



Austin City Council MINUTES

For JUNE 25, 1987 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

Memorandum To:

Mayor Pro Tem Trevino called to order the meeting of the Council, noting the absence of Mayor Cooksey.

MINUTES APPROVED

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, approved minutes for regular meeting of June 11, 1987 & special meetings of June 8, 9, 16, 18 (a.m.), 18 (p.m.), 1987.

CITIZEN COMMUNICATIONS

Ms. Betty Priest discussed Upper Williamson Creek Wastewater Line. Mr. Audley Blackburn discussed the financial relationship between the City and Capital Metro. Mr. Lyndon Henry discussed the financial relationship between the City and Capital Metro. John Johnson and Nora Mullarkey had signed up to speak, but did not appear.

SOLID WASTE MANAGEMENT REPORT

Bill Carter, Citizens Task Force for Solid Waste Management, presented a report on Solid Waste Management for Austin Priority Activities for 1987-88.

ITEMS POSTPONED

Postponed was consideration of amending the Capital Improvements Budget to abandon the Electric CIP projects listed in Group I and transferring the funds made available to the Electric CIP projects listed in Group II.

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>	

Postponed to June 30, 1987 is consideration of Legislative Proceedings Ordinance.

Postponed indefinitely is consideration of second/third readings of ordinance amending Chapter 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes:

CLIFFORD J. ANTONE
C14-86-043

2915 Guadalupe
Street

From "CS" to
"CS-1"

ZONING ORDINANCE

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, passed through second/third readings of an ordinance amending Chapter 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes: (6-0 Vote, Mayor Cooksey absent)

CITY OF AUSTIN
By Office of Land
Development Services
C14-85-244.12

An area generally
bounded on the north
by McNeil Drive,
Council Bluff Drive,
proposed Parmer; on
the east by El Camino
Road, Palfrey Drive,
Danny Drive, Leaf Lane,
Burnet Road; on the
south by U.S. 183 and
on the west by Conrad Rd.

From "GR", Interim
"LI" & "LI", "SF-3"
"SF-2" & Interim
"SF-2" & "MF-2" to
"SF-6"

First reading on January 30, 1986, (7-0). Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

ITEMS POSTPONED

1- Postponed until July 2, 1987 is the following resolution:

- Consider approval of Amendment of Grant of Easement to Capital Metro on the Manor-To-Bertram portion of the City's railroad right-of-way.

2- Postponed indefinitely 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.

3- Postponed to July 2, 1987 is consideration of the following:

- Approval of a contract with POWER ENTERPRISES, INC. for tubular steel poles for a 35 mile 345 KV transmission line from the Lytton Springs to Trading Post Substation for a total of \$5,069,626.00. C.I.P. No. 85/13-10

4- Postponed to July 2, 1987 is consideration of the South Austin Outfall options.

5- Postponed indefinitely is consideration of amending the contract concerning creation and operation of Davenport Ranch Municipal Utility District.

Also postponed was a resolution to consider approving the assignment of rights under contract concerning creation and operation of Davenport Ranch Municipal Utility District.

6- An ordinance to consider granting waivers from the Comprehensive Watersheds Ordinance for the following was postponed, with different dates:

- a. Seven Oaks Ranch, Section Two - July 2, 1987
- b. Seven Oaks Ranch, Section Three - July 2, 1987
- c. Gil Rancy - July 23, 1987
- d. Brushy Creek Ranch - July 2, 1987

CONSENT RESOLUTIONS

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Trevino's second, adopted the following resolutions all in one consent motion: (5-0 Vote, Councilmember Carl-Mitchell out of the room, Mayor Cooksey absent)

Eminent Domain Proceedings

Authorized the filing of Eminent Domain Proceedings to acquire:

- a. A Permanent Electrical Transmission Easement containing 35.34 acres of land out the Thomas Brite Survey, No. 65 and the Corbet Stevens Survey, No. 63 in Travis County, Texas for the Circuit 3125 Project (Lyttton Springs to Trading Post).
- b. 4.918 acres of land of right-of-way in fee simple out of the Thomas Anderson League for the U.S. 290 West/SH 71 Expansion Project.
- c. A Permanent Electrical Transmission Easement containing 1.46 acres of land out of the John G. McGeeHee Survey, No. 6 in Travis County, Texas for the Circuit 3125 Project (Lyttton Springs to Trading Post).
- d. A Permanent Electrical Transmission Easement containing 1.54 acres of land out of the Richard Hailey Survey, No. 35 in Travis County, Texas for the Circuit 3125 Project (Lyttton Springs to Trading Post).
- e. A Permanent Electrical Transmission Easement containing 8.86 acres of land out of the J. R. Morgan Survey, No. 80 and the A. J. Newman Survey, No. 66 and a Permanent Electrical Transmission Easement containing 14.39 acres of land out of the D. P. Newman Survey, No. 24 and the A. Trautwine Survey, No. 50 in Travis County, Texas for Circuit 3125 (Lyttton Springs to Trading Post).
- f. 0.825 acres of land of right-of-way in fee simple out of Lot 2, Skateranch Subdivision for the U.S. 290 West/SH 71 Project.
- g. 0.3650 acres for street purposes fee simple and 501 square feet for Waterline Easement out of the James Wallace Survey, No. 18 in Travis County, Texas from Mercantile National Bank of Dallas, Trustee for the Loop 1 at 183 North Improvement Project.

Capital Improvements Program

Approved an Escrow Agreement in the amount of \$125,882.50 between the City of Austin and the Texas State Department of Highways and Public Transportation providing for water utility relocation construction associated with the U.S. Highway 71 (at Bergstrom Air Force Base) Improvements. C.I.P. No. 87/22-39.

Approved a Change Order in the amount of \$49,372.00 to Staker Paving of Texas, for Duval Road Phase II Street and Drainage Improvements. (3.73% increase in the original contract amount of \$1,322,150.38 - total change orders to date equal 4.57%)

Contracts Approved

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Trevino's second, approved the following contracts:

- | | |
|---|---|
| a. ROBERT JENTSCH CONSTRUCTION COMPANY
P. O. Box 3343
Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
Sitework, Foundations, Manholes,
Prefab Metal Building and
Underground Ductline for
Magnesium Substation, Electric
Utility Department
Total \$38,493.00 C.I.P. No.
81/16-02 |
| b. BILL BOYD CONSTRUCTION COMPANY
11904 Hornsby Street
Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
Sitework, Foundations, Manholes,
Prefab Metal Building, and
Underground Electric Ductline
for Wheelless Substation, Electric
Utility Department
Total \$39,755.00 C.I.P. No.
86/16-11 |
| c. ROBERT JENTSCH CONSTRUCTION COMPANY
P. O. Box 3343
Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
Foundations, Manholes, Prefab
Metal Building and Underground
Electric Ductline for Fiskville
Substation, Electric Utility
Department
Total \$35,155.50 C.I.P. No.
86/16-07 |
| d. HAEGELIN CONSTRUCTION COMPANY
2600 Balmer Lane
Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
Installation of Underground
Electric Ductline for Walnut
Creek Wastewater Treatment Plant,
Electric Utility Department
Total \$50,541.75 C.I.P. No.
87/15-01 |
| e. C. C. TEAGUE AND SON CONSTRUCTION INC.
3249 East Renner Road
Richardson, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
Installation of Underground
Electric Distribution Facilities
for Legend Oaks Phase A Section 2,
Electric Utility Department
Total \$33,598.61 C.I.P. No.
87/15-01 |
| f. PAT CANON EXCAVATING COMPANY
P. O. Box 908
Manchaca, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
Bluff Springs Transmission Main
II - Pilot Knob Project, Water
and Wastewater Utility
Department
Total \$532,268.64 C.I.P. No.
85/22-67 |

Business Resource Consultants

Approved a contract (RFP) to Business Resource Consultants (MBE) a business training development program in the amount of \$62,450.44.

Item Postponed

Postponed to July 2, 1987 is consideration of entering into the following license agreements:

- a. To allow the State Department of Highways and Public Transportation to construct a grade separation within the right-of-way of the City-owned railroad at the proposed crossing of Parmer Lane, FM 734. (Request submitted by the State Department of Highways and Public Transportation)
- b. To allow the encroachment of two natural gas pipelines into the right-of-way of the City-owned railroad located at SP Mile Posts 59.87 and 61.24, and establishing a fee of \$200.00 per year for each line. (Request submitted by Phillips Natural Gas Company)
- c. To allow the State Department of Highways and Public Transportation to construct a grade separation within the right-of-way of the City-owned railroad at the RM 620 crossing. (Request submitted by the State Department of Highways and Public Transportation)

Postponed to July 2, 1987 is consideration of establishing a Revolving Loan Fund Policy for the Standard Rehabilitation Program.

Postponed to July 2, 1987 is consideration of authorizing the City Manager to enter into an election services agreement with the Barton Springs-Edwards Aquifer Conservation District.

Public Hearings Set

Set public hearings on the following:

- a. Proposed Austin Roadway Plan Amendments: August 13, 1987
at 6:00 P.M.

Demonstration Partnership Grant

Approved submitting an application to the U.S. Department of Health and Human Services for a \$138,223 Demonstration Partnership Grant.

CONTRACT FOR POCKET PAGERS

The Council, on Councilmember Humphrey's motion, Councilmember Urdy's second, approved the following contract: (5-0 Vote, Councilmember Shipman out of the room, Mayor Cooksey absent)

CONSTANT COMMUNICATION
705 N. Lamar Boulevard
Austin, Texas

- Pocket Pagers, Various City
Departments - Twelve Month Contract
Total \$44,343.00 87-S276-KK

SOUTHWEST WILLIAMSON COUNTY ROAD DISTRICT #1

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, adopted a resolution approving of an Interlocal Cooperation Agreement with the Southwest Williamson County Road District #1.

BLUEGOOSE ROAD AUS TEX ACRES LANE AREA

Council discussed the ordinance calling for disannexation of 122 acres in the Bluegoose Road Aus Tex Acres Lane area. City Attorney Barney Knight told Council that a public hearing should be held on the disannexation. No date was set.

ITEM POSTPONED

Postponed to July 2, 1987 is consideration of approval of Amendment No. 5 in the amount of \$2,850,000.00 to the Professional Services Agreement, between the City of Austin and the Joint Venture of Espey, Huston and Associates, Inc. for the 1984-86 additional capacity improvements of the Ullrich Water Treatment Facilities. C.I.P. Nos. 85/22-55 and 85/22-27.

SOCIAL SERVICE CONTRACT - COMMUNITY ADVOCATES FOR TEENS & PARENTS

The Council, on Councilmember Shipman's motion, Councilmember Urdy's second, adopted a resolution authorizing an amendment to the Fiscal Year 1986-87 Social Services Contract with Community Advocates for Teens and Parents increasing the amount of the contract by \$19,243.00 effective to June 1, 1987 for establishment and operation of a new shelter program. (4-2 Vote, Mayor Pro Tem Trevino and Councilmember Humphrey voted No.)

Mayor Pro Tem Trevino told Council this is not the time to start a new project in light of the difficult budget and projected short-fall of money available.

ITEMS FROM COUNCIL

Councilmember Carl-Mitchell postponed his item concerning Capitol Dome Lighting until July 2, 1987. Councilmember Humphrey postponed his discussion of Lakeview PUD Annexation until July 2, 1987. Councilmember Carl-Mitchell requested a resolution on the July 2, 1987 agenda to consider creating a Superconductor Task Force. Postponed was Mayor Cooksey's item to consider amending Ordinance No. 860417-J to clarify the role of peer panels in making funding recommendations.

EXECUTIVE SESSION

Mayor Pro Tem Trevino 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

6/25/87

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) MUD related litigation
2. Land Acquisition - Section 2, Paragraph f
 - (a) Aviation Issues
 - (b) Parmer Lane R.O.W.
 - (c) Avante Building

RECESS

Council recessed its meeting at 3:14 p.m. and resumed its recessed meeting at 4:50 p.m. Executive session was held during this period of time.

ZONING HEARINGS

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

- | | | | | |
|-----|-----|-------------------------------|----------------|----------------------------|
| (1) | -86 | JOHN R. HAMILTON | 300 Block West | From "SF-2" |
| | 317 | By Espey, Huston & Associates | Yager Lane | To "GR" (as amended) |
| | | | | <u>POSTPONED TO 7/2/87</u> |

RECOMMENDED subject to an F.A.R. limitation of .25; the dedication of 45 feet of right-of-way from the centerline of Yager Lane; No Certificate of Occupancy to be issued until completion of Yager Lane CIP or TIA is submitted to OLDS demonstrating that additional traffic will not degrade existing traffic conditions; OLDS review of proposed access to Yager Lane; and \$34,840 letter of credit to be posted prior to issuance of building permit.

- | | | | | |
|-----|------|--------------------------------|--|----------------------|
| (2) | r-86 | PEERMAN/ANDERSON | 4995-5047 U.S. 290 | From "DR" |
| | 106 | PARTNERSHIP AND ROYCE FAULKNER | "RR" & "MF-3" on Tract 2 & 3. Tract 1, granted | To Tract 1 "CH" |
| | | By Sid Sanders | "GR" Community Commercial | Tract 2 "RR" |
| | | | | Tract 3 "MF-3" |
| | | | | <u>FIRST READING</u> |

RECOMMENDED "CH" on Tract 1, limited to 95' height; "RR" on Tract 2; and "MF-3" on Tract 3; subject to a phasing agreement. Granted shared parking approval and compatibility waiver.

6/25/87

- (3) r-86 PEERMAN/ANDERSON 4995-5047 U.S. 290 From "DR"
107 PARTNERSHIP AND Tract 1 "GR" Community To Tract 1 "CH"
ROYCE FAULKNER Commercial; Tract 2 "RR"; Tract 2 "RR"
By Sid Sanders Tract 3, "MF-3" Tract 3 "MF-3"
FIRST READING

RECOMMENDED "CH" on Tract 1, limited to 95' height; "RR" on Tract 2; and "MF-3" on Tract 3; subject to a phasing agreement. Granted shared parking approval and compatibility waiver.

(On Councilmember Shipman's motion, Councilmember Nofziger's second, 4-2-0 Vote, Mayor Pro Tem Trevino and Councilmember Urdy voted No, Mayor Cooksey absent)

- (4) -81 DICK R. LAYMAN, 6704-6706 Manchaca AMENDMENT TO RESTRICTIVE
113 JR. Road COVENANT
(part) NO RECOMMENDATION
(NOT A QUORUM VOTE)

DENIED

(On Councilmember Shipman's motion, Councilmember Humphrey's second, 4-2-0 Vote, Mayor Pro Tem Trevino and Councilmember Urdy voted No, Mayor Cooksey absent)

- (5) r-87 AUSTIN CENTRE 8222 North Lamar From "CS"
061 NORTH To "CS-1"
By Arvco Realty RECOMMENDED
REPLACE TREES. FIRST READING

(On Councilmember Humphrey's motion, Councilmember Shipman's second, 5-0 Vote, Councilmember Urdy out of the room, Mayor Cooksey absent)

- (6) -87 BEN H. POWELL, 802, 804, & 806 From "MF-4"
063 JR. West Avenue To "GO"
By R. Mayo King RECOMMENDED
ORDINANCE

(On Councilmember Humphrey's motion, Councilmember Urdy's second, 6-0 Vote, Mayor Cooksey absent)

- (7) -87 HUBERIS 5007 Nixon Lane From "SF-2"
064 INVESTMENTS, LTD. To "CS"
By Del Ware FIRST READING

RECOMMENDED subject to compliance with an approved Waterway Development Permit; provision of on-site detention/filtration; and dedication of 35 feet of right-of-way from the centerline of Nixon Lane.

(On Councilmember Humphrey's motion, Councilmember Urdy's second, 6-0 Vote, Mayor Cooksey absent)

-
- (8) -87 MESA WOODS JOINT 8127 Mesa Drive, From "LR"
069 VENTURE Suite A100 To "CS-1"
By Carole Loyd DENIED

RECOMMENDED "CS-1" per staff recommendation, restricted to wine and liquor sales and with a rollback to "LR, should that use cease.

(On Councilmember Shipman's motion, Councilmember Urdy's second, 6-0 Vote, Mayor Cooksey absent)

-
- (9) r-87 USAA REAL ESTATE 11044 U.S. 183 N From "GO"
068 By Stuart Norman To "GR"
FIRST READING

RECOMMENDED "GR" with the condition that the applicant execute agreement with the City indicating that any improvements which are located within the future right-of-way will be removed by the owner at the time right-of-is acquired for roadway expansion.

(On Councilmember Humphrey's motion, Councilmember Urdy's second, 6-0 Vote, Mayor Cooksey absent)

-
- (10) r-87 LINDA WATTS & 9101 Dessau Road From "SF-3"
062 DENNIS WILHITE To "CS"
NO RECOMMENDATION
DEDICATE RIGHT-OF-WAY FIRST READING

(On Councilmember Urdy's motion, Councilmember Shipman's second, (6-0 Vote, Mayor Cooksey absent)

6/25/87

- (11) r-87 J. GORDON MCGILL 3800 Spicewood
066 By Brown Maroney Springs Road

From "LR" & "LO"
To "MF-4"
NO RECOMMENDATION
FIRST READING

(On Councilmember Humphrey's motion, Councilmember Nofziger's second, 5-0 Vote, Councilmember Shipman out of the room, Mayor Cooksey absent)

- (12) -87 HALLMARK BAPTIST 200 feet from
025 CHURCH Intersection of
By Joseph, Rider Oak Knoll Drive &
& Cameron Township Trail

From "DR"
To "SF-2"
POSTPONED 7/23/87 @ 4 p.m.

SITE PLAN APPROVAL

a. Recommended by the Planning Commission, As Requested:

- (1) r-85 DON ENGLING 10603 R.M. 2222
018 By Urban
Engineering Group.

From "DR" to MF-2"
Site Plan Approval
RECOMMENDED
ORDINANCE

(On Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, 6-0 Vote, Mayor Cooksey absent)

NO ACTION ON ITEM

Council took no action on the item to consider a request by Ms. Sadie Perron to acquire eleven feet of right-of-way from the City of Austin at Griswold Lane. Council was informed they need to hold a public hearing and notify everyone within 300'.

PUBLIC HEARING

Mayor Pro Tem Trevino opened the public hearing set for 6:00 P.M. on Development Processing Ordinance (13-1) and Performance Overlay Ordinance.

Michael Curry, James Pinedo and Jackie Goodman all spoke.

Motion

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, closed the public hearing, and scheduled the ordinance for FIRST READING on June 2, 1987, with second and third

readings on July 16 and 23, 1987. (4-0 Vote, Councilmembers Urdy and Shipman out of the room, Mayor Cooksey absent)

ITEM POSTPONED

Postponed to July 2, 1987 is consideration of approval and execution of documents pertaining to the acquisition and leasing of a building for the Water and Wastewater Department including approval of an official statement and purchase agreement.

CIVIC CENTER PROJECT MANAGER

Postponed to June 30, 1987 is consideration of selection of a Civic Center Project Manager.

ADJOURNMENT

Council adjourned its meeting at 8:00 P.M.