



Austin City Council MINUTES

For February 8, 1990

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 Barnstone's motion, Councilmember Carl-Mitchell's second, approved minutes for regular meeting of February 1, 1990, with an addition to the minutes by Councilmember Barnstone, and special meeting of January 30, 1990. (5-0 Vote, Councilmembers Humphrey and Urdy out of the room)

Councilmember Barnstone stated: "I want to approve the minutes with a correction. There's an item (on February 1, 1990) concerning the field at St. Edward's for the Dallas Cowboys and I was told at the last meeting, and it's probably as much my fault as anybody's, that it would be pulled for for discussion and I did not notice it had passed on the consent motion. I would like, at this point, to record my vote as No, if that would be agreeable with the Council, with a note there should have been some discussion. It was a 50% overrun when we were told it would be \$200,000.00 maximum to do this." Mayor Cooke said, "All right, show Councilmember Barnstone voting No on that item."

CITIZEN COMMUNICATIONS

John Hardman discussed pay of cab drivers in Austin. David L. Bell talked about reduced spending, pollution and environmental conservation. Mrs. John C. Musgrove discussed building a road from Barton Springs Road to Stratford Lane in relation to Austin area garden center. Sam Griswold discussed courage and airports. Mary Roberts did not speak.

CONSENT ORDINANCES

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

Speed Zones

Approved an ordinance amending the Austin City Code to reflect removal of the existing Reduced Speed School Zone and the Pedestrian Zone on Montopolis Drive. These zones are no longer used because of changes in school boundaries.

Speed Zones:

11-2-99(d) 20 mph

Delete: Montopolis Drive from 225 feet north of the north curblin of Larch Terrace to 245 feet south of the south curblin of Porter Street.

11-2-99(f) 20 mph

Delete: Montopolis Drive from 225' N. of Larch Terrace to 85' north of Porter to be in effect during the flashing operation from 9:00 a.m. - 6:00 p.m. Monday through Saturday during the summer months of June 1, through August 31.

Approved an ordinance modifying the Austin City Code by establishing speed limits on East and West Koenig Lane (Spur 69). Changes in wording are necessary to make the ordinance enforceable. Only change in posted speed limit is a reduction from 55 mph to 45 mph on eastbound Koenig near Airport Blvd.

11-2-100 (a) 35 mph

Delete: Koenig Lane from Burnet Road to Airport Boulevard

11-2-100(a) 35 mph

Delete: East Koenig Lane from Link Avenue to 170 feet east of the Southern Pacific Railroad Crossing, for westbound traffic only

11-2-100(a) 35 mph

Delete: East Koenig Lane from Link Avenue to 430 feet east of the Southern Pacific Railroad Crossing, for eastbound traffic only

11-2-100(c) 45 mph

Delete: East Koenig Lane (Spur 69 Main Lane) from 170 feet east of the Austin and Northwestern Railroad Crossing to 470 feet east of Airport Boulevard, for westbound traffic only

11-2-100(e) 55 mph

Delete: East Koenig Lane (Spur 69 Main Lane) from Mile Point 2.31 North IH-35 to 470 feet east of the center line of Airport Boulevard for westbound traffic

11-2-100(e) 55 mph

Delete: East Koenig Lane (Spur 69 Main Lane) from Mile Point 2.31 North IH-35 to 430 feet east of the Austin and Northwestern Railroad Crossing, for eastbound traffic

11-2-1--(a) 35 mph

Add: West Koenig Lane from North Lamar Boulevard to Burnet Road

11-2-100(a) 35 mph

Add: West Koenig Lane (Spur 69) from North Lamar Boulevard (Mile Point 1.000) to Link Avenue (Mile Point 1.500)

11-2-100(a) 35 mph

Add: East Koenig Lane (Spur 69) from Link Avenue (Mile Point 1.500) to 675 feet west of the center line of Airport Boulevard (Mile Point 1.816)

11-2-100(c) 45 mph

Add: East Koenig Lane (Spur 69 Main Lanes) from 675 feet west of the center line of Airport Boulevard (Mile Point 1.816) to 427 feet east of the center line of Airport Boulevard (Mile Point 2.025)

11-2-100(e) 55 mph

Add: East Koenig Lane (Spur 69 Main Lanes) from 427 feet east of the center line of Airport Boulevard (Mile Point 2.025) to the center line of Interstate Highway 35 (Mile Point 2.31)

Approved an ordinance modifying the Austin City Code by establishing speed limits on North Lamar Boulevard. Changes in wording are necessary to make the City ordinance enforceable. Only change in posted speed limit is a reduction from 45 mph to 40 mph on North Lamar from Airport Boulevard to Morrow.

11-2-100(c) 45 mph

Delete: North Lamar Boulevard (Loop 275) from Airport Boulevard to 971 feet north of Rutland Drive (Station 243+00)

11-2-100(d) 50 mph

Delete: North Lamar Boulevard (Loop 275) from 971 feet north of Rutland Drive (Station 243+00) to north of the old city limits Kramer Lane (Station 293+02)

11-2-46(b) 40 mph

Add: North Lamar Boulevard from Airport Boulevard to Morrow Street

11-2-46(c) 45 mph

Add: North Lamar Boulevard (Loop 275) from Morrow Street (Mile Point 7.364) to the Austin City Limits at Walnut Creek (Mile Point 3.231)

Gold Cross Ambulance Services, Inc.

Passed through third reading of an ordinance, for the renewal of Gold Cross Ambulance Services, Inc. non-emergency transfer franchise. (No permit fee required - Existing ordinance allows for the recovery of any oversight expenses up to \$5,000.00 per year)

Zoning Ordinance

Approved second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code to rezone property locally known as 1505-1507 West 6th Street; 507-509 Powell Street; Case No. C14-89-0033, from "LO" to "GO-CO", Mark Canada. First reading: July 27, 1989; Vote (7-0). Conditions Met as Follows: Conditional Overlay incorporates conditions imposed by Council (a) limiting redevelopment of the property to "LO", site development regulations and (b) retention of existing structures.

Release of ETJ

Authorized release of approximately 15 acres of land from Austin's ETJ to the City of Buda. (No City funding is required)

Northtown MUD Consent Agreement

Approved an amendment to the Northtown MUD Consent Agreement deleting the requirement for collection of the special rate before annexation (pre-annexation surcharge)

Variance Request

Authorized and approved a variance request from right-of-way dedication requirements for Ben White Blvd. (State Highway 71) for the V.A. Subdivision, located on the north side of Ben White east of Montopolis Drive.

CONSENT RESOLUTIONS

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Humphrey's second, adopted the following resolutions all in one consent motion: (7-0 Vote)

Intergovernmental Agreement

Approved an Intergovernmental Agreement with State Purchasing and General Services Commission, 1711 San Jacinto St., Austin, Texas, in an amount not to exceed \$65,857.00 for the purchase of twelve riding lawn mowers and one walk behind self propelled lawn mower - Parks and Recreation Department and Aviation Department. (Parks and Recreation Department \$53,834.00 and Aviation Department \$12,023.00)

Interlocal Agreement

Approved an Interlocal Agreement between the City of Austin and Travis County for the operation and services of the Travis County Sheriff's Office Mental Health Unit. (This agreement is for a term of three years for a total amount of \$280,500.00)

Eminent Domain Proceedings

Authorized the filing of Eminent Domain Proceedings to acquire 5,425 square feet of land in fee simple and a wastewater easement containing 750 square feet of land out of Lot 1, Towne Oaks Subdivision in Austin, Travis County, Texas, owned by Resolution Trust Corporation for the U.S. Highway 183 Expansion Project.

Contracts

Approved the following contract awards:

- MUELLER METER CO., Dallas, Texas, SENSUS TECHNOLOGIES, INC., Norcross, Georgia, and BADGER METER, INC., Dallas, Texas for twelve month supply agreement for Water Meters and Water Meter Repair Parts in the total annual estimate amount not to exceed \$552,362.00. Water and Wastewater Department.

- Twelve month supply agreement to GULF COAST PAPER CO., Austin, Texas, for a twelve month supply agreement for janitorial supplies in an annual amount not to

exceed \$31,575.00 with one twelve month extension option. General Services Department.

- Twelve month supply agreement to DEAN'S AUTO ELECTRIC, Austin, Texas, for the purchase of new and reconditioned starters and alternators for automobiles and heavy equipment in an annual amount not to exceed \$40,000.00. General Services Department.

- LEIF JOHNSON FORD, CAPITOL CHEVROLET AND HENNA CHEVROLET, Austin, Texas for purchase of 115 Police patrol and administrative sedans in the total amount of \$1,410,800.00 and thirty-six month supply agreement contract to Leif Johnson Ford, Capitol Chevrolet and Henna Chevrolet in the total estimated amount not to exceed \$4,232,400.00 for a grand total not to exceed \$5,643,200.00. General Services Department.

Barton Creek Watershed Study

Approved selection of Espey, Huston & Associates to provide professional engineering services entitled: Water Quality Modeling Consulting for the Barton Creek Watershed Study. (Amount not to exceed \$150,000.00 from Environmental and Conservation Services Department Fund.

Elisabet Ney Museum

Authorized application for and acceptance of grant funding in the amount of \$3,500.00 from the Institute of Museum Services for a conservation project for the Elisabet Ney Museum.

Arts-In Education Program

Approved application for and acceptance of a grant funding in the amount of \$8,725.00 from the Arts-In Education Program of the Texas Commission on the Arts to the Parks and Recreation Department General Fund for outreach arts activities and City cultural facilities and museums.

CAPITAL IMPROVEMENT PLAN

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving land use assumptions for use in developing a Capital Improvement Plan pursuant to which impact fees may be adopted. (7-0 Vote)

HYDE PARK

Mayor Pro Tem Shipman introduced an item to Council to approve a resolution appointing a planning team composed of five Hyde Park Baptist Church representatives and five neighborhood representatives to develop standards for a Neighborhood Conservation Combining District - Special District (NCCD-SD) for Hyde Park by August 1, 1990.

Mayor Pro Tem Shipman referred to the copy of the resolution which she said each member of the Council received. Mayor Pro Tem Shipman stated: "I would like to add the following sentence to the bottom of the be it resolved, following the last four words, which were enforceable by the team, we would add, 'Councilmember Smoot Carl-Mitchell shall be the designated City Council liaison with the Planning team'. And under Exhibit A, the specific charge is very simply stated, 'the Planning team

shall establish boundaries and standards for a Hyde Park Neighborhood District'.

"The members of the team that have been submitted representing the Hyde Park Baptist Church are Bob Liverman, Bob Ed Shotwell, Dr. Bill Guy, Dick Naylor and Jerry Grissom. At the Hyde Park Neighborhood meeting the following people were elected to serve on their planning team: John Sanford, Larry Gilg, Betty Phillips, Ben Heimsath and Wanda Penn."

Mayor Cooke asked if representatives of Hyde Park Church had seen the resolution and approved. Mayor Pro Tem Shipman stated, "I spoke to Dr. Smith yesterday and Dr. Smith and the people who selected the members from the church to participate were aware of the City Council motion which was made and agreed to appoint their members of the Planning Team. This specific legal wording which is exactly that which was moved on last week was just prepared...let me read it into the record so we will all be clear what it says: 'Whereas the City Council of the City of Austin recognized that the diverse interests of the Hyde Park Neighborhood will best be served by a coordinated plan for the future and whereas the City Council finds that a Neighborhood Conservation Combining District/Special District would make an appropriate structure for such a coordinated plan, now be it therefore resolved by the City Council, City of Austin, that there is hereby a plan created, a Hyde Park Planning Team to be composed of five representatives of the Hyde Park Neighborhood and five representatives of the Hyde Park Baptist Church. The Hyde Park Planning Team is charged with the duties and objectives contained in the charge attached hereto as Exhibit A, the charge shall be to establish boundaries and standards for any Hyde Park Neighborhood District. The Hyde Park Area Planning Team shall return to the City Council to present its final report on or before August 1, 1990. The Hyde Park Planning Team will meet at least every two weeks until it has returned with its final report to the City Council. The Hyde Park Area Planning Team shall establish rules of organization, decorum and order, which shall be enforceable by the team. Councilmember Smoot Carl-Mitchell shall be the designated liaison with the Planning Team".

ITEM POSTPONED

Postponed to February 22, 1990 at 4:00 P.M. is the zoning hearing for C14-89-0071 - Bright Banc Savings Association - Kurt Simons.

BOARD AND COMMISSION APPOINTMENTS

Councilmembers made the following appointments to boards and commissions:

Board of Adjustment

Laraine Benedikt, Liz Berezovytch, Floyd Clark, Doyal Nelms and Richard Smith, on Councilmember Carl-Mitchell's motion, Mayor Cooke's second, 7-0 Vote.

Building and Fire Code Board of Appeals

David Hamill and Michael Holeman, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, 7-0 Vote.

Child Care Commission

E. Len Doughty and Mollie Sharpe, on Mayor Pro Tem Shipman's motion, Councilmember Barnstone's second, 7-0 Vote.

Citizen's Traffic Safety Commission

John Gray, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, 7-0 Vote.

City of Austin Commission for Women

Dr. Judith Loreda, on Councilmember Barnstone's motion, Councilmember Humphrey's second, 7-0 Vote.

Economic Development Commission

Jody Richardson, on Councilmember Humphrey's motion, Mayor Cooke's second, 7-0 Vote.

Electrical Board

Ray Cleveland, Sherman Debusk, Fred Hoskins, Thomas Walden, on Mayor Pro Tem Shipman's motion, Councilmember Carl-Mitchell's second, 7-0 Vote.

Employee's Retirement System of the City of Austin

Leroy Bower and Yvonne Gardner, on Mayor Pro Tem Shipman's motion, Councilmember Humphrey's second, 7-0 Vote.

Ethics Review Commission

Reverend Marvin Griffin, on Mayor Cooke's motion, Councilmember Humphrey's second, 7-0 Vote.

Medical Assistance Program Advisory Board

Mrs. Andre Allen, on Councilmember Urdy's motion, Councilmember Humphrey's second, 7-0 Vote.

Parks and Recreation Board

Ruby Williams, on Councilmember Barnstone's motion, Councilmember Urdy's second, 7-0 Vote.

Police Retirement Board

Joe Osborn and Chesley Wood, on Mayor Pro Tem Shipman's motion, Mayor Cooke's second, 7-0 Vote.

Urban Transportation Commission

Manuel Arispe, Audley Blackburn and Doug McMurry, on Councilmember Humphrey's motion, Mayor Pro Tem Shipman's second, 7-0 Vote.

EXECUTIVE SESSION

Mayor Cooke announced Council would go 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

(a) State of Texas v. City of Austin (Sand Beach Reserve)

Land Acquisition - Section 2, Paragraph f

- (b) Review and discussion of real property acquisitions for:
(1) U.S. Highway 183/290 Project

RECESS

Council recessed for executive session from 2:21 to 2:50 P.M. for executive session.

ANNOUNCEMENT - PHONE CALL TO CONGRESSMAN PICKLE

Mayor Cooke announced that Council would recess its executive session in order to talk, by telephone, to Congressman J.J. (Jake) Pickle in Washington D.C. concerning Bergstrom Air Force Base. The time for the call was 2:50 to 3:00 P.M.

RECESS

Council recessed its meeting to continue its executive session on items previously announced, from 3:01 to 4:10 P.M.

NO ACTION TAKEN ON ITEMS

Council took no action on the following items:

- Approve resolutions authorizing real property acquisitions for: 1) Convention Center; 2) Any other C.I.P. Project.
- Approve a resolution requesting a visit from the Deputy Assistant Secretaries of the Air Force and Director of the Department of Defense Office of Economic Adjustment (OEA).
- Approve appointing a Council Subcommittee and directing the City Manager to work with the subcommittee in preparing an economic assistance request from the Department of Defense's Office of Economic Adjustment in regard to the closing of Bergstrom Air Force Base.
- Set a public hearing for the Council Subcommittee to receive input on the request for economic assistance in the event Bergstrom Air Force Base closes.

U.S. 183/290 PROJECTS

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, authorized the City of Austin participation with the State of Texas in real property acquisition for the U.S. 183/290 projects. (City cost is \$51,201.00) (7-0 Vote)

BRAKER/MOPAC WATER TRANSMISSION MAIN

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, authorized the recirculation of Bid Invitation No. 900692JJ for the Braker/Mopac Water Transmission Main. (5-2 Vote, Mayor Cooke, Councilmember Nofziger, voted No.)

Because of the above vote, no action was taken to approve construction award to Oscar Renda Construction, Inc., Austin, Texas for the Braker Lane-Mopac Transmission Main C.I.P. No. 278-227-0550 in the amount of \$1,187,208.00.

MUNICIPAL COURT JUDGES

The Council on Councilmember Urdy's motion, Councilmember Nofziger's second, reappointed the following to the Municipal Court: Presiding Judge, Harriet Murphy; Deputy Presiding Judge, Pamela Lancaster; Associate Judges, Jim Santiago Coronado, Jo Clifton, Nigel Gusdorf and Barbara Marquardt; Relief Judges, Celia Castro, Judith Doran, David Garza, Evelyn McKee and Penny Wilson. (7-0 Vote)

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, approved an 8% pay increase for judges, beginning with the next pay cycle. (5-2 Vote, Mayor Cooke and Councilmember Barnstone voted No.)

PUBLIC HEARING SET

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second, set a public hearing on appeal of the Building Standard's Board decision of the structure located at 4808 Avenue H. for March 1, 1990 at 3:15 P.M. (7-0 Vote)

ADJOURNMENT

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second, adjourned the meeting of the Council at 4:30 P.M. (5-2 Vote, Councilmember Barnstone and Mayor Cooke voted No.)