



Austin City Council MINUTES

For JUNE 10, 1982 -- 1:00 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 at 1:00 P.M., noting the absence of Councilmembers Mullen, Goodman, Deuser and Urdy, who arrived at 1:04, 1:08, 1:20 and 1:25 respectively.

INVOCATION

The Invocation was given by Dr. Dean K. Thompson, First Southern Presbyterian Church.

MINUTES APPROVED

The Council, on Councilmember Duncan's motion, Mayor McClellan's second, approved the Minutes for April 22 and 29, 1982. (4-0 Vote, Councilmembers Urdy, Goodman and Deuser absent)

CONSENT RESOLUTIONS

The Council, on Councilmember Mullen's motion, Mayor Pro Tem Treviño's second, adopted the following resolutions in one consent motion: (5-0 Vote, Councilmembers Deuser and Urdy absent)

Rebekah Bains Johnson
Health Center

Authorized : dedication of street right-of-way and dedication of parkland at the Rebekah Bains Johnson Health Center.

Release of Easements

Authorized release of the following Easements:

- a. A portion of a 60' drainage and public utility easement and a 16' drainage and public utility easement recorded in Volume 4625, Page 1608 of the Travis County Deed Records, and located on Lot 2-A of the Resubdivision of Austin Doctors Addition. (Requested by Pittman Engineering Company)
- b. A 25' sanitary sewer easement as recorded in Volume 6593, Page 332 of the Travis County Deed Records and located at Loop 360 and Scottish Woods Trail. (Requested by J. Leroy Bush, representing Mr. Robert Johnson, Owner).

Contracts Approved

Approved the following contracts:

- | | |
|--|--|
| a. AUSTIN ENGINEERING COMPANY
P. O. Box 3255
Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
Willow Creek Drive Drainage
Improvements, Public Works
Department - \$58,042.00
C.I.P. No. 82/60-01 |
| b. AMERICAN HIGHWAY SIGN CORPORATION
45 Baldwin Street
East Long Meadow, Massachusetts | - CAPITAL IMPROVEMENTS PROGRAM -
Sign Blanks and Reflective Sign
Decals, Urban Transportation
Department
Item Nos 1 - 2b - \$6,076.00
C.I.P. Nos. 73/90-04 & 81/90-04 |
| c. RENCO SUPPLY, INC.
900 Old Koenig Lane, Suite 139
Austin, Texas | - Traffic Markers and Buttons,
Urban Transportation Department
Item Nos. 1, 2 a & b - \$5,833.00 |
| d. SUNTEX DATA SYSTEMS
8401 Westheimer #110
Houston, Texas | - Magnetic Tapes, Information
Systems Department
Item 1 - \$8,250.00 |
| e. CEN TEL BUSINESS
SYSTEM
5501 North Lamar
Suite A-101
Austin, Texas | - Telecommunications System,
Aviation Department
Thirteen (13) month -
\$57,203.00 |

Transmission Services

Approved a contract with Houston Lighting & Power to compensate the City of Austin for transmission services.

Lignite Properties

Adopted a Memorandum of Intent with Central Power & Light, Lower Colorado River Authority and City Public Services Board of San Antonio to establish a Committee for managing jointly purchased lignite properties.

Temporary Street Closing

Approved temporarily closing Congress Avenue from 6th Street to 8th Street Sunday, July 11, 1982 from 8:00 a.m. until midnight, as requested by Universal Studios for the world premiere showing of The Best Little Whorehouse in Texas.

Lease Agreement

Approved a Consent and Release Agreement relating to the assignment from BWC Associates to Congress Associates of a Lease Agreement and Parking Lease Agreement relating to First City Centre.

Grant Applications

Authorized submission of a grant application to the Texas Commission on Alcoholism for the development of a City Employee Assistance Program in the amount of \$50,000.00.

Authorized submission of a grant application in the amount of \$26,354 from the U.S. Department of Housing and Urban Development for the purpose of processing housing discrimination complaints and conduct training on procedures pursuant to Title VIII of the Civil Rights Act of 1968 and the City of Austin Ordinance No. 770825-F, as amended for a period of one year.

Zoning Hearing
Time Change

Approved changing public hearings for zoning from last Thursday of the month to the first Thursday of the month, beginning August 5, 1982.

Public Hearings Set

Set public hearings on the following:

HEARINGS SET - (Continued)

- a. Amend Chapter 13-2 (Zoning Ordinance) to allow townhouses to be approved in groups with a minimum of two attached rather than a minimum of four attached units : July 8 at 5:30 p.m.
- b. Amend Chapter 13-2 (Zoning Ordinance) related to handicapped parking spaces: July 8 at 5:00 p.m.

CONSENT ORDINANCES

The Council, on Councilmember Deuser'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 Urdy absent)

Electric Utility Fund

Transferred \$133,100 out of the Electric Utility Fund's ending balance for: (1) a consultant to review Electric Utility's Long Range Generation Plan; (2) Comprehensive Community Education Program, which amends the Electric Operating Budget.

Councilmember Duncan commented that the money will come from the Electric Department Operating Fund and not the General Fund.

Paying Assessments C.I.P.

Set a public hearing for July 22, 1982 at 2:30 p.m. in connection with paying assessments to be levied on the following under Capital Improvements Program:

- a. Friendswood Drive and Vernon Avenue, covering approximately 2½ blocks. C.I.P. No. 75/62-01
- b. Barge Street, consisting of one unit covering approximately 1 block. C.I.P. No. 75/62-01

Speed Zones

Amended the Austin City Code to modify the following Speed Zones:
SECTION 11-2-100(c) 45 mph:

Delete: Manchaca Road from William Cannon Drive to South City Limits (365 feet south of Shiloh Drive)

Add: Manchaca Road from William Cannon Drive Matthews Lane

SECTION 11-2-100(d) 50 mph:

Add: Manchaca Road from Matthews Lane to South City Limits (365 feet south of Shiloh Drive)

Zoning Ordinances

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

- | | | | |
|----|---|---------------------------------|---|
| a. | NEWELL RECYCLING
COMPANY, INC.
By Timothy F. Johnson
C14-70-001 (part) | 710 Industrial | From Interim "A" 1st H&A
to "D" 1st H&A |
| b. | JACOB LAMOUR BLOCK
By City of Austin
C14h-82-001 | 906, 908, 916 & 918
Congress | From "C-2" 4th H&A
to "C-2-H" 4th H&A |
| c. | ALLAN JR. HIGH/AUSTIN
HIGH SCHOOL
By City of Austin
C14h-82-009 | 700 Block West 12th | From Undesignated to
Undesignated-Historic |

SECOND READING of an ordinance amending Chapter 13-2 of the Austin City Code (Zoning Ordinance) to cover the following changes:

CITY OF AUSTIN PLANNING DEPARTMENT C14-81-112	800-906 West 29th St. 610-624 & 611-625 W. 29 1/2 St., 614-908 W. 611-913 West 30th St., 800-904 & 801-905 W. 30 1/2, 614-904 & 615- 905 W. 31st St., 612- 626 & 615-629 W. 31 1/2 St., 612-902 & 613-905 W. 32nd Street, 612-618 & 613-627 W. 33rd Street 627-641 W. 34th Street 2910-2922 & 2909-2923 Rio Grande Street, 2908-2922 & 2911-2923 Salado Street, 3100-3300 & 3101-3309 King Street, 3000-3014 & 3001-3015 Washington Square, 2900- 3204 & 2907-3207 West Avenue, 2900-2918 & 2901-2919 Pearl Street 3100-3304 & 3101-3201 Grandview Street, 3101- 3117 Owen Avenue	From "A", "BB", "BB-H", "B", "O" & "C", 1st 2nd H&A to "A", "A-H" "BB", "B", "O" 1st & 2nd H&A
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Third reading scheduled for June 17, 1982 at 2:00 P.M.

Water & Wastewater Commission

Approved establishing residency requirements for the Water and Wastewater Commission so that one member could be a non-city resident who lives within the water and wastewater service area and all other members would be City residents. Member shall also be a water and wastewater customer.

EMS Quality Assurance Team

Amended the EMS Quality Assurance Team Ordinance relating to the consumer membership on such board.

New Telephone System

Appropriated \$51,158.00 from the Airport Fund balance to supplement the purchase of a new telephone system.

RECESS

Council recessed its meeting at 1:26 p.m. and resumed its recessed meeting at 1:55 p.m. The Industrial Board held a meeting during the recess.

VACATION OF RIGHT OF WAY

Council was scheduled to take action at 1:15 p.m. on the vacation of the following and passage of ordinances:

- a. Excess right-of-way on Scenic Drive near Mathews Lane adjoining Lots 2, 3, 4 and 5 of Scenic Cove. (Requested by adjoining property owners.)
- b. Scenic Drive right-of-way adjoining Lots 38 and 39, Tarrytown River Oaks Section 2 and Lots 1, 6 and 7, Scenic Cove.

Mayor McClellan asked Mr. Jim Nias to update Council on where there is agreement between the City and the neighborhood.

Mr. Nias stated, "As you know we have been trying to negotiate an easement between Taylor's Slough and Scenic Drive with Mr. Ray Thomas. We have arrived at these points which I would like the Council to consider. We are talking about a public access easement on parts of lots 4, 5 and 6 of the Scenic Cove Subdivision between Taylor Slough and Scenic Drive and north of the bridge on Scenic Drive. In this area no fences would be permitted, no impervious cover permitted and no other type of development or construction except the owner of either lot 21 or 22 in Tarrytown River Oaks which is across the street from the area, one of those owners would have the right to seek permits from the City of Austin to erect one boat dock at the most northerly extreme of the area the City would allow

VACATION - (Continued)

consistent with the City Code, have a flat roof and be restricted to a maximum height of 505' above sea level. I went out there with Mr. Thomas and his attorney and engineer and found the lot lines. That one boat dock will not obstruct the view from that area. The public would have the right of pedestrian access from this area to the lake and the public would be granted the right to fish from the area except in case a boat dock was built at the far northerly extreme there would be no fishing within 10' of the boat dock and public boat launching would be prohibited. Those are the points we were able to agree on. If Council sees fit to grant the vacations I recommend waiting one week to pass the ordinance and let Mr. Jones and I write the agreement down and have you look at it before next week."

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Deuser's second, approved vacating excess right-of-way on Scenic Drive near Mathews Lane adjoining Lots 2, 3, 4, and 5 of Scenic Cove and Scenic Drive right-of-way adjoining Lots 38 and 39, Tarrytown River Oaks Section 2 and Lots 1, 6 and 7, Scenic Cove. (7-0 Vote) This will be brought back next week in ordinance form.

DISCUSSION OF WESTVIEW DEVELOPMENT

Councilmembers Goodman, Urdy and Mullen discussed possible action on Westview Development Corporation's environmental impact to Lake Austin and its tributaries. Councilmember Goodman said no action has yet been taken by the Westview Development Corporation to clear out the mess they have made in Windy Cove with their construction of a golf course. Councilmember Goodman pointed out an ordinance has been passed and residents feel the requirements have not been met. He said this problem needs to be resolved.

Mr. John Henry Faulk, a resident of Windy Cove, reviewed the condition of Windy Cove after Westview built a golf course. The silt from the course has filled the cove. During the spring rain of May 13, 1982, dirt from the Westview golf course washed into the cove by truckloads. Mr. Faulk said Westview should be responsible for removing the soil. The cost of doing this has not been ascertained but Mr. Faulk feels that since the Westview people filled in the cove they should be responsible to restore it to what it once was.

Councilmember Goodman pointed out that according to Council action, Westview is responsible for no less than \$25,000 for cleaning out the cove.

Jerry Goff, representing Westview, asked who in the City he should talk to regarding dredging of the cove. Councilmember Goodman told him to communicate with Mr. John German, Assistant City Manager. Mr. German will supervise erosion control measures and clean up procedures. A report is to be sent to the City Manager in 30 days.

ZONING ACTION POSTPONED

Council was scheduled to take action at 2:00 p.m. on the following zoning case:

C14-82 005	EDWARD JOSEPH DEVELOPMENTS, INC. By Hoyle M. Osborne	Rear of 8500 Cameron Road	From "I-A", "I-AA" 1st H&A To "D" & "DL" 1st H&A NOT RECOMMENDED RECOMMENDED "A" 1st H&A on Tract 1. <u>POSTPONE 90 DAYS -</u> <u>SEPTEMBER 9, 1982</u>
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Ed Wendler asked for additional time in order to deal with all of the land and not just one piece. He was appearing as a representative of the Edward Joseph Developments, Inc.

Gary Witt told Council the applicant has no site plan and the neighborhood feels they should know what is going in there. They ask for rejection of "D" zoning.

Motion Made and Withdrawn

Councilmember Deuser made and withdrew a motion, seconded by Mayor McClellan and second withdrawn, to postpone decision for 90 days.

Roger Joseph appeared before Council to state the request is for 30 acres only. Councilmember Goodman said he thinks the best solution is to zone permanent "AA" and then proceed. Discussion followed.

(On Councilmember Deuser's motion, Councilmember Mullen's second, 7-0 Vote to grant a 90 day delay.)

MONTHLY FINANCIAL REPORT

Mr. Jorge Carrasco, Assistant City Manager, reviewed the financial report which is ON FILE IN THE CITY CLERK'S OFFICE. Mr. Scheps, Director of Finance, referred Council to the Executive Summary of the report. Mr. Carrasco discussed the risk management program study concerning insurance.

See Attachment "A" for Executive Summary.

ATTACHMENT "A"

EXECUTIVE SUMMARY

- GENERAL FUND** Undesignated Fund Balance is lower than anticipated, and is projected to be \$2.4 million in the April monthly monitor which assumed all budgeted transfers would be made. The City Manager has implemented plans to restore the ending balance to \$6 million by year-end.
- CAPITAL PROJECTS FUND** Fund balance is \$1,673,000. Bidding on a \$23,000,000 General Obligation Bond Sale took place on June 3 with delivery scheduled for June 30. The \$2,000,000 Certificates of Obligation for flood work were delivered on June 3.
- HOSPITAL FUND** Seven months operations resulted in a net loss of \$1,324,000, which does not include the budgeted transfer to the General Fund. The Hospital situation is under active review in order to ensure that the Hospital financial posture is improved.
- AIRPORT FUND** Financial Condition continues to be healthy, although the Braniff bankruptcy has resulted in the loss of 2 gates and operating revenue of approximately \$20,000 per month. In addition, the City has a questionable receivable from Braniff in the amount of \$116,000.
- TRANSIT FUND** Current year grant application for \$1,794,000 has been submitted but not yet approved. General Fund is responsible for any operating deficits. Budgeted 81-82 transfer from General Fund is \$2,886,000, and is expected to be adequate.
- AUDITORIUM FUND** Financial condition is generally healthy. Hotel occupancy tax collections are on schedule.
- VES FUND** Seven month operations resulted in a net loss of \$640,000. Study is underway to review the status of the Vehicle Replacement Fund.
- BUILDING MAINTENANCE FUND** Expenditures of \$550,000 represent 79.7% of the annual budget and exceeds the allotment to-date by 21.4%. It does not appear that this fund will break-even unless steps are taken to increase revenues or reduce expenditures.
- CENTRAL STORES FUND** Billings to Departments cost of materials issued resulted in a gross of \$576,000 to cover operations. Actual revenues are 40.5% of the annual budget and expenditures are 41.8% of the annual budget.
- UTILITY FUNDS** Twelve months ending 3-31-82 presented. Significant effort underway by City staff and consultants to respond to PUC with rate package.
- IT** Request for proposal has been prepared for two year grant audit for period ending 9-1-82. RFP for City-wide audit for three years beginning with FY 82-83 (with a two year extension option) is in preparation and should be mailed by July 1.

EXECUTIVE SESSION

Mayor McClellan announced the City Council will go into Executive Session pursuant to Article 6252-17, V.T.C.S., The Texas Open Meetings Act, to discuss STP - pending litigation and real estate matters - Section 2, Paragraphs e and f.

RECESS

Council recessed its meeting at 2:35 p.m. for the Executive Session and resumed its recessed meeting at 3:25 p.m.

CONSULTANT FOR STP

The Council, on Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, approved the hiring of Southern Engineering as a consultant for the STP. (7-0 Vote)

APPEAL CONCERNING RUBBISH

Mayor McClellan opened the public hearing scheduled for 3:00 p.m. on an appeal from Ms. Harriet Samon Owen from the Health Department citation notifying her to cut weeds and remove rubbish on property located at 1191 Airport Boulevard.

After slides were shown by a member of City Staff, Ms. Owen appeared before Council to state she purchased the property 5 years ago. It adjoins her office and she has spent \$1,250 to remove debris and fill in. She is the only property owner in the area to cut and clean their property. She said the reason for being cited by the Health Department stems from her neighbor who places tires on her property every day which need to be removed. Her question is whether she is responsible for cutting 100% of her lot. Part of it goes up a hill and the neighbor has complained about that. Councilmember Duncan told her everything over 18" high must be cut. Mr. Meiszer, City Manager, said he believes reasonableness should be applied and every case should be studied, e.g. the side of the hill. Mayor McClellan asked the City Manager to study and schedule the appeal on a later agenda if it needs to come back to Council.

WATER APPROACH MAIN

The Council, on Councilmember Mullen's motion, Mayor McClellan's second, adopted a resolution approving the following water approach main: (6-1 Vote, Councilmember Duncan voted No.)

NIEMAN, HANKS & PURYEAR

- Water Approach Main to serve
Los Indios Subdivision.
Estimated cost \$396,543.00
(No City cost participation)

ITEMS POSTPONED

Council pulled from the agenda consideration of the following:

- An ordinance establishing 9:00 a.m. as the starting time of regular Council meetings.

Council postponed until June 17, 1982 consideration of the following:

- Action on proposed modifications to major transit routes and schedules and implementation of the Southwest Park and Ride Service.

BOARD & COMMISSION APPOINTMENTS

Mayor McClellan announced the following board and commission appointments are due to be made on June 18, 1982:

- Building Standards Commission - 1 to expire 6/1/83; 1 to expire 6/1/84
- Community Development Commission - 1
- Austin Community Education Consortium - 1 to replace Urban League
- Dental Health Advisory Committee - 1
- Elisabet Ney Museum Board of Directors - 2
- EMS Quality Assurance Team - 1
- Austin Tomorrow On-Going Committee - 1 regular and 4 alternates
- Manpower Advisory Planning Council - 1
- Commission on the Status of Women - 2 to be effective June 30, 1982
- Urban Transportation Commission - 1
- Vending Commission - 2
- Wrecker Standards Commission - 1
- Water and Wastewater Commission - 2
- Downtown Revitalization Commission - 1

ADJOURNMENT

Council adjourned its meeting at 5:30 p.m.