



Austin City Council MINUTES

For **NOVEMBER 29, 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
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 Shipman's motion, Mayor Mullen's second, voted to approve minutes for the Regular Meeting of November 8, 1984 and Special Meeting of February 7, 1983. (6-0 Vote, Councilmember Urdy was out of the room.)

SEWAGE LINES DISCUSSED

Mr. M.C. Tyer Jr., appeared before Council to discuss installation of sewage lines on Trinity Hill Drive and River Oaks Trail.

CONSENT ORDINANCES

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

Operating Budget Amendment

Amended the FY 84-85 Operating Budget by:

- a. Appropriating \$84,743 from the General Fund ending balance to fund the Van Pool Program in the Urban Transportation Department.

- b. Accepting \$17,500 of additional Title X Family Planning grant funding for a part-time family planning health educator position.
- c. Appropriating \$5,700 from the General Fund Ending Balance to fund a wage increase for the Municipal Court Relief Judges, retroactive to October 1, 1984, and proportionate to wage increase approved for full-time municipal judges.
- d. Appropriating \$80,778 to U.T. LBJ School of Public Affairs and \$37,630 to Austin Families, Inc. to fund programs previously recommended for funding from CDBG funds. (See page 23 for motion reconsideration and final vote on this item.)

Capital Improvements Program

Ordered and set a public hearing at 4:00 p.m., January 17, 1985 in connection with paving assessments to be levied on Eberhart/Cooper Lane, Phase 2, consisting of one unit covering approximately 7 blocks. CAPITAL IMPROVEMENTS PROGRAM No. 78/62-31.

City of Austin Commission for Women

Amended Chapter 7, Section 3-2 of the Austin City Code of 1981 to include one additional member emeritus with the right to vote to the City of Austin Commission for Women.

Item Postponed

Postponed until December 6, 1984 consideration of the consent agreement for the creation of the Davis Springs Municipal Utility District.

Electric Utility

Approved establishing a policy for setting the annual Transfer to General Fund for the Electric Utility.

Water Utility

Approved establishing a policy for setting the annual Transfer to General Fund for the Water Utility.

Zoning Ordinances

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

11/29/84.

- a. ROY MCNAIL 10214 I.H. 35 North From Interim "AA" 1st H&A
By J. Brent Rauhut to "C" 1st H&A
C14r-84-240
- b. TRAMMELL CROW 11000, 11100, 11110 From Interim "A" 1st H&A
By David C. Bodenman & 11212 Metric Blvd., to "DL" 1st H&A
C14-84-087 (part) 2120 & 2111 Braker Lane
- c. FSA/HARRISON-PEARSON 1623-1707 North Bluff From Interim "A" 1st H&A
By C. Steve Duryea, Jr. Drive, 6601-6619 Bluff to "GR" 1st H&A
C14-84-025 Springs Road
- d. MILWOOD JOINT VENTURE 6104-6298 McNeil Road From Interim "AA" 1st H&A
II to "PUD" & "AA" 1st H&A
By Ken Manning
C14-84-022 (part)
- e. ROCKCLIFF ESTATES 1405 Rock Cliff Road From Interim "LA" & "A"
By Westlake Ltd. 1st H&A to "P.U.D."
C814-82-005.02(83)
- f. CITY OF AUSTIN OFFICE All of: Sierra Madre From Interim "AA" 1st H&A
OF LAND DEVELOPMENT Drive, Sierra Leon to "AA" & "BB" 1st H&A
SERVICES Drive, Autumn Ridge,
C14-83-302 (part) Juniper Ridge Drive,
Buttonwood Drive, Shade
Tree Cove, Leatherwood
Cove, Key Way, Barker
Ridge Drive, Barker Ridge
Cove, Barker Vista Cove,
Cedar Cliff Drive, Bull
Ridge Drive, Bull Ridge
Cove, Tributary Ridge Drive,
Portions of: Foxway Drive,
Penny Creek Drive, Taylor Draper
Lane, Sierra Nevada, Ladera
Vista Drive, Morado Circle,
Woodcrest Drive, Floral Park
Drive, Painted Valley Drive,
11500-11604, 11501-11605
Bell Avenue.

ZONING ORDINANCES - (Continued)

- g. CITY OF AUSTIN 12117-12135 Dorsett Rd. From Interim "AA" 1st
OFFICE OF LAND H&A to "AA" 1st H&A
DEVELOPMENT SERVICES
C14-84-067 (part)
- h. OLLIE L. BOOTHE 6509-6511 Manchaca Road From Interim "A" 1st H&A
By Darrell & Maxine 1942 Miles Lane to "O-1" 1st H&A
Black
C14-83-287

EMERGENCY PASSAGE OF ORDINANCE

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)

Release of Easements

Authorized release of the following easements:

- a. The 10' Electric Easement recorded in Volume 8141, Page 170, of the Travis County Real Property Records and located on Lot B, Walden Park No. 2, 2115 South Lamar Boulevard. (Request submitted by Mr. R. W. Ellmer)
- b. The Public Utility Easement recorded in Volume 8650, Page 864, of the Travis County Real Property Records and located on Lot 3, Perry Addition, 4020 IH 35 South. (Request submitted by Mr. Michael Frey of Brock Residence Inns, Inc.)
- c. The 5' Electric and Telephone Easement recorded in Volume 3758 Page 1712, of the Travis County Real Property Records and located at Harmon Avenue at 46th Street. (Request submitted by J. H. Eccleston Johnston, Jr.)
- d. A Portion of the 7.5' Public Utility Easement along the rear of Lot 7, Block H, Quail Creek West, Phase 2, Section 11, 9901 Mearns Meadow Cove. (Request submitted by Bolton Gregory)

License Agreements

Approved entering into the following License Agreements:

- a. To allow the encroachment of a landscaping and a sprinkler system into the public right-of-way of West 5th Street, West 6th Street and Sayers Street, 1100 Block. (Request submitted by Mr. Scott Carter of Joan D'Arc Ltd.)
- b. To allow the encroachment of landscaping planter boxes into the East 11th Street right-of-way, 600 & 700 Blocks. (Request submitted by Russo Properties, Inc.)

Capital Improvements Program

Authorized purchase of Lots 37, 38 and 39, Kings Village Subdivision Section 2, Part 1 for the proposed Howard Lane Electric Substation in the amount of \$69,690. CAPITAL IMPROVEMENTS PROGRAM No. 85/16-11.

Contracts Approved

Approved the following contracts:

- | | |
|--|---|
| a. G&L VBJ OFFICE STATIONERY
515 South Congress
Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
Document File Cabinets, Municipal
Court - Total Amount \$15,477
C.I.P. No.81/87-04 |
| b. DON E. PHILLIPS, INC.
8000 Blue Goose Road
Manor, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
Installation of Underground
Electric Distribution Facilities
for Buckingham Estates, Phase 4,
Section B, Electric Utility
Department - \$36,967.39
C.I.P. No. 84/15-01 |
| c. WEHERING-GROSS EQUIPMENT CO.
11146 North IH 35
San Antonio, Texas | Replacement of a P&H 35 Ton Mobile
Crane Boom Section, Electric
Utility Department
Total \$10,260.35 85-0005-MB |
| d. FIRE PROTECTION SERVICE COMPANY
185 Aldine Bender, STE 404
Houston, Texas | Upgrading the Air Mask Shop, Austin
Fire Department
Total \$15,800 84-0396-AV |
| e. FIRE PROTECTION SERVICE COMPANY
185 Aldine Bender, STE 404
Houston, Texas | Cascade Upgrade of Rescue Unit
Number 2, Austin Fire Department
Total \$9,600.00 85-0010-AV |

CONTRACTS - (Continued)

- f. PROPERTY REHABILITATION
CONSULTANTS
2417 1/2 North High Street
Columbus, Ohio
Acquisition of Software, Housing
and Community Services Department
Total \$11,350.00 84-S371-LK
- g. Bid award:
Traffic Signal Assembly Poles and
Masts, Central Stores Division
Total amount \$88,216.00
84-0387-AV
- (1) TECHLINE, INC.
8750 Shoal Creek Blvd.
Austin, Texas
Items 5-11 - \$34,048.00
- (2) UNION METAL CORP.
8428 Kate Street
Dallas, Texas
Items 1-4 & 12 - \$54,168.00
- h. LADDER TOWERS, INC.
R.D. 2, Cocalico Creek Road
Ephrata, Pennsylvania
Two Ladder Tower Fire Trucks,
Vehicle and Equipment Services
Department
Total \$742,608.00 84-0319-MB
- i. Bid award:
Captive Parts, Federal and Whelen
Light Bars and Sirens, Vehicle and
Equipment Services Department
Two (2) thirty-six (36) Months
Supply Agreements
Estimated Total \$17,000.00
84-0392-MB
- (1) FEDERAL SIGNAL CORPORATION
14934 Webb Chapel, Suite 32
Dallas, Texas
Item 1 - Estimated total
\$11,000.00
- (2) S&L SEAGRAVES
5214 Burleson #401
Austin, Texas
Item 2 - Estimated total
\$6,000.00
- j. RADIOLOGY CONSULTANTS
711 W. 38th St., Suite B8
Austin, Texas
Radiology Consultant Services,
Health Department
Twelve (12) Month Contract
Estimated total \$9,500
85-S172-LI
- k. AUSTIN PATHOLOGY ASSOCIATES
711 W. 38th St., Suite 11
Austin, Texas
Pathology Consultant Services,
Health Department
Twelve (12) Month Contract
Estimated total \$9,500
85-S173-LI

11/29/84

CONTRACTS - (Continued)

- | | |
|---|--|
| 1. OLMOS EQUIPMENT COMPANY
203 W. Nakoma
San Antonio, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
Northwest Park Redevelopment and
Detention Facility, Public
Works Department - \$4,759,936.09
C.I.P. No. 82/60-05 |
| m. IBM CORPORATION
505 Barton Springs Road
Austin, Texas | - One hundred eighty-four (184)
currently installed computer
terminals, Communications
Department - \$237,979.50
85-S162-LK |

CDBG Funds

Approved CDBG funds for acquisition/rehabilitation - University of Texas Project in the following amount and authorize staff to enter into contract with KMK Custom Design, 10 Rocky Cove Drive:

- a. 2905 Kuhlman - \$30,000
- b. 3005 Kuhlman - \$32,500
- c. 3007 Kuhlman - \$31,000
- d. 2901 Glen Rae - \$32,000
- e. 3002 Webberville - \$32,950

Right of First Refusal

Approved right of first refusal agreement with Windermere Utility Company.

Sale of Real Property

Approved sale of real property, consisting of 9 lots in the Blackshear Urban Renewal Project Area to the Blackshear Residents' Organization, a non-profit corporation, for a total sale amount of \$90.00.

Item Pulled

At staff's request, a resolution to consider approval for the transfer of \$92,000 from the Doris Miller Auditorium C.I.P. Project No. 867251 for renovation of the lower room at Rosewood Recreation Center and construction of outside restrooms at Rosewood Park and Givens District Park, was pulled from the agenda.

Public Hearings Set

Set public hearings on the following:

- a. Master Urban Design Plan for the East Eleventh/East Twelfth Streets and Rosewood Avenue Commercial Corridor, as completed by Carter and Parshall Associates: December 13, 1984 at 4:30 p.m.
- b. Amendment to Chapter 13-2A (New Zoning Ordinance): December 20, 1984 at 3:15 p.m.
- c. Amending Chapter 13-2 and Chapter 13-2A to implement Phase II of the Capitol View Corridor Ordinance: December 20, 1984 at 3:45 p.m.

Associate City Clerk

Approved appointment of Barbara Bell as Associate City Clerk.

ITEMS FROM COUNCIL APPROVED

The Council, on Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, approved the following items introduced by Councilmember Duncan:

1. Staff to set annual growth targets to the year 2010 for:
 - a. Utility services infrastructure build-out and capacities.
 - b. Capacities for all arterials and collector streets.
2. Staff is to develop a process for issuing and regional limitations of services based on growth targets and the Growth Watch Statistical base.
3. Adopt components of an industrial packet to be sent to Fortune 500 Companies.

PUBLIC HEARING - INDUSTRIAL DEVELOPMENT BOND

Mayor Mullen opened the public hearing set for 1:30 p.m. on an Industrial Development Bond Financed Project proposed by Habitat Village Limited, located at Highland Mall Boulevard, between Airport Boulevard and Middle Fiskville Road. There were no speakers.

There were no speakers. Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, closed the public hearing and withdrew the proposal. (7-0 Vote)

EXTENSION OF MOPAC (LOOP 1) 290 SOUTH

Councilmember Rose introduced an item to Council to consider adopting a route for the southern extension of MoPac (Loop 1) 290 south.

Mr. Allen Brecher reviewed the proposed route by referring to a series of maps on display. When he stated that one alternative is to route through a portion of Dick Nichols Park, Mr. Paul Isham, City Attorney, explained there would be a public hearing to determine that no harm would be done to the park land. Discussion followed of all options.

Ted Miller, president of Beckett Estates/McCarty Lane Neighborhood Association, stated the plan before Council is the one approved by the neighborhood associations. He said they support Option 1A which puts the road through the parkway with the caveat that the developers will contribute the additional land which has been discussed in sub-committee meetings, providing a net increase of approximately 33 acres to the existing 130 acre park, which would provide a 163 acre park.

Glen Reschke, Austin Partners, said they have an interest in a tract of land affected by two alternatives proposed. He discussed.

Seretha Henry spoke as one involved in the development of the southwest roadway plan. She said a number of land developers have put their plans on hold and tried very hard to work all of this out. She said many of them now are going to be forced to move ahead and "we are in danger of losing our window, and if indeed we lose our window then it will mean major condemnation in order obtain land to build a road or the whole southwest area is left with an extremely deficient roadway plan. Landscaping can be included in agreements with developers on the donation of the right of way or the acquisition of right of way....."

Fred Stockboro, president, Latta Lane Neighborhood Association, discussed a petition he handed out to Council.

Jack Sullivan, Ray Brown Subdivision, said his house is one which will be destroyed if the sector through the Ray Brown or Latta Drive area is taken. He does not want this to happen.

Elizabeth Bard, who lives in Maple Run Subdivision, discussed the road system proposed and said if the four residences were removed in order for the road to go down Latta Lane, then it would be harder for emergency equipment to get to them.

Miguel Guerrero said they feel B1 is the route. He represents NPC and Bill Milburn.

Motion

Councilmember Rose made a motion for Council to accept the

MOPAC - (Continued)

B1 alternative on the basis of the dedication of 33 acres of parkland, that for the strip through the area from the park upward toward the William Cannon area, that that be 200 feet of right-of-way, but for the portion from the park down south, that be at 300 feet of right-of-way, (we do not need 300 feet of right-of-way for the west alignment because the flood zone and parkland will give more than the 100 feet already), so the motion would be for 200 feet from the park north up to McCarty Lane, the B1 alignment, the dedication of 33 acres of parkland, from the park south where it splits the two districts, that will be 350 feet; from McCarty to 290, that will be 300 feet; it will 300 feet from McCarty to William Cannon." Councilmember Urdy seconded the motion.

Motion Amended

Councilmember Rose added to his motion, "until we have the negotiations finalized we will not allow any platting in the 2A alignment area".

Roll Call

7-0 Vote

VAN POOL PROGRAM

Mayor Mullen introduced an item to Council concerning a Van Pool Program. City Manager Carrasco stated the City owns two vans, one will have a pool to the north and one will have a pool to the south.

Allen Brecher, Director of Urban Transportation, stated the City will set up a ride-share program for employees in the City.

CABLE COMMISSION

Jane Wells, chairperson, Cable Commission, reviewed access management.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Duncan's second, adopted a resolution approving \$380,486.20 for the 1984-85 Access Management Services Contract with Austin Community Television; payable from the Cable Access Fund. (6-0 Vote, Mayor Pro Tem Trevino out of the room.)

ITEM TO BE BROUGHT BACK

Consideration of appointments to the Board of Directors of the Higher Education Authority was postponed until December 13, 1984.

11/29/84

ITEM TO BE BROUGHT BACK

Mr. Robert Lance Giles, who had requested to appear before Council to discuss exemption from Capital Recovery Fee Ordinance, will appear December 6, 1984.

EXEMPTION APPROVED

The Council, on Councilmember Duncan's motion, Mayor Mullen's second, approved the request of Mr. William E. Smith for exemption from Ordinance 840209-K for refurbishing project located at 1117 West 5th Street. (6-0 Vote, Mayor Pro Tem Trevino out of the room.)

CITIZEN DID NOT APPEAR

Ms. Melissa G. Scott, who had requested discussion of amendments to the Massage Parlor Ordinance, did not appear. Her problem had been resolved.

Mr. Jack Sullivan who had requested to discuss nonconforming status for Council to instruct staff to expedite zoning program, did not appear. His problem is being resolved.

MORATORIUM REQUESTED

Dr. George W. Hoffman appeared before Council to request that Council establish a moratorium for all building permits and demolitions until demonstrated proof is available that the City's infrastructure can accommodate the expected traffic and utility developments.

Staff will do a study and the City Manager will report back on December 6, 1984.

PUBLIC HEARING - VACATION OF PORTION OF WEST MONROE

Mayor Mullen opened the public hearing set for 3:30 p.m. on vacation of a portion of West Monroe Street right-of-way at South First Street.

Richard Ridings, Director of Public Works, said the property owner, Mr. John C. Miller, has a building which is encroaching on a portion of the right-of-way. He showed a picture of the building in question. Mr. Miller wants to buy an area 63 square feet which represents the length of the building, one foot wide. Mr. Ridings stated this has been reviewed and approved by the appropriate departments.

O. Tripgoers appeared before Council to say the business involved

creates a hazard. There are cars parked on the sidewalk and wreckers on the bridge are parked illegally. He feels the body shop business is not conducive to a good situation.

Lonnie Davis, Director of Building Inspection, said they will look into the matter of illegally parked vehicles and determine what is to be done.

Motion

The Council, on Councilmember Spaeth's motion, Mayor Mullen's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance vacating a portion of West Monroe Street right-of-way at South First Street. (5-0 Vote, Councilmembers Duncan and Rose were out of the room.)

PUBLIC HEARING - HOUSING POLICY

Mayor Mullen opened the public hearing set for 3:45 on City of Austin Housing Policy.

Paula Phillips reviewed.

John Henneberger spoke in favor of in-fill housing.

Zeke Romo, EAEDC, discussed their ideas for low income housing.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, closed the public hearing and adopted a resolution approving the City of Austin Housing Policy. (7-0 Vote)

RECESS

Council recessed its meeting at 4:25 p.m. and resumed its recessed meeting at 4:30 p.m.

POLICY STATEMENT

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, adopted a resolution approving an Annual Policy Statement for Mortgage Revenue Bonds and Mortgage Credit Certificates, and containing other provisions relating to the subject. (7-0 Vote)

RON WOOD APPOINTMENT

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, adopted a resolution appointing Ronald R. Wood as Secretary of the Austin Housing Finance Corporation effective 11/29/84. (7-0 Vote)

HEARING POSTPONED

The Council postponed until January 17, 1984 at 3:45 p.m. a public hearing on proposed amendment to Chapter 13-2 and 13-2(a) (Zoning Ordinance) to provide for a Research and Development Use district and provide a definition and development regulations for the Research and Development District.

ANNEXATION HEARING

Mayor Mullen opened the public hearing set for 4:00 p.m. on annexation of certain areas. No one appeared to speak.

Motion

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, closed the public hearing on annexation of the following: (6-0 Vote, Councilmember Rose was out of the room)

1,539.76 acres of land out of the James Roger Survey No. 19, T.W. Bundick Survey No. 20, Thomas Collins Survey No. 61, Francisco Garcia Survey No. 60, John Applegate Survey No. 58, Wm. H. Hornsby Surveys Nos. 22, 76 and 77, and the Jacob M. Harrell Survey in Travis County, Texas; and the Wm. W. Hornsby Surveys Nos. 76 and 77, George W. Spear Survey No. 100, Andrew Sprecher Survey No. 101, and the Jacob M. Harrell Survey in Williamson County, Texas, FM 1325 Corridor. C7a-83-008.

PUBLIC HEARING - ZONING

Mayor Mullen opened the public hearing set for 4:00 p.m. on the following zoning case. No one appeared to be heard.

Motion

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, closed the public hearing and granted as recommended the following: (5-0 Vote, Councilmembers Rose and Spaeth out of the room.)

C14r-83 WESTLAKE CROSS-
316 ROADS OFFICE
VENTURE
By B.G. Tim
Aynesworth

4301 Westlake High
Drive

From "O" 1st H&A
To "LR" 1st H&A
RECOMMENDED
GRANTED AS RECOMMENDED

ZONING HEARINGS

Mayor Mullen announced Council would hear the following zoning cases. Council heard, closed the public hearings and directed the City Attorney to draw the necessary zoning ordinances.

C14 -84	JOHN S. AVERY	12200 Block of Jekel	From "A" 1st H&A
088	By Terrence Lang	Circle	To "DL" 1st H&A
	Irion		RECOMMENDED (as amended)
			"DL" 1st H&A subject to
			dedication of 40' of r-o-w
			from centerline of Oakmont,
			45' of r-o-w from center-
			line of McNeil, 35' of r-o-w
			from centerline of Jekel Cir.
			Applicant is to offer a deed
			restriction prohibiting any
			curb cuts on East Jekel Cir.
			until the half street on
			applicant's side of East
			Jekel is constructed and
			accepted by the City to City
			Urban street.
			<u>GRANTED AS RECOMMENDED</u>
			<u>EMERGENCY PASSAGE OF</u>
			<u>ORDINANCE</u>

No one appeared to be heard.

(On Mayor Pro Tem Trevino's motion, Mayor Mullen's second, 6-0 Vote,
Councilmember Rose out of the room.)

C14 -84	RONALD P. BROOKS	7003-7009 McNeil	From "A" 1st H&A
300	By Terrence Lang		To "C" 1st H&A
	Irion		RECOMMENDED subject to
			dedication of up to 40 feet
			of r-o-w from centerline of
			Oakmont, 45 feet of r-o-w
			from centerline of McNeil,
			noting that property is to
			be developed as one tract.
			<u>GRANTED AS RECOMMENDED</u>
			<u>EMERGENCY PASSAGE OF</u>
			<u>ORDINANCE</u>

No one appeared to be heard.

(On Mayor Pro Tem Trevino's motion, Mayor Mullen's second, 6-0 Vote,
Councilmember Rose out of the room.)

ZONING HEARINGS - (Continued)

C14-84	RPC INVESTMENTS	2426 Riverside Farms	From Interim "AA" 1st H&A
247	INC.	Road	To "GR" 1st H&A
	By David Ambrust		"B" & "BB" 1st H&A
			RECOMMENDED "B", "BB" &
			"GR" 1st H&A as requested
			by applicant, subject to a
			50-foot greenbelt and 50-
			foot setback of single-story
			units (100-foot total set-
			back) from north property
			line. Staff is to determine
			whether Riverside Farms Road
			should be cul-de-sacked or
			terminated.
			<u>GRANTED AS RECOMMENDED; LIMIT</u>
			<u>"GR" TO "GR" USE ONLY</u>

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

C14r-80	CITY OF AUSTIN	5708-6000 Balcones	Amendment to Restrictive
202	By Bill	Drive	Covenant
	Richardson		NOT RECOMMENDED
			<u>GRANTED - SITE PLAN REVIEW</u>
			<u>January 24, 1985 @ 5:00 P.M.</u>

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

PUBLIC HEARING - PRINCIPAL ROADWAY AREAS

Mayor Mullen opened the public hearing, set for 4:15 p.m. on amendments to Article VI (Principal Roadway Areas) of Chapter 13-2 (Zoning Ordinance) of the Austin City Code of 1981.

Motion

The Council, on Councilmember Duncan's motion, Mayor Mullen's second, closed the public hearing. (7-0 Vote)

Motion

The Council, on Councilmember Shipman's motion, Councilmember Duncan's second, moved approval to designate Barton Springs Road as a scenic arterial. (7-0 Vote)

ROADWAY - (Continued)

Motion

The Council, on Councilmember Duncan's motion, Councilmember Rose's second, removed Barton Skyway from the Principal Roadway Areas. (7-0 Vote)

Motion

The Council, on Councilmember Dunan's motion, Mayor Mullen's second, waived the requirements for three readings and finally passed an ordinance amending Article VI (Principal Roadway Areas) of Chapter 13-2 (Zoning Ordinance) of the Austin City Code of 1981. (7-0 Vote)

ELECTRIC RATE SETTLEMENT

Mayor Mullen opened the public hearing set for 4:15 p.m. on Electric Rate Settlement Tariffs approved by the Texas Public Utility Commission, effective December 1, 1984.

No one appeared to be heard.

Motion

The Council, on Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance approving the electric rate settlement tariffs approved by the Texas Public Utility Commission and effective December 1, 1984.

PUBLIC HEARING - ZONING ORDINANCE AMENDMENT

Mayor Mullen opened the public hearing set for 4:20 p.m. on amending Section 13-2A-1055 (Zoning Ordinance) of the Austin City Code to permit a 90 day review and approval period for building permit applications submitted to the Building Official prior to January 1, 1985, provided that such applications are substantially complete and comply at the time of issuance with Chapter 13-2 and all other code requirements effective at the time of submission.

Mark Hall said he submitted plans on November 16, 1984, which do not coincide with the compatibility.

Bob Mabry said he owns property on 290 East. When he bought it the height of buildings allowed was 64'. With the new plan effective January 1, 1985, the height allowed will be 16'.

Motion

The Council, on Councilmember Rose's motion, Mayor Pro Tem Trevino's second, closed the public hearing; action to be taken December 20, 1984 at 3:45 p.m. (7-0 Vote)

PUBLIC HEARING - NEW ZONING DISTRICTS

Mayor Mullen opened the public hearing set for 4:30 p.m. on translation from current to new zoning districts. No one appeared to be heard.

Motion

The Council, on Councilmember Duncan's motion, Councilmember Rose's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance approving translation from current to new zoning districts. (7-0 Vote)

PUBLIC HEARING - NORTH TRAVIS COUNTY MUD #5

Mayor Mullen opened the public hearing set for 4:45 p.m. on the North Travis County MUD #5.

Terry Childers, Assistant City Manager, Jim Duncan, Finance Director; Sarah Farley, Finance Department and Jim Thompson, Director of Water and Wastewater Department, gave an update on the proposed MUD, which is located northeast of Austin, near Round Rock. Mr. Thompson said they are not requesting water or wastewater from the City. Mr. Childers asked that staff be allowed more time to consider further concerning land use, utilities, etc.

Ken Manning, representing the applicant, reviewed their application and asked approval.

Leonard Ehrler, representing the applicant, showed a plan of the greenbelt and parks.

Bob Kent, retained by developer John Lloyd, discussed the underground water supply.

Motion

The Council, on Councilmember Rose's motion, Councilmember Duncan's second, closed the public hearing. (7-0 Vote)

AIRPORT

Council was scheduled to take action at 5:00 p.m. on the recommendations of the Citizens' Airport Task Force.

Mayor Mullen discussed the proposition to put an item on the January 19 ballot concerning relocation of the airport. He said he will support such a motion, but he stated it can be approved to move the airport by the present Council and then a new Council can change the action. Therefore, the Mayor believes the people should vote on it.

AIRPORT - (Continued)

Councilmember Rose stated, as a reminder, that Robert Mueller Airport will still need to be upgraded until a new airport is built.

Mayor Pro Tem Trevino favors the issue being on a ballot because citizens approval will seal the moving of the airport. Councilmember Urdy said we have to move the airport and get rid of a bad situation.

Motion

The Council, on Councilmember Rose's motion, Councilmember Duncan's second, accepted the recommendation to relocate the airport and accept the Citizens' Airport Task Force recommendations concerning the airport. (7-0 Vote)

Motion

The Council, on Councilmember Spaeth's motion, Councilmember Shipman's second, voted to put the airport question on the ballot January 19, 1985 with only the wording "Yes" or "No" as to whether to move the airport. (7-0 Vote)

EXECUTIVE SESSION

Mayor Mullen announced Council would enter into a closed or executive session to discuss the following pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated and after such closed or executive session, any action to be taken will be done in open meeting.

1. Discuss Houston Lighting and Power Company, et al v. Brown and Root, et al in Matagorda County, and City of Austin vs. Houston Lighting and Power Company in Travis County - Section 2, Paragraph e, Pending Litigation.
2. Application of City of Cedar Park and WCID No. 17 for Certificates of Convenience and Necessity before the Public Utility Commission, Section 2, Paragraph e, Pending Litigation.
3. Land Acquisition - Section 2, Paragraph f, Real Estate.

RECESS

Council recessed for executive session at 6:25 p.m. and resumed its recessed meeting at 7:30 p.m.

PUBLIC HEARING - AUSTIN TOMORROW COMPREHENSIVE PLAN

Mayor Mullen opened the public hearing set for 5:00 p.m. on the Planning Commission's recommendations for revisions to the Austin Tomorrow Comprehensive Plan, Chapter 4, Growth Management.

Luther Polnau, Office of Land Development Service, highlighted the recommendations.

Phyllis Brinkley told Council the plan needs to be in effect for long range planning and asked Council to finalize a land use plan before voting on this.

Helen Fell McBeth recommended a plan revision.

John Hrnclir, representing Austin Sierra Club, told Council to act carefully.

Palmer Wright asked that the proposal be returned to the Planning Commission.

Dan Harrison said the plan should not be revised.

Motion

The Council, on Councilmember Duncan's motion, Councilmember Shipman's second, closed the public hearing and voted to send the recommendations back to the Planning Commission and also ask them to look at it in conjunction with the northwest area study.

ZONING HEARING AND APPEAL HEARING

Two items on the agenda were related and taken at the same time. They are:

1. Zoning case recommended by the Planning Commission, as requested, with conditions

C 14 -84 CARILLON JOINT
315 VENTURE
By Miguel "Mike"
Guerrero

8120 Research Blvd.

EMERGENCY PASSAGE
OF ORDINANCE

From "C" 1st H&A
To "C-2" 1st H&A
RECOMMENDED subject to
rollback to "C" 1st
when Laffstop" ceases
operation.

GRANTED AS RECOMMENDED

ZONING TO ROLL BACK IF USE CEASES

2. A hearing scheduled at 5:30 p.m. on an appeal from Otis Budd, representing Sunset View Neighborhood Association, of the Planning Commission's decision to grant a Special Permit for a development located at 8120 Research. C14-84-073.

Miguel Guerrero, representing Comedy & Magic Theater Night Club, asked that they be allowed to operate.

HEARINGS - (Continued)

Cary Brockman who lives right next to the site said the night club will deteriorate the neighborhood. He said there will be parking problems and said the area businesses already in existence are family oriented.

Otis Budd, who teaches at Anderson High, and lives within 40 yards of the night club site and bar spoke against such a place adjacent to a neighborhood.

Darrel Hamerick spoke against. He said parking and traffic will be a big problem.

Margaret Cox, who lives behind the site, said there will be too much noise.

Allen Chalberg, representing Sunset View Neighborhood Association, said the dumpsters will be at his back fence. He asked where everyone will park and asked for denial.

Laura Chalberg said the day after C-2 zoning goes in next to a residential area, the value decreased 6% or more.

Motion

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, closed the public hearings. (6-0 Vote, Mayor Mullen out of the room.)

Motion - DIED FOR LACK OF SECOND

Councilmember Shipman made a motion to deny the zoning change. There was no second to the motion so motion died.

Councilmember Shipman stated the proposed business is a lounge and she would not want to live that close to a lounge..it is not compatible with a single family neighborhood.

Motion

The Council, on Councilmember Rose's motion, Councilmember Urdy's second, granted the zoning change with restrictive covenant that owner agrees to roll back if use ceases, with emergency passage of ordinance. (5-1 Vote, Councilmember Shipman voted No, Mayor Mullen out of the room.)

Motion

The Council, on Councilmember Rose's motion, Councilmember Duncan's second, affirmed the special permit, tied to use of Laffstop as a comedy-magic workshop and permit will cease if the area is used for anything else. (5-1 Vote, Councilmember Shipman voted No, Mayor Mullen was out of the room.)

PUBLIC HEARING - PROPOSED HAZARDOUS WASTE

Mayor Mullen opened the public hearing set for 6:00 p.m. on proposed Hazardous Materials Management Ordinance.

Maureen McReynolds, Office of Environmental Resource Management went over the changes made since this was last heard by Council.

Alfred Stanley, Sierra Club, discussed the ordinance.

Chuck Lamb, auto body repair shop owner, said the ordinance would minimize the outlay of money for small businessmen.

Stan Kennedy, Kennedy's Welding on North Lamar, said the ordinance is improved and he can live with it.

Motion

The Council, on Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, closed the public hearing. (5-0 Vote, Councilmember Rose and Mayor Mullen out of the room.)

Motion

The Council, on Councilmember Duncan's motion, Councilmember Urdy's second, passed through FIRST READING ONLY on an ordinance on Proposed Hazardous Waste Materials Management, with amendments; and when second reading is before Council, well proximity and review of ordinance in 24 months will be considered. ((6-0 Vote, Mayor Mullen was out of the room.))

Motion

The Council, on Councilmember Duncan's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance appropriating \$217,083 to the Fire Department to implement the Hazardous Materials Ordinance. (6-0 Vote, Mayor Mullen was out of the room.)

MAJOR CULTURAL ARTS FACILITY POLICY

City Manager Carrasco reported on a proposed major cultural arts facility policy. Council requested this be back on the agenda December 6, 1984 for action.

ITEM PULLED

City Manager Carrasco pulled from the agenda his report on Fact Track Implementation of September 8, 1984, Capital Improvements Program.

EAST AUSTIN ECONOMIC DEVELOPMENT PLAN

City Manager Carrasco's report on the East Austin Economic Development Plan is on file in the City Clerk's office.

ITEM POSTPONED

Consideration of an ordinance amending Chapter 13-5 of the Austin City Code by repealing the local amendments to Chapter 53 of the appendix to the Uniform Building Code 1982 edition, and adopting a code for energy conservation, in new construction, was postponed until December 13, 1984.

ITEM PULLED

Consideration of a resolution limiting the terms of persons serving on any City Council appointed board, commission or committee, to a maximum of three terms, was pulled indefinitely.

CDBG REPROGRAMMED FUNDS

Council had before them for consideration a resolution for a bid award for the Community Development Block Grant (CDBG) Reprogrammed Funds, Housing and Community Services Department Twelve (12) Month Contracts for a total of \$397,116.00 - 85-S117-LI.

Mayor Pro Tem Trevino said there had been much work done to find a "more equitable way to make this distribution. We still have those legal impediments and so the motion I am going to make and the amounts I am going to indicate is the best possible solution that we can come up with at this time, that is legal and will provide monies. In one case there may be some dissatisfaction but it is not that Council did not try it's just that there were obstacles we did not know we were going to encounter. Furthermore, today is a deadline, and we cannot postpone it any longer....."

Motion

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, adopted a resolution distributing the Community Development Block Grant Reprogrammed Funds as follows: (7-0 Vote)

National Business League

\$103,527

East Austin Chicano Edconomic
Development Corporation

\$90,181

FUNDS - (Continued)

Austin Minority Economic
Development Corporation

\$150,129

Austin Families

\$37,630 and \$8,000 to be
set aside until a public
hearing can be held to
utilize money for the
Food Bank.

TOTAL \$389,467 with a contingency
fund of \$20,000

MOTION TO RECONSIDER OPERATING BUDGET AMENDMENT

Mayor Pro Tem Trevino made a motion to reconsider a motion made earlier in the day. Mayor Mullen seconded the motion.

Mayor Pro Tem Trevino stated, "We had, under the consent item, on our emergency item agenda an ordinance amending the FY 84-85 Operating Budget by appropriating \$80,778 to U.T. LBJ School of Public Affairs and \$37,630 to Austin Families, Inc. to fund programs previously recommended for funding from CDBG funds.I would like to rescind the motion passed by consent and instead ask the City Manager to find the appropriate sources of monies so we can fund \$80,778 to the University of Texas LBJ School of Public Affairs for their proposed projects, and not out of the ending balance." Mayor Mullen seconded the motion, which passed by a 7-0 Vote.)

ADJOURNMENT

Council adjourned its meeting at 10:15 p.m.