and Wastewater, reviewed and showed maps. His reports on the areas are on file in the City Clerk's office.

Janet Klotz and Joe Sanchez spoke concerning the need for land control.

#### Motion

The Council, on Councilmember Rose's motion, Councilmember Shipman's second, closed the public hearings, waived the requirement for three readings and finally passed the following ordinances: (7-0 Vote)

- Amending the Water and Wastewater Utility Service Area Ordinance (810820-B) to include the Harris Creek Tract.
- Amending the Water and Wastewater Utility Service Area Ordinance (810820-B) to include JML Joint Venture tract.
- Amending the Water and Wastewater Utility Service Area Ordinance (810820-B) to include the Franklin 1800 tract.

**PUBLIC HEARING - AMENDMENTS TO WATER AND WASTEWATER UTILITY SERVICES  
AREA ORDINANCES**

Mayor Cooksey opened the public hearing set for 3:00 p.m. on amendments to the Water and Wastewater Utility Service Area Ordinance (810820-B) to include the Upper Williamson Creek Drainage Basin and portion of the Slaughter Creek Drainage Basin.

Jim Thompson, Director of Water and Wastewater, reviewed. His report is on file. He stated Option C is recommended.

**Motion**

The Council, on Councilmember Rose's motion, Councilmember Humphrey's second, closed the public hearing waived the requirement for three readings and finally passed an ordinance amending the Water and Wastewater Utility Services Area Ordinance (810820-B) to include the Upper Williamson Creek Drainage Basin and portion of the Slaughter Creek Drainage Basin, Option C with no Bear Creek wastewater service. (6-0 Vote, Mayor Pro Tem Trevino abstained as he may have conflict of interest.)

**ITEM POSTPONED**

Mr. Mike Nixon who had requested to appear before Council will appear on June 27, 1985.

**ITEM CANCELLED**

Mayor Cooksey announced the request of Mr. Roger Baker to discuss a flat rate of five cents a page for photocopies of public information was not germane and therefore would not be heard.

Mayor Cooksey also announced Mr. John Noell's request for approval of office land use for Vaught Road Professional Building pursuant to the Northwest Land Plan is also not germane and would not be heard.

**ENERGY MANAGEMENT COMMISSION REPORT**

Mr. King appeared before Council as a member of the Energy Management Commission to report on the ordinance which created and provides responsibilities for the Commission. He asked that an ordinance be brought back next week to broaden their scope.

**STREET VACATION**

Mayor Cooksey opened the public hearing set for 3:30 p.m. on

vacating the following: a portion of Glenhill Drive as requested by Mr. John Dixon.

Motion

The Council, on Councilmember Rose's motion, Councilmember Humphrey's second, continued the public hearing to June 27, 1985 at 3:30 p.m. (7-0 Vote)

Several people spoke at the hearing and no solution was evident.

PUBLIC HEARING - BANISTER LAND PHASE II ASSESSMENTS

Mayor Cooksey opened the public hearing set for 4:00 p.m. on levying assessments on Banister Lane Phase II, covering approximately 9 blocks, CAPITAL IMPROVEMENTS PROGRAM 85/62-61.

Ramon Miguez, Department of Public Works, described the assessments.

Herbert Sladek Jr. reviewed and said all parcels should remain as originally assessed and his recommendation is on file in the City Clerk's office.

Jonathan Davis, Deputy City Attorney, announced this hearing has been published three times and affected parties have been notified by mail. He questioned Mr. Sladek concerning his qualifications as the assessor.

Paul Jacobs, representing South Hill Apartments, spoke in opposition. He said the street already has been torn up for 1½ years and they lose renters. He said this proposal will not enhance the property. Mr. Miguez stated the activity on the street has been for relocation of utilities. He told Mr. Jacobs the assessment is for drainage, not roadway. They are installing an enclosed system.

Mayor Cooksey asked Mr. Sladek if these factors have been considered. Mr. Sladek said they were.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance levying assessments on Banister Lane Phase II, covering approximately 9 blocks, C.I.P. No. 85/62-61. (6-0 Vote, Mayor Pro Tem Trevino out of the room.)

## HEARING TO BE CONTINUED

The hearing on an appeal from Rona Levine will be continued to June 27, 1985 at 4 p.m.

## ZONING HEARING POSTPONED

Council postponed until July 11, 1985 at 4:00 P.M. a zoning hearing C14r-85-151, City of Austin, 12300 Block Burnet, from "I-SF-2" to "GR".

## RECESS

Council recessed its meeting at 4:30 p.m. and resumed its recessed meeting at 4:50 p.m.

## ZONING HEARING

Mayor Cooksey opened the 4:00 zoning hearing on the following case. Council heard, closed the public hearing, granted and instructed the City Attorney to draw up the necessary ordinance.

r-85 WILLIAM CANNON  
086 JOINT VENTURE  
By James M. Nias

3501-3807 William  
Cannon

From "I-SF-2" & "SF-6"  
To "GR"  
RECOMMENDED subject to conditions as agreed to between applicant and neighborhood: (1) All one-story buildings; (2) buildings brick all the way around, including the back; (3) the two buildings at N.W. end of property (Nearest intersection of Wm. Cannon and Bannockburn) limited to (a) medical office (b) professional office (c) administrative and business office and (d) financial services; (4) the 12,600 sq. ft. building restricted against: (a) automotive rentals (b) automotive sales (c) automotive repair services (d) automotive washing (e) commercial off-street parking (f) hotel-motel (g) indoor-outdoor



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sports and recreation (h)  
indoor entertainment  
(i) pawn shop services  
(j) pet services (k)  
restaurant (general) (l)  
restaurant (limited) & (m)  
service station; (5) 12,600  
sq.ft. building location to  
be adjusted to preserve stand  
of Oak trees at its N.W.  
corner and (6) arrangements  
satisfactory to five abutting  
single family homeowners to  
be agreed on prior to City  
Council so that abutting  
property owners can have  
use of greenbelt between  
property line and buildings.

GRANT AS RECOMMENDED, DRIVEWAYS  
LIMITED TO FOUR. OPTION 2,  
URBAN TRANSPORTATION

(On Councilmember Shipman's motion, Councilmember Humphrey's second,  
7-0 Vote)

#### ZONING CASE CONTINUED

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, voted to continue the following zoning hearing for 30 days, to July 18, 1985, and put an item on the June 27, 1985 agenda concerning a moratorium in the Rainey area. (7-0 Vote)

-84	TOWNLAKE PROPERTY	43-51 Rainey Street	From "A" & "O" 1st H&A
473	JOINT VENTURE	21 Bierce Street	(SF-2 & LO)
	By Monica Schwantz	706 Cummins Street	To "O" 1st (LO)
			RECOMMENDED (as amended)
			subject to dedication of up
			to 30' of right-of-way from
			centerline of Rainey and up
			to 25' of right-of-way from
			centerline of Cummings.

CONTINUE PUBLIC HEARING ON  
JULY 18, 1985

**SUE EDWARDS RECOGNIZED**

Mayor Cooksey recognized the presence of Assistant City Manager Sue Edwards who was in the Council Chamber. She has announced her pending resignation from the City.

**ZONING HEARING**

Mayor Cooksey announced Council would hear the following zoning case. Council heard, closed the public hearing, granted and instructed the City Attorney to draw the necessary ordinances.

-85 BRUCE PATTERSON  
093 By Jerry Harris

8501 Peaceful Hill  
Lane

From "I-RR"  
To "LI"  
RECOMMENDED "LI" limited  
to steel fabrication and  
warehouse use.

GRANTED AS RECOMMENDED

(On Councilmember Rose's motion, Councilmember Urdy's second, 7-0 Vote)

**PUBLIC HEARING - ELECTRIC HOOK-UP FEES**

Mayor Cooksey opened the public hearing set for 4:30 p.m. on recommendation from the Electric Utility Commission concerning hook-up fees, and consideration of amended hook-up fee ordinance.

Mr. Moore, Electric Utility Department, said they recommend the increase in hook-up fees because they have not been changed since 1983. Their recommendation is to raise the fee to include allocated transformer in the cost and provide more categories of fees. Mr. Moore pointed out the fee raise would provide an increase in revenues.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance amending the hook-up fee ordinance as recommended by the Electric Utility Commission. (7-0 Vote)

**HEARING CONTINUED**

Council continued until June 27, 1985 at 6:00 p.m. the hearing on an appeal from Dr. Stephen B. Rodi representing Windsor Park Neighborhood Association of the Planning Commission's decision regarding Case No. SP-85-048.

**AUSTIN'S HOUSING NEEDS**

Councilmember Urdy introduced an item to Council to consider approval of a contract with Southwest Realty Research and Development, Inc. for comprehensive assessment of Austin's housing needs in 1985 and the decade to come. Councilmember Urdy said staff will come back at a later date with a recommendation.

**ZONING OVERSIGHT COMMITTEE**

Councilmembers Shipman and Rose introduced to Council the consideration of Zoning Oversight Committee and appointments thereto. Councilmember Shipman stated the committee had been asked to reconvene after the new zoning ordinance went into effect. They have 18 months to meet, once a month, to determine any oversights in the new ordinance. Councilmember Rose pointed out the Zoning Ordinance provides Council the ability to create the oversight committee. They said they will bring a formal resolution to Council on June 27, 1985.

**EXECUTIVE SESSION**

Mayor Cooksey 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:

Board and Commission Appointments - Section 2,  
Paragraph g.

**RECESS**

Council recessed its meeting at 6:10 p.m. for executive session and resumed its recessed meeting at 7:15 p.m.

**BOARD AND COMMISSION APPOINTMENTS**

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, approved the following appointments: (7-0 Vote)

Town Lake Task Force: David Armbrust, Regan Gammon, Reg Todd,  
Matt O'Hare, Jackie Goodman, Jonathan  
Markley, Cynthia Valadez, Ray Reece  
Kathryn Kennedy.

Energy Management Commission: Roger Duncan, Max Nofziger  
Michael Garrison

Austin Community Education Consortium: Charles Urdy was chosen to represent the League of Women Voters, Austin Parks and Recreation Board, Austin Neighborhood's Council, and Austin Chamber of Commerce.

Local Government Approval Committee: Mayor Cooksey, Mayor Pro Tem Trevino, Councilmembers Rose, Urdy and Carl-Mitchell.

CAPCO - Mayor Cooksey

Austin Transportation Study - Councilmember Shipman, Mayor Cooksey

Employee's Retirement System - Councilmember Carl-Mitchell

Social Policy Advisory Committee - Councilmembers Rose and Carl-Mitchell

Fireman's Relief and Retirement - Mayor Cooksey

Audit Finance Committee - Mayor Cooksey and Councilmember Urdy

PIC JTPA Committee - Councilmember Carl-Mitchell

Greater Austin-San Antonio Corridor Council - Mayor Cooksey

AISD/City Council Joint Committee - Mayor Cooksey

Civic Center Task Force - Councilmember Carl-Mitchell and Humphrey

Housing Task Force - Councilmembers Rose and Humphrey

Texas Municipal League Board of Directors - Mayor Cooksey

**LEASE AGREEMENT - PEOPLES COMMUNITY CLINIC, AUSTIN RAPE CRISIS CENTER AND CEDEN**

Council had before them a resolution to consider entering into an Option to Lease Agreement with Peoples Community Clinic, Austin Rape Crisis Center and CEDEN.

**Motion**

Mayor Pro Tem Trevino made a motion, seconded by Councilmember Rose to adopt a resolution approving the lease.

**Friendly Amendment**

Councilmember Humphrey offered a friendly amendment that lease option be for one year, the term of the lease be for 25 years, with option to renew for five additional years.

Councilmember Rose said he could not accept the friendly amendment. "I think I could accept the option being set for a stated period but I don't want to get into setting the actual terms of the lease now. We don't know if that would fit and we might not be able to amortize any building on that time frame and it really should be dealt with as you write the actual lease and bring it back to the Council."

Mayor Cooksey asked, "Is this situation one in which we are simply approving the option at this point, only?" He was told that is correct by Jonathan Davis, Deputy City Attorney. Mayor Cooksey clarified, "Our option that we are granting is to enter into this specific lease agreement as has been attached to the option."

Ramon Miguez stated, "As it is presently written it is for 25 years with three five year extensions." Mayor Cooksey said, "What Mr. Humphrey is asking is for only one five year extension instead of three."

Councilmember Rose asked, "Is it written as a one year or a two year option?" Mr. Miguéz said it is a two year option. Mayor Cooksey stated, "It is presently written as a two year option with a 25 year term and three five year extensions or options to extend." Councilmember Rose said he would like to stick with the two years to give adequate time to raise the money.

#### Friendly Amendment Withdrawn

Councilmember Humphrey withdrew his friendly amendment.

#### Roll Call on Motion

7-0 Vote

#### ADJOURNMENT

Council adjourned its meeting at 7:25 P.M.