



# Austin City Council MINUTES

For MAY 22, 1986 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

## City Council

Frank C. Cooksey  
Mayor

John Treviño, Jr.  
Mayor Pro Tem

Council Members  
Mark Rose  
Smoot Carl-Mitchell  
Sally Shipman  
George Humphrey  
Charles E. Urdy

Jorge Carrasco  
City Manager

Elden Aldridge  
City Clerk

## Memorandum To:

Mayor Cooksey called to order the meeting of the meeting of the Council, noting that Mayor Pro Tem Trevino, Councilmembers Rose and Urdy were not yet in the Council Chamber.

### MINUTES APPROVED

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, approved minutes for regular meeting of May 15, 1986 and special meetings of May 13, 1986 (2:00 p.m.) and May 14, 1986. (4-0 Vote, Mayor Pro Tem Trevino, Councilmembers Urdy and Rose not yet in the Council Chamber.)

### CITIZENS COMMUNICATIONS

Ms. Marcy Goodfleisch, Mr. Kevin Fleming and Ms. Janice Witt discussed affordable housing. Annexation of the Sunset Trail Area was the topic discussed by Dick Wynn. Ms. A. Jo Baylor and Mr. Richard G. Hardin did not speak. Mr. Dennis Paddie discussed the play to be presented at Capital City Play House.

### OLD BUSINESS - RESOLUTIONS

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, adopted the following resolutions on one consent motion: (7-0 Vote)

### Nine Water & Wastewater Utility Projects

Capital Improvements Program - Approved the selection of professional engineering services in connection with the planning, design and construction of nine water and

wastewater utility projects approved in the 1985 bond program:

- (1) Lower Gilleland Creek Wastewater Interceptor  
(C.I.P. No. 85/23-18)  
Bernard Johnson, Inc.
- (2) Harris Branch Wastewater Interceptor (C.I.P. No. 85/23-17)  
Cunningham & Graves
- (3) Dry Creek North Wastewater Interceptor (C.I.P. No. 85/23-30)  
Jones & Neuse, Inc.
- (4) Dry Creek Lift Station & Force Main (C.I.P. No. 85/23-30)  
CH2M Hill
- (5) East Ben White Transmission Main (C.I.P. No. 85/22-51)  
Freese & Nichols, Inc.
- (6) Elroy Reservoir Transmission Main (C.I.P. No. 85/22-71)  
S.A. Garza & Associates
- (7) Central Business District Water & Wastewater Improvements  
(C.I.P. No's. 85/22-08 & 85/23-08)  
HDR Infrastructure
- (8) Bear Creek Wastewater Interceptor (C.I.P. No. 85/23-29)  
PRC Engineers

Item Postponed

The applicant requested a two week postponement on consideration of approval of an approach main at 286 St. Edwards University - Water (City cost participation \$123,605.00)

OLD BUSINESS - ORDINANCES

Zoning Ordinances

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, passed through third and final reading of an ordinance amending Chapter 13-2 and 13-2A of the Austin City Code (Zoning Ordinance) to cover the following change: (5-2 Vote, Councilmember Carl-Mitchell and Shipman voted No.)

HAZEL HYDEN  
By William Brown  
C14-85-191

6801 & 6809 Manchaca Road From Interim "SF-3"  
to "LO"

Third reading only. Second reading on May 8, 1986, (4-3). Councilmember Smoot Carl-Mitchell, George A. Humphrey and Sally Shipman voting "No". Conditions have been met as follows: Right-of-way on Bissel Lane and Manchaca Road has been conveyed by Street Deed.

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, passed through second and third readings of ordinances amending Chapter 13-2 and 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes:

RIVERSIDE BUSINESS 5301 E. Riverside  
PARK Drive  
C14r-85-020

From "SF-3" and  
Interim "SF-2" to  
"IP"

Second and third readings. First reading only  
April 17, 1986, (7-0). Conditions have been  
met as follows: Restrictive Covenant incorpora-  
ting conditions imposed by Council has been  
executed.

(7-0 Vote)

PHILLIPS PETROLEUM 2407 Lake Austin  
COMPANY Boulevard  
By John Tackett  
C14r-85-379

From "LR" to "GR"

Second and third readings. First reading only  
April 3, 1986, (6-0). Councilmember Mark Rose  
absent. Conditions have been met as follows:  
Development restricted to that shown on Site  
Plan attached as Exhibit "A" to the Ordinance.

(7-0 Vote)

ED. L. FOMBY &  
JAMES L. FOMBY  
C14-85-251

1907 Rio Grande

From "MF-4" to "LO"

Second and third readings. First reading  
only December 5, 1985, (6-0). Councilmember  
Smoot Carl-Mitchell absent. Conditions have  
been met as follows: Right-of-way on Rio  
Grande Street has been conveyed by Street Deed.

(6-0 Vote, Mayor Cooksey  
abstained)

#### CONSENT ORDINANCES

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed in one consent motion, the following ordinances:  
(7-0 Vote)

#### Speed Zones

Amended the Austin City Code to modify the following speed  
zones:

SECTION: 11-2-99(d) (School Speed Zone), 20 mph:

DELETE: Circle S. Road from south curb line of North Bluff Drive to 635 feet south of North Bluff Drive.

ADD: Circle S. Road from Congress Avenue South to 825 feet east and south of Congress Avenue South.

### Zoning Ordinances

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

KENT FERGUSON  
By Santiago Moreno  
C14-85-165

4305, 4309 & 4311  
James Casey Street

From "SF-3" to  
"LO"

Heard and granted on August 1, 1986, (6-0). Mayor Pro Tem John Trevino, Jr. absent. Conditions have been met as follows: Right-of-way on James Casey Street has been conveyed by Street Deed.

DAVID K. G. CHAN  
By Tom Miller  
C14r-85-130

5718-5810 Martin  
Luther King Blvd. &  
4916-5238 Ed Bluestein  
Boulevard

From Interim "SF-3",  
"SF-3", & GR" to "LI",  
"LO" & "IP"

Heard and granted on July 11, 1985, (7-0). Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

### CONSENT RESOLUTIONS

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Rose's second, adopted the following resolutions in one consent motion: (7-0 Vote)

### Eminent Domain Proceedings

Authorized eminent domain proceedings to acquire the following tract of land for the Brodie Lane Phase II project:

- a. Fee simple title to 2,163 feet of land out of Lot 1, Block 1, Kincheon Subdivision Section I, Travis County, Texas.

Release of Easement

Authorized release of the following easement:

- a. 2.0' of a 7.5' public utility easement located on the west property line of Lot 28, Block G, Milwood Section 23, 6816 Luckenbach Lane. (Request submitted by Carlson and Dippel Surveying Company)

License Agreement

Approved entering into the following license agreement:

- a. To allow the encroachment of an 8" natural gas pipeline into the Airport Blvd., Manor Road and East 26th Street right-of-ways. (Request submitted by Houston Pipe Line Company)

Contracts Approved

Approved the following contracts:

- |  |   |
|--|---|
| <ol style="list-style-type: none"><li>a. AESA ELECTRIC, INC.<br/>400 South Prairie Avenue<br/>Waukesha, Wisconsin</li></ol>            | <ul style="list-style-type: none"><li>- CAPITAL IMPROVEMENTS PROGRAM -<br/>42/56/70 MVA Power Transformer,<br/>Electric Utility Department<br/>Total \$392,225.00 C.I.P. No.<br/>86/16-05</li></ul>   |
| <ol style="list-style-type: none"><li>b. THOMAS HINDERER COMPANY<br/>P. O. Box 3264<br/>Austin, Texas</li></ol>                        | <ul style="list-style-type: none"><li>- CAPITAL IMPROVEMENTS PROGRAM -<br/>Swimming Pool and Bathhouse at<br/>Balcones Park (3657 Duval Road)<br/>Public Works Department<br/>Total \$476,500.00 C.I.P. Nos.<br/>83/86-69, 82/86-69, 76/86-13,<br/>76/86-13</li></ul> |
| <ol style="list-style-type: none"><li>c. GAREY CONSTRUCTION, INC.<br/>11607 N. Lamar<br/>Austin, Texas</li></ol>                       | <ul style="list-style-type: none"><li>- CAPITAL IMPROVEMENTS PROGRAM -<br/>Kramer Lane Service Center Rail-<br/>road Spur and Dock, Public<br/>Works Department<br/>Total \$230,629.55 C.I.P. No.<br/>79/11-01</li></ul>  |
| <ol style="list-style-type: none"><li>d. TRI-LEVEL CORPORATION<br/>1825 Fortview Road #114<br/>Austin, Texas</li></ol>                 | <ul style="list-style-type: none"><li>- CAPITAL IMPROVEMENTS PROGRAM -<br/>Parking Lot &amp; Approaches at<br/>Balcones Park on Duval Road,<br/>Public Works Department<br/>Total \$61,647.10 C.I.P. No.<br/>76/86-13</li></ul>                                       |
| <ol style="list-style-type: none"><li>e. THOMAS HINDERER CONSTRUCTION<br/>COMPANY, INC.<br/>P. O. Box 3264<br/>Austin, Texas</li></ol> | <ul style="list-style-type: none"><li>- CAPITAL IMPROVEMENTS PROGRAM -<br/>Six Separate Restroom Facilities<br/>and Three Parking Areas,<br/>Public Works Department<br/>Total \$362,858.50 C.I.P. Nos<br/>83/86-68, 83/86-65, 83/86-61 &amp;<br/>77/86-14</li></ul>  |

- f. EDUCATIONAL RECORD & TAPE DISTRIBUTORS  
61 Bennington Avenue  
Freeport, New York
  - Musical and Spoken Recordings, Austin Public Library  
Twelve (12) Month Supply Agreement  
Total \$40,000.00 86/0179-GW/DC
- g. CASCO INDUSTRIES, INC.  
533 Rock  
New Braunfels, Texas
  - Fire Hose, Fire Department  
Total \$35,710.00 86-0176-DC
- h. CENTRAL TEXAS COMMERCIAL AIR CONDITIONING  
7909 Rosson Drive  
Austin, Texas
  - Computer Room Environmental Control Unit, Austin Police Department  
Total \$30,499.00 86-C240-JJ

#### Water Distribution System

Approved a contract with the University of Texas at Austin for an inventory of the Water Distribution System of Water and Wastewater Utility Department. (\$103,500.00)

#### UMTA Grant

Authorized the acceptance of the Urban Mass Transportation Administration Grant in the amount of \$7.2 million for the acquisition of the Southern Pacific Railroad right-of-way Llano to Giddings line.

#### Memorandum of Understanding

Authorized the City Manager to enter into a memorandum of understanding with a rail operator on the soon to be acquired Southern Pacific Railroad right-of-way.

#### Public Hearings Set

Set public hearings on the following: on June 19 & 26, 1986:

a. Annexations:

- 7:00 (1) Decker Creek MUD #1,2,3,4 & 5 Area, full purpose  
(C7ar-86-007)
- 7:15 (2) North Travis County MUD #1,2, & 3 Area, full purpose  
(C7ar-86-003)
- 7:30 (3) Moores Crossing MUD, full purpose (C7ar-86-002)
- 7:45 (4) Brodie Tract Area, full purpose (C7a-86-010)
- 8:00 (5) North Oaks Area, limited purpose (C7ar-86-009)

Public Hearing To Be Set

Will set a public hearing on May 29, 1986 to consider the alteration of existing easements and the dedication of additional easements and grant of permission to construct public patios, terraces and walkways across a portion of the North Bank Lake Front Park.

Preparation of 1986-87 Fiscal Year Financial Plan

Approved a resolution dealing with the preparation of the 1986-87 Financial Plan.

## PROFFESIONAL ENGINEERING SERVICES

The Council, on Councilmember Urdy's motion, Councilmember Carl-Mitchell's second, approved the first alternate, Gebhard/Furlong Engineers (J.V.) for Slaughter Lane Transmission Main (C.I.P. No. 85/22-63) (5-2 Vote, Mayor Cooksey and Councilmember Shipman voted No.)

## SITING OF CIVIC/CONVENTION CENTER

The Council, on Councilmember Rose's motion, Councilmember Humphrey's second, adopted a resolution concerning siting for Civic/Convention Center and include instructions to City Manager to instruct staff to organize design systems group and include as part of the work plan. (Area to be studied is Lamar to Congress and Town Lake to 6th or 7th.) (7-0 Vote)

## ETJ RELEASE TO ROUND ROCK

The Council, on Councilmember Rose's motion, Mayor Cooksey's second, passed through FIRST READING ONLY of an ordinance releasing certain territory from Austin's Extra-Territorial Jurisdiction to Round Rock. (4-3 Vote, Councilmember Shipman, Carl-Mitchell Humphrey voted No.)

## ITEM PULLED

Pulled from the agenda was an ordinance to consider a change in the zoning for Townlake Property Joint Venture by Monica Schwanitz, C14-84-473. Staff will put back on when site plan has been approved.

TOWNLAKE PROPERTY  
JOINT VENTURE  
By Monica Schwanitz  
C14-84-473

43,45,46,47 & 51  
Rainey Street, 21  
Bierce Street &  
706 Cummings Street

From "SF-2" & "LO"  
to "LO"

## AMERICAN CAB COMPANY

Council had before them an ordinance to consider increasing the operating authority of the Greater Austin Transportation Company dba American Cab Company for an additional 60 permits. (Staff recommends 29 additional permits.)

After several people spoke the following motion was made. Transcript of motion and discussion follows.

MOTION Shipman: Well, to get this thing moving, I'll make a motion, because I'm concerned about these special transit service individuals and the fact that they're not getting to their place of employment on time. I think that that merits an increase in the permits... but I would suggest that it be twelve which with the three vans would bring it up to fifteen and that also that any subsequent request for permits or anything related to the taxicab industry go to the urban transportation commission prior to being placed on the City Council Agenda...and that's the motion.

Mayor: Is there a second to that motion?

Urdu: Mr. Mayor I will second it if you will except a friendly amendment. Maybe this is part of the discussion

Mayor: You go ahead

Urdu: We....a few months ago we had a moratorium..we set a moratorium to eliminate a condition that apparently is right back with us again...that is we have 420 permits and 229 vehicles on the streets... and I think we need to do something with that.. there is a whole question that I think we're going to have to address about what we're going to do with the demand for service files which was brought up before us today. And I think we are going to have to do it with that context of somehow ...of this thing the way we were dealing with it before...on redistribution. The amendment that I want to offer is that is that if we come back.. I know that one of the complaints of the companies is that they didn't have an opportunity to .....how do I want to put that... with reference to the service demand question...with reference to the existing distribution of permits...and I don't know exactly what I want to propose that way when we come back..but I think again we may want to take a look at a moratorium beyond that point. If we can find a way to deal with that problem over distribution of permits based on some kind of demand of service question...I want to ask staff to try to look at that within the next week..and come back with that..because I think there still is ....I know there are some companies out there that are using all of their permits and asking for more...there are the companies that are not using all of their permits but its not just a...yeah we had that problem when we did the transfer with Yellow's franchise just a week ago cause they had about twice as many permits as there are vehicles out there.....but that was not the question as far as franchises are concerned....I would like to look at that again and ask staff



to give us whatever information they have relative to all of the companies and I know again there's a concern of a part of all of the companies about not having time to address this question... I would ask them also to address the question in terms of what they see.....let me put it this way..back up just a little bit because one time I sorta proposed this one time and I never did follow up on it...and that is that doing that...I think the mistake we made during that last moratorium is that we did not allow any of the companies an opportunity to change the things-----and I think there is always the question of changing the number of permits that there is merit for. I think we will always have to address that, and we sorta left off in a bind so that even if they have the potential to grow they could not because we sorta of locked them in where they were and didn't allow them to grow during that period, and sorta left them free to grow and I don't think we could do that if we go to the moratorium....but I also think we need to look at that in the context of the---rate increase-----what that would do to the situation as it exists---I don't know whether the potential there is to decrease the number of ---- or to increase the revenue....I'm not sure what's going to happen there---but hopefully we will look at that whole issue and try to arrive at some kind of a rational distribution of the permits with ----with some mechanism for confidence to grow if they in fact need to grow.

Mayor: What are you trying to add....what do you want to add to the motion?

Urdy: I guess what I want to add to the motion, is that we consider not only a rate increase but that we consider how to deal with the question of service demand.

FRIENDLY  
AMENDMENT

Shipman: That is a good amendment..in fact that is the whole crux of the matter...couldn't agree more.

Mayor: So you want the staff to look into that and bring back a report back to us about how to look at it. The whole issue is service demand and rate .....

Urdy: And we look to trying to address that issue and perhaps beyond that impose a moratorium. That's it I think.

Mayor: Mr. Carl-Mitchell....

Shipman: Dr., would you like to put a time on that so we could be certain when we'll have this information.

Urdy: I was asking for a couple of weeks....I don't know if all of this can be addressed in that short a time frame but I think most of is probably.....

Brecher: If you're thinking of and speaking of rate increase .. us coming up with a rate for you...two weeks would not be enough time ....I would think it would take four to six weeks for us to get a rate increase ....we're going to have to get our financial people..internal audit and everybody else. The work we're doing right now in the middle of budget and everything ..trying to do all that on top of it is going to be rather difficult thing to accomplish in two weeks, so I would see it taking a while.

Rose: I wouldn't think we would want you to design the rate, I think we would want you to do a comparison study to find out how our rates shape up with some of the other similar metropolitan areas because I think that may give the Council an opportunity to say that it appears that we should look at rates..I mean conceptually I agree with what the Mayor said earlier..I have a difficult time seeing how the industry couldn't be hurting if it hasn't had any rate increase in eight years, but I also agree with what you said though and that the franchise companies should bring rate package forward based on their cost and go through the process so I would think it would be more of a rate comparison study and a justification study perhaps than a rate desire.

Brecher: Okay, we can make

Mayor: Is that what you had in mind Mr. Urdy?

Urdy: What I was trying to get in ...maybe you need to address as well, that you could look at what a rate increase might have to do with all of this business about the service, addressing the service level question. You see what I'm trying to get at? I'm not sure I'm getting it all together right.

Brecher: No sir, but I'd be willing to meet with you later.

Urdy: To finally get a fix on the whole business of what the service demand is what a rate increase might do to that ...would it include or leave it about where it is so that in trying to address an overall service demand question we can try to give some marginal-----in the event that we change the rates in the next six to eight weeks or whatever time ----

Brecher: Okay, we'll do that and then we'll also talk in regards to reallocation of permits, various methods that we---most of this has already been researched and we'll certainly bring it all back and I think within two weeks we can have that.

Mayor: All right I think the City Attorney has a question

Jonathan Davis: To understand the motion, the item on the Agenda is to grant additional permits, as I understand your motion it also includes a proposal to amend the Taxicab ordinance... To send requests for additional permits to the Urban Transportation Commission in the future.

Shipman: That's correct. All they have to do is suggest that it be the Taxicab ordinance instead of the Urban Transportation Commission's ordinance. They're charged. So they would be charged with the review of the taxicab permits.

Jonathan Davis: So until that charge is amended, the applications will not go through the Commission, but will go through...

Shipman: That's correct..I'm concerned that the special transit service ... client's, that need something in the near future and that will take a much more longer process...

Mayor: Okay, Mr. Carl-Mitchell, I think you wanted to---

Carl-Mitchell: Just one addition, as an amendment is that the...I think it's in the staff back-up that all permits be designated for S T S service...That was a contention upon maintaining the contract--the increase is granted on the basis of their need for the S T S service.

Mayor: Okay..right

Jerry Harris: Mayor, as the applicant, may I ask a question?

Mayor: Yes

Jerry Harris: Really two question. I want to make sure I understand the motion. It's for a total of twelve permits which are conditioned upon maintaining the Capital Metro contract and we're not being awarded any permits under the ordinance for increased demand in service. That's the first question I have. And secondly, that usually we go through the procedure of having an applicant present their case opposition and applicants get a chance to summarize...I just have a question..is that not the procedure that we're going to follow today.

Mayor: All right well you can certainly summarize.

**Jerry Harris:** I would just like to say two very short things, Mayor, not to expend anymore of your valuable time. Number one is as far as the S T S contract, I would like to point out that the van...we have two vans, one is a back-up van so our two vans do not serve the same purpose and cannot handle the same number of passengers per day as the taxicab; and I'd just like to point that out in case there is any chance that we could in concert with the staff recommendation have our fifteen cabs conditioned on maintaining the Capital Metro contract to service that particular population. We do have 120 drivers who are...130 drivers who are taking our sensitivity in first aid course to help us along with that contract so I would request that in light of the fact that vans do not do same thing as taxicabs perhaps that be the main fifteen. And on the second point very briefly is that every time we come up for a permit we get a different stand. The City Council just went through and adopted the last ordinance that's been talked to about the staff; we went back and prepared an application; I think we've met the standards regarding service demand and our capacity to serve our public and I would just ask the Council to give some consideration to finally decide what a taxicab operator has to do and what kind of application they have to file in order to get permits based on service demand; we followed diligently the Council's ordinance that wasn't adopted several months ago and after debate over Yellow Cab and debate over our permit and there is an element that I would like to say is unfair about that and we go back and every time we go back and you know there is going to be a new standard down the line; we would like to cooperate with a rate increase, a light meter or anything else that's a common interest in the taxicab industry. It's taking longer to get any of those things accomplished and if there is any way, the staff has recommended fourteen for service demand; we think we can justify 23; if there is anyway that we could get something...seven...we followed the ordinance; we met the demands, the standards; the staff recommending fourteen; I don't think it would hurt us to have some number of cabs to help us with our demand of service since we met the standards set forth in the ordinance; and I think we'd be glad to answer any questions that you might have.

**Mayor:** All right..are there any questions? Okay, thank you Mr. Harris. Is there further discussion? We've already heard from everybody. Unless somebody has a question. No not a question from the audience...a question from the Council...is there further discussion of the motion? Okay is there opposition to the motion? All in favor say "aye"

**Councilmembers:** "Aye"

**Opposed:** None

**Motion Clarified:** 12 permits approved; further requests are to go to Urban Transportation Commission prior to hearing by Council; come back with reference to service demand question in two weeks.

RECESS: Council recessed its meeting from 5:50 to 6:25 p.m.

#### ARCHERY RANGES & FACILITIES

The Council, on Councilmember Rose's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance amending Ordinance 851121-I regulating archery ranges and facilities where firearms are discharged. (5-0 Vote, Councilmembers Urdy and Humphrey are out of the room.)

#### WASTE REDUCTION POLICY

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, adopted a resolution approving Waste Reduction Policy for the City of Austin. (6-0 Vote, Councilmember Urdy out of the room.)

#### WATERSHED TECHNICAL OVERSIGHT COMMITTEE

The Council, on Councilmember Rose's motion, Councilmember Humphrey's second, adopted a resolution creating a Comprehensive Watershed Ordinance Technical Oversight Committee. (6-0 Vote, Councilmember Urdy out of the room.)

#### HIRING OF MORE PERSONNEL BY COMMUNICATION DEPARTMENT

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving the hiring of personnel by the Communication Department to support the previously approved protocol officer. (6-0 Vote, Councilmember Urdy out of the room.)

#### FIRE DEPARTMENT C.I.P.

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, adopted a resolution adopting the Management Plan for implementation of the 1982 and 1984 Fire Department Capital Improvements Programs. (7-0 Vote)

#### RECHARGE OF COMPREHENSIVE WATERSHED ORDINANCE

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, adopted a resolution approving guidelines for identifying the point recharge features of the Comprehensive Watershed Ordinance. (7-0 Vote)

**ELECTRIC RATES**

The Council, on Councilmember Rose's motion, Councilmember Humphrey's second, adopted a resolution creating a Select Committee on Electric Rates consisting of the Mayor, two Councilmembers, chairman of the Electric Utility Commission to represent the residential rate class, one representative of the General Services Class, one representative from the Large Primary Class, one representative of Austin Independent School District, one representative of the State of Texas, one representative of Bergstrom and one representative of the Extra Territorial Jurisdiction intervenors, and that this group issue its final report to Council within 45 days from appointments. (7-0 Vote)

**THE KALEIDO BUILDING**

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, adopted a resolution terminating a restrictive covenant on certain property commonly known as "The Kaleido Building", 9119-9143 Jollyville Road and 9372-9394 Research Blvd. (6-0 Vote, Councilmember Rose out of the room.)

**RECOMMENDATIONS BY COMPREHENSIVE WATERSHED ORDINANCE**

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, approved the fourteen recommendations made by the Comprehensive Watershed Ordinance Task Force as follows: (7-0 Vote)

1. Urban Watersheds Retrofit Feasibility Study - identify locations, in major commercial areas, parks, schools, etc., to locate water quality control retrofit structures within the "Urban" watersheds, and develop control practices (including non-traditional approaches) suitable for urban watersheds.
2. Zoning Policies - develop a set of zoning policies, particularly oriented to the "Urban" watersheds, through which additional water quality protection can be assured, e.g., setbacks from creeks lower intensity near creeks, filtration, etc.
3. Erosion and Sedimentation Control Manual - amend to incorporate "Guidelines for Water Quality Ponds," and other technical criteria from the ordinance if appropriate.
4. Floodplain Ordinance - finalize ordinance to better define "natural and traditional character" of waterways and permitted floodplain alterations.

5. Water Quality Monitoring Program - annual and periodic status reports on the monitoring program, along with specific goals to be evaluated.
6. Drainage Criteria Manual - amend to provide criteria for overland flow and alternatives to direct discharges to waterways.
7. Alternative Street Standards - develop roadway standards which minimize environmental disruption when located on steep slopes, across waterways, or over Recharge areas.
8. Streambank Erosion Control Assessment - undertake a comprehensive assessment of existing streambank erosion problem areas, evaluate streambank erosion potential and identify needs for streambank erosion control in urban and suburban watershed.
9. Wastewater Treatment - implement program for upgrading City's treatment plants to conform with the Governor's Committee recommendations for the Colorado River and its tributaries; also evaluate methods to assure long-term reliability of sewer lines, lift stations and plants.
10. Environmental Education - develop programs to educate the public about lawn care practices, oil and grease disposal, litter control, and agricultural runoff.
11. Edwards Aquifer Fund - assess feasibility of public/private fund for purchase of key recharge sites or other environmentally sensitive lands within the Recharge Zone, or for educational purposes.
12. Impact Mitigation Fund - assess feasibility of a percentage set-aside fund for impact mitigation on C.I.P. projects.
13. Industrial Waste Management Program - continue to improve spill response capability and improve compliance for storm sewer discharges.
14. Evaluation of Budget - review, at least every two years, the budget and funding of the items in this program in order to allow completion of projects in a timely and efficient manner.

#### HEARINGS SET ON APPEALS TO COUNCIL

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Rose's second, set public hearings as follows: (7-0 Vote)

1. June 26, 1986 at 6:00 P.M.: Public hearing on request of Mr. Andrew Guzman Jr. on an appeal of the Planning Commission decision regarding Thurmond Apartments (Phase II, 8409 Guadalupe Street). File No. SP-86-018.
2. June 26, 1986 at 6:30 p.m.: Public hearing on request of Mr. Chip Harris, on an appeal of the Planning Commission's decision to grant a waiver on site plan requirements at 1521 Anderson Lane. File No. CSW-86-035.

#### CITY MANAGER REPORTS

The Bi-Weekly Wastewater Report was not presented.

The report on Wastewater Needs of the St. Edwards University Area was postponed until June 5, 1986.

#### PUBLIC HEARING - PAVING ASSESSMENTS

Mayor Cooksey opened the public hearing set for 4:00 p.m. on paving assessments to be levied on Dittmar Road Phase II, covering approximately 2½ blocks. CAPITAL IMPROVEMENTS PROGRAM No. 79/62-32.

No one appeared to be heard.

Charles Brothers, Assistant City Attorney, questioned Herman Sladek concerning his qualifications as an appraiser. Mr. Sladek answered affirmatively to all the questions.

#### Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Rose's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance approving paving assessments to be levied on Dittmar Road Phase II, covering approximately 2½ blocks. C.I.P. 79/62-32. (5-0 Vote, Councilmembers Humphrey and Urdy were out of the room.)

#### HEARING CANCELLED

The public hearing scheduled for 7 p.m. on an appeal from Mr. A.J. Golden of the Building Inspection decision regarding permit to allow shooting facility (Austin Skeet Range) located at FM 2222 at Loop 360 was cancelled.



## AGREEMENT WITH LCRA

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, adopted a resolution entering into an agreement with the Lower Colorado River Authority for purchasing a maximum of 50,000 acre-feet of water annually from Lake Travis. (5-0 Vote, Councilmembers Humphrey and Urdy out of the room.)

## ZONING HEARINGS

Mayor Cooksey announced Council would hear zoning cases scheduled for 4:00 and 5:00 P.M. Council heard, closed the public hearings and disposed of the cases as follows:

-85 OOKVILLE JOINT 149 VENTURE (part) (Case 8) (#22) By Corky Gilbert	12230 North Lamar Blvd.	From "I-RR" To "PUD" (SF-6 standards) NOT RECOMMENDED RECOMMENDED "LO" fronting on North Lamar for 200 foot depth SF-6 PUD for the balance. <u>POSTPONE 60 DAYS</u> From "I-SF-2" To "W/LO" NOT RECOMMENDED RECOMMENDED "LO" <u>"LO" FIRST READING ONLY</u>
-85 11900 JOINT 149 VENTURE (#11) (part) By Donna Kristaponis	11840-11902 North Lamar	

(On Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, 4-0 Vote, Mayor Pro Tem Trevino, Councilmembers Urdy and Humphrey out of the room.)

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-85 RAY HOWARD (#6) 149 By Tom Curtis (part)	12051-12061 North Lamar	From "I-RR" To "GR" NOT RECOMMENDED RECOMMENDED "LO" & "RR" <u>INDEFINITE POSTPONEMENT</u>
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(On Councilmember Shipman's motion, Councilmember Humphrey's second, 4-0 Vote, Councilmembers Urdy and Humphrey and Mayor Pro Tem Trevino out of the room.)

-85 LUTHER SMITH,  
149 INC.-NPC (#70)  
(part)

Parmer Lane  
(no assigned  
address)

From "I-RR"  
To Tr. a: "GR"  
Tr. b: "MF-2"  
Tr. c: "MF-2"  
Tr. d: "LO"  
Tr. e: "SF-2"  
RECOMMENDED a: "LO",  
b: "LO", c: "SF-2",  
d: "LO", e: "SF-2"

APPROVED ON FIRST READING: Tr. a: "LR"

Tr. b: "MF-2", 15 units per  
acre

Tr. c: "MF-2", 15 units per  
acre

Tr. d: "LO"

Tr. e: "SF-2" with 40%

masonry, noting the restrictive covenant has 65' wide lots  
with a depth of 120' and gross areas of the residences are  
1400 square feet excluding porches, opened or screened;  
terraces; patios and driveways; and all other conditions  
as submitted in the restrictive covenant; only one  
driveway access on Parmer Lane on Exhibit B; no access  
to Parmer Lane on Exhibit C, and from Exhibit B there is  
only one access driveway onto Parmer Lane and the  
neighborhood streets are terminated into Tract e.

Prior to the vote John Joseph representing the applicant stated: "I just want to clarify the streets will not be continued through into the development. We agree to limit multi-family to 15 units per acre and also agree to put a 6' privacy fence along the contiguous property line between "SF-2" and "LO" in the neighborhood." .....LATER: Mr. Joseph clarified: Exhibit B is tract a; Exhibit C is tracts b and c; and Exhibit D is tract d. He also said 40% masonry is acceptable to the landowner.

(On Councilmember Carl-Mitchell's motion, Councilmember Urday's second, 7-0 Vote.)

-85 DAVID TAYLOR,  
149 DUBB SMITH (#49)  
(part)

12210-12222 Tangle-  
wild Drive

From "I-RR"  
To "SF-6"  
NOT RECOMMENDED  
RECOMMENDED "SF-1"

APPROVED ON FIRST READING  
"SF-6" 4 UNITS PER ACRE WITH  
RESTRICTIVE COVENANT OF NO ACCESS  
TO TANGLEWILD, 1200 SQUARE FEET  
MINIMUM, 50% MASONRY ON ONE STORY  
AND 35% MASONRY ON TWO STORY

(On Councilmember Carl-Mitchell's motion, Councilmember Urdy's second. 7-0 Vote)

#### EXECUTIVE SESSION

Mayor Cooksey announced Council would go into Executive Session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of :

Land Acquisition - Section 2, paragraph f.

- (1) Acquisition of sites for fire stations.
- (2) Acquisition of right-of-way from Southern Pacific Railroad.
- (3) Town Lake Park Acquisition

Pending Litigation, including but not limited to -  
Section 2, paragraph e.

- (1) Public Utility Commission Docket No. 6560
- (2) City of Austin vs. Public Utility Commission, et al.

#### RECESS AND ADJOURNMENT

Council recessed its meeting from 8:15 p.m. to 11:15 p.m. and adjourned its meeting at 11:15 p.m.



## **Austin City Council MINUTES**

**For** MAY 27, 1986 - 4:00 P.M. - SPECIAL CALLED MEETING  
MAIN LIBRARY - 4TH FLOOR AUDITORIUM

Council Chambers, 307 West Second Street, Austin, Texas

### **City Council**

**Frank C. Cooksey**  
Mayor

**John Treviño, Jr.**  
Mayor Pro Tem

**Council Members**  
**Mark Rose**  
**Smoot Carl-Mitchell**  
**Sally Shipman**  
**George Humphrey**  
**Charles E. Urdy**

**Jorge Carrasco**  
City Manager

**Elden Aldridge**  
City Clerk

### **Memorandum To:**

Mayor Cooksey called to order the special called meeting of the Council, noting the absence of Councilmembers Rose and Urdy.

Council held a work session on Budget Priorities - and discussed Public Safety and Infrastructure.

The meeting was adjourned at 6:10 p.m.