



Austin City Council MINUTES

For APRIL 9, 1987 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

City Council

Frank C. Cooksey
Mayor

John Treviño, Jr.
Mayor Pro Tem

Council Members
Mark Rose
Smoot Carl-Mitchell
Sally Shipman
George Humphrey
Charles E. Urdy

Jorge Carrasco
City Manager

Elden Aldridge
City Clerk

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, Mayor Pro Tem Treviño's second, approved minutes for regular meeting of March 26, 1987. (4-0 Vote, Councilmembers Urdy, Carl-Mitchell and Rose out of the room)

CITIZEN COMMUNICATIONS

Mr. Lawrence Albertelli discussed water conservation. Mr. Bryan Hardeman discussed the recall petition.

OLD BUSINESS - ORDINANCES

Zoning Ordinances

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, passed through SECOND and THIRD READINGS of the following ordinances: (7-0 Vote, unless otherwise noted)

LAKE TRAVIS I.S.D.
By Sam Roberts
C14r-86-307

609 RM 620

From "DR" to
"SF-2"

First reading on January 29, 1987, 6-0. Councilmember Carl-Mitchell absent. Conditions have been met as follows: Right-of-way on R.M. 620 and Kollmyer has been dedicated by street deed. Development restricted to that shown on site plan attached as an exhibit to the ordinance.

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CONCORD SQUARE VENTURE 2301-2363 Douglas
By Kristaponis, Gregory 2431-2217 E. Oltorf
and Associates
C14-85-202 (part)

From "MF-2"
to "GR"

EMERGENCY PASSAGE OF ORDINANCE

First reading on May 8, 1986, 6-0. Councilmember Rose out of the room.
No conditions to be met.

NASH PHILLIPS/COPUS 100-300 Blocks West
INC. Yager Lane
By Wm. Terry Bray 100-200 Blocks East
C14-85-322 (part) Yager Lane

From Interim "LI"
to "GR"

5-2 Vote, Councilmembers Shipman and Carl-Mitchell voted NO

Second reading on March 26, 1986, Tr. 14 (4-2), Councilmembers Shipman and Carl-Mitchell voted NO and Mayor Pro Tem Trevino absent. Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

Zonings Postponed

Postponed to April 16, 1987 are the following:

STEINER RANCH DEV. CORP. C14-86-129

CHARLIE CHRISTIAN C14-86-120

OLD BUSINESS - RESOLUTIONS

Indemnification

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, adopted a resolution providing indemnification for City officials and employees. (7-0 Vote)

Work Plan - 1987

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving the Program Evaluation and Analysis Work Plan for 1987.

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 in one consent motion: (6-0 Vote, Councilmember Rose out of the room)

Operating Budget Amendment

Amended the 1986-87 Annual Operating Budget by:

- a. Appropriating \$100,000.00 from the Hotel/Motel Bed Tax Fund Ending Balance for the purpose of promoting tourism and conventions in Austin.

Paving Assessment Hearing Set

Ordered and set a public hearing at 4:00 p.m., May 21, 1987 in connection with paving assessments to be levied on North Bluff Phase III, consisting of one unit covering 18 blocks. C.I.P. No. 78/62-32.

Legal Description Corrected

Amended the following ordinances to correct the legal descriptions:

- a. Ordinance No. 861211-D, Case No. C14r-86-196
Locally known as 2410 East Riverside Drive
- b. Ordinance No. 860828-E, Case No. C14-85-170
Locally known as Lakewood Drive and Jester Estates Boulevard

ITEM POSTPONED

Postponed to April 16, 1987 is consideration of correcting and re-enacting ordinances relating to subdivision of duplex lots.

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 Rose out of the room)

Release of Easements

Authorized release of the following easements:

- a. A portion of a 5' Public Utility Easement of record in Book 3, Page 213, Travis County Plat Records, insofar as it affects Lots 1 through 4 and Lots 19 through 26, Tarrytown Subdivision, (Request submitted by McGray & McGray Land Surveyors, Inc., on behalf of Westenfield Development Co.)
- b. A 5' Public Utility Easement recorded in Volume 3078, Page 2119, of the Travis County Real Property Records, Travis County, Texas, and located on Lot 5, Block "C", Towne Centre, Industrial Terrace. (Request submitted by Alfred D. Hughes of Brenlan Corporation on behalf of the H & G Properties, Ltd.)

Northwest "A" Water Transmission Main Project

Approved acquisition of 55,810 square feet of water line easement, 33,200 square feet of temporary working space and 92,628 square feet of temporary staging area and construction easement for the Northwest "A" Water Transmission Main Project. C.I.P. No. 76/22-27.

Councilmember Shipman stated for the record: "This project will follow all City ordinances."

Capital Improvements Program

Approved trade of a 0.900 acre tract of surplus City owned land for a 0.858 acre tract of land for the East 51st Street Improvement Project. C.I.P. No. 85/62-64.

Approved the following change orders:

- a. In the amount of \$139,749.00 to Argee Corporation, for the Govalle Wastewater Service Area Interception and Diversion System - Contract No. 2. (2.227% increase of the original amount of \$6,274,100.00) C.I.P. No. 86/23-10
- b. In the amount of \$46,933.00 to Austin Power, Inc. for the Albert H. Ullrich Water Treatment Plant Expansion. (0.34% increase of the original amount of \$13,647,000.00 - Total change orders to date equal 4.46%

Energy Management Control Systems

Approved a contract (RFP) to Young & Pratt, Inc. for installation of Energy Management Control Systems in seven Municipal Buildings in the amount of \$272,722.50. C.I.P. No. 86/52-02.

Motion to Reconsider

Mayor Pro Tem Trevino made a motion, seconded by Councilmember Carl-Mitchell to reconsider. Motion passed by a vote of 4-0 with Councilmembers Humphrey, Shipman and Urdy out of the room.

Item Rescheduled

Council unanimously approved rescheduling the item for April 16, 1987, to give one of the bidders the opportunity to discuss.

Contracts Approved

Approved the following contracts:

- a. **POWER CONSTRUCTION COMPANY, INC.** - **CAPITAL IMPROVEMENTS PROGRAM -**
7520 Harwin Drive
Houston, Texas
Construction of New Fire Station
at 5507 FM 2222, Fire Department
Total \$576,649.00 C.I.P. No.
85/83-06
- b. **L. E. MYERS COMPANY** - **CAPITAL IMPROVEMENTS PROGRAM -**
4315 Allen Genoa Road
Pasadena, Texas
Installation of Overhead Electric
Distribution Facilities for Balcones
Drive - Northwood to Farwest Blvd.,
Electric Utility Department
Total \$56,769.56 C.I.P. No.
87/14-02
- c. **H. MCCOY, INC.** - **Systems Furniture for Pleasant**
4150-G Friedrich Lane
Austin, Texas
Hill Branch Library, Austin Public
Library
Items 1-44 - \$42,238.58 87-0171-DC
- d. **LEIF JOHNSON FORD, INC.** - **One Hundred Eight-five (185) Police**
501 East Koenig Lane
Austin, Texas
Sedans, General Services Department
One hundred twenty (120) acquired
under twelve (12) Month Supply
Agreement
Item PS-1 - \$1,947,680.00 87-0144-FC
- e. **Bid award:** - **Twelve (12) Vibrating Rollers,**
General Services Department
Five (5) Units acquired under
twelve (12) Month Supply Agreement
Total \$75,393.00 87-0102-FC
- (1) **GRACE EQUIPMENT COMPANY** - **Item 1 - \$43,393.00**
5333 East Houston
San Antonio, Texas
- (2) **NIECE EQUIPMENT & SUPPLY CO.** - **Item 1 - \$32,000.00**
15630 Old Highway 81
Pflugerville, Texas

License Agreements

Approved entering into the following license agreements:

- a. To allow the encroachment of Landscaping, Pavex Pavers, Tree Grates and Guards, Bus Benches and Ash Urn, into the right-of-way of the Southeast Corner of East 11th Street and Brazos Street, Texas Education Agency Building. (Request submitted by Paul Hise, Project Manager, State Purchasing and General Services Commission, State of Texas)

- b. To allow the encroachment of Landscaping into the Public Right-of-way of the Century Park Subdivision, Century Park - entire length; Ida Ridge Drive - entire length between Howard Lane and Century Park Boulevard; Century Park Cove - entire length; and Elm Ridge Lane - entire length. (Request submitted by Stephen K. Domigan and Associates on behalf of Century Park Development Group)

Approach Mains

Approved the following approach mains:

NOTE: The amount of LUE's approved for wastewater commitment does not guarantee services in the event that the flows to affected treatment plants exceed legally permitted flows, and does not imply commitment for land use. (Water and Wastewater Commission recommends approval)

- a. 646 Cedar Park Fifteen - Wastewater
- b. 1169 72 Acre Anderson Mill - Wastewater
- c. 1237 Nesbit Tract - Wastewater

Austrop Substation

Authorized to determine the route of, determine compensation to be paid, negotiate for, and acquire easements and fee titles for, Circuit 3126, Austrop Substation to McNeil Substation.

Item Postponed

Indefinitely postponed was consideration of establishing a Revolving Loan Fund Policy for the Standard Rehabilitation Program.

Homeless

Amended the resolution creating the Interim Planning Board for the Homeless by expanding the membership from 9 to 11 members; one community-at-large, and one from the Austin area Human Services Commission.

Public Hearings Set

Set public hearing on the following:

- a. Dedication of a wastewater easement along with a temporary construction easement and a temporary access easement for construction of Wastewater Approach Main #1017, across Onion Creek District Park: May 14, 1987 at 4:30 p.m.

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- b. Amending Chapter 13-2A, 5110 to exempt certain property from compliance with landscaping requirements and to provide for a waiver procedure from that same section: April 30, 1987 at 6:00 p.m.

STEINER RANCH PROJECT

The Council, on Councilmember Humphrey's motion, Mayor Cooksey's second, DENIED an ordinance waiving the Steiner Ranch project from the Comprehensive Watersheds Ordinance. (4-3 Vote, Councilmember Urdy and Rose and Mayor Pro Tem Trevino voted No.)

ZONING ORDINANCES

The Council, on Councilmember Shipman'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, Councilmembers Urdy and Rose out of the room.)

CITY OF AUSTIN PUBLIC
WORKS DEPARTMENT
C14r-86-304

5204 & 5507 RM
2222

From "SF-2" to
"P" & "GO"

First reading on January 29, 1987, 6-0. Councilmember Carl-Mitchell absent. Conditions have been met as follows: Development restricted to that shown on site plan attached as an exhibit to the ordinance.

ZONING POSTPONED

Council postponed until April 23, 1987 consideration of Zoning Case C14r-85-339, STAN SCHLEUTER.

TREE TRIMMING

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Rose's second, approved the following contract: (6-1 Vote, Councilmember Humphrey voted No)

BLUME TREE SERVICE, INC.
1236 Cude Cemetery Road
Willis, Texas

- Tree Trimming and Line Clearing
Services, Electric Utility
Department
Total \$949,598.00 87-C072-JJ

ITEM POSTPONED

Postponed to April 14, 1987 consideration of budget amendment to appropriate an additional \$30,000.00 to the Parks and Recreation Department for the purpose of the Zilker Summer Musical.

CONTRACT APPROVED

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Trevino's second approved the following contract: (5-0 Vote, Councilmembers Rose and Shipman out of the room)

ROCKWELL INTERNATIONAL CORPORATION
5155 Blalock Drive
Houston, Texas

- Refurbished Water Meter, Water &
Wastewater Department
Twelve Month Supply Agreement
Item 1 - \$61,588.00 87-0165-PS

OUTSIDE LAND ACQUISITION

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Trevino's second, adopted a resolution approving a contract with Southwest Land Company for professional services for outside land acquisition, up to \$100,000.00. (5-0 Vote, Councilmember Shipman out of the room)

ITEM POSTPONED

Postponed to May 21, 1987 is consideration of appointments of Councilmembers to Policy Planning and Budget Committee and Audit Committee, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, 6-0 Vote, Councilmember Humphrey out of the room)

PUBLIC HEARING - TRANSMISSION MAIN

Mayor Cooksey opened the public hearing set for 3:30 p.m. on dedication of permanent and temporary easements for the construction of the Decker Lake Water Transmission Main across a portion of Lake Walter E. Long Metropolitan Park.

No one appeared to speak. After questioning as to the prudence and feasibility of using a portion of the park, and being told there would be no disturbance and that there is no other feasible alternative, the following motion was made:

Motion

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, closed the public hearing and approved the dedication of permanent and temporary easements for the construction of the Decker Lake Water Transmission Main across a portion of Lake Walter E. Long Metropolitan Park. (6-0 Vote, Councilmember Humphrey out of the room)

ITEM POSTPONED

Postponed to April 16, 1987 is consideration of a resolution expressing the City of Austin's concern of Oscar Wyatt's attempt to take over Trans America Natural Gas Company.

ITEMS TO BE BROUGHT BACK

Mayor Cooksey's item concerning interpretation of the definition of Section 6175 of the Zoning Ordinance as to the effective date of approvals for site plans will be on the April 23, 1987 agenda.

Mayor Cooksey's item concerning attitudes of City employees when rendering services to citizens will be brought back on April 16, 1987.

PUBLIC HEARING - GRANT APPLICATION FOR TEXAS EMERGENCY SHELTER GRANTS PROGRAM

Mayor Cooksey opened the public hearing on grant application to the Texas Department of Community Affairs under the Texas Emergency Shelter Grants Program.

Paula Phillips, Director Housing and Community Services, told Council there is \$427,000 available for eligible activities.

Lori Renteria, Ellen Fisher, Gerene Peterson and Bruce Rochstrow all spoke concerning their ideas for use of the money.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, closed the public hearing. (5-0 Vote, Councilmembers Humphrey and Urdy out of the room)

CONSULTANTS FOR EUC

The Council, on Councilmember Shipman's motion, Councilmember Rose's second, approved the Electric Utility Commission's request for a format for establishing a cost of service model and hiring two consultants.

(5-0 Vote, Councilmembers Urdy and Humphrey out of the room)

HIDDEN HILLS RANCH

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, approved the language correction of the Ranch (Hidden Hills) exemption ordinance (860306-L). (5-0 Vote, Councilmembers Humphrey and Urdy out of the room)

PUBLIC HEARING - SOUTHERN UNION GAS COMPANY REVISIONS

Mayor Cooksey opened the public hearing on consideration of an ordinance suspending Southern Union Gas Company's revisions to its customer service regulations.

Assistant City Manager Gary Hunt reviewed the ordinance. No one else appeared to speak.

Motion

The Council, on Councilmember Rose's motion, Councilmember Carl-Mitchell's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance approving the suspension of Southern Union Gas Company's revisions to its customer service regulations. (5-0 Vote, Councilmembers Humphrey and Urdy out of the room)

PUBLIC HEARING - CAPITAL RECOVERY FEES

Mayor Cooksey opened the public hearing set for 5:30 p.m. to consider establishing Capital Recovery Fees for residential property; providing for reimbursements in certain situations; establishing a policy for extensions and additions to the Water and Wastewater Systems; and providing a sunset provision for taps purchased.

Jim Thompson, Director of Water and Wastewater, reviewed the ordinance. William Faust, chairperson, Water and Wastewater Commission, said they approved streamlining and went over the points they are for and against.

Bill Bingham, representing Austin Independent School District, and Austin Community College, said they object to exempting the state and not AISD and ACC.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, passed through FIRST READING ONLY an ordinance establishing Capital Recovery Fees for residential property and property other than residential property; providing for reimbursements in certain situations; establishing a policy for extensions and additions to water and wastewater systems; and providing a sunset provision for taps purchased, with an amendment to the septic tank cut-over and change date on page 7 to 12/31/85. (4-0 Vote, Councilmembers Urdy, Humphrey and Shipman out of the room)

RECESS

Council recessed its meeting from 7:10 p.m. to 7:30 p.m.

PUBLIC HEARING - 1987-88 CDBG

Mayor Cooksey opened the public hearing set for 5:00 p.m. on General Topic areas for the 1987-88 Community Development (CDBG) Program.

The following people spoke: Jerene Petersen, Bruce Rockstroh, Middle Earth; Ray Galloway; Pete Arevalo, Hispanic Chamber; Raul Vasquez, Hispanic Chamber; Robert McKaskle, Urban League; Mel Wrenn, CEDEN; Lupe M. Garcia, CEDEN; Clift Price, CEDEN; Ponciano Morales III, CDC; Jill Gronquist, Austin Childcare Commission; Rick Migoni, HCC; Sam Guzman, Hispanic Chamber of Commerce; Sam Guzman, Austin Economic Development Corp.; Berto Guerra, Hispanic Chamber of Commerce; Sylvia S. Migoni, Hispanic Chamber of Commerce; Joe R. Gonzales, HCC; Ronald Reed, MPC; George Thompson, HCC; Jory Drew, HCC; Richard Rodriquez; Rodney E. Corbin, Minority Business Development; Daniel Gomez, Micro Exchange; Migue Davis, Shared Attendant Program; Nancy Crowther, ARCIL; Row Davis, E.A.S.T.; Nancy Coplin, Minority Purchasing Council; Yolanda Acosta, A.M.P.C.; Alex Avila, A.M.P.C.; Gus Garcia, Hispanic Chamber; Roberto Vega, Hispanic Chamber; Bobbie Johnson & Lucile Ward, St. John's Advisory; H. Delores Coles, Go-For-It; Rick Gerber, Big Brothers/Big Sisters; Creola Dos Reis, H.C.C.; Elio King, H.C.C.; Mike Armendariz, H.C.C.; A.B. Cantu, Architectural Barriers; George Stone, Austin Tenants Council.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, closed the public hearing. (5-0 Vote, Councilmembers Humphrey and Urdy out of the room)

APPOINTMENTS TO INTERIM PLANNING BOARD FOR THE HOMELESS

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, appointed the following as members of the Interim Planning Board for the Homeless: (6-0 Vote, Councilmember Humphrey out of the room)

Susan Berliner, Ann Denton, Ronald Kingsbury, Doyal Nelms,
Carol Phillips, Rv. Clarence Wright, Roseanna Szilak,
Joseph Yaconco and Lori Renteria

ADJOURNMENT

Council adjourned its meeting at 8:30 p.m.