



Austin City Council MINUTES

For JUNE 11, 1987 - 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 Councilmember Carl-Mitchell.

MINUTES APPROVED

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, approved minutes for regular meeting of June 4, 1987 & special meetings of May 29 & 30, 1987 and June 2, 3 & 5, 1987.

CITIZEN COMMUNICATIONS

Mr. Gerald T. Hurley discussed bingo at Senior Citizen Community Center. Mr. Wolfhard J. Vogel discussed property located at 6500 Shoal Creek Boulevard which is frequently flooded. Mr. Rick S. Hall discussed the Austin Police Department. Mr. T.J. Morton discussed City of Austin's Electric Utility Department regarding the planning efforts for the development of Bohls Ranch. Mr. Sandy Hurwitz discussed small business permits. Mr. Nik Brown appeared rather than Mr. Wayne Thorburn to read Mr. Thorburn's letter discussing the construction of Mesa Drive 48" waterline. The letter thanked the City for the way the construction was handled. Mr. Tom McDill and Ms. Shelly McDill discussed a letter of credit to enforce accessibility and services to their home.

OLD BUSINESS - ORDINANCES

Right-of-Way Ordinance

Council postponed until July 2, 1987 consideration of amending Chapter 13-14 (Right-of-Way Ordinance) of the Austin City Code to provide for an exemption or temporary waiver from applicability of Chapter 13-14 to certain property not funded for roadway improvements.

Fire Inspection Fees Postponed

Postponed until June 25, 1987 is consideration of establishing Fire Inspection Fees.

Zoning Ordinances

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

(1) C14-85-288.A

An area generally bounded by S.H. 71 West on the north, Red Willow Dr. on the south, Chinook Drive on the east and Smokey Hill Road on west

From Interim "RR" and Interim "SF-2" to "RR", "SF-1" "SF-3" & "MF-1"

First reading 7/18/86. (7-0) No conditions to be met.

(2) C14-85-288.B

An area generally bounded by Red Willow on the north, U.S. Hwy. 290 West on the south, Callbraam Lane on the east, & Red Willow Dr. on the west

From Interim "RR" and Interim "SF-2" to "RR", "SF-1" "SF-2"

First reading 7/18/86. (7-0) No conditions to be met.

(3) C14-85-288.C

An area generally bounded by Southwest Parkway on the north, S.H. 71 West on the south, Fletcher Lane & Travis Cook Road on the east, and Old Bee Cave Road on the west

From Interim "RR" to "RR" & "AG"

First reading 7/18/86. (7-0) No conditions to be met.

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(4) C14-85-288.D

An area generally
bounded by U.S.
290 on the north,
Convict Hill Road and
Poncha Pass on the
south, Convict Hill
Road on the east, and
U.S. Hwy. 290 on the
west

From Interim "RR"
& Interim "SF-2"
to "SF-1", "SF-2",
"SF-3" and "P"

First reading 7/18/86. (7-0) No conditions to be met.

(5) C14-85-288.E

An area generally
bounded by Thunderbird
Road on the north,
U.S. Hwy. 290 West on
the south, Boling Drive
on the east & Thunderbird
Road on the west

From Interim "RR"
& Interim "SF-2"
to "SF-1", "DR",
"SF-3" and "DR"

First reading 7/18/86. (7-0) No conditions to be met.

(6) C14-85-288.F

An area generally
bounded by S.H. 71
West on the north,
Claxton Drive on the
south, Covered Bridge
Drive on the east &
Thomas Springs Road
on the west

From Interim "RR"
& Interim "SF-2"
to "RR"

First reading 7/18/86. (7-0) No conditions to be met.

(7) C14-85-288.G

5900 Patton Lane

From Interim "RR"
to "RR"

First reading 7/18/86 (7-0) No conditions to be met.

(8) C14-85-288.H

The Oak Country
Estates, property
located immediately
north of Old Bee
Caves Road & immediately
east of Wier Hills Road

From Interim "RR"
to "MH"

First reading 7/18/86 (7-0) No conditions to be met.

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(9) C14-85-288.I

An area generally
bounded by S.H. 71
West on the North,
Murmuring Creek Drive
on the south, Bright
Star Lane on the
east, and Thomas Springs
Road on the west

From Interim "RR"
and Interim "SF-2"
to "RR"

First reading 7/18/86 (7-0) No conditions to be met.

(10) C14-85-288.J

An area generally
bounded by Murmuring
Creek Drive and Claxton
Drive on the north,
Circle Drive on the
south, Mowinkle Drive
on the east and Thomas
Springs Road on the west

From Interim "RR"
and Interim "SF-2"
to "RR", "SF-1"
and "SF-3"

First reading 7/18/86 (7-0) No conditions to be met.

(11) C14-85-288.K

An area generally
bounded by Old Bee
Caves Road on the
north, U.S. Hwy. 290
West on south, the
Y-intersection of
S.H. 71 and U.S. Hwy.
290 West on the East,
and Callbran Lane &
Chinook Dr. on the west

From Interim "RR"
and Interim "SF-2"
to "DR", "RR",
"SF-1", "SF-3",
"SF-6" and "P"

First reading 7/18/86 (7-0) No conditions to be met.

(12) SOUTHLAND CORPORATION 1107 East Yager
By C. G. Rutter
C14-86-110

From "DR" to
to "LR"

First reading June 26, 1986, (7-0). Conditions have been
met as follows: Right-of-way to be dedicated through
subdivision process.

6/11/87

(13) RICHARD L. WADE 11200-11237 IH 35 From Interim "SF-2"
By Cunningham Graves, North, 801-839 Braker to "GR"
Inc. Lane, 11226-11234
C14r-85-341 Joseph Clayton Drive

First reading February 6, 1986, (7-0). Conditions have been met as follows: Development restricted to that shown on site plan attached as an exhibit to the ordinance. Right-of-way on East Braker Lane and Joseph Clayton Drive has been dedicated by plat.

ITEM POSTPONED

Postponed until June 25, 1987 is consideration of approval of an agreement between the City of Austin and Browning Aerial Service to provide aviation related services at Robert Mueller Municipal Airport.

CONSENT ORDINANCES

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

Operating Budget Amendment

Amended the Operating Budget by accepting and appropriating a grant in the amount of \$75,326.00 from the Texas Department of Community Affairs for the purpose of implementing an emergency shelter grant program and authorizing execution of the contract with the Texas Department of Community Affairs. (5-0 Mayor Pro Tem Trevino out of the room, Councilmember Carl-Mitchell absent)

Zoning Ordinance Correction

Amended the following Zoning Ordinance to correct the zoning classification of Tracts 2, 2A, 2B, 2C, and 2D:

Ordinance No. 860828-E, Case No. C14-85-170
Lakewood Drive and Jester Estates Boulevard

Item Postponed

Postponed until July 2, 1987 is consideration of an amendment to the Utility Hearing Examiner Ordinance.

CONSENT RESOLUTIONS

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

Release of Easements

Authorized release of the following easements:

- a. A 5' Public Utility Easement of record in Book 3, Page 248, Plat Records of Travis County, Texas, and located on Lot 127, Tarry Town Place, 1802 McCall Road. (Request submitted by Lady Gwendolyn Perron)
- b. A portion of a 5' Public Utility Easement of record in Book 80, Page 333, Plat Records of Travis County, Texas, and located on Lot 31, Block "H", Cat Mountain Section II. 6805 Ladera Norte. (Request submitted by Darryl and Marilyn Kelinske)
- c. A portion of a 5' Public Utility Easement of record in Book 13, Page 23, Plat Records of Travis County, Texas, and located on Lots 4, 5, 6 and 7, Damon A Subdivision, 7809, 7811, 7813 and 7815 South First Street. (Request submitted by Guy and J. B. Goodwin)
- d. A portion of a 25' Drainage Easement of record in Book 80, Page 146, plat Records of Travis County, Texas, and located on Lot 1, Block "A" Wood Island, 2105 Island Wood Road. (Request submitted by Clayton Rutter Engineers, Inc., on behalf of Larry Calame)
- e. A portion of an Aerial Electric and Telephone Easement of record in Book 9, Page 147, Travis Country Plat Records and located on Lot 28, Block "D" University Hills Section One, 6701 Notre Dame Drive. (Request submitted by Frank Smith)

Eminent Domain Proceeding

No action was taken on filing of eminent domain proceedings to acquire 3.479 acres of land of right-of-way in fee simple out of the Thomas P. Davy Survey, Abstract No. 169 for the Parmer Lane Project.

Capital Improvements

Approved protective acquisition of a 0.201 acre (8,758 square feet) tract of land for the purpose of U.S. Hwy. 183 right-of-way. C.I.P. No. 85/62-01.

Approved acquisition of a 1.241 acre (54.044 square feet) tract of land for the purpose of U.S. Hwy. right-of-way. C.I.P. 85/62-01.

Capital Improvements Program

Approved the following Change Order:

- a. In the amount of \$145,970.00 to Austin Power, Inc. for the Albert H. Ullrich Water Treatment Plant Expansion. (1.07% increase of the original contract - Total change orders to date equal 6.26%)

Item Postponed

Postponed for two weeks to June 25, 1987 is consideration of approval of an Interlocal Cooperation Agreement with the Southwest Williamson County Road District #1.

No Action

No action was taken to consider setting a public hearing on the following: Review of Boards and Commissions.

Eminent Domain Proceedings

Authorized eminent domain proceedings to acquire in fee simple the following described tract of land for the U.S. 183 at Loop 1 interchange project:

- a. 7,772.38 square feet, or .1784 of one acre of land, more or less, out of Lot 6A, of the resubdivision of northwestern industrial addition, a subdivision in Travis County, Texas, according to map or plat of record in Volume 16, Page 34, of the Plat Records of Travis County, Texas.

ITEM POSTPONED

Postponed to June 25, 1987 is consideration of approval of the following contract:

Constant Communication
705 N. Lamar Boulevard
Austin, Texas

- Pocket pagers, various City
departments
Twelve month contract
Total \$52,860.00 87-S276-KK

LEASE AGREEMENT FOR AQUA FESTIVAL

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, adopted a resolution approving an addendum to the lease between Austin and Aqua Festival Park Development, Inc.

WAIVER OF FEES

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, waived the requirement for three readings and finally passed an ordinance amending Ordinance No. 841025-0 to waive

fees on the use of Auditorium Shores by the Austin Aqua Fest for ten days, July 31, 1987 through August 9, 1987 and associated set-up and clean-up days. (5-0 Vote, Mayor Pro Tem Trevino out of the room, Councilmember Carl-Mitchell absent)

CONTRACTS APPROVED

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

- | | |
|---|---|
| <p>Bid award</p> <p>(1) HOLT MACHINERY COMPANY
9601 South Interrgional Hwy.
Austin, Texas</p> <p>(2) WAUKESHA-PEARCE INDUSTRIES
16029 North IH-35
Austin, Texas</p> | <p>- Sanitary Landfill equipment, General Services Department Total
\$1,704,702.00
87-0133-FC/CM</p> <p>- Items LP-1 and LP-2 -
\$1,122,764.00
Two landfill compactors and one track loader</p> <p>- Item LP-3 - \$581,938.00</p> |
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ITEM POSTPONED

Postponed to June 25, 1987 is consideration for the following Capital Improvement Budget to:

Group I (transfer from)

- | | | |
|---|----------------------|---------------------|
| (1) Decker to Pilot Knob, 345 KV | \$ 7,489,000 | C.I.P. No. 86/13-07 |
| (2) HiCross to Bradshaw to Pilot Knob, 138 KV | 6,227,000 | C.I.P. No. 86/13-08 |
| (3) Elroy to Onion Creek, 138 KV | 3,620,000 | C.I.P. No. 86/13-10 |
| (4) HiCross Substation CKT 963 Termination | 558,000 | C.I.P. No. 85/16-15 |
| (5) Bradshaw Substation | 3,148,000 | C.I.P. No. 86/16-21 |
| | <u>\$ 21,042,000</u> | |

Group II (transfer to)

- | | | |
|---|----------------------|---------------------|
| (1) CKT 968, Trading Post to Patton Lane | \$ 454,000 | C.I.P. No. 85/13-05 |
| (2) CKT 966, Trading Post to Commons Ford | 498,000 | C.I.P. No. 85/13-09 |
| (3) CKT 3125, Lytton Springs to Trading Post | 10,668,000 | C.I.P. NO. 85/13-10 |
| (4) CKT 3126, Austrop to McNeil | 8,450,000 | C.I.P. No. 85/13-12 |
| (5) Sprinkle to Dessau to Howard Lane, 138 KV | <u>972,000</u> | C.I.P. No. 86/13-03 |
| | <u>\$ 21,042,000</u> | |

GOLF DRIVING RANGE

The Council, on Councilmember Humphrey's motion, Councilmember Urdy's second, adopted a resolution to approve a ground lease with the Burke Group for a golf driving range. (6-0 Vote, Councilmember Carl-Mitchell absent)

EXECUTIVE SESSION

Mayor Cooksey announced Council would enter 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) Utility Purchase and Supply Contracts
- (c) EPA complaint TSCA Docket VI-306C
- (d) Cable Issues
- (e) Single Member Districts

2. Land Acquisition - Section 2, Paragraph f

- (a) Water Treatment Plant #4

RECESS

Council recessed at 3:30 p.m. and resumed its recessed meeting at 6:50 p.m.

NO ACTION TAKEN ON ITEM

No action was taken on consideration of West Lake Hills Truck Routes.

PUBLIC HEARINGS

Mayor Cooksey opened the public hearings set for 6:00 p.m. on several subjects. No one appeared to speak at any of the hearings. The following motions were made; after Tracy Watson, Office of Land Development Services, explained that the ordinances were for clarification and streamlining:

Motion

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance amending Chapter 13-2A, Section 1051 to authorize the issuance of building permits for

the completion and occupancy of certain office buildings and restaurants designed to comply with the standards of Chapter 13-2. (5-0 Vote, Councilmember Urdy out of the room, Councilmember Carl-Mitchell absent)

Motion

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance amending Chapter 13-2A, Section 5610 and 5625 to require adequate installation and maintenance of landscaping on commercial project sites. (5-0 Vote, Councilmember Urdy out of the room, Councilmember Carl-Mitchell absent)

Motion

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance amending Chapter 13-2A, Sections 13-2A-1864, 13-2A-2627, 13-2A-2462, 13-2A-2652, 13-2A-2677 and 13-2A-2712 to define "Employee Recreation-Non-Profit" as a civic use type and permit such use in the DR, IP, MI, LI and R&D zoning districts. (5-0 Vote, Councilmembers Urdy out of the room, Councilmember Carl-Mitchell absent)

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Humphrey's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance amending Chapter 13-2A, Section 2794 to permit the sale of alcohol in the P, Public zoning district under certain conditions. (5-0 Vote, Councilmember Urdy out of the room, Councilmember Carl-Mitchell absent)

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Shipman's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance amending Chapter 13-2A, Section 3305 to allow the encroachment of covered porches into required front street yards in certain residential zoning districts. (5-0 Vote, Councilmember Urdy out of the room, Councilmember Carl-Mitchell absent)

Motion

The Council, on Councilmember Humphrey's motion, Councilmember Shipman's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance amending Chapter 13-2A, Section 4702 to specifically exclude floodplains, buffer zones, and public rights-of-way from the list of uses triggering the Compatibility Standards requirements. (5-0 Vote, Councilmember Urdy out of the room, Councilmember Carl-Mitchell absent)

SINGLE MEMBER DISTRICTS

Council set a work session on single member districts for June 30, 1987.

MUSIC DISTRICT

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, adopted a resolution supporting the exploration of creating a music district in Austin. (5-0 Vote, Councilmember Urdy out of the room, Councilmember Carl-Mitchell absent)

PUBLIC HEARING - AUSTIN CABLEVISION FRANCHISE

Mayor Cooksey opened the public hearing set for 5:00 p.m. to consider Austin Cablevision's request for modifications to its franchise.

Speakers were:

Paul Leche, Cable Commission

Iris Jones who told Council to adopt Judge Phillips findings.

Jim Gleason, Austin Cablevision president, who said the City and his company need a common goal.

Jerry Lindauer for the modification

Patrick Krumhorn against

Paul Smolen spoke about 13 access channels

Jack Hopper said it needs more study

Carley Clark, Shelly Johnson, Joy Hawn, Kathleen Hughes and

Heather Harrelson spoke in favor of Kids TV Express

Linda Leabrook and Paula Manley spoke for access

Susan Frost, Austin Neighborhood Association, spoke for Cablevision

James Ulrich, coordinator with AISD for Cablevision, said they oppose modification of the franchise

Kathy Boucher and James Pinedo told Council to vote no on modifications

Jackie Goodman said to keep as is

Ben Turn Jr, Communication Workers of America spoke and so did Kirk Lanus

Hank Sinatra and Elmer Akins spoke for access.

Wade Enkel spoke for cable franchise

Peter Roth opposes modification

David Haringer said access is O.K.

Kathy Ford talked about Kids TV Express

Phyllis Brinkley is against modification and Jim Single said a deal was struck and was not followed through

David Houston spoke, as well as Mark Duffelt, Darrel Coleman, Ingrid Wiegand, George Stolis, Shelly Brisbane, Thomas Langston, Dean Langston, Cheryl Westerman, Allen Bueher, Tom Eubank, Sam Ritter, Donal Montgomery, Dan Page, Arthur Chrissie, Joel Burns, Bill Oakey, Jefferson P. Long

Motion

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, closed the public hearing. (4-0 Vote, Mayor Pro Tem Trevino, and Councilmember Urdy out of the room, Councilmember Carl-Mitchell absent)

RECESS: Council recessed from 9:47 to 10:00 p.m.

PUBLIC HEARING - CITY OF AUSTIN BUDGET FOR 1987-88

Mayor Cooksey opened the public hearing on City of Austin Budget for fiscal year 1987-88.

Several people spoke for community schools and MH/MR. Also discussed were the recreation centers run by the City, the closing of libraries every other day, half-way houses and softball. Speakers names were: Philip Blackerby, Dela May, a representative of AFSCME, Jesse Aguilar, Nina Butts, Lee Heisle, Karen Stevens, Linda Sanders, Sherri Taylor, Nolan Bartz, Nora Bartz, Charlotte London, Susan Flacet, letter read from Jane Baey, Pam Todd, Brian Shannon, Carey Quarles, Al Dotson, Marita Hayden, Michael Olan, Lonette Williamson, Genevieve Herron, Sylvia Wildi.

ADJOURNMENT - Council adjourned its meeting at 12:00 midnight.