



Austin City Council MINUTES

For SEPTEMBER 26, 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, noting the presence of all Councilmembers.

MINUTES APPROVED

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, approved minutes for regular meeting of September 19, 1985 and special meetings of September 10 & 11, 1985. (6-0 Vote, Councilmember Urdy out of the room.)

CITIZENS COMMUNICATIONS

Mr. Charles Webb did not appear.

Mr. Ron Montague discussed tap and sewer connections for 1000 Brass Street.

Mr. Tom Prentice, who opposes MOC funding proposal, discussed concerns about city/school relations.

Mr. Gerald Goff did not appear.

Mr. Mark Vincent discussed an exemption from Ordinance No. 850905-J.

Mr. Douglas Dyer asked for emergency funding for the State Theatre Development League.

Ms. Brooks Kasson discussed the bed tax fund and said during the January 1985 election the Chamber of Commerce used bed tax money to defeat Proposition 18. She asked for a freeze on contracts with the Chamber of Commerce. Councilmember Humphrey asked for proof. Ms. Kasson stated she had documents. Councilmember Carl-Mitchell thought an outside audit would be in order as this is a serious charge. He said there may not be anything improper going on but the audit would be helpful. Mayor Cooksey said Lee Cooke, president, Chamber of Commerce agrees to an audit and has said the Chamber's books are open. The Mayor said the matter needs to be clarified.

CONSENT ORDINANCES

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

Amending 1984-85 Operating Budget

- a. Accepted a Federal Aviation Administration (FAA) Grant AIP 3-48-0013-06 in the amount of \$844,000.00 for airfield improvements to Robert Mueller Municipal Airport. (\$633,000. FAA participation and \$211,000.00 City participation.)
- b. Transferring \$34,200 from the Aviation Fund Ending Balance to increase the CIP transfer to \$4,213,500 and appropriation of these funds to the Perimeter Road Extension project No. 817020) for airfield guidance signage improvements.

North Austin MUD

Approved the terms, conditions and covenants of the Bond Resolution of the North Austin Municipal Utility District No. 1, authorizing the issuance of \$16,300,000 North Austin Municipal Utility District No. 1, City of Austin, Texas Contract Revenue Bonds, Series 1985, pledging certain revenues and levying a tax for certain district payment and approving a notice of sale and bidding instructions, form of bid and official statement.

Hauled Waste

Amended Section 6-10-70 of the City Code for the purpose of providing an appeal from the revocation of a transporter's permit to transport hauled industrial waste or septic tank waste.

Release of Easements

Authorized release of the following easements:

- a. The Ingress/Egress Easement and the Electric Easement retained at the vacation of the portion of the Red River Street Alley in Ordinance No. 800117-U. (Request submitted by Metcalfe Engineering Co., Inc. on behalf of St. David's Community Hospital.
- b. The Public Utility Easement retained at the vacation of Howard Lane in Ordinance No. 850110-V and recorded in Volume 9002, Page 62, of the Travis County Real Property Records. (Request submitted by Dennick and Harris Engineering.)

Zoning Ordinance

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

- a. R. G. MUELLER, JR. & 3507 Lawton From "SF-3"
FRANCES DANFORTH to "CS"
C14-85-115

Heard and granted July 11, 1985, (7-0). Conditions have been met as follows: Right-of-way Manchaca Road has been conveyed by Street Deed.
- b. CITY OF AUSTIN 2700 Westhill Drive From "MF-3" to
By Office of Land to "SF-2"
Development Services
C14-85-212

Heard and granted on September 5, 1985, (6-0). Councilmember Mark Rose out of room at roll call. No conditions to be met.
- c. TOGIE & PAULINE 5908-6004 Manor Road From "SF-3"
BAYLOR to "LR"
By Terry L. Baylor
C14-85-167

Heard and granted on September 5, 1985, (6-0). Councilmember Mark Rose out of room at roll call. No conditions to be met.
- d. BALCONES CONSOLIDATED 1920 Gaston Place From "GR"
INC. to "MF-2"
By Bill Harrell
C14-85-195

Heard and granted on September 5, 1985, (6-0). Councilmember Mark Rose out of room at roll call. No conditions to be met.

- e. WILLIAM CANNON JOINT 3501-3807 William From Interim "SF-2"
VENTURE Cannon to "GR"
By Jim Nias
C14r-85-086

Heard and granted on June 20, 1985, (7-0). Conditions have been met as follows: (1) development restricted to that shown on site plan attached as Exhibit "A" to the ordinance; site plan notes use restrictions on particular buildings per agreement with neighborhood association; (2) easement to adjoining property owners executed; (3) letter of Credit issued.

- f. CARPENTER & ASSOCIATES 12115 U.S. 183 From "I-SF-2" &
By Mathias Company "SF-2" to "LO"
C14r-85-039 EMERGENCY PASSAGE OF ORDINANCE

Heard and granted August 1, 1985, (6-0). Mayor Pro Tem John Trevino Jr. absent. Conditions have been met as follows: Development restricted to that shown on site plan attached as Exhibit "A" to the ordinance.

Zoning Ordinance

Passed through second reading of an ordinance amending Chapter 13-2 and 13-2(A) of the Austin City Code (Zoning Ordinance) to cover the following change:

- a. COLLINGWOOD WEST James Glen Way and From Interim "SF-2"
SECTION II-C Claywood Drive to "PUD"
By John Reynolds
C14-85-009

4-1-0 Vote, Councilmember Carl-Mitchell voted No, Councilmember Shipman and Mayor Pro Tem Trevino abstained.

STORES ISSUES

The Council, on Councilmember Urdy's motion, Councilmember Rose's second, waived the requirement for three readings and finally passed the following ordinances amending the 1984-85 Operating Budget by:

- a. Appropriating \$4,819,292.00 to the Financial Services Department Central Stores Fund for increased Stores Issues.
- b. Appropriated \$387,438.00 to the Water and Wastewater Department to fund increased operating requirements.

FINANCIAL PLAN

Council had passed the 1985-86 Financial Plan through all three readings on September 25, 1985, therefore, no action was needed.

ARTS IN PUBLIC PLACES

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, waived the requirement for three readings and finally passed an ordinance adopting the Arts in Public Places Ordinance. (7-0 Vote)

EXTENSIONS OF BRAKER LANE AND MOPAC

The Council, on Councilmember Rose's motion, Mayor Pro Tem Trevino's second, waived the requirement for three readings and finally passed an ordinance amending Ordinance No. 850912-R, Case No. C14-84-376, proposed extensions of Braker Lane & MoPac. (7-0 Vote)

Paul Isham, City Attorney, discussed the extension prior to the vote. He said the applicant's attorney stated they cannot close without assurance from the City that they can build a nine story office building. Councilmember Shipman said the issue is, "We don't want a building on the front of the site, but on the back and we want this wording in the agreement."

Jim Nias, representing C. Aubrey Smith of Tyler, said Mr. Smith wants to be sure he will be able to have a nine story building and the final site plan will show the building to be on the rear of the property.

ZONING ORDINANCE POSTPONED

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, postponed the following zoning ordinance until October 3, 1985, for the City Attorney's comment and written opinion: (7-0 Vote)

f. DANNY M. WOMACK
By Brad Burns
C14r-84-013

MoPac (proposed)

From Interim "SF-3"
to "GO"

Heard and granted on September 27, 1984, (5-2). Conditions have been met as follows: (1) Deed dedicating 20.95 acres of land as parkland has been executed and delivered; (2) letter of credit securing payment of \$50,000 towards construction of hike and bike trail improvements has been received; (3) applicant has executed agreement to fund equipment necessary to monitor water quality and maintain stormwater runoff control facilities; (4) development restricted to site plan attached as Exhibit "A" to ordinance.

ZONING CHANGE APPROVED

The Council, on Councilmember Rose's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance amending Chapter 13-2 and 13-2(A) of the Austin City Code (Zoning Ordinance) to cover the following changes: (7-0 Vote)

CARPENTER & ASSOCIATES	12009 U.S. 183	From "1-SF-2" to
By Mathias Company		"LO"
C14-77-098	EMERGENCY PASSAGE OF ORDINANCE	

Heard and granted on December 6, 1979, (4-3). Mayor Pro Tem Trevino voting "No". Conditions have been met as follows: Development restricted to that shown on site plan attached as Exhibit "A" to ordinance.

CAPITAL RECOVERY FEES

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, passed through SECOND READING ONLY of an ordinance amending Ordinance No. 840717-A, relating to the assessment of Capital Recovery Fees. (4-3 Vote, Mayor Pro Tem Trevino, Councilmembers Rose and Urdy voted No.)

Councilmember Rose stated he voted No because he feels the rate structure is inequitable.

PUBLIC HEARING - AMENDMENTS TO NORTHWEST AREA LAND USE GUIDANCE PLAN

Mayor Cooksey opened the public hearing set for 3:00 p.m. on Amendments to Northwest Area Land Use Guidance Plan. The following motions were made:

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, approved NW-85-03. (7-0 Vote)

Motion

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, accepted the Planning Commission's recommendation to defer allocation for NW-85-05. (7-0 Vote)

Motion

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, support the recommendation of the Planning Commission and deferred allocation for NW-85-06. (7-0 Vote)

Motion

The Council, on Councilmember Humphrey's motion, Councilmember Urdy's second, concurred with the Planning Commission and approved non-residential for NW-85-09 and NW-85-10. (5-2 Vote, Mayor Cooksey and Councilmember Rose voted No.)

Motion

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, accepted the Planning Commission recommendation for NW-85-13. (7-0 Vote)

No action was taken on NW-85-2, NW-85-4, NW-85-7, NW-85-8, NW-85-11 and NW-85-12.

APPEAL SET

A public hearing was set for November 7, 1985 at 3:30 p.m. on an appeal of Mr. Rusty Malik of the Planning Commission's decision on Case No. RZ-85-048 (site plan approval) on behalf of Sigmor Corporation.

PUBLIC HEARINGS - ALLEY VACATIONS

Mayor Cooksey opened the public hearings set for 3:30 p.m. on vacating the following: West 35th Street Alley (1700 Block) and Charlotte Street Alley (1000 Block)

Mr. Ridings, Director of Public Works, stated everything is in order.

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 vacating West 35th Street Alley (1700 Block) at Lawton Avenue. (Request submitted by the adjoining property owners.) (6-0 Vote, Councilmember Urdy was out of the room.)

Motion

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, voted to continued the public hearing until October 3, 1985 at 3:30 p.m. on vacation of Charlotte Street Alley (1000 Block). (Request submitted by Mr. Will Van Wisse). (5-0 Vote, Councilmembers Humphrey and Urdy out of the room.)

LEASE WITH LIBERTY LUNCH

The Council, on Councilmember Shipman's motion, Councilmember Rose's second adopted a resolution extending the lease agreement with Charles Tesar dba Liberty Lunch. (6-0 Vote, Councilmember Urdy out of the room.)

AUSTIN COMMUNITY TELEVISION

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving \$401,600.00 for the 1985-1986 Access Management Services Contract with Austin Community Television, payable from the Cable Access Fund. (5-0 Vote, Councilmembers Urdy and Humphrey out of the room.)

RELEASE OF EASEMENTS

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, adopted a resolution releasing the following easement: (6-0 Vote, Councilmember Humphrey out of the room)

Consider release of the 10' Electric Easement of record in Volume 3622, Page 235 of the Travis County Real Property Records and located on Lot 7, Block 7, Oakmont Heights, 3507 Lawton. (Request submitted by Mr. James M. Nias of Small, Craig and Werkenthin).

CONSENT RESOLUTIONS

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

Release of Easements

Authorized release of the following easements:

- a. A portion of the Sanitary Sewer Easement of record in Volume 2543, Page 535, of the Travis County Real Property Records (South Pleasant Valley Road at Riverside Drive). (Request submitted by Bury and Pitman, Inc.).
- b. A portion of the Drainage and Conservation Easement on Lot 15, Block A, Barton Hills Section 7 (1714 Barton Cliff Drive). (Request submitted by Dana Copp).

- c. Consider release of the Electric and Telephone Easement of record in Volume 2022, Page 37, of the Travis County Real Property Records and located on Lot 1, Wayne Laymon Subdivision. (Request submitted by McGray and McGray Land Surveyors, Inc.).
- d. Consider release of the 7.5' Public Utility Easement on Lot 12, Block B, Great Hills Section X, 5804 Rising Hills Drive. (Request submitted by Mr. Mark L. Knapp).
- e. Consider release of the 10' Public Utility Easement on Lot 2, Taylor and Williams Subdivision. (Request submitted by Mr. Hank A. Anawaty).
- f. A portion of the 7.5' Public Utility Easement on Lot 2, Block A, Hollow Canyon II. (Request submitted by McGray and McGray Land Surveyors, Inc.).

License Agreement

Approved entering into a license agreement to allow the encroachment of an aerial passageway over an existing public utility easement and an existing sanitary sewer easement of record in Volume 3707, Page 1092, of the Travis County Real Property Records and located on Lot A, Presbyterian Addition, 8001 Mesa Drive. (Request submitted by the First Presbyterian Church).

Contracts Approved

STAKER PAVING OF TEXAS, INC.
P. O. Box 43329
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Construction of Overlay of
Streets 1985, Public Works
Department
Total \$159,669.50 C.I.P. Nos.
85/62-60 & 83/22-04

CAPITOL CITY UTILITIES, INC.
(WBE)
P. O. Box 670
Buda, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Southeast Austin Transmission
Main, Ben White - Montopolis -
Stassney Lane Route, Water and
Wastewater Department
Total \$1,061,570.00 C.I.P. No.
80/22-05

GENERAL ELECTRIC COMPANY
1550 NE Loop 410, Suite 206
San Antonio, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Protective Relays, Electric
Utility Department
Item 1 - \$260,072.00 C.I.P. Nos.
82/16-06, 83/16-03, 79/16-05 &
85/16-06

B & B LANDCLEARING COMPANY
1212 Old Bastrop Highway
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Installation of Underground
Electric Distribution Facilities
for Cherry Creek Phase 9E & 9F,
Electric Utility Department -
Total \$47,953.00 C.I.P. No.
85/15-01

CENTEL BUSINESS SYSTEMS
8006A Cameron Road
Austin, Texas

- Two (2) Telephone Systems, Water
and Wastewater Department
Total \$57,505.40 85-S698-FW/KM

DRESSER INDUSTRIAL VALVE DIVISION
10205 Westheimer, Suite 961
Houston, Texas

- Retrofitting forty-seven (47)
Valves, Electric Utility
Department
Items 1-25 - \$206,157.20
85-0434-JB

ROUNDHOUSE ELECTRIC
2224 City Service Road
Odessa, Texas

- Remanufactured Air Circuit
Breakers and a Solid State Trip
Tester, Electric Utility
Department
Items 1-13 - \$99,977.00
85-0441-QM

TEXAS INDUSTRIAL MACHINERY
9906 Gray Boulevard
Austin, Texas

- Gap-bed Engine Lathe, Electric
Utility Department
Items 1-14 - \$41,160.00
85-0449-DC

MONTGOMERY ELEVATOR COMPANY
2013-C East Riverside Drive
Austin, Texas

- Modernization of the Municipal
Annex elevator,
Public Works Department
Total \$45,131.00 85-C898-JJ

LFE CORPORATION
8805 Forum way
Fort Worth, Texas

- Traffic Signal Heads, Urban
Transportation Department
Item 1 - \$26,200.00 85-0446-QM

MOORE BUSINESS FORMS, INC.
8301 Balcones Drive, Suite 304
Austin, Texas

- Printing of Time Sheets and
Employee Data Personnel Payroll
Forms, Office Services Division
Twelve (12) Month Supply Agreement
Items 1 & 2 - \$28,580.00
85-0370-GW

VILLAGE MOBILE & MODULAR HOMES
6925 East Ben White Boulevard
Austin, Texas

- Double Wide Mobile Home, Austin Fire Department
Item 1 - \$45,985.00 85-0415-JB

AMERISOURCE
4107 Capital of Texas Highway
South
Austin, Texas

- Seven (7) Microcomputer Systems and Seven (7) printers, Housing and Community Services Department
Total \$36,547.00 85-S803-KM

CARA CORPORATION
Lewis Tower Building
225 South 15th Street
Philadelphia, Pennsylvania

- Automated Billing Services, Austin-Travis County Health Department
Twelve (12) month agreement
Total \$200,000.00 85-S716-AV

Items Pulled

The following contracts were pulled from the agenda:

COMPUTERLAND OF AUSTIN
3300 West Anderson Lane
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Four (4) Microcomputer Systems and four (4) Printers, Water and Wastewater Department - \$27,999.00
C.I.P. No. 82/22-22

COMPUTER CRAFT OF AUSTIN
123 East 7th Street
Austin, Texas

- Seven (7) Microcomputer Systems and Seven (7) printers, Water and Wastewater Department
Total \$34,893.18 85-S908-KM

R. P. KINCHELOE COMPANY
P. O. Box 26200
Dallas, Texas

- Mobile C-arm Fluoroscopic System, Brackenridge Hospital
Total \$104,382.60 BC5-1279

MANAGEMENT SCIENCE OF AMERICA, INC.
5005 Mitchelldale
Suite 200
Houston, Texas

- Case Mix Management Software, Brackenridge Hospital
Total \$40,000.00 BH5-1274

Access Channel

Approved dedication of a second access channel for municipal programming.

Item Pulled

Pulled for consideration until October 3, 1985 is consideration of authorizing entrance into an Option Agreement with the Watson-Casey Companies for the Municipal Office Complex. (7-0 Vote)

Miracle Network Telethon

Approved an agreement between the City of Austin and the Osmond Foundation for Brackenridge Hospital to participate in the 1986 Children's Miracle Network Telethon on May 31, 1986 and June 1, 1986.

Public Hearing Set

Set a public hearing on the following:

Conversion from limited groups to full purpose 197 acres (Treemont Subdivision and unplatted land) and full purpose annexation of 2.34 acres (Walsh Tarlton Lane) in Travis County, Texas. C7a-85-035: October 16 & 17, 1985 at 4:00 p.m.

CONTRACT APPROVED

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

MID-STATE ENGINEERING, INC.
941 North Meridian Street
Indianapolis, Indiana

- Automated Distribution Records
System Field Inventory and Data
Conversion, Electric Utility
Department - \$410,000.00
85-S797-KM

ZONING HEARING CONTINUED

Council unanimously agreed to postpone the following zoning hearing, scheduled for 4:00 p.m., pending the Loop 360 Moratorium, to October 24, 1985 at 4:00 p.m.

(1) r-85 ALFRED LEHTONEN
044 By Miguel
Guerrero

5610-5800 Capital
of Texas North

From "I-SF-2 & SF-2"
To "GO"
RECOMMENDED

ZONING HEARING

Mayor Cooksey opened the public hearing set for 4:00 p.m. on the following zoning change. Council heard, closed the public hearing and directed the City Attorney to draw up the necessary ordinance:

C14-85 DAVID HONEYCUTT
048 TRUSTEE
By John Bolt
Harris

3109 Burleson
Road

From "I-SF-3"
To "SF-6"
NO RECOMMENDATION
GRANTED "SF-6"; LIMIT TO
36 UNITS & TWO STORY
STRUCTURES

(On Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, 5-2 Vote, Mayor Cooksey and Councilmember Shipman voted No)

ZONING HEARING CONTINUED

The following zoning case hearing was unanimously approved for a continuance of hearing on October 24, 1985 at 4:00 p.m.

C14r-85 LOOP 360 JOINT
140 VENTURE
By David B. Holt

6901 Capital of
Texas North

From "I-SF-2"
to "LO"

ZONING POSTPONED

The following zoning case hearing was postponed, at the applicant's request, until October 17, 1985 at 5:00 p.m.

-85 HRH AUSTIN NO. 1
036 By Myrick-Newman

7500 FM 969
6400 Sandshof Drive
7200 Loyola Lane

From "I-SF-3"
To "TR.1-LR"
"TR.2-SF-3"
"TR.3-MH"

RECOMMENDED subject to
dedication of up to 60'
right-of-way from
centerline of Loyola and
75' right-of-way from
centerline of FM 969,
subject to TIA.

FINAL WATER MANAGEMENT PLAN

Jerry Lawson presented the City Manager Report on the Final Water Management Plan. A copy of the report is on file in the City Clerk's Office.

Motion

The Council, on Councilmember Rose's motion, Councilmember Humphrey's second, adopted the Final Water Management Plan as recommended by staff, and instructed the City Manager to instruct staff through the appropriate boards and commissions to look at designing an incentive program for low flush toilets and residential housing facilities and try to develop in the appropriate amount of time that kind of program as well as an incentive program for Xeroscaping, particularly in new construction. (7-0 Vote)

PUBLIC UTILITY EASEMENTS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, adopted a resolution dedicating public utility easements out of three certain City-owned tracts of land. (7-0 Vote)

ADJOURNMENT

Council adjourned its meeting at 5:45 p.m.