



Austin City Council MINUTES

For MARCH 19, 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 Shipman's motion, Councilmember Carl-Mitchell's second, approved minutes for regular meeting of March 12, 1987 and special meeting of March 8, 1987. (6-0 Vote, Councilmember Rose out of the room)

CITIZENS COMMUNICATIONS

Mr. Fred Michaelis invited Council to attend a showing of "Urban Subsistence Survival" at the Unity Church on Del Curto. Mr. Jesus Miranda discussed bidding practices by Public Works, Design Engineering Section. Mr. Sidney B. Grief and Charles R. Jones discussed an ordinance presented by Citizens Against Pornography. Mr. James Pinedo did not speak. Mr. Pete Dwyer talked about lack of action on approach mains. Mr. Jim Fellers did not appear. Mr. Terry Davis talked about procurement practices and procedures. Col. Don F. Rettberg discussed status report on Infant-Parent Building Project.

BOARD REPORT POSTPONED

Indefinitely postponed is the Retirement Boards proposal to reduce level of local disclosure.

OLD BUSINESS - ZONING ORDINANCES

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, passed through second and third readings of ordinances amending Chapter 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes: (7-0 Vote, unless otherwise noted)

3/19/87

- (1) JOHN A. JOSEPH
C14-85-244.11
- Generally located
North of West Braker
Lane and East of
U. S. 183
- From Interim "SF-2"
to "LI"

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

- (2) RON F. BEARDEN
C14-85-288.126
- 6804 Bee Caves Road
- From Interim "RR"
to "CS"

First reading on June 18, 1986, (7-0). Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

- (3) PHILIP C. JOSEPH
C14-85-149 (part)
- Part of the 46 1/2
acre tract located at
Parmer Lane, North
Lamar & I.H. 35
- From Interim "SF-2"
to "LO"
- 5-2 Vote, Council-
members Shipman and Carl-Mitchell voted No.

First reading on December 12, 1985, (5-2). Council-
members Snoot Carl-Mitchell and Sally Shipman voted "NO".
Conditions have been met as follows: Restrictive Covenant
incorporating conditions imposed by Council has been executed.

- (4) INDUSTRIAL LAMINATES
CORP.
By Robert D. Kelly
C14-84-320
- 1800-1810 E. 4th
Street
- From "MF-3"
to "LI"

First reading on December 6, 1984, (6-0). Councilmember
Mark Rose absent. Conditions have been met as follows:
Development restricted to that shown on site plan attached
as an exhibit to the ordinance. Right-of-Way on East
Fourth Street has been dedicated by street deed.

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: (6-0 Vote, Councilmember Humphrey out of the room)

Operating Budget Amendment

Amended the 1986-87 Annual Operating Budget by transferring \$243,750.00 from the Aviation Fund Ending Balance to increase the CIP transfer to \$5,832,658.00 and appropriating these funds to the Taxiway Reconstruction and Overlay Project.

Item Postponed

Postponed indefinitely is consideration of amending Ordinance No. 860717-X, Article V, Section 2-3-72(c) to delete inclusion of the Employees' Retirement System Board of Trustees, the Firemen's Relief and Retirement Fund Board of Trustees, and the Police Retirement Board of Trustees in that Section, and consider amending Ordinance No. 860717-X Article V, Section 2-3-72(d) to include these three boards.

Commission on Status of Women

Approved amending the ordinance creating the Commission on the Status of Women to allow the member emeritus voting privileges.

Postponed Item

Postponed to April 2, 1987 consideration of waiving the Steiner Ranch Project from the Comprehensive Watersheds Ordinance.

Speed Zones

Amended the Austin City Code to modify the following speed zones:

11-2-100(e) 55 mph

Delete: Manchaca Road from William Cannon Drive to South City Limits
(365 feet south of Shiloh Drive)

11-2-100(d) 50 mph

Delete: Manchaca Road from Matthews Lane to South City Limits (365 feet south of Shiloh Drive)

11-2-100(c) 45 mph

Add: Manchaca Road (FM 2304) from Matthews Lane (mile point 3.0) to 1,082.4 feet south of West Slaughter Lane (mile point 5.276)

ITEM POSTPONED

Postponed to March 26, 1987 is consideration of amending Ordinance No. 870219-R to require purchasers of a single-family attached residence to consult an attorney.

CONSENT RESOLUTIONS

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, adopted the following resolutions in one consent motion: (6-0 Vote, Councilmember Humphrey out of the room)

Release of Easement

Authorized release of the following easement:

- a. A 15' Public Utility Easement of record in Volume 83, Page 107C, Plat Records of Travis County, Texas, located on Lots 1 and 2 of Burge Burnet Subdivision Two. (Request submitted by Don Sigety of Baker-Aicklen & Associates on behalf of his client Mayfield-Wilkerson-Jefferson Partnership #3)

License Agreement

Approved entering into the following license agreement: To allow the encroachment of a canopy into the East 5th Street right-of-way adjoining 504 East 5th Street. (Request submitted by Patrick Riordan on behalf of Young-Zapp Joint Venture)

Contracts Approved

Approved the following contracts: (Except for "d" which was postponed)

- | | |
|--|---|
| a. H & H CONCRETE CONSTRUCTION
P. O. Box 6460
Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
Miscellaneous Drainage Improvements
No. 1, Phase C, including water and
wastewater adjustments, Transportation
and Public Services Department
Total \$843,944.00 C.I.P. Nos.
85/60-03, 86/22-04 & 86/23-04 |
| b. THE CADENCE GROUP, INC.
3101 Bee Caves Road, Suite 301
Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
Hornsby Bend Wastewater Treatment
Plant Support Facilities Complex,
Transportation and Public Services
Department
Total \$4,118,800.00 C.I.P. No.
85/23-15 |
| c. W. K. JENNINGS ELECTRIC COMPANY
INC.
1707 Dungan Lane
Austin, Texas | - Installation of Microwave Tower
Foundations at various substations,
Electric Utility Department
Total \$74,100.00 87-C063-JJ |
| 5-0 Vote, Councilmember Rose abstained, Councilmember Humphrey out of the room. | |
| d. BLAME TREE SERVICES, INC.
1236 Cude Cemetery Road
Willis, Texas
<u>POSTPONED TO 4/2/87</u> | Work Force for Tree Trimming and
Line Clearing Work, Electric
Utility Department
Total \$949,598.00 87-C072-JJ |
| e. MEDLINE
2707 Hopewell Court
Leander, Texas | - Surgical Wraps, Brackenridge
Hospital
Twelve (12) Month Supply Agreement
Total \$37,663.92 BS7-072 |

Approach Mains

Approved the following approach mains:

819 McNeill Cut-off Joint Venture (Wastewater)
1011 82.5 Acre Blue Goose Rd. Tract (Wastewater)

Postponed indefinitely are: 947 Johnston 10 Acre Tract (Water)
City Cost Participation
948 17 Acre Boston Lane Tract (Water)
City Cost Participation
989 17 Acre Boston Lane Tract (Waste-
water)

Westview on Lake Austin

Approved an amendment of restrictive covenant for Westview on Lake Austin, Phase A, Subdivision.

Texas Department of Human Services Contract

Approved amending the Texas Department of Human Services contract providing hospital-based caseworkers and data communications access.

Coal Contract

Approved entering into a short-term coal contract with Elk River Resources, Inc.

Bell County Health Facilities

Approved the use of the proceeds of revenue bonds issued by the Bell County Health Facilities Development Corporation to finance health facilities to be located within the boundaries of the City of Austin; requesting that the Bell County Health Facilities Development Corporation loan certain proceeds of its revenue bonds to St. David's Community Hospital; and consenting to the acquisition of certain facilities by the Hospital with the proceeds of such loan.

Circuit 961

Approved determining the route of, acquiring easements and fee titles for, Circuit 961, Jollyville to Howard Lane

Circuit 974

Approved determining the route of, acquiring easements and fee titles for, Circuit 974, Dessau to Sprinkle.

Dessau Electric Substation

Approved locating, surveying and determining compensation to be paid for said interest, and negotiating for and acquiring fee titles for Dessau Electric Substation.

Item Postponed

Staff requested indefinite postponement of a resolution to consider determining the route of, acquiring easements and fee titles for, and constructing Circuit 3126, Austrop to McNeil.

Barton Springs Bathhouse Renamed

Approved naming a portion of the Barton Springs Bathhouse in Zilker Park (old office and two basket rooms) the B.J. "Buster" Robinson Sr., Information Center. (Recommended by Parks and Recreation Board)

ANNUAL OPERATING BUDGET AMENDMENT

The Council, on Councilmember Shipman's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance amending the 1986-87 Annual Operating Budget by allocating \$20,000 from the Social Services Contingency Fund to Community Advocates for Teens and Parents, Inc., for the establishment of a new shelter program, with the caveat they meet with Department of Housing and Community Services to work out a budget for their money. (6-1 Vote, Mayor Pro Tem Trevino voted No)

AUSTIN METROPOLITAN AREA ROADWAY PLAN

The Council, on Councilmember Rose's motion, Councilmember Urdy's second, adopted a resolution to adopt Criteria 1 and 2 and add Koenig Lane from the Austin Transportation Study Plan for analysis for potential amendment to the Austin Metropolitan Area Roadway Plan. (7-0 Vote)

ITEMS FROM COUNCIL

Mayor Cooksey introduced an item of discussion about the bond counsel. He said he wants to spread the bond business around and assign a different law firm to GO bonds, another to revenue bonds and still another to special project bonds.

Mayor Cooksey also introduced an item to Council concerning Civic Center RFP requirements.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Humphrey's second, adopted a resolution clarifying Civic Center RFP requirements for Minority and Women Owned Businesses. (5-0 Vote, Councilmembers Shipman and Urdy out of the room)

APPEAL SET

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, set an appeal hearing for April 2, 1987 at 5:00 p.m. on the request of Mr. Chip Harris, president of Crestview Neighborhood Association on an appeal of the Planning Commission's decision regarding a site plan approval at 5301 North Lamar. (Related to an earlier appeal by Mr. Harris as to the compatibility waiver for this project) No. RZ-86-063. (6-0 Vote, Councilmember Urdy out of the room)

ITEM POSTPONED

Postponed was consideration of a resolution instructing the City Manager to design and implement an interim water action plan and hire the necessary project managers.

PUBLIC HEARING - UTILITY HEARING EXAMINER SYSTEM

Mayor Cooksey opened the public hearing set for 3:30 p.m. to consider adopting a Utility Hearing Examiner System. Mayor Cooksey said the purpose of this would be to set up a logical system. It would be used by Electric Utility Commission and insure the City of Austin of adequate consideration of matters concerning the rate structure.

Lanetta Cooper spoke against a utility hearing examiner system. Richard G. Baldwin, Radian Corporation; Dan H. Rogers, Motorola; Dan Van Cleve, IBM/FAIR; and Bob Mossman, FAIR, all spoke in favor of the system. Shudde Fath also spoke.

Mayor Cooksey said he would like to have the hearing examiner operate through the Municipal Court system. The Mayor announced the public hearing would be continued on April 2, 1987 at 3:30 p.m.

ITEM FROM COUNCIL

Councilmember Urdy introduced an item to Council with staff update of acquisition of easements for the waterline in the East Austin Transmission Main Project. C.I.P. No. 22/75-05. The update was given.

PUBLIC HEARING - WAIVING OF PERFORMANCE BOND REQUIREMENTS

Mayor Cooksey opened the public hearing set for 4:00 p.m. to consider waiving the taxicab performance bond requirements for the Taxicab Ordinance for Harlem Cab Company and Roy's Taxi.

Carlos Velasquez, representing Roy's Taxi spoke in favor. Audley Blackburn spoke against.

No motion was made by Council, therefore status quo prevails.

PUBLIC HEARING - TAXICAB FRANCHISE FORFEITURE

Mayor Cooksey opened the public hearing set for 4:30 p.m. to consider cancellation and forfeiture of the taxicab franchise granted by Ordinance No. 840927-D to Capital Cab Company, Inc.

Those speaking in favor were Kirk Becker, Charles T. LaFever, and Carlos O. Velasquez. Speaking against was Thag Coker. Bertha Means and Nancy Cowen also spoke.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, closed the public hearing and approved concept. (6-0 Vote, Councilmember Rose out of the room)

PUBLIC HEARING - DISCRIMINATION AGAINST DISABLED PERSONS

Mayor Cooksey opened the public hearing set for 5:00 p.m. on amending Chapter 7-4 of the Code of the City of Austin by adding Article VII to prohibit discrimination against disabled persons.

Speakers favoring the amendment were Carol Christ, Audley Blackman, Lanetta Cooper, and Martha Arbuckle. Speaking against was William C. Johnson.

Motion

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Trevino's second, closed the public hearing and approved concept. (7-0 Vote)

EXECUTIVE SESSION

Mayor Cooksey announced Council would go into executive session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to disclose 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
 - (b) Cable Matters
 - (c) Overton et. al. v. City of Austin
2. Land Acquisition - Section 2, Paragraph f
 - (a) Municipal Office Consolidation
 - (b) Brackenridge Tract
 - (c) Groves Boulevard

RECESS

Council recessed its meeting at 5:35 p.m. and resumed its recessed meeting at 9:20 p.m.

ZONING ACTION POSTPONED

Postponed, due to notification error, was action on cases C14-86-325 and C14-86-326 concerning Austin Community College.

LEGISLATIVE UPDATE

Council was given an update on legislative activities.

ADJOURNMENT - Council adjourned its meeting at 9:30 p.m.