



Austin City Council MINUTES

For FEBRUARY 24, 1982 -- 3:00 P.M.

Council Chambers, 301 West Second Street, Austin, Texas

City Council

Carole Keeton McClellan
Mayor

John Treviño, Jr.
Mayor Pro Tem

Council Members
Larry Deuser
Roger Duncan
Richard Goodman
Ron Mullen
Charles E. Urdy

Nicholas M. Meiszer
City Manager

Grace Monroe
City Clerk

Memorandum To:

Mayor McClellan called to order the Meeting of the Council scheduled for 3:00 P.M., noting the absence of Councilmembers Deuser, Urdy, Mayor Pro Tem Trevino and Councilmembers Goodman and Mullen. They entered the Council Chamber at 3:10, 3:15, 3:18, and 3:18 respectively. Councilmember Mullen was absent for the day.

BOARD & COMMISSION APPOINTMENTS

Mayor McClellan announced the following board and commission appointments are due to be made: Ethics Review Commission, 1; Austin Tomorrow On-Going Committee, 7; Manpower Advisory Planning Council, 4; Neighborhood Revitalization Commission, 1; Environmental Board, 1; Hospital Board, 1; Board of Adjustment, 6; Electric Utility Commission, 1; EMS Quality Assurance Team, 5; Urban Transportation Commission, 4; Joint Airport Zoning Board, 1; Elisabet Ney Museum Board of Directors, 1.

CONSENT RESOLUTIONS

The Council, on Councilmember Goodman's motion, Councilmember Urdy's second, adopted the following resolutions in one consent motion: (6-0 Vote, Councilmember Mullen absent)

Eminent Domain Proceedings

Authorized eminent domain proceedings to acquire the following tract of land for the Jefferson Street Drainage Improvement Project on Shoal Creek: Lot "A" Ridgelea Hollow, locally known as 4105 Jefferson Street. (Richard Poss & Jerry Landonny, owners)

Grant Applications

Designated the City Manager or his designee as signatory agent for the City of Austin on U.S. Environmental Protection Agency grant applications and other related documents.

Item Pulled

During the consent resolution vote Council agreed to pull the following item from the agenda for consideration: Consider authorizing release of the following Easement: A portion of a Drainage and Public Utility Easement on Lot 1, Town and Country Village, Section 3, Phase 1.

Contracts Approved

Approved the following contracts:

- | | |
|--|---|
| a. BIG STATE UTILITY
9324 Circle Drive
Austin, Texas | - Drilling Machine, Water and
Wastewater Utility Department
Items 1-18 - \$24,144.80 |
| b. WESTINGHOUSE ELECTRIC CORPORATION
201 North St. Mary's Street
San Antonio, Texas | - Emergency purchase of a
complete set of eight floating
piston assemblies for repair
of Decker #1 turbine, Electric
Utility Department - \$82,120.00 |
| c. J. H. EMERSON
22 Cottage Park Avenue
Cambridge, Massachusetts | - Ventilator for Brackenridge
Hospital
Item 1 - \$5,365.00 |
| d. ALDRICH SCIENTIFIC
5415 Jackwood Drive
San Antonio, Texas | - Microflame Photometer Electrolyte
Analyzer for Brackenridge
Hospital - \$5,747.50 |
| e. PURE MILK COMPANY
1819 Rutland
Austin, Texas | - Milk Products for Brackenridge
Hospital
Six (6) Month Supply Agreement
Items 1-10 - \$37,805.00 |
| f. INTERNATIONAL BUSINESS MACHINES
CORPORATION
1609 Shoal Creek Boulevard
Austin, Texas | - Central Processing Unit for
Brackenridge Hospital
Sixty Month Lease Plan
Item 1 - \$10,106.00 per month |

CONTRACTS APPROVED - (Continued)

- g. Bid award:
- Truck Cab and Chassis, Vehicle & Equipment Services Department
 - (1) LEIF JOHNSON FORD TRUCK CITY
502 E. Ben White Boulevard
Austin, Texas - Items HT-1, 1 ea.; HT-2, 4 ea.; HT-6, 3 ea.; HT-7, 1 ea.; HT-8, 1 ea.; HT-10, 1 ea. & HT-11, 1 ea. - \$284,756.00
 - (2) LONGHORN INTERNATIONAL EQUIPMENT -
INC.
4711 East 7th Street
Austin, Texas - Items HT-1, 3 ea.; HT-3-1, 1 ea.; HT-3-2, 1 ea.; HT-3-3, 1 ea.; HT-4-2, 2 ea. & HT-9, 1 ea. - \$172,150.56
- h. P.A. STARK CONSTRUCTION,
INC.
16327 Flint Rock Road
Austin, Texas - CAPITAL IMPROVEMENTS PROGRAM -
Emerald Forest Drive Paving and
Drainage Improvements -
\$154,934.15 C.I.P. No. 78/62-05

Payment Authorized

Authorized payment to the following:

- BLANKENSHIP DEVELOPMENT INC. - The Cost difference of 12/8-
inch water main installed in Cat
Mountain North Section 1 -
\$17,486.00 C.I.P. 75/22-07

CETA Program

Authorized submission of a modification to the Comprehensive Employment and Training Plan incorporating revised allocations for the CETA Program for fiscal year 1982 in the following amounts:

Title II B	\$2,307,711
Title IV Youth	337,461
Title IV SYEP	1,304,918
Title IV PSIP	373,310
	<u>\$4,317,400</u>

Transitional Living Facility

Entered into a contract with MIGHT II, Inc./ARCIL for the renovation of a Transitional Living Facility for the multiply handicapped utilizing \$22,297 of 7th year Community Development Block Grant funds and the City owned structure at 701 Herndon Street.

Temporary Street & Alley Closings

Temporarily closed the following streets:

- a. SAN GABRIEL STREET between 24th and 25th Streets, on March 5, 1982, from 2:00 p.m. to 7:00 p.m. as requested by Mr. Wright Alcorn, representing Kappa Sigma Fraternity.
- b. SAN PEDRO STREET between 26th and Poplar Streets, on March 5, 1982 from 1:00 p.m. to 6:30 p.m. as requested by Mr. Charles Shidlofsky, representing Alpha Epsilon Pi Fraternity.
- c. Approved temporarily closing the alley between Congress & Brazos from 8th to 9th Street from Thursday, February 25, 1982 through Friday, February 26, 1982, from 7:00 a.m. to 5:00 p.m. as requested by Mr. Garry W. Entress, editor and publisher of the Austin Press Newspaper.

Committee Abolished

Abolished the Boggy Creek Ad Hoc Committee.

Work Session Set

Set a work session on multi-family housing and industrial development bonds for March 3, 1982 at 2:00 p.m.

Public Hearings Set

Set public hearings on the following:

- a. Authorization to submit a grant application to UMTA for an Operating Assistance Grant, TX-05-OPR-2, for \$1,793,562 on April 15, 1982 at 3:30 p.m.
- b. Proposed amendments to Chapter 13-2-101(e)(5) Zoning Ordinance of the Austin City Code pertaining to handicapped parking requirements for March 11, 1982 at 3:30 p.m.
- c. An appeal from Mr. Joe Jerkins of the Planning Commission's decision regarding Special Permit for a helicopter landing area at 3201 Steck Avenue. (File No. C14p-81-093) for March 11, 1982 at 3:45 p.m.
- d. The North Central Growth Corridor MUD #1 for March 4, 1982 at 6:30 p.m.

Assessment Paving Policy

Approved amendments to the Assessment Paving Policy as recommended by the Director of Public Works in accordance with said policy and the Austin Public Works Construction Cost Index.

CONSENT ORDINANCES

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

Item Postponed

During the consent ordinance vote the Council agreed to bring back on next week's agenda an ordinance to amend the 1981-82 Operating Budget by transferring the required funds from the ending balance to the Public Works budget for the Cooperative Hydrologic Study with the United States Geological Survey at the level approved by Council and renewing the agreement between the United States Geological Survey of the Department of the Interior and the City of Austin for an investigation of the ground and surface water regimen.(quality and quantity) in the Austin Metropolitan Area.

Elisabet Ney Restoration

Accepted a grant in the amount of \$23,000 from the Texas Historical Commission for the Elisabet Ney Museum restoration project.

Transfer of C.I.P. Funds

Amended the 1981-85 Capital Improvements Program Budget to transfer funds from the remaining balance to the Clarksville Park Improvements account, a project which has been completed, to the Austin Nature Center account in the amount of \$12,515 to complete Phase I of the project.

Austin City Code Amendment

Amended Chapter 11-2 of the 1981 Austin City Code, regulating parking in the north one-half of the 1000 block of Lavaca Street, east side.

Golf Green Fees

Amended Ordinance No. 810924-HH to correctly recite individual golf green fees.

Approach Mains

Approved the following five year approach mains:

- a. EMILE JAMAIL - To pay the developer the City's share of the construction cost of a water approach main for Stoneledge. City cost participation for 12-inch is \$12,164.90.
- b. BILL MILBURN COMPANY - To reimburse for in-City lines only to pay the developer the City's share of the construction cost of a water approach main for Maple Run Subdivision. City cost participation for 16 and 24-inch lines is \$221,818.44 if annexed or \$166,363.83 if not annexed.

PASSED AS AN EMERGENCY

Lockheed P.U.D.

Approved a Planned Development Area (PDA) agreement with Lockheed Missile and Space Company on EMERGENCY PASSAGE.

Councilmember Duncan requested a letter from Lockheed concerning their affirmative action and training program.

Zoning Ordinance

Amended the Austin City Code (Zoning Ordinance) to cover the following change:

- a. LYNDON CRIDER CONSTRUCTION COMPANY
By James E. Billingsley
C14r-81-222
- Rear of 12731 Research Boulevard
- From Interim "AA" 1st H&A to "GR" 1st H&A

BALLOT PROPOSITION

Council had before them for consideration an ordinance to consider the wording of the ballot proposition for the ordinance ordering an election April 3, 1982, relating to the establishment of a height limitation.

Councilmember Deuser stated: "I'd like to make a few prefacing remarks

BALLOT - (Continued)

before introducing a non-binding referendum wording for the ballot. The recent history of concerns about the Capitol view started from a direction by the City Council in 1979 that the Sign Committee looked at the problem that had developed in terms of whether signs were going to be interfering with Capitol views and there was some examples created by staff to show where the views had already been impeded with signs alone. In addition it was found in 1979 that we had a large area around the Capitol that had already been zoned for 4th height and area. It amounted to about a 64 block area. In 1979 the Planning Commission unanimously voted and recommended to the City Council of Austin that there be a height limit established on buildings of Austin of 120'. That recommendation was never carried any further by the City Council at that time. In May of 1980 the Planning Commission again looked at the problem of height limitation ordinance or recommendation and felt that all buildings above 120' should be granted only by Special Permit. There was a task force that had been asked to come up with some kind of a plan on that and the task force has not yet been able to do that. We have a concern that has been raised by many members of the community and it is a concern that has been around for a long time. It goes back to the debates of whether the Westgate building built on the west side of the Capitol grounds was an inappropriate size structure to be built. However, I think to go to a flat 120' height limitation at the present time would be a large leap and a change from the present existing height requirement and I am not sure exactly when you get into some of the blocked Capitol views areas or a well designed project whether or not above 120' is necessarily too tall of a building but there certainly is a lot to substantiate the 120' there is a lot of concern that has been generated over the recent appearance of proposals and projects that go substantially beyond the 120 or 200' so called height limitation that we have. In fact we have one proposal that is well on its way that amounts to a 400' structure. We have two other examples of a 320' building that were done by Board of Adjustment decisions back in the early 70's. It seems that the overwhelming interest in the community is to establish some kind of a height limitation and I think it is this Council's duty to come up with a reasonable proposal to take to the voters on this. In light of that I have put together a proposal for a wording to be put on the ballot for the April 3rd election. that I think is in tune with the concern and yet it is reasonable and should be carried forth. The following is my recommendation for wording to be put on the ballot April 3rd:

Should the buildings in Austin be generally limited to the Height and Wings of the Capitol (120 ft.) but under special circumstances allowed to go up to, but not over, 200 ft. in Height.

_____ For

_____ Against

"It's not exactly everything that the people would like to see 120' would be asking for, nor is it everything that the people who would like to see 300 plus foot buildings continue to emerge would get, but I think it is a reasonable compromise."

Motion

Councilmember Deuser made a motion, seconded by Councilmember Duncan to waive the requirement for three readings and finally pass an ordinance to include the above wording on the April 3rd ballot.

BALLOT - (Continued)

Councilmember Goodman asked, "What was the recommendation of the Downtown Task Force on the item that Councilmembers Duncan and Mayor Pro Tem Trevino sent to them?"

In answer, Mayor McClellan read the following letter:

February 23, 1982

Mayor Carole McClellan and
Members of the City Council

At their February 22, 1982 meeting, the Downtown Revitalization Task Force unanimously approved the following motion:

Motion: Taniguchi

Second: Davis

The City Council has charged the Downtown Revitalization Task Force with reviewing building heights downtown and any City Council action prior to a recommendation by the Task Force would be premature.

Vote: Approved Unanimously

/s/ Alan Taniguchi
Chairman
Downtown Revitalization Task Force

Councilmember Deuser said any action that would determine everything would be inappropriate, but "in this case we're talking about something that leaves a considerable amount of design, special circumstances are yet to be determined. We have one example that if you set the whole building back you cannot increase the height. That is a rule that is already on the books and will continue to be in effect. As far as the whole gamut of design consideration and any final action taken by this Council we're not about to do that today and so I think we are in full harmony with their recommendations."

Discussion followed concerning interpretation of what the Downtown Task Force meant and the meaning of a non-binding referendum. Mayor Pro Tem Trevino said he was in a quandry as to what to do and suggested they hold the vote until there is a full Council. Since there is a time element concerned because of the election called for April 3, 1982, Mayor Pro Tem Trevino made the following motion:

Substitute Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Goodman's second, voted to hold a Special Called Council Meeting Tuesday, March 2, 1982 in the Council Chambers at 4:00 p.m.; and schedule this on the agenda of the Regular Council Meeting Wednesday, March 3, 1982 at 3:00 p.m. (4-2 Vote, Councilmembers Deuser & Duncan voted No, Councilmember Mullen absent.)

LAKE AUSTIN SHORELINE

Council had before it two resolutions concerning the Lake Austin shoreline.

Motion

The Council, on Councilmember Duncan's motion, Councilmember Deuser's second, waived the requirement for three readings and finally passed an ordinance extending the temporary moratorium on the approval of subdivision plats along the shoreline of Lake Austin and expanding the same to include the shoreline of the area known as the "Lake Austin Peninsula". (4-2 Vote, Mayor McClellan, Councilmember Goodman voted No, Councilmember Mullen absent.)

Motion to Reconsider

Councilmember Duncan made a motion, seconded by Councilmember Deuser to reconsider the motion. It passed unanimously, Councilmember Mullen absent.

Motion

The Council, on Councilmember Duncan's motion, Mayor McClellan's second, waived the requirement for three readings and finally passed an ordinance extending the temporary moratorium on the approval of subdivision plats along the shoreline of Lake Austin until May 15, 1982. (6-0 Vote, Councilmember Mullen absent)

Motion - FAILED

Council FAILED TO PASS a motion by Councilmember Duncan, seconded by Councilmember Deuser to extend the temporary moratorium on the approval of subdivision plats along the shoreline of Lake Austin and expanding the same to include the shoreline of the area known as the "Lake Austin Peninsula". (3-3 Vote, Councilmember Goodman, Mayor McClellan, Mayor Pro Tem Trevino voted No, Councilmember Mullen absent)

DAY FOR BOARD & COMMISSION APPOINTMENTS

Councilmember Duncan discussed with Council the idea of designating the first Council meeting of each month as the day to make board and commission appointments. Mayor McClellan said the idea is great in theory but not practical because it is difficult to get all the Councilmembers together at one time. Councilmember Duncan asked this be placed on next week's agenda.

ONION CREEK WASTEWATER PLANT AND INTERCEPTOR
FORCE MAIN

Rodger White, Acting Director of Water and Wastewater, introduced Paul Nail of Turner, Collie & Braden, Inc., who showed slides of the Onion Creek Wastewater Treatment Plant-Lift Station. Mr. White then introduced Mr. Tye Collins of Black and Veatch who showed slides of the Interceptor Force Main at Onion Creek.

TOWING REPORT

Chief of Police Frank Dyson presented a report on the enforcement efforts against non-permitted towing companies/wrecker businesses. He said he has received several complaints, but only one in writing. He cited some figures and said a memo will be re-issued to all patrol personnel concerning non-permitted towing companies.

REFUNDING OF ELECTRIC SYSTEM INDEBTEDNESS

Mr. Meiszer, City Manager, reported on the Refunding of Electric System Indebtedness. He referred to a report, which is on file in the City Clerk's Office. Mr. Phil Scheps, Finance Director, also discussed the report.

NEIGHBORHOOD REVITALIZATION COMMISSION

Victor Baez, Neighborhood Revitalization Commission, reported on the standard rehabilitation maximum loan amount temporary housing. He passed out a memo. CITY CLERK DID NOT RECEIVE A COPY.

AUSTIN CABLE COMMISSION

Hoyt Purvis, chairman, Austin Cable Commission, appeared before Council to request \$35,000 for interim funding for Austin Community Television from annual access appropriation. He also presented to Council the Administrative Rules of the Austin Cable Commission.

Motion

The Council, on Councilmember Urdy's motion, Councilmember Goodman's second, approved the request of Austin Cable Commission for \$35,000 for interim funding for Austin Community Television from annual access appropriation. (5-0 Vote, Mayor Pro Tem Trevino was out of the room, Councilmember Mullen absent.)

ADJOURNMENT

Council adjourned its meeting at 5:40 p.m.