



Austin City Council MINUTES

For **APRIL 14, 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 that Councilmembers Carl-Mitchell and Urdy and Mayor Pro Tem Trevino were not yet in the Council Chamber.

MINUTES APPROVED

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, approved minutes for regular meeting of April 7, 1988 and special meeting of April 5, 1988. (4-0 Vote, Councilmembers Carl-Mitchell and Urdy and Mayor Pro Tem Trevino absent)

WASTE TO ENERGY PLAN

Mayor Cooksey noted that several people were going to speak under Citizen Communications on the waste-to-energy plant. The Mayor said he would set a public hearing for June 16, 1988 to consider the correlation between recycling and waste-to-energy plant and waste stream.

CITIZEN COMMUNICATIONS

Donald F. Bell, David G. Krausse and Gail Vittori discussed waste-to-energy plant, alternatives, etc. Not present to speak were Ms. Jean Crawford and Mr. Robin Mills. James D. Coker did not appear to speak on real estate condemnation. Thomas L. Harrison and Wayne King (not on the agenda) spoke about paving assessment on Old Duval Road. Mayor Cooksey said there would be a report in two weeks. Bill Oakley and Barbara Hudson talked about the City Council agenda. Ms. Rose Gonzalez discussed women and minority-owned business.

BOARD & COMMISSION REPORT -UTILITY HEARING EXAMINER

Council heard the report on the Utility Hearing Examiner, Update on Electric Rate Setting Process. After discussion, the following motion was made:

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Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, waived the requirement for three readings and finally passed an ordinance amending Ordinance No. 870430-M relating to electric rates by directing the Hearing Examiner to proceed with the hearing at his discretion and proceed with the rate package, assuming our share in STNP is sold, setting the hearing as needed and set the rates by September 1, 1988. (7-0 Vote)

ZONING ORDINANCES

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy'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:

- (1) ROBERT OGDEN 2302 & 2304 Lake From "LR"
By Bread & Butter, Inc. Austin Boulevard to "GR-CO"
C14-87-182-CO

First reading on February 25, 1988, (6-0). Councilmember Humphrey out of room at roll call. Conditions have been met as follows: Conditional overlay incorporates conditions imposed by Council.

- (2) PARKE INVESTOR, LTD. 7400-8614, 8714- From "DR"
By Doyle Wilson 9014 RM 620 N to Tr.2 "MF-3"
C14-86-049 (part) Tr.3 "MF-2"
Tr.4 "SF-2"
(part)

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

- (3) CENTURY NATIONAL BANK 10421 North IH 35 From "SF-2"
By Ralph Quintanilla to "GR"
CI4-87-175

First reading on February 25, 1988 (6-0). Councilmember Humphrey out of room at roll call. Conditions have been met as follows: Restrictive covenant incorporating conditions imposed by Council has been executed.

STREET VACATIONS

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed ordinances vacating the following: (6-0 Vote, Councilmember Carl-Mitchell out of the room)

- (1) A portion of Old Manor Road (4900 Block) and Wibarger Place right-of-way. (Request submitted by John C. Patterson on behalf of the State Aircraft Pooling Board)
- (2) Lovell Drive, Warwick Drive and a portion of Old Manor Road. (Request submitted by Director of Aviation on behalf of the Municipal Airport)

CONSENT ORDINANCES

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

Florarama

Approved limiting free access to Zilker Botanical Gardens for two days and to allow admission by donation of \$2.00 to the 31st Annual FloraRama to be held Saturday and Sunday, April 30 and May 1, 1988.

Voting Precincts

Approved incorporating annexed areas into voting precincts.

Speed Zones

Amended the Austin City Code to modify the following speed zones:

11-2-100(c) 45 mph

Delete: Airport Boulevard (Loop 111) from 550 feet north of Manor Road (station 649+00) to north end of Montopolis interchange (Station 5+41) southbound lanes, (Station 7+41) northbound lanes.

Add: Airport Boulevard (Loop 111) from 550 feet north of Manor Road (station 649+00) to Springdale Road.

Airport Boulevard from Glissman Road to north end of Montopolis interchange (Station 5+41) southbound lanes, (Station 7+41) northbound lanes.

11-2-101(a) 30 mph

Add: Airport Boulevard from Springdale to Glissman Road.

Operating Budget Amendment Postponed

Postponed to April 21, 1988 is consideration of amending the 1987-88 Annual Operating Budget and the 1987-88 Capital Budget by transferring \$4,400,000.00 from the Aviation Operating Fund Ending

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Balance and appropriating it to the Aviation Department CIP fund for development of the new Austin Airport.

BUDGETARY PROCESS

The Council, on Mayor Cooksey's motion, Councilmember Humphrey's second, adopted a resolution related to the Fiscal Year 1988/89 budgetary process. (7-0 Vote)

CONSENT RESOLUTIONS

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

Release of Easement

Authorized release of the following easement: A portion of a General Blanket Easement of record in Volume 690, Page 303, Travis County Deed Records, insofar as it pertains to Lot 105, Hughes Park Lake Subdivision No. 1, Intersection of Park Drive and Cedar Street. (Request submitted by Bush Surveying, Inc. on behalf of Julian and Bridgette Catchpole)

Capital Improvements Program

Approved of a proposed Supplemental Amendment to the Professional Services Agreement between the City of Austin and Curington Associates, Inc. related to design and construction phase services for the final phase of improvements to the Davis Water Treatment Plant for the Water and Wastewater Utility. C.I.P. No. 76/22-84.

Item Continued

Continued to April 21, 1988 at 2:00 p.m. is consideration of approval of the selection of Professional Engineering/Architectural Program Management Services (RFPO for the new City of Austin Municipal Airport planning, design and construction program. C.I.P. No. 88/81-05.

Contracts Approved

POWER ENTERPRISES, INC.
c/o Len T. Deloney
1900 Mistywood Drive
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Substation Structural Steel for the
Angus Valley Substation, Kingsbury
CKT 917 Termination and Daffin Gin
456 Addition, Electric Utility
Department
Items 1-25 - \$152,408.00 C.I.P.
Nos. 86/16-13, 81/16-13 & 81/16-02

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SIEMENS ENERGY & AUTOMATION
12200 Northwest Fwy. #200
Houston, Texas

TECO, INC.
P.O. Box 9247
Fort Wayne, Indiana

STEVE SOUTH TEXAS CORP.
1406 Smith Road
Austin, Texas

LINEAR DYNAMICS, INC.
400 Lanidex Plaza
Parisippany, New Jersey

TRANS-TEX SUPPLY
6501 East 7th Street
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Three (3) Circuit Switchers,
138KV fpr Angus Valley and
Daffin Gin Substations, Electric
Utility Department
Total \$87,747.00 C.I.P. Nos.
86/16-13 and 81/16-02
- Two (2) Aerial Towers and Bodies,
General Services Department
Total \$114,286.00 88-0122-OM
- Gem Sand, Water and Wastewater
Department
Twelve Month Supply Agreement
Total \$147,875.00 88-0129-DC
- Thermoplastic Applicator (road
striping machine) for striping
traffic lanes, General Services
Department
Total \$38,642.59 88-0121-OM
- Fire Hydrants, General Services
Department
Twelve (12) Month Supply Agreement
Items 1-4 \$39,873.00 88-0130 DC

Contract Postponed

Postponed to April 21, 1988 is consideration of a contract to Case Power & Equipment, 12949 Research Boulevard, Austin, Texas for semi-trailer for the transport of heavy equipment, General Services Department.

Service Extension

Approved a service extension request #1274 to allow for City reimbursement to applicant prior to reimbursement to City from Texas Department of Highways and Public Transportation.

Interlocal Agreement

Approved of an Interlocal Agreement between Travis County and the City of Austin regarding the construction of improvements to Slaughter Lane Phases I, II and III and the City's Water and Wastewater System therein.

Grant Application

Authorized submission of a grant application to the State of Texas, Governor's Office, Criminal Justice Division, and acceptance

of grant in the amount of \$335,661.00 for the purpose of providing continued funding for the Career Criminal Prosecution Project of the Austin Police Department and the Travis County District Attorney's Office.

Joint Elections

Approved of an agreement by the City of Austin and the Austin Community College District to hold joint elections in certain voting precincts on May 7, 1988. (Recommended by City Clerk)

License Agreement

Approved of a License Agreement with the State of Texas to allow the placement of underground duct bank into the right of way to accommodate computer data and telephone cable connections located on the north 100 feet of the 1700 Block of San Jacinto Boulevard; the east 200 feet of the 100 Block, and all of the 200 Block of East 18th Street; all of the 1700 Block of Brazos Street and the West 100 feet of the 200 Block of East 17th Street.

Public Hearing Set

Set a public hearing on the following:

- a. Dedication of Slope and Drainage Easements in Oak Hill Park to allow construction of Southwest Parkway: May 19, 1988 at 5:00 p.m.

INTERIM LAND DEVELOPMENT CODE

Council had before them for third reading of the Interim Land Development Code.

Motion

Councilmember Shipman made a motion, seconded by Councilmember Humphrey, to pass through third reading of the Interim Land Development Code with the recommendations of the Planning Commission, which reference the integrity of the Historic Zoning Ordinance of the Historic Landmark Commission, allowing 60 days for the appeal of historic structures as were in the original Historic Landmark Commission Ordinance and also the recommendation of the Planning Commission that appeals of an Environmental Ordinance in variance that's been denied by the staff shall go to the Environmental Board prior to coming before the Planning Commission and the other amendments as recommended by the City Manager which are at the bottom of Page 3 on Dia. (6-0 Vote, Councilmember Carl-Mitchell out of the room)

TOWN LAKE COMPREHENSIVE PLAN

Council had before them for consideration a resolution to approve the Town Lake Comprehensive Plan.

Motion

Councilmember Shipman made a motion to adopt a resolution approving the Town Lake Comprehensive Plan as follows. Her motion was seconded by Councilmember Humphrey.

"I move that we adopt the resolution as it appears on our agenda with the amendment as recommended by the Planning Commission, there is a whole series of motions that they have and I will read them:

1. Elimination of the proposed lagoon on the north side of West 1st and recommend that some of the retrofitting features of the 14 point program of the Comprehensive Watershed Ordinance be incorporated into the remaining lagoon site.
2. Existing athletic fields shall not be removed until alternate locations have been identified and users have been consulted about their adequacy.
3. Adoption of Parks Board recommendation 3 and 4 with the inclusion of the 14 point program of the Comprehensive Watershed Ordinance, in addition, inclusion of Pecan Gardens does not commit the City to develop the facility but merely acknowledges that this is the most appropriate place for it and reference to any specific number of eating establishments, specialty shops, exhibition spaces and amusement/entertainment features shall be omitted from the plan. Limitations should be placed on the use of high amplification equipment so that the use of this area remain sensitive to adjacent neighborhoods.
4. Recommend that plans for the proposed performance pavilion in the new Colorado River Park shall be held in abeyance until the expansion of Lakeshore Drive between Pleasant Valley Road and Montopolis Drive is completed and until traffic studies indicate that access to parking adjacent to the pavilion will accommodate the projected traffic volumes. Acoustical technology must be incorporated in the design and use of the performance pavillion so that it does not become a nuisance for surrounding neighborhoods.
5. The Commission does not endorse any particular list of

priorities but rather endorses the Parks director process of going back to users and various boards and commissions and taking a priority listing through regular channels.

(The one item I am not certain of including as recommended by the Planning Commission is stated as such and I would like a recommendation. They recommended that existing open areas remain open and that trees be planted to provide shade. 'Where do you plant the trees if it is automatically going to be open?' Mr. Jordan, Director of Parks and Recreation told her, 'I think they were looking at the area between the soccer fields. There was some discussion that if we planted trees there we may prevent some other activities, like kite flying contests.' Councilmember Shipman said she certainly wanted trees in the ugly area in the parking lot for the auditorium.)

6. Existing open areas utilized for kite flying, soccer, softball, kickball, sports activities, will not be planted with trees. There is freedom to plant new trees in other areas.

I further move that we direct the staff to prepare an ordinance of performance standards in the plan and that that ordinance be scheduled for Council consideration after thorough review by all relevant boards, commissions, public hearings..120 days to the City Council which should be late summer when it is scheduled for Council action."

Amendment to Motion

Councilmember Shipman amended her motion by adding:

"In the interest of maintaining a good working relationship with the University of Texas in achieving the goals and objectives of the Town Lake Comprehensive Plan, inclusion of the Brackenridge Tract in the plan shall be deferred, pending the results of further cooperative efforts between the City and the University of Texas. This recommendation is made, noting that the University has agreed to, quote, and this is in a letter in writing from the University 'work with the City to the end, including walks, parkways, trails, open spaces and the like into its land plan and to help achieve the goals and objectives of the plan.'

Also, other Planning Commission recommendations:

7. The number of parking spaces on the south side of Barton Springs Road not be diminished in order to keep the trains, pool and playscape accessible to automobiles during off-peak hours.
8. Implementation of the plan is to include specific

opportunities for minority entrepreneurship east of I-H 35.

9. Recommend the early establishment of a Town Lake Park Trust in order to receive private contributions.
10. Recognize the Town Lake Park Alliance for its work in promoting this vision of Austin's future and mention shall be made of the City's Bi-Centennial gift to the nation in the preservation and enhancement of streets and waterways, in addition, the Environmental Board shall be given the opportunity to review the Town Lake Comprehensive Plan in light of the discussion regarding water quality, native habitat and other impact upon Town Lake such as dredging, etc."

Mayor Cooksey said he objects to a tram in the park area and wants that out of the plan. Councilmember Humphrey said he objects to glass buildings in the botanical gardens. Council all agreed when the ordinance is before them they can fine tune it.

Councilmember Nofziger said, "The plan calls for taking Riverside Drive on the south side of the river, as it goes through the park, out. As a matter of timing, let's not do that until Barton Springs Road has been upgraded to accommodate that extra traffic. I like the idea that Riverside Drive will eventually become green grass but at the same time, if you drive on Barton Springs it is often congested."

Friendly Amendment - Accepted

Councilmember Nofziger offered a friendly amendment to leave Riverside Drive until Barton Springs Road is upgraded to handle extra traffic. Councilmember Shipman accepted the friendly amendment.

Mayor Cooksey said he hopes no one interprets that to mean a huge thoroughfare will be put in to extend Barton Springs Road.

Roll Call - Motion with Friendly Amendment

7-0 Vote

FEDERAL AID URBAN -PRINCIPAL ARTERIAL STREET SYSTEM PROGRAM

Council had before them a resolution to consider authorization to submit to the State Department of Highways and Public Transportation a list of proposed roadway projects for funding under the Federal Aid Urban - Principal Arterial Street System Program.

Motion

Councilmember Shipman made a motion to formally request through

ATS that the PASS system for the Austin area, number one priority be interchange improvements at Ben White and Lamar, and at Lamar/183 and Anderson Lane.

Mayor Cooksey requested staff to bring back an amendment to the Roadway Plan regarding South Lamar Boulevard that makes it clear we are not going to use the roadway from Ben White Boulevard to Barton Springs for a six-lane roadway. Mayor Cooksey asked for the report within a month.

Motion Re-Stated

Councilmember Shipman made a motion, seconded by Councilmember Urdy to adopt a resolution to support the PASS System as adopted by the County but that the City specifically request ATS that PASS money be directed toward: (7-0 Vote)

- 1) Interchange at Lamar and Ben White; Lamar/183 and Anderson.
- 2) Spicewood Springs and Anderson Lane.

ITEM POSTPONED

Postponed to April 19, 1988 and April 21, 1988 is consideration of adopting the General Topic Areas and funding allocations for the 14th Year Community Development Block Grant Program.

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EXECUTIVE SESSION

Mayor Cooksey announced Council would go into executive session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation and for personnel matters. No 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) LCRA and City of Austin v. Burlington Northern et. al. M-87-0245-CA
- (c) Burlington Northern Railroad Company and Missouri-Kansas-Texas Railroad Company v. LCRA and City of Austin, C.A. No. 4-87-504-K

2. Personnel Matters - Section 2, Paragraph g

- (b) Appointment of Relief Judges
- (d) Appointment of Presiding Judge
- (e) Appointment of Associate Judges

RECESS

Council recessed from 5:35 p.m. to 6:50 p.m. for executive session.

APPOINTMENT OF RELIEF AND ASSOCIATE JUDGES

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, appointed Jo Clifton as Associate Judge of the Municipal Court. (6-0 Vote, Councilmember Urdy out of the room)

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, appointed Judith A. Doran and Penny Wilkov as Relief Judges for the Municipal Court. (6-0 Vote, Councilmember Urdy out of the room)

MOBIL DATA TERMINAL SYSTEM

Council had before them for consideration approval of a contract award (RFP) for the installation, implementation, and twelve month warranty of a Mobile Data Terminal System. After discussion Council decided to re-submit the RFP.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, approved re-submitting the RFP for a Mobile Data Terminal System. (6-0 Vote, Mayor Pro Tem Trevino out of the room)

CHANGE ORDER

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, adopted the following resolution: (4-2 Vote, Councilmembers Humphrey and Nofziger voted No.)

- a. In the amount of \$34,091.45 to STAKER PAVING OF TEXAS for Duval Road Phase II Street and Drainage Improvements.
(2.58% increase of the original amount of \$1,322,150.38 -
Total Change Orders to date equal 11.80%) C.I.P. No.
79/62-03

ITEM POSTPONED

Postponed to April 21, 1988 is consideration of a City policy regarding abandoned subdivision construction.

CHANGE ORDER

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, adopted a resolution approving the following change order: (6-0 Vote, Mayor Cooksey out of the room)

- a. In the amount of \$50,664.01 with BABCOCK AND WILCOX CONSTRUCTION CO. for the repair of hotspots on Holly Boiler No. 1. (11% increase of the original amount of \$479,913.00. Total Change Orders to date equal 17.6%)

PUBLIC HEARING - AFFORDABLE HOUSING POLICY

Mayor Pro Tem Trevino opened the public hearing on Affordable Housing Policy.

People who spoke have registration cards on file in the City Clerk's office.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, closed the public hearing. Action will be taken April 19 or 21, 1988. (5-0 Vote, Mayor Cooksey out of the room, Councilmember Humphrey had left the Council Chamber.)

BLUEBONNET PARKWAY

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, adopted a resolution renaming Highway 290 from IH-35 to Elgin, the Bluebonnet Parkway. (5-0 Vote, Mayor Cooksey out of the room, Councilmember Humphrey absent)

LITTLE WALNUT CREEK EROSION CONTROL

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, approved a study for erosion control alternatives along Little Walnut Creek. (5-0 Vote, Councilmember Humphrey absent, Councilmember Nofziger out of the room.)

Staff recommendation was approved with a 90-day in-house study.

ACTION ITEMS

Postponed to April 19 and 21, 1988 is action on Office Leasing Space Proposals (Alexander and Associates).

Gilbane Update of the Civic Center Project was presented on April 12, 1988. No action taken on City Manager Search.

Consideration of directing staff to proceed with action to ensure

compatible land use controls in the vicinity of the Manor Airport site, was postponed to the April 21, 1988 agenda.

CITY MANAGER REPORTS

Postponed to Tuesday, April 19, 1988 is report on Telecommunications Planning. Access to Barton Creek Greenbelt report will be presented April 21, 1988. Information Systems Department Business Plan was presented on April 12, 1988.

ADJOURNMENT

Council adjourned its meeting at 9:00 P.M.