



Austin City Council MINUTES

For MARCH 1, 1990 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

Mayor Cooke called to order the meeting of the Council, noting the presence of all Councilmembers.

MINUTES APPROVED

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, approved minutes for regular meeting of February 15, 1990 and February 22, 1990 and special meeting of February 13, 1990. (4-0 Vote, Councilmembers Nofziger, Urdy and Barnstone out of the room)

SPECIAL PROCLAMATIONS AND RESOLUTIONS

Mayor Pro Tem Shipman read a proclamation for Sharon Yates, her administrative assistant, who is leaving the City. Mayor Pro Tem Shipman also read a resolution on an Interlocal Cooperative Agreement relating to the donation of depreciated City property and other in-kind contributions. This resolution referred to Sharon and her re-location to Amarillo. Mayor Pro Tem Shipman also read an Ode to Sharon and presented her with an Honorary Citizen in the City of Austin, Texas plaque.

Councilmember Carl-Mitchell presented a proclamation to John Hrncir who is leaving his position as administrative assistant to work for LCRA. Tracy Watson, Planning Department, discussed the relocation of an historic structure, referring to John, who had been designated a historic structure two years ago.

The Mayor and members of the Council expressed their appreciation for the services of these two administrative assistants and wished them well in their new ventures.

CITIZEN COMMUNICATIONS

Mr. Tim Jones discussed environmental and ecological concerns. Mr. Brian Lunch discussed concerns regarding an employee of Carver Library. Mr. Sam Griswold discussed aviation related topics. Mr. Bob Larson talked about programming on Cable TV Channel 6. Ms. Carol Guthrie talked about employee relations.

PARKS BOARD

A Parks Board report concerning communications with Council was presented and discussed.

CONSENT RESOLUTIONS

The Council, on Councilmember Humphrey's motion, Councilmember Urdy's

second, adopted the following resolutions in one consent motion: (6-0 Vote, Councilmember Carl-Mitchell out of the room.)

Construction Contract

Approved a construction contract award to CASH CONSTRUCTION COMPANY, Pflugerville, Texas, for West University Wastewater Rehabilitation Zone "E" which comprises the area bordered by Guadalupe Street, West 26th, San Gabriel Street and MLK Boulevard, in the amount of \$1,582,477.00 included in C.I.P. No. 436-237-0380 - Public Works and Transportation Department.

Relocation of Water Utilities

Approved an agreement with the State Department of Highways and Public Transportation, in the amount of \$961,860.93 for relocation of water utilities on U.S. 290 from East of Industrial Oaks Blvd. to West of Westgate Blvd. C.I.P. No. 3882270913.

Public Hearing Set

Set a public hearing for consideration of amended Land Use Assumptions and revised service area for the Water and Wastewater Impact Fee pursuant to S.B. 336, on April 5, 1990 at 5:00 P.M.

LAKE CREEK FESTIVAL PROPERTY

The Council, on Councilmember Barnstone's motion, Mayor Cooke's second, waived the requirement for three readings and finally passed an ordinance approving a variance from Section 13-5-9 of the Land Development Code in accordance with Section 13-5-19 for Case Number SP-89-0214C from the requirement of dedicating additional right of way on the Lake Creek Festival property. (6-0 Vote, Councilmember Carl-Mitchell was out of the room.)

RANCHING AND FARMING

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, adopted a resolution relating to clearing activities and ranching and farming within Austin's jurisdiction. (7-0 Vote)

LOBBYING

The Council, on Councilmember Urdy's motion, Mayor Cooke's second, passed through third reading of an ordinance amending Chapter 2-3 of the Austin City Code relating to ethics and Chapter 9-6 of the Austin City Code relating to lobbying and possible study of necessary revisions, and instruct the Council Sub-Committee to study the need for amendments and report back to Council prior to April 5, 1990. (4-3 Vote, Councilmembers Humphrey and Carl-Mitchell and Mayor Pro Tem Shipman voted No.)

BUDGET AMENDMENT

The Council, on Councilmember Barnstone's motion, Councilmember Nofziger's second, waived the requirement for three readings and finally passed an ordinance amending the 1989-90 Operating Budget by appropriating \$200,000.00

from the General Fund Contingency Reserve to the Health and Human Services Department to reimburse the Central Texas Medical Foundation for revenue shortfall in 1988-89. (6-1 Vote, Mayor Pro Tem Shipman voted No.)

NO ACTION ON ITEMS

No action was taken on the three items on the agenda concerning the acquisition of a tree farm.

CULTURAL CONTRACT BUDGET

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance amending the 1989-90 Cultural Arts Fund Contingency by transferring \$28,000.00 to the Cultural Contract Budget for the promotion of cultural events. (5-0 Vote, Mayor Cooke and Councilmember Humphrey out of the room.) (Tickets are to be made available at the Visitor's Center.)

IMPROVEMENTS TO CITY PARK ROAD AT RM 2222

The Council, on Councilmember Carl-Mitchell's motion, and Mayor Pro Tem Shipman's second, adopted a resolution approving an agreement with the State Department of Highways and Public Transportation in the amount of \$60,000.00 for improvements to City Park Road at RM 2222. C.I.P. 825-607-2039. (5-0 Vote, Councilmembers Nofziger and Urdy out of the room.)

PUBLIC HEARING - APPEAL

Mayor Cooke opened the public hearing set for 3:15 P.M. on an appeal on the decision of the Building Standard's Board regarding the structure located at 4808 Avenue H. Speaker's cards are on file in the City Clerk's office.

Motion

The Council, on Councilmember Barnstone's motion, Councilmember Urdy's second, closed the public hearing and granted the appeal and granted the appellant 180 days, from March 1, 1990, to bring the house up to the standards of Building Standard's Board. (4-2 Vote, Mayor Cooke, Mayor Pro Tem Shipman voted No, Councilmember Humphrey out of the room.)

ZONING HEARINGS

Mayor Cooke announced Council would hear the following zoning cases. Council heard, closed the public hearings and took action as follows:

C14-90-0001 - LANDMARK ASSOCIATES OF AUSTIN, by Jenkins & Gilchrist, 9050 Capital of Texas Hwy. North, from "LO" to "LR". RECOMMENDED
ORDINANCE

C14-90-0003 - BEIJING WOK INN INCORPORATED, 8106 Brodie Lane, from "LR" to "GR".
RECOMMENDED
ORDINANCE

C14r-83-291 - CROW-GOTTESMAN-HILL #11, by Site Specifics, 12421-12503 North

Mopac; 2505-2509 West Parmer Lane - (Ordinance Amendment to Delete Portion of Site Plan) RECOMMENDED ORDINANCE

C14-89-0077 - F.G. SPILLMAN, ET AL, 8327-8413 South Congress, from "DR", "SF-2" to "LI". RECOMMENDED subject to PDFA performance standards if the property is developed for industrial or research and development purposes, a 25-foot front yard setback, and filtration if the salvage yard use is re-established after operation ceases for more than 90 days. FIRST READING

C14-85-242 - WAYNE R. HARKINS, by Dean M. Greenwood, 1203 West Braker Lane - Restrictive Covenant Termination. NO RECOMMENDATION APPROVED

(On Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Humphrey out of the room.)

ITEM POSTPONED

Postponed to March 8, 1990 is approval of third reading of an ordinance for renewal of the Laidlaw Transit Inc. Charter Bus Franchise. Source - Charter Bus Franchise Fee of 10% of gross revenue.

GRANT

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Barnstone's second, adopted a resolution authorizing application for and acceptance of a grant from the Texas State Library for a Job Information Center Project for the period of September 1, 1990 through August 31, 1991. (\$43,835.00 -- State grant funds L.S.C.A. Title I Public Library Services for Disadvantaged Populations. (6-0 Vote, Councilmember Barnstone out of the room.)

RECESS FOR AHFC

Council recessed from 4:35 to 5:40 for the Austin Housing Finance Corporation board meeting.

BOARD AND COMMISSION APPOINTMENTS

The following appointments were made: Economic Development Commission, Ms. Mary Negrete; Impact Fee Advisory Board, Ms. Mickey Fishbeck; Mayor's Committee for Disabled Persons, Ms. Linda Martin; Police Retirement Board, Mr. Kendall Thomas Sr.

EXECUTIVE SESSION

Mayor Cooke 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.

Land Acquisition - Section 2, Paragraph f

a. Review and discussion of real property acquisitions for U.S. 183/290 Project.

RECESS

Council recessed from 5:42 to 5:50 P.M.

PROPERTY ACQUISITION

The Council, on Mayor Pro Tem Shipman's motion, Mayor Cooke's second, adopted a resolution approving authorizing real property acquisitions for U.S. Highway 183/290 Project. (4-0 Vote, Councilmembers Carl-Mitchell, Urdy and Humphrey out of the room.0 (City Share is \$20,709.00)

CITIZEN COMMUNICATIONS

Lance Winters, Chip Harris, Jonathan Markley and Rusty Talle spoke on various subjects before the meeting was adjourned.

ADJOURNMENT

Council adjourned its meeting at 6:17 P.M.