



Austin City Council MINUTES

JULY 25, 1991

MEETING CALLED TO ORDER - 1:00 P.M.

Mayor Todd called to order the meeting of the Council, noting the presence of all members.

MINUTES APPROVED

1. Approval of Minutes for Regular Meeting of July 18, 1991

On Councilmember Epstein's motion, Councilmember Garcia's second, 7-0 Vote.

1:00 P.M. - CITIZEN COMMUNICATIONS

2. Ms. Gwen Agbatekwe discussed the needs assessment of young Black males.
3. Mr. Ira Jon Yates questioned whether the City of Austin, through its rules and regulations, do anything to promote low density instead of high density in the Aquifer related watersheds, and whether Council can initiate a study of this issue.
4. Ms. Elizabeth Sears discussed the importance of child care and action taken on The Connections, a family resource center.
5. Mr. Bill Gurasich discussed request of Municipal Utility District for City Council consent to transfer surplus contract bond funds to debt service fund.
6. Ms. Dorothy Richter discussed City recycling in parks.
7. Mr. Bruce Loyer discussed support of Drug-Free Workplace Ordinance.

8. Mr. David Elliott discussed current City issues.
9. Mr. Leonard Lyons discussed communication to and from Council.

ORDINANCES

10. Amended Ordinance No. 900913-D to amend the Library Operating Budget by accepting and appropriating a grant increase of \$8,809 to the Central Texas Library System Grant Contract from the Texas State Library and Archives Commission.

On Councilmember Reynolds' motion, Councilmember Epstein's second, 7-0 Vote.

11. Amended Ordinance No. 900913-D to amend the Special Revenue Funds Budget of the Health and Human Services Department, accepting \$5,640 in grant funds from the Texas Department of Health, appropriating those funds to Community and Rural Health (CRH) grant expenses, and increasing expense refunds by the same amount to fund one (1) additional grant funded FTE.
12. Amended Ordinance No. 900913-D to amend the Special Revenue Funds Budget of the Health and Human Services Department, accepting \$105,682 in grant funds from the Texas Department of Health, appropriating those funds to Maternal and Child Health (MCH) grant expenses, and increasing expense refunds by the same amount to fund five (5) additional grant-funded FTEs.
13. Amended the 1990-91 General Fund Operating Budget by appropriating \$33,285 in revenue and \$32,632 in expenditures to the Parks and Recreation Department for youth and adult cultural arts programs.
14. Amended the 1990-91 Capital Improvements Budget to accept a grant from the National Park Service in the amount of \$65,576 and a 10% Match from the Texas Parks and Wildlife Department in the amount of \$8,197 for a total of \$73,773; appropriating same to Parks and Recreation (PARD) C.I.P. No. 91/86-13 (Mabson Field) and transferring \$8,197 from PARD C.I.P. No. 823-867-0701 (Downs Field) to PARD C.I.P. No. 91/86-13 (Mabson Field) to meet the City's 10% match to renovate Mabson Field at Downs-Mabson Park.

#11-14, on Mayor Pro Tem Urdy's motion, Councilmember Reynolds' second, 7-0 Vote.

Municipal Utility District Bond Refunding (Items 15-18)

15. Approved issuance by Village at Western Oaks Municipal Utility District of Contract Revenue Refunding Bonds, Series 1991, in an

amount not to exceed \$25 million, and approving the terms, conditions and covenants of the bond order, notice of sale and bidding instructions, form of bid and official statement.

On Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 6-1 Vote, Councilmember Epstein voted No.

16. Approved the first amendment to Utility Construction Contract with Village at Western Oaks Municipal Utility District to modify the definition of bonds to include refunding bonds in specified terms for issuance of same.
17. Approved issuance by Southland Oaks Municipal Utility District of Contract Revenue Refunding Bonds, Series 1991, in an amount not to exceed \$25 million, and approving the terms and covenants of the bond order, notice of sale and bidding instructions, form of bid and official statement.
18. Approved the first amendment to Utility Construction Contract with Southland Oaks Municipal Utility District to modify the definition of bonds to include refunding bonds in specified terms for issuance of same.

#16-18 on Mayor Pro Tem Urdy's motion, Councilmember Garcia's second, 6-1 Vote, Councilmember Epstein voted No.

RESOLUTIONS

19. Authorized implementation of procedures required under 14 C.F.R. (Code of Federal Regulations) Part 158 to collect and spend Passenger Facility Charges at Robert Mueller Municipal Airport. (Estimated revenue per year - \$6,000,000) Approved by Aviation Subcommittee.

Approved and call it "Austin Municipal Airport", on Councilmember Nofziger's motion, Councilmember Reynolds' second, 7-0 Vote.

4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

ZONING DISTRICTS

20. C14-91-0014 - FRANKLIN FEDERAL BANCORP, by Land Strategies, Inc.; 9501 Capital of Texas Hwy., from L0 to MF-3. Planning Commission Recommendation: No recommendation due to lack of a quorum vote.

FIRST READING - With an amendment by Councilmember Larson to include the conditions as listed below, on Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Councilmember Reynolds out of the room.

The applicant's agent has agreed to the conditions shown below. The Conditional Overlay should contain:

1. Density shall be limited to 155 units with a mix of 45% one-bedroom and 55% two-bedroom units.
2. There will be no structures within 200' of existing, single-family residences.
3. There shall be no multifamily structures constructed within 165' of the existing office condominium use to the west.
4. Applicant will have no ingress or egress to Wildridge Drive.

Conditions to be incorporated in a Restrictive Covenant should contain:

1. In addition to a chain link fence, 6' in height, vegetative screening shall be planted at time of the erection of the fence.
Vegetative screening may include:
 - o Rusty blackhaw viburnum,
 - o photinia,
 - o Texas sage (ceniza),
 - o eleagnus,
 - o evergreen sumac,
 - o hollywood juniper, or
 - o equivalent vegetation.
2. The following construction materials will be used:
 - o Stucco or high quality masonry exterior walls,
 - o Tile roofs,
 - o Metal and/or concrete on exposed decks,
 - o Entrance doorways to face interior courtyards, and
 - o 87% of on-site parking to be constructed below natural grade and beneath the residential structures.
3. No windows will face the existing, detached single-family homes adjacent to the tract.
4. The balconies shall be screened so as to block any direct line of sight toward the existing, detached single-family residences adjacent to the tract.
5. The walls of the underground parking area, as shown on the attached Exhibit A, shall be limited to no more than 20% total open area, and such openings shall be screened with landscaping which may include:
 - o rusty blackhaw viburnum,
 - o photinia,
 - o Texas sage (ceniza),

- o eleagnus,
 - o evergreen sumac,
 - o hollywood juniper, or
 - o equivalent vegetation.
6. No blasting will occur during construction.
 7. Dumpsters or trash receptacles shall be located as shown on the attached Exhibit A.
 8. No structures other than for filtration, detention, utility construction, walkways or related structural controls will be erected within the area as shown on Exhibit A. Those facilities which are built within this area shall blend with the natural character of the area, within engineering constraints.
 9. No organized pool activities will occur between 10:30 p.m. and 8:00 a.m.
 10. No Certificate of Occupancy will be issued for any of the apartment units until the fence and its vegetative screening are in place.
 11. The easement for access through the Citadel Office Building (also known as the Highpoint Professional Office Park), shall be vacated prior to the issuance of a Certificate of Occupancy.
 12. Lighting will be directed away from the existing Citadel Office Building, also known as the Highpoint Professional Office Park.

NOTES:

The agreement relating to having lighting directed away from existing, detached single-family and duplex homes is not included in either the Conditional Overlay or the Restrictive Covenant. This is a requirement of Compatibility Standards and will be addressed at time of site plan.

In addition, the zoning, if granted, shall be subject to reservation of up to 150' of right-of-way from the existing centerline of Loop 360.

21. C14-79-268 - NCNB OF TEXAS, by Robert J. Liverman; 9931-11000 U.S. Hwy. 183 North. Request for deletion of a condition of zoning site plan and termination of restrictive covenants. Planning Commission Recommendation: Approved subject to conditions.

APPROVED

22. C14-84-038 - NCNB OF TEXAS, by Robert J. Liverman; 9931-11000 U. S. Hwy. 183 North. Request for deletion of a condition of zoning site plan and termination of restrictive covenants. Planning Commission Recommendation: Approved subject to conditions.

ORDINANCE

#21-22 on Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

23. C14-91-0042 - ROGER MAYNARD, by River City Engineering; 4426 Red River Street. From SF-3 to L0.

WITHDRAWN

PUBLIC HEARINGS AND APPROVAL OF ORDINANCES/RESOLUTIONS

24. 4:30 P.M. - Approved 14 (2.471 acres) temporary workspaces and 8 (1.783 acres) permanent sanitary sewer easements for the South Austin Outfall Relief Main, Phase I, located across Auditorium Shores, in accordance with Sec. 26.0001 et seq. of the Texas Parks and Wildlife Code.

Approved, after it had been determined there was no feasible alternative and that parkland would be restored to its original condition, on Councilmember Reynolds' motion, Councilmember Epstein's second, 7-0 Vote.

ITEMS FROM COUNCIL

25. Amend Ordinance No. 910221-E, the Interim Barton Creek Non-Degradation Ordinance, to extend the expiration date of said ordinance from August 23, 1991 to October 27, 1991. (Mayor Pro Tem Charles Urdy and Councilmember Ronney Reynolds)

FIRST READING

26. Adopt a revised schedule for the review and adoption of the proposed ordinance regarding non-degradation regulations for the Barton Creek Watershed and the Watersheds contributing to Barton Springs. (Councilmember Ronney Reynolds)

APPROVED

#25 and 26 were taken together

Motion

Councilmember Reynolds made a motion, seconded by Councilmember Epstein to approve.

Amendment to Motion

Councilmember Garcia made a motion, seconded by Mayor Todd, to amend by adopting the schedule presented by the Sierra Club and schedule the ordinance for First Reading on August 15, 1991.

Roll Call on Amendment to Motion - FAILED

2-5 Vote, Councilmembers Epstein, Larson, Nofziger, Reynolds and Mayor Pro Tem Urdy voted No.

Roll Call on Main Motion

4-3 Vote, Councilmembers Garcia and Nofziger and Mayor Todd voted No.

27. Consider a Resolution in support of TreeFolks and their efforts to releaf Austin. (Councilmember Michael "Max" Nofziger)

On Councilmember Nofziger's motion, Councilmember Reynolds' second, 7-0 Vote.

28. Approved an Ordinance amending Section 13-3A-19 of the Land Development Code to establish an Impact Fee Advisory Committee and providing requirements for its composition. (Councilmembers Louise Epstein and Bob Larson)

On Councilmember Epstein's motion, Councilmember Larson's second, 7-0 Vote.

29. Set a public hearing on McCoy Realty Corporation's application for a special exception to the Interim Barton Springs Contributing Zone Ordinance (Ordinance No. 91-0221-E) according to the Special Exception Procedure found in 13-1-300 to 13-1-303 and 13-2-503(a) of the Land Development Code. (Mayor Pro Tem Urdy and Councilmember Larson)

Set for August 1, 1991 at 4:30 P.M., on Councilmember Epstein's motion, Councilmember Larson's second, 7-0 Vote.

30. Approved a Resolution establishing the Bergstrom Conversion Commission. (Mayor Bruce Todd and Mayor Pro Tem Charles Urdy)

Approved, on Councilmember Nofziger's motion, Councilmember Garcia's

second, 7-0 Vote, with friendly amendments by Councilmember Epstein to call this a task force, instead of commission; and that the work plan will be presented to Council for approval. Also a friendly amendment by Councilmember Garcia, to strike "cross representation" in fourth line of item 6 and put a period after City.

31. Discuss/Approve a Resolution establishing a Bergstrom Conversion process and schedule. (Mayor Bruce Todd and Mayor Pro Tem Charles Urdy)

Postponed to August 1, 1991.

33. Amend the Financial Oversight Ordinance (No. 891214-E) to provide for the Mayor to serve as Chair of the Council Audit Committee and reduce the number to two Councilmembers. (Audit Committee)

Councilmember Larson said the wording of the Ordinance should be changed "by striking language that says the Mayor cannot be Chair" and that there should be no reference to number of Councilmembers who can serve.

Approved with Councilmember Larson's changes, on Councilmember Larson's motion, Councilmember Epstein's second, 7-0 Vote.

SPEAKERS AT END OF MEETING

Citizens who spoke at the end of the meeting were Robert Singleton, Thom Prentice and Pam Thompson.

ADJOURN

The meeting was adjourned at 7:20 P.M.