



Austin City Council MINUTES

For MAY 7, 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

Eden Aldridge
City Clerk

Memorandum To:

Mayor Cooksey called to order the meeting of the Council, noting the absence of Mayor Pro Tem Trevino, who entered the Council Chamber later in the day.

MINUTES APPROVED

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, approved minutes for regular meeting of April 30, 1987 and special meeting of April 28, 1987. (4-0 Vote, Mayor Pro Tem Trevino absent, Councilmembers Rose and Urdy out of the room)

CITIZEN COMMUNICATIONS

Bill McDonald discussed a zoning change. Dick Stanford talked about the Travis County Appraisal District. Ms. Avis Davis discussed proposed closing of a fire station in Hyde Park.

REPORTS GIVEN

The Funding Guidelines and Peer Panel Process report was presented by Cynthia Alexander for the Arts Commission.

Stan Friedman presented the interim report for Citizen Committee on State Lands.

ORDINANCE POSTPONED

Postponed to May 14, 1987 was consideration of an amendment to the right-of-way-reservation ordinance.

ZONING ORDINANCES

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

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Councilmember Rose'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: (6-0 Vote, Mayor Pro Tem Trevino absent)

- (1) HI-PLAINS SAVINGS & 7418-7218 Highway 71 From Interim "RR"
LOAN to "GO"
By John Kleas
C14-84-441 SECOND & THIRD READINGS

First reading on April 4, 1985, (6-0). Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

- (2) ELEANOR FORD & FIRST 9912 Manchaca From "SF-2"
CITY NATIONAL BANK Road to "GR"
By William Brown
C14r-86-126 SECOND & THIRD READINGS

First reading on September 11, 1986, (6-0) Councilmember Mark Rose out of room at roll call. Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed. Right-of-way on Slaughter Lane has been dedicated by street deed and development restricted to that shown on site plan attached as an exhibit to the ordinance.

- (3) CHARLES & BETTY REDDING 8600 Thunderbird From Interim "SF-2"
C14-85-288.76 Road to "CS"
SECOND & THIRD READINGS

First reading on July 2, 1986, (5-0). Mayor Pro Tem John Trevino, Jr. and Councilmember George Humphrey absent. Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

- (4) GEORGE & DOROTHY 8411 Haskell Drive From Interim "RR"
BRYAN to "LR" & "NO"
C14-85-288.88 THIRD READING

First reading on October 9, 1986, (4-0). Councilmembers George Humphrey, Charles Urdy and Mark Rose out of room at roll call. Second reading on November 13, 1986, (7-0). Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

FULL SERVICES STATE BUDGET

The Council, on Councilmember Rose's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving a full services state budget. (6-0 Vote, Mayor Pro Tem Trevino absent)

ITEM POSTPONED

Postponed until May 14, 1987 is consideration of amending the budget to appropriate \$30,000 to Parks and Recreation for the purpose of the Zilker Summer Musical.

CONSENT ORDINANCES

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (7-0 Vote, Mayor Pro Tem Trevino absent)

Municipal Utility Districts

Amended agreements concerning the creation and operation of the following:

- a. West Travis County Municipal Utility District No. 1
- b. West Travis County Municipal Utility District No. 2

Zoning Ordinance Amendments

Amended the following zoning ordinances to correct the legal description and/or file numbers:

- a. Ordinance No. 851205-G, Case No. C14-84-269
(5716-6288, 6817-7017 and 7110-7313 Convict Hill Road)
- b. Ordinance No. 870129-F, Case No. C14-86-159
(12119-12209 Thompkins Drive, 12305-12425 Thompkins Drive
and 1100-1115, 1201-1225 East Yager Lane)

BOGGY CREEK CHANNEL IMPROVEMENTS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, adopted a resolution authorizing right-of-entry for the U.S. Army Corps of Engineers to construct Boggy Creek Channel Improvements, Phase I. (6-0 Vote, Mayor Pro Tem Trevino absent)

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, adopted a resolution for certificate of self-insurance regarding City-owned properties for the Boggy Creek Channel Improvements, Phase I. (6-0 Vote, Mayor Pro Tem Trevino absent)

COMMISSION WORKPLANS

The Council, on Councilmember Rose's motion, Councilmember Shipman's second, waived the requirement for three readings and finally passed an ordinance considering Section D of the Services and Spending Committee Report relating to the approval of commission workplans. (6-0 Vote, Mayor Pro Tem Trevino absent)

CONSENT RESOLUTIONS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, adopted the following resolutions in one consent motion: (4-0 Vote, Mayor Pro Tem Trevino absent, Councilmembers Rose and Urdy out of the room)

Capital Improvements Program

Approved acquisition of 18,905 square feet of land for street right of way, 1,000 square feet of drainage easement and 4,740 square feet of temporary slope easement for the Loyola Lane Street and Drainage Improvement Project. C.I.P. No. 85/62-32

Approved a supplemental amendment #2 to the Greiner*Austin Team Professional Services Agreement for services related to the development of Facility Development Option 6B, Interim Terminal Area Expansion at Robert Mueller Municipal Airport, for the Aviation Department. C.I.P. No. 86/81-01.

FIRST VOTE: 3-0, Councilmember Shipman abstained, Mayor Pro Tem Trevino absent, Councilmembers Rose and Urdy out of the room.

SECOND VOTE LATER IN THE DAY: 5-0 Vote, Councilmembers Urdy and Shipman out of the room.

Approved a Community Facility Contract with Realtex Funding Corporation for the construction of 1,305.80 feet of Escarpment Boulevard (Convict Hill Road) adjacent to Legend Oaks. C.I.P. No. 83/62-28.

Approved entering into a Community Facilities Agreement with Realtex Funding Corporation for the construction of 624.99 feet of Convict Hill Road. C.I.P. No. 83/62-28.

Contracts Approved

Approved the following contracts:

a. FLOWERS CONSTRUCTION COMPANY
Highway 77 & 81 South
Hillsboro, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Construction of Overhead Electric
Distribution Facilities for RR 2222 -
Dry Creek to Mt. Bonnell 3 Phase
Reconductor, Electric Utility Dept.
Total \$138,865.26 C.I.P. No.
87/14-02

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b. BRB CONTRACTORS, INC.
7801 North Lamar, Suite D-79
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Jollyville Pump Station, Water
and Wastewater Utility Department
Total \$5,863,000.00 C.I.P. No.
83/22-85

c. COLLINS AMBULANCE SALES & SERVICE
7501 U.S. Hwy. 287
Arlington, Texas

- Twenty (20) Type I Class IA
Ambulances, General Services
Department
Thirteen (13) units will be an
immediate purchase with seven (7)
units being acquired under a
Twelve (12) Month Supply Agreement
Item 1 - \$1,209,720.00 87-0183-FC

d. BERGEN BRUNSWIG
3318 Tree Grove
San Antonio, Texas

- Bed Pads, Brackenridge Hospital
Twelve (12) Month Supply Agreement
Total \$35,564.26 BS7-183

License Agreements

Approved a license agreement to allow the encroachment of an electric service line into the right-of-way of the City-owned railroad located between engineering station 2570+55, and engineering station 2575+55. (Request has been submitted by Austin and Northwestern Railroad)

Approach Main

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

a. 240 St. Edward's University Tract (Wastewater)

Austin Senior Aides Program

Authorized submission of an eighth year renewal grant application to the National Council of Senior Citizens for Title V Older Americans Act funding in the amount of \$248,089.00 to operate the Austin Senior Aides Program. (July 1, 1987 through June 30, 1988)

Community Food and Nutrition Grant

Authorized submission of an application to the U.S. Office of Community Services for Community Food and Nutrition Grant.

Out of District Water Service

Authorized 10 LUES of temporary out-of-district water service from Water Control and Improvement District No. 20 to an 11.69 acre

site located within Water Control and Improvement District No. 21.

Authorized 665 LUES of temporary out-of-district water service by Water Control and Improvement District No. 20 to 625.9 acres within Water Control and Improvement District No. 19.

STP

The Council, on Councilmember Rose's motion, Mayor Pro Tem Trevino's second, adopted a resolution approving of secondary financial protection coverage for the South Texas Project.

CAPITAL RECOVERY FEE

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, passed through THIRD READING of 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 the Water and Wastewater Systems; providing a sunset provision for taps purchased, and amendments. (7-0 Vote)

CIVIC CENTER PROJECT MANAGER

Council directed the City Manager to direct staff to post for action on Tuesday May 12 and Thursday May 14, 1987 consideration of selection of a Civic Center Project Manager.

WAIVERS FROM COMPREHENSIVE WATERSHED ORDINANCE

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, waived the requirement for three readings and finally passed an ordinance granting waivers from the Comprehensive Watersheds Ordinance for the following projects: (5-1-0 Vote, Mayor Cooksey voted No, Councilmember Urdy out of the room)

- a. Settlers Valley
- b. Premier Point II
- c. Pilot Knob

LAND PLAN AMENDMENTS

The Council, on Councilmember Humphrey's motion, Councilmember Rose's second, waived the requirement for three readings and finally passed ordinances amending the Land Plan of the following: (5-1-0 Vote, Mayor Cooksey voted No, Mayor Pro Tem Trevino abstained)

- a. Circle C Municipal Utility District No. 2 conforming the District's boundaries to certain lot lines.

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- b. Circle C Municipal Utility District No. 3 conforming the District's boundaries to certain lot lines and changing the use of certain land.
- c. Circle C Municipal Utility District No. 4 conforming the District's boundaries to certain lot lines.

PRIVATE INDUSTRY COUNCIL

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Humphrey's second, waived the requirement for three readings and finally passed an ordinance amending Section 2-3-72 of the Ethics and Financial Disclosure Ordinance by deleting the Private Industry Council from subsection (c). (6-1 Vote, Councilmember Shipman voted No)

ZONING HEARINGS

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

(1)	8-86 032	COLLINWOOD FUD By Donna Kristaponis	Dessau Road at Wandering Way	From "SF-2" To "FUD" <u>FIRST READING</u>
(2)	-87 026	ONION CREEK EXECUTIVE CENTER By Fred Eppright	10816 Crown Colony Drive	From "LO" To "LR" <u>FIRST READING</u>
(3)	r-87 027	STANLEY J. WILLIAMS By Minter, Joseph and Thornhill	2410 East Riverside Drive	From "GR" To "CS-1" <u>FIRST READING</u>
(4)	-87 038	CITY OF AUSTIN By Electric Utility Department	2100 S. Capital of Texas Hwy.	From "SF-2" To "P" <u>ORDINANCE</u>
(5)	-87 039	CITY OF AUSTIN By Electric Utility Department	3101 Northland Drive	From "UNZ" To "P" <u>ORDINANCE</u>
(6)	-87 040	CITY OF AUSTIN By Electric Utility Department	2100 Wheless Lane	From "SF-3" To "P" <u>ORDINANCE</u>

- (7) -87 CITY OF AUSTIN 7000 Spicewood Springs From "DR"
041 By Electric Road To "P"
Utility Department ORDINANCE
- (8) -87 CITY OF AUSTIN 901 Vasquez Street From "SF-2" & "SF-3"
042 By Electric To "P"
Utility Department ORDINANCE

DELETE LOTS 1-12 Villa Suena

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

- (9) -87 CITY OF AUSTIN 1111 Slaughter Lane From "DR"
043 By Electric To "P"
Utility Department ORDINANCE

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

- (10) -87 CITY OF AUSTIN 5300 Salem Hills Drive From "MF-2"
044 By Electric To "P"
Utility Department ORDINANCE
- (11) -87 CITY OF AUSTIN 818 Cardinal Lane (aka) From "SF-3"
045 By Electric 3307 S. 5th Street To "P"
Utility Department ORDINANCE
- (12) -87 CITY OF AUSTIN 3700 Todd Lane From "SF-2"
046 By Electric To "P"
Utility Department ORDINANCE
- (13) -87 CITY OF AUSTIN 12000 Plains Trail From "I-RR"
047 By Electric To "P"
Utility Department POSTPONED TO JUNE 4,
1987
- (14) -87 CITY OF AUSTIN 8914 Research From "LI"
048 By Electric Boulevard To "P"
Utility Department ORDINANCE
- (15) -87 CITY OF AUSTIN 9800 Middle Fiskville From "SF-2"
049 By Electric Road To "P"
Utility Department ORDINANCE
- (16) -87 CITY OF AUSTIN 3419 Steck Avenue From "I-SF-3"
050 By Electric To "P"
Utility Department ORDINANCE
- (17) -87 CITY OF AUSTIN 3701 Grooms From "SF-3"
051 By Electric To "P"
Utility Department ORDINANCE

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- (18) -87 CITY OF AUSTIN 1200 Webberville Road From "SF-3"
052 By Electric To "P"
Utility Department ORDINANCE
- (19) -87 CITY OF AUSTIN 5001 Alf Avenue From "SF-3"
053 By Electric To "P"
Utility Department POSTPONE INDEFINITELY
- (20) -87 CITY OF AUSTIN 2303 Haskell From "UNZ"
054 By Electric To "P"
Utility Department ORDINANCE
- (21) -87 CITY OF AUSTIN 2501 Winsted Lane From "SF-3"
055 By Electric To "P"
Utility Department POSTPONED TO JUNE 4, 1987
- (22) -87 CITY OF AUSTIN 1202 West 10th Street From "SF-3"
056 By Electric To "P"
Utility Department WITHDRAWN
- (24) -87 CITY OF AUSTIN 423 Dawson Road From "CS"
058 By Electric To "P"
Utility Department ORDINANCE
- (25) -87 CITY OF AUSTIN 2100 West 35th Street From "SF-3"
059 By Electric To "P"
Utility Department ORDINANCE

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

- (23) -87 CITY OF AUSTIN 300,301 West Avenue From "UNZ", "CBD"
057 By Electric 701-841 West 1st Street & "DMU"
Utility Department 701-733 West 3rd Street To "P"
ORDINANCE

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

EXEMPTION FROM LANDSCAPING REQUIREMENTS

The Council, on Councilmember Rose's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance amending Chapter 13-2A, 5110 to exempt certain property from compliance with landscaping requirements to provide for a waiver procedure from that same section. (6-0 Vote, Councilmember Shipman out of the room)

APPEALS WITHDRAWN

Mayor Cooksey opened the public hearings set for 5:30 p.m. on:

- 1) An appeal from Mr. Chip Harris, president, Crestview Neighborhood Association, of the Planning Commission's decision regarding a compatibility waiver #RZ-86-063 located at 5301 North Lamar Boulevard.
- 2) An appeal from Mr. Chip Harris, president, Crestview Neighborhood Association, of the Planning Commission's decision regarding a site plan approval at 5301 North Lamar Boulevard.

Tracy Watson, OLDS, reviewed for Council and said the appeal is unfounded.

Chip Harris asked for a continuance of the appeals. Mayor Cooksey said this could not be done.

Otis Budd-Wooten said he opposes and Mrs. Virginia Kirk said the project was all right.

Motion - Died for Lack of Second

Councilmember Shipman made a motion to delete the car wash from the site plan. Her motion died for lack of second.

Motion Made and Withdrawn

Councilmember Urdy made a motion, seconded by Mayor Pro Tem Trevino to deny the appeals. They withdrew their motion.

Both appeals therefore were not upheld since there was no Council action.

ITEMS FROM COUNCIL

Councilmember Rose said his item concerning an ordinance exempting certain subdivisions from the provisions of Chapter 13-15 Article II (The Comprehensive Watersheds Ordinance) of the Austin City Code, had been resolved.

Councilmember Carl-Mitchell discussed pending zoning cases that have not met their conditions for permanent zoning.

SITE PLAN LAPSE PROVISION

The Council, on Councilmember Rose's motion, Councilmember Carl-Mitchell's second, approved determining the applicability of the site plan lapse provision of Chapter 13-2A to site plan No. C14-84-329 (9208-9504 Great Hills Trail)(6-0 Vote, Councilmember Shipman out of the room)

CONTRACT POSTPONED

Postponed until May 14, 1987 is consideration of a contract with Texas Sterling Construction, Inc. concerning wastewater treatment plants.

EXECUTIVE SESSION

Mayor Cooksey 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 personnel matters. No final action, decision or vote will be taken by the Council 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. Northwest MUDS
 - c. Home Savings v. City of Austin
2. Land Acquisition - Section 2, Paragraph f
 - a. Brackenridge Tract
 - b. Municipal Office Consolidation
 - c. Avante Building

RECESS AND ADJOURNMENT

Council recessed its meeting at 8:05 for executive session and adjourned its meeting at 8:55 p.m.