



Austin City Council MINUTES

For MARCH 20, 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.

CITIZENS COMMUNICATIONS

Ms. Brenda Bost talked about the Metropolitan Roadway Plan; Mr. Mark J. Weaver discussed health issue concerning pornographic shops in Austin; Ms. Jeannine Stroth discussed pornographic business and Ms. Pauline Gamble talked about pornographic book stores. Mr. Thomas Carr discussed pornographic arcades and Mr. Charles Parker talked about pornographic business. Mr. Edward Roush Jr. discussed City regulations of sexually oriented commercial business. Mr. Volma Overton, Ms. Janice Robinson and Mr. Larry Jackson discussed Article II, Section 1 of the City Charter.

AUSTIN CABLE COMMISSION REPORT

The Third and Fourth Years Report on Austin CableVision's Franchise compliance was presented to Council.

ANNEXATION ORDINANCE

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, passed through second and third readings of an ordinance annexing approximately 318.42 acres of land out of the Samuel W. Hamilton Survey No. 16 and the Theodore Bissel Survey No. 18 for limited purposes. C7a-86-001. (6-0 Vote, Mayor Pro Tem Trevino abstained.)

ITEMS POSTPONED

Postponed until March 27, 1986 is consideration of the following items:

1. Consider adopting the Fire Department's Specifications and Guidelines for implementation of the Hazardous Materials Storage and Registration Ordinance.
2. Consider approval to enter into a Professional Services Agreement for Real Estate Acquisition Services with Acquisition Associates.

Postponed for one month is a zoning hearing on the following:

a. Recommended by the Planning Commission, As Requested, With Conditions:

- (1) -85 JAMES D. & ANNE 141 West Oltorf
388 M. WEAVER
By Rudy Hopkins

From "SF-3"
To "NO"
RECOMMENDED subject to
dedication of up to
45' feet of right-of-
way from centerline of
West Oltorf Street.

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)

Budget Amendments

Amended the FY 1985-86 Operating Budget by appropriating \$857,160.00 from the Water and Wastewater Operating fund ending balance to fund claims settlement payments.

Amended the Operating budget for FY 1985-86 by appropriating \$3,000 from the General Fund Ending Balance to fund a Special Olympics Team from the Austin Area.

Amended the FY 1985-86 Operating Budget by appropriating \$60,000.00 from the General Fund Ending Balance for professional services associated with the creation of the Edwards Aquifer Conservation District.

Item Postponed

Postponed for one week (3/27) budget amendment transferring \$23,263.76 previously appropriated to the National Council of Negro Women, Inc. to Community Advocates for Teens and Parents, Inc., for

operation of a teenage pregnancy project, and authorizing a contract for said purposes.

Capital Improvements Program

Ordered and set a public hearing on May 8, 1986 at 4:00 p.m. in connection with paving assessment to be levied on Radam Lane, consisting of one unit. CAPITAL IMPROVEMENTS PROGRAM No. 77/62-03.

Zoning Ordinances

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

- a. THOMAS J. & MARY E. 1704 Houston Street From "SF-3" to "NO"
PRUETT, JR.
C14-85-150

Heard and granted on August 1, 1985, (6-0). Mayor Pro Tem John Trevino, Jr., absent. Conditions have been met as follows: Right-of-way on Houston Street has been conveyed by Street Deed.

- b. RUSSO PROPERTIES 1000 I.H. 35 N. From "CS" to "CS-1"
By David Armbrust 700 E. 10th St.
C14-84-264 701 E. 11th St.

Heard and granted on December 6, 1984, (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.

CONSENT RESOLUTIONS

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

Release of Easements

Authorized release of the following easements:

- a. A portion of the 7.5' Public Utility and Drainage Easement along the north property line of Lot 6, Block R, Westwood Section 6, 204 Bulian Lane. (Request submitted by James K. Presnel, Inc.)

Capital Improvements Program

Approved for selection of architectural services for the following: CAPITAL IMPROVEMENTS PROGRAM No. 85/86-29 & 85/16-13

- a. East Austin Senior Activity Center - \$224,900:
Ponciano Morales III, Architect, AIA
 - b. Energy Management and Control Center - \$208,800:
Wilson Stoeltje Martin
-

Approved for a Supplemental Amendment to the Professional Services Agreement between the City of Austin and Burns and McDonnell Engineering Company, Inc., for services related to McNeil Substation 345/138KV Autotransformer and Circuit 972 Termination. (\$366,000.00) CAPITAL IMPROVEMENTS PROGRAM No. 85/16-08 and 85/16-13.

Transmission Line

Entered into an agreement with Lower Colorado River Authority for relocation of transmission line facilities for the Electric Utility Department. CAPITAL IMPROVEMENTS PROGRAM No. 85/16-08 (\$464,103.00)

Contracts Approved

Approved the following contracts:

- a. DON E. PHILLIPS, INC.
8000 Blue Goose Road
Manor, Texas
 - CAPITAL IMPROVEMENTS PROGRAM -
Installation of Underground
Electric Distribution Facilities
for Northwest Hills Lakeview III,
Electric Utility Department
Total \$46,803.90 C.I.P. No.
84/15-01
- b. COFFEE EQUIPMENT, INC.
110 Houston
Buda, Texas
 - CAPITAL IMPROVEMENTS PROGRAM -
Installation of Underground
Electric Distribution Facilities
for Texas Oaks, Electric Utility
Department
Total \$27,422.18 C.I.P. No.
85/15-01
- c. L. E. MYERS COMPANY
4315 Allen Genoa Road
Pasadena, Texas
 - CAPITAL IMPROVEMENTS PROGRAM -
Overhead Electric Distribution
Facilities for General Williamson
Drive & FM 620 east to Geronimo
Trail, Electric Utility
Department
Total \$66,429.00 C.I.P. No.
86/14-01

- d. L. E. MYERS COMPANY
4315 Allen Genoa Road
Pasadena, Texas
- CAPITAL IMPROVEMENTS PROGRAM
Overhead Electric Distribution
Facilities for Burleson Road and
FM 973, Electric Utility
Department
Total \$28,269.00 C.I.P. No.
86/14-02
- e. ALLIED METAL, INC.
5503 Sheraton Oaks Drive
Houston, Texas
- CAPITAL IMPROVEMENTS PROGRAM -
Aluminium Tubular Bus, Electric
Utility Department
Total \$39,997.58 C.I.P. No.
85/16-08
- f. AT&T INFORMATION SYSTEMS
3721 Executive Center Drive
Austin, Texas
- Telecommunications System,
Vehicle and Equipment Services
Department
Total \$54,251.00 86-S279-FW
- g. RIVER CITY MACHINERY
12949 Research
Austin, Texas
- Seven Recycling Trailers,
Vehicle and Equipment Services
Department
Total \$101,311.00 86-0124-CM
- h. RIVER CITY MACHINERY
12949 Research
Austin, Texas
- Trenching Machines, Vehicle
and Equipment Services
Department
Total \$51,926.00 86-0100-CM
- i. CHEMICAL & TURF SPECIALTY
2929 W. Kingsley Road
Garland, Texas
- Bulk Fertilizer, Parks and
Recreation Department
Six (6) Month Supply Agreement
Total \$26,648.00 86-0146-CM
- j. ACCRON CHEMICAL
3251 N. Pan Am Expressway
San Antonio, Texas
- Fluosilicic Acid, Water and
Wastewater Department
Twelve (12) Month Supply Agreement
Total \$45,405.00 86-0086-CM
- k. JAYCEE SALES
12528 Split Rail
Austin, Texas
- Anthracite Filter Media, Water
and Wastewater Department
Twelve (12) Month Supply Agreement
Total \$40,300.00 86-0158-CM
- l. GILBERT X-RAY
8900 Shoal Creek Blvd.
Austin, Texas
- X-Ray Chemicals, Brackenridge
Hospital
Twelve (12) Month Supply Agreement
Total \$28,963.92 BS6-106
- m. WILLIAM T. STOVER
P. O. Box 19259
Austin, Texas
- Surgeons' Gloves, Brackenridge
Hospital
Twelve (12) Month Supply Agreement
Total \$47,460.96 BS6-099

n. WILLIAM T. STOVER
P. O. Box 19259
Austin, Texas

- Mouth Care Kits, Brackenridge
Hospital
Twelve (12) Month Supply Agreement
Total \$31,821.72 ES6-100

Contract Amended

Amended the contract with Wolfe and Associates to change the ending date from May 31, 1986 to July 31, 1986.

Item Postponed

Postponed to 3/27/86 consideration of approving the form and Content of the North Central Austin Growth Corridor Municipal Utility District No. 1 Bond Anticipation Note, Series 1986A, Certified order.

BUDGET AMENDMENT

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, waived the requirement for three readings and finally passed an ordinance amending the 1985-86 Capital Improvements Program Budget by: (6-0 Vote, Councilmember Urdy out of the room.)

- (1) Transferring and appropriating \$1,200,000.00 from the Water and Wastewater Operating Fund ending balance to fund a 1985-86 Wastewater Master Plan.

WASTEWATER MASTER PLAN

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, adopted a resolution entering into a Professional Services Agreement with Engineering-Science, Inc. for preparation of a Wastewater Master Plan. (6-0 Vote, Mayor Pro Tem Trevino abstained.)

SECOND READING OF ZONING

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, passed through SECOND READING of an ordinance amending Chapter 13-2 and 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes: (4-2-0 Vote, Councilmembers Shipman and Carl-Mitchell voted No, Councilmember Humphrey abstained.)

ORIN & MAJORIE 6505 Manchaca Road
CL14-85-192 GLUCK

From Interim "SF-3"
to "GR"

Heard and granted on September 5, 1985, (4-2).
Councilmembers Smoot Carl-Mitchell and
Sally Shipman voted "No". Councilmember
George Humphrey out of room. Conditions have
been met as follows: Right-of-way on Manchaca
Road has been conveyed by Street Deed.

WATER SYSTEM IMPROVEMENTS

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, adopted a resolution authorizing execution of the agreement regarding the construction of improvements to the City of Austin's Water System in the Southeast Area of the City between the City, Lewis Industries, Inc., and other participants. (7-0 Vote)

TRAVIS SETTLEMENT MUD #1

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, adopted a resolution consenting to the creation of the Travis Settlement Municipal Utility District #1 with access only on loop roadway two sites, deed restrict irrigation acreage against future development and approved as per March 19, 1986 memo with attachments. (6-1)Vote, Councilmember Humphrey voted No.)

ZONING

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, passed through FIRST READING of an ordinance granting the following zoning changes: (7-0 Vote)

-85 244	CITY OF AUSTIN By Office of Land Development Services	Generally bounded on the north by McNeil Drive, Council Bluff Drive, proposed Parmer; on the east by El Camino Road, Danny Drive, Leaf Lane Burnet Road; on the south by U.S. 183, and on the west by Conrad Road.	From "GR", "LI", "I-SF-2". "I-LI" "SF-2" & "MF-2" To Appropriate Zoning NOT RECOMMENDED RECOMMENDED "IP", "LI" GRANTED TRACT a - "SF-3" TRACT b - "SF-2" TRACT c - "RR" <u>FIRST READING ONLY</u>
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OPERATING BUDGET AMENDMENT

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, waived the requirement for three readings and finally passed an ordinance appropriating \$33,289.00 from the Hotel/Motel Bed Tax Fund (rollover monies) for Tourism/Promotion. (7-0 Vote)

Consideration of appropriation of \$9,780.00 for Cultural Arts from Hotel/Motel Bed Tax Fund (rollover monies) will be at the March 27, 1986 Council Meeting.

CITY MANAGER REPORTS

Council heard reports on Biweekly Wastewater Status; Local, State and National Economic Trends; and Boggy Creek Status Report.

INTERIM TERMINAL AREA EXPANSION

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, adopted a resolution approving selection of The Greiner * Austin Team, CAPITAL IMPROVEMENTS PROGRAM No. 86/81-01. (\$1,270,000.00) (5-0 Vote, Councilmember Shipman and Mayor Cooksey abstained.)

PUBLIC HEARING - REVISED ZONING REGULATIONS

Mayor Cooksey opened the public hearing set for 3:00 p.m. on amending Chapter 13-2A (Revised Zoning Regulations) and amending the submission and processing requirements for traffic impact analyses.

George Zapalac, Office of Land Development Services, told Council the purpose of the proposed amendment is to allow sufficient time for preparation of staff comment prior to the agenda deadline of the Planning Commission. He indicated a chart which outlined the review process and explained. He said this amendment would allow more time for Urban Transportation to coordinate on large projects and on any project involving complicated traffic engineering procedures. It would also allow adequate time to allow for staff comments in the agenda packet. Mr. Zapalac said this would require earlier submission of the TIA in the process, at the same time as the zoning application, however it would not increase the total amount of review time.

No one appeared to speak before Council.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance amending Chapter 13-2A (Revised Zoning Regulations) and amended the submission and processing requirements for traffic impact analyses. (7-0 Vote)

PUBLIC HEARING SET

The Council, on Councilmember Shipman's motion, Councilmember Urdy's second set a public hearing on an appeal from Mr. Ken Manning of the Planning Commission's decision to deny a special permit regarding Case No. C14p-85-050 for April 10, 1986 at 5:00 p.m.

ZONING HEARINGS

Mayor Cooksey announced Council would hear zoning cases scheduled for 4:00 p.m. Council heard, closed the public hearings, or postponed the hearing, and granted as follows:

3/20/86

C14r-85 P.P. & R. JOINT 3203-3211 Riddle
317 VENTURE Road
By Kathryn Allen

From Pending Annexation
To "LR" (Tract 1)
"MF-1" (Tract 2)
"RR" (Floodplain)
RECOMMENDED
FIRST READING ONLY

(On Councilmember Shipman's motion, Councilmember Carl-Mitchell's second,
6-0 Vote, Mayor Pro Tem Trevino abstained.)

C14r-85 MICHAEL R.
166 PICKERING
By Kristaponis
Gregory & Assoc.

7700 Block R.M.
620 also bounded
by Cedar Lane

From "I-RR" & "I-SF-2"
To "LR"
RECOMMENDED limited
to "LO" uses and
financial services and
subject to reserving 150
feet of right-of-way
from centerline of R.M.
620 and dedication of up
to 35 feet of right-of-way
from centerline of
Zimmerman Lane.
EMERGENCY PASSAGE OF
ORDINANCE

(On Councilmember Carl-Mitchell's motion, Councilmember Shipman's second,
6-0 Vote, Councilmember Rose out of the room.)

ZONING POSTPONED

Postponed until March 27, 1986 is zoning case C14r-85-339
under Old Business.

PUBLIC HEARING - SOLICITATION ORDINANCE

Mayor Cooksey opened the public hearing scheduled for 4:30 p.m.
on proposed revisions to the Solicitation Ordinance.

Raul Calderon, attorney for the Solicitation Board, said he was
there to answer any questions.

Mr. John Echeson, Better Business Bureau, said they are
in business to make certain businesses are there for the good of the
citizens. In 1986 \$54.9 million dollars will be solicited from the
public. "The Better Business Bureau in principle supports and
endorses the proposed City Ordinance which was developed by the
City's legal staff and those citizens who serve as members of the
City's solicitation Board.".....with one exception. That exception
deals with reports and records on page 11.....This proposal has to
do with the accountability and it would be our proposal the

accountability be more frequent by organizations by amending that section to read that either within 90 days from the completion of a solicitation campaign or each calendar quarter if the solicitation is continued during the entire year and continue to provide an accountability of what they have done with the public's money....." He also said anyone's whose gross solicitation is \$100,000 a year or more should make available to the Solicitation Board a financial statement audited by an outside certified public accountant...." Mr. Echeson said this would be a change to Section 9-3-33

Councilmember Shipman said it would be appropriate to act on the amendment the Solicitation Board has already given Council and asked Mr. Echeson to present his recommendation to the Solicitation Board. Later, the Council can act on the Board's recommendation. Mr. Echeson agreed.

Motion

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, waived the requirement for three readings and finally approved an ordinance revising the Solicitation Ordinance. (5-0 Vote, Councilmembers Rose and Urdy out of the room.)

ANNEXATION HEARING

Mayor Cooksey opened the public hearing set for 5:30 p.m. on annexation of the following for limited purposes:

- a. Approximately 196 acres in the vicinity of U.S. 183 and F.M. 620, consisting of the following areas:

- (1) Oakline - 21.06 acres
- (2) Wilson Tract - 98.50 acres
- (3) Parkline - 66.42 acres
- (4) Arnold Tract - 10.28 acres

No one appeared to be heard.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, closed the public hearing. (5-0 Vote, Councilmembers Humphrey and Rose out of the room.)

PUBLIC HEARING - TOPIC AREAS FOR 12TH YEAR CDBG PROGRAM

Mayor Cooksey opened the public hearing set for 5:00 p.m. on General Topic Areas for the 12th Year CDBG Program. The following people spoke: Margaret Gomez, Morris Lester, Sam Guzman, George Sanchez, Juanita Casey, Clifton Hill, Bert Adams, Debra Fairchild, Mr. Ross, Enrique Lopez, Tommie Wyatt, Ed Jamison,

Mary Margaret Navarro, T.J. Cole, Richard Harris, John Goode, Earline Jewell, Dennis Sills, Diane Robinson, James Pinedo, Nancy Kroger, Mona Gonzalez, Reg Westbrook, Ron Davis, William C. Johnson, Willa Hardin, Sister Amalia Rios, Joe Vela, Richard Florillos, Kirk Brown, Glenn Rosales, Sandy Howard, George Stone, John Henneberger, Jesse Aguilera.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, closed the public hearing. (6-0 Vote, Councilmember Rose out of the room.)

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:

- a. Board and Commission Appointments - Section 2,
Paragraph g.

RECESS

Council recessed for executive session from 8:20 p.m. to 9:20 p.m.

BOARD AND COMMISSION APPOINTMENTS

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

Child Care Commission

Susan Syler
Jill Gronquist
Dr. Libby Doggett
Priscilla FLAWN
Marilla Wood
Kaye Berry
Dr. Lila Coughran
Sandra Hamilton
Dr. Marian Monroe
Charles Busbey
Hermelinda Rodriguez
Ronya Kozmetsky
Dick Rathgeber
Norma Carothers

Planning Commission

Jacquelyn Goodman (effective immediately)
Scott Roberts - effective June 1, 1986

Plumbing Advisory Board

Calvin Newell - reappointed

Resource Management Commission

Cari Clark

Urban Transportation Commission

Shelly Brisbin - reappointed
Nikolas Brown
Jim O'Donnell
Marcus Lester

Commission for Women Task Force

Susan Adair, Austin Women's Center
Barbara Hudson, League of Women Voters
Marilyn Pickman, Austin Women's Political Caucus
Beverly Black, NOW
Carol Greene, Junior League
Laurie Bolden, Black Women's Professional Association
Diana Castaneda, MABPWA
Billie Passmore, Commission for Women
Vangie Elizondo, Commission for Women

Community Development Commission

Barbara Burton

Electric Utility Commission

Martha Terry

EMS Quality Assurance Team

Dr. Glen Johnson

Parks and Recreation Board

Dr. George Bohuslav

PUBLIC HEARING

Mayor Cooksey opened the public hearing set for 7:00 p.m. on amending Chapter 13-2A of the City Code (Revised Zoning Regulations) amending Section 1051 thereof to provide for the extension of the March 1, 1986 deadline for action set forth therein with reference to certain property adversely impacted by City policy or ordinances subsequent to March 1, 1984.

Marie Gaines, Office of Land Development Services, reviewed. No one else spoke.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance amending Chapter 13-2A of the City Code (Revised Zoning Regulations) amending Section 1051 thereof to provide for the extension of the March 1, 1986 deadline for action set forth therein with reference to certain property adversely impacted by City policy or ordinance subsequent to March 1, 1984. (7-0 Vote)

ITEM POSTPONED

Postponed until April 24, 1986 was consideration of reducing electric rates by approximately 7% using proceeds of the first year Brown and Root Settlement monies and savings resulting from updated fuel cost projects. (7-0 Vote)

PUBLIC HEARING - SMOKING ORDINANCE GUIDELINES

Mayor Cooksey opened the public hearing set for 6:30 p.m. on Administrative Enforcement Guidelines to the Smoking Preference Ordinance (No. 860116-I)

Mike Candelas explained the seven changes in the guidelines.

Bob Reimer, FANS, spoke in support of the ordinance.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance adopting administrative enforcement guidelines to the Smoking Preference Ordinance No. 860116-I. (7-0 Vote)

HEARING POSTPONED

The Council postponed until April 10, 1986 at 6:30 p.m. a hearing on amending Chapters 13-2 and 13-2A (Zoning Regulations) to provide for definitions of and regulations for restaurant uses.

PUBLIC HEARING - TAXICABS

Mayor Cooksey opened the public hearing set for 7:00 p.m. on request from Yellow-Checker Cab Company and American Cab Company relating to the operation of the franchises.

A partial transcript of the hearing is on file in the City Clerk's office.

After a lengthy public hearing, Mayor Cooksey said the Council would close the public hearing and give the companies two weeks to work out their problems. At that point Jerry Harris, representing the applicant withdrew American Cab Company's application.

ADJOURNMENT

Council adjourned its meeting at 12 midnight. Postponed for one week was consideration of creating a Task Force on Affirmative Action Plan.