



## Austin City Council MINUTES

For JUNE 23, 1988 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

### Memorandum To:

Prior to the meeting being called to order, due to lack of a quorum, Mayor Cooke began listening to Citizen Communications. Roger C. Baker discussed proposed Mogan Freeway/Parkway.

#### MEETING CALLED TO ORDER

Mayor Cooke, noting there was a quorum, called the meeting of the Council to order at 1:07 p.m. Members not present until later were Councilmember Humphrey and Councilmember Urdy.

#### CITIZEN COMMUNICATIONS

David Ray and Bob Childers did not speak. Thomas Gerthoffer discussed softball programs in Austin. Earl Daley did not speak. Jack W. Robinson also discussed the softball program. Susanne Cannon and R.D. Matthews talked about the Convention Center site. Mark S. Sanders did not speak. Mrs. Shudde Fath talked about the electric rates.

#### MINUTES APPROVED

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, approved minutes for regular meetings of June 9 & 14, 1988 and special called meeting of June 7, 1988. (5-0 Vote, Mayor Cooke and Councilmember Barnstone abstained.)

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, approved minutes for special meetings of June 15, 16 and 17. (6-0 Vote, Councilmember Barnstone out of the room)

#### RESOURCE MANAGEMENT COMMISSION REPORT

Roger Duncan, chairperson, Resource Management Commission, presented the Water Management Plan.

#### OLD BUSINESS - ZONING ORDINANCES

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

- (1) CFC HARDIN JOINT VENTURE  
C14-88-0005  
Clark, Thomas, Winters  
and Newton
- 8701 North MoPac  
Service Road
- From "LO"  
to "LR"

First reading on March 24, 1988, (7-0). Conditions have been met as follows: Notes have been placed on site plans for Lots 2 and 3 requiring installation of one-way device at joint access driveway and "right-turn only" sign at Loop 1 driveway of Lot 2 prior to Certificate of Occupancy for drive through bank.

- (2) MR. AND MRS. R.L. WYATT  
C14r-87-139B (part)
- 1405 E. Riverside  
Drive
- From "SF-3"  
to "LO"

First reading on October 29, 1987, (4-3). Councilmembers Carl-Mitchell, Nofziger and Shipman voted No. Second reading on January 28, 1988, (7-0 for Tract 3). Conditions have been met as follows: Development restricted to that shown on the Site Plan attached as an exhibit to the ordinance. Restrictive Covenant for Tract 4-A only has been executed.

### 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:

#### Aviation Capital Improvements Program

Approved amending the Aviation Capital Improvement Program by consolidation of previously approved projects into the Interim Terminal Expansion Project by abandonment of the Runway 17-35 and Taxiway A & E Extension Project and transfer of these funds to Aviation CIP Accumulated Balance.

<u>C.I.P. NUMBER</u>	<u>PROJECT TITLE</u>	<u>AMOUNT</u>
84/81-12	Airport Exterior Graphics	\$ 230,000.00
85/18-01	Curbside & Access Road Improvements	450,000.00
85/81-02	Aircraft & Parking Apron Expansion	3,135,000.00
85/81-04	Taxiway "P" Reconstruction	535,000.00
85/81-06	Extend Fire/Water Lines	28,000.00
	Total	\$ 4,378,000.00

#### Capital Improvements Program

Approved receiving and accepting work of paving Cameron Road/Rutherford Land Intersection, consisting of approximately 4 blocks. C.I.P. No. 73/62-44.

## Capital Improvements - (Continued)

Approved declaring the necessity for ordering improvements to Braker Lane, consisting of 1 Unit covering approximately 4 blocks. C.I.P. No. 82/62-15.

Code Amendment

Approved amending the Code of the City of Austin, 1981 as follows:

- a. Sections 3-1-1, 3-1-2, 3-2-5 and 3-2-6, to set new requirements for small animal, fowl and bird enclosures.

Postponed are the following Code Amendments

- b. Sections 3-1-3, 3-2-26 and 3-3-12 to redefine and regulate the keeping of dangerous animals within the City, to modify the record keeping duties of the Health Authority and the reporting duties of the Humane Society regarding animal impoundments. Postponed to July 14, 1988.
- c. Chapter 10-4, by adding Section 10-4-6, to prohibit glass containers in specified park areas and recreation areas under the administration and control of the City Parks and Recreation Department. New Ordinance will be on June 30, 1988 agenda.

## CONSENT RESOLUTIONS

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

MoPac Right of Way

Approved conveyance of North MoPac Right-of-Way (Northland Drive to U.S. 183) from the City of Austin to the State of Texas in accordance with an agreement between the City and State entered into in 1967.

Release of Easements

Authorized release of the following easements:

- a. The 7.5' Public Utility Easement dedicated by subdivision plat of Lot 15, Block E, River Oak Lake Estates, Section 6, and release of the public interest in the 5' Utility and Drainage Easement of record in Volume 4054, Page 1366, and Volume 4057, Page 677, insofar as they affect Lot 15, Block E, River Oak Lake Estates Section 6, 12407 Knoll Ridge. (Request submitted by Patricia Ayres)

- b. A portion of a Wastewater Easement of record in Volume 8917, Page 377, and Volume 8917, Page 345, Travis County Real Property Records, and located on Lot 10, Block O, Wells Branch, Phase F, 14301 Jenneve Avenue. (Request submitted by Louie Houseman of Centex Real Estate Corporation)
- c. A 5' wide Telephone and Electrical Easement of record in Volume 4049, Page 758, Travis County Deed Records, located on a 49.20 acre tract out of the John Swesey Survey No. 506. RM 2222. (Request submitted by McGray and McGray Land Surveyors, Inc.)

Contracts Approved

## a. Approved the following contracts:

- |  |  |
|--|--|
| <b>LEWIS CONTRACTORS</b><br>1310 Slaughter Lane<br>Austin, Texas   | - CAPITAL IMPROVEMENTS PROGRAM -<br>Moore's Crossing 36" Transmission<br>Main Phase I, Water and Wastewater<br>Utility Department<br>Total \$1,425,193.80 C.I.P. No.<br>86/22-30 |
| <br>   |  |
| b. Bid award:  | - Twenty (20) 36" Butterfly Valves<br>and two (2) 36" Gate Valves, Water<br>and Wastewater Utility Department<br>Total \$114,272.00 88-0213-OM                                   |
| (1) <b>HENRY PRATT COMPANY</b><br>401 S. Highland Avenue<br>Aurora, Illinois   | - Item 1 - \$93,500.00<br><u>THIS ONE ONLY</u><br><u>POSTPONED TO JUNE 30, 1988</u>  |
| (2) <b>AMERICAN DARLING VALVE</b><br>P. O. Box 2727<br>Birmingham, Alabama   | - Item 3 - \$20,772.00<br><u>APPROVED</u>  |
| <br>   |  |
| c. <b>STEVE SOUTH TEXAS CORP.</b><br>1406 Smith Road<br>Austin, Texas  | - Pea Gravel, Parks and Recreation<br>Department<br>Twelve (12) Month Supply Agreement<br>Items 1-3 - \$34,900.00 88-0128-DC   |
| d. <b>AUSTIN RIBBON &amp; COMPUTER<br/>SUPPLIES, INC. (VBE)</b><br>7801 North Lamar<br>Bldg. E #190<br>Austin, Texas | - Chemicals for Copy Machines,<br>General Services Department<br>Twelve (12) Month Supply Agreement<br>Items 2, 4-7, 9 & 13 - \$38,517.00<br>88-0163-LI                          |

- e. Bid award:
- Street Lighting Standards, General Services Department  
Total \$107,710.00 880205-LI
  - (1) UNION METAL MANUFACTURING COMPANY  
709 Lingco, Suite 101  
Richardson, Texas
    - Items 1-4 - \$65,960.00
  - (2) TECHLINE, INC.  
8750 Shoalcreek Boulevard  
Austin, Texas
    - Items 5 & 6 - \$41,750.00
- f. QUALITY EQUIPMENT COMPANY  
16606 North IH-35 N.  
Austin, Texas
  - One (1) Tractor/Loader/Backhoe with forklift and Auger Attachments, General Services Department  
Total \$51,180.36 88-0196-RH
- g. PACKARD BELL ELECTRONIC  
7801 North Lamar, D-98  
Austin, Texas
  - Micro-computers, Water and Wastewater Department, General Services Department, Austin Public Library and Police Department  
Total \$91,539.00 88-S062-AB

#### License Agreement

Approved allowing the placement of landscaping into the right-of-way at East 12th Street and San Jacinto Street, 1115 San Jacinto Street. (Request submitted by Timothy Cuppett on behalf of the Texas Association of Realtors)

#### Older Americans Act and U.S. Department of Agriculture Funding

Authorized submission of a grant in the amount of approximately \$531,089.00 from the Capital Area Planning Council and Texas Department on Aging for Title III-C Older Americans Act and U.S. Department of Agriculture funding.

#### RONALD MCDONALD HOUSE

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, adopted a resolution authorizing execution of a lease, a Management Services contract, a service and supply contract, and such other necessary agreements with Rehab Hospital Services Corporation for the construction and operation of a rehabilitation hospital to proceed with the relocation of the Ronald McDonald House to the Waterloo Building, with a friendly amendment by

Mayor Pro Tem Shipman that the design be submitted to the Hospital Board for review with compatibility of the existing public facilities and that the City Manager be directed to include in the contract the commitment to utilize the local labor force. (7-0 Vote)

#### LEASING SPACE

No action was taken by Council to consider office leasing space proposal regarding Bannister Lane. This will be brought back on the June 30, 1988 agenda.

#### ITEMS POSTPONED

Postponed to July 14, 1988 is consideration of amending the 1987-88 Annual Operating Budget by:

- a. Transferring \$80,000.00 from the General Fund Ending Balance to the Growth Services Fund to refund the purchase of Sign Operating Permits.
- b. Transferring \$240,000.00 from the General Fund Ending Balance to the Growth Services Fund to offset the loss of projected revenues from Sign Operating Permit fees.

Also postponed until July 14, 1988 is consideration of an Interim Ordinance, suspending for 90 days, the operation of Section 13-2-901, Code of the City of Austin, 1981, pertaining to:

- (a) The requirement for owners or users of signs to obtain a Sign Operating Permit
- (b) The requirement that a Sign Operating Permit be paid.

#### AIRPORT

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, adopted a resolution approving a supplemental amendment to the Professional Services Agreement between the City of Austin and Turner, Collie and Braden, Inc., for engineering services in connection with the Alternate Long Term Airport Site Selection Update and Evaluation. C.I.P. No. 86/81-01. (4-2-0 Vote, Councilmember Humphrey and Mayor Cooke voted No, Councilmember Barnstone abstained.)

#### CHANGE ORDER

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, adopted a resolution approving the following Change Order: (5-0 Vote, Councilmember Humphrey abstained, Councilmember Urdy out of the room)

- a. In the amount of \$59,773.51 to Austin Engineering Company

Inc. for the West University Wastewater Rehabilitation, Zone "A" Contract. (12.06% increase of the original amount of \$495,620.00)

#### CRASH-FIRE-RESCUE VEHICLE FOR AIRPORT

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving a contract for the following: (6-0 Vote, Councilmember Urdy out of the room)

OSHKOSH TRUCK CORPORATION  
2307 Oregon Street  
Oshkosh, Wisconsin

- Crash-Fire-Rescue Vehicle for the  
Robert Mueller Municipal Airport,  
General Services Department  
Total \$343,806.00 88-0100-OM

#### PUMPER FIRE TRUCKS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, adopted a resolution approving the following contract: (6-0 Vote, Councilmember Urdy out of the room)

QUALITY MANUFACTURING COMPANY  
420 Nimitz Avenue  
Talladega, Alabama

- Two (2) Pumper Fire Trucks,  
General Services Department  
Total \$401,998.00 88-0173-OM

#### INFANT CARE CENTER FOR TEENAGE PARENTS

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Nofziger's second, adopted a resolution approving a contract with the Foundation for Texas Children to establish an Infant Care Center for teenage parents, based on Criteria 1: A threat to the health, safety, welfare of clients and/or citizens is documented. (4-2 Vote, Mayor Cooke, Councilmember Urdy voted No, Councilmember Humphrey out of the room.)

#### ITEM POSTPONED

Postponed to June 30, 1988 at 4:00 P.M. is consideration of the Barton Creek Watershed Policy recommendations from the Water and Wastewater Commission and staff recommendations.

#### FM 734

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Carl-Mitchell's second, approved Council support of extension of FM 734 and the Minute Order of State Department of Highways and Public Transportation. (6-0 Vote, Councilmember Humphrey out of the room.)

#### MKT RIGHT-OF-WAY

(This item was on the June 21, 1988 agenda.)

The Council, on Councilmember Carl-Mitchell's motion, Mayor

Pro Tem Shipman's second, approved authorizing the State Department of Highways and Public Transportation to submit an application to Urban Mass Transportation Administration for a Section 3 Grant Award for purchase of the Missouri-Kansas-Texas right-of-way and expressing the City's intent to contribute its proportionate share of the local matching funds. (7-0 Vote)

# ZONING HEARINGS

Mayor Cooke 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.

h-87 0015	MCDONALD BUILDING By City of Austin	607 San Jacinto Street	From "CBD" To "CBD-H" <u>RECOMMENDED ORDINANCE</u>
h-88 0001	MCCALEB HOUSE By City of Austin	609 West 32nd Street	From "SF-3" To "SF-3-H" <u>RECOMMENDED ORDINANCE</u>
h-88 0004	STEINER BUILDING By City of Austin	807 Congress Avenue	From "CBD" To "CBD-H" <u>RECOMMENDED ORDINANCE</u>
-88 0019	CITY OF AUSTIN By Office of Land Development	6604 Cooper Lane	From "I-SF-3" To "SF-3" <u>RECOMMENDED ORDINANCE</u>
-88 0027	BRADLEY DEVELOPMENT CO. By Haynie, Kallman & Gray Wally Grabbe	7200-7299 F.M. 2244	From "SF-2" To "P" <u>RECOMMENDED ORDINANCE</u>
h-88 0002	THORNTON HOUSE By City of Austin	1909 Nueces Street	From "MF-4" To "MF-4-H" <u>RECOMMENDED ORDINANCE</u>
-88 0024	183 LIMITED By Armbrust & Brown	13409-13499 Research Boulevard	From "I-SF-2", "SF-2" To "GR" <u>FIRST READING</u>

RECOMMENDED subject to withdrawal of the pending zoning case, posting a letter of credit for \$11,000.00 for upgrading 225 feet of Anderson Mill Road to a 5 lane intersection, and dedication of 60 ft. of right-of-way from the center line of Anderson Mill Road.



6/23/88

h-88 FRANK SCOTFIELD, 1225 Dessau Road  
0023 By Carson Planners 10927 North IH-35  
Bill Carson

From "SF-2"  
To "GR"

FIRST READING

RECOMMENDED "GR" subject to dedication of 60 feet of right-of-way from the centerline of Dessau Road.

(On Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, 7-0 Vote)

r-85 SCOTT'S FOOD 12623 Research  
106 SERVICE Boulevard  
By Kennedy C. APPROVE PLANNING  
Whiteley COMMISSION RECOMMENDATION

From "SF-2"  
To "GR"

FIRST READING

RECOMMENDED "GR" and delete site plan requirement, subject to reservation of right-of-way for U.S. Hwy. 183.

(On Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, 7-0 Vote)

-88 DANIEL R. PORTH 10805 - 10825  
0021 By Donna Jollyville Road  
Kristaponis 4911-4915 Hamilton  
Lane

From "SF-2" & "LO"  
To Tr. 1 "GR"  
Tr. 2 "LO"

POSTPONED TO 6/30/88  
AT 4:00 P.M.

RECOMMENDED subject to dedication of 120 feet of right-of-way for extension of Braker Lane, and 35 feet of right-of-way from the center line and fiscal arrangements for boundary street improvements to Hamilton Lane, and the following conditions to be implemented by a restrictive covenant covering the entire 10-acre site: No Certificate of Occupancy shall be issued until the extension of Braker Lane from U.S. 183 to Jollyville Road has been completed. Prior to release of the site plan, fiscal shall be posted for a pro-rata share of the traffic signal at Jollyville and Braker. Access to Jollyville road limited to one full-access driveway and one entrance. One story height limit. 28-foot landscaped buffer along Jollyville Road. No structure within 100 feet of Jollyville Road and five foot sidewalk along Jollyville Road.

(On Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, 7-0 Vote)

-86 DR. G.R.F. LEGETT 1804 W. 6th Street  
105 By Georgia Legett

From "SF-3"  
To "LO"  
NOT RECOMMENDED  
DENIED

(On Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, 5-0 Vote, Councilmembers Barnstone and Urdy out of the room)

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-87 PADGITT-WARMOTH 208 East 6th Street  
0020A BLDG.  
By City of Austin

From "CBD"  
To "CBD-H"  
NO RECOMMENDATION  
ORDINANCE

-87 WEBB-SHAW 212 East 6th Street  
0020B By City of Austin

From "CBD"  
To "CBD-H"  
NO RECOMMENDATION  
ORDINANCE

(On Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, 5-0 Vote, Councilmembers Barnstone and Urdy out of the room.)

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-86 THOMAS C. VANDER Intersection of  
054 By Jim Rose Proposed Rustling  
Ridge & proposed  
Arterial 8

From "DR"  
To "CBD-H"  
NO RECOMMENDATION  
FIRST READING

- CONDITIONS:
1. LIMIT TO ONE STORY HEIGHT
  2. 60,000 SQ. FT. MAXIMUM
  3. DEDICATE 90' RIGHT-OF-WAY FOR ARTERIAL 8 & 70'  
FOR RUSTLING RIDGE
  4. NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED UNTIL  
ARTERIAL 8 CONSTRUCTION CONTRACTS LET
  5. DEDICATION OF CONSERVATION EASEMENT FOR UNDEVELOPED  
AREA OF SITE

(Neighborhood is to be informed when site plan is submitted.)

(On Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second, 6-0 Vote, Councilmember Urdy out of the room.)

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-88 EDWARD JOSEPH Rutherford Lane  
0026 DEVELOPMENTS & Cameron Road  
By Sid Sanders

From "SF-3"  
To "LI"  
FIRST READING

CONDITIONS: 1. Tr. 3 limit to maximum height of 30' or one story

(Case continued next page)

2. Tr. 3 no loading docks at rear of tracts adjacent to residential usage.
3. Dedication of 40' right-of-way from center line of Rutherford Lane.
4. June 3, 1988 TIA memo conditions for phasing agreement & fiscal for signalization & intersection improvements.

(On Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, 7-0 Vote)

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#### PUBLIC HEARING - CAPITAL RECOVERY FEE ORDINANCE

Mayor Cooke opened the public hearing set for 5:00 P.M. on the Water and Wastewater Capital Recovery Fee Ordinance. People who spoke have registration cards on file in City Clerk's office.

#### Motion

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second, closed the public hearing and approved in concept the water and wastewater capital recovery fee ordinance; ordinance will be brought back June 30, 1988 for passage. (7-0 Vote)

#### PUBLIC HEARING - REVISIONS TO FARs

Mayor Cooke opened the public hearing set for 5:30 p.m. on revisions to Floor Area Ratios (FARs) in the LO, LR, CS, CS-1 and CH districts.

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

#### Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, closed the public hearing, ~~waived the requirement for three readings and finally passed an ordinance~~ revising Floor Area Ratios (FARs) in the LO, LR, CS, CS-1 and CH districts, as recommended by the Planning Commission. (7-0 Vote)

*the Planning Commission and approved the recommendation*

#### PUBLIC HEARING - WASTE-to-ENERGY AND RECYCLING CORRELATIONS

Mayor Cooke opened the public hearing on Waste-to-Energy and Recycling Correlations. People who spoke have registration cards on file in the City Clerk's office.

#### Motion

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, closed the public hearing, and directed staff to suspend spending on mass burn plant until July 14, 1988. (4-3 Vote, Mayor Cooke, Councilmembers Urdy and Carl-Mitchell voted No.)

ADJOURNMENT - Council adjourned its meeting at 11:55 P.M.