



## Austin City Council MINUTES

For APRIL 28, 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 absence of Mayor Pro Tem Trevino.

#### CITIZEN COMMUNICATIONS

Ms. Jare Smith, Mrs. Barbara Mueller and Ms. Mary C. Kaiser discussed restoration of Mayfield Park. Mr. Roy Smithers discussed approval of variances and funding for Circle "C" soccer fields. Ms. Velma Roberts, Mrs. Dorothy Turner, and Mr. Paul Randall talked about City of Austin personnel policies. Mr. Kenneth C. Leander talked about Texas Correctional Industries and the City contracting process. Mrs. Sue D. Leander discussed tax reform and government interference in the free enterprise system. Ms. Jillian Coleman did not appear.

#### ITEM WITHDRAWN

Withdrawn from the agenda was Community Development Commission report on Community Development Block Grant Allocations.

#### CHILD CARE COMMISSION

Jeannette Watson, Child Care Commission, presented a report on Employer Initiatives and Federal Child Care Legislation.

#### COST CONTAINMENT

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 operating budget to implement the Cost Containment Plan presented by the City Manager (as modified by the City Council). (6-0 Vote, Mayor Pro Tem Trevino absent)

#### LATER IN THE DAY

#### Motion to Reconsider

Councilmember Carl-Mitchell made a motion, seconded by

Councilmember Shipman to reconsider the motion in order to let some people speak. (4-0 Vote, Mayor Pro Tem Trevino absent, Councilmembers Urdy and Carl-Mitchell out of the room)

#### Motion

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 operating budget to implement the Cost Containment Plan presented by the City Manager (as modified by the City Council). (5-0 Vote, Mayor Pro Tem Trevino absent, Councilmember Carl-Mitchell out of the room)

#### CONSENT ORDINANCES

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

#### Operating Budget Amendment

Amended the FY 1987-88 operating budget by accepting and appropriating a grant award in the amount of \$76,265.00 from the Criminal Justice Division of the Governor's Office for the purpose of providing continued funding of the Austin Police Department's Victim Assistance Program.

#### Right-of-Way Ordinance

Approved a request from Mr. John N. Richey for a variance from the terms of the Right-of-Way Ordinance for 8011 Cameron Road.

#### Election Judges

Amended Ordinance No. 880310-J relating to appointment of election judges. (6-0 Vote, Mayor Pro Tem Trevino absent)

#### CONSENT RESOLUTIONS

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

#### Lease Agreement

Approved a Lease Agreement between Liberty Lunch and Wagonyard and the City of Austin at 405 West 2nd Street.

Release of Easement

A portion of a 25' Drainage and Public Utility Easement of record in Book 87, Pages 71A-71C, located on Lots 1-13, Block J, Legend Oaks, Phase A, Section 2 Subdivision, 6103-6127 Oliver Loving Trail, (Request submitted by Lichliter/Jameson & Associates, Inc. on behalf of Realtex Funding Corp.)

Capital Improvements Program

Approved trade of two surplus City-owned tracts of land containing 1.52 acres and 1 acre for three tracts containing 1.90 acres, .26 acres and .182 acres for the Grove right-of-way project. (Larry K. Yount, Gail Yount, Robin R. Yount, Michelle Yount, Phillip A. Yount and Marion K. Yount, owners) C.I.P. No. 81/62-04

Eminent Domain Proceedings

Authorized the filing of Eminent Domain Proceedings to acquire:

- a. 6,350 feet of land in fee simple out of Lot 1 of First American Addition, a subdivision situated in the William Frampton Survey, Abstract No. 230, Williamson County, Texas, owned by James N. Melton for the U.S. Highway 183 Improvement Project. C.I.P. No. 85/62-01.
- b. 243 square feet of land in fee simple out of the Thomas Anderson Survey Number 17, Travis County, Texas, owned by Helen Swenson and husband, Thomas E. Swenson for the Convict Hill Road Improvement Project. C.I.P. No. 83/62-28
- c. 50,578 square feet of land in fee simple out of the Thomas Anderson League, Travis County, Texas, owned by First Baptist Church of Oak Hill, and others for the U.S. Highway 290 West /SH 71 Expansion Project. C.I.P. No. 85/62-02.

Contract Approved

Approved the following contract:

PERTEX TEXTILE PRODUCTS  
3516 Loop 385  
Franklin, Michigan

- Work Shirts and Trousers, General  
Services Department  
Twelve Month Supply Agreement  
Items 1-5 - \$88,729.00 88-0131-DC

Discover Marketing Innovations

Approved a twelve month contract (RFP) to Discover Marketing Innovations in the amount of \$85,920.00 for a Professional Relations Program with Brackenridge Hospital.

Integrated Health Care Associates, Inc.

Authorized to negotiate a marketing and advertising contract with Integrated Health Care Associates, Inc. for six months at a total cost not to exceed \$90,000.00.

Travis Country/Sunset Valley Wastewater Interceptor System

Authorized a proposed revised contract concerning the Travis Country/Sunset Valley Wastewater Interceptor System.

License Agreements

Approved entering into the following License Agreements:

- a. To allow an underground gas pipeline across City-owned railroad right-of-way at Milepost 75.36, Engineer's Station 999+92-24. (Request submitted by Lone Star Gas Company).
- b. To allow the placement of landscaping and irrigation into the median of Escarpment Boulevard and Convict Hill Road in the area known as Legend Oaks. (Request submitted by Peyton Collins on behalf of Realtex Funding Corporation and Legend Oaks Owner's Association, Inc.)

Grant Applications

Authorized submission of a grant application to the National Emergency Medicine Association/ National Heart Research in the amount of \$122,064.90 for the purpose of funding the development of instruction and instruction techniques for the mobility impaired, the blind, the deaf, Spanish speaking population and providing free classes for minorities and low income citizens in Cardiopulmonary Resuscitation (CPR) techniques.

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Authorized for submission a grant application to the Texas State Library and Archives Commission in the amount of \$31,069.00 for the Austin Public Library from September 1, 1988 thru August 31, 1989.

Item Postponed

Postponed to May 12, 1988 consideration of affirming the action of the Austin Housing Finance Corporation (AHFC) allocating \$690,000.00 in Residual Value Bond Revenues for first year activities.

**ITEM POSTPONED**

Postponed to May 19, 1988 is consideration of approval of the Private Industry Council/Local Government Partnership Agreement.

**ITEM POSTPONED**

Postponed, on Councilmember Urdy's motion, Councilmember Carl-Mitchell's second, to May 12, 1988 is consideration of amending Ordinance No. 870326-I, allocation of additional taxicab permits, to establish length of time that a taxicab must be in service prior to the allocation inspection.

## SPEED ZONE MODIFICATION

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance amending the Austin City Code to modify the following Speed Zones, with the stipulation this be brought back on May 5, 1988 for reconsideration: (6-0 Vote, Mayor Pro Tem Trevino absent)

## Section 11-2-100(a) 35 mph

Delete: R.M. 2222 from 32 feet west of Highland Hills Drive to 184.4 feet west of Highland Hills Circle (Mile Point 8.485).

## Section 11-2-100(a) 35 mph

Add: R.M. 2222 from 32 feet west of Highland Hills Drive to Mile Point 8.485.

## Section 11-2-100(b) 40 mph

Delete: R.M. 2222 from 184.4 feet west of Highland Hills Circle (Mile Point 8.485) to 1525.92 feet east of Mount Bonnell Road (Mile Point 7.602).

Add: R.M. 2222 from Mile Point 8.485 to Mile Point 7.505.

## Section 11-2-100(c) 45 mph

Delete: R.M. 2222 from 1525.92 feet east of Mount Bonnell Road (Mile Point 7.602) to 2761.44 feet west of Mount Bonnell Road (Mile Point 6.790).

Delete: R.M. 2222 from 3659.04 feet west of Mount Bonnell Road (Mile Point 6.620) to 4403.52 feet west of Mount Bonnell Road (Mile Point 6.309).

Delete: R.M. 2222 from 1415.04 feet east of Lakewood Drive (Mile Point 5.748) to 1974.72 feet east of the West City limits (Mile Point 4.207).

Add: R.M. 2222 from Mile Point 7.505 to Mile Point 6.790.

Add: R.M. 2222 from Mile Point 6.620 to Mile Point 6.309.

Add: R.M. 2222 from Mile Point 5.748 to Mile Point 5.446.

## Section 11-2-100(d) 50 mph

Add: R.M. 2222 from Mile Point 5.446 to Mile Point 4.207.

## Section 11-2-100(a) 35 mph

Add: Riverside Drive from Neaving Avenue to West Service Road of IH-35.

## ENDANGERED SPECIES TASK FORCE APPOINTMENTS

The Council, on Councilmember Nofziger's motion, Councilmember Humphrey's second, amended the Endangered Species Task Force Resolution to include two more members, Curtis Williams and Dick Frazier. (6-0 Vote, Mayor Pro Tem Trevino absent)

## MINUTES APPROVED

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, approved minutes for regular meeting of April 21, 1988 and special called meeting of April 19, 1988. (6-0 Vote, Mayor Pro Tem Trevino absent)

RECESS- Council recessed its meeting from 3:18 to 4:10 p.m.

## ZONING HEARINGS

Mayor Cooksey announced Council would hear the following zoning cases. Council heard, closed the public hearings, passed ordinances where applicable and postponed if necessary. Disposition of cases follows each listing.

- |     |      |                   |                 |                                  |
|-----|------|-------------------|-----------------|----------------------------------|
| (1) | -87  | R.L. TINGLEY      | 7417,7419 E.    | From "I-SF-3"                    |
|     | 183  | By Richardson     | Riverside Drive | To "GR" & "CS-1"                 |
|     |      | Verdoorn          |                 | NOT RECOMMENDED                  |
|     |      |                   |                 | RECOMMENDED "GR"                 |
|     |      |                   |                 | <u>Postponed to May 26, 1988</u> |
|     |      |                   |                 | <u>at 4:00 P.M.</u>              |
| (2) | -88  | SCHLUMBERGER      | 8407 R.R. 620   | From "LI"                        |
|     | 0006 | By City of Austin |                 | To "R&D-PDA"                     |
|     |      |                   |                 | RECOMMENDED                      |
|     |      |                   |                 | <u>ORDINANCE</u>                 |

(On Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, 5-0 Vote, Councilmember Humphrey out of the room, Mayor Pro Tem Trevino absent)

- |     |      |                        |                   |                  |
|-----|------|------------------------|-------------------|------------------|
| (3) | -88  | RATHGEBER FAMILY       | 816 Eberhart Lane | From "SF-3"      |
|     | 0003 | PARTNERSHIP            |                   | To "SF-6/CO"     |
|     |      | By McIver & Associates |                   | <u>ORDINANCE</u> |

RECOMMENDED "SF-6/CO" restricted to 35 foot setback on eastern boundary, 25 foot setback on northern, southern, and western boundaries, limited to a maximum one story height. If tract is not developed for elderly HUD housing, "SF-6" should be restricted to uses and standards of "SF-3" district.

(On Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, 5-0 Vote, Mayor Pro Tem Trevino absent, Councilmember Humphrey out of the room)

- |     |      |               |                |                      |
|-----|------|---------------|----------------|----------------------|
| (4) | -88  | B & K INT.    | 5180-5184 Hwy. | From "DR"            |
|     | 0007 | By Leon Annis | 290 West       | To "CS-CO & CSI-CO"  |
|     |      |               |                | <u>FIRST READING</u> |

INCLUDE CONDITIONAL OVERLAY TO BOTH ZONING CATEGORIES

RECOMMENDED "CS" restricted to the existing agricultural sales and service use, with a rollback to "GR" zoning should the use cease and subject to a 35 foot height limitation.

4/28/88

- (5) r-86 SOUTH IH-35 6600-6900 South From "SF-2"  
327/ ASSOC. IH-35 To "GR"  
328 By Mathias Co. FIRST READING

RECOMMENDED compatibility setback waiver and recommended to grant "GR" subject to fiscal for intersection improvements prior to issuance of development permit.

- (6) -88 TRAVIS COUNTY 4523 Tannehill From "SF-3"  
0015 By Congregate Lane To "GO"  
Care ORDINANCE
- (7) -88 LOUIS C. 315 Canadian Street From "SF-3"  
0008 CASTILLO To "LO"  
NOT RECOMMENDED  
DENIED

(On Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, 5-0 Vote, Mayor Pro Tem Trevino absent, Councilmember Urdy out of the room)

- (8) -84 BRAD AND SHIRLEY 1213 West 49th From "SF-3"  
392 ELLIS Street To "NO"  
By David Bodenman NO RECOMMENDATION  
POSTPONED MAY 26, 1988  
AT 4:00 P.M.

(On Councilmember Carl-Mitchell's Motion, Councilmember Urdy's second, 5-0 vote, Councilmember Humphrey out of the room, Mayor Pro Tem Trevino absent)

(ZONING CASES DISMISSED)

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, recommended dismissal of the following zoning cases: 5-0 Vote, Councilmember Humphrey out of the room, Mayor Pro Tem Trevino absent.

- (1) -84 UNIVERSITY 6706 Bluff Springs From "SF-3H"  
060 SAVINGS Road To "GR-H" & "CS-H"  
ASSOCIATION RECOMMENDED DISMISSAL  
DISMISSED
- (2) r-85 CHARLES WEBB 11007 R.M. 2222 From "I-SF-2"  
013 To "GO"  
RECOMMENDED DISMISSAL  
DISMISSED
- (3) r-86 S & O JOINT 4500 East Ben From "SF-2"  
145 VENTURE White To "MF-4"  
RECOMMENDED DISMISSAL  
DISMISSED

- |   |   |  |
|---|---|--|
| (4) r-86 OSGAR SNOWDEN<br>014 ESTATE  | IH-35 North &<br>East 49th Street               | From "LO", "MF-2",<br>"LR" & "GR"<br>To "CS"<br><u>RECOMMENDED DISMISSAL</u><br><u>DISMISSED</u> |
| (5) -85 SURRENDEN HILL<br>ROBY  | 11145-11167, 11207-<br>11209 Jollyville<br>Road | From "LO"<br>To "CS"<br><u>RECOMMENDED DISMISSAL</u><br><u>DISMISSED</u>                         |
| (6) -85 JEANETTE FARMER<br>172 By Anthony<br>George                         | 4900 Nuckols<br>Crossing                        | From "I-SF-2"<br>To "CS"<br><u>RECOMMENDED DISMISSAL</u><br><u>DISMISSED</u>                     |
| (7) r-85 COX INVESTMENT<br>139 BUILDERS<br>By Penrose &<br>Associates, Inc. | 8201 Research<br>Boulevard                      | From "CS"<br>To "CS-1"<br><u>RECOMMENDED DISMISSAL</u><br><u>DISMISSED</u>                       |

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(CONVERSION TO PERMANENT ZONING)

- |  |                             |  |
|--|-----------------------------|--|
| (1) r-84 THOMAS J. MOULSON<br>242 By Tony Edward | 12723 Research<br>Boulevard | From "I-SF-2"<br>To "GR"<br>RECOMMENDED<br><u>GRANTED PERMANENT "SF-2"</u><br><u>ORDINANCE</u> |
|--|-----------------------------|--|

(On Councilmember Carl-Mitchell's motion, Councilmember Urdy's second,  
5-0 Vote, Councilmember Humphrey out of the room, Mayor Pro Tem Trevino absent)

RECESS

Council recessed its meeting at 4:35 P.M. and resumed its  
recessed meeting at 5:00 P.M.

PARKLAND DEDICATION

The Council, on Councilmember Shipman's motion, Councilmember  
Carl-Mitchell's second, waived the requirement for three readings  
and finally passed an ordinance dedicating certain city owned  
property as parkland. (6-0 Vote, Mayor Pro Tem Trevino absent)

- A. Adams-Hemphill
- B. Bailey Park
- C. Big Stacy Park
- D. Blunn Creek Greenbelt
- E. Casvell Tennis Center
- F. Civitan Park
- G. Downs-Mabson Field
- H. Duncan Park
- I. Eastwoods Park



J. Emma Long Metro Park  
K. Garrison Park  
L. Gillis Park  
M. Joslin Playground  
N. Little Stacy Park  
O. Lott Playground  
P. Northwest Park  
Q. Palm Park  
R. Pleasant Valley District Park  
S. Senior Activity Center  
T. Shihe Park  
U. T.A. Brown Park  
V. West Austin Park  
W. Wooten Park  
X. Zilker Playground  
Y. Shoal Creek Greenbelt  
Z. Shoal Creek-Goodall Wooten

#### PUBLIC HEARING - AMENDMENTS TO SIGN ORDINANCE

Mayor Cooksey opened the public hearing on amendments to the Sign Ordinance. People who spoke have registration cards on file in the City Clerk's office.

#### Motion

Councilmember Carl-Mitchell made a motion, seconded by Councilmember Humphrey, to adopt the amendments included in the City Manager's recommended amendments to the ordinance dated April 22, 1988; suspend operation of the sign operating fee for 30 days and come back with a report to Council to see if there is a more equitable way of handling the operating fee process. (Building Inspection can take names of people who are interested in discussing that and how the fees operate and what they are for.) (5-0 Vote, Councilmember Urdu out of the room, Mayor Pro Tem Trevino absent)

#### Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, voted to continue the public hearing on amendments to the Sign Ordinance to June 2, 1988 at 5:30 p.m. (6-0 Vote, Mayor Pro Tem Trevino absent)

#### PUBLIC HEARING CONTINUED

The Council unanimously agreed to continue the public hearing on an appeal from Mr. Stan Biderman of the Planning Commission's decision regarding Case No. SP-88-0034A to May 5, 1988 at 1:30 P.M.

#### MISCELLANEOUS

The City Manager Report on Planning and Growth Management

Department Business Plan will be rescheduled for a Tuesday work-session. The City Manager Report on Economic Development and International Trade Department Business Plan was presented at the April 26, 1988 Council Meeting. Council did not go into Executive Session. The Gilbane Update of the Civic Center Project was presented at the April 26, 1988 Council Meeting. No discussion on the City Manager search. No appointments to boards and/or commissions were made.

**ADJOURNMENT**

Council adjourned its meeting at 5:45 P.M.