



Austin City Council MINUTES

For MAY 29, 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 Council, noting the absence of Councilmember Rose.

MINUTES APPROVED

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, approved minutes for regular meeting of May 22, 1986 and special meetings of May 20 and 21, 1986. (4-0 Vote, Mayor Pro Tem Trevino and Councilmember Urdy not yet present, Councilmember Rose absent.)

CITIZENS COMMUNICATIONS

Mr. Mike Diedrich talked about electric rates. Ms. Ann Lehne discussed building permit issued in 1951 and how it is still affecting her home. (Councilmember Shipman asked for a report back on the situation.) Mr. Joe Wyman-Young and Mr. Bill Carson talked about affordable housing. Mr. Delk Watson will talk next week. Mr. Dave Elliott and Ms. Katy Hoover did not appear. Ms. Brooks Kasson discussed city's office space requirements.

PUBLIC HEARING SET

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, adopted a resolution to set a public hearing on the following on July 17, 1986 at 3:30 p.m.:

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 and part of easement on Lamar Park is also crossed.

ITEM POSTPONED

Postponed until June 5, 1986 is consideration of an ordinance through second reading releasing certain territory from Austin's Extra-Territorial Jurisdiction to the City of Round Rock.

ZONING ORDINANCE

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, waived the requirement for three readings and finally passed an ordinance amending Chapter 13-2 and 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes: (5-0 Vote, Councilmember Rose absent, Councilmember Urdy not yet present.)

JAY S. JOHNSTON
By Donna Kristaponis
C14-86-009

5301 Boston Lane

From Interim "RR"
to "LO"

Second and third readings. First reading on April 3, 1986, (6-0). Councilmember Mark Rose absent. Conditions have been met as follows: Restrictive covenant incorporating conditions imposed by Council has been executed.

STEVE K. HAWLEY
By John Sheng
C14r-85-311

11906 Research

From Interim "SF-2"
to "GR"

Second and third readings. First reading on December 5, 1985. Councilmember Smoot Carl-Mitchell absent. Conditions have been met as follows: Development restricted to that shown on Site Plan attached as Exhibit "A" to the Ordinance.

RALPH DAUGHERTY
C14-85-288 (part)

Southeastern Corner
of S.H. 71 & Thomas
Springs Road Inter-
section.

From Interim "RR"
to "CS"

EMERGENCY PASSAGE

Second and third readings. First reading on April 23, 1986, (5-0 Vote, Mayor Cooksey out of the room, Mayor Pro Tem Trevino absent.) Conditions have been met as follows: Restrictive covenant incorporating conditions imposed by Council has been executed.

5/29/86

RUDOLP M. &
SUSANNE MARMANN
By Harry Vine, III
C14-85-305

1722 & 1724 West 6th
Street

From "SF-3" to
"NO"

Second and third readings. First reading on January 9, 1986, (6-0 Vote). Mayor Pro Tem Trevino absent. Conditions have been met as follows: Restrictive covenant incorporating conditions imposed by Council has been executed.

CONSENT ORDINANCES

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

Item Postponed

Postponed until June 19, 1986 consideration of first reading of an ordinance for the Southern Union Gas Franchise.

William Cannon Drive

Approved declaring the necessity for ordering improvements to William Cannon Drive, Phase III Special Assessment Project. C.I.P. No. 76/62-12.

Emergency Water Conservation Plan

Approved amending the Emergency Water Conservation Plan (Ordinance No. 850207-B)

Council Meetings Cancelled

Approved cancelling all City Council Meetings for the weeks of June 9-13, July 7-11 and July 21-25.

Ordinance Amendments

Amended the following ordinances to correct the legal descriptions or use designations.

- a. Ordinance No. 850425-E - Case No. C14-84-402
- b. Ordinance No. 840202-K - Case No. C14r-83-280
- c. Ordinance No. 841220-F - Case No. C14-82-011

Street Name Change

Approved the following street name change:

- a. 6900 thru 7100 Block of Martin Avenue to Roland Johnson Drive. (Request submitted by all the adjoining property owners.)

Item Postponed

Postponed until a public hearing on June 19, 1986 at 6:30 p.m. is consideration of amending Chapter 9-6 of the 1981 Austin City Code, defining and regulating lobby efforts related to municipal affairs and personnel.

CONSENT RESOLUTIONS

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

Wastewater Main Easements

Dedicated wastewater main easements out of four City-owned tracts of land for the West Bouldin Wastewater Interceptor Project.

Items Postponed

Postponed until June 5, 1986 is consideration of entering into a lease agreement with Trammell Crow Company for space for the Office of Economic Development and International Trade.

Postponed until June 5, 1986 is release of the following easement:

- a. The electric easement of record in Volume 9185, Page 336 of the Travis County Real Property Records, West Dessau Road near I.H. 35. (Request submitted by the City of Austin Electric Department.)

Release of Easements

Approved release of the following easements:

- a. The Electric Easement of record in Volume 423, Page 79 of the Williamson County Deed Records and located at Pond Springs Road @ U.S. 183. (Request submitted by Bury & Pittman, Inc. on behalf of Carter Investments)
- b. A portion of the 7.5' Public Utility Easement on Lot 6, Block J, Milwood Section 28, 7713 Van Dyke Drive. (Request submitted by P. H. Patterson Survey Company on behalf of the Bill Milburn Company)

- c. A portion of a Water and Wastewater Easement of record in Volume 4186, Page 646 of the Travis County Real Property Records. (Request submitted by State Purchasing and General Services Commission)
- d. The 7.5' Electric Easement of record in Volume 7965, Page 377 of the Travis County Real Property Records and located on Lot 3, Treemont Phase D. (Request submitted by McGray and McGray Land Surveyors, Inc. on behalf of B.P.I. Systems, Inc.)
- e. The 7.5' Public Utility Easement on Lot 3, Treemont, Phase D. (Request submitted by McGray and McGray Land Surveyors, Inc.)
- f. The Electric Easement of record in Volume 783, Page 355 of the Williamson County Deed Records and located on Lot 2, Block C, Acres West, U.S. 183 at Pond Springs Road. (Request submitted by Bury and Pittman Inc. on behalf of Carter Investments).
- g. A portion of a Blanket Electric Easement of record in Volume 650, Page 389 of the Travis County Real Property Records insofar as it affects Lot 1, Willow Bend II, East Oltorf Street @ Pleasant Valley Road. (Request submitted by Dennick, Harris and Wylie Surveying on behalf of Barnes/Connally Investments)
- h. The 50' Public Utility Easement of record in Volume 9102, Page 565 of the Travis County Real Property Records. (Request submitted by Mr. Thomas R. Ryan on behalf of Maple Run Joint Venture)
- i. A portion of the 7.5' Public Utility Easement on Lot 8, Block A, Milwood Section 27-A, 13019 Duborr Drive. (Request submitted by P. H. Patterson Survey Company on behalf of Bill Milburn Company)
- j. The 5' Electric Easement of record in Volume 7604, Page 761 of the Travis County Real Property Records and located on Maple Run Section 9. (Request submitted by Carlson & Dippel Surveying Company, on behalf of Maple Run Joint Venture)
- k. A portion of a Blanket Electric Easement of record in Volume 299, Page 337 of the Williamson County Deed Records insofar as it affects Lot 1, Hill Country Center Section Two, R. M. 620 at Anderson Mill Road. (Request submitted by Carlson and Dippel Surveying Company)
- l. The Electric Easement of record in Volume 2305, Page 6 of the Travis County Real Property Records and located on Maple Run Section 9. (Request submitted by Carlson & Dippel Surveying Company on behalf of Maple Run Joint Venture)

- m. A portion of a Blanket Electric Easement of record in Volume 725, Page 471 of the Travis County Real Property Records insofar as it affects Texas Oaks Section 5. (Request submitted by Carlson & Dippel Surveying Company on behalf of the Bill Milburn Company)
- n. A portion of the Sanitary Sewer Easement of record in Volume 5674, Page 186 of the Travis County Real Property Records and located on Lot 40, Block E, Amended; 1609 Brushy View Cove. (Request submitted by Mr. Michael Samford on behalf of Trueper Homes).
- o. The 10' Electric Easement of record in Volume 1916, Page 65 and the 5' Electric Easement of record in Volume 4734, Page 1923 of the Travis County Real Property Records, Koenig Lane at Woodrow Avenue. (Request submitted by McGray and McGray Land Surveyors, Inc.)

Item Postponed

Postponed until June 5, 1986 is consideration of a resolution to acquire a tract of land (1.413 acres) for the construction of a fire station on Anderson Mill Road at Nene Drive. C.I.P. No. 85/83-09.

Change Order

Approved of the following change order:

- a. In the amount of \$58,377.00 to Fru-Con Construction Corporation for the Davis Water Treatment Plant Hydraulic Improvements. (0.5% increase of the original contract) C.I.P. No. 76/22-84.

Contracts Approved

Approved the following contracts:

- a. JENKINS-OWENS CONSTRUCTION CO. - CAPITAL IMPROVEMENTS PROGRAM
1201 West Loop Installation of Underground
El Campo, Texas Electric Distribution Facilities
for Hill Country Phase 2-A,
Electric Utility Department
Total \$43,911.74 C.I.P. No.
86/15-01
- b. HAEGELIN CONSTRUCTION CO. - CAPITAL IMPROVEMENTS PROGRAM
2600 Palmer Lane Installation of Underground
Austin, Texas Electric Ductline for Burleson
Road, Electric Utility Department
Total \$113,648.40 C.I.P. No.
86/15-01

- c. FMC CORPORATION
3400 Walnut Street
Colmar, Pennsylvania
 - Traveling Water Screen, Electric
Utility Department
Total \$53,875.00 86-0243-CM/DC
 - d. CENTRAL TEXAS CLARKLIFT
806 West Loop 340
Waco, Texas
 - Forklifts, Vehicle & Equipment
Services Department
Total \$59,980.00 86-0237-CM/DC
 - e. WEHRING-GOSS EQUIPMENT
COMPANY
11146 North IH-35
San Antonio, Texas
 - Three-wheel Roller, Vehicle
Equipment Services Department
Total \$40,500.00 86-0234-CM/DC
 - f. Bid Award
 - Water Conservation Retrofit-
Single Family Residential,
(Contract modification), Resource
Management Department
Total \$75,472.00 86-S147-LI
- (1) DMC ENERGY, INC.
31 Milk Street, Suite 610
Boston, Massachusetts
 - \$34,176.00
 - (2) ENERGY SAVINGS
CONTRACTOR (MBE)
P. O. Box 4057
 - \$41,296.00

Pipe Line License Agreement

Approved entering into a Pipe Line License Agreement (Railroad Crossing Permit) with the Union Pacific Railroad Company for the relocation of a wastewater line at the intersection of the Missouri Pacific Railroad and proposed North Loop 1.

Utility Pole Rental Agreement

Approved a Utility Pole Rental Agreement with Austar Joint Venture (Textel Cable).

Austin CableVision

Approved requesting from Austin CableVision one high-quality modulator for the City's use.

Posting Place

Approved establishment of a centralized location for the purpose of posting all requests for proposals, requests for services and invitations for bids.

Neighborhood Watch Program

Approved a policy to begin an active promotional campaign to inform citizens and neighborhood organizations of the protection and benefits of the Neighborhood Watch Program.

The Children's Hospital of Austin

Approved naming the pediatric hospital "The Children's Hospital of Austin" at Brackenridge.

Fiscal Management

Accepted the report of the Mayor's Select Committee on Fiscal Management.

Tax Increment Financing

Approved expenditure of bills with Fulbright & Jaworski for contract previously approved for legal services related to tax increment financing. (\$50,582.19)

Public Hearings Set

Set public hearings on the following:

- a. Appeal of Building Standards Commission Order to reduce occupancy load and provide natural light and ventilation on the structure located at 2007 East 7th Street:
June 19, 1986 at 3:00 p.m.
- b. Consider limited-purpose annexation of the Boston Lane (Southwest Parkway) area: June 19 and 26, 1986 at
8:00 p.m.

Select Committee on Electric Rates

Approved placing two consumer group representatives on the Select Committee on Electric Rates.

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, litigation, and for personnel matters. No official action of the City Council will be taken on any of these matters unless such item is specifically listed on the agenda. Mayor Cooksey announced Council would discuss Item E.9 on the agenda "Consider allocating funds from the Town Lake Parkland fund to provide for professional services related to Town Lake Parkland"; and Selection of Municipal Court Clerk, Section 2, Paragraph g., Personnel Matters.

RECESS

Council recessed for executive session from 2:12 p.m. to 4:30 p.m.

ITEMS PULLED

Pulled from the agenda was an ordinance to consider allocating funds from the Town Lake Parkland fund to provide for professional services related to Town Lake Parkland; and a resolution to consider authorizing the City Manager to enter into necessary professional services agreements related to Town Lake Parkland.

REQUEST WITHDRAWN

Mr. Miguel Guerrero withdrew his request for Council to set a public hearing on an appeal of the Planning Commission action under Section 13-3-7 on Point Venture II MUD Preliminary plan. Mayor Cooksey announced there will be a resolution on the June 5, 1986 agenda based on the Planning Commission's recommendation.

APPEALS SET

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, approved the request of Mr. Andrew Guzman Jr. and set a public hearing on June 26, 1986 at 5:30 p.m. on an appeal of the Planning Commission decision regarding project for Ben Callaway (located at 806 Taulbee Lane). File No. CSW-86-048. (6-0 Vote, Councilmember Rose absent.)

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Humphrey's second, approved the request of Mr. Stanley Castano and set a public hearing on June 5, 1986 at 7:00 p.m. on an appeal of the Building Standards decision regarding a permit extension of the Austin Skeet Range. (6-0 Vote, Councilmember Rose absent.)

PUBLIC HEARING CONTINUED

The public hearing set for 3:00 p.m. on amendment to Sections 13-2A-4350, et.seq. of the zoning ordinance relating to sexually-oriented commercial establishments, was continued to June 5, 1986 at 7:30 p.m. There were no speakers.

J. FRANK DOBIE HOUSE

Council had before them for consideration an ordinance amending the 1985-86 Annual Operating Budget by appropriating \$5,000 from the available Cultural Arts Funds (Bed Tax) to the Austin Writers League for the purpose of securing an option on the J. Frank Dobie House. Barney Knight, Acting Assistant City Manager, said the funds could be structured with hotel/motel bed tax, or it could be structured as a grant. Council wanted more information and postponed action to June 5, 1986.

ZONING HEARING

Mayor Cooksey announced Council would hear the following zoning case. Council heard, closed the public hearing and passed through FIRST READING as follows:

r-85 AAIG PARTNERSHIP 7907-8007 RM 620
135 By Kristaponis,
Gregory & Assoc.

FROM "I-RR"
To "LO" Lot 2
"GO" Lot 1

RECOMMENDED subject site plan being revised to provide for a collector street; limit the square footage to 187,200 square feet (0.25 F.A.R.) for the entire site, and comply with Landscape and Parking requirements; if 50% impervious coverage is exceeded, then all reasonable alternatives must be exhausted by the applicant before a variance is approved if the F.A.R. is exceeded, then the site plan will require both Planning Commission and City Council approval; and post a letter of credit for 400 feet of left turn frontage on RM 620 during the subdivision process, if required by the State Highway Department.

GRANTED "LO" WITH ORIGINAL SITE
PLAN, DELETE ROAD THROUGH TRACT
FIRST READING ONLY

(On Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, 6-0 Vote, Councilmember Rose absent.)

PUBLIC HEARING CONTINUED

Council, by unanimous consent, continued the public hearing scheduled for 5:00 p.m. on an ordinance establishing right-of-way dedication and reservation policy for the City, providing a procedure for waiver of reservation requirements and amending the subdivision ordinance accordingly to old business on June 5, 1986 at 2:00 p.m.

ITEM POSTPONED

Postponed until June 5, 1986 was consideration of an ordinance declaring a moratorium on development approvals for projects proposing construction in future right-of-way.

NORTHEAST INVENTORY REPORT

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, adopted a resolution adopting recommendations of Northeast Inventory Report. (5-0 Vote, Councilmember Humphrey out of the room, Councilmember Rose absent.)

ZONING HEARINGS POSTPONED

Postponed until June 19, 1986 at 6:00 p.m. the following zoning cases:

NOT Recommended by the Planning Commission, Alternate Recommendation
With Conditions:

-85 OAK HILL HTS.	7301-7333 U.S. 290	From "I-RR"
288 JOINT VENTURE	West	To "MF-2" (as amended)
(part) (Case 17)		"SF-2"
		NOT RECOMMENDED
		RECOMMENDED to grant
		"LO" (10.9 acres)
		"SF-2" (14.65 acres)
		as recommended by the
		Oak Hill Area Study.

NOT Recommended by the Planning Commission, Alternate Recommendation
With Conditions: (continued)

-85 NASH PHILLIPS/	5904-7304 Convict	From "I-RR"
318 COPUS, INC.	Hill Road	To Lots A, B, & C-MF-3
-85 By Minter,		Lots D, E, & F-LR
288 Joseph &		NOT RECOMMENDED
(part) (Case 18)		RECOMMENDED to grant
		LR for Lots D, E, & F;
		SF-6 for A, B, & C limited
		to overall density of six
		(6) units per acre, with
		four (4) units per acre
		along west and increasing
		eastward against LR. TIA
		to be re-figured to see if
		fiscal requirements in staff
		recommendation could be
		reduced. Recommend that
		Council consider refunds/
		credits for applicant as
		expenses incurred prior to
		annexation were based on
		subdivision requirements only.

ITEM POSTPONED

Postponed until June 5, 1986 is action on the new City of Austin Ethics and Financial Disclosure Ordinance.

EXECUTIVE SESSION

Mayor Cooksey announced Council would go into Executive Session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated to discuss the following matters. No action will be taken unless in open meeting.

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

- (1) Bee Cave Inc. Annexation Request
- (2) Pending applications for Certificate of Convenience and necessity to provide water and wastewater service.

Land Acquisition, Section 2, Paragraph f.

- (1) Mo-Kan right-of-way acquisition.

RECESS AND ADJOURNMENT

Council recessed its meeting at 6:30 p.m. and adjourned its meeting at 7:38 p.m.