



Austin City Council MINUTES

For DECEMBER 15, 1988 - 10:00 A.M.

Council Chambers, 307 West Second Street, Austin, Texas

Mayor Cooke called to order the meeting of the Council, noting that Councilmember Nofziger would be gone for the day and that Mayor Pro Tem Shipman and Councilmember Urdy would arrive later in the day. Mayor Pro Tem Shipman entered the Council Chamber at 12:00 Noon and Councilmember Urdy arrived at 3:10 P.M.

MINUTES APPROVED

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, approved minutes for regular meeting of December 8, 1988 at 1:00 P.M. and special called meeting of December 8, 1988 at 8:15 A.M. (4-0 Vote, Mayor Pro Tem Shipman, Councilmembers Urdy and Nofziger absent)

CITIZEN COMMUNICATIONS

Ms. Betty Phillips discussed proposed move of psychiatric emergency service from Brackenridge. Ms. Janis Robbins did not appear. Ms. Mandy Dealey also spoke against removing the psychiatric emergency service from Brackenridge Hospital. Dr. Deborah Peel did not speak. Ms. Alice Embree discussed concerns on airport relocation. Mrs. Mary Lib Thornhill did not appear. Mr. Howard Hempel discussed City retirees insurance coverage.

ITEMS POSTPONED

Postponed indefinitely is the Building Standards Report on Neighborhood Conservation.

Consideration of second/third readings of an ordinance amending the 1988-89 Financial Plan by amending the Operating Budget of the Water and Wastewater Utility Department by increasing department O&M by \$700,000 and decreasing the current revenue transfer to the Capital Improvements Program by \$700,000.00 will be on the December 20, 1988 agenda.

Consideration of second/third readings of an ordinance amending the 1988-89 Capital Budget by decreasing the current revenue transfer to the Water and Wastewater Department by \$700,000 will be on the December 20, 1988 agenda.

Postponed to December 20, 1988 is consideration of approving payment of the assessment due to the Edward's Aquifer District.

12/15/88

Postponed to January 5, 1988 is consideration of entering into the following License Agreement: To allow the encroachment of planters into the East 39th Street right-of-way. (100 Block)

Postponed to December 20, 1988 is consideration of a resolution establishing a committee to look at the use of parkland for private commercial use.

Postponed indefinitely is consideration of adopting a budget amendment to the Fiscal Year 1988-89 Electric Utility operating and capital improvements budgets and taking other action to implement the City Council action regarding the FY 1989 Electric rates.

Postponed indefinitely are the filing of eminent domain proceedings to acquire the following:

- a. 1.378 acres (60,044 square feet) of land in fee simple out of the Rachel Saul Survey, Abstract No. 551 Williamson County, Texas owned by James H. Arnold, Jr., et al for the U.S. Highway 183 Expansion Project. C.I.P. No. 85/62-01
- c. 2.537 acres (110,506 square feet) of land in fee simple and a temporary construction easement containing 0.114 acre (4,961 square feet of land out of the George W. Davis Survey No. 15, Travis County, Texas owned by Windmill Associates, Ltd., a Texas Partnership for the U.S. Highway 183 Expansion Project. C.I.P. No. 85/62-01.

On January 5, 1989, Council will consider a resolution to approve the following contract:

Arrow Industries - Plastic trash liners for General Services
Carrollton, Tx. Department, \$151,717.00

Also postponed to January 5, 1989 is a contract for bid award for water conservation retrofit single family residential customers in the Walnut Creek Wastewater Treatment Plant Service Area, Resource Management Department, to Masterpiece Construction and Payton & Associates.

The resolution to consider abolishing the Dental Advisory Committee and the Medical Assistance Program Advisory Board; and re-establishment of the Medical Assistance Program Advisory Board with new responsibilities and a new membership composition will be on the January 5, 1989 agenda.

Pulled off the agenda is consideration of a authorization and approval of a contract award to conduct a foreign-trade zone feasibility study and grant application.

Withdrawn from the agenda was consideration of a resolution relating to the zoning application to be filed by the General Land Office in connection with a development plan for the Austin State Hospital land on 38th Street, between Guadalupe and Lamar.

Postponed indefinitely is a resolution to consider, as part of the Operation Impact Program, approval to purchase three lots identified as Site "A"; and to authorize the City Manager to negotiate and execute an agreement based on a conceptual lease option agreement with Ebenezer Baptist Church covering property identified as Site "B" in connection with the development of East Eleventh Street off-site parking facilities; and to authorize the filing of an EDA grant application for funds to renovate a building on Site "B".

Consideration of scheduling a State of the City banquet has been postponed to January 5, 1989.

CONSENT RESOLUTIONS - OLD BUSINESS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, adopted the following resolutions all in one consent motion: (4-0 Vote, Councilmembers Urdy and Nofziger and Mayor Pro Tem Shipman absent)

Lakeline

Authorized execution of an agreement for liability and maintenance of landscaping, special features, and other improvements in the public right-of-way by the Lakeline Business and Commercial Owner's Association, Inc., Williamson County and the City of Austin.

Capital Metro

Approved an Agreement with Capital Metropolitan Transportation Authority (Capital Metro) memorializing the City's assignment to Capital Metro of the purchase option of the downtown property owned by Southern Pacific Transportation Company and the transfer of the Urban Mass Transit Administration Grant Funds (and associated obligations) awarded for that purpose.

Offsets Against Paving Assessments

Approved offsets against paving assessments by conveyance of property to the City.

ITEM ALREADY APPROVED

Approved on December 13, 1988 was a supplemental agreement with the State Department of Highways and Public Transportation for the acquisition of right-of-way for the U.S. 183 and U.S. 290/SH 71 Freeway Projects.

CONSENT RESOLUTIONS

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, adopted the following resolutions all in one consent motion: (4-0 Vote, Councilmembers Urdy and Nofziger and Mayor Pro Tem Shipman out of the room.)

Release of Easements

Authorized release of the following easements:

- a. A portion of the 30' PUE and Access Drainage Easement along the South Edge of Lots 11, 12 and 13 of Sonesta West, Section One A. (Request submitted by D.R. Malone on behalf of J.A. & D.R. Malone and First Federal Savings and Loan)
- b. The Wastewater Easement and Temporary Work Space Easement of record in Volume 10260, Page 0452 of the Travis County Real Property Records and located on Lots 1 thru 4, Austin Center/3M. (Request submitted by Mr. Ron Bond, Acting Director of the City of Austin Water and Wastewater Utility Department)
- c. A 5' Wastewater Easement on Lot 6, Block 143 of the Original City of Austin, recorded in Volume 849, Page 617 and Volume 898, Page 41, Deed Records of Travis County, Texas. (Request submitted by Martinez and Wright Engineers, Inc. on behalf of the City of Austin - Brackenridge Hospital)
- d. A portion of the 15' PUE along the common lot line of Lots 1 & 2, Block A, South Point Subdivision and release of a portion of the Public Utility Easement and Drainage Easement along the rear of Lots 1 & 2, Block A, South Point Subdivision. (Request submitted by Forrest T. Powers on behalf of Chase-wood Partners II.)
- e. A portion of the 20' Public Utility Easement recorded in Volume 9602, Page 470 of the Travis County, Texas Deed Records.

Eminent Domain Proceedings

Authorized the filing of Eminent Domain Proceedings to acquire the following:

- b. A wastewater easement containing 6.43 square feet of land and a temporary workspace easement containing 1,282 square feet of land out of Lot 13, Block F of the Southampton, Section 3-A Subdivision, Travis County, Texas, owned by David J. Harris and wife, Carolyn Foote Harris for the Kincheonville Wastewater Improvements Project. C.I.P. No. 86-23/31.

- d. 26.90 acres of land in fee simple out of the J. Bittick Survey No. 500 in Travis County, Texas owned by Robert C. Carr for the FM Highways 812 Land Fill Project. C.I.P. No. 74/60-07.

Change Orders

Approved the following change orders:

- a. In the amount of \$41,975.00 to Austin Engineering Company, Inc. for the construction of Riverside Drive Improvements, (1.66% increase to the original amount of \$2,528,822.95 - Total change orders to date equal to 6.08%) C.I.P. No. 71/62-03
- b. In the amount of \$28,878.94 to Austin Engineering Company, Inc. for the construction of Riverside Drive Improvements, (1.14% increase to the original amount of \$2,528,822.95 - Total change orders to date equal to 4.97%) C.I.P. No. 83/22-05

Contracts Approved

Approved the following contracts:

CAPITAL EXCAVATING COMPANY
2901 S. Lamar Boulevard
Suite 260
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Robert Mueller Municipal
Airport Interim Terminal
Improvements, Phase II
Construction Project, Aviation
Department
Total \$831,302.10 C.I.P. No.
86/81-01

TECHLINE, INC.
8750 Shoal Creek Blvd.
Austin, Texas

- Traffic Signal Assembly Poles,
Transportation and Public Services
Department
Items 1 thru 3 - \$45,080.20
89-0016-CM

SOUTHWESTERN BELL
8911 Capitol of Texas
Austin, Texas

- Upgraded Telephone System, Police
Department and Municipal Court
Total \$122,014.23 89-S034-AB

MARTIN'S UNIFORMS
3606 Fredricksburg Rd. Ste. #102
San Antonio, Texas

- Uniform Trousers and Shirts,
General Services
Twelve (12) Month Supply Agreement
Total \$94,046.00 88-0246-LI

BID AWARD:

- Coarse paper products, General
Services Department
Six Month Supply Agreement
Total \$60,302.00 88-0324-DC

(1) BANCROFT PAPER COMPANY
2201 East 6th Street
Austin, Texas

- Items 1-6, 8-14, 20-25 - \$60,302.00

MANAGEMENT SCIENCE AMERICA, INC.
250 North Loop West, Suite 695
Houston, Texas

- Financial Software System,
Brackenridge Hospital
Twelve Month Maintenance
Agreement
Total \$40,900.00 BC8-297

Interlocal Maintenance Service Agreement

Approved a twelve month Interlocal Agreement between Travis County and the City of Austin for a maintenance service agreement for radio communications system for the following Travis County departments: Sheriff, Emergency Medical Service, Health, Public Improvements and Transportation, Parks, and General Services. (Estimated revenue of \$38,600.00)

Water Resources Investigation

Authorized execution of a cooperative agreement for water resources investigation between the City of Austin and the Geological Survey, United States Department of the Interior.

Barton Creek Watershed Study

Authorized the Department of Environmental Protection to apply for a grant from the U.S. Department of Interior to assist in funding the Barton Creek Watershed Study.

Public Hearing Set

Set public hearings on the following:

- a. To amend the City of Austin Bikeway Plan to include a veloway: January 12, 1989 at 6:45 P.M.
- b. To approve a resolution supporting an application to the Texas Parks and Wildlife Department for a matching grant to fund a veloway park: January 12, 1989 at 6:45 P.M.

SALE OF AUSTINPLAN DOCUMENTS

The Council, on Councilmember Carl-Mitchell's motion, Mayor Cooke's second, authorized the sale of AustinPlan documents, specifically: (4-0 Vote, Councilmembers Urdy, Nofziger and Mayor Pro Tem Shipman absent.)

(continued on next page)

- a. AustinPlan (including maps).....\$10.00
- b. Fiscal and Economic Impact Analysis....\$ 6.00

CHANGE ORDER

The Council, on Councilmember Barnstone's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving the following change order: (4-0 Vote, Councilmembers Urdy and Nofziger and Mayor Pro Tem Shipman absent)

- c..In the amount of \$1,210,756.49 to Garney Companies, Inc., Contractor for the Green Water Treatment Plant Transmission Main North, Phase I; Green Water Treatment Plant Transmission Main South; and Pilot Knob Transmission Main, Phase IV Contract. (20.31% increase to the original amount of \$5,960,032.50) C.I.P. Nos. 85/22-18 & 85/22-59

A.R. DAVIS WATER TREATMENT PLANT

Council had before them for consideration a resolution to consider authorization and approval of a professional services agreement for construction claims consultant services regarding assistance in resolution of claims and counterclaims related to improvements at the A.R. Davis Water Treatment Plant, subject to successful and timely contract negotiations. C.I.P. No. 76/22-84 (Total estimated cost - \$250,000.00)

Motion

The Council, on Councilmember Carl-Mitchell's motion, Mayor Cooke's second, adopted a resolution to approve Phase I and direct staff to come back to Council at the point in time concerning a decision as to whether to go to court at the time of Phase II. (4-0 Vote, Councilmembers Urdy and Nofziger and Mayor Pro Tem Shipman absent.)

NEW AIR CONDITIONING SYSTEM - MUNICIPAL BUILDING

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, adopted resolutions approving the following contracts: (4-0 Vote, Councilmembers Urdy and Nofziger and Mayor Pro Tem Shipman absent)

YOUNG & PRATT SERVICE, INC.
702 East Third Street
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM
Phase I, new air-conditioning
system, Municipal Building
Total \$48,928.00 C.I.P. No.
SN 86/52-02

YOUNG & PRATT SERVICE, INC.
702 East Third Street
Austin, Texas

- Phase II, Air-Conditioning Systems,
Municipal Building
Total \$304,655.55 89-S042-AB

DICK NICHOLS PARK

Council had before them for consideration a resolution concerning the expenditure of 1985 PARD Capital Improvements Program funds to develop Dick Nichols Park. This was discussed in the morning and brought back later in the day for a vote.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second, adopted a resolution concerning 1985 PARD Capital Improvements Program funds to develop Dick Nichols Park by approving the Planning Commission recommendation subject to interlocal agreement with \$240,000 for Dick Nichols Park and \$50,000 for Windmill Run if this can be worked out with the County. (4-1 Vote, Councilmember Barnstone out of the room, Councilmember Nofziger absent, Mayor Cooke No.)

PROFESSIONAL SERVICES AGREEMENT

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving allocation of C.I.P. funds for FY 88-80 for the Rotating Geotechnical and Material Testing Services and Rotating Surveying Firms for the City of Austin's Capital Improvements Program projects and the extension of the existing two-year contract of the Professional Services Agreements from May 21, 1989 to September 30, 1989. (5-0 Vote, Councilmember Barnstone out of the room, Councilmember Nofziger absent)

CITY'S INVESTMENT POLICY

The Council, on Councilmember Carl-Mitchell's motion, Mayor Cooke's second, adopted a resolution approving amendments to the City's Investment Policy regarding collateralization of City deposits. (5-0 Vote, Councilmember Barnstone out of the room, Councilmember Nofziger absent)

MINUTE ORDER

The Council, on Councilmember Humphrey's motion, Mayor Cooke's second, adopted a resolution approving the State Highway and Public Transportation Commission Minute Order for the widening of FM 2304 (Manchaca) from Matthews Lane to FM 1626. (5-0 Vote, Councilmembers Urdy and Nofziger absent)

CITY MANAGER REPORTS

Jim Smith, Director of Transportation and Public Service, presented the City Manager report on Consolidated Lease Budget Impact. Council directed this be put on the December 20, 1988 agenda for action.

Termination Payout for RIF Employees and Employee Benefit Insurance for Retirees are City Manager reports which will receive action on December 20, 1988.

RECESS

Council recessed its meeting from 12:10 to 12:45 P.M.

CONSENT ORDINANCES

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed the following ordinances all in one consent motion: (5-0 Vote, Councilmembers Urdy and Nofziger absent)

Annexation

Approved the following annexations:

- Full purpose annexation of areas in the vicinity of Loop 360 and Bull Creek. (C7a-88-002)
- Full purpose annexation of the Motorola site in Oak Hill. (C7a-88-004)
- Full purpose annexation of 10' wide strip in the vicinity of U.S. 290 and the Manor ETJ. (C7a-88-005)
- Limited purpose annexation of Davis Hill and areas east of Brodie Lane and North of Palomino Park. (C7a-88-006)

One annexation FAILED to pass. This was:

- Full purpose annexation of areas in the vicinity of Barton Creek, east of MoPac. (C7a-88-003) FAILED by a vote of 3-2-3, Mayor Cooke and Councilmember Barnstone voted No, Councilmembers Urdy and Nofziger absent)

Austin Convention & Visitor's Bureau

Approved amending Ordinance No. 861120-J Austin Convention and Visitor's Bureau.

Street Vacation

Approved vacating the following:

- (1) A portion of Wasson Road right-of-way at Stassney Lane (N.E. Corner). (Request submitted by Mr. Terrance L. Irion on behalf of the adjoining property owners)

Paving

Approved receiving and accepting work of paving for the following, Capital Improvements Program:

- (1) North Bluff Drive, Phase III, consisting of approximately 18 blocks. C.I.P. No. 78/62-32
- (2) Montopolis Drive, consisting of approximately 17 blocks. C.I.P. No. 78/62-09
- (3) Riverside Drive, consisting of approximately 30 blocks. C.I.P. No. 73/62-03

Bonita Vista Subdivision

Approved amending Ordinance No. 871029-J to extend the waiver of Section 13-15-208 to Bonita Vista Subdivision. This was second and third readings of the ordinance.

Gill Ranch

Passed through second and third readings of an ordinance authorizing settlement of Bee Caves Partners, Ltd. v. City of Austin by execution of a settlement and passage of a conditional waiver pursuant to Section 13-15-208 to Gill Ranch.

Zonings

Passed through second/third readings of ordinance amending Chapter 13-2 of the Austin City Code (Zoning Ordinance) to cover the following changes:

- | | | |
|----------------------------|--------------------|------------------------|
| (1) AUSTIN LACQUER COMPANY | 7919 State Highway | From Tr. 1 "I-RR" to |
| C14-85-288.22 | 71 West | "SF-1" |
| | | Tr. 2 "I-RR" to "SF-2" |
| | | Tr. 3 "I-RR" to "SF-6" |
| | | Tr. 4 "I-RR" to "CS" |

First reading on April 23, 1986, (6-0). Restrictive Covenant incorporating conditions imposed by Council has been executed.

- | | | |
|-------------------|-------------------|-----------------------|
| (2) EDWARD JOSEPH | Rutherford Lane & | From Tr. 1 "SF-3" |
| DEVELOPMENT | Cameron Road | to "LI", Tr. 2 "SF-3" |
| By Sid Sanders | | to "LI", Tr. 3 "SF-3" |
| C14-88-0026-CO | | to "IP-CO", Tr. 4 |
| | | "SF-3" to "IP", Tr. 5 |
| | | "SF-3" to "RR" |

First reading on June 23, 1988, (7-0). Conditions have been met as follows: Phasing Agreement incorporating conditions imposed by Council has been executed. Restrictive Covenant incorporating conditions imposed by Council has been executed. The right-of-way dedication requirement has been satisfied.

Meetings Cancelled

Approved cancelling regularly scheduled City Council meetings for December 22, 27 and 29, 1988.

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: (5-0 Vote, Councilmembers Urdy and Nofziger absent)

Circle C MUD's

Approved annexation of 24.4 acres from Circle C MUD No. 2 into Circle C MUD No. 3, and the annexation of 5.4 acres from Circle C MUD No. 2 into Circle C MUD No. 4.

Speed Zones

Approved amending the Austin City Code to modify the following Speed Zones:

Section 11-2-99(a) 15 mph

Delete: On all streets and parking areas within the Municipal Airport Complex.

Section 11-2-99(d) (school speed zone) 20 mph

Delete: The Airport access road known as Pershing Drive from Manor Road to the airport access road known as East/Vest Pershing Circle.

Delete: The airport access road known as East Pershing Circle from the Access Road known as Pershing Drive to the airport access road known as Lantana Drive.

Delete: The airport access road known as West Pershing Circle from the airport access road known as Lantana Drive to the airport access road known as Pershing Drive.

Add: Section 9-11-133(a): The maximum prima facie speed limit shall be fifteen (15) miles per hour at all times in any parking area within the Municipal Airport Complex and along the airport access road known as Lantana Drive from the airport access road known as East Pershing Circle to the airport access road known as West Pershing Circle.

Add: Section 9-11-133(b): The maximum prima facie speed limit shall be twenty-five (25) miles per hour at all times along the following streets within the Municipal Airport Complex:

The airport access road known as Pershing Drive from Manor Road to the airport access road known as East/Vest Pershing Circle.

The airport access road known as East Pershing Circle from the airport access road known as Pershing Drive to the airport access road known as Lantana Drive.

The airport access Road known as West Pershing Circle from the airport access road known as Lantana Drive to the airport access road known as Pershing Drive.

Legal Description Corrected

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

- a. Ordinance No. 880623-A, Case No. C14-88-0005 locally known as 8701 N. MoPac Service Road

Williamson-Travis Counties Municipal Utility District No. 2

Approved of the agreement concerning creation and operation of Williamson-Travis Counties Municipal Utility District No. 2.

LCRA Rate Change Denied

Denied Lower Colorado River Authority's application for a rate change.

BOARD AND COMMISSION REPORTS

Jeannette Watson presented the Child Care Commission report on number of Child Care Commission members and dissemination of recent child care related publications.

Dave Dunnam presented the Austin Convention and Visitor Bureau, Inc. report on Year-End Management/Program and Financial Audit Reports.

DAVENPORT RANCH

Council had before them for consideration a resolution to consider the first amendment agreement to the contract concerning creation and operation of Davenport Ranch M.U.D.

Tracy Watson, Acting Deputy Director of OLDS, discussed 3 items that needed to be amended within the agreement itself. He referred to the material the Council had received concerning Davenport Ranch M.U.D. Mr. Watson stated, "If all the elements within the agreement are not satisfactory to the City and Davenport Ranch representatives, then the agreement is null and void." Mr. Watson went on to say

that all items listed have been satisfied except there is a difference in the purchase agreement for tract A-2. The agreement says \$2.5 million dollars but the tract has been appraised for \$2.2 million dollars. Council agreed they would not pay more than the appraised price for tract A-2.

Andy Martin, Assistant City Attorney, read the changes in the language.

Motion

Councilmember Carl-Mitchell made a motion to approve "this agreement, as it stands on the table as written with the language changes (sub-sections M and J as read by staff)". Mayor Cooke seconded the motion.

Amendment to the Motion

Councilmember Carl-Mitchell offered an amendment to the motion, seconded by Councilmember Humphrey, to pay the appraised value for Tract A-2 of \$2.2 million and leave the language in for the donation of Tract A-1. Motion passed by a vote of 6-0 with Councilmember Nofziger absent.

Roll Call on Motion

6-0 Vote, Councilmember Nofziger absent

Terry Bray, attorney representing Davenport Ranch, said he did not know if the \$2.2-million figure would be acceptable to the owners of the land.

LATER IN THE DAY:

Council had before them for approval an ordinance approving annexation of the following: Limited purpose annexation of certain tracts in the Davenport Ranch. (C7a-88-007

Motion

Councilmember Carl-Mitchell made a motion to approve the annexation.

Andy Martin, Assistant City Attorney, told Council that unless Terry Bray's client "has agreed to accept the offer the Council made, I would not move forward on annexation".

Mayor Cooke noted the time was 4:00 P.M. and said he would call the other items dealing with Davenport Ranch. They were:

- (1) 4:00 P.M. Continue hearing on amendments relating to the PUD Planned Unit Development District.

(2) Zoning Hearing - Items continued from previous meeting:

88-0601 Davenport Limited

Motion Withdrawn

Councilmember Carl-Mitchell withdrew his motion.

Terry Bray was referring to the zoning case and said before he could answer concerning the amount of money for Tract A-2 he needed clarification on the bonus question and the roadway question. Mr. Tracy Watson presented an overview.

Motion - Related to Zoning Hearing

Councilmember Urdy made a motion, seconded by Councilmember Barnstone to approve the 26 foot roadway and the bonus provision.

Mayor Cooke stated, "Chair accepts the motion with D.2.k. (agenda item passed earlier concerning first amendment agreement to the contract concerning creation and operation of Davenport Ranch MUD) as amendment to that." He said the question should be divided.

Roll Call on Roadway Portion

6-0, Councilmember Nofziger absent

Roll Call on Bonus Portion

5-1 Vote, Mayor Pro Tem Shipman voted
No, Councilmember Nofziger absent

Councilmember Humphrey stated, "Terry Bray says they graciously accept the \$2.2 million." Terry Bray stated, "Who says graciously?"

Motion on Limited Purpose Annexation

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance, on emergency basis, approving limited purpose annexation of certain tracts in the Davenport Ranch. (C7a-88-007). (6-0 Vote, Councilmember Nofziger absent)

Motion on Public Hearing on PUD

The Council, on Councilmember Carl-Mitchell's motion, Mayor Cooke's second, closed the continued public hearing on amendments relating to the PUD Planned Unit Development District and on emergency passage adopted the Planning Commission recommendation. (5-0 Vote, Councilmember Barnstone out of the room, Councilmember Nofziger absent)

Motion on Zoning Hearing

-88	DAVENPORT LIMITED	Loop 360	From "LA", "SF-2"
0601	Davenport West	and Westlake	to "PUD"
	PUD	Drive	<u>FIRST READING</u>
	by Land Strategies		
	Inc.		

APPROVE PLANNING COMMISSION RECOMMENDATION;
WAIVE CONTIGUITY; WAIVE PROJECT ASSESSMENT;
APPROVE VARIANCES TO SUBDIVISION AND SITE
PLAN ELEMENTS AS RECOMMENDED BY THE PLANNING
COMMISSION; AND INCLUDES MOTIONS PASSED
EARLIER ON 26 FOOT ROADWAY AND BONUS
PROVISION

Letter of agreement with St. Stephen's School and Bunny Run Neighborhood are on file in the City Clerk's office and are a part of the record.

(On Councilmember Urdy's motion, Councilmember Carl-Mitchell's second, to close the public hearing and approve. (5-0 Vote, Councilmember Barnstone out of the room, Councilmember Nofziger absent)

AUSTIN CHAMBER OF COMMERCE BUILDING

Council had before them a resolution to consider acquisition of the Austin Chamber of Commerce Building, located on City-owned parkland at 901 West Riverside Drive, for the relocation of the PARD Senior Citizen Programs at a total cost of \$310,151.00.

Council was told the appraised value of the Chamber of Commerce Building is \$183,000.00. Council agreed they would not offer more than the appraised value.

Motion

The Council on Councilmember Carl-Mitchell's motion, Councilmember Barnstone's second, voted to pay the appraised value of \$183,000.00 for the Austin Chamber of Commerce Building. Motion passed by a vote of 5-1-0 with Mayor Cooke voting No and Councilmember Nofziger absent.)

HEARING NOT HELD

Council determined it was not necessary to continue the hearing on amendments establishing an "M-PUD" Master Planned Unit Development District.

EXECUTIVE SESSION

Mayor Cooke 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 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 vs. Houston Lighting and Power
- (b) ETSI Pipeline Project, et al. vs. Burlington Northern, Inc., et al., C.A. No. B-84-979-CA

3. Land Acquisition - Section 2, Paragraph f

- (a) Land Swap for Civic Center

RECESS

Council recessed its meeting from 4:50 to 7:40 P.M. for executive session. When they returned to the Chamber, Mayor Cooke announced no action would be taken as a result of their meeting.

PUBLIC HEARING TO BE CONTINUED

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Carl-Mitchell's second, voted to continue the public hearing on amendments to the Interim Land Development Code as it relates to the Town Lake Comprehensive Plan; and passage of ordinance, to January 12, 1989 at 6:00 P.M. (4-0 Vote, Councilmembers Urdy and Humphrey out of the room, Councilmember Nofziger absent.)

PUBLIC HEARING - INCREASE IN COMMERCIAL & RESIDENTIAL GARBAGE FEES

Mayor Cooke opened the public hearing set for 6:00 p.m. on commercial and residential garbage collection fees increases.

Speaker's cards are on file in the City Clerk's office.

Motion

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

Motion

The Council, on Mayor Pro Tem Shipman's motion, Mayor Cooke's second, waived the requirement for three readings and finally passed an ordinance adopting fee increases for commercial and residential garbage collection effective with billings dated January 1, 1989. (6-0 Vote, Councilmember Nofziger absent)

CONTRACT APPROVED

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

Authorize the City Manager or his designee to enter into a Professional Services Agreement with HDR, Inc. for assistance in development of a cost estimate for sale of the resource recovery generation plan, not to exceed \$91,000. (CIP No. 85-12-05)

NEW CITY OF AUSTIN MUNICIPAL AIRPORT

Council had before them for consideration action on the Professional Services Agreement between the City of Austin and Sverdrup Corporation for Program Management Services for the new City of Austin Municipal Airport and authorization to proceed with Phase I- Program Development Services (Total cost=\$1,100,000.00) After discussion, Council directed this be posted on the December 20, 1988 agenda.

SENIOR LUNCH PROGRAM

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Humphrey's second, waived the requirement for three readings and finally passed an ordinance to move the senior citizen's lunch program back to the South Austin Multi-Purpose Center. (6-0 Vote, Councilmember Nofziger absent)

ANNEXATION

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second, adopted a resolution authorizing notice to Travis County Rural Fire Prevention Districts 1,4,6,7 and 9 of full purpose annexation by the City so that the Fire Districts will delete the areas annexed from their tax rolls and service areas. (6-0 Vote, Councilmember Nofziger absent)

ROOF FOR ROSEWOOD ZARAGOSA DISCUSSION

Council discussed accepting bids from businesses for the repair of the existing roof on the Rosewood Zaragosa Center which will result in a functional, dry roof that will have a reasonable warranty and maintenance agreement. This item will be posted for action on the December 20, 1988 agenda.

AUSTIN ECONOMIC DEVELOPMENT CORPORATION

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Carl-Mitchell's second, adopted a resolution to allocate \$13,981.73 interim CDBG funding for Austin Economic Development Corporation to finish its close out activity with its management and technical assistance contract. (4-2 Vote, Councilmember Nofziger absent, Councilmembers Barnstone and Humphrey voted No.)

A substitute motion to have the allocation contingent on settling the Avila mediation failed by a vote of 3-3 with Mayor Pro Tem Shipman, Councilmembers Carl-Mitchell and Urdy voting No, and Councilmember Nofziger absent.

DISANNEXATION

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second, considered requests for disannexation, pursuant to the provisions of SB 962, of certain properties annexed for limited purposes on 620 west of Loop 360, and set public hearings for January 19, 1989 and January 26, 1989 at 5:00 P.M. (5-0 Vote, Councilmember Urdy out of the room, Councilmember Nofziger absent)

CITY'S DEPOSITORY BANK

The Council, on Councilmember Urdy's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving a contract with Texas Commerce Bank as the City's Depository Bank. (5-0 Vote, Councilmember Barnstone out of the room, Councilmember Nofziger absent)

BRUSHY CREEK REGIONAL WASTEWATER SYSTEM

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second, adopted a resolution authorizing contracts and payments related to the Brushy Creek Regional Wastewater System, approving contract amendments and continue participation in phasing. (6-0 Vote, Councilmember Nofziger absent)

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second, approved the same resolution for territory outside of the ETJ. (4-2 Vote, Councilmembers Barnstone and Humphrey voted No.)

ADJOURNMENT

Council adjourned at 1:58 A.M. on December 16, 1988.