



Austin City Council MINUTES

For FEBRUARY 16, 1984 - 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
Acting 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 Council, on Councilmember Spaeth's motion, Mayor Mullen's second, approved minutes for regular meeting of February 2, 1984 and special meetings of February 8 and 9, 1984. (6-0 Vote, Councilmember Shipman was out of the room.)

CARVER LIBRARY DISCUSSED

Mr. Burt Ellison and Rev. Frank Garrett Jr. appeared before Council to discuss the ordinance authorizing placement of public access production and editing equipment in the Carver Library. They were both complimentary to the idea of the ordinance.

Mr. Mike Manor and Ms. Brenda Malik, who had requested to speak to the same issue, did not appear.

RENTAL OF AUDITORIUM SHORES

Mr. Steve Warrington appeared before Council to discuss amendment to ordinance concerning rental of Auditorium Shores. His statement was that the fees are now too high. He represents the Sertoma Art Fair which annually holds its art fair on auditorium shores.

CONSENT ORDINANCES

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

Zoning Ordinances

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

S.E. LIMITED	3200 Parker Lane	From Interim "A" 1st
By Embrey Invest-	also bounded by	H&A to "B" 1st H&A
ments, Inc.	proposed Wichshire	
C14-83-025	Lane	

CITY OF AUSTIN	2500-2508 & 2501-2507	From "B" 1st H&A
PLANNING DEPARTMENT	Inwood Place, 1206-1314	to "A" 1st H&A
C14-82-153	Possum Trot, 2406-2510 &	
	2407-2515 Quarry Road,	
	2408-2504 W. 12th Street	

CITY OF AUSTIN	1800 E. Stassney Lane	From "GR" 1st H&A
C14r-83-234	<u>PASSED AS AN EMERGENCY</u>	to "B" 1st H&A

Item Pulled

Council pulled from the agenda until February 23, 1984, consideration of terminating the moratorium on move-on's and new building in the Mockingbird Hill Area. They did approve extending the moratorium for one week.

CONSENT RESOLUTIONS

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

Contracts Approved

Approved the following contracts:

- | | | |
|----|-------------------------------------|------------------------------------|
| a. | WESTINGHOUSE ELECTRIC CORPORATION - | CAPITAL IMPROVEMENTS PROGRAM - |
| | 201 North St. Mary's Suite 512 | System Protection Relays, Electric |
| | San Antonio, Texas | Utility Department |
| | | Items 1-19 - \$154,419.69 C.I.P. |
| | | No. 84/16-01 |
| b. | GENERAL ELECTRIC COMPANY | - CAPITAL IMPROVEMENTS PROGRAM - |
| | 1600 North East Loop 410 | System Protection Relays, Electric |
| | San Antonio, Texas | Utility Department |
| | | Items 1-7 - \$55,901.00 C.I.P. |
| | | No. 84/16-01 |

- c. ROBERT JENTSCH CONSTRUCTION
P. O. Box 3343
Austin, Texas
 - CAPITAL IMPROVEMENTS PROGRAM -
Cherry Creek Drainage Improve-
ments, Public Works Department -
\$466,920.75 C.I.P. No 79/60-04
- d. MYCOFF ASSOCIATES, INC.
2500 West Mississippi Avenue,
Suite 165
Denver, Colorado
 - Consultant Recruiting Assistance-
Load Management Engineer, Electric
Utility Department
Four (4) Month Contract
Total \$7,500.00
- e. CHAPA CONSTRUCTION COMPANY
P. O Box 6482
Austin, Texas
 - Rest Room at Harold Court, Water
and Wastewater Department
Total \$11,900.00
- f. DEAN'S EQUIPMENT RENTAL &
EXCAVATING COMPANY
1800 North IH-35
Round Rock, Texas
 - Rental of Heavy Equipment with
Operators, Water and Wastewater
Department
Total \$149,040.00
- g. ARROW INDUSTRIES, INC.
2625 Belt Line Road
Dallas, Texas
 - Disposable Plastic Can Liners,
Purchasing Department
Six (6) Month Supply Agreement
Item 1-4 - \$22,748.00
- h. BANCROFT PAPER COMPANY
2201 East 6th Street
Austin, Texas
 - Toilet Tissue, Purchasing
Department
Six (6) Month Supply Agreement
Total \$18,680.00
- i. UARCO, INC.
7718 Wood Hollow, Suite G54
Austin, Texas
 - Printing Delinquent Parking
Notice Mailer, Municipal Court
Total \$8,725.50
- j. GENERAL ELECTRIC SUPPLY COMPANY
3101 Longhorn Boulevard, #116
Austin, Texas
 - PVC Conduit, Purchasing Department
Twelve (12) Month Supply Agreement
Items A-1 thru A-3 - \$28,126.00
- k. LANFORD EQUIPMENT COMPANY
830 Airport Boulevard
Austin, Texas
 - Forklift, Vehicle and Equipment
Services Department
Item 1 - (2000 pound capacity)
\$8,663.16
- l. LANFORD EQUIPMENT COMPANY
830 Airport Boulevard
Austin, Texas
 - Forklift, Vehicle and Equipment
Services Department
Item 1 - (5000 pound capacity)
\$18,906.78
- m. UEC EQUIPMENT COMPANY
3004 Navigation Boulevard
Houston, Texas
 - Aerial Tower and Body, Vehicle
and Equipment Services Dept.
Item AT-2 - \$54,717.00

2/16/84

- n. BAKER AND TAYLOR
Mt. Olive Road
Commerce, Georgia
 - Adult and Juvenile Books,
Austin Public Libraries
Twelve (12) Month Period
Estimated \$500,000.00
- o. AUSTIN-TRAVIS COUNTY ALCOHOL
COUNSELING SERVICES
605 San Antonio Street
Austin, Texas
 - Interlocal Cooperation Agreement
to provide alcohol counseling
services to Municipal Court
clients for one (1) year period,
Municipal Court - \$33,708.00

Sale of Real Property

Authorized the sale of real property, consisting of eight lots in the Blackshear and Glen Oaks Urban Renewal Project Areas for a total sale amount of \$4,652.00.

- a. T.L. Wyatt - Lots R-2, R-3, R-4 - \$3500.00 (Mr. Wyatt could not qualify until he resigned from the Cable Commission.)
- b. Jeannette Tyler - Lots R-1, R-5, R-6, R-9 - \$677.00
- c. Tony Browning - Lot R-8 - \$475.00

Humane Society Lease

Amended lease with the Humane Society of Austin and Travis County to permit construction of an addition for animal control personnel.

Lease with Twin Towers

Approved amending the lease with Twin Towers Ventures for the Health Department.

Electric Utility Matters

Approved retaining the law firm of Heron, Burchette, Ruckert & Rothwell to represent the City of Austin with regard to certain electric utility matters.

Item Pulled

Pulled from the agenda for two weeks, consideration of issuing a Request for Proposal for risk assessment study in connection with the South Texas Project.

Acting City Manager Salary

Approved fixing the salary for the Acting City Manager at the level of the former City Manager's, effective January 13, 1984.

Water & Wastewater Approach Mains

Approved the following water and wastewater approach mains:

- a. JOHN NOELL
 - Water Approach Main to include approximately 10.918 acres of residential development for Taylor - Draper Tract. No City cost participation.
- b. TED NAUMANN
 - Wastewater Approach Main to include approximately 12.92 acres of residential development for Angus Trails Subdivision. City cost participation - \$20,980.00.
- c. CHARLES HOWARD
 - Water Approach Main to include approximately 241 acres of residential development for Meadow Mountain. No City cost participation.
- d. TED NAUMANN
 - Water Approach Main to include approximately 12.92 acres of residential development for Angus Trails. No City cost participation.

Public Hearings Set

Set public hearings on the following:

- a. Consideration of Northtown MUD: March 1, 1984.
- b. Amending Chapter 13-2 (Zoning Ordinance) of the Austin City Code to require compliance with uniform attendance Ordinance N. 801016-E for Historic Landmark Commission members: March 8, 1984 at 2:30 p.m.

- c. Dedication of a permanent easement for the construction of a wastewater line across Symphony Place, a portion of City's Waller Creek Greenbelt, and a temporary easement adjacent thereto during construction: March 22, 1984 at 2:30 p.m.
- d. In connection with the dedication of a permanent easement for the construction of a wastewater line across St. John's Playground and a temporary easement adjacent thereto during construction: March 22, 1984 at 2:00 p.m.
- e. Hearings for the following service area amendments are set for February 23, 1984 at 2:00 p.m.:
 - (1) Water and Wastewater Utility to include approximately 25.143 acres of residential development containing 200 L.U.E.'s for Watson Tract.
 - (2) Water and Wastewater Utility to include approximately 550 acres of residential commercial development containing 4066 L.U.E.'s for Dessau 550.
 - (3) Water and Wastewater Utility to include approximately 30.8 acres of residential commercial development containing 215 L.U.E.'s for Loop 360 - U.S. 290.
 - (4) Water and Wastewater Utility to include approximately 12.28 acres of residential commercial development containing 80 L.U.E.'s for C. Arnold Survey No. 78 and Bird Arnold Survey No. 78.
 - (5) Water and Wastewater Utility to include approximately 1.37 acres of residential development containing 1 L.U.E. for Lot 14, S. J. Larson Estate.
- f. An amendment to Chapter 13-2 (Zoning) of the Austin City Code regarding the expiration of Planned Unit Development: March 8, 1984 at 2:00 p.m.

FIVE-YEAR FINANCIAL FORECAST

The Council, on Councilmember Rose's motion, Councilmember Duncan's second, waived the requirement for three readings and finally passed an ordinance establishing an annual review and approval process by the City Council of a Five-Year Financial Forecast. (7-0 Vote)

AUSTIN ROWING CLUB

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, approved the request of the Austin Rowing Club for permission to use gasoline powered motorboats not to exceed 25 h.p. on Town Lake for training, safety, and officiating purposes in connection with the Spring Rowing Program and Heart of Texas Regatta to be held March 10-25, 1984. (7-0 Vote)

CONGRESS AVENUE BRICKS

The Council, on Councilmember Shipman's motion, Councilmember Spaeth's second, approved the request of Ms. Pauline Camp, Historian of the Symphony Square Committee, requesting that the City of Austin make available to Symphony Square 1700 of the Congress Avenue bricks for three walks around the Doyle House. (7-0 Vote)

NO ACTION TAKEN ON REQUEST

Council took no action on the request of Mr. Roger Bargelt to discuss an amendment to ordinance concerning rental of park land.

AMENDMENT TO WATERSHED ORDINANCE

Council had before them for second and third readings of an ordinance amending the Watershed Ordinance for Onion Creek, Bear Creek, Little Bear Creek, Williamson Creek and Slaughter Creek.

(COMPLETE TRANSCRIPT OF DISCUSSION IS ON FILE IN CITY CLERK'S OFFICE.)

The following motions were made during the discussion:

Motion

The Council, on Councilmember Rose's motion, Councilmember Urdy's second, approved continuance of the work session which was begun on February 13, continued on February 14 and today. (5-0 Vote, Mayor Pro Tem Trevino abstained, Councilmember Shipman was out of the room)

Motion

The Council, on Councilmember Duncan's motion, Councilmember Urdy's second, closed the work session hearing. (6-0 Vote, Mayor Pro Tem Trevino abstained.)

Motion

Councilmember Duncan made the following motion, seconded by Councilmember Urdy:

"I move that we pass on second reading only the version of the Edwards Aquifer related watershed ordinance amendments which passed on first reading January 19, 1984. Further, I would like to request staff to assimilate and analyze the additional information supplied to Council during our work sessions and supply that analysis to the Environmental Board in no later than thirty days. Also, I move that staff prepare ordinance revisions that require

WATERSHED ORDINANCE - (Continued)

state-of-the-art engineered control structures, a mechanism for maintenance, inspection and enforcement of those engineered structures and a sufficient increase in applicable fees to implement the increased enforcement. At the time of final reading I would like consideration of the resolutions dealing with the Edwards Aquifer. Finally, I would like the staff reports and the Environmental Board's recommendations in forty-five days to allow Council and public review for two weeks prior to Council's final action."

Second to Motion Withdrawn

Councilmember Urdy withdrew his second to the motion.

Second to Motion

Councilmember Shipman seconded the motion.

Motion - FAILED

Councilmember Rose made a motion, seconded by Mayor Mullen to stop debate and call for the question. Motion FAILED by a 2-4 vote with Councilmembers Rose, Spaeth and Urdy and Mayor Mullen voting NO.

Substitute Motion

Councilmember Urdy made a substitute motion, seconded by Councilmember Rose to pass through SECOND READING ONLY an ordinance amending the Watershed Ordinance for Onion Creek, Bear Creek, Little Bear Creek, Williamson Creek and Slaughter Creek as stated in Councilmember Duncan's motion, but omitting density consideration. Motion passed by a vote of 4-2 with Councilmembers Shipman and Duncan voting No, and Mayor Pro Tem Trevino out of the room.

RIVER PLACE MUD

The Council, on Councilmember Spaeth's motion, Councilmember Duncan's second, waived the requirement for three readings and finally passed an ordinance granting the consent agreement for the River Place Municipal Utility District Number 1. (6-0 Vote, Mayor Mullen had left the Council Chamber for the day and was absent for the vote)

Prior to the vote Jorge Carrasco, Acting City Manager, said they have provided Council with a recommendation on this and have outlined the conditions under which the MUD consent agreement can be considered by Council.

Terry Childers, Assistant City Manager, stated for Council, "On February 13th we provided you with seventeen different items with regard to the consent agreement and the consent agreement has been granted or prepared. We are recommending to you that the MUD be approved upon those conditions. Briefly, what those items are, they relate to creation of the MUD based on the 949 acre MUD, 504 acres outside of district service. The growth residential density is 1.26 units per acre and a total of 1800 L.U.E.'s. The applicant also will be responsible for buying and constructing the roadway link to Glen Lake Drive and its eastern boundaries. The City will be allowed to annex the district 10 years from the date...." Councilmember Shipman then asked Mr. Childers to list the things step by step.

Mr. Childers continued, "I've covered the first two items with regard to the density and the LUE's and the requirement that the applicant buy and construct a link with Glen Lake Drive. Item 3 is that the city would be allowed to annex the district within 10 years from creation, that is, 90% of the installation of facilities. The Planning Commission will approve all subdivision plats as is normally required. All three preserve and park areas will be dedicated to the City. The applicant will have an easement to use 52 acres of the reserve for irrigation purposes. Item 6 relates to our concern with the use of pesticides. The applicant has agreed to use safe pesticides and herbicides on the golf course. Number 7, the final plat of the subdivision will be submitted showing approved means of wastewater disposal for out of district lots. Item 8 the owner agrees to construct the physical facilities for installation of stone water monitoring systems and stations including but not limiting new equipment, housing and water measurement structure such as flumes and weirs. Item 9 relates to no utility service can be provided to out of district areas without City approval of the land plan for such areas. Item 10, River Place will not be grandfathered by a FM 2222 ordinance passed by Council at any future date. Water conservation methods, item 11, by the district will be at least as stringent as those outlined in the City of Austin water conservation code. Item 12 relates to if an agreement is reached within 6 months of the date of the consent of the district consideration to construct wastewater interceptor in the cow fork of Bull Creek drainage basin, the district will obtain wastewater service for the City through the approach main process. Item 13 recommends water lines

RIVER PLACE - (Continued)

will be built to finished standards. Item 14 agrees to the financial conditions as outlined in item 12 of the memo February 6 entitled "Update on Issues". The consent agreement financial conditions says the City can annex at a specified date or period of time without assuming any district liability. The applicant proposes the following terms and conditions listed items a through d and I will refer that to the financial people to discuss the specific financial arrangements. The consent agreement will provide for the dedication of a fire station site, a water quality pond will be located on a main tributary with drainage to the bulk of the golf course in most dense development. It is also recommended the applicant, as outlined in the memo of February 6, entitled Update on the Issues, agree to certain items such as the land reserve for wastewater irrigation should be shown on the revised land plan, the consent agreement will provide for the dedication to Leander School District for a school site. The consent agreement provides that the owners in the district agree not to obtain a certificate of convenience and necessity from the PUD if the MUD is created. The consent agreement also provides for an investment for public residential recreational facilities of \$234,000.00. The conservation easement is defined in the agreement in a manner that clearly limits land distribution. The consent agreement also provides that no re-sale of water or additional out of district service will be allowed without approval from the Director of Utility Services for the City of Austin and the land plan should be revised with the items listed above."

Ms. Sherrill, Finance Department, said there will be two separate bond issues, and there will be no liability to the City. Mr. Lillie, Director of Planning, stated the land plan will meet ordinance requirements.

Mary Arnold said the plan does not meet the three day requirement on the MUD review ordinance.

Mr. Ridings, Director of Public Works, said no irrigation is proposed for the parkland area. Conservation measures will be taken to minimize any disturbance in the area.

Ed Wendler Sr., representing the applicant, said the area will be residential.

ZONING ORDINANCES

The Council, on Councilmember Urdy's motion, Councilmember Duncan's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (6-0 Vote, Mayor Mullen absent.)

ZONING ORDINANCE - (Continued)

GEORGE BLACKBURN, JR. C14r-83-189	13160 Research Blvd. 8505 Balcones Club Drive	From Interim "AA" 1st H&A to "GR" 1st H&A
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ESTATE OF E.R. & JANE E. BARROW By the Aubry Group C14-83-221	5701-5711 Mt. Bonnell Road, 4324-4412 Bull Creek Road	From "A" 1st H&A to "A-2" 1st H&A
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SOUTHWEST TRAVIS COUNTY MUD

The Council, on Councilmember Urdy's motion, Councilmember Rose's second, waived the requirement for three readings and finally passed an ordinance approving the adoption of a bond ordinance by the Southwest Travis County Municipal Utility District No. 1 for the issuance of \$1,300,000 in district bonds. (6-0 Vote, Mayor Mullen absent)

CITY MANAGER REPORTS

The folling City Manager Reports were presented. Copies of the reports are on file in the City Clerk's office.

1. STNP REPORT. Councilmember Duncan stated, after the report was presented by Ed Aghjayan, Director of Utilities, that he would like to look at conversion of the facility to coal.
2. PRODUCTIVITY PROGRAM - IMPLEMENTATION PLAN
3. FIVE YEAR FINANCIAL FORECASTS - ASSUMPTIONS
4. ACQUISITION OF THE OLD ANDERSON HIGH SCHOOL FACILITY FROM THE AISD
5. TAXICABS STATUS REPORT
6. WASTEWATER SERVICE - LOOP 360 AREA

In connection with this the following resolutions were passed and staff was directed to proceed with the study:

The Council, on Councilmember Shipman's motion, Councilmember Duncan's second, adopted a resolution approving a water approach main to include approximately 97.49 acre of commercial development for the Friesenhahn Tract. (6-0 Vote, Mayor Mullen absent)

REPORTS - (Continued)

The Council, on Councilmember Shipman's motion, Councilmember Duncan's second, adopted a resolution approving a Wastewater Approach Main to include approximately 97.49 acres of commercial development for the Friesenhahn Tract. (6-0 Vote, Mayor Mullen absent.)

EXECUTIVE SESSION

Mayor Mullen announced Council would go into executive session pursuant to Article 6252-17 to discuss the following matters:

- a. Boards and Commissions Appointments, Section 2,
Paragraph g.
- b. Acquisition of Real Estate for Sanitary Landfill -
Section 2, Paragraph f.

RECESS

Council recessed for their executive session at 5:40 p.m. and resumed their recessed meeting at 5:59 p.m.

EMINENT DOMAIN PROCEEDINGS

The Council, on Councilmember Duncan's motion, Councilmember Urdy's second, adopted a resolution authorizing Eminent Domain proceedings to acquire the following tract of land for the expansion of the F.M. 812 Landfill: 295.20 acres of land out of the Garner Mays Survey No. 501 and the J.C. Bittick Survey No. 500 in Travis County, Texas. (T.C. Buck Steiner, owner)

The Council, on Councilmember Duncan's motion, Councilmember Urdy's second, adopted a resolution authorizing eminent domain proceeding to acquire the following tract of land for the expansion of the F.M. 812 landfill: 76.07 acres of land, same being out of and a part of that certain 270 acre tract of land out of the Garner Mays Survey No. 501, the J. Bittick Survey No. 500 and the Santiago Del Valle Grant in Travis County, Texas. (Two Hundred Forty-Four Joint Venture, owner.)

ADJOURNMENT

Council adjourned its meeting at 6:01 p.m.