



## Austin City Council MINUTES

For APRIL 30, 1987 - 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 Shipman's motion, Councilmember Carl-Mitchell's second, approved minutes for regular meeting of April 23, 1987 and special meeting of April 21, 1987. (5-0 Vote, Councilmembers Urdy and Rose not yet in the Council Chamber)

### CITIZENS COMMUNICATIONS

Mr. Howard Kells discussed Upper Williamson Creek Wastewater Line. Mr. Jay Frank Powell thanked the City for Town Lake Master Plan. Bill Oakey talked about Electric Utility Commissioners. Winton Krouse, Olivia A. Bobbitt, Moody Anderson, Russ Robinson, Jimmy Goolsby, Sammie Carroll and Lee Dewvall discussed illegal subdivision.

### ZONING ORDINANCES

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, passed through second/third readings of ordinances amending Chapter 13-2A of the Austin City Code (Zoning Ordinance) covering the following changes: (Votes follow each case)

(1) JOHN HARRISON  
AND GEORGE STEPHEN  
C14-83-147

4701 Spicewood  
Springs Road

From Interim "SF-3"  
to "LO"

(7-0 VOTE)

First reading on October 13, 1983, (7-0). Conditions have been met as follows: Restrictive Covenants incorporating conditions imposed by Council have been executed. Development restricted to that shown on site plan attached as an exhibit to the ordinance.

4/30/87

- (2) 11900 JOINT VENTURE 11840-11902 North From Interim "SF-2"  
C14-85-149.11 Lamar Boulevard to "W/LO"

First reading on May 22, 1986, (4-0). Mayor Pro Tem John Trevino, Jr., Councilmembers Charles Urdy and George Humphrey out of room at roll call. No conditions to be met.

(5-0 Vote, Councilmembers Urdy and Humphrey abstained)

- (3) DARREL BRANNAN 8520 Highway 290 West From Interim "RR"  
C14-85-288.67 to "LO"

First reading on June 18, 1986, (7-0). Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

(7-0 Vote)

- (4) HOWARD KELLS, CAROLYN Mountain Shadow's From Interim "RR"  
BETH KELLS, EDWARD L. Drive to "MF-1"  
KELLS, BESSIE M. KELLS,  
RUSSELL S. BUSTER AND  
CALTEX JOINT VENTURE  
C14-85-288.115

First reading on June 18, 1986, (7-0). Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

(7-0 Vote)

- (5) DWIGHT & ROBIN EADS 5804 Wier Hills Road From Interim "RR"  
C14-85-288.36 to "LO"

First reading on April 16, 1986, (5-0). Mayor Pro Tem John Trevino, Jr. and Councilmember George Humphrey out of room at roll call. Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

(6-0 Vote, Councilmember Humphrey abstained)

- (6) CITY OF AUSTIN An area generally From "GR",-Interim  
By Office of Land bounded on the north "LI"-& "LI",-"SF-3"  
Development Services by McNeil Drive, "SF-2"-& Interim-  
C14-85-244.12 Council Bluff Drive, "SF-2"-& "MF-2"-to  
proposed Parmer; on "SF-6"  
the east by El Camino  
Road, Palfrey Drive, FROM INTERIM "SF-2"  
Danny Drive, Leaf Lane, TO "SF-6"  
Burnet Road; on the  
south by U.S. 183 and POSTPONED TO  
on the west by Conrad JUNE 26, 1987  
Road

(7-0 Vote)

First reading on January 30, 1986, (7-0). Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

- |                                       |  |   |
|---------------------------------------|--|---|
| (7) P & W INTERESTS<br>C14-85-288.102 | Proposed intersection<br>of Southwest Parkway<br>and Cobblestone Drive | From Interim "RR"<br>to "LO", "LR"<br>"GR" & "IP" |
|---------------------------------------|--|---|

Second reading on April 23, 1987, (4-0). Mayor Pro Tem John Trevino, Jr. and Councilmember George Humphrey abstained. Councilmember Mark Rose absent. Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

- (5-0 Vote, Councilmembers Humphrey and Rose abstained)  
(8) THE TERRACE PUD 3237-3339 Capitol From "SF-2"  
W & G PARTNERSHIP of Texas Highway to "PUD"  
By Armbrust & Brown and 3199-3301  
C814-86-009 MoPac Boulevard

Second reading on April 23, 1987, (4-1). Mayor Frank C. Cooksey voted "NO", Councilmember Sally Shipman voted No, and Councilmember Mark Rose absent. Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

- (4-2-0 Vote, Mayor Cooksey, Councilmember Shipman No, Rose abstained)
- (9) LEXINGTON DEVELOPMENT 9700-10100 U.S. 290 From "DR" and  
COMPANY East, 8600-9500, 5700- "I-RR" to  
(North Travis County 6500 Boyce Lane, 9700- "SF-2", "SF-4"  
MUDS 1,2,3) 12000 Giles Road, "SF-6", "MF-2"  
By Robert A. Moorman 5200-5700 Cameron Road "MF-3", "LR"  
C14-86-188 "GR", "GO", "LO"  
"LI", "IP" & "P"

Second reading on April 23, 1987, (4-0). Councilmembers Sally Shipman and George Humphrey absent. Mayor Pro Tem John Trevino, Jr. abstained. Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

- (5-0 Vote, Councilmembers Shipman and Humphrey abstained)

## JAIL CONSOLIDATION

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Humphrey's second, adopted a resolution authorizing the creation of a committee to prepare a response to Travis County's proposal for jail consolidation. (6-0 Vote, Councilmember Shipman out of the room)

## 1986-87 ANNUAL OPERATING BUDGET

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, waived the requirement for three readings and finally passed an ordinance amending the 1986-87 Annual Operating

Budget by accepting an additional \$13,900.00 from the Texas Department of Human Services for the period September 1, 1986 to August 31, 1987, for the Title XX Family Planning Contract, allocating funding for the Health Department's Family Planning Program. (7-0 Vote)

#### CONSENT RESOLUTIONS

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

#### Release of Easements

Authorized release of the following easements:

- a. An Electric Easement of record in Volume 4793, Page 1748, Travis County Real Property Records, and located on Lot 1, Shady Hollow, Section 2, Phase 2-B, The Enclave at Shady Hollow. (Request submitted by Walt Darbyshire on behalf of Randy Morine Development, Inc.)
- b. A portion of a 10' Public Utility Easement and Drainage Easement recorded in Volume 7, Page 183, Plat Records of Travis County, Texas, located on Lot 14, Block "H", Summit Oaks, 5905 Burlington Court. (Request submitted by Pat Burkle of the Heagerty Company on behalf of Rudolph H. and Gloria Munquia)

#### Eminent Domain Proceedings

Authorized eminent domain proceedings to acquire the following easements for construction of improvements to the City of Austin's water and wastewater system in the Lake Creek area:

- a. A 20 foot wide strip of land containing 0.3203 acre out of a 32.23 acre tract out of the M. M. Hornsby Survey of Williamson County, Texas, including a 15 foot Temporary Working Space Easement on either side of the 20 foot strip.
- b. A 20 foot wide strip of land containing 0.5005 acre out of a 31.19 acre tract out of the M. M. Hornsby Survey of Williamson County, Texas, including a 15 foot Temporary Working Space Easement on either side of the 20 foot strip.
- c. A 20 foot wide strip of land containing 0.4506 acre out of a 66.37 acre tract out of the M. M. Hornsby Survey of Williamson County, Texas, including a 15 foot Temporary Working Space Easement on either side of the 20 foot strip.

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:

- a. 4.39 acres out of a 73 acre tract described in the deed recorded in Volume 1021, Page 497 and Volume 1023, Page 52 in Records of Travis County, Texas.
- b. 6.72 acres out of a 36.4 acre tract described in the deed recorded in Volume 9397, Page 726, of the Deed Records of Travis County, Texas.
- c. 8.45 acres out of a 30.576 acre tract described in the deed recorded in Volume 8957, Page 1554 of the Deed Records of Travis County, Texas.
- d. 8.12 acres out of a 5,345.6 acre tract described in the deed recorded in Volume 3227, Page 66 of the Deed Records of Travis County, Texas.
- e. 4.85 acres out of a 30.576 acre tract described in the deed recorded in Volume 8021, Page 64 and Volume 6756, Page 389, of the Deed Records of Travis County, Texas.

Capital Improvements Program

Authorized eminent domain proceedings on behalf of the City of Austin to acquire in fee simple the following described tract of land for the East Austin Transmission Main Phase I:

- a. 14,437 square feet of land out of the J. C. Tannehill League Survey No. 29, situated in the City of Austin, Travis County, Texas. C.I.P. No. 73/22-05
- b. 30,400 square feet and 16,900 square feet of Temporary Construction Easement, out of the J. C. Tannehill League Survey No. 29, situated in the City of Austin, Travis County, Texas. C.I.P. No. 73/22-05

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Approved acquisition of a tract of land (one of three which will be necessary) for the construction of a Joint-Use Fire/Police Training Academy Facility on the west side of Shaw Lane just south of Burleson Road. C.I.P. No. 82/83-01.

Change Order

Approved the following change order:

In the amount of \$32,125.00 to Bland Construction Company for the water and wastewater improvements in Howard Lane to Northtown Transmission Main, Phase II-A. (6.69% increase of the original contract amount of \$479,844.00) C.I.P. No. 85/22-20

### Contracts Approved

Approved the following contracts:

LEWIS CONTRACTORS, INC.  
P. O. Box 19505  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Rogers Lane and Nixon Lane Water  
and Wastewater Service, Water and  
Wastewater Utility Department  
Total \$814,497.55 C.I.P. Nos.  
85/23-09 and 85/22-09

CONSTAR CONSTRUCTION COMPANY  
(MBE)  
10104 FM 969  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Sitework, Foundations, Manholes,  
addition to building and under-  
ground ductline for Brackenridge  
Substation, Electric Utility  
Department  
Total \$72,080.00 C.I.P. No.  
86/16-05

Bid award:

- Traffic Signal Assemblies, Poles  
and Mast Arms, General Services  
Department  
Total \$80,000.00 87-0189-QM

(1) UNION METAL CORP.  
709 Lingco Suite 101  
Richardson, Texas

- Items 1, 1A, 1B, 3, 5 & 6 -  
\$40,464.00

(2) TECHLINE, INC.  
8750 Shoal Creek Boulevard  
Austin, Texas

- Items 2, 2A, 2B & 4 - \$39,536.00

TRENCOR JETCO  
3445 East Main Street  
Grand Prairie, Texas

- Chain Type Trencher, General  
Services Department  
Item 1 - \$217,100.00 87-0143-FC

TEXAS UNDERGROUND, INC.  
1323 North Main Street  
Pearland, Texas

- Sewer Line Cleaner, Water &  
Wastewater Department  
Item 1 - \$30,450.00 87-0208-PS/DC

LUFKIN CREOSOTING COMPANY, INC.  
1411 East Lufkin Avenue  
Lufkin, Texas

- Electric Utility Poles, Southern  
Yellow Pine, Electric Utility Dept.  
Twelve (12) Month Supply Agreement  
Items 1-16 - \$557,524.00  
87-0203-RD/DC

Computer Hardware Maintenance

Approved a one year contract (RFP) with Control Data Corporation for computer hardware maintenance on the Supervisory Control and Data Acquisition/Automatic Generation Control (SCADA/AGC) System in the amount of \$27,060.00.

Community Business Development Program

Approved a nine month contract (RFQ) for the Community Business Development Program for training weatherization businesses in operation of a weatherization and conservation business in the amount of \$253,500.00 to the following:

- a. ALL SEASONS WEATHERIZATION (MBE) - \$32,500.00
- b. HUSCO, INC. (MBE) - \$32,500.00
- c. PAYTON & ASSOCIATES (MBE) - \$52,000.00
- d. ENERGY SAVINGS CONTRACTOR, INC. (MBE) - \$32,500.00
- e. MASTER PIECE CONSTRUCTION COMPANY (WBE/MBE) - \$52,000.00
- f. VALDEZ REMODELING (MBE/WBE) - \$52,000.00

Restrictive Covenants Repealed

Authorized the director of the Department of Water and Wastewater to release and repeal restrictive covenants on a 3.592 acre tract of land platted as Lot 2 of A-AAA Storage Center, a subdivision of Austin, Travis County, Texas, recorded in Volume 86, Page 72B, Plat Records of Travis County, Texas and located at 10014 North I.H. 35.

Item Postponed

Postponed to May 7, 1987 is consideration of adopting a full service State Budget.

Superconducting Supercollider

Approved endorsing an application by the Austin Chamber of Commerce to the State of Texas for locating the superconducting supercollider on a site northeast of Austin.

Public Hearing Set

Set a public hearing for May 14, 1987 at 5:00 p.m. on an ordinance regulating adult arcades.

## ITEM POSTPONED

Council postponed until May 14, 1987 the consideration of the following ordinance:

Consider amending Ordinance No. 860911-L, adopting and approving the Operating Budget for Fiscal Year 1986-87 by:

- a. Moving the Office of Minority Business Affairs (OMBA)

from the Economic Development and International Trade Department to the Department of Financial Services (Purchasing);

- b. Transferring \$41,163.00 from the EDIT Department to the Department of Financial Services for the operation of OMBA;
- c. Establishing within the EDIT Department the three (3) Divisions of: Business Financing, Business Services and International Trade; and approving the City Manager's proposed changes in the EDIT Department's programs and activities;
- d. Moving the Protocol Office from the Department of Communications to the EDIT Department; and
- e. Transferring \$17,356.00 from the Department of Communications to the EDIT Department for the operation of the Protocol Office.

#### UTILITY HEARING EXAMINER SYSTEM

Council had before them for consideration the THIRD READING of an ordinance adopting a Utility Hearing Examiner System. The following motions were made: (Mayor Pro Tem Trevino took the chair)

##### Motion

The Council, on Mayor Cooksey's motion, Councilmember Rose's second, approved the creation of adopting a Utility Hearing Examiner System as amended. (7-0 Vote)

##### Motion

The Council, on Mayor Cooksey's motion, Councilmember Urdy's second, approved the inclusion of ex parte communication prohibition in the ordinance. (5-2 Vote, Councilmember Shipman and Councilmember Humphrey voted No)

##### Motion

The Council, on Mayor Cooksey's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance adopting a Utility Hearing Examiner System as drafted, including amendments. (7-0 Vote)

#### RECESS

Council recessed its meeting from 5:00 to 5:10 p.m.



## COST OF SERVICE METHODOLOGIES FOR EUC

The Council, on Councilmember Urdy's motion, Councilmember Shipman's second, adopted a resolution to approve contracts with Diversified Utilities and Peat Marwick Main and Company to examine cost of service methodologies for the Electric Utility Commission. (5-0 Vote, Councilmembers Carl-Mitchell and Rose out of the room)

## ITEM POSTPONED

Postponed until May 7, 1987 is consideration of a Litter Abatement Ordinance. Several people spoke in opposition from the 6th Street area.

## ZONING ORDINANCE

The Council, on Councilmember Rose's motion, Mayor Cooksey's second, passed through THIRD READING of an ordinance amending Chapter 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes: (4-3 Vote, Councilmembers Carl-Mitchell, Humphrey and Shipman voted No)

STAN SCHLEUTER  
By Kristaponis,  
Gregory & Associates  
C14r-85-339

500-900 Blocks of  
Yager Lane

From Interim "RR"  
to "GR", "LR",  
"GO", "LO", "MF-2"  
& "SF-6"; Tract 4,  
Block B is "MF-2"

Second reading on April 23, 1987, (4-1-0). Councilmembers Sally Shipman and George Humphrey absent. Councilmember Smoot Carl-Mitchell voted "NO". Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

## ZONING HEARING

Mayor Cooksey opened the public hearing set for 5:00 p.m. on the following zoning case. Council heard, closed the public hearing, and DENIED the zoning change.

-85 OAK GROVE JOINT  
232 VENTURE  
By Richardson  
Verdoorn, Inc.

9023 Old Lampasas  
Trail

From "I-RR"  
To Tr. 1,6 "SF-2"  
Tr. 2 "SF-6"  
Trs. 4,5 "LR"  
Floodplain "RR"

RECOMMENDED "SF-2" Trs. 1 and 6, subject to a maximum density of 2.5 units per acre; "SF-6" on Tr. 2, subject to a maximum density of 8 units per acre; delete Tr. 3; "LR" on Tracts 4 and 5, subject to 100% masonry exterior with a preference for native stone, limited to berm signs as defined in the Hill Country Roadway Ordinance, no development in the Critical Water Quality

Zone as defined by the Comprehensive Watershed Ordinance, limitation of 40% impervious cover on the remainder of the tract, compliance with the Lake Austin Watershed Ordinance, maximum F.A.R. of .15, no access to Spicewood Springs Road from Tract 5, no development on Tract 5 until construction of the roadway is complete, driveway locations on Tract 4 to be reviewed at the time of site plan, and posting of \$17,350 in fiscal for roadway and intersection improvements prior to issuance of building permits; and "RR" on 100-year floodplains, subject to dedication of floodplains as a greenbelt with no development in the Critical Water Quality Zone.

(On Mayor Pro Tem Trevino's motion, Councilmember Humphrey's second, 6-0 Vote, Councilmember Carl-Mitchell out of the room)

#### SIXTH STREET SIDEWALK STAR PROGRAM

Council had before them a resolution, introduced by Councilmember Rose, to consider supporting the Sixth Street Sidewalk Star Program. Councilmember Rose suggested the resolution be sent to the Historic Landmark Commission and the rest of the Council agreed.

#### ITEMS POSTPONED

Postponed to May 7, 1987 is consideration of an ordinance amending the right-of-way reservation ordinance.

Postponed to a work session on May 12, 1987 is consideration of a Legislative Proceeding Ordinance.

#### CONTRACT APPROVED

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Trevino's second, adopted a resolution approving the following contract: (4-0 Vote, Councilmembers Carl-Mitchell, Rose and Shipman out of the room)

KYCO EQUIPMENT COMPANY  
dba/Sunbelt Brown Bear Co.  
5021 N. Perkins Road  
Stillwater, Oklahoma

CAPITAL IMPROVEMENTS PROGRAM  
Four (4) Wheel Drive Robber Tired  
Sludge Aerator and Composter,  
General Services Department  
Item 1 - \$163,037.00 C.I.P.  
No. 85/23-15

#### NO ACTION TAKEN ON ITEM

No action was taken on a resolution to consider a water action plan.

## SIDEWALK PLACEMENT

Councilmember Urdy's item for Council to consider sidewalk placement on the 51st Street extension (Pecan Springs to Springdale Road) is being worked on.

## ITEMS POSTPONED

Postponed indefinitely are Mayor Cooksey's items for inquiries concerning implementation of Austin and Travis County Joint Commission on Metropolitan Government; and concerning appointment of director of international trade division of EDIT.

## CITY MANAGER REPORTS

No report was given on Legislative Update. Worksession Schedule report was postponed indefinitely. South Austin Outfall report was given April 28. Adoption of an updated Building and Fire Code was postponed indefinitely.

## CIVIC CENTER PROJECT MANAGER

City Manager report on Civic Center Project Manager was given. Postponed until May 7th and May 14 was consideration of selecting a Civic Center Project Manager.

## APPEAL DENIED

The Council, on Mayor Pro Tem Trevino's motion, Mayor Cooksey's second, DENIED an appeal from Mr. John W. Davenport of the Building Standards Commission's decision regarding the relocation of two houses presently located at 10701 and 10800 Pecan Park Road. (4-0 Vote, Councilmembers Carl-Mitchell, Rose and Humphrey out of the room)

## STREET VACATION

Mayor Cooksey opened the public hearing set for 5:30 p.m. on vacation of a portion of Tracor Lane right-of-way. No one appeared to be heard.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance vacating a portion of Tracor Lane right-of-way. (Request submitted by Richard Mathias on behalf of Travis County) C10v-86-017 (5-0 Vote, Councilmembers Carl-Mitchell and Humphrey out of the room)

## HEARINGS POSTPONED

The three public hearings set for 6:00 p.m. were postponed until May 7, 1987 at 5:30 p.m. They were:

- An appeal from Mr. Chip Harris, President, Crestview Neighborhood Association, of the Planning Commission's decision regarding Compatibility Waiver #RZ-86-063 located at 5301 North Lamar Boulevard. (Related to Items J-3 and J-4)
- An appeal from Mr. Chip Harris of the Planning Commission's decision regarding a site plan approval at 5301 North Lamar Boulevard. (Related to items J-2 and J-4)
- Amending Chapter 13-2A, 5110 to exempt certain property from compliance with landscaping requirements to provide for a waiver procedure from that same section. (Related to Items J-2 and J-3)

#### EXECUTIVE SESSION

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

1. Pending Litigation - Section 2, Paragraph e
  - (a) City of Austin v. Houston Lighting and Power
  - (b) 1610 Joint Venture v. Robert Body, et al - 387744
  - (c) Discussion of Water Treatment Plant Number 4
2. Land Acquisition - Section 2, Paragraph f
  - (a) Acquisition and value of land for Transmission Circuits 3125 and 966
  - (b) Avante Building

The Mayor said discussion of municipal office consolidation will be postponed until the May 5, 1987 executive session.

#### RECESS

Council recessed its meeting from 7:57 to 9:05 p.m.

#### WATER TREATMENT PLANT NUMBER 4

City Manager Carrasco presented a report on Water Treatment Plant Number 4 and said this will be included in a work session on May 12, 1987.

#### ADJOURNMENT

Council adjourned its meeting at 9:10 p.m.