



Austin City Council MINUTES

AUGUST 1, 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.

1. Approval of Minutes for Regular Meeting of July 25, 1991

On Councilmember Epstein's motion, Councilmember Garcia's second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

1:00 P.M. - CITIZEN COMMUNICATIONS

2. Mr. Philip Bellard discussed Capital Metro's Special Transit Service program.
3. Mr. Lance Winters discussed the budget and the opportunistic factions within the City's infrastructure that negatively impact career employees and taxpayers alike.
4. Mr. Larry Binning discussed bloated bureaucrats or keeping good City employees.
5. Mr. Henry Ratliff discussed current City issues.
6. Ms. Bettie Jean Carrington discussed City budget issues.
7. Mr. David Elliott discussed current City issues.
8. Mr. Leonard Lyons discussed communication to and from Council.
9. Mr. J. D. Porter discussed the budget and other City matters.
10. Mr. Richard Trachtenberg discussed current City issues.
11. Ms. Maria F. Rocha discussed the budget and employee relations.

1:30 P.M. - SOUTHWESTERN BELL FRANCHISE AGREEMENT

12. Approved third reading of a franchise agreement between the City of Austin and Southwestern Bell Telephone Company for the purpose of operating its telecommunications business; the Telephone Company shall maintain and construct its poles, wires, anchors, fiber, cables, manholes, conduits and other physical plant and appurtenances in, along, across, on, over, through, above and under all public streets, avenues, highways, sidewalks, bridges or public ways in said City.

Approved as amended, on Councilmember Larson's motion, Mayor Pro Tem Urdy's second, 6-0-1 Vote, Councilmember Epstein abstained.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

13. Discuss/Approve a Resolution establishing a Bergstrom Conversion process and schedule, and appoint the Bergstrom Conversion Task Force. (Mayor Bruce Todd and Mayor Pro Tem Charles Urdy)

Motion

Appointed Jim Steed Chairman, on Councilmember Nofziger's motion, Councilmember Garcia's second, 5-0-2 Vote, Councilmembers Epstein and Larson abstained.

Motion

Appointed the following as members of the Bergstrom Conversion Task Force: (On Councilmember Reynolds' motion, Councilmember Epstein's second, 7-0 Vote)

Sidney Sanders, Darla Lockhart, Johnny Dorsey, Willie Lewis, Mary Thomas, Robin Cravey, Joe Trochta, Gary Black, Ray Reece, Bill Wilson, Charles Bruce Conover, Virgil Waggoner, Vicky Gomez and Raul Rosa

Motion

The Council, on Councilmember Nofziger's motion, Councilmember Reynolds' second, voted to refer the proposed schedule back to the Subcommittee and asked that they telescope the schedule, and come back to Council with recommendations. (7-0 Vote)

ORDINANCES

14. Approved second/third readings of an ordinance amending Chapter 13-2 of the Austin City code rezoning 3.375 acres of property locally known as 2100 Polaris Avenue, Case No. C14-91-0035 as follows: from SF-3, Family Residence, to CS-CO, Commercial Services-Conditional

Overlay, OPTIMIST CLUB OF NORTH AUSTIN, by Clark, Thomas, and Winters (Terry Irion). First reading on June 6, 1991; Vote 5-0, Barnstone out of room, and Carl-Mitchell absent. Conditions met as follows: Conditions imposed by Council have been incorporated into a Conditional Overlay.

15. Approved second/third readings of an ordinance amending Chapter 13-2 of the Austin City code rezoning property locally known as 507 West 23rd Street and 2211-2217 Nueces Street, Case No. C14-91-0038, from MF-4, Multi-Family, to GO-CO, General Office-Conditional Overlay, UNIVERSITY COOPERATIVE SOCIETY by Jeffrey Chamberlain. First reading on July 11, 1991; Vote 7-0. Conditions met as follows: Conditions imposed by Council have been incorporated into a Conditional Overlay and Restrictive Covenant.

#14-15 on Councilmember Reynolds' motion, Councilmember Epstein's second, 7-0 Vote.

RESOLUTIONS

16. Approved issuance of a Letter of Intent and a rebate to CY International, Richardson, Texas, for the installation of energy saving measures at Riverpark Apartments, in the amount of \$120,000. (Funding included in 1990-91 Brown & Root Funds.)

On Councilmember Nofziger's motion, Councilmember Garcia's second, 6-1 Vote, Councilmember Reynolds voted No.

17. Allocated FY 1991-92 (17th Year) Community Development Block Grant Funds, in the amount of \$5,270,000 to proposed activities.

Approved the Community Development Commission's recommendation, on Councilmember Epstein's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

18. Approved a Neighborhood Management Loan in the amount of \$400,000 to Don Limon's Bakery and Restaurant, to be located in the 1100 Block of East Seventh Street within the Central Commercial Redevelopment Corridor. (Funding available in 15th Year Community Development Block Grant Funds.)

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

19. Set a public hearing on amending the Blackshear Urban Renewal Plan to provide for development of new housing units through the Scattered Co-op Infill Housing Program. Date and time: September 5, 1991 at 4:30 p.m.

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

20. Adopted the amended 1991-92 Budget Schedule.

On Councilmember Epstein's motion, Councilmember Reynolds' second, 4-0 Vote, Mayor Pro Tem Urdy, Councilmembers Epstein and Nofziger out of the room.

21. Establish a policy for compensating the Parks and Recreation Department for easements through parkland when they are requested by City departments. (Compensation to be estimated at the appraised value of the parkland.)

Postponed to August 8, 1991.

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

ZONING DISTRICTS

22. C14-91-0044 - CITY OF AUSTIN, by Parks and Recreation Dept., 741 Pedernales Street, from CS, LI, LR, SF-3 to P. Planning Commission Recommendation: To Grant P, Public District, zoning as requested.

ORDINANCE - On Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Mayor Todd out of the room.

23. C14-91-0045 - CITY OF AUSTIN, by Parks and Recreation Dept., 7810 Sterling Drive, from PUD, SF-3 to P. Planning Commission Recommendation: To grant P, Public District, zoning as requested.

FIRST READING - On Councilmember Larson's motion, Councilmember Reynolds' second, 5-1 Vote, Councilmember Nofziger voted No, Mayor Pro Tem Urdy out of the room.

24. C14-91-0050 - RESERVE GROUP, LTD, by Carlson Engineering Company, 7356-7550 Fireoak Drive, from DR to SF-1. Planning Commission Recommendation: Motion to grant SF-1 failed due to lack of a quorum vote.

FIRST AND SECOND READINGS

25. C14-91-0051 - RESERVE GROUP, LTD, by Carlson Engineering Company, 7537-7545 Fireoak Drive and 10601-10605 Skyflower Drive, from DR to SF-1. Planning Commission Recommendation: Motion to grant SF-1 failed due to lack of quorum vote.

FIRST AND SECOND READINGS

#24-25 on Councilmember Epstein's motion, Councilmember Reynolds' second, 7-0 Vote.

26. C14-91-0046 - H.E.B. INVEST. & RETIREMENT, by Bury & Pittman, Inc., rear of 2506-2512 South Congress, 2501 & 2413 Euclid Avenue and 139

West Oltorf Street, from Tract 1: MF-3, & SF-3, Tract 2: SF-3 and Tract 3: SF-3 to Tract 1: GR; Tract 2: NO and Tract 3: NO.
Planning Commission Recommendation: To grant GR-CO for Tract 1 and to deny NO for Tracts 2 and 3.

FIRST READING - On Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Mayor Todd out of the room.

PUBLIC HEARINGS AND APPROVAL OF ORDINANCES/RESOLUTIONS

27. 4:30 P.M. - Request by McCoy Realty Corporation for a special exception to the Interim Barton Springs Contributing Zone Ordinance (Ordinance No 910221-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 Charles Urdy and Councilmember Bob Larson)

Postponed indefinitely.

ITEMS FROM COUNCIL

28. Approved second/third readings of an Ordinance amending 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. [Public hearing held July 25, 1991 - No Citizen Sign Up.] (Mayor Pro Tem Charles Urdy and Councilmember Ronney Reynolds)

On Councilmember Reynolds' motion, Councilmember Epstein's second, 5-2 Vote, Councilmembers Garcia and Nofziger voted No.

29. Consider a Resolution setting policy for use of the Tree check-off program. (Councilmember Michael "Max" Nofziger)

Adopted, on Councilmember Epstein's motion, Councilmember Nofziger's second, 7-0 Vote.

30. Consider a Resolution supporting the reuse of Bergstrom Air Force Base as a civilian airport. (Councilmembers Louise Epstein and Michael "Max" Nofziger)

Motion

Councilmember Nofziger made a motion, seconded by Councilmember Larson to adopt the resolution.

Discussion followed and following motion was made:

Motion - FAILED

Councilmember Nofziger made a motion, seconded by Councilmember Epstein to call the question to end the debate. Motion FAILED by a vote of 4-3 with Mayor Todd, Mayor Pro Tem Urdy and Councilmember Garcia voting No. A two-thirds majority vote is required to call the question.

Amendment to Motion

Councilmember Garcia made a motion, seconded by Mayor Todd, to amend the motion, after the third Resolve by adding "suitable to neighborhood and environmental concerns". Motion to amend passed by a vote of 6-1 with Councilmember Larson voting No.

Amendment to Motion - Died for Lack of Second

Councilmember Garcia made a motion to amend the motion by adding language after required, "City Manager is hereby directed to commence work on any and all activities required to complete environmental impact study and the Master Plan". There was no second to the motion.

Roll Call on Main Motion with Amendment

5-2 Vote, Mayor Pro Tem Urdy and Councilmember Garcia voted No.

31. Approved a Resolution supporting the continued presence of Air Force units at Bergstrom. (Councilmembers Louise Epstein and Bob Larson)

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

32. Approved a Resolution requesting that Capital Metro consider the transportation needs of a civilian airport located at Bergstrom in all future transportation planning; and direct the City Manager to initiate any joint planning meetings needed between the City of Austin and Capital Metro to ensure integration of Capital Metro's assistance into the Bergstrom Airport master planning process. (Councilmembers Louise Epstein and Michael "Max" Nofziger)

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

33. Set a public hearing on the Regulation of Drug Testing Ordinance. (Suggested date and time: August 8, 1991 at 5:30 p.m.) [Councilmembers Michael "Max" Nofziger and Gus Garcia]

Motion Failed - Councilmember Nofziger made a motion, seconded by Councilmember Garcia to approve. Motion failed by a vote of 2-4-1,

Mayor Todd, Councilmembers Epstein, Larson and Reynolds voted No, Mayor Pro Tem Urdy abstained.

34. Set a public hearing on Angel House (Austin Baptist Chapel) and the Day Laborers Program on East First St. and I.H. 35 area. Date and time: August 29, 1991 at 6:00 p.m. [Councilmembers Michael "Max" Nofziger and Gus Garcia]

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

(ADDENDUM ITEMS)

38. Approve a Resolution that establishes procedures to facilitate the implementation of the Urban Watersheds Ordinance. (Councilmember Louise Epstein)

Pulled Off Agenda

39. Discuss/approve Resolution relating to consideration of the CWO/Barton Springs Ordinance by Boards, Commissions and Council. (Councilmember Gus Garcia)

Pulled Off Agenda

EXECUTIVE SESSION

(No Public Discussion on These Items)

Mayor Todd announced that Council would go into Executive Session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation, and for personnel matters. No final action, decision, or vote by the City Council will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

35. Pending/Contemplated Litigation - Section 2, Paragraph e

McCoy Realty Corporation request for a special exception from Ordinance 910221-E. Pulled Off Agenda.

36. Land Acquisition - Section 2, Paragraph f

Discussion of Two Commodore Plaza.

RECESS - Council recessed for executive session from 6:47 to 7:02 P.M.

37. APPOINTMENTS

CABLE COMMISSION - Brian Lynch

DOWNTOWN COMMISSION - J.Mark Lewis, Lori Renteria, Gisela Triana,
Bill Welch

ECONOMIC DEVELOPMENT COMMISSION - Jeffrey Lawlor and Susan Spataro
EMPLOYEE'S RETIREMENT SYSTEM - Leroy Bover and Yvonne Gardner
HISTORIC LANDMARK COMMISSION - Drury B. Alexander, Bill Holford and
William S. Pratt
RESOURCE MANAGEMENT COMMISSION - Jessica Christie-Shults
TRAVIS CENTRAL APPRAISAL DISTRICT - Robert Dickson

SPEAKERS AT END OF MEETING

Numerous speakers were allowed to discuss the Clean Water Ordinance at the end of the meeting, rather than the six allowed by Resolution for the number of end of the meeting speakers.

ADJOURN

The meeting was adjourned at 9:47 P.M.