



Austin City Council MINUTES

For NOVEMBER 19, 1987 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

Mayor Pro Tem Trevino called to order the meeting of the Council, noting the absence of Mayor Cooksey, who entered the Council Chamber at 6:00 p.m.

MINUTES APPROVED

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, approved Minutes for special meeting of November 10, 1987 and regular meeting of November 12, 1987. (4-0 Vote, Mayor Cooksey absent, Councilmember Urdy and Councilmember Humphrey out of the room)

BOARD & COMMISSION REPORTS

The report by Renaissance Market Commission on budget issues was not given. The Electric Utility Commission report on Cost of Service Model was presented by Albert Fairweather, chairperson, Electric Utility Commission.

OLD BUSINESS - ZONING ORDINANCES

The Council, on Councilmember Carl-Mitchell'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: (6-0 Vote, Mayor Cooksey absent)

(1) OLIVER B. STREET
C14-84-190

6109 Webberville
Road

From "SF-2"
to "CS"

First reading on September 6, 1984, (6-0).
Conditions have been met as follows: Restrictive
Covenant incorporating conditions imposed by
Council has been executed.

(2) MANFRED KERSCHKE
By Larry G. Hada
C14-86-102

1143 3/4-1147
Gunter Street,
3603 & 3605 Abbate
Circle and 1144
Wayneroy Drive

From "SF-3"
to "MF-3"

First reading on June 26, 1986, (6-0). Mayor Frank C. Cooksey abstained. Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed. Right-of-Way on Gunter Street has been dedicated by Street Deed.

OLD BUSINESS - RESOLUTIONS

Council took no action on Change Order for Jollyville Road Phase II Street and Drainage Improvements, because it had already been approved.

Postponed indefinitely is consideration of approval of an agreement with the State Department of Highways and Public Transportation to provide for improvements to the South First Street Bridge. C.I.P. No. 85/62-12.

WASTE-TO-ENERGY PLANT

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, waived the requirement for three readings and finally passed an ordinance calling a special meeting on November 24, 1987 at 4:00 p.m. in the Council Chamber for the purpose of a public hearing on the Waste-to-Energy Plant; and a special called meeting at 10:00 a.m. in the library for a worksession. (6-0 Vote, Mayor Cooksey absent)

CONSENT RESOLUTIONS

The Council, on Councilmember Humphrey's motion, Councilmember Urdy's second, adopted the following resolutions in one consent motion: (6-0 Vote, Mayor Cooksey absent)

Lease

Approved a lease with VA-MO Investment for the North Loop Community Library.

Capital Improvements Program

Approved acquisition of the following for street purposes:

- a. 1,944 sq. ft. for the North Lamar TSM improvement Project.
(Joseph Sharkey, owner) C.I.P. No. 85/62-56

- b. 4,051 sq. ft. for the Industrial Streets North (United Drive) Project. (Bill Gastron, Inc., owner) C.I.P. No. 85/62-62.

Pulled off were the following:

- c. A 1.006 acres (43,812 sq. ft.) tract of land for the purpose of a U.S. 290/S.H. 71 Right of Way C.I.P. Serial No. 85/62-02.
- d. A 0.816 acre tract of land for the purpose of U.S. Hwy. 290/S.H. 71 right-of-way. C.I.P. Serial No. 85/62-02.

Contracts Approved

Approved the following contracts:

- | | |
|--|---|
| a. HUNTER INDUSTRIES, INC.
P. O. Box 13172
Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
Construction of Cargo Apron
Expansion, Transportation and
Public Services Department
Total \$1,030,693.70 C.I.P. No.
85/81-05 |
| b. ELECTRIC UTILITY CONSTRUCTION, INC.
3300 South Aspen
Broken Arrow, Oklahoma | - CAPITAL IMPROVEMENTS PROGRAM -
Installation of Overhead Electric
Distribution Facilities for
Research Boulevard to Anderson Lane
3 Phase Reconductor, Electric
Utility Department
Total \$143,655.74 C.I.P. No.
87/14-02 |
| c. KINSEL INDUSTRIES
5720 Allison
Houston, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
Lift Station No. 2 Force Main
Interconnection for the South
Austin Regional Wastewater
Treatment Plant Expansion and
Improvements Project,
Water & Wastewater Utility
Department
Total \$241,000.00 C.I.P. No.
85/23-16 |
| d. AVANTI INTERNATIONAL
16920 Texas Avenue
Webster, Texas | - Chemical Grout, Water and
Wastewater Utility Department
Twelve (12) month Supply Agreement
Total \$53,750.00 87-0381-DC |

- e. TOLSON OIL COMPANY
6615 Berkman Drive
Austin, Texas
 - Diesel Fuel and Gasoline, General Services Department
Twelve (12) Month Supply Agreement
Total \$1,937,320.00 87-0444-OM
- f. Bid award:
 - Trap Rock, Grades 3 & 5, Transportation and Public Services Department
Twelve (12) Month Supply Agreement
Total \$781,600.00 87-0285-DC
 - (1) WHITE'S MINES, INC.
116 East Travis Street
San Antonio, Texas
 - Items 1 & 2 - \$602,050.00
 - (2) O. HIBBS TRUCKING
4800 Nixon Lane
Austin, Texas
 - Back-up for Trucking Portion
Estimated total: \$ 179,550.00.
- g. ACUSON CORPORATION
1220 Charleston Road
Mountain View, California
 - Ultrasound Scanner, Brackenridge Hospital
Total \$182,940.00 BH7-229
- h. Bid award:
 - Analytical Test Methods and Supplies, Brackenridge Hospital
Twelve (12) Month Supply Agreement
Total \$206,197.26 BS7-350
 - (1) E.I. DUPONT de NEMOURS & CO. - \$117,192.70
1600 Hurd Drive
Irving, Texas
 - (2) E.M. DIAGNOSTIC SYSTEMS, INC. - \$89,004.56
480 Democrat Road
Gibbstown, New Jersey

License Agreement

Approved entering into the following License Agreement:

- a. For a private roadway crossing on right-of-way of the City-owned railroad at Milepost 137.9 and establishing a fee of \$200.00 per year. (Request submitted for Central Texas Electric Cooperative Kingsland Substation #2, Llano County, Texas)

Intergovernmental Agreement

Approved an Intergovernmental Agreement between Williamson County and the City of Austin regarding the construction of improvements to McNeil Road & the City's Water and Wastewater System.

Item Postponed

Postponed to December 10, 1987 is consideration of approving submission of an application to the Council for Economic Action for \$60,000.00 to develop a Small Business Development System. (6-0 Vote, Mayor Cooksey absent)

Literacy Training

Approved an application for a grant from the Department of Education for \$25,000.00 to expand literacy training in the Austin Public Library.

UDAG

Authorized staff to market the Urban Development Action Grant (UDAG) Program in December, 1987, in order to solicit applications, for the March, 1988 HUD cycle.

ITEMS FROM COUNCIL

Councilmember Shipman postponed her item to consider a model ordinance and resolution to establish City Boards and/or Commissions, and consider a monthly appointment process, to December 3, 1987.

Mayor Cooksey's item to consider funding the Austin Humane Society with an additional \$30,000.00 for increased impoundments was postponed to December 3, 1987.

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, approved exempting the Downtown Optimist Club from certain regulations in order to sell Christmas Trees at the corner of San Gabriel and Lamar, and they must move the fence back from the street. (6-0 Vote, Mayor Cooksey absent)

OPERATING BUDGET AMENDMENT

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, approved amending the 1987-88 Annual Operating Budget by: (6-0 Vote, Mayor Cooksey absent)

- a. Appropriating \$424,000.00 from the Brackenridge Hospital Fund ending balance to implement a 6% shift differential for eligible employees working the evening shift, and a 10% shift differential for eligible employees working the night shift.

HILLS OF LAKEWAY EXEMPTION

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance granting an exemption from the Lake Travis Watershed Ordinance, as recommended by the Environmental Board, for the Hills of Lakeway, Phase 10. (5-1-0 Vote, Councilmember Humphrey voted No, Mayor Cooksey absent)

HILLS OF LAKEWAY EXEMPTION

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance granting an exemption from the Lake Travis Watershed Ordinance for the Hills of Lakeway, Phase 12. (6-0 Vote, Mayor Cooksey absent)

ITEMS POSTPONED

Postponed until November 24, 1987, after the worksession and public hearing, are contract approvals in conjunction with the waste-to-energy plant for Landel, Inc., Holtec International, and Hamon Cooling Towers.

TIPS WAREHOUSE

Council held a discussion on the Tips Warehouse Proposal concerning the appraisal. Council directed the City Manager to direct the staff to proceed with the appraisal.

APPEAL SET

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, set a public hearing for December 17, 1987 at 5:00 p.m. on an appeal of the decision of the City of Austin Office of Land Development Services Department, No. 87-04-8167, as requested by Mr. Charles Jordan, Director of Parks and Recreation Department. (6-0 Vote, Mayor Cooksey absent)

PUBLIC HEARINGS - ANNEXATION

Mayor Cooksey opened the public hearings set for 3:00 P.M. to consider annexation of the following: (Second Hearings)

- a. Full purpose annexation of the proposed Northwest Austin MUDs 1 & 2 (Canyon Creek) area, and the 3M, Schlumberger and Water Treatment Plant #4 sites, comprising approximately 2,308 acres.
- b. Limited purpose annexation of the Uplands, an area of about 3,100 acres in the Barton Creek Watershed at Hwy. 71 and RM 2244. C7ar-87-008

Daron Butler spoke in opposition to full purpose annexation of MUDs 1 & 2.

Jerry Harris, representing 3M, asked that annexation not be done until 1988.

Terry Bray, representing Schlumberger, said they do not want annexation until 1988.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, closed the public hearing on full purpose annexation of the proposed Northwest Austin MUDs 1 & 2 (Canyon Creek) area and the 3M, Schlumberger and Water Treatment Plant #4 sites. (5-0 Vote, Councilmember Humphrey out of the room, Mayor Cooksey absent)

(First reading will be December 10, 1987.)

Motion

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, closed the public hearing on limited purpose annexation of the Uplands, and area of about 3,100 acres in the Barton Creek Watershed at Hwy. 71 and RM 2244. C7ar-87-008. (5-0 Vote, Councilmember Humphrey out of the room, Mayor Cooksey absent) (First reading will be December 10, 1987.)

ZONING ORDINANCE

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, passed through second and third readings of a zoning ordinance as follows: (5-0 Vote, Humphrey out of the room, Mayor Cooksey absent)

HALLMARK BAPTIST CHURCH
By Joseph, Rider &
Cameron
C14-87-025

200 feet from
intersection of
Oak Knoll Drive
and Township Trail

From "DR"
to "SF-2"
Approved with
restrictive
covenant and a
separate agreement
with neighborhood

(Petition now invalid)

Susan Irvin, representing the Hallmark Baptist Church, told Council, "The church is in agreement with the restrictive covenant. The church has signed off on the restrictive covenant and we agree to note on the site plan the volume and page of the restrictive covenant."

Glenn Reddick, representing North Oaks Neighborhood Association, stated: "One clarification to Tracy's statement. The revocation of signatures for a valid petition was based upon the restrictive covenant and a separate agreement being executed. Both have been executed. Basically that separate agreement has some points which are not addressed in the restrictive covenant:

1. The Church will not acquire property adjacent to their existing properties for purposes of expansion of the church facilities.
2. The Church will install an 8' fence along certain property lines.

3. The premises will be used solely for church purposes.

4. Granting of a 5' easement to one of the property owners.

All those conditions have been satisfied. We are happy with the agreement."

PUBLIC HEARING - CITY OF AUSTIN PURCHASING REPORT

Mayor Pro Tem Trevino opened the public hearing on the City of Austin Purchasing report. There were two speakers: Rick Lindsey of Lindsey Office Products; and David Stanger, Waukesha Equipment.

Motion

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, closed the public hearing. (6-0 Vote, Mayor Cooksey absent)

EXECUTIVE SESSION

Mayor Pro Tem Trevino 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

RECESS - Council recessed for executive session from 4:20 p.m. to 5:00 p.m.

PUBLIC HEARING - LETTER OF CREDIT POLICY

Mayor Pro Tem Trevino opened the public hearing on Letter of Credit Policy. Names of people who spoke are in the speaker card file in the City Clerk's office.

Motion

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, closed the public hearing. (6-0 Vote, Mayor Cooksey absent)

Motion

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, voted to continue the public hearing to 12/10/87 at 6:00 p.m. (6-0 Vote, Mayor Cooksey absent)

PUBLIC HEARING - GOLD CROSS SERVICES, INC. FEES FOR EMERGENCY TRANSFERS

Mayor Pro Tem Trevino opened the public hearing to consider an increase in the fee charged by Gold Cross Services, Inc. for non emergency transfers. Bill Stockton, Director of EMS, discussed the request and said it is well within bounds. No one else appeared.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, closed the public hearing, waived the requirement for three readings and finally passed an increase in the fee charged by Gold Cross Services, Inc., for non emergency transfers, as recommended by staff. (5-0 Vote, Councilmember Urdy out of the room. Mayor Cooksey absent.)

RECESS - Council recessed its meeting from 5:10 p.m. to 6 p.m. At this point, Mayor Cooksey entered the Council Chamber.

PUBLIC HEARING - STEINER RANCH

Mayor Cooksey opened the public hearing on creation of Steiner Ranch Municipal Utility Districts 1 and 2.

TRANSCRIPT OF THE HEARING IS ON FILE IN THE
CITY CLERK'S OFFICEMotion

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, closed the public hearing. (Ordinance will be brought back on December 3, 1987.) (7-0 Vote)

DISANNEXTION OF STEINER RANCH

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, passed through FIRST READING ONLY, an ordinance for disannexation of Steiner Ranch, in compliance with the law. (4-2-1 Vote, Councilmembers Shipman and Nofziger voted No, Councilmember Humphrey abstained.)

CIVIC CENTER ARCHITECTS & FINANCIAL PLANNER

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, adopted a resolution to approve Austin Collaborative Venture (Page Southerland Page; Lawrence W. Speck, Associates, Inc.; Villalva-Cotera-Kolar; Ellerbe Associates, Inc.;

Johnson, Johnson & Roy/Inc.; and Wilbur Smith and Associates) as architects for the Civic Center, as recommended by Gilbane Building Company. (6-0 Vote, Councilmember Shipman abstained due to conflict of interest)

Council discussed the financial planner recommended by Gilbane Building Company, which was Coopers and Lybrand. They asked the Acting City Attorney, Jonathan Davis to check on whether or not there would be a conflict of interest since Coopers and Lybrand are the City's auditors. After research, Mr. Davis said there would be no conflict of interest. Councilmembers requested that this be posted for action at the special called meeting of November 24, 1987.

ADJOURNMENT

Council adjourned its meeting at 7:25 p.m.