



Austin City Council MINUTES

For DECEMBER 13, 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, noting the presence of all Councilmembers.

OAK HILL DISCUSSED

Mr. Thomas J. O'Meara Jr, appeared before Council to discuss the newly annexed area in Oak Hill. He is attorney for the Highway 71 property owners, Williamson Creek Watershed, that was limited purpose annexed on November 15, 1984. He asked Council to direct the staff to consider a proposal they will have in six weeks for a complete general purpose annexation of the western area of the Williamson Creek watershed bounded on the south roughly by Highway 290 west. He said they want the ordinance to include general purpose annexation, zoning, service plan including line sizes and tank sizes and perhaps to include dedication of right-of-way and storage sites for utility development, etc. Mr. O'Meara stated this is simply a continuation of the project begun two years ago.

City Manager Carrasco said he will come back to Council with a report concerning annexation.

ZONING DISCUSSED

Ms. Dorothy Richter appeared before Council to discuss the legal abuse of "A" zoning. Ms. Sarah Saul talked about intense use of "A" zoned residential property and Ms. Marsha McDonough discussed "A" zoned property, also. City Manager Carrasco said he will bring a report to Council.

CONSENT 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: (5-0 Vote, Mayor Pro Tem Trevino and Councilmember Urdy out of the room.)

Operating Budget Amendment

Amended the 1984-85 Operating Budget by receiving the transfer of \$60,000 from the Austin Housing Finance Corporation to the City of Austin General Fund.

Massage Parlor Ordinance

Approved amending Section 8-5-9(6) of the Austin City Code, which provides exemptions to the Massage Parlor Ordinance.

Zilker Park Railroad Fee Increase

Approved increasing fees for the Zilker Park Railroad.

Energy Conservation

Approved 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.

Zoning Ordinances

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

WEIL, BRABAND & MURFEE
By Terrence Lang Irion
C14-84-224

410-420 St. Stephens
School Road

From Interim "AA" 1st H&A
to "O-1" 1st H&A

EMERGENCY PASSAGE OF ORDINANCE

THOMAS J. O'MEARA JR.
ET AL
C14-84-172

705 Stassney Lane

From Interim "A" 1st H&A
to "O-1" 1st H&A

WATERFORD PLACE PUD
C814-84-015
By DCBD, Inc. & Hugh
Radney

4909 Mt. Bonnell

From Interim "LA" & "A"
1st H&A to PUD

EMERGENCY PASSAGE OF ORDINANCE

ZONING ORDINANCES - (Continued)

R. OWEN COMPANY OF
TEXAS, INC.
C14r-83-281

6903 Capital of Texas
Highway North

From "AA" 1st H&A
to "O-1" 2nd H&A

EMERGENCY PASSAGE OF ORDINANCE

CONSENT RESOLUTIONS

The Council, on Councilmember Duncan's motion, Councilmember Rose's second, adopted the following resolutions in one consent motion: (6-0 Vote, Mayor Pro Tem Trevino out of the room.)

Release of Easements

Approved release of the following easements:

- a. The Public Utility Easement only along the rear of Lot 4, Northwest Hills Dry Creek Section I, 4900 Tortuga Place. (Request submitted by Red Thomas)
- b. The Drainage Easement recorded in Volume 768, Page 117, Travis County Real Property Records, Bouldin Avenue at Barton Springs Road. (Request submitted by Minter, Joseph and Thornhill)
- c. The Sanitary Sewer Easements recorded in Volume 471, Page 238, Volume 471, Page 564 and Volume 6874, Page 2163, of the Travis County Real Property Records, 1111 West 6th Street. (Request submitted by Scott Carter)
- d. The Electric and Telephone Easement recorded in Volume 2636, Page 111, of the Travis County Real Property Records, Jollyville Road at Hamilton. (Request submitted by Cunningham-Graves, Inc.)
- e. The Waterline Easement recorded in Volume 2134, Page 267, of the Travis County Real Property Records, Parmer Lane at the Future MoPac Right-of-Way. (Request submitted by Espey, Huston and Associates.)

Lease Amendment

Approved a lease amendment for additional office space for the Resource Management Department.

Capital Improvements Program

Approved acquisition of a tract of land for the Cameron Road/US 183 Childress Project. (Edward Joseph) CAPITAL IMPROVEMENTS PROGRAM No. 73/62-44.

Approved the following change order in the amount of \$573,000.00 to Peabody Southwest, Inc., for the construction of Package Plants 3 and 4 at the Williamson Creek Wastewater Treatment Facility. CAPITAL IMPROVEMENTS PROGRAM No. 82/23-85.

Approved dedication of a drainage easement on City-owned property for the CDD #18 Street and Drainage Improvement Project. CAPITAL IMPROVEMENTS PROGRAM No. 75/62-20.

Approved a Supplemental Amendment No. 1 to the Professional Services Agreement dated December 6, 1982 between the City of Austin and Espey, Huston & Associates, for Hydrologic and Hydraulic Studies for the Flood Early Warning System in the amount of \$15,500.00 for the Fire Department. CAPITAL IMPROVEMENTS PROGRAM No. 82/83-03.

Contracts Approved

Approved the following contracts:

- | | |
|--|---|
| a. PAT CANION EXCAVATING CO., INC.
12732 Twin Creek Road
Manchaca, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
Installation of Underground
Electric Distribution Facilities
for Shady Hollow, Section 4,
Electric Utility Department
Total \$44,356.34
C.I.P. No. 84/15-01 |
| b. B & B LAND CLEARING CO., INC.
1212 Old Bastrop Highway
Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
Installation of Underground
Electric Distribution Facilities
for Spicewood Hills, Sections
1 & 2, Electric Utility
Department
Total \$37,633.83
C.I.P. No. 84/15-01 |
| c. Bid award: | - CAPITAL IMPROVEMENTS PROGRAM -
Network Transformers and
Protectors, Electric Utility
Department
Total \$918,407.56
C.I.P. No. 84/15-02 |

CONTRACTS - (Continued)

- (1) WESTINGHOUSE ELECTRIC - Items 1-3 - \$345,137.56
201 North St. Mary's,
Suite 512
San Antonio, Texas
- (2) GENERAL ELECTRIC - Items 4-7 - \$573,270.00
1550 NE Loop 410, Suite 206
San Antonio, Texas

d. Bid award:

APPROVED
LATER IN
THE DAY

COUNCILMEMBER
URDY'S
MOTION,
COUNCILMEMBER
DUNCAN'S
SECOND

7-0 Vote

- (1) ENERGY ENGINEERING ASSOCIATES, INC. - \$14,080.00
4202 Spicewood Springs Road,
Austin, Texas
- (2) ACR ENERGY ENGINEERING, INC. - \$18,650.00
9014 Mesa Drive
Austin, Texas
- (3) TALEX INC., ENGINEERS - \$13,281.00
5407 North IH 35
Austin, Texas
- e. IBM CORPORATION - Purchase of a Central Processing Unit to replace the Hospital's current processing system, Brackenridge Hospital
505 Barton Springs Road
Austin, Texas
\$1,000,666.90 BP4-1279
- f. AUSTIN ELECTROCOATINGS - Refinishing and recapping of Metal Office Furniture, Financial Services Department
1104 Chesapeake
Austin, Texas
Twelve (12) Months Contract
Total \$16,268.50 85-S071-KM
- g. CAPITAL COLLECTION BUREAU - Collection of Delinquent Accounts Receivable, Law Department, Claims Division
3839 West Bee Cave Road
Austin, Texas
Twelve (12) Months Contract
Revenue Producing 84-S363-LI
Fee is 38% of Receivables

Grant Application

Authorized submission of a grant application to UMTA for an amendment to Capital Assistance Grant No. TX-05-0107-01 for the purchase of eight (8) special transit vans in lieu of (5) mini-buses.

Auditorium Shore Fencing

Approved adopting the period of April through September, 1985 as the season for temporary fencing at Auditorium Shores. (5-1 Vote, Councilmember Shipman voted No, Mayor Pro Tem Trevino out of the room.)

LBJ School of Public Affairs Study

Approved funding of \$80,778 from AIDC fees for a proposed study by John A. Gronouski, LBJ School of Public Affairs, titled Austin's Pattern of Industrial Development: Its Impact on the City's Low-Income Residents.

Ron Wood Appointment

Approved appointment of Ronald R. Wood as Secretary/Treasurer of the Austin Industrial Development Corporation, effective December 13, 1984.

Bond Purchase Contract

Authorized the execution and delivery of a bond purchase contract with respect to \$34,500,000 single-family mortgage revenue bonds, Series 1985, and containing other provisions relating to the subject.

Ron Wood Appointment

Approved appointment of Ronald R. Wood as Treasurer of the Austin Housing Finance Corporation, effective December 13, 1984.

Item Pulled

Pulled from the agenda was an item to consider setting a public hearing on the following: Amend Zoning Ordinance No. 840726-PP which deleted the one-for-three setback provision for increased heights in "C" 2nd H&A Use Districts.

Public Hearings Set

Set the following public hearings:

- a. To discuss the Montopolis Area Study: 1/17/84 at 3:30 p.m.
- b. Suspending rate increase requested by LCRA for 90 days beginning January 7, 1985: 12/20/84 at 2:00 p.m.

COUNCIL MEETING CANCELLED

Council unanimously approved cancellation of the January 3, 1985 City Council Meeting.

AIRPORT ADVISORY BOARD

Councilmember Rose introduced to Council the idea of creating an Airport Advisory Board.

Motion

The Council, on Councilmember Rose's motion, Councilmember Duncan's second, waived the requirement for three readings and finally passed an ordinance creating an 11 member Airport Advisory Board. (No date set for selection of members.) (6-0 Vote, Mayor Pro Tem Trevino not in the Council Chamber.)

SAFETY IMPROVEMENT ON CLAWSON ROAD

Councilmember Shipman introduced an item to Council concerning request for immediate safety improvement on Clawson Road. She said there has been another terrible accident on the road. It was her feeling the City Manager should immediately install whatever safety devices are necessary to improve the roadway.

Mr. Brecher, Director of Urban Transportation, showed the traffic control devices already in place. He said they have looked at it and they have about everything they can out there from an engineering standpoint to try to advise the users of the street of the need to operate at a lower speed limit. Mr. Brecher said there are curvature problems along the section of roadway and that one way to mitigate the problem would be to reconstruct the roadway. He said it would take \$800,000 and two years to implement improvements in the Southgate Circle and Southridge Drive area. A total reconstruction of the roadway would cost approximately \$3-million and would require about four years to accomplish. Mr. Brecher said there are major telephone and other utility lines in the area that would need relocation. Councilmember Shipman said her concern is right now as it has been dragging on for four or five years and said it may mean increased police patrol with radar at peak times. Mr. Brecher said they will work on that and what they have done is emphasize the 25 mph speed limit that exists along portions of that roadway and have advisory speeds in some of the critical areas advising 15 mph speeds. Drivers, he said, tend to overdrive the area, even though they know the speed restrictions.

REPORT POSTPONED

Mayor Mullen postponed until later a report requested by Councilmember Rose and himself concerning traffic signals on Loop 360.

MUNICIPAL UTILITY DISTRICTS
DENIED

Council had before them two ordinances for consideration. One was to consider consenting to the creation of the Moore's Crossing Municipal Utility District. The other was to consider consenting to the creation of the Bear Creek Municipal Utility District.

Terry Childers spoke about both of the MUD's and said the staff's recommendation is to deny.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, voted to deny creation of Moore's Crossing MUD. (7-0 Vote)

Motion

The Council, on Councilmember Duncan's motion, Councilmember Rose's second, voted to deny creation of the Bear Creek MUD. (7-0 Vote)

ITEM POSTPONED

Consideration of creation of North Travis County MUD 1-3 was postponed to 1-10-85.

ELECTION CALLED FOR JANUARY 19, 1985

Council had before them an ordinance to consider calling an election for January 19, 1985.

Mayor Mullen asked Mr. Isham, City Attorney, to go through the propositions. Councilmember Shipman asked if his wording is as it will appear on the ballot. Mr. Isham answered, "Not necessarily" and directed Council's attention to the proposed issues. "Proposition number 1 would be to relocate the municipal airport to a new airport site. Proposition 2 would concern the issuance of general obligation bonds for the funding of public improvement, specifically publically owned art museums and renovation of performing arts facilities. I have not placed in the draft ordinance yet proposed language that would actually go on the ballot but it should read 'The issuance of \$20,285,000 tax supported general obligation bonds for construction of a publicly owned art museum on donated land downtown and the renovation of performing arts facilities'." Councilmember Shipman asked if this includes Zachary Scott or if that is a separate item. Mr. Isham said it is his understanding they are lumped together and that figure includes..... Mr. Carrasco said, "Let me help you with that. They are included together. Let me give you some of the numbers that would constitute the construction costs. Approximately \$19.6 for Laguna Gloria and four million for Zachary Scott. If the share for the City is 75% of those amounts the approximate number would be \$17.7 million for both facilities. The tax rate of that entire number would increase the tax rate in 85-86 to cover the debt service by about 1/2 a penny; in 86-87 it goes to almost a penny. 87-88 almost a penny, 88-89 a penny and a half, 89-90 a penny and a half. That is the tax rate impact including both proposals assuming that the

ELECTION - (Continued)

City's share is 75% and the institution's share is 25%....."
Councilmember Spaeth suggested putting the Paramount Theater in there and doing it as one arts package.

Mr. Isham stated, "Proposition 3 gets into various Charter amendments. This would be to create a nine member Council with eight elected from districts and a Mayor elected at large. If that passes there would be extensive changes in that section of the Charter. Proposition 4 would be to provide for three year staggered terms with the Mayor and half the Council originally serving two year terms and the other half of the Council serving two year terms after the 1985 election, with all the Councilmembers, except the Mayor, drawing lots to see whether you have a two year or three year term. Proposition 5 is to replace the masculine gender with masculine and feminine genders. Proposition 6 is a change in the revenue bonds provision of the Charter that would allow the Council to issue revenue bonds pursuant to a vote, or pursuant to the approved comprehensive plan. This dovetails into the later proposition number 13, because if that passes there are certain elements of that proposition and that is the one that deals with the development of a comprehensive plan requiring the adoption of a comprehensive plan and designating the legal effect of the comprehensive plan and the prior comprehensive plan." Discussion followed concerning wording. "Proposition 7 would be to allow the City to use revenue bonds for the funding of energy or resource conservation programs. This includes not only electricity but also water and wastewater. If this passes there is still some concern as to whether the State law would permit it but we have to take one step at a time and try to get our Charter in a situation so we could do that. Proposition 8 would allow the City the flexibility of receiving competitive bids or negotiated bids for its obligations. Our bond counsel and financial advisors have told us on some of our large issues we only get one bid anyway and it would be an advantage to be able to negotiate those bids. Proposition 9 would allow the City Manager to contract up to \$25,000 without Council approval. It also has an adjuster in there based on the CPI that would, on an annual basis with the adoption of the budget, would either decrease or increase based on the CPI index. Proposition 10 deletes the Department of Taxation. We presently do not have a Department of Taxation. Proposition 11 would allow the City Manager to designate certain directors of departments and those people would be exempt from the classified personnel service of the City. Some of our larger departments have assistant directors although under the present Charter, only one can qualify as being exempt from the classified personnel service. Proposition 12 would give the City the flexibility of contributing to the retirement system in an amount greater than the contributions made by the employee...equal or greater. Proposition 13 is not too lengthy but various provisions that would be incorporated into the Charter, in the event of passage, are. It would require the development of a comprehensive plan, requiring the adoption of that comprehensive plan and then it does make the effect of that comprehensive plan, as I previously stated, it has to include certain elements, including future land use, traffic circulation, wastewater

ELECTION - (Continued)

drainage and water, conservation and environmental resources, recreation and open space, housing, public services and facilities, which shall include capital improvements, public buildings and related facilities, economic elements, industrial redevelopment, and finally, health and human services. In addition other elements can be incorporated into the comprehensive plan. The important factor of the comprehensive plan is that once adopted, or any element or portion thereof, all land development regulations, including zoning, subdivision roadway, public improvement, public facilities and public utilities, and any City action relative to zoning, land use, subdivision and development, would have to be consistent with the comprehensive plan. If this is adopted the Austin Tomorrow Plan would remain in full force until a new comprehensive plan for such portions of the comprehensive plan are passed. Proposition 14 would create the two departments we have, one in planning & growth management and land development services and would allow the City Council to designate such departments by ordinance necessary to carry on the planning, growth management and land development functions and allow the City Manager to appoint the department heads. Proposition 15 is a change to the existing provision with regards to employees contributing or campaigning in local City elections. Basically the language proposed to be adopted and implemented into the Charter pretty much traces the existing State statute with regards to policemen and firemen. In the last couple of elections certain employees have been able to enjoin the City from enforcing its existing Charter provisions on the basis that their equal protection has been denied because they are not allowed the same opportunity as policemen or firemen when it comes to participating in political activities. This section would prohibit them from using City equipment, time, money or resources and would prevent them from campaigning while on City time or in a City uniform." Mayor Mullen said the wording should be contributing or using. The question would arise if driving a City vehicle. Would that be contributing or using? He would be using it but not contributing. Mr. Isham said "All right". Proposition 16 regards an arterial through the City between IH 35 and MoPac on 1st although as far as public land it would be the area west of Guadalupe and to MoPac. It has been brought to my attention that this is not really park land. Sand Beach Reserve was deeded to the City back in 1945 and it is not designated as park land as such. The grant by the State of Texas says the City of Austin can use it for public purposes. There has been some suggestions that this proposition be reworded somewhat with the language "shall the City be authorized to dedicate a portion of West Sand Beach Reserve for roadway purposes which will include the possible relocation of the Humane Society and adjacent athletic field. We probably also need to add a proposition for the approval of some bonds for that project and I don't know what amount. Proposition 17, the petition that was submitted, and I circulated some substitute language to resolve, if possible, some concerns about the language as contained in the petition. The Council needs to decide if it wants to go with the original language or substitute language. Proposition 18 would permit the creation of a

ELECTION - (Continued)

permanent endowment fund to finance acquisition, development and operation of parks and open spaces and cultural facilities. If the City decides to enter into a joint public/private development in the area around Palmer Auditorium for the development of a convention center. That is structured in terms of non-parkland so if Proposition 17 in whatever form it is submitted to the voters is approved so that area basically from Riverside Drive to Barton Springs Road and South 1st to Lee Barton is designated as park land I do not think Proposition 18 could be implemented. Also, in addition to those propositions you have been handed a letter from the attorney representing Scott Baggett and he wants to address the Council about adding another parkland item on the ballot that would possibly allow the swap of some land out in the Dick Nichols Park area."

Paul Gosselink, representing Scott Baggett, said they are asking for an item to be put on the ballot, which reads as follows: "To authorize the City to exchange a portion of Dick Nichols Park for an adjacent tract of land of at least equal size and value so as to enable the City to acquire a portion of the proposed right-of-way for the southern extension of MoPac and thereby avoid cost of condemnation and other litigation." He reminded Council that Mr. Baggett has been before Council several times trying to develop an apartment project on those two tracts of land for quite some time. Councilmember Shipman asked what would happen if the proposition fails. Mr. Gosseling said there would be a lawsuit. Councilmember Rose said he does not think this would be a bad thing to put on the ballot. He asked that the language be worked out before the end of the meeting today.

Robert Present, Chairman of Board of Austin Chamber of Commerce, discussed Proposition 18 for park, open space and cultural facilities. He asked that this item be added to the January 19, 1985 ballot.

Jack Klingman, Austin Hotel/Motel Association, said they support Proposition 18.

Bert Cromack, who served on the Charter Revision Committee, said their major recommendation was the 8-1 plan and is pleased it is being considered.

James Pinedo, Town Lake Park Alliance, does not want Proposition 18 put on the ballot.

Dave Borden supports 18 as does Charles Meek.

Council had a lengthy discussion concerning the ballot and made the following motions:

Motion

Councilmember Shipman made a motion, seconded by Councilmember Spaeth to consider Proposition 2 as a total package and include the Paramount Theater.

Substitute Motion

Councilmember Rose offered a substitute motion, seconded by Councilmember Urdy to include Zachary Scott Theater and Laguna Gloria in Proposition 2. Motion was approved by a 7-0 Vote.

Motion

Councilmember Spaeth made a motion, seconded by Mayor Mullen to include Proposition 18 on the ballot. Motion passed by a vote of 6-1, with Councilmember Duncan voting No.

Motion to Reconsider

Council unanimously approved Councilmember Rose's motion seconded by Councilmember Spaeth to reconsider Proposition 2.

Motion

The Council, on Councilmember Rose's motion, Councilmember Spaeth's second, approved Proposition 2 for the ballot, including Paramount Theater, Laguna Gloria and Zachary Scott Theater.

Motion

The Council, on Councilmember Spaeth's motion, Mayor Mullen's second, included Proposition #3 (which had been designated as Proposition 16 in the proposal) on the ballot for \$47,000,000 in GO Bonds for 1st/3rd thorofare. (6-1 Vote, Councilmember Shipman voted No.)

Motion

The Council, on Councilmember Spaeth's motion, Mayor Mullen's second, approved Proposition 17 with wording as filed on the petition. (7-0 Vote)

Motion

The Council, on Councilmember Rose's motion, Councilmember Urdy's second, unanimously approved Proposition 19.

ELECTION - (Continued)

Motion

The Council, on Councilmember Urdy's motion, Mayor Mullen's second, waived the requirement for three readings and finally passed an ordinance calling an election for January 19, 1985. (7-0 Vote)

ELECTRIC UTILITY COMMISSION REPORT

Ms. Shudde Fath appeared before Council to recommend the Electric Utility Commission's decision that utility customers residing outside the City limits should be exempted from library fees. Councilmember Shipman asked that this request be accepted and forwarded to the Library Commission. Mayor Mullen had reservations and asked for staff recommendations when the subject is brought back to Council.

PUBLIC HEARING - DEDICATION OF EASEMENT

Mayor Mullen opened the public hearing set for 3:00 p.m. on dedication of a Storm Sewer Easement and a Temporary Access Easement through a portion of Waller Creek Greenbelt. He said this has already been approved but due to a problem with publication, it is back on agenda.

After determination that there would be no damage to the Greenbelt by Richard Ridings, Director of Public Works, the following motion was made:

Motion

The Council, on Councilmember Shipman's motion, Councilmember Duncan's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance dedicating a Storm Sewer Easement and a Temporary Access Easement through a portion of Waller Creek Greenbelt. (6-0 Vote, Councilmember Rose was out of the room)

PUBLIC HEARING - EXEMPTION TO LOOP 360 ORDINANCE

Mayor Mullen opened the public hearing set for 4:00 p.m. on the request by Mr. David C. Graeber for exemption to Loop 360 Ordinance.

Marie Gaines reported the applicant is asking a waiver of the height provision in the Loop 360 Ordinance to permit an elevator penthouse extending above the 63' height limit. The waiver is required to accomodate an industry standard elevator for a five story office building. On December 4 the Planning Commission unanimously approved the request for exemption in order to have an 18 x 20 elevator penthouse on the building and would extend 6'2" above the 63' height limit.

Councilmember Shipman stated no sign will be permitted on the

HEARING - (Continued)

elevator penthouse. Mayor Mullen said he did not think the exemption would affect the ordinance negatively.

Motion

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, closed the public hearing, and granted the request by Mr. David C. Graeber for exemption to Loop 360 Ordinance. (7-0 Vote)

PUBLIC HEARING - MAJOR CULTURAL ARTS FACILITY POLICY

Mayor Mullen opened the public hearing set for 4:00 p.m. on Major Cultural Arts Facility Policy.

Rita Starpattern said she generally supports the facility.

Sheri Goodman, Maurice Coats, Vaness Barnett, Jette Campbell all spoke and said they want to make certain the other arts are still funded and considered.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Duncan's second, closed the public hearing and adopted the City Manager's recommendation and will evaluate in one year. (6-0 Vote, Mayor Pro Tem Trevino was out of the room.)

ZONING HEARING

Mayor Mullen announced Council would hear the zoning case scheduled for 4:00 p.m. on the following. Council heard, closed the public hearing, and directed the City Attorney to draw the necessary ordinances.

C14-84 Joseph-Joseph-
288 Williams
By B. Tucky
Devlin

707-709 Nelray

From "B" 1st H&A
To "C" 1st H&A
NOT RECOMMENDED
GRANTED "C" 1st H&A

(On Councilmember Duncan's motion, Councilmember Spaeth's second, 5-1 Vote, Councilmember Shipman voted No, Councilmember Rose was out of the room.)

PUBLIC HEARING - DESIGN FOR EAST ELEVENTH/EAST TWELFTH
AND ROSEWOOD AVENUE COMMERCIAL CORRIDOR

Mayor Mullen opened the public hearing set for 4:30 on Master Urban Design Plan for East Eleventh/East Twelfth Streets and Rosewood Avenue Commercial Corridor, as complete by Carter and Parshall Associates. He said this must go through the Planning Commission

HEARING - (Continued)

and will come back to Council in January.

Motion

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

SITE PLAN APPROVAL

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, adopted a resolution approving a site plan as a condition of zoning in Case No. C14-84-125. (7-0 Vote)

ITEM POSTPONED

Council postponed until January 10, 1985, consideration of consenting to the creation of the North Travis County Municipal Utility Districts 1-3.

TAXICAB FRANCHISE

The Council, on Councilmember Duncan's motion, Mayor Mullen's second, passed through FIRST READING of an ordinance granting a Taxicab Franchise to Greater Transportation Company dba American Cab Company and authorizing operation of 100 vehicles. (6-0 Vote, Mayor Pro Tem Trevino was out of the room.)

LAKE AUSTIN WATERSHED ORDINANCE

The Council, on Councilmember Duncan's motion, Mayor Mullen's second, passed through SECOND AND THIRD readings of an ordinance amending the Lake Austin Watershed Ordinance to change the commercial impervious cover limitations from 65% to 50%. (7-0 Vote)

INTERIM DEVELOPMENT CONTROLS

The Council, on Councilmember Shipman's motion, Councilmember Duncan's second, waived the requirement for three readings and finally passed an ordinance adopting interim development controls for the area bounded by Martin Luther King Boulevard, Colorado, West 14th and Rio Grande Streets. (7-0 Vote)

ZONING ORDINANCE

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

OLTORF-BEN WHITE
VENTURE
By Henry Akin
C14-82-203

Rear of 4700-4800
Blocks East Oltorf

From Interim "AA" 1st H&A
to "BB" 1st H&A

AUSTIN MUNICIPAL OFFICE COMPLEX

Council had before them for consideration approval of an option agreement for the development of the City of Austin Municipal Office Complex and any associated contractual documents.

City Manager Carrasco announced he would present his recommendation for the design developer team for the Municipal Office Complex. He reviewed developments taking place since the project was first started and went through milestones in the planning process, reviewed the evaluation procedure, discussed the evaluation team that was involved in the formulation of the recommendation, and finally presented the formal recommendation. Boris Dramoff also presented some of the selection criteria that he was involved in.

Mr. Carrasco stated the selection criteria are consistent with the RFP that was sent out. "In terms of the overall rank, I am recommending Watson-Casey Company as the best qualified to carry out this development program. Although the rankings vary, in every single case, except one, Watson-Casey was ranked top of all three proposers involved in this project."

Mr. Dramoff stated, "The evaluation followed the criteria which was set up out in the development perspective.....I would like to highlight the distinguishing factors in the evaluation of the teams related to the criteria. I will handle those related to management and design and Larry Williams will address those dealing with financial and leasing aspects. The first of the criteria dealt with developer experience. The team that was clearly the most experienced is A.P. Keller and Company and that is why they are ranked as number one. The design team, the approach, the capability, to summarize the criteria, the combination of factors of Sinclair Black who was awarded best of show, and the clear organization of the design team with explicit lines of responsibility were some of the reasons for coming up with the first ranking of the Watson-Casey team."

Mr. Williams said there were three factors considered in the financial capability: staying power, ability to raise the equity capital, and the maintenance of existing facilities. "We scored A.P. Keller and Watson-Casey Companies equal and Barnestone was given

COMPLEX - (Continued)

a two on your matrix. In terms of management approach and staff experience, although the teams were rated equally, in terms of compliance with the guidelines the Watson-Casey team came out ahead. They gave a very clear commitment to the design guidelines, the development framework, they gave the clearest commitment to all of those. They gave an extensive and complete and workable program for the public open space, the public areas for the project and a substantial amount of creativity and innovation and their approach. With reference to compliance of the leasing and financial guidelines, several considerations were taken. Significant, unequivocal guidelines was made by Watson-Casey Companies. Commitment to quality, again Watson-Casey was high in that regard. In so far as the introduction of innovative methods, again Watson-Casey. As to compliance with the construction schedule, we were concerned here primarily with the meeting of the City's program. An unqualified commitment was made by Watson-Casey in so far as meeting the construction schedule and doing a significant private project, along with the City Hall. The other two were not as significant as the Watson-Casey Company. The final aspect was additional considerations and enhancement measures and Watson-Casey ranked first. They developed a significant program of added value. One of the aspects is the million dollar commitment of private capital which would be included in a lease to the arts. There are also significant gains in flexibility which can be achieved through their control of the other half block of Block 21, both in terms of design and development, in terms of increased availability, parking for the entire complex and in terms of flexibility and approach and additional square footage, which would come in handy for the City Hall."

Councilmember Duncan said, "In regards to the energy efficiency, the history of this is in the beginning Council voted to unanimously make this a model of energy efficiency for the City. We had to fight because at one point the criteria was taken out of the RFP. We had to argue to get it back in the RFP. It should be a major criteria, yet when the matrix is done, I talked to all three of the proposers and they made presentations on energy efficiency but when the matrix is done it is not even considered. I don't have any specific questions about any of the proposers, I just want to express a general concern that through the entire process we have had to fight from the Council level to bring energy efficiency to the front as a criteria. I wonder if we will have to supervise the day to day construction to get that across." Mr. Carrasco assured him that energy was a key concern and in his meetings with each of the three proposers, he asked them specifically about the energy commitment they were willing to make. Mr. Jerry Lawson also reviewed the material on energy and is in a position to reassure the Council they will make certain energy is a very important part of the undertaking.

COMPLEX - (Continued)

Motion

Councilmember Spaeth made a motion, seconded by Councilmember Rose to adopt a resolution approving an option agreement with Watson-Casey Companies for the development of the City of Austin Municipal Office Complex, and any any associated contractual documents.

Friendly Amendment

Councilmember Duncan offered a friendly amendment as follows: "My only concern is that we be specific both for the sake of the Council and for the developer in the RFP guidelines being met. To me that means that....Watson-Casey, if I remember correctly, gave an option on the plaza, either ground level or below ground level and I think we should make that decision now. Go ahead and let the developer know which way we want to go on that. I personally favor a ground level plaza. Secondly, and this is an item we may want to discuss, the RFP says the Council will be housed in the plaza and that is my personal preference.

(Mayor Mullen said he wants to discuss that and asked Councilmember Duncan to pull that off. Councilmember Duncan set that aside.)

"Third, that the RFP says that a hotel chain of the first quality will be brought in and I just want to reinforce that, in the motion, that the developer bring in for our approval a hotel chain of the first quality. And finally, I believe that one of the reasons Watson-Casey was recommended was because of the enhancement package they proposed and I would just like to request that they bring to the Council 30 days or 60 days, whatever seems appropriate, a more fully developed proposal for those 17 value added points."

Friendly Amendment

Mayor Pro Tem Trevino said, "I would also like to, well I don't know if it would be an amendment because I know Watson-Casey already addressed it and that is the affirmative action. This is something I will look at very closely but I also would like to ask Watson-Casey to insure that there are more minority sub-contractors. I would like to make that part of the motion, too."

Friendly Amendment Accepted

Councilmember Spaeth said "I'll accept it and I would just like to say one other thing, too, that my vote tonight is the one I told everyone I would make, supporting staff and in keeping with the policy that I established when I went into office, when at all possible."

Someone else said something at this point but it is not audible on the tape of the meeting. Mayor Mullen said, "Everything but that."

COMPLEX - (Continued)

Councilmember Shipman said "I have two items I'd like to insert. One is that the historic Schneider Store be left at the current site as volunteered by all three developers and that they meet the challenge of maintaining the integrity of that site, which is going to be a challenge. I also expressed my concern that the Watson-Casey plan produce a rambla and a rambla is a people oriented area, and a rambla was shown on 3rd Street. If in fact the East/West roadway passes I am very concerned that the City Hall will be isolated and will not be a people place. The people working on this project are going to have to rise to the occasion and make this a people place and it is going to be a challenge to incorporate the rambla. I also want to suggest that the AIA volunteered on many occasions in writing and again last week here in Council Chambers to volunteer their services in this process in working with the City staff as you get further into specific design. I would like to insist that the City Manager take them up on the volunteer service. They have talents that any future Council, unless we have an architect elected, can utilize."

Councilmember Duncan stated, "I have a question on that third point. We, in the process of choosing a developer, were also choosing an architect. What if the architect that wins disagrees with the architect from AIA? Who wins?" Councilmember Shipman said their involvement is to work with the City staff. "I didn't think they were going to redesign the project." Mr. Carrasco said, "I don't understand when you say the AIA would be making design decisions. They can offer their opinions and we can choose as to whether or not we want to take them."

Chuck Terry, Project Coordinator, of the City Hall project stated, "I feel an obligation to bring one thing to your attention. The question of whether you are going to have a surface plaza or a two level plaza is probably the single most important urban design decision in this complex. I would urge you to allow the design team to investigate the opportunities there before you close off any options."

Councilmember Duncan asked, "Wasn't that part of the design competition in the first place and we discussed the plaza one way or the other for months and months now. Are you finally saying, no, we should not finally choose one way or the other?" Mr. Terry said, "No, sir. I'm only saying I don't really think a clear presentation of the advantages and disadvantages of those two options has been made to you to this point. And particularly not by the selected development team." Councilmember Rose said, "Most of the Council understands that the sunken plaza was an integral part of that design and is a design change that could be required if you changed the option of the sunken plaza to a surface plaza. We discussed that with Sinclair Black who made that recommendation but that does not mean if the majority of the Council says they would prefer to see the sunken plaza removed and we work around the ground level plaza that we can't have it. I think we do understand that the meetings would have to be set up,

COMPLEX - (Continued)

that it is a sensitive decision and it is a part of the design. That doesn't make me like a sunken plaza any better."

Mayor Mullen stated, "Let's pull that back out and let's take the rest of them and then talk about it. What's the difference with a sunken plaza? I want information, I promise you, I don't have any feelings one way or the other."

Councilmember Duncan said, "My impression, from the presentations I've had, and I assume they were accurate, they were made by the consultants, was, and the other presentations that I've seen, the sunken plaza is, one, gathers trash and other things more easily, it is less used and then the basic question of putting a sunken plaza on the side opening onto our lake front. One of the advantage of a plaza facing Town Lake, I would assume, would be to see Town Lake."

Mayor Pro Tem Trevino stated, "That was the reason we selected this site to take advantage of the view." Councilmember Duncan said, "Those are my reasons and maybe there is some subtlety I am missing, but....."

Mayor Mullen, "Let's put it in there unless there is some overwhelming, overriding information that comes back to us.We are heading towards the concept, it can still be modified, but it is the will of the Council, at this time to have a ground level plaza."

Mayor Pro Tem Trevino said, "Mayor, it can only be modified over my dead body and it may not be very long."

Mayor Mullen said, "The one thing I wanted to talk about is, if the design to incorporate, the offer to expand the building and move it back. I would prefer to see a larger plaza area as an option. I don't want to preclude that if we end up with that because that could be a better design, a better facility for Councilmembers. I personally don't want to (can't understand) that as an option."

Councilmember Duncan, "Can we vote on everything else and leave that up in the air?" Mayor Mullen said, "Certainly, that would be good. So you can just pull that one off. Everyone understand the motion? Do you want to repeat it all? I didn't think you would. Yes. You do understand it all. Call the roll."

Roll Call on Motion with Friendly Amendments

7-0 Vote

EXECUTIVE SESSION

Mayor Mullen announced Council would enter into Executive Session, pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss the following matters:

a. Board and Commission Appointments - Section 2, Paragraph g.

b. Pending Litigation:

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.

BRACKENRIDGE HOSPITAL

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, adopted a resolution authorizing the Requests for Proposals for the contract management/lease of Brackenridge Hospital. (6-0 Vote, Mayor Pro Tem Trevino was out of the room.)

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, adopted a resolution establishing a Task Force to examine alternatives regarding the future of Brackenridge hospital, composed of one doctor, one employee representative, four Foundation members and nine members of the Hospital Board. (6-0 Vote, Mayor Pro Tem Trevino was out of the room.)

ITEM POSTPONED

Mr. Martin Camp, who had requested to appear before Council to request a license agreement for air and subsurface rights; waiver of licensing fees for use of such rights, will appear at the January 10, 1985 meeting.

REQUEST TO BE STUDIED

Mr. Gregg Gurwitz's representing the University of Texas Silver Spurs, appeared before Council to request exemption to the Auditorium Shores Fee Ordinance. Mr. Ron Wood, Director of Public Event Facilities, said the staff will go back and re-evaluate. The item will be back on the January 17, 1985 agenda.

Mr. Sergio Viroslov also appeared before Council to request exemption to the Auditorium Shores Fee Ordinance and his request will also be taken up on the January 17, 1985 agenda.

PUBLIC HEARING SET

The Council, on Councilmember Duncan's motion, Mayor Mullen's second, approved the request of Mr. Terry Bray, and set a public hearing for zoning and PDA consideration for January 24, 1985 at 1:30 p.m.. (6-0 Vote, Mayor Pro Tem Trevino was out of the room.)

DEDICATION BY SLAUGHTER CREEK PARK
FOUNDATION

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, approved the request of Mr. Wm. Terry Bray for Council's approval for City's acceptance of dedication by Polly Brooks Blanton, dedication by Slaughter Creek Park Foundation and approval of amendment of MUD documents. (6-0 Vote, Mayor Pro Tem Trevino was out of the room.)

BLACK CITIZEN'S TASK FORCE

Ms. Della Green appeared before Council, representing the Black Citizen's Task Force, to request that Council set a public hearing on problems concerning the Austin Police Department.

City Manager Carrasco said that he and Chief of Police Everett will meet with members of the Black Citizen's Task Force but they want the findings of the Grand Jury first.

AGENDA DISCUSSED

Mayor Mullen announced he would like some changes in the order in which items are placed on the agenda. He said ordinances will be first, resolutions second, Citizen Communication at 2:45 p.m. and Citizen Request for Council Approval at 3:15 p.m.

ADJOURNMENT

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