



Austin City Council MINUTES

For MAY 19, 1988 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

Memorandum To:

Mayor Cooksey called to order the meeting of the Council, noting the presence of all Councilmembers.

MINUTES APPROVED

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, approved minutes for regular meeting of May 12, 1988 and special meetings of May 9, 1988, May 10, 1988 at 3:00 P.M., and second meeting of May 10, 1988 at 3:00 P.M. and May 11, 1988. 4-0 Vote, Mayor Pro Tem Trevino, Councilmembers Urdy and Carl-Mitchell out of the room)

MEXICAN AMERICAN CULTURAL CENTER

The report on Feasibility Study of members of the Mexican American Cultural Center Task Force was presented.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second accepted the report and directed the process of review by boards to begin, and an agenda item for June 2, 1988 will be to consider the appropriation of \$10,000 to assist the committee to continue to the end of the fiscal year. (7-0 Vote)

ZONING ORDINANCES

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, passed through third readings of ordinances amending Chapter 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes: (7-0 Vote)

RICHARD DAVIS &
CHARLES BATTS
C14-85-058

10807 Motheral
Drive
607 Ferguson

From "I-SF-2"
to "CS-CO"
Ordinance

Second reading May 12, 1988 (6-0). Councilmember Humphrey absent. Conditions have been met, Restrictive Covenant incorporating conditions imposed by Council has been executed. (Owner is requesting deletion of site plan requirement)

5/19/88

NED EWART & PHILLIP
MARK
C14-85-061

602-604 Provines
Drive

From "I-SF-2"
to "GR-CO"
Ordinance

Second reading on May 12, 1988, (6-0). Councilmember Humphrey absent. Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed. (Owner is requesting deletion of site plan requirement.)

CONSENT ORDINANCES

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Trevino's second, waived the requirement for three readings and finally passed the following ordinances all in one consent motion: (7-0 Vote)

Operating Budget Amendment

Amended the 1987-88 Annual Operating Budget by:

- a. Accepting and appropriating to Brackenridge Hospital a grant in the amount of \$90,000.00 from the Texas Department of Health for case management services for chronically ill and disabled children.
- b. Accepting and appropriating a Fiscal Year 1988 Emergency Shelter Grant award of \$13,000.00 from the United States Department of Housing and Urban Development (HUD).

Urban Forestry Board

Approved creating the Urban Forestry Board, providing for membership, organization and functions and exempting the board from financial disclosure.

Diseased Trees and Firewood

Approved amending Chapter 9-12 of the 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.

Later in the Day:

Motion to Reconsider

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, reconsidered the vote in order to hear a citizen who had signed to speak. (Card on file in the City Clerk's office). (7-0 Vote)

Motion

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, passed through First Reading of the above ordinance. (4-0 Vote, Mayor Cooksey, Councilmembers Humphrey and Urdy out of the room)

Correction to Zoning Amendment

Approved correction to Zoning Amendment - Case C14-84-311

CONSENT RESOLUTIONS

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

Eminent Domain Proceedings

Authorized the filing of Eminent Domain Proceedings to acquire:

- a. 0.456 acre (19,863 square feet) of land in fee simple out of Lot 2, South Park Retail Center, a subdivision in Travis County, Texas, owned by Crow-Gottesman-Shafer #3 for the U.S. Highway 290 West/SH 71 Expansion Project. C.I.P. No. 85/62-02
- b. 4.287 acres of land in fee simple out of Lot 1, South Park Retail Center, a subdivision in Travis County, Texas, owned by Crow-Gottesman-Shafer #6 for the U.S. Highway 290 West/SH 71 Expansion Project. C.I.P. No. 85/62-02
- c. 1,282 square feet of land in fee simple out of the George V. Davis Survey No. 15, Travis County, Texas, owned by Randolph and Jonathan Doyer for the U.S. Highway 183 Improvement Project. C.I.P. No. 85/62-01
- d. 0.025 of one acre in fee simple out of a 0.91 acre tract in the James P. Wallace Survey No. 57, Travis County, Texas, owned by Nancy L. Moritz and Jesse Lunsford for the U.S. Highway 183 Improvement Project. C.I.P. No. 85/62-01

Contracts Approved

Approved the following contracts:

- | | |
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| <ol style="list-style-type: none">a. CAPITAL EXCAVATION COMPANY
3901 South Lamar Boulevard
Austin, Texas | <p>- CAPITAL IMPROVEMENTS PROGRAM -
Brodie Lane, Phase II Paving and
Drainage Improvements (from Paisano
Trail to South City Limit)
including Wastewater Approach Main
No. 910, Transportation and Public
Services Department
Total \$1,970,314.65 C.I.P. Nos.
79/62-14, 86/22-04 and 86/23-04</p> |
|--|--|

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- b. CAPITAL EXCAVATION COMPANY
3901 South Lamar Boulevard
Austin, Texas
 - CAPITAL IMPROVEMENTS PROGRAM -
Cameron Road, Phase III Paving and
Drainage Improvements (from
Rundberg to Childress),
Transportation and Public Services
Department
Total \$456,788.66 C.I.P. Nos.
73/62-44, 86/22-39, 86/23-04 and
88/17-02
- c. AUSTIN ENGINEERING COMPANY, INC.
6304 Bee Cave Road
Austin, Texas
 - CAPITAL IMPROVEMENTS PROGRAM -
Construction of approximately 2,000
linear feet of 16-inch Wastewater
Line under Ben White Boulevard and
Oltorf Right-of-Way to serve
SEMATECH, Water and Wastewater
Utility Department
Total \$86,400.00 C.I.P. No.
85/23-08
- d. MOTOROLA COMMUNICATIONS AND
ELECTRONICS, INC.
11044 Research Boulevard
Austin, Texas
 - 800 Mhz Radio Trunking and
Smartnet ID System, Water and
Wastewater Utility Department
Total \$254,292.00 88-S081-KK
- e. BAXTER HOSPITAL SUPPLY
13006 Kings Forest
San Antonio, Texas
 - Suction Canisters, Brackenridge
Hospital
Twelve (12) Month Supply Agreement
Total \$51,991.48 BS8-188
- f. GENERAL MEDICAL
P. O. Box 19259
Austin, Texas
 - Tonsil Sponges and Gauze Fluffs,
Brackenridge Hospital
Twelve (12) Month Supply Agreement
Total \$34,445.76 BS8-205
- g. VITAL SIGNS
20 Campus Road
Totowa, New Jersey
 - Pediatric Disposable Breathing
Bags, Brackenridge Hospital
Twelve (12) Month Supply Agreement
Total \$28,752.00

Pipe Line License Agreement

Authorized the Acting City Manager to enter into a Pipe Line License Agreement with the Missouri Pacific Railroad for placement of a thirty-six (36") water line across MPRC's right-of-way.
(7-0 Vote)

Library of America Classics

Authorized application for a grant from the Texas Library Association for \$3,000.00 to purchase the Library of America series of classics for four branch facilities of the Austin Public Library.

Senior Aides Project

Authorized the Acting City Manager or his designee to apply for and accept a renewal grant in the amount of \$251,885.00 from the National Council of Senior Citizens for the Senior Aides Project.

Item Postponed

Postponed to May 26, 1988 is consideration of making appointments to the Brushy Creek Regional Wastewater System Technical Committee.

Civil Service Commission Appointment

Confirmed Monsignor Lonnie Reyes' reappointment to the Civil Service Commission effective May 6, 1988.

Public Hearing Set

Set a public hearing on the following:

A Joint City-County hearing to elicit information from providers on General Social Services Areas: Monday, June 13, 1988 at 9:30 a.m., Fourth Floor, Main Library.

Release of Easement

Authorized release of the following easement:

- a. Release of an 8' wide storm sewer easement of record in Volume 793, Page 235; and Volume 771, Page 638, Travis County Deed Records, located on Lots 2, 3, 4, 23, and 24, Tarrytown.

RECESS

Council recessed its meeting from 2:45 P.M. to 3:40 P.M.

ITEM POSTPONED

Postponed to June 2, 1988 at 2:00 P.M. is consideration of approval of the selection of professional engineering/architectural program management services (RFP) for the new City of Austin Municipal Airport planning, design and construction program. C.I.P. No. 88/81-05

CONTRACT APPROVED

The Council, on Councilmember Humphrey's motion, Councilmember

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Nofziger's second, approved the following contract: (5-0 Vote, Mayor Pro Tem Trevino, Councilmember Shipman out of the room)

EDWARD WECK, INCORPORATED
1728 Liberty Lane
Mesquite, Texas

- Hemoclips and appliers,
Brackenridge Hospital
Twelve (12) Month Supply
Agreement
Total \$14,814.00 BSB-174

ITEM POSTPONED

Postponed to June 2, 1988 is consideration of office leasing space proposals.

AUSTIN HOUSING FINANCE CORPORATION RESIDUAL BONDS

Council had before them for consideration the affirming of the action of the Austin Housing Finance Corporation (AHFC) allocating \$690,000.00 in Residual Value Bond Revenues for first year activities.

Motion

Councilmember Carl-Mitchell made a motion, seconded by Councilmember Shipman to adopt the resolution and then send it back to the AHFC so it will conform with the new housing policy; also set the amounts of the program at the \$550,000 limit and hold the \$140,000 for development of additional programs when the housing commission is established with the amounts to be \$100,000 for replacement, \$165,000 for mutual housing; \$175,000 rental housing development, \$60,000 for down-payment assistance and \$50,000 for program administration, \$25,000 for rental deposit, leaving \$115,000. (6-0 Vote, Councilmember Humphrey out of the room)

Council directed that this be on the May 26, 1988 agenda.

AUSTIN METROPOLITAN AREA ROADWAY PLAN AMENDMENT

The Council had before them a resolution to consider amending the Austin Metropolitan Area Roadway Plan for South Lamar Boulevard from Ben White Boulevard to Barton Springs Road.

Motion

Councilmember Shipman made a motion to send this resolution and a similarly worded resolution covering North Lamar and the Interchange at Anderson Lane and 183, two separate resolutions, to the Urban Transportation Commission and the Planning Commission, for their recommendation and that it be placed on the Council's agenda as a Roadway Plan amendment as soon as the Planning Commission has forwarded their recommendation.

Jonathan Davis, Acting City Attorey, told Councilmember Shipman

that the agenda is posted for South Lamar and does not address North Lamar, and continued by saying, "If the Council's intent is to comply with the policy, then I think your motion should be comply with the policy as adopted by the City Council's resolution (noted on Exhibit A) to the resolution passed in 1987." Councilmember Shipman said she wanted a resolution concerning North Lamar. Mr. Davis said this would be posted on the agenda for May 26, 1988.

Motion Re-Worded

Councilmember Shipman made a motion, seconded by Councilmember Carl-Mitchell, to forward the resolution through the City processes as noted on Exhibit "A" concerning South Lamar and place it back on the City Council agenda as expeditiously as possible when the Planning Commission has made their recommendation.

Friendly Amendment

Councilmember Carl-Mitchell offered a friendly amendment as follows: "I think we should also note that the comments about the ability of staff to support this process, particularly the staff review, will be minimal and not have an impact on the AustinPlan." The friendly amendment was accepted and Council voted 6-0 to approve motion with the friendly amendment.)

MONTOPOLIS SMALL BUSINESS CENTER

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, approved a ten year leasing option for the Montopolis Small Business Center Community Development Block Grant Contract. (6-0 Vote, Councilmember Shipman out of the room)

ITEM POSTPONED

Postponed until May 26, 1988 is consideration of a contract to Weck Surgical for skin staplers, Brackenridge Hospital, twelve month supply agreement, \$156,774.00. BS8-188.

CHANGE ORDER

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving the following Change Order: (4-2-0 Vote, Councilmembers Humphrey & Nofziger voted No, Mayor Cooksey out of the room)

- a. In the amount of \$117,196.05 to STAKER CONSTRUCTION OF TEXAS, INC. for Jollyville Road, Phase II Street and Drainage Improvements. (6.4% increase of the original contract of \$1,830,737.93; total change orders to date equal 21.6% C.I.P. No. 84/62-14.

ITEM POSTPONED

Postponed to May 26, 1988 is consideration of approval of a twelve (12) month contract (RFP) to Radian Corporation in the amount of \$105,000.00 for analytical laboratory services for the Department of Environmental Protection.

COMMUNITY LAND BANKING PROJECT

Council had before them for consideration authorizing and negotiating and executing of contracts (RFP) for the Community Land Banking Project, not to exceed \$150,000.00.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, adopted a resolution authorizing the negotiation and execution of contracts (RFP) for the Community Land Bank project listed as I and postpone action on II. (6-0 Vote, Mayor Cooksey out of the room)

I. The proposal from the Guadalupe Neighborhood Development Corporation (GNDC) requests funds to assist in acquiring from Hope Guajardo two (2) lots in East Austin with three existing structures. GNDC is asking for \$35,000 of the total \$90,000 acquisition cost. This proposal will provide the most timely progression to the desired end product of affordable housing. A December 1987 appraisal submitted with the proposal valued the land at \$30,000. Council's recommended action will authorize staff to negotiate a contract for \$30,000 to purchase the land only from Hope Guajardo, contingent upon a concurrent purchase of the structures by GNDC, and evidence that GNDC has the financial ability to rehabilitate the structures to provide affordable housing for low and/or moderate income persons on the property. Housing and Community Services Department (HCSD) will also have to insure that HUD requirements are met before releasing the funds.

Councilmember Carl-Mitchell asked if the staff will do the appraisal in negotiating the price. He was told that is correct.

PUBLIC HEARING

Mayor Pro Tem Trevino opened the public hearing set for 5:00 P.M. on dedication of slope and drainage easements in Oak Hill Park to allow construction of Southwest Parkway. No one appeared to before Council to speak.

Mayor Pro Tem Trevino questioned Allan Brecher, Transportation and Public Services Department, concerning the feasibility of using a portion of the park. Mr. Brecher said there would be no disturbance and there was no other feasible alternative

Motion

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, closed the public hearing, and approved dedication of slope and drainage easements in Oak Hill Park, subject to the Park and Recreation Board's recommendations, to allow construction of Southwest Parkway. (5-0 Vote, Mayor Cooksey and Councilmember Carl-Mitchell out of the room)

ITEM POSTPONED

Postponed to May 26, 1988 is consideration of approval of the Private Industry Council/Local Government Partnership Agreement.

BARTON CREEK WATERSHED RECOMMENDATIONS

The Council, on Councilmember Nofziger's motion, Councilmember Carl-Mitchell's second, accepted the recommendations from the Environmental Board concerning Barton Creek Watershed, and asked that this be sent to the Water and Wastewater Commission for two weeks to review. (6-0 Vote, Mayor Cooksey out of the room)

ITEM POSTPONED

Postponed to May 26, 1988 is consideration of rescinding the Council's previous action on Woodhue Crossing (RZ-87-024), approving a modified site plan, and instructing the City staff to process a conditional overlay zoning case on the remaining property and a zoning rollback of the "LI" zoning to "CS" as recommended by the Planning Commission and agreed to by the property owner and the neighborhood association.

SOUTHWEST AUSTIN SOCCER COMPLEX

Councilmember Urdy opened the public hearing set for 6:00 P.M. on an appeal of the Office of Land Development Services Department's decision to deny Site Development Permit #87-04-8189, Parking Lot Improvements at the proposed Southwest Austin Soccer Complex.

After some discussion, the following motion was made:

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, closed the public hearing and upheld the appeal. (4-0 Vote, Mayor Cooksey and Councilmember Nofziger out of the room, Mayor Pro Tem Trevino abstained due to possible conflict of interest)

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 Fiscal Year 1987-88 Capital Improvement Program Budget by abandoning the soccer field component of the Krieg Athletic Complex Fields Project (Ser. No. 75/86-56) in the amount of \$327,000.00; and appropriating \$327,000.00 to a new Capital Improvement Program project; Southwest Soccer Complex at Circle C Municipal Utility District Project (Ser. No. 88/86-01); with a friendly amendment by Councilmember Shipman as follows: (5-0 Vote, Mayor Cooksey out of the room, Mayor Pro Tem Trevino

abstained due to potential conflict of interest.)

- (1) Need security agreement and interlocal agreement with the MUD.
- (2) Agreement with developer concerning phasing issuance.
- (3) Priority list concerning parks funds.
- (4) Maintenance Agreement

ROADWAY IMPLEMENTORY AGREEMENT

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, adopted a resolution clarifying terms of Roadway Implementory Agreement between the City of Austin and Travis County, December 11, 1985. (5-0 Vote, Mayor Cooksey, Mayor Pro Tem Trevino out of the room)

ENERGY CODE ITEM POSTPONED

Postponed to June 2, 1988 at 5:00 P.M. is consideration of an ordinance amending the Energy Code to provide a minimum efficiency factor for fluorescent lamp ballasts in new commercial construction, and to require central heat pumps in newly constructed living units over 500 square feet. (Recommended by the Resource Management Commission)

MISCELLANEOUS

Two resolutions were previously approved:

1. Authorization of submission of a Rental Rehabilitation Program Application to the United States Department of Housing and Urban Development (HUD) and acceptance of the \$561,000.00 Fiscal Year 1988 grant allocation for the City of Austin.
(Approved May 17, 1988)
2. Approval of Amendment Number Two to the contract with Alexander and Associates for additional leasing and broker services. (Approved May 12, 1988)

City Manager report on Community Development Block Grant Clarification was presented May 17, 1988.

Council did not hold an executive session. No appointments were made.

ROAD IMPROVEMENT ITEM POSTPONED

Postponed to May 24 and May 26, 1988 is consideration of declaring the necessity for ordering improvements to Riddle Road/Slaughter Lane, consisting of 2 units covering approximately 4,150 feet.

CONTRACT APPROVED

The Council, on Councilmember Nofziger's motion, Councilmember Humphrey's second, adopted a resolution approving the following contract: (6-0 Vote, Mayor Cooksey out of the room)

CENTURY PAPER COMPANY
9101 Wall Street
Austin, Texas

- Coarse Paper Products, Various
City Departments
Six Month Supply Agreement
Items 3,6,7,10,15 and 19 -
Total \$36,496.00 88-0107-DC

ADJOURNMENT

Council adjourned its meeting at 7:30 p.m.