



Austin City Council MINUTES

For May 17, 1990

Council Chambers, 307 West Second Street, Austin, Texas

Mayor Cooke called to order the meeting of the Council, noting the absence of Mayor Pro Tem Shipman and Councilmember Humphrey.

MINUTES APPROVED

The Council, on Councilmember Nofziger's motion, Councilmember Urdy's second, approved minutes for regular meetings of April 26, 1990 and May 10, 1990. (4-0 Vote, Councilmember Humphrey and Mayor Pro Tem Shipman absent, Councilmember Carl-Mitchell out of the room)

CITIZEN COMMUNICATIONS

Velma Roberts discussed jobs for youths. Steve Sawyer talked about the City Council. Sue Schorer addressed current City issues. David Elliott discussed the City. Dr. Tom Hutchison told Council about the opening of Medical/Dental Clinic associated with Manos De Cristo. Gerald J. Goff discussed widening project of Balcones Drive from RM 2222 to Parkcrest. David W. Samuelson did not appear. Gavino Fernandez discussed recreation center funding for Fiscal Year 1991-92 regarding Austin's Parks and Recreation Department. Carol Guthrie stated her views on reclassification issues. Joe Quintero and Michael Monreal spoke later, during the meeting.

ITEMS POSTPONED

Postponed to June 7, 1990 was approval of third reading of an ordinance amending Article VII (Sign Regulations), Chapter 1302 (Land Use), Title XIII (Land Development Code) of the Austin City Code of 1981 relating to the regulation of signs in Austin's planning jurisdiction; and containing other provisions relating to the foregoing subject.

Postponed to May 31, 1990 was a resolution to authorize negotiation and execution of a contract award to Volume Services, Inc., La Salle, Chicago, Illinois, for a food and beverage concession operation at Palmer Auditorium and City Coliseum.

TRAIN OPERATING SPEEDS

The Council, on Councilmember Nofziger's motion, Councilmember Urdy's second, waived the requirement for three readings and finally approved amending

Section 9-9-2 of the Austin City Code to adopt the train operating speeds established by the Federal Railroad Safety Act, 45 U.S.C., Section 421. (5-0 Vote Mayor Pro Tem Shipman and Councilmember Humphrey absent.)

STOLEN PROPERTY RECOVERY PROGRAM

The Council, on Councilmember Nofziger's motion, Councilmember Urdy's second, adopted a resolution authorizing application for and acceptance of a grant from the State of Texas, Governor's Office, Criminal Justice Division to fund a Stolen Property Recovery Program for the Police Department, in the amount of \$42,847.00. (The City's match of \$1,300 will be included in the proposed FY 1990-91 budget)

EMINENT DOMAIN: U.S. 183/290

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, adopted resolutions authorizing the filing of eminent domain proceedings as follows: (4-0 Vote, Councilmember Barnstone out of the room, Mayor Pro Tem Shipman and Councilmember Humphrey absent)

To acquire fee simple title to 0.161 acre of land and a permanent water and wastewater easement containing 2,489 square feet of land out of the F.G. Secrest Survey No. 23, Abstract No. 725, in Austin, Travis County, Texas, owned by Robert C. Wilson Jr. and wife Mary M. Wilson and Connie Wilson Roberts for the U.S. Highway 183 Improvement Project.

To acquire fee simple title to 0.128 acre of land and a permanent water and wastewater easement containing 6,373 square feet of land out of the James B. Goode Survey No. 30 and out of the Summit Oaks Subdivision in Austin, Travis County, Texas, owned by C.B. Carpenter and wife Juda A. Carpenter for the U.S. Highway 183 Improvement Project.

To acquire fee simple title to 0.353 acre of land and a permanent waterline easement containing 1,225 square feet of land out of the James D. Goode Survey, No. 30 in Austin, Travis County, Texas, owned by The Southland Corporation for the U.S. Highway 183 Improvement Project.

To acquire a permanent water and wastewater easement containing 2,527 square feet of land out of Lot 2, the J.D. Behringer Addition, a subdivision in Austin, Travis County, Texas, owned by Patrick C. Ryan and wife, Yvonne L. Ryan for the U.S. Highway 183 Improvement Project.

To acquire fee simple title to 0.017 acre of land out of the Isaac Decker League in Austin, Travis County, Texas, owned by Billy Floyd Spradley, Arthur F. Wadford Sr. and Victoria Lynn Devereaux for the U.S. Highway 290/State Highway 71 Improvement Project.

To acquire a permanent waterline easement containing 22,079 square feet of land and a temporary workspace easement containing 13,153 square feet of land out of the Santiago del Valle Grant in Austin, Travis County, Texas, owned by John D. Byram and Carl C. Hardin III, for the Ben White Water Transmission Main, Phase 2 Project.

To acquire fee simple title to two tracts of land containing a total of

12,476 square feet of land out of the James Jett Survey, No. 1 in Austin, Travis County, Texas, owned by Alma Juanita Champion Meier, Mary Margaret Champion Roberson, and Jose Ellen Champion for the RM 2222 and City Park Road Improvement Project.

To acquire a permanent wastewater easement containing 4,807 square feet of land and two temporary ingress/egress easements containing a total of 33,004 square feet of land out of the James Rogers Survey No. 19 in Austin, Travis County, Texas, owned by Mann Interests, Inc. for Waters Park Wastewater Project.

To acquire a permanent wastewater easement containing 12,317 square feet of land and a temporary workspace easement containing 23,148 square feet of land out of the William Cannon League Survey in Austin, Travis County, Texas, owned by First Federal Savings and Loan of Laredo for the Greenleaf Estates Wastewater Project.

PUBLIC HEARING SET

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, set a public hearing to amend the Land Development Code by authorizing College and University uses in "LI" (Limited Industrial) District for June 7, 1990 at 4:30 P.M. (4-0 Vote, Councilmember Barnstone out of the room, Councilmember Humphrey and Mayor Pro Tem Shipman absent)

CONTRACT FOR SOUND INSULATION

The Council, on Councilmember Nofziger's motion, Mayor Cooke's second, adopted a resolution approving selection (RFQ) of ACENTECH INCORPORATED, 125 Cambridge Park Drive, Cambridge, Massachusetts, and negotiation and execution of a contract, to provide engineering/architectural services for the sound insulation of three public schools near Robert Mueller Municipal Airport (estimated maximum cost of \$200,000.00 for preliminary engineering/architectural services with eligibility for 75% FAA funding. Funding included in budget for C.I.P. No. 90/81-03. (5-0 Vote, Mayor Pro Tem Shipman, Councilmember Humphrey absent)

FUNERAL DETAIL BY A.P.D. SUSPENDED

The Council, on Councilmember Barnstone's motion, Councilmember Nofziger's second, approved the City Manager's recommendation for suspension of the funeral detail in the Police Department and devote those resources to gangs/drug related activities and other targeted areas of the City. (5-0 Vote, Mayor Pro Tem Shipman, Councilmember Humphrey absent) (Originally the suspension had been for 90 days, but that limitation was deleted.)

PUBLIC HEARING - SCENIC ARTERIAL

Mayor Cooke opened the public hearing set for 3:00 P.M. to amend Chapter 13-2 of the Austin City Code to designate Escarpment Boulevard from William Cannon Drive to the proposed Outer Loop as a scenic arterial. No one appeared to be heard.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance amending Chapter 13-2 of the Austin City Code to designate Escarpment Boulevard from William Cannon Drive to the proposed Outer Loop as a scenic arterial. (5-0 Vote, Mayor Pro Tem Shipman, Councilmember Humphrey absent)

BERGSTROM FEASIBILITY STUDY

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, adopted a resolution authorizing acceptance of a grant from the Federal Aviation Administration for participation in the Bergstrom Air Force Base Feasibility Study, in the amount of \$48,750.00. (To be credited to BAFB Feasibility Study Account) (4-0 Vote, Councilmember Urdy out of the room, Mayor Pro Tem Shipman and Councilmember Humphrey absent)

NO ACTION ON ITEM RE BAFB JOINT USE

Council had before them for consideration the approval of a resolution requesting Congressman J.J. "Jake" Pickle to pursue a Joint-Use Program for Bergstrom Air Force Base with the Department of Defense.

Motion Made, Seconded, Second Withdrawn - Motion Died for Lack of Second

Councilmember Nofziger made a motion, seconded by Councilmember Barnstone to approve a resolution requesting Congressman Pickle to pursue a joint-use program for Bergstrom Air Force Base with the Department of Defense. After a long discussion the second was withdrawn.

Council was advised such a resolution could send the wrong message to Washington.

Motion - Died for Lack of Second

Councilmember Barnstone made a motion to adopt a resolution "that the City of Austin is willing to participate in a joint use airport if the United States Air Force considers it an incentive to maintain either an active or reserve duty Air Force Base in Austin." Motion died for lack of second.

SIXTH STREET AREA CURFEW

Mayor Cooke opened the public hearing set for 5:00 P.M. on establishing a curfew for persons under seventeen years of age in the Sixth Street area. Speaker's cards are on file in the City Clerk's office.

Motion

The Council, on Councilmember Barnstone's motion, Councilmember Carl-Mitchell's second, closed the public hearing and requested an ordinance be brought back on May 31, 1990 which will include the hours of curfew and the date it will be in effect. (4-0 Vote, Councilmember Urdy out of the room, Mayor Pro Tem Shipman, Councilmember Humphrey absent)

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.

Personnel Matters - section 2, Paragraph g
(a) Municipal Court Clerk - Job Performance

Pending Litigation - Section 2, Paragraph e
(a) Briefing on deannexation of McCall Estates from City of Austin
(b) Discussion of medical malpractice settlement in Josephine Trevino et al v. City of Austin, Cause No. 435,835 consolidated with 375,962-A

Land Acquisition - Section 2, Paragraph f
(a) Review and discussion of real property acquisitions for Convention Center Project.

RECESS

Council recessed for executive session from 5:20 to 6:30 P.M.

SETTLEMENT

The Council, on Councilmember Barnstone's motion, Councilmember Carl-Mitchell's second, adopted a resolution authorizing settlement of Josephine Travino et al v. City of Austin, Cause No. 435,835 consolidated with Cause No. 375,962-A, in the amount of \$100,000.00. (4-0 Vote, Councilmember Nofziger out of the room, Mayor Pro Tem Shipman and Councilmember Humphrey absent.)

ADJOURNMENT

Council adjourned its meeting at 6:32 P.M.