



Austin City Council MINUTES

For OCTOBER 22, 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 presence of all Councilmembers.

MINUTES APPROVED

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, approved minutes for regular meeting of October 15 and special meeting of October 13, 1987. (5-0 Vote, Councilmembers Urdy and Carl-Mitchell absent)

CITIZEN COMMUNICATIONS

Ms. Glenn Scott discussed AFSCME participation in personnel policy review committee. Mr. Ben Brown discussed the same subject. Mr. Mark Breit, Mr. James O. Pollard and Mrs. Rita Schwarzer discussed disannexation of property. Mr. J.R. Ewing did not speak. Mr. Tom Smith, Mr. Chris Strand and Ms. Glenna Balch all talked about Southern Union Gas conservation plan. Mrs. Janet Klotz spoke about anticipated growth in northeast inventory area and related issues.

OLD BUSINESS - ZONING ORDINANCE

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell'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, Mayor Pro Tem Trevino and Councilmember Urdy out of the room)

CITY OF AUSTIN
C14-86-165 and
C14h-86-011

500 Block of
Baylor Street

From "CS-H"
to "P-H"

First reading only on July 31, 1986, (7-0). No conditions to be met.

ZONING POSTPONED

Postponed until November 5, 1987 is consideration of second/third readings of Zoning Case C14-87-025, Hallmark Baptist Church.

CONSENT ORDINANCES

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

Tap Expiration Ordinance

Approved request for an exemption to the Tap Expiration Ordinance from Mr. James A. and Mrs. Billie J. King, for 12205 Mustang Chase, Lot 6, Section 10, Angus Valley.

Zoning Ordinance Amendment

Approved amending the following zoning ordinances to correct the legal description or use designation:

- a. Ordinance No. 861016-G, Case No. C14-86-004 locally known as 8500-8900 FM 1825.
- b. Ordinance No. 861023-C, Case No. C14-86-006 locally known as 6406 Burleson Road.

Street Name Change

Approved the following street name change:

- a. Donn Ann Street to Calle Limon, from Bolm Road southerly to Lyons Road. (Request submitted by John Limon who is representing all the owners)

(6-0 Vote, Mayor Pro Tem Trevino abstained. The Limon's are his relatives.)

Item Postponed

Postponed to October 29, 1987 is consideration of adopting a policy for the use of Certificates of Participation.

Franchise Agreement with Southwestern Bell Telephone Company

Passed through FIRST READING ONLY of an ordinance amending the franchise agreement between the City and Southwestern Bell Telephone Company.

CONSENT RESOLUTIONS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, adopted the following resolutions all in one consent motion: (7-0 Vote)

Release of Easements

Authorized release of the following easements:

- a. A portion of a drainage and Public Utility Easement of record in Book 48, Page 88, Travis County Plat Records, and located on Lot 2 of the 1969 Resubdivision, Lots 2 and 3, Block "F", Northwest Hills Mesa Oaks, Phase 4-A. (Request submitted by Nancy Pond on behalf of Dwight and Letitia Teeter)
- b. A portion of a Public Utility Easement of record in Book 52, Page 57, Travis County Plat Records located on Lot 19, Block "W", Northwest Hills Cat Mountain Section Amended 52/57. (Request submitted by Donna Edgeman on behalf of Richard J. and Mary K. Fruth)
- c. Nine Utility Easements as shown in Exhibit "A", located in the Decker Creek Municipal Utility District. (Request submitted by Espey, Huston & Associates, Inc.)

Capital Improvements Program

Approved acquisition of a 1.711 acre drainage easement for the purpose of U.S. Hwy. 290/S.H. 71 Expansion. C.I.P. No. 85/62-02.

Authorized and approved a proposed supplemental amendment No. 5 to the Professional Services Agreement between the City of Austin and Black and Veatch Engineers/Architects, for the construction phase engineering services associated with the Pilot Knob Reservoir. C.I.P. No. 82/22-20.

Contracts Approved

RIVER CITY MACHINERY COMPANY
12949 Research Boulevard
Austin, Texas

- Four Yard Front Loader, General
Services Department
Total \$96,111.00 87-0383-OM

10/22/87

CENTRAL TEXAS CLARKLIFT
12200 North IH-35
Austin, Texas

- 12,000 Pound Capacity Forklift
General Service Department
Total \$30,980.00 87-0426-OM

Food Catering & Vending for Police Department and City Jail

Authorized and approved a twelve month period for an agreement between the City of Austin and Texas Commission for the Blind to provide food and vending concession at the Police Department and food catering to inmates at the City Jail.

Interlocal Cooperation Agreements

Renewed the Interlocal Cooperation Agreement for City and County Pharmacy Services with Travis County for the period October 1, 1987 to September 30, 1988.

Amended and extended the Interlocal Cooperation Agreement with Travis County for Homecare Services for the period October 1, 1987 to September 30, 1988.

Item Postponed

Postponed to October 27, 1987 consideration of the Tips Warehouse.

Postponed to October 29, 1987 consideration of contract for building expansion of the Zachary Scott Theatre facility.

DEVELOPMENT PROCESSING AND PERFORMANCE OVERLAY ORDINANCES

Council had before them for consideration the THIRD READING of the Development Processing Ordinance (13-1) and the Performance Overlay Ordinance.

Brooks Herring, Capital Area Building Association, and Donna Kristaponis both discussed the ordinance.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Mayor Cooksey's second, amended the ordinance by adopting the Planning Commission recommendation noted in the City Manager's Memo of October 22, Items 2,3,5 (Copy on file in City Clerk's Office).
(7-0 Vote)

Motion

The Council, on Councilmember Carl-Mitchell's motion, Mayor Cooksey's second, passed through THIRD READING of the Development Processing Ordinance (13-1) and the Performance Overlay Ordinance, as amended. (7-0 Vote)

10/22/87

Councilmember Shipman proposed an amendment to be submitted to the Planning Commission and asked that it be brought back to Council on November 19, 1987.

BONITA VISTA SUBDIVISION

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, passed through SECOND READING an ordinance granting a Comprehensive Watershed Ordinance waiver to Bonita Vista Subdivision. (4-2-1 Vote, Mayor Cooksey and Councilmember Nofziger voted No, Councilmember Shipman abstained.) Third reading will be October 29, 1987.

PHARMACIES

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, adopted a resolution approving the proposal establishing class "A" pharmacies at Rosewood-Zaragosa and East Austin Health Centers as proposed in the 1987-88 Financial Plan. (4-3 Vote, Mayor Cooksey, Councilmember Nofziger and Councilmember Shipman voted No.)

WATER DISTRICT SUBMISSION REQUIREMENTS

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, adopted a resolution concerning Water District submission requirements. (7-0 Vote)

CONTRACT POSTPONED

Postponed until October 29, 1987 is consideration of the following contract:

PORT ENTERPRISES, INC.
P.O. Box 447
Port Lavaca, Texas

- Re-roofing of Screen Tower
Intake Structure at Seaholm
Power Plant, Electric Utility
Department
Total \$36,325.00 87-C217-JJ

ABSOLUTELY, POSITIVELY AUSTIN

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, approved the "Absolutely, Positively Austin" campaign. (7-0 Vote)

2ND ANNUAL MARATHON

The 2nd Annual Marathon was discussed.

DISANNEXATION OF STEINER RANCH

Council had before them for consideration an ordinance to consider disannexation of Steiner Ranch from the limited purpose area.

Motion

Mayor Pro Tem Trevino made a motion to initiate immediate deannexation proceedings for the Steiner Ranch and direct the City Manager to work with the property owners to comply with the notice and procedure requirements for deannexation, under Article 970a, Subsection H, and return this item to Council at the earliest possible time for action. Motion was seconded by Councilmember Carl-Mitchell and passed by a vote of 7-0.

CHANGE ORDER

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

a. In the amount of \$39,602.42 to O'Neal Construction, Inc., for the Austin Nature Center. (3.18% increase of the original contract amount of \$1,245,600.00 - Total changes to date equal 5.36%)
C.I.P. No. 77/86-15.

CONTRACTS APPROVED

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, adopted a resolution approving the following contract: (6-0 Vote, Councilmember Carl-Mitchell out of the room)

| | |
|-----------------------------|-------------------------------|
| S & L SEAGRAVES SALES, INC. | - Fire Fighting Equipment, |
| 4216 Felter Lane | General Services Department |
| Austin, Texas | Twelve Month Supply Agreement |
| | Total \$125,000.00 87-0427-VW |

The Council, on Councilmember Humphrey's motion, Councilmember Urdy's second, adopted a resolution approving the following contract: (5-0 Vote, Mayor Pro Tem Trevino, Councilmember Carl-Mitchell out of the room)

| | |
|----------------------------|---------------------------------|
| Turner Subscription Agency | - Subscription Services for |
| 116 East 16th Street | Magazines and Newspaper, Austin |
| New York, New York | Public Libraries |
| | Thirty-six Month Supply |
| | Agreement |
| | Total \$160,000.00 87-0418-NH |

The Council, on Councilmember Shipman's motion, Councilmember Urdy's second, adopted a resolution approving the following contract: (6-0 Vote, Mayor Pro Tem Trevino out of the room)

10/22/87

AVS FOOD SERVICES, INC.
611 Neches
Austin, Texas

- Vending Machine Concession,
Brackenridge Hospital
One Year Agreement
Estimated revenue \$70,480.00
87-S343-EC

CONTRACT POSTPONED

Postponed to October 29, 1987 is a contract with Sechrist-Hall Company, for re-roofing and wall repair at Brackenridge Hospital, Transportation and Public Service Department.

ROADWAY IMPROVEMENTS

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, adopted the Urban Transportation Commission Resolution to approve the designated use of sales tax for roadway improvements. (5-0 Vote, Councilmembers Urdy and Humphrey out of the room)

RECESS: Council recessed its meeting from 4:10 to 5:00 p.m.
PUBLIC HEARING CONTINUED

Mayor Cooksey opened the public hearing set for 5:00 p.m. on Letter of Credit policy. Names of people who spoke are on file in the City Clerk's office.

Council agreed to continue the public hearing to the November 5, 1987 meeting.

PUBLIC HEARING POSTPONED

The public hearing set for 4:30 p.m. on amending the water and wastewater utility service area ordinance to include the Z.T. Scott property located in the Rinard, Marble and Maha Creek Drainage Basin, was postponed to November 5, 1987.

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. Pending Litigation - Section 2, Paragraph e d. Southern Union Gas Company v. City of Austin

RECESS

Council recessed for executive session from 6:10 to 7:00 p.m.

PUBLIC HEARING - KERRVILLE BUS COMPANY FRANCHISE

:

Mayor Cooksey opened the public hearing set for 6:30 p.m. on granting Kerrville Bus Company, Inc. a franchise for five years to operate and maintain limited charter bus services for transportation of persons upon the public streets and highways of the City of Austin; and ratifying the maximum "rate of fare" for charter bus service to be assessed by Kerrville Bus Company.

No one appeared to be heard.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, closed the public hearing and passed through FIRST READING ONLY an ordinance granting Kerrville Bus Company, Inc. a franchise for five years to operate and maintain limited charter bus services for transportation of persons upon the public streets and highways of the City of Austin; and ratifying the maximum "rate of fare" for charter bus service to be assessed by Kerrville Bus Company. (6-0 Vote, Councilmember Urdy out of the room)

RECESS

Council recessed its meeting from 7:03 to 7:30 p.m.

PUBLIC HEARING - SOUTHERN UNION GAS RATES

Mayor Cooksey opened the public hearing set for 7:30 p.m. to consider establishing the level of gas rates to be charged by Southern Union Gas Company.

Cards for those who spoke are on file in the City Clerk's office.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Nofziger's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance adopting the rates in effect prior to August 20, 1987, but allowing an increase for service relocation changes. (7-0 Vote)

ADJOURNMENT

Council adjourned its meeting at 8:13 p.m.