



Austin City Council MINUTES

For JUNE 9, 1988 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

Memorandum To:

Mayor Pro Tem Trevino called to order the meeting of the Council, noting the absence of Mayor Cooksey.

MINUTES APPROVED

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, approved minutes for regular meeting of June 2, 1988 and special meeting of May 31, 1988. (6-0 Vote, Mayor Cooksey absent)

CITIZEN COMMUNICATIONS

Roger Baker talked about Mogan. David Kruger discussed abatement of parking meter usage on Saturdays. Bob Leonard discussed environmental priorities for the City. Steven D. Paulson did not appear. Alton Miller talked about Austin Police Department procedures regarding accidents.

DOWNTOWN PARKING ON SATURDAY

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, waived parking meter collections in the Central Business District on Saturdays only for a period of six months, at which time cost and benefits of this pilot program will be considered. (5-0 Vote, Councilmember Urdy out of the room, Mayor Cooksey absent)

ITEM POSTPONED

Postponed to June 23, 1988 is the Resource Management Commission Report on Water Management Plan.

ECONOMIC IMPACT ORDINANCE

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, approved an Economic Impact Ordinance. (5-0 Vote, Councilmember Urdy out of the room, Mayor Cooksey absent)

ZONING ORDINANCES

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, passed through second/third readings of ordinances amending Chapter 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes: (5-0 Vote, Councilmember Urdy out of the room, Mayor Cooksey absent)

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|---|------------------------|---------------------------------|
| (1) NICHOLAS T. GERAFFY &
JAY WILLIAMSON
By Bill Rodgers &
A. Jo Baylor
C14r-87-024 | 7408-E Cameron
Road | From "LR" and "GR"
to "CS-1" |
|---|------------------------|---------------------------------|

First reading on July 30, 1987, (5-0). Mayor Pro Tem Trevino and Councilmember Urdy out of the room at roll call. Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed. Development restricted to that shown on the Site Plan attached as an exhibit to the ordinance.

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|---|--|-------------------------------|
| (2) FEDERAL SAVINGS &
LOAN INSURANCE CORP.
C14-84-380 | 9803-10103 North
Lamar Boulevard
607-611 Masterson
Pass | From "LO" and "GO"
to "GR" |
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First reading on January 10, 1985, (7-0). Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

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|--|---|------------------------|
| (3) LAMAR SAVINGS
ASSOCIATION
C14-85-288.201 | 7200-7208 U.S.
Highway 290 West
7001-7007 Oak
Meadow Drive | From "I-RR"
to "LR" |
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First reading on June 18, 1986, (7-0). Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

OFFICE LEASING SPACE PROPOSALS

Council adopted a resolution approving office leasing space at the June 7, 1988 Council meeting. They requested that the proposal concerning Bannister Lane be presented to them at the June 21, 1988 and/or June 23, 1988 Council meeting.

ITEMS PREVIOUSLY CONSIDERED

On June 7, 1988 Council considered the following:

- An ordinance transferring \$11,672.00 from the General Fund Ending Balance and appropriating it to the Law Department to fund two prosecuting attorney position.

- A resolution approving the selection of law firms to act as bond counsel in the issuance approval, sale and delivery of municipal bonds for the Convention Center, Housing/I.D.B. and Lease/Purchase for the City.
- An ordinance creating a Deputy Presiding Judge position for the Municipal Court.
- A resolution reimbursing the Austin Avante Ventures, Ltd., for the City's share of Avante Plaza building management expenses incurred from September 1, 1987 through April 30, 1988 and approving a Building Management Agreement with the Austin Avante Ventures, Ltd.
- A resolution establishing an Interim Small Business Task Force to review the Sign Ordinance.
- City Manager report on paving assessments to be levied on Montopolis Drive and Riverside Drive. Another City Manager Report on Gilbane Update.
- Continued public hearing and action approving the program, site, selection and funding plan for the Austin Civic Center and authorizing the Project Team to proceed with site analysis and schematic design.

ITEM POSTPONED

Postponed indefinitely is consideration of rescheduling the June 13, 1988 public hearing on a Joint City-County Hearing to elicit information from providers on General Social Services Areas.

COMMUNITY LAND BANKING PROJECT

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, adopted a resolution authorizing the negotiation and execution of contracts (RFP) for the Community Land Banking Project for contract for independent appraisal for \$120,000.00 for Lamar Savings part of the project. (4-0 Vote, Councilmembers Urdy and Carl-Mitchell abstained, Mayor Cooksey absent) The Guadalupe portion was done previously.

CONSENT ORDINANCES

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

Operating Budget Amendment

Amended the 1987-88 Annual Operating Budget by appropriating \$100,000.00 from the Golf Surcharge Fund to fund Parks and Recreation Department's participation in utility service agreement with Bergstrom Air Force Base. (6-0 Vote, Mayor Cooksey absent)

Improvements to Brodie Lane

Approved declaring the necessity for ordering improvements to Brodie Lane consisting of one unit covering approximately 6,180 feet. (5-0 Vote, Mayor Pro Tem Trevino abstained, Mayor Cooksey absent)

Dedicated Roadway Names

Approved assignment of names to dedicated roadways:

- a. MEINDARDUS DRIVE from St. Elmo Road in a southerly direction 1,900 feet to proposed Sponberg Drive.
- b. SPONBERG DRIVE from Freidrich Lane in a westerly direction 976 feet to proposed Meinardus Drive.

Vacation of Right-of-Way

Approved vacation of a portion of Grove Boulevard Right-of-Way.

CONSENT RESOLUTIONS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, adopted the following resolutions all in one consent motion: (6-0 Vote, Mayor Cooksey absent)

Release of Easement

Authorized release of the following easement:

- a. Electric Easements of record in Volume 2228, Page 461 and Volume 2621, Page 586, and release of a portion of Electric Easement of record in Volume 652, Page 276, Travis County Real Property Records, insofar as it affects Lot 1 and Lot 1-A, Las Lomas Center Subdivision, of record in Book 85, Page 159-C and Lots 1-3, Block B, and Lot 1, Block C, Las Lomas Subdivision, of record in Book 85, Pages 159D-160D, Travis County Plat Records, Rollingwood Drive @ F.M. 2244, Bee Caves Road.

Capital Improvements Program

Approved acquisition of 6.8600 acres of land for park purposes along Spicewood Springs Road near the Intersection of McNeil Road. (High Vista Joint Venture composed of John Lloyd, Fred A. Purcell, Pete Vescove, Mary Ann Purcell, Mildred M. Gillen and Constance A. Gillen, Trustee of the Mildred M. Gillen Trust, owners) C.I.P. Nos. 83/86-18 and 85/86-18

Approved the following Change Order:

- a. In the amount of \$68,665.00 to Clearwater Constructors, Inc. for Walnut Creek Wastewater Treatment Plant Expansion. (0.68% increase of the adjusted price of \$10,116,020.00 - Total change orders to date equal 3.27%) C.I.P. No. 82/23-81

Contracts Approved

Approved the following contracts:

- | | |
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| a. PARKER AND ROGERS CONSTRUCTION CO.
4915 I.H. 35 South
Georgetown, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
West 35th St./Jefferson Street
Intersection Improvements,
Transportation and Public
Service Department
Total \$783,724.20 C.I.P. No.
78/62-22 |
| b. MORRISON'S CUSTOM MANAGEMENT
P.O. Box 5056
Kingwood, Texas | - Management of Food Services,
Brackenridge Hospital
Twelve (12) Month Contract
Total \$878,197.00 BC8-088 |
| c. TEXAS ARIES MEDICAL
SOCIAL SERVICES
313 West Buchanan
Harlingen, Texas | - Recovery of Indigent Health
Care Cost, Brackenridge Hospital
Twelve (12) Month Contract
Total \$150,000.00 BC8-228 |

Right-of-Way

Approved concurrence with the proposed sale or exchange of surplus State right-of-way by the State Department of Highways and Public Transportation for property required for realignment of right-of-way, which sale includes two tracts of land for highway purposes and a portion of a drainage easement for IH 35 at Parmer Lane.

Utility Service Agreement with Bergstrom AFB

Approved entering into a utility service agreement with Bergstrom Air Force Base to provide treated wastewater effluent from South Austin Wastewater Treatment Plant.

Public Hearing Set

Set a public hearing for June 23, 1988 at 5:00 P.M. on amendments to the Water and Wastewater Capital Recovery Fee Ordinance.

PRIVATE INDUSTRY COUNCIL/LOCAL GOVERNMENT

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, approved the Private Industry Council/Local Government Partnership Agreement. (5-0 Vote, Councilmember Carl-Mitchell out of the room, Mayor Cooksey absent)

ITEM POSTPONED

Postponed to June 23, 1988 is consideration of the Barton Creek Watershed Policy recommendations from the Water and Wastewater Commission and staff recommendations. This will be discussed at 3:55 P.M.

SOLID WASTE ADVISORY COMMISSION

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, waived the requirement for three readings and finally passed an ordinance creating a nine member Solid Waste Advisory Commission. (6-0 Vote, Mayor Cooksey absent) This is an outgrowth of the Solid Waste Task Force.

PUBLIC HEARINGS POSTPONED

Postponed to June 30 at 6:00 p.m. is the continued public hearing on paving assessments to be levied on the following:
(On Councilmember Shipman's motion, Councilmember Urdy's second, 6-0 vote by acclamation, Mayor Cooksey absent)

- a. Montopolis Drive, consisting of one unit covering approximately 17 blocks. C.I.P. No. 78/62-09
- b. Riverside Drive, consisting of one unit covering approximately 30 blocks. C.I.P. No. 73/62-03

DISEASED TREES ORDINANCE

The Council, on Councilmember Nofziger's motion, Councilmember Humphrey's second, passed through second/third readings of an ordinance to amend Chapter 9-12, Code of the City of Austin, by adding an article entitled "Diseased Trees and Firewood" which defines certain nuisances, provides notice of abatement and appeal from such notice and gives the Urban Forestry Board power to hear such appeals, as amended by the Task Force on Oak Wilt, with a friendly amendment offered by Councilmember Shipman to add subsection C to Section 9-12-7 to notify lender if there is a lien on the property and to submit guidelines to Council as they develop. (6-0 Vote, Mayor Cooksey absent)

TRIBUTE TO MAYOR PRO TEM JOHN TREVINO JR.

Mayor Pro Tem Trevino has served as a member of the Council for 13 years. This was his last day to preside over a meeting and the last regularly scheduled Council meeting for him. The meeting was interrupted at this point for a band to play, speeches to be made and awards given. Mayor Pro Tem Trevino thanked those responsible and said he would miss being a member of the Council, but he was looking forward to other pursuits in his life.

CONTRACT

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, adopted the following contract: (6-0 Vote, Mayor Cooksey absent)

Bid Award:

-CAPITAL IMPROVEMENTS PROGRAM -
Weatherization Assistance Program
for the Economically disadvantaged,
Resource Management Department
Two Contracts

(a) WEATHER-RITE, INC. (MBE) - \$75,000.00
5650 Randolph Blvd.
San Antonio, Texas

(b) VALDEZ REMODELING - \$75,000.00
3702 Munson
Austin, Texas

ITEM POSTPONED

Postponed to June 16, 1988 is an ordinance transferring \$80,000.00 from the General Fund Ending Balance to the Growth Services Fund to refund the purchase of sign operating permits.

Also postponed to June 16, 1988 is consideration of an Interim Ordinance suspending for ninety days the operation of Section 13-13-515(a), Code of the City of Austin, 1981, pertaining to:

(a) The requirement for owners or users of signs to obtain a Sign Operating Permit.

(b) The requirement that a Sign Operating Permit Fee be paid.

CONCESSION SERVICES ON TOWN LAKE CORRIDOR

Council had before them for consideration approval of contracts regarding concession services for the Town Lake Corridor.

Motion

Councilmember Shipman made a motion, seconded by Councilmember Nofziger to extend existing contracts two years, and staff is to incorporate a plan for private activity (standards for concessions) into the Town Lake Ordinance.

Substitute Motion - FAILED

Councilmember Humphrey offered a substitute motion, seconded by Councilmember Urdy to approve the staff recommendation and renew the contracts for five years. Motion FAILED by a vote of 3-3 with Councilmembers Carl-Mitchell, Nofziger and Shipman voting No, Mayor Cooksey absent.

Motion - Amended

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, adopted a resolution approving the contracts for concession services for the Town Lake Corridor for five years, and staff to make an assessment of contracts. (6-0 Vote, Mayor Cooksey absent)

SEMATECH

Council had before them for consideration an ordinance to consider implementing the Sematech incentive approved by the City Council on July 23, 1987.

There were six items:

1. Waiver of all building and development fees relating to the retrofitting of the Data General site and building.
2. \$250,000.00 cash contribution, to be used by the Sematech operation for land or site acquisition, to come from the Economic Endowment Trust Fund.
3. Commitment to serve the electrical needs of Sematech through dedication of appropriate funds of the Capital Improvement Program subject to the availability of funds.
4. Commitment to serve the wastewater needs of Sematech through dedication of appropriate funds of the Capital Improvement Program and subject to the availability of funds.
5. Designation of one upper level full-time employee of the City of Austin to handle all Sematech development and permitting issues relating to the interim or permanent site construction.
6. Designation of Sematech's primary site within Austin's proposed enterprise zone in order to qualify the project for incentives resulting therefrom.

The total price tag on the Sematech incentives is approximately \$6.2-million as compared to the total incentive package of \$68,000,000.00.

- Waiver of building and development fees which includes some electric fees, water and wastewater, capital recovery fees
Totals \$363,489.00
- Cash Contribution from trust fund - Total \$250,000

- C.I.P. electric service - \$5,380,000, which includes development of a regional sub-station at the Montopolis research center that will serve Sematech and the users in that area.
- C.I.P. wastewater service totals \$209,000
- Time spent by City coordinator - \$15,000
- The Sematech site has been included in the Enterprise Zone and was approved by the Texas Commerce Department in April as a part of the Enterprise Zone.

Motion

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, as recommended by staff, to implement the Sematech incentive approved by the City Council on July 23, 1987. (6-0 Vote, Mayor Cooksey absent)

APPOINTMENTS

The Council on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, appointed Eva Limon and Hermalinda Zamarripa as members of the Austin "150" Committee. (4-0 Vote, Mayor Cooksey absent, Councilmembers Urdy and Nofziger out of the room)

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, appointed Kathy Revilla Vasquez as a member of the Travis County Appraisal Board. (4-0 Vote, Mayor Cooksey absent, Councilmembers Urdy and Nofziger out of the room)

ADJOURNMENT

Council adjourned its meeting at 6:43 P.M.