Austin City Council
MINUTES
For

OCTOBER 27, 1983 -- 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

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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

Nicholas M. Meiszer
City Manager

Elden Aldridge
Acting City Clerk

Memorandum To:

Mayor Mullen called to order the meeting of the Council scheduled for 1:00 p.m., noting the absence of Councilmember Rose.

CITIZEN DID NOT APPEAR

Mr. Michael Bell, who had requested to appear to discusse drainage problems, withdrew his request to speak.

CONSENT ORDINANCES

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

Sleeping in Public Places

Amended an ordinance amending Section 9-1-12 of the Austin City Code relating to the offense of sleeping in a public place.

LATER IN THE DAY; The Council, on Councilmember Duncan's motion, Councilmember Spaeth's second, approved a motion to reconsider. (6-0 Vote, Councilmember Rose absent.)

Motion

The Council, on Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, PASSED THROUGH FIRST READING ONLY, an ordinance amending Section 9-1-12 of the Austin City Code relating to the offense of sleeping in a public place. (6-0 Vote, Councilmember Rose absent.)

Zoning Ordinance

Amended the following Zoning Ordinance to correct errors relating to the legal description: Ordinance No. 801211-P, Case No. C14-80-118

Annexation Ordinances

Passed through SECOND AND THIRD readings of ordinances annexing the following:

1. Approximately 188 acres of land out of "Area 29" for full purposes.
2. Approximately 527 acres of land out of "Area 29" for limited purposes.

Items Postponed

Second and third readings of ordinances annexing the following were postponed until November 10, 1983:

1. Approximately 171 acres of land along R.M. 620 for limited purposes.
2. Approximately 842 acres of land along R.M. 620 for full purposes.
3. Approximately 1844 acres of land along I.H. 35 North for full purposes.

Annexation Ordinance

Approved an ordinance annexing approximately 727 acres of land near Ben White Boulevard and I.H. 35, "Area 17" for full purposes.

Light & Power Service Fuel Charge

Approved an ordinance establishing a customer fuel charge for light and power service of $.03898 per KWH.

Speed Zones

Amended the Austin City Code to modify the following Speed Zones:

Section 11-2-99(c) - 25 mph:

DELETE: Winsted Lane from Enfield Road to Lake Austin Boulevard exit ramp from MoPac.
ADD: Winsted Lane from Windsor Road to Lake Austin Boulevard exit ramp from MoPac.

SPEED ZONES - (Continued)

Section 11-2-97 - 30 mph:

DELETE: Winsted Lane from Windsor Road to Enfield Road.

Section 11-2-97 (maximum prima facie speed limit) - 30 mph:

DELETE: Greenlawn Parkway from Shoal Creek Boulevard to Greenhaven Drive.

Section 11-2-99(a) (decrease in maximum limits) - 15 mph:

ADD: Greenlawn Parkway from Shoal Creek Boulevard to Greenhaven Drive.

Speed Limit Corrections

Amended Ordinance No. 830707-G Part 2 correcting the speed limit provided by Section 11-2-99 by adding to Subsection (d) the following streets:

ON	FROM	TO
East 38½ Street	100 feet west of Clarkson	Cherrywood Road (west curb)
Manchaca Road	308 feet south of Prather Lane (south curb)	178 feet north of Prather Lane (north curb)
Northeast Drive	Bradley Drive (east curb)	Auburn Drive (west curb)

Zoning Ordinances

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

a.	CHARLES BURTON, ET AL By Jack Jennings C14-83-129	2804 Rio Grande & 2807 Salado	From "A" & "B" 1st H&A to "B" 2nd H&A

PASSED ON EMERGENCY BASIS

ZONING ORDINANCES - (Continued)

b.	FRANCES LORENA BRANTLEY, THOMAS M. PRICE, ARTHUR & VIRGINIA DUNLAP & JAMES ARTHUR AND NANCY G. SMITH By Ultra Investments, Inc. C14-83-051	2000-2012 Cullen Avenue 7008-7100 Hardy	From "A" 1st H&A to "A" 1st H&A & and "B" 1st H&A
c.	THERON BRADFORD, TRUSTEE By Phil Mockford C14-80-020	4101 Spicewood Springs Road	From Interim "A" 1st H&A to "O" 1st H&A

PASSED ON EMERGENCY BASIS

Bond Resolution

Approved the Bond Resolution for the issuance of $60,000,000.00 in bonds by the North Central Austin Growth Corridor Municipal Utility District No. 1, the Trust Indenture and Related Bond Documents.

CONSENT RESOLUTIONS

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

Eminent Domain Proceedings

Authorized eminent domain proceedings to acquire fee simple title to the following tract of land for the East Riverside Drive Street Improvements Project:

a. All of Lot 2, block 51, Travis Heights Addition, (Rufus Sanders, owner)

Capital Improvements Program

Approved selection of Bryetest Engineering for soils investigative and engineering testing services for Austin Recreation Center in the amount of $10,000.00 for Parks and Recreation Department, CAPITAL IMPROVEMENTS PROGRAM No. 83/86-08.

Contracts Approved

Approved the following contracts:

a. PERSENAIRE PARK AND PLAYGROUND PRODUCTS COMPANY
55 Lyerly, Suite 114
Houston, Texas
- CAPITAL IMPROVEMENTS PROGRAM Three biological composting toilet units, Parks & Recreation Department
Item 1 - $13,845.36 C.I.P. No. 82/06-08

b. B & B LAND CLEARING CO., INC.
1212 Old Bastrop Hwy.
Austin, Texas
- CAPITAL IMPROVEMENTS PROGRAM - Installation of Underground Electric TV Cable and Telephone Distribution Facilities for Millwood Section 11, Electric Utility Department - $74,182.55 C.I.P. No. 83/15-01

c. B & B LAND CLEARING CO., INC.
1212 Old Bastrop Hwy.
Austin, Texas
- CAPITAL IMPROVEMENTS PROGRAM - Installation of Underground Electric Distribution Facilities for Maple Run Section 4-A Subdivision, Electric Utility Department - $63,031.75 C.I.P. No. 83/15-01

d. Bid award:
- Captive Repair Parts for Earth-moving equipment and diesel engines, Vehicle and Equipment Services Department.
Twelve (12) month Supply Agreement
To be awarded by low bid or progressive purchasing procedure from low bid to high bid.
Total $121,180.00

(1) AUSTIN DIESEL, INC.
1909 Smith Road
Austin, Texas
- Item 4

(2 CENTRAL TEXAS DIESEL INJECTION SERVICE
3500 East 5th Street
Austin, Texas
- Item 3 (to serve as backup source on item 4)

(3) TOM FAIREY COMPANY
5005 East 7th Street
Austin, Texas
- Item 2

(4) HOLT MACHINERY COMPANY
9601 South IH 35
Austin, Texas
- Item 1.b

CONTRACTS APPROVED - (Continued)

(5) LEIF JOHNSON FORD TRUCK CITY
502 E. Ben White Blvd.
Austin, Texas
- Item 1.a (to serve as backup source on item 3)

(6) LONGHORN INTERNATIONAL EQUIPMENT COMPANY
4411 East 7th Street
Austin, Texas
- (to serve as backup source on items 3 and 4)

e. (1) WESLEY M. WALLACE, M.D.
406 Brady Lane
Austin, Texas
- To provide medical direction for the Emergency Medical Services DepartmentTwelve (12) Month Contracts
Total $68,691.00

(2) KENNETH C. MARBURG, M.D.
4200 Avenue F
Austin, Texas

Auction

Authorized disposition of surplus vehicles and vehicular communications equipment by auction method on November 5, 1983.

Standard Rehabilitation Loans

Approved CDBG funds for Standard Rehabilitation Loans in the following amounts and authorize staff to enter into appropriate contracts:

a. Perma Jack - $12,600
b. Fulford Construction - $6,700
c. KM Construction - $16,175
d. KM Construction - $19,200
e. Imperial Construction - $18,850

Technical Studies Grant

Accepted the approved 1983-84 Technical Studies Grant TX-09-0219 from the Urban Mass Transportation Administration (UMTA) totaling $47,000.

Utility Joint Use

Authorized a utility joint use agreement with the State Department of Highways and Public Transportation.

Public Hearings Set

Set public hearings on the following:

a. Southwest Austin MUD (Circle C Ranch): November 17, 1983 at 3:00 p.m.

b. Amendment to Chapter 13-3 Subdivision Ordinance of the Austin City Code related to extending Alternate Street Standards to the Lake Travis Watershed: November 17, 1983 at 4:00 p.m.

c. An Appeal for Mr. Arthur L. Mosely, representing the Northeast Austin Residents Association of the Planning Commission's decision to grant a Special Permit for Case No. C14p-83-098: November 17, 1983 at 5:15 p.m.

LATER IN THE DAY: The Council, on Councilmember Duncan's motion, Councilmember Spaeth's second, voted to reconsider. (6-0 Vote, Councilmembe Rose absent.)

Motion

The Council, on Mayor Pro Tem Trevin's motion, Councilmember Urdy's second, voted to set the public hearing for November 10, 1983 at 5:45 P.M. (6-0 Vote, Councilmember Rose absent.)

d. Annexation of 1314.06 acres of land out of the William Frampton Survey No. 122 in Travis and Williamson Counties, Texas, the J.V. Agree Survey No. 28 and the Elisha Allen Survey No. 2 in Williamson County, Texas, Williamson County Municipal Utility District No. 1 and additional land. C7a-83-012: November 16, 1983 at 4:00 p.m. on site; and November 17, 1983 at 4:45 p.m. in the Council Chamber.

e. An appeal from Mr. Gary Ashford, of the Planning Commisston's decison on Case No. C14p-83-097, The Open Door Preschool: November 10, 1983 at 5:30 P.M.

Office Space Leased

Approved lease for office space for Office of Minority Business Affairs.

HEARING TO BE CONTINUED

Mayor Mullen announced that the hearing scheduled for 4:15 p.m. which is a continued hearing of Edward Joseph Developments, Inc., by D. Hearne, No. C14r-83-15. will not be heard today because a valid petition has been received. He suggested the hearing be continued on November 10, 1983.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, voted to continue on November 10, 1983 at 4:15 p.m. the zoning hearing. (6-0 Vote, Councilmembe Rose was absent.)

SALE OF CHRISTMAS TREES

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Shipman's second, approved the request of Mr. Steve Smith, representing South Austin Optimist Club, for permission for the use of City owned property located near Zachary Scott Theater for sale of Christmas trees. (6-0 Vote, Councilmember Rose absent.)

BUILDING PERMIT

Kim A. Williams had requested Council approval for a Building Permit for a preservation project in West Austin. Councilmember Shipman said that Council needs to clarify that the moratorium in West Austin does not include remodeling. Mayor Mullen said the Council wishes to encourage remodeling. No action was taken by Council as none was needed.

SIGNS AND BILLBOARDS

Council was scheduled to take action on amendments to Chapter 13-13 of the Austin City Code regarding the regulation of signs and billboards. Mayor Mullen proposed passage of an ordinance to stop the building of all new billboards.

Jim Duncan, president, Travis County Outdoor Advertising Association, offered a counterproposal to place tighter restrictions on billboards, but opposed the outright ban.

Frank Heffern discussed billboards used by political candidates and said the Council's action to ban billboards would hurt future political campaigns.

Jim McIntire discussed types of billboards.

Jack Gullahorn showed an example of visual pollution of billboards on Burnet Road. He had a counterproposal to limit height to 35', limit the size, limit distance from residential district, "C" zoning rather than "GR", and single steel supports.

At this point Mayor Mullen relinquished his chair to make the following motion:

Motion

The Council, on Council, on Mayor Mullen's motion, Councilmember Spaeth's second, waived the requirement for three readings and finally passed an ordinance amending Chapter 13-13 of the Austin City Code regarding the regulation of signs and billboards to ban future billboards, off-premise signs, A-frame signs, sidewalk or curb signs, tethered balloons, large banners and pennants, advertising searchlights and signs on vehicles used as stationary advertising devices, on an emergency basis. (6-0 Vote, Councilmember Rose absent.)

Mayor Mullen said under the amended ordinance existing signs can remain but the structures cannot be moved or replaced and eventually will be phased out as property changes hands or is redeveloped. Mayor Mullen said he expects that 5 to 10% of the signs will be eliminated by attrition each year.

SIGNS - (Continued)

Mr. Terry Irion, Assistant City Attorney, pointed out that there is an exemption for temporary house sale signs.

Mayor Mullen said he would like to ban political signs and is researching this.

RECESS

Council recessed its meeting at 2:25 p.m. to go into Executive Session Pursuant to Article 6252-17 to discuss personnel matters, Paragraph g, and after such closed or executive session, any action to be taken will be done in public meeting.

Council resumed its recessed meeting at 4:15 p.m. Councilmembers Rose, Shipman and Spaeth were absent.

ALLEY AND STREET VACATION HEARINGS

Mayor Mullen opened the public hearings set for 3:30 p.m. to consider vacating the following and passage of ordinance:

a. Edgecliff Terrace Alley, 1000 Block, requested by Mr. J.A. Small, owner.

b. Lawson Lane from Rosewood Avenue to Gregory Street, requested by Office of Neighborhood Revitalization.

No one appeared to be heard.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, closed the public hearing and passed through FIRST READING of an ordinance vacating Edgecliff Terrace Alley, 1000 block. (4-0 Vote, Councilmembers Rose, Shipman and Spaeth were absent.)

Motion

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, closed the public hearing and passed through FIRST READING of an ordinance vacating Lawson Lane from Rosewood Avenue to Gregory Street. (4-0 Vote, Councilmembers Rose, Shipman and Spaeth were absent.)

ADJOURNMENT

Council adjourned its meeting at 4:30 p.m.