



Austin City Council MINUTES

For JANUARY 5, 1989 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

Mayor Cooke called to order the meeting of the Council, noting the absence of Councilmember Urdy who was out of the City.

CITIZEN COMMUNICATIONS

Gil Johnson discussed new electrical inspection procedures. Mayor Cooke requested a City Manager report on the January 12, 1989 agenda with a review of the ordinance and language to make amendments to the ordinance if they are needed.

Ingrid Weigand discussed public access planning.

Ann Avilla talked about the senior citizen lunch program.

Nancy A. Timbrook discussed winterization of the homeless.

Charlotte London withdrew her request to speak.

Susan Frost discussed dedicated parkland in Town Lake Park and proposal to increase its use as a surface parking lot enhancing Public Events Department revenue.

Sam Griswold discussed relocation of the airport.

MINUTES APPROVED

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Humphrey's second, approved minutes for regular meetings of September 15, 1988, December 13 & 15, 1988 and special meeting of December 20, 1988 as corrected. (6-0 Vote, Councilmember Urdy absent)

OLD BUSINESS - ORDINANCES

WATER & WASTEWATER DEPARTMENT OPERATING BUDGET AMENDMENTS

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Shipman's second, passed through second/third readings of an ordinance amending the 1988-89 Financial Plan by amending the Operating Budget of the Water and Wastewater Utility Department by: (5-1 Vote, Councilmember Humphrey voted No, Councilmember Urdy absent)

1/5/89

- (1) Increasing department O&M by \$700,000.00
- (2) Decreasing the current revenue transfer to the Capital Improvements Program by \$700,000.00

Passed through second/third readings of an ordinance amending the 1988-89 Capital Budget by: (5-1 Vote, Councilmember Humphrey vote No, Councilmember Urdy absent)

- (1) Decreasing the current revenue transfer of the Water and Wastwater Department by \$700,000.00

ZONING ORDINANCES

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Shipman's second, passed through second/third readings of ordinances amending Chapter 13-2 of the Austin City Code (Zoning Ordinance) to cover the following changes: (6-0 Vote, Councilmember Urdy absent)

✓

DON CASTLEBERRY	7029 U.S. Hwy. 290	From Tr. 1 "I-RR"
By Susan Keahey Irvin	West	to "CS-CO"
C14r-85-389-CO		Tr. 2 "I-RR"
		to "CS-CO"
		Tr. 3 "I-RR"
		to "SF-6-CO"

First reading on August 25, 1988, (7-0). Conditions to be met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed. The right-of-way dedication requirement has been satisfied.

✓

GREATER MOUNT ZION	1801, 1803, 1805	From "SF-3"
BAPTIST CHURCH	Pennsylvania Ave.	to "GO"
By Don Tev		
C14-86-103		

First reading on October 16, 1986, (7-0). Conditions to be met as follows: Development restricted to that shown on the site plan attached as an exhibit to the ordinance. Restrictive Covenant incorporating conditions imposed by Council has been executed.

✓

WILLIAM B. GRIEF,	6000-6001 Atwood,	From Tr. 1" I-SF-3"
Larry K. Yount,	6100-6101 Felix,	to "SF-6"
Richard T. Suttle	6000-6001 Ponca,	Tr. 2 "I-SF-3"
C14-85-017	6100-6101 Richard	to "MF-2"
		Tr. 3 "I-SF-3"
		to "RR"
		Tr. 4 "I-SF-3"

1/5/89

to "GO-MU"
Tr. 5 "I-SF-3"
to "GR"

First reading on January 8, 1987, (7-0). Conditions to be met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed. The right-of-way requirement has been satisfied through subdivision (Case No. C8-85-060). Owner is requesting that "RR" zoning be deleted for the Country Club Creek Tributary Flood plain due to the inability to define at this time. It will be dedicated as an easement at the time of subdivision. Country Club Creek Flood plain to be zoned "RR." Staff is in agreement and ordinance has been prepared to reflect said request.

ALMA G. MEYERS
By Malcolm Belisle
C14-88-0132

1004 East 32nd St. From "MF-4"
to "GO"

✓ First reading on December 8, 1988, (5-0). Mayor Pro Tem Shipman and Councilmember Nofziger out of room. Conditions have been met as follows: The right-of-way dedication requirement has been satisfied.

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Shipman's second, passed through SECOND READING ONLY an ordinance amending Chapter 13-2 of the Austin City Code (Zoning Ordinance) to cover the following changes: (4-2 Vote, Councilmember Urdy absent Mayor Pro Tem Shipman, Councilmember Carl-Mitchell voted No.)

ROGER JOSEPH PROPERTIES 9000-9099 Cameron
By Scott Young Road
C14-88-38

From Tr. 1 "SF-3"
to "LI"
Tr. 2 "SF-3"
to "RR"
Tr. 3 "SF-3"
to "LI"

✓ First reading on July 28, 1988, (5-2). Councilmember Smoot Carl-Mitchell and Mayor Pro Tem Shipman voting "NO". Conditions to be met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed. The right-of-way dedication requirement has been satisfied.

✓ LICENSE AGREEMENT

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, adopted a resolution to enter into the following license agreement: (6-0 Vote, Councilmember Urdy absent)

- (1) To allow encroachment of planters into the East 39th Street right-of-way (100 Block)

CONSENT ORDINANCES

The Council, on Mayor Pro Tem Shipman's motion, Mayor Cooke's second, waived the requirement for three readings and finally passed the following ordinances all in one consent motion: (6-0 Vote, Councilmember Urdy absent)

✓ ROW Acquisition Task Force - Budget Amendment

Appropriated \$95,259.00 to the Law Department, and \$101,917.00 to the Transportation and Public Services Department to fund the establishment of a City of Austin/State Department of Highways and Public Transportation Joint ROW Acquisition Task Force, with associated costs charged to the Capital Improvements Program. This amends the 1988-89 Annual Operating Budget.

Amendments to the Operating Budget

Amended the 1988-89 Operating Budget by:

- ✓ - Appropriating \$52,000.00 to the Human Resources Department from the General Fund Ending Balance to fund costs associated with the executive search selection process for the Director of Financial Services and Director of Human Resources.
- ✓ - Appropriating \$9,000.00 from the General Fund Ending Balance to the Intergovernmental Relations Department to fund lobbying services before the Texas Legislature by the firm Kennedy, Burleson, Sanford, Kuhl and Hackney.

✓ LOBBYING SERVICES

The Council, on Mayor Pro Tem Shipman's motion, Mayor Cooke's second, adopted a resolution approving a contract retaining Kennedy, Burleson, Sanford, Kuhl and Hackney to provide lobbying services for the City of Austin before the Texas Legislature (\$9,000.00). (6-0 Vote, Councilmember Urdy out of the room)

✓ CONSENT RESOLUTIONS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, adopted the following resolutions all in one consent motion: (6-0 Vote, Councilmember Urdy absent)

Eminent Domain Proceedings

Authorized the filing of eminent domain proceedings to acquire the following:

- ✓ a. A Waterline Easement containing 0.303 acre (13,198 square feet) of land and a temporary workspace easement containing 15,009 square feet of land out of the Santiago Del Valle Grant, Travis County, Texas, owned by C.B. Freeman, Jr., et al, for the East Ben White Water Transmission Main. C.I.P. No. 85/23-09
- ✓ b. A Wastewater Easement containing 0.090 acre (3,908 square feet) of land and a Temporary Construction Easement containing 5,660 square feet of land out of the Walker Wilson League, Travis County, Texas owned by Jerry Bennett Peck and wife Andrea Rose Hargis Peck for the Slaughter Lane I Project. C.I.P. No. 85/23-09
- ✓ c. A Wastewater Easement containing 69,063 square feet (1.585 acres) of land and a temporary construction easement containing 267,205 square feet of land out of the Josiah Willbarger Survey No. 42 and the Mariquita Castro Survey No. 50, Travis County, Texas, owned by Estelle Morse, et al for the Harris Branch Water and Wastewater Project. C.I.P. No. 85-23-17
- ✓ d. 0.274 acre (11,948 square feet) of land in fee simple out of the James D. Goode Survey No. 30, Travis County, Texas owned by Louis M. Howard for the U.S. Highway 183 Expansion Project. C.I.P. No. 85/62-01
- ✓ e. 22,515 square feet of land in fee simple out of the James P. Wallace Survey No. 57, Travis County, Texas, owned by Kettle Restaurants, Inc. for the U.S. Highway 183 Expansion Project. C.I.P. No. 85/62-01

Change Order

Approved the following change order:

- ✓ a. In the amount of \$65,379.30 to Austin Engineering Company, Inc. for the US 183-Loop 1 Interchange Water Relocation Contract. (17.04% increase to the original amount of \$383,750.00 - Total change orders to date equal to 21.06%) C.I.P. No. 86/22-39

Contracts Approved

Approved the following contracts:

1/5/89

- a. REDDICO CONSTRUCTION COMPANY
15212 RR 620,
Austin, Texas
 - CAPITAL IMPROVEMENTS PROGRAM -
Centennial Park Wastewater Austin,
Improvements Phase I, Water and
Wastewater Utility Department
Total \$126,534.16 C.I.P. No.
85/23-09
- b. AMERICAN - DARLING VALVE
2930 N. 16th St.
Birmingham, Alabama
 - Six (6) 36" Gate Valves, to be used
as water supply valves for CIP
Project No. 227945, Elroy
Transmission Main, Phase I., Water
and Wastewater Utility Department
Total \$101,082.00 89-0030-LI
- c. AUSTIN CRUSHED STONE
1807 Hydro Lane
Austin, Texas
 - Flexible Road Base, Transportation
and Public Services and the
Electric Utility Departments
Twelve (12) Month Supply Agreement
Items 1-3 - \$231,960.00 88-0338-DC

License Agreement

Approved of a License Agreement to Travis County Public Improvements and Transportation Department to allow public crossing at the City-owned railroad property with an overpass structure for Howard Lane near McNeil at Milepost 71.15

Interlocal Agreement

Approved the Interlocal Agreement between the City of Austin and Travis County regarding the FM 734/Parmer Lane Sewerline and the related escrow agreement.

West Park P.U.D.

Approved of the following Service Extension Request and Authorization of City Cost Participation:

West Park P.U.D. (#1316) Water - City Cost Participation
\$20,400

Interlocal Agreement

Amended the Interlocal Agreement between the City of Austin and the Capital Metropolitan Transportation Authority to discontinue the dedicated employee shuttle service in the morning and afternoon hours.

Federal Enterprise Zone Designation

Authorized an application by the City to the U.S. Department of Housing and Urban Development (HUD) for Federal Enterprise Zone designation.

Operation Impact Program

Approved the purchase of three lots as part of the Operation Impact Program, identified as Site "A"; and authorized the Acting City Manager to negotiate and execute a lease agreement with Ebenezer Baptist Church covering property identified as Site "B" in connection with the development of East Eleventh Street off-site parking facilities; and authorized the filing of an EDA grant application for funds to renovate a building on Site "B".

Item Postponed

Postponed to January 12, 1989 is consideration of authorizing the Acting City Manager to execute contracts relating to Austin's participation in the Brushy Creek Regional Wastewater System.

Release of Easement

Authorized release of the following easement:

- a. A portion of a Blanket Electric Easement Affecting 20.8169 acres of land out of the Wilkinson Sparks Survey of record in Volume 659, Page 561 of the Travis County Deed Records, as shown on a map or plat of the St. Tropez P.U.D., a subdivision of record in Book 85, Pages 111C-112B, of the Plat Records of Travis County, Texas. (Request submitted by Robert H. Dickson, Jr., Vice President on behalf of Capitol City Service Corporation)

Revenue Notes

Authorized the distribution of an Official Statement related to the issuance of \$144,250,000.00 in "City of Austin, Texas Combined Utility Systems Revenue Notes, Series, 1989." (5-1 Vote, Councilmember Humphrey voted No, Councilmember Urdy absent.)

Public Hearing Set

Set a public hearing on the following for January 26, 1989 at 7:00 P.M.:

An amendment to the Zoning Ordinance to amend the Table of Use Regulations (Sec. 13-2-221) to change Day Care Services (Commercial) from a conditional to a permitted use in the MH, NO, LO, GO, LR, GR and R&D Districts, and add Day Care Services (Limited, General, and Commercial) as a permitted use in the W/LO, IP, MI and LI districts.)

Item Postponed

Postponed indefinitely is amendment to the 1980 bikeway plan to improve circulation in Zilker Park at Barton Creek and Barton Springs Road.

LEGISLATIVE STRATEGIES/PRIORITIES

Council continued its worksession from the January 3, 1989 special called Council Meeting. The following motion was made:

Motion

The Council, on Councilmember Carl-Mitchell's motion, Mayor Cooke's second, adopted as a working plan for Legislative Strategies/Priorities, the draft presented at the January 3, 1989 Council meeting. (5-0 Vote, Councilmember Nofziger out of the room, Councilmember Urdy absent.)

PRIVATE INDUSTRY COUNCIL APPOINTMENTS

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Carl-Mitchell's second, appointed Garry Bandel and Marcia Kucera as members of the Private Industry Council. (5-0 Vote, Councilmember Urdy absent, Councilmember Nofziger out of the room)

LANDFILL RATES

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, waived the requirement for three readings and finally passed an ordinance, on an emergency basis, amending Ordinance No. 870903-T establishing rates for the use of the City of Austin FM 812 sanitary landfill for customers who haul 15,000 gate yards or more each month with self-dumping trucks and contract with the City to provide an equivalent volume of landfill space to the City when needed over the next ten years, and delete paragraph 6 from the contract. (6-0 Vote, Councilmember Urdy absent)

✓ OPERATING BUDGET AMENDMENT

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, waived the requirement for three readings and finally passed an ordinance amending the 1988-89 Annual Operating Budget by appropriating an additional \$438,750.00 in revenues and an additional \$90,025.00 in direct costs for the Solid Waste Services Fund, and dedicate money collected for recycling. (6-0 Vote, Councilmember Urdy absent)

✓ ITEM POSTPONED

Postponed to January 12, 1989 is consideration of amending the Cultural Facilities Policy.

✓ NO ACTION ON RESOLUTION RE EDWARD'S AQUIFER DISTRICT

Council agreed no action was necessary to approve payment of the assessment due to the Edward's Aquifer District.

MONTOPOLIS SMALL BUSINESS INCUBATOR PROJECT

The Council, on Councilmember Nofziger's motion, Councilmember Humphrey's second, adopted a resolution authorizing amendments to the contract for Greater Montopolis/Southeast Community and Economic Development Corporations's Montopolis Small Business Incubator Project for \$233,000 over a three year period and approved amendments subject to HUD approval. (4-2 Vote, Mayor Cooke and Mayor Pro Tem Shipman voted No, Councilmember Urdy absent)

ZONING ORDINANCE

The Council, on Councilmember Barnstone's motion, Mayor Cooke's second, passed through second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code (Zoning Ordinance) to cover the following changes: (6-0 Vote, Councilmember Urdy absent)

DIAMOND SHAMROCK
By Bury & Pittman
C14-88-0106

8205 Brodie Lane

From "LR"
to "GR-CO"

First reading November 3, 1988, (7-0). Conditions to be met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed. Conditional overlay incorporates conditions imposed by Council.

✓ **STATE OF THE CITY FUNCTION**

Councilmember Nofziger introduced an item to Council to consider scheduling a State of the City Function. Council agreed it should be held in the Council Chambers on January 23, 1989 at 5:30 P.M. and will last about one hour.

✓ **NORTHWEST TRAVIS COUNTY MUD**

The Council, on Councilmember Humphrey's motion, Mayor Cooke's second, waived the requirement for three readings and finally passed an ordinance authorizing Northwest Travis County Municipal Utility District No. 2 to obtain up to \$150,000.00 from Bank of the Hills and approved a second amendment to the consent agreement. (5-0 Vote, Councilmember Urdy absent, Mayor Pro Tem Shipman out of the room.)

✓ **RATE HEARING EXAMINER SUSPENDED**

The Council, on Mayor Pro Tem Shipman's motion, Mayor Cooke's second, waived the requirement for three readings and finally passed an ordinance suspending the Rate Hearing (No. 870430-M) and Hearing Examiner (No. 870430-J) Ordinance. (6-0 Vote, Councilmember Urdy absent)

✓ **ELECTRIC RATE SETTING PROCESS**

The Council, on Mayor Pro Tem Shipman's motion, Mayor Cooke's second, adopted a resolution directing the Acting City Manager in coordination with the Electric Utility Commission, to develop a proposed electric rate setting process for Council consideration. (6-0 Vote, Councilmember Urdy absent)

✓ **BRACKENRIDGE HOSPITAL EMERGENCY ROOM MODIFICATIONS**

The Council, on Councilmember Nofziger's motion, Councilmember Barnstone's second, adopted a resolution authorizing and approving the selection of Bower Downing Partnership, Inc. and Laurie Smith, Design Associates for professional architectural services in connection with the Brackenridge Hospital Emergency Room Modifications. C.I.P. No. 88.84-01 (Total estimated cost=\$406,000.00) (6-0 Vote, Councilmember Urdy absent)

✓ **CONTRACT POSTPONED**

Postponed to January 12, 1989 is consideration of approval of a contract with Payton & Associates for water conservation retrofit single family residential customers in the Walnut Creek Wastewater Treatment Plant Service Area.

✓ **ZONING HEARINGS**

Mayor Cooke announced Council would hear the following zoning cases. Council heard, closed the public hearings, passed ordinances where applicable, and postponed if necessary. Disposition of cases follows each listing.

a. Recommended by the Planning Commission, As Requested:

- | | | | | |
|-------|--------------|---|---|---|
| ✓ (1) | -88
0127 | PEYTON COLLINS
& COMPANY
By Armbrust &
Brown | Escarpment Boulevard
& Bird View Blvd. | From Tr. 1a "MF-1"
Tr. 2 "SF-6"
To Tr. 1a "P"
Tr. 2 "SF-2"
<u>RECOMMENDED
ORDINANCE</u> |
| ✓ (2) | -88
0133 | DAVID K. G. CHAN
By Land Concepts, | 5000-5099 Ed
Bluestein Boulevard | From "SF-3"
To "GR"
<u>RECOMMENDED
ORDINANCE</u> |
| ✓ (3) | h-79
0006 | DONNAN-HILLHOUSE
By John L. Hill | 2528 Tanglewood
Trail | From "SF-3"
To "SF-3-H"
<u>RECOMMENDED
ORDINANCE</u> |
| ✓ (4) | -88
0143 | CITY OF AUSTIN
By Planning
Department | 9400 Bluegrass | From "DR"
To "SF-2"
<u>RECOMMENDED
ORDINANCE</u> |

b. Recommended by the Planning Commission, As Requested, With Conditions:

(5) -88 BILL MCMORRIS 5000 S. I.H. 35 From "GR"
0130 By Curington Service Road SB To "CS-CO"
Associates, Inc. ORDINANCE
Forest Powers

RECOMMENDED "CS-CO" Commercial Services-Conditional Overlay. The "CO" would limit "CS" uses to the sale, rental, and repair of trucks of one ton or greater capacity and the range of "GR" uses permitted in the "CS" use district.

(6) r-87 MCGILL 3701-3717 Spicewood From Tr. 1 "LO"
066 INVESTMENTS Springs Road Tr. 2 "LR"
By Donna To Tr. 1 "LR-CO"
Kristaponis Tr. 2 "GR-CO"
POSTPONED TO 2/23/89

RECOMMENDED "LR-CO" for Tract 1 with "LR" use limited to financial services only, and all permitted "LO" uses; subject to dedication of up to 32' of Right-of-way from the centerline of Baywood Drive. To grant "GR-CO" for Tract 2 with "GR" use limited to restaurant use only, limited to 11,000 square feet of building area and permitted "LR" uses, except for service stations and convenience retail with gasoline sales. Conditional overlay applicable to both tracts, combined: Buildings limited to single-story only, 52.1% impervious coverage and no development within the drainage easement. Restrictive Covenant applicable to both tracts, combines: Dumpsters will be screened from residential uses to the north and dumpster pick-ups will be limited between the hours of 6 a.m. to 10 p.m. Restrictive Covenant applicable to Tract 2: If "GR" uses cease, applicant will not object to a City-initiated rollback to "LR".

c. NOT Recommended by the Planning Commission, Alternate Recommendation, With Conditions:

(7) -88 SHELLBERG TRACT 12800 to 13000 From "DR"
0096 JOINT VENTURE Bullick Hollow Rd. To Tr. 1 & 2 "MF-2"
By Minter, Joseph Tr. 3 "SF-6"
and Thornhill NOT RECOMMENDED
POSTPONED TO 1/26/89

RECOMMENDED "SF-6-CO" on approximately 191 acres and "P-CO" on approximately 300 acres, subject to the following conditions to be implemented by restrictive

c. NOT Recommended by the Planning Commission, Alternate Recommendation,
With Conditions: (continued)

(7) -88 SHELLBERG TRACT
0096 JOINT VENTURE (continued)

covenants, as well as by the Conditional Overlay District wherever possible:

- 1) Areas designated as parkland shall be dedicated and restricted as parkland or wildlife preserve, and transferred to an appropriate public or nonprofit entity for management;
- 2) Areas designated SF-6 to be restricted to a maximum of 720 single-family, duplex, townhouse, or condominium units;
- 3) Impervious cover, including roadways shall not exceed 37 percent on the area designated SF-6.
- 4) Development limitations in the Critical Water Quality and Water Quality Buffer Zones (see minutes);
- 5) Design criteria for lift stations (see minutes);
- 6) A permanent 20' conservation easement along slopebreaks above Bullick Hollow Road and FM 2769. Structures which exceed height of tree canopy must be set back 35 feet from slopebreaks;
- 7) No driveway access and only one roadway connection to Bullick Hollow Road. No vehicular access onto Bullick Hollow from Wilson Parke Boulevard until subdivision infrastructure complete and accepted by City or County;
- 8) Development on the tract shall comply with Sec. 13-15-287, relating to sedimentation/filtration basins;
- 9) Spoil disposal sites shall only be allowed in areas designated as SF-6, or in approved off-site areas;
- 10) Clearing for survey site lines shall be limited to ten feet in width;
- 11) A detailed biological and hydrogeological survey of McDonald Cave and the contributing drainage area of the cave shall be completed prior to preliminary plan approval. The cave site and the contributing drainage area shall be surveyed and restricted as a permanent buffer, with no development allowed and natural vegetation left intact;
- 12) The policy on lawn maintenance chemicals developed by the Department of Environmental Protection for the Parkstone PUD shall be incorporated into a restrictive covenant;

c. NOT Recommended by the Planning Commission, Alternate Recommendation, With Conditions: (continued)

(7) -88 SHELLBERG TRACT
0096 JOINT VENTURE (continued)

13) The owners shall allow inspection by designated Northwest Neighborhood Group representatives during surveying and construction activities, under specified conditions;

14) The Applicant shall work with the City legal staff prior to final ordinance reading to devise a way to limit the ability of future owners to request full purpose annexation or disannexation;

In addition, the applicant has agreed to consider installation of a water quality monitoring program, and has agreed to the donation of \$5,000 and a fire station site to the Volente Volunteer Fire Department, and phasing development of the northernmost ridge.

(On Councilmember Carl-Mitchell's motion, Mayor Cooke's second, 5-0 Vote, Councilmember Humphrey out of the room, Councilmember Urdy absent)

(8) -88 GLOBAL 10000-11000 F.M. From "SF-2"
0042 ENTERPRISES, INC. 2222 To "GR"
By CRE, Inc. NOT RECOMMENDED
FIRST READING

RECOMMENDED "LO" Limited Office Zoning subject to dedication of 75 ft. of Right-of-way from the future centerline of "RR" 2222 and reservation of 175 ft. of Right-of-way from the future centerline of "RR" 2222.

(On Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second, 4-0 Vote, Mayor Cooke, Councilmember Humphrey out of the room, Councilmember Urdy absent)

2. AMENDMENTS TO RESTRICTIVE COVENANTS AND CONSIDERATION OF RESOLUTIONS:

a. Recommended by the Planning Commission, As Requested:

(1) -73 DAVID K.G. CHAN 5000-5099 Ed RECOMMENDED
157 By Land Concepts, Bluestein Boulevard
-74 Inc. RESOLUTION ADOPTED
164

1/5/89

3. PENDING ZONING APPLICATION**a. Request for Six-Month Extension:**

✓ (1) -88 183 LIMITED 13409-13499 Research From "SF-2" &
0024 By Armbrust & Boulevard "I-SF-2"
Brown To "GR"

APPROVED SIX MONTH
EXTENSION

(On Councilmember Carl-Mitchell's motion, Mayor Cooke's second, 5-0 Vote, Councilmember Humphrey out of the room, Councilmember Urdy absent.)

✓ EMERGENCY SERVICES DISTRICT

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Shipman's second, adopted a resolution consenting to the inclusion of a portion of the City of Austin extraterritorial jurisdiction in the proposed conversion of Travis County Fire Protection District No. 2 to an Emergency Services District. (4-0 Vote, Mayor Cooke and Councilmember Barnstone out of the room, Councilmember Urdy absent)

AIRPORT ADVISORY BOARD

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second, adopted a resolution concerning the role of the Airport Advisory Board. (5-0 Vote, Mayor Cooke out of the room, Councilmember Urdy absent)

✓ LEGISLATIVE PROCEEDINGS ORDINANCE

Councilmember Carl-Mitchell introduced a legislative proceedings ordinance to Council for discussion. Copy is in the City Clerk's office.

RECESS

Council recessed from 4:32 to 5:00 P.M.

✓ HOMELESS

Councilmember Nofziger introduced to Council consideration of opening up the annex warehouse for the homeless, and consideration of action on establishing a homeless campground. There will be further discussion on January 10, 1989.

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.

1. Pending Litigation - Section 2, Paragraph e

- (a) City of Austin vs. Houston Lighting and Power
- (b) ETSI Pipeline Project, et al vs. Burlington Northern, Inc., et al. C.A. No. B-84-979-CA
- (c) Docket #8480 - Petition Sharen Schrane, et al for relief from electric utility rates set by the City of Austin.

2. (a) City Manager Interview/Selection
(b) Appointment of Municipal Court Clerk Relief Judge
(c) Appointment of Municipal Court Clerk

RECESS

Council recessed its meeting from 6:15 P.M. to 7:55 P.M. for executive session.

WITNESSES FOR RATE ACTION

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, adopted a resolution approving the selection of expert witnesses for defending the City's rate action at the Public Utility Commission of Texas. (4-2 Vote, Mayor Cooke and Councilmember Barnstone voted No., Councilmember Urdy absent.)

MUNICIPAL COURT RELIEF JUDGE

The Council, on Councilmember Carl-Mitchell's motion, Mayor Cooke's second, appointed the following as Municipal Court Relief Judges: (6-0 Vote, Councilmember Urdy absent)

Santiago (Jim) Coronado
Evelyn P. McKee

MUSIC COMMISSION

The Council, on Councilmember Nofziger's motion, Mayor Pro Tem Shipman's second, adopted a resolution approving the Music Industry Committee's recommendations to establish a Music Commission. (6-0 Vote, Councilmember Urdy absent)

ADJOURNMENT

Council adjourned its meeting at 8:15 P.M.