



# **Austin City Council MINUTES For**

**JULY 17, 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 presence of all Councilmembers.**

### **MINUTES APPROVED**

**The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, approved minutes for regular meetings of July 3, 1986 and special meetings of June 24, 25, 1986 and July 1, 2, (4:00 P.M. and 6:00 P.M.); and July 3, 1986 (5:00 P.M.). (6-0 Vote, Councilmember Rose was out of the room.)**

### **CITIZEN COMMUNICATIONS**

**The following people spoke during Citizen Communications:**

**Mr. Mark J. Weaver discussed pornography. Mr. Dick Obenhaus and Mr. Ted Hendricks discussed affordable housing. Dr. Al Lindsy, Ms. Rebecca Weaver and Mr. Jack Heacock talked about nuclear warhead testing. Mr. Norris Carr discussed Hotel Bed Tax Issue. Ms. Cynthia Valadez talked about parkland.**

### **TASK FORCE ON HOMELESS REPORT**

**Doyal Nelms presented the final report on Task Force for the Homeless.**

### **HOUSING SUBCOMMITTEE OF THE COMMUNITY DEVELOPMENT COMMISSION**

**Several speakers reported on affordable housing. They were members of Housing Subcommittee of the Community Development Commission.**

## RESOURCE MANAGEMENT COMMISSION

Roger Duncan reported on Recommendation Concerning the Installation of Renewable Energy and Energy Conservation Devices. A copy of his report is on file in the City Clerk's office. Mr. Duncan also reported on Recommendation on a Water Conservation Rate Structure. He said they recommend adoption of Option B1.

Council requested an agenda item on the July 31, 1986 agenda to set a hearing on the Commission recommendation concerning water conservation rate structure.

## OLD BUSINESS

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 out of the room.)

Right-of-Way Dedication

Passed through third reading of an ordinance amending establishing right-of-way dedication and reservation policy for the City, providing requirements and amending the Subdivision Ordinance accordingly.

Zoning Ordinances

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

- (1) JOEL D. WILKINSON                      4010 Manchaca                      From "SF-3"  
C14-86-012                                      Road                                      to "NO"

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.

- (2) RICE COURT DEVELOPMENT, INC.      Northeast corner                      From "DR"  
& GULF FABRICATORS, INC.              Cross Park Drive                      to "GR"  
C14-86-058                                      & U.S. 290 East

Second and third readings. First reading on June 5, 1986, (7-0). No conditions.

- (3) TRAMELL CROW COMPANY                      1801 Slaughter                      From "GR"  
CROW-GOTTESMAN-SHAFFER #4              Lane                                      to "CS-1"  
C14r-86-023

Second and third readings. First reading on June 5, 1986, (6-0). Councilmember Mark Rose out-of-room. Conditions have been met as follows: Development restricted to that shown on Site Plan attached as Exhibit "B" to the Ordinance.

7/17/86

- (4) JOHN E. SIMMONS, TRUSTEE      12613-12925      From Interim "RR"  
By Melinda J. Longtain      I.H. 35 &      to "CS"  
C14r-84-522      proposed Farmer  
Lane

Second and third readings. First reading on May 2, 1985. (6-0). Conditions have been met as follows: Development restricted to that shown on Site Plan attached as Exhibit "B" to the Ordinance.

- (5) THREE POINTS PARTNERSHIP      15608 Century      From Interim "SF-2"  
By Kristaponis, Gregory &      Street      to "LI"  
Associates  
C14-85-262

Second and third readings. First reading on November 7, 1985, (6-0). Councilmember Mark Rose absent. Conditions have been met as follows: Right-of-way on Century Street has been conveyed by Street Deed.

- (6) LUTHERAN FOUNDATION OF      9596-9608 U.S.      From Interim "RR"  
THE SOUTHWEST      Hwy. 290, 9701-      to "GO"  
By Larry Turner      9721 Giles Road  
C14-86-003

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

- (7) DEAUVILLE AUSTIN CORP.      1000-1114 East      From "CS", "LO"  
By Kristaponis, Gregory      Anderson Lane,      "GO", "MF-2" &  
& Associates      (U.S. 183), &      "SF-3" to "GR", "CH"  
C14r-85-223      8017-8019 North & "CS-1"  
I.H. 35

Second and third readings. First reading on November 7, 1985 (5-0). Councilmember Urdy out of the room, Councilmember Rose absent. Conditions have been met as follows: Development restricted to that shown on site plan as attached as Exhibit "D" to the Ordinance.

- (8) JAMES DALE LEE, ET AL      4326 & 4330      From "SF-3"  
By James D. Lee      James Casey      to "LO"  
C14-85-123 (part)

Second and third readings. First reading on July 11, 1985, (7-0). Conditions have been met as follows: Right-of-way on James Casey Street has been conveyed by Street Deed.

EMERGENCY PASSAGE OF ORDINANCE

**CONSENT ORDINANCES**

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

**Capital Improvements Program**

Approved receiving and accepting work of paving Radam Lane consisting of approximately 1 block. C.I.P. 77/62-03.

**Contract Revenue Bonds**

Approved Contract Revenue Bonds in the amount of \$36,000,000 to be issued by Circle C Municipal Utility District No. 3. (5-0 Vote, Mayor Cooksey abstained and Mayor Pro Tem Trevino abstained due to conflict of interest.)

**Waivers to Comprehensive Watersheds Ordinance**

Approved Comprehensive Watershed Ordinance Waivers. (6-1 Vote, Mayor Cooksey voted No.)

**Nuckols Crossing**

Approved the agreement regarding the construction of the Nuckols Crossing 24" waterline.

**Legal Description Correction**

Amended the following ordinances to correct the legal description or use designation:

- a. Ordinance No. 850131-K (Zoning Case No. C14-84-178)
- b. Ordinance No. 850404-G (Zoning Case No. C14-85-008)
- c. Ordinance No. 860522-A (Zoning Case No. C14-85-191)

**Annexation Ordinances**

Approved, through all three readings, the following annexation ordinances:

- a. Approximately 842 Acres of land out of the Thomas B. Westbrook Survey No. 5, the Noel M. Bain Survey No. 1, Ayers Moody Survey 168 and other surveys in Travis County, Texas for full purposes. (C7ar-86-002)
- b. Approximately 2,807 acres of land out of the William H. Sanders Survey No. 54, the Lucas Munos Survey No. 55, the M. Castro Survey No. 50 and other surveys in Travis County, Texas for full purposes (C7ar-86-003)

- c. Approximately 2,433 acres of land out of the Reuben Hornsby Survey No. 32, the Reuben Hornsby Survey No. 17, the O. Buckman Survey No. 40, the Joseph Duty Survey No. 16, the J. B. Walters Survey No. 48 and the John Burleson Survey No. 33 for full purposes. (C7ar-86-007)
- d. Approximately 324 acres of land out of the James Trammel Survey No. 4, the A. Eanes Survey No. 812, the Henry P. Hill Survey 813 and the Chas H. Riddle Survey No. 19 for full purposes. (C7ar-86-010)
- e. Approximately 281 acres of land out of the J.C. Harrelson Survey No. 78, the J.A.G. Brooks Survey No. 79 and the T.H. Mays Survey No. 89, for limited purposes of planning and zoning. (C7ar-86-009)
- f. Approximately 397 acres of land out of Lucinda Madden Survey No. 206, Robert McKinney Survey No. 520, W. S. Hall Survey No. 412, R. M. Johnson Survey No. 74, T. D. Wade Survey No. 616, John D. Harvey Survey. 37, William McCowan Survey No. 607, Arnold and Barret Survey No. 45, John D. McAllister Survey No. 71, W. S. Wallace Survey No. 67 and other Surveys in Travis County for limited purposes. (C7ar-86-008)

#### Item Pulled

Pulled from the agenda was an ordinance ratifying an agreement for easement and serving as basis for exemption from the Waterfront Overlay Combining District.

#### Covenant

Approved amending Ordinance No. 860626-H to add a covenant to City of Austin, Texas Combined Utility Systems Revenue Bonds, Series 1986 B.

#### CONSENT RESOLUTIONS

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, adopted the following resolutions in one consent motion: (5-0 Vote, Councilmembers Humphrey and Urdy out of the room.)

#### Item Pulled

Pulled from the agenda was consideration of authorizing eminent domain proceedings to acquire an electric transmission easement over the following tracts of land for the Circuit 972, McNeil to Howard Land Project: 0.24 acre out of a 15.01 acre tract described in the deed recorded in Volume 8618, Page 639, of the Deed Records of Travis County, Texas.

Eminent Domain Proceedings

Authorized eminent domain proceedings to acquire an Electric Transmission Easement over the following tracts of land for:

The Circuit 3125, Lytton Springs to Trading Post Project:

8.51 acres out of a 192 acre tract described in the deed recorded in Volume 1644, Page 251, of the Deed Records of Travis County, Texas.

Release of Easement

Authorized release of the following easement:

- a. Portions of the 5' Public Utility Easements on the common lot line of Lots 26 & 27, Block D, Eubank Acres Section Two (301 Caddo Street). (Request submitted by Mr. and Mrs. John N. Herndon)

Capital Improvements Program

Approved acquisition of a 1.3416 acre (58,439.69 square feet) of land for the purpose of Highway 183 (Research Blvd.) and Loop 1 (MoPac) interchange right-of-way. C.I.P. 85/62-01.

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Approved selection of an architectural consultant to provide professional services in connection with the planning, design and construction of the Burnet and Parmer Lane Prototypical Fire Station. C.I.P. 85/83-09.

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Approved a transfer of excess 1984 G.O. Bond funds from three completed projects to the following uncompleted project; participation with developers and property owners for drainage improvements. C.I.P. 60/76-75.

Change Orders

Approved the following change order: In the amount of \$106,114.00 to Clearwater Constructors, Inc. for the Albert H. Ullrich Water Treatment Plant Expansion, Contract No. 1. (2.0% increase of the original contract total of change orders to date, 8.7%). C.I.P. 73/22-98

Contracts Approved

Approved the following contracts:

- |   |  |
|---|--|
| a. USCO POWER EQUIPMENT COMPANY<br>824 North 36th Way<br>Birmingham, Alabama                    | - CAPITAL IMPROVEMENTS PROGRAM -<br>Twenty-nine (29) 138 KV Outdoor<br>Air Switchers, Electric Utility<br>Department<br>Items 1-3 - \$109,235.00 C.I.P.<br>Nos. 79/16-05, 85/16-19 & 86/16-20  |
| b. SIEMENS ENERGY & AUTOMATION<br>12200 Northwest Freeway, Ste. 415<br>Houston, Texas           | - CAPITAL IMPROVEMENTS PROGRAM -<br>34.5 KV.5 Metal Clad Switchgear,<br>Electric Utility Department<br>Item 1 - \$392,842.00 C.I.P.<br>No. 86/16-05  |
| c. SIEMENS ENERGY & AUTOMATION<br>12200 Northwest Freeway,<br>Suite 415<br>Houston, Texas       | - CAPITAL IMPROVEMENTS PROGRAM -<br>Three (3) 138 KV Circuit Switchers,<br>Electric Utility Department<br>Item 1 - \$90,747.00 C.I.P. Nos.<br>86/16-04 & 81/16-02                              |
| d. SIEMENS ENERGY & AUTOMATION, INC.<br>12200 Northwest Freeway,<br>Suite 415<br>Houston, Texas | - CAPITAL IMPROVEMENTS PROGRAM -<br>Four (4) 138 KV Circuit Switchers,<br>Electric Utility Department<br>Item 1 - \$120,996.00 C.I.P. No.<br>86/16-02  |
| e. GENERAL ELECTRIC COMPANY<br>1550 Northeast Loop 410,<br>Suite 206<br>San Antonio, Texas      | - CAPITAL IMPROVEMENTS PROGRAM -<br>Four (4) 31,200 KVAR Shunt Power<br>Capacitor Banks, Electric Utility<br>Department<br>Item 1 - \$530,784.00 C.I.P. No.<br>86/16-02                        |
| f. GENERAL ELECTRIC COMPANY<br>1550 Northeast Loop 410,<br>Suite 206<br>San Antonio, Texas      | - CAPITAL IMPROVEMENTS PROGRAM -<br>Nine (9) 138 KV Potential<br>Transformers, Electric Utility<br>Department<br>Item 1 - \$53,550.00 C.I.P. Nos.<br>86/16-13, 85/16-19 & 86/16-20             |
| g. GENERAL ELECTRIC COMPANY<br>1550 Northeast Loop 410,<br>Suite 206<br>San Antonio, Texas      | - CAPITAL IMPROVEMENTS PROGRAM -<br>Neutral Grounding Resistors,<br>Electric Utility Department<br>Items 1 & 2 - \$38,037.00<br>C.I.P. Nos. 86/16-20 & 86/16-05                                |
| h. GENERAL ELECTRIC COMPANY<br>1550 Northeast Loop 410,<br>Suite 206<br>San Antonio, Texas      | - CAPITAL IMPROVEMENTS PROGRAM -<br>Eighteen (18) 138 KV Station<br>Class Surge Arrestors, Electric<br>Utility Department<br>Item 1 - \$32,742.00 C.I.P. Nos.<br>85/16-19, 86/16-20 & 79/16-05 |

- i. L. E. MYERS COMPANY  
4315 Allen Genoa Road  
Pasadena, Texas
  - CAPITAL IMPROVEMENTS PROGRAM -  
Construction of Overhead  
Electric Distribution Facilities  
at FM 973 & Elroy Road, Electric  
Utility Department  
Total \$116,807.41 C.I.P. No.  
86/14-02
- j. SUN-TEX FENCE COMPANY, INC.  
9210 United Drive  
Austin, Texas
  - CAPITAL IMPROVEMENTS PROGRAM -  
Installation of Fencing, Posts,  
Gates, Concrete Mowing Curb and  
Aprons at Krieg Softball Complex,  
Parks and Recreation Department  
Total \$56,810.00 C.I.P. No.  
75/86-56
- k. CLEARWATER CONSTRUCTORS, INC.  
16021 North I.H. 35  
Round Rock, Texas
  - CAPITAL IMPROVEMENTS PROGRAM -  
Construction of Walnut Creek  
Wastewater Treatment Plant  
Expansion, Water and Wastewater  
Utility Department  
Total \$9,347,000.00 C.I.P. No.  
82/23-81
- l. BIO GRO, INC.  
1916 Forest Drive  
Annapolis, Maryland
  - CAPITAL IMPROVEMENTS PROGRAM -  
Hornsby Bend Lagoon I Sludge  
Removal, Transport and Disposal,  
Water and Wastewater Department  
Total \$4,883,000.00 C.I.P. No.  
85/23-15
- m. ROBERT JENTSCH CONSTRUCTION, INC.  
P. O. Box 3343  
Austin, Texas
  - CAPITAL IMPROVEMENTS PROGRAM -  
Construction of Gabion Erosion  
Control Structures at Shoal Creek  
below White Rock Drive, Public  
Works Department  
Total \$33,020.00 C.I.P. No.  
85/60-07
- n. ROBERT JENTSCH CONSTRUCTION, INC.  
P. O. Box 3343  
Austin, Texas
  - CAPITAL IMPROVEMENTS PROGRAM -  
Bridge Repair and Drainage  
Improvements to the West 45th  
Street Bridge at Shoal Creek,  
Public Works Department  
Total \$139,473.10 C.I.P. No.  
85/60-09
- o. PAT CANION EXCAVATING COMPANY  
12732 Twin Creeks Road  
Austin, Texas
  - CAPITAL IMPROVEMENTS PROGRAM -  
Construction of Sidewalk and  
Sidewalk Ramp Improvements, Phase  
III, Project 1-E including Water  
Meter Adjustments, Public Works  
Department  
Total \$57,866.20 C.I.P. Nos.  
86/61-03 & 83/22-04



- p. Energy Plant Constructors, Inc.  
9700 Richmond Avenue  
P. O. Box 42999  
Houston, Texas
- q. PIONEER AGGREGATES  
8900 Ramirez  
Austin, Texas
- r. BEL INDUSTRIES, INC.  
1225-A Crosby Road  
Carrollton, Texas
- s. TECHLINE, INC.  
8750 Shoal Creek Boulevard  
Austin, Texas
- CAPITAL IMPROVEMENTS PROGRAM -  
Contract No. 3 to the South  
Austin Regional Wastewater  
Treatment Plant Expansion and  
Improvements, Public Works  
Department  
Total \$8,525,000.00 C.I.P. No.  
85/23-16
- Aggregate for Seal Coat, Public  
Works Department  
Twelve (12) Month Supply  
Items 1-4 \$73,470.00 86-0295-LR
- Mobile Telephone Terminal,  
Vehicle & Equipment Services  
Department  
Total \$55,000 86-S593-LI
- Street Light Poles, Vehicle  
and Equipment Services  
Department  
Items 1-4 - \$86,932.00  
86-0294-LR

#### Renal Dialysis Services

Approved a one year contract renewal with the Austin Diagnostic Clinic for renal dialysis services for an estimated cost of \$300,768.00 with option to renew for two, one (1) year extensions.

#### Title X Family Planning Grant Funds

Approved renewing the contract with the Texas Department of Health to accept \$95,034.00 for Title X Family Planning Grant Funds. (April 1, 1986 through March 31, 1987.)

#### Item Postponed

Postponed to July 31, 1986 is a resolution ratifying the City Manager's appointment of resource people to three of the Comprehensive Plan Task Groups.

#### 1985 Victim Assistance Act Funds

Supported application for 1985 Victim Assistance Act Funds through the State of Texas, Governor's Office, Criminal Justice Division.

Parkland

Accepted a gift to the City of Austin from Randy Morine of 61 acres of parkland in the Austin Hills Subdivision.

1986 Mortgage Revenue Bond Program Guidelines

Affirmed the action of the Austin Housing Finance Corporation Board of Directors to adopt 1986 Mortgage Revenue Bond Program Guidelines.

Rental Rehabilitation Program Grant Funds

Authorized the City Manager or his designee to submit a program description to the United States Department of Housing and Urban Development (HUD) to qualify for and accept an allocation of \$199,000 of rental rehabilitation program grant funds, fiscal year 1986.

City's Independent Audit

Authorized a professional services contract with Coopers and Lybrand for the City's independent audit, pension audits, bond sale work and other related work for the four year period beginning with FY 85-86 and ending with 88-89, with an option to renew for one year.

Item Postponed

Postponed to July 31, 1986 consideration of determining the winner and runner-up of the Affordable House Design Competition.

Public Hearing Set

Set a public hearing on the following:

Amending Section 1305 of Chapter 13-2A to include additional roadways to the Principal Roadway Areas:  
July 31, 1986 at 5:00 p.m.

Bonds

Authorized writ of mandamus proceedings to compel the Attorney General to approve the validity and issuance of City of Austin, Texas, Combined Utility Systems Revenue Bonds, Series 1986 B.

Select Committee on Electric Rates

Approved extending the deadline of the Select Committee on Electric Rates from July 19 to August 1, 1986 in order to complete the writing of their report.

## CITY OF AUSTIN ETHICS AND FINANCIAL DISCLOSURE ORDINANCE

The Council voted on eleven amendments during the third reading of a new City of Austin Ethics and Financial Disclosure Ordinance and approved them all. Complete transcript of motions for the amendments is on file in the City Clerk's office.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Humphrey's second, passed through THIRD READING of a new City of Austin Ethics and Financial Disclosure Ordinance, to be effective September 4, 1986. (7-0 Vote)

## WATERFRONT OVERLAY DISTRICT

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, passed through SECOND AND THIRD READINGS of an ordinance amending Chapter 13-2A of the City Code (Zoning Ordinance), establishing a Waterfront Overlay District (WO), for properties in the Town Lake Corridor. (6-0 Vote, Councilmember Rose abstained.)

## HEARINGS SET

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, set the following public hearings:

1. August 14, 1986 at 5:30 p.m., on the request of Ms. June Hawley and Ms. Stella Nilsen for a public hearing on an appeal of the Planning Commission's decision to grant a conditional use permit for 2915 Guadalupe. C14p-86-005. (Related to C14-86-043)
2. August 7, 1986 at 6:00 p.m., on the request of the Fontainbleu owners and dwellers request for a public hearing on an appeal of the Planning Commission's decision granting a Special Permit for pre-school nursery on Enfield Road. C14p-86-013.

## SOUTHERN UNION GAS FRANCHISE

The Council, on Councilmember Rose's motion, Mayor Cooksey's second, passed through FIRST READING ONLY of an ordinance for Southern Union Gas Franchise; six points are to be negotiated with the Council Sub-Committee. (6-1 Vote, Councilmember Humphrey voted No.)

## ITEM POSTPONED

Council postponed until July 31, 1986 consideration of approval of the following change order: In the amount of \$78,830.00 to Digital Equipment Corp. for the land based information system to provide computer hardware, software and maintenance. (3.0% change of original contract) C.I.P. 85/62-74

## ITEM POSTPONED

Postponed until July 31, 1986 is a resolution to consider approving an amendment to the Restrictive Covenant dated December 7, 1978, executed by Cox Enterprises, Inc.

## MUD NAME CHANGE

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, waived the requirement for three readings and finally passed an ordinance approving a name change for South-west Austin Municipal Utility District No. 3 to Circle C Municipal Utility District No. 3 and amending the Utility Construction Contract of said district. (5-0-0 Vote, Mayor Pro Tem Trevino abstained due to conflict of interest and Councilmember Humphrey was out of the room.)

## APPROACH MAINS

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Rose's second, adopted a resolution approving the following approach mains: (6-0 Vote, Councilmember Humphrey out of the room.)

NOTE: The amount of LUE's approved for wastewater commitment does not guarantee service in the event that the flows to affected treatment plants exceed legally permitted flows, and does not imply commitment for land use. (Water and Wastewater Commission recommends approval)

- a. 481 Anderson Mill Car Wash II, Wastewater
- b. 482 Bright Star Estate, Wastewater
- c. 491 Lift Station 27 & 68 Imp., Wastewater
- d. 492 McCullick Tract, Wastewater
- e. 686 Hanks 2.22 Acre, Water
- f. 687 Hanks 2.22 Acre, Wastewater
- g. 736 Anderson Mill Phase I, Water
- h. 737 Anderson Mill Phase I, Wastewater
- i. 783 Friedman Tract II, Water
- j. 784 Friedman Tract II, Wastewater

## PUBLIC HEARING - HOTEL OCCUPANCY TAX STUDY

Mayor Cooksey opened the public hearing scheduled for 5:00 p.m. on Hotel Occupancy Tax Study. The following people spoke: Bo Byers, Dr. John King, Norris Carr, Eva Wisser, Chris Bush, Randy McCaslin, Tom Davies, Steve Houser, Jayne Dibrell, Fred Hanna, Bill Arnold, David Dunham, Joe Morin, Erasmo Andrade, Ron Painter, Juan Cotera, Phillip Creer, Mr. Niemeyer, Sami Dwyer, Lauro Cruz, Raul Vasquez, Gus Garcia, Sam Guzman, Diana Castaneda, Martha Cotera, Rick Chapa, Enrique Lopez, Lee Cooke, Tommy Wyatt, Darrell Capparelli.

Motion

The Council, on Councilmember Urdy's motion, Councilmember Shipman's second, closed the public hearing. (6-0 Vote, Councilmember Carl-Mitchell out of the room.)

**EXTENSION OF PERMITS**

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, approved an extension of time on Water and Wastewater permits for Mrs. Dorothy Parsons for property identified as 504 Wonsley Drive until November 8, 1987. (7-0 Vote)

**PUBLIC HEARING - GROUP HOMES FOR ELDERLY**

Mayor Cooksey opened the public hearing scheduled for 3:00 p.m. on an amendment to Chapter 13-2A (Revised Zoning Regulations) relating to group homes and accessory apartments for elderly persons.

Mr. Kurt Bishop, Office of Land Development Services, reviewed the ordinance. No one else appeared to speak.

**Motion**

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance to amend Chapter 13-2A (Revised Zoning Regulations) relating to group homes and accessory apartments for elderly persons as recommended by the Planning Commission. (7-0 Vote)

**PUBLIC HEARING - SAN JACINTO CENTER**

Mayor Cooksey opened the public hearing set for 3:30 p.m. to consider granting of easements to the San Jacinto Center on Town Lake Project.

After Richard Ridings, Director of Public Works, explained the subject, and Bill Bingham spoke, the following motion was made:

**Motion**

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, closed the public hearing, waived the requirement for three readings and finally passed two ordinances, and adopted a resolution granting easements to the San Jacinto Center on Town Lake Project. (6-0 Vote, Councilmember Shipman out of the room.)

**ITEM POSTPONED**

Postponed until July 31, 1986 is Councilmember Shipman's item to discuss improvements to the development system for processing small projects.

**CIVIC CENTER DESIGN ASSISTANCE TEAM**

Councilmember Rose said that Coalition for People's Places should be added to the appointments to the Civic Center Design Assistance Team.

## U.D.A.G. PROGRAM

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, approved reprogramming \$200,000.00 from the U.D.A.G. Program into the Housing and Economic Development Fund for the 12th Year C.D.B.G. Program. (7-0 Vote)

## ZONING POSTPONED

The applicant requested a six month delay on the following zoning case. Council approved by acclamation.

-85 CONVILLE 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.

DELAYED SIX MONTHS

## ZONING HEARING

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

-86 ADON E. SITRA  
059 By Terrence L.  
Irion

12184-12186 Jolly-  
ville Road

From "LO"  
To "LR"  
RECOMMENDED subject to  
bank use only, no  
development on rear  
portion of tract until  
U.S. 183 freeway improve-  
ments complete (can be  
used by neighborhood  
as a ballfield until  
then) and rear of tract,  
when developed, subject  
to NO regulations and  
uses, plus other agree-  
ments.

GRANTED "LR" FIRST  
READING

Marie Gaines, OLDS, reviewed. She said it is for bank use only and no TIA is required because the bank facility will not generate an excessive amount of traffic nor pose any capacity issues for Jollyville Road. The valid petition has been withdrawn. "As a final note, as part of the conditions of the zoning request the applicant has filed a request for rollback to "SF-6" on the back portion as part of the agreement with the neighborhood."

Terry Irion, representing the applicant, said the area has been zoned "LO" for two years and has an approved site plan for office buildings totaling 24,000 square feet. Mr. Irion said there was a valid petition against the project but they have since talked to all of the surrounding property owners adjacent to the tract and they have recommended favorable support for the neighborhood association position which is supportive of the applicant. "The applicant has agreed with the neighborhood association to file a re-zoning for the back two-thirds of the tract to "SF-6". That application has been filed and we are asking this evening for first reading approval only on that zoning."

Glen Reddick and Bill McClusitch both spoke in support of the zoning change and agreements. So did Aubrey Drew, Jim O'Donnell. Gene Curb opposes the proposal.

#### Motion

Councilmember Urdy made a motion to approve the Planning Commission recommendation on the first reading and with the final reading come back with an application for the remaining portion of the tract. Mayor Pro Tem Trevino seconded the motion, which passed by a vote of 6-1 with Councilmember Shipman voting No.

#### ACTION ON ZONING CASE

Council was scheduled to take action at 7:00 p.m. on the following zoning case:

-85 CITY OF AUSTIN  
288 By Office of Land  
Development Service  
(#54)

Hwy. 71 West

From "I-RR"  
To "LR" & "NO"  
ADOPT LACEY PLAN WITH  
18 CONDITIONS  
"NO" 1/2 ACRE  
"LR" 6 ACRES

(On Mayor Cooksey's motion, Councilmember Rose's second, 4-3 Vote, Councilmembers Carl-Mitchell, Humphrey and Shipman voted No.

#### HEARING POSTPONED

Postponed until July 31, 1986 at 5:30 p.m. was a hearing on an ordinance amending Chapter 13-2A (Revised Zoning Regulations) to provide for a site plan review and additional regulations for duplexes containing six or more bedrooms per lot.

#### AUDITORIUM SITE AS PARK

Mayor Cooksey opened the public hearing set for 7:00 p.m. to consider dedication of certain City-owned tracts of land generally bounded by West Riverside Drive, Lee Barton Drive, Barton Springs Road and South First Street for park-purposes.

Gerald Hurley opposes the site for a park and spoke in favor of a civic center there. Melvin Wrenn said the question should be taken back to the voters. The following people spoke in favor of a park site: David Morales, T. Paul Robbins, John Houghton, James Pinedo, Shudde Fath, Gary Brock, Mariam Blum, Richard Gravois, Michael Curry, Cynthia Valadez, Katherine Kennedy, Jonathan Markley, Jesse Aguilera, Ricardo Madrigal, Jay Powell, Andy Ramirez, Robert Shortes, Larry Akers, Phyllis Brinkley, Mary Arnold, Lee Cooke and Ray Reese.

#### Motion

Councilmember Carl-Mitchell made a motion to close the public hearing, waived the requirement for three readings and finally pass an ordinance dedicating certain City-owned tracts of land generally bounded by West Riverside Drive, Lee Barton Drive, Barton Springs Road and South First Street for park-purposes.

#### Substitute Motion - FAILED

Mayor Pro Tem Trevino made a motion, seconded by Councilmember Urdy to table the question until a site has been selected for a convention center. Motion FAILED by a vote of 3-4 with Councilmembers Carl-Mitchell, Humphrey, Shipman and Mayor Cooksey voting NO.

#### Roll Call on Motion

5-0 with Mayor Pro Tem Trevino and Councilmember Urdy abstaining.

#### BOARD AND COMMISSION APPOINTMENTS

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, approved the following board and commission appointments: (7-0 Vote)

##### **Affirmative Action Task Force - 2**

**Audley Blackburn**

**Enrique Uchale**

##### **Architectural Excellence Commission - 1**

**Billy Little**

##### **Building Code Board of Appeals - 2**

**Bill Whalens**

**Gary Jaster**

##### **Cable Commission - 2**

**Sebastiao Matabane**

**Linda Rogers**

##### **Citizen's Traffic Safety Commission - 1**

**Robert Akin**



Child Care Commission - 1  
Michaelyn Sastel

Solicitation Board - 2  
Carol Ballomy  
Greg Monroe

Economic Development Commission - 1  
Gus Garcia

Electric Utility Commission - 4  
Shirley Fath  
Sam Griswold  
Neal Kocurek  
Bill Oakley

Elisabet Ney Museum Board of Directors - 3  
Mary Edwards  
Gregory Free  
Gail Kimbro

Employee's Retirement Board - 1  
Ed Golden

Historic Landmark Commission - 6  
Julia Burton  
Jim Christianson  
Jim Fowler  
Sharon Greenhill  
Richard Meyer  
Dr. Betty Phillips

Parks and Recreation Board - 3  
Dr. Donna Lopiano  
Bill Nalle  
Elvia Ortiz-Castro

Planning Advisory Board - 3  
Frank Gerling  
Donald Hushner  
Frank Young

Renaissance Market Commission - 4  
Jarrell Knowles  
Ralph Pacheco, Jr.  
Virginia Pickens  
Marna Seiders

Resource Management Commission - 3  
Heather Ball  
Paul Balmuth  
Max Hofziger

Solar Appeals Board - 7  
Chris Higgs  
Mac Word  
Stan Johnson  
Roger Rich  
Jeffery Brouillette  
Anne Harpe

## PUBLIC HEARING - APPEAL OF PLANNING COMMISSION DECISION

Mayor Cooksey opened the public hearing set for 5:00 p.m. on an appeal of Mr. H.C. Cleckler of the Planning Commission's decision to grant a conditional use permit and "CS-1" zoning for 114 Huntland Drive. APPEAL WAS DENIED WHEN ZONING CASE FAILED DUE TO VALID PETITION.

This was considered at the same time as the following zoning case:

P-86 LARRY BAUGH, TRS. 114 Huntland Blvd.  
052 By James Harper

From "CS"  
To "CS-1"  
RECOMMENDED subject to  
1) be fenced along the  
back (covering four  
adjacent lots) at a  
height and design to  
dispel noise (suggested  
height eight feet); 2)  
fifty foot buffer along  
MF-4 zoned area to be  
planted with landscaping  
design to dispel noise,  
with a fence on the  
"inside" to keep people  
from entering the buffer  
area from on-site;  
3) sexually-oriented  
use(s), as defined by  
City Code, to be pro-  
hibited; also, topless  
display and topless  
dancing to be prohibited;  
4) amplified music limited  
to 70 decibels at the  
property line; 5) use  
limited to a night-club  
operated by James Harper  
only, no other use  
permitted. (The legal  
department has advised  
that this condition is  
not appropriate and  
should be void).

ZONING DENIED BECAUSE OF  
VALID PETITION

Motion

Mayor Cooksey made a motion, seconded by Councilmember Urdy

to approve "CS-1" subject to 90 decibels of sound inside the night club and 60 decibels of sound at the fence line, with an off-site parking requirement. Motion passed by a 4-3 vote with Councilmembers Shipman, Carl-Mitchell and Humphrey voting No. Zoning, however, was DENIED because there was a valid petition which requires six affirmative votes in order for a zoning change to be approved.

#### FINANCIAL ADVISORY SERVICES

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Rose's second, adopted a resolution approving a contract with First Southwest Company for financial advisory services. (6-0 Vote, Councilmember Humphrey out of the room.)

#### ADJOURNMENT

Council adjourned its meeting at 2:00 a.m. July 18, 1986.