



Austin City Council MINUTES

For MARCH 30, 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 presence of all Councilmembers.

CITIZEN COMMUNICATIONS

Ms. Sue Littleton thanked the Council for the administration of conversion of the 800 block alley between Guadalupe and Lavaca Streets to one-way east. Not present to talk on this subject were George W. Tipps Jr., Brian Bishop, Carol Abel, Steve Fenoglio. Bill Bunch discussed environmental concerns and Endangered Species Ordinance. Mr. Tim Jones discussed installation of the new City Manager and environmental concerns. Mr. Bill Oliver discussed environmental concerns. Mr. Arthur Turner talked about airport contractors. Mr. Larry Akers discussed parkland status of Green Water Treatment Plant and interpretation of the Town Lake Comprehensive Plan Ordinance.

ITEMS PULLED AND POSTPONED

Pulled off the agenda was the status report on the Sumiken Inquiry.

Postponed was the report from Dr. Stan Friedman from the Special Committee appointed by Council to negotiate with The University of Texas regarding Brackenridge Tract.

Postponed to April 6, 1989 is second and third readings of an ordinance establishing the number of hours in a work day for use in the computation of pay benefits for City of Austin employees.

Postponed to April 6, 1989 is approval of a contract to the Cahaba Construction Company for interim terminal improvements to the Robert Mueller Municipal Airport, Phase III for a total of \$8,430,700.00.

Postponed to April 6, 1989 is consideration of amending the 1988-89 Operating Budget by increasing revenues to the General Services Fund by \$69,000.00 from the ending balance and increasing expenses in the General Services fund by \$69,000.00 in order to provide for radio maintenance for the Police Department which is currently provided by an outside vendor.

Postponed until April 6, 1989 is consideration of contracts for light duty trucks and truck cabs and chassis for Leif Johnson Ford Inc. and Leif Johnson Ford Truck City.

Postponed indefinitely is consideration of approval of a contract amendment that would authorize accelerated payment to Springfield Joint Venture of \$254,263.33 in exchange for a 20% discount. (Net savings to the City = \$35,428.65)

Pulled from the agenda was an item to set a public hearing on land exchange with The University of Texas for the convention center.

Pulled from the agenda indefinitely was consideration of approving interim long distance phone service until a formal RFP is completed.

BOARD AND COMMISSION REPORTS

Mrs. Priscilla Flawn reported on plans for "Week of the Young Child" for Child Care Commission.

Ms. Maline McCalla reported on plans for Sesquicentennial Celebration for the Austin 150 Commission.

Councilmember Carl-Mitchell, chairman, Social Policy Advisory Committee, reported on Establishment of Advisory Sub-Committee.

MINUTES APPROVED

The Council, on Councilmember Humphrey's motion, Mayor Cooke's second, approved minutes for regular meeting of March 16, 1989 and special meeting of March 21, 1989. (6-0 Vote, Councilmember Urdy out of the room)

CONSENT ORDINANCES

The Council, on Councilmember Carl-Mitchell'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 Humphrey out of the room)

Disannexation

Approved requests for disannexation, pursuant to the provisions of SB 962, of certain properties annexed for limited purposes.

- (1) C7ad-89-016 Approximately 19.46 acres in two tracts at Loop 360 and Wild Basin Road owned by Dyn-O-Mite Limited
- (2) C7ad-89-017 Approximately 2.99 acres on Yucca Mountain Road owned by Double G Joint Venture
- (3) C7ad-89-018 Approximately .50 acre on RM 620 owned by Scuba ETC. (Larry Boatner)
- (4) C7ad-89-019 Approximately .50 acre on RM 620 owned by Donnie Covan

- (5) C7ad-89-020 Approximately 24 acres on Spicewood Springs Road at Old Lampasas Trail owned by the Oak Grove Joint Venture
- (6) C7ad-89-021 Approximately 10.80 acres on Old Lampasas Trail owned by Oak Grove Joint Venture II (Earl Hawthorne)
- (7) C7ad-89-022 Approximately 3.49 acres on RM 620 owned by Samuel Tate
- (8) C7ad-89-023 Approximately 10.76 acres on Old Lampasas Trail owned by Charles Ball
- (9) C7ad-89-024 Approximately 1.07 acres on two tracts on FM2796 owned by Hugh C. Mitchell
- (10) C7ad-89-025 Approximately 9.71 acres at Loop 360 and RM 2244 owned by Paul Keller
- (11) C7ad-89-026 Approximately 2.30 acres at Loop 360 and RM 2244 owned by Paul Keller

Zoning Ordinances

Passed through second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code (Land Use) to cover the following change:

TEXAS COMMERCE BANK	10700 Jollyville	From Tr. 1 "PUD" to
By Henry S. Miller Co.	Road	to "LO-CO"
C14-88-0051		Tr. 2 "PUD" to
		"LO-CO"
		Tr. 3 "PUD" to
		"LR-CO"
		Tr. 4 "PUD" to
		"GO"
		Tr. 5 "PUD" to
		"GR"

First reading on July 21, 1988, (5-0). Councilman Robert Barnstone and Councilmember George Humphrey out of room
Conditions have been met as follows: Restrictive
Covenant incorporating conditions imposed by Council has
been executed. Conditional Overlay incorporates
conditions imposed by Council.

CDBG FUNDS

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second, adopted a resolutions authorizing the reprogramming of \$345,448.00 in unexpended Community Development Block Grant (CDBG) Funds, and the reallocation of \$5,552.00 Funds to the 14th Year CDBG Acquisition/Rehabilitation Program and amending the Final Statements for 10th year through 14th year to reflect this action. (5-1 Vote, Mayor Cooke voted No, Councilmember Humphrey out of the room.)

AUSTIN HABITAT FOR HUMANITY, INC.

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second, approved the sale of City-owned lots which are part of the Glen Oaks Urban Renewal Plan properties to Austin Habitat for Humanity, Inc., a non-profit organization, to be used as low cost owner-occupied housing by low income families.

CONSENT ORDINANCES

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed the following ordinances all in one consent motion: (7-0 Vote unless otherwise indicated.)

Budget Amendment

Amended the 1988-89 Operating Budget by:

- a. Appropriating \$150,000.00 from the Liability Reserve Fund to the Legal Department to fund costs associated with an Asbestos Recovery Lawsuit. 6-1 Vote, Councilmember Barnstone voted No.)
- b. Accepting and appropriating \$379,716.00 in grant funds provided by the Texas Department of Health for the AIDS Prevention and Surveillance Program and for State Legalization Impact Assistance Services, Local Health Contract No. 9000505, to the Austin-Travis County Health Department.
- c. Accepting and appropriating a grant in the amount of \$419,000.00 to the Housing and Community Services Department from the U.S. Department of Housing and Urban Development for the Fiscal Year 1989 Rental Rehabilitation Program and authorizing execution of the attendant Grant Agreement.
- d. Accepting and appropriating a grant from the National Emergency Medical Association National Heart Research in the total amount of \$35,000.00 of which \$10,208.00 is for Fiscal Year 1988-89 for the purposes of OUTREACH classes in the Emergency Medical Services Department Cardiopulmonary Resuscitation (CPR) Program.

Parade Permit Fee Waived

Approved a request to waive parade permit fee for the Austin Travis County Livestock Show and Rodeo Parade. (6-1 Vote, Mayor Cooke voted No.)

CONSENT RESOLUTIONS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, adopted the following resolutions in one consent motion: (7-0 Vote)

Release of Easements

Approved release of the following easements:

- a. A portion of an Electric Easement of record in Volume 2628, Page 326 Travis County, Texas Deed Records, located on Lot 111, Fort Davis Hills Section One, located at the southwest corner of Davis Lane and Manchaca Road. (Request submitted by Crichton and Associates on behalf of Bill Pfluger, Trustee)
- b. The Sanitary Sewer Easement of record in Volume 594, Page 84 of the TCRPR and located on Lot 5, Block 4, James Byrne's Subdivision, locally known as 2836 Salado Street. (Request submitted by Mercantile Mortgage Corporation on behalf of Adelnia Adelina Fain)

Boggy Creek Channel Improvements

Approved granting right-of-entry to the U.S. Army Corps of engineers (and Designees), for electing self-insured status for the affected properties and for certifying compliance with Public Law 91-46, related to construction of Boggy Creek Channel Improvements, Part II by the U.S. Army Corps of Engineers, per the Local Cooperation Agreement dated June 27, 1986 between the City of Austin and the U.S. Army. C.I.P. No. 79/60-09.

Contracts Approved

Approved the following contracts:

- | | |
|---|--|
| <ol style="list-style-type: none">a. TECO, INC.
9733 Indianapolis Road
Forty Wayne, Indiana
Low Bid of 5
OX M/WBE | <p>- Two (2) Arterial Towers
(replacement units to carry
personnel and equipment to 50'
working heights)
Electric Utility Department
Total \$119,614.00 89-0093-RD</p> |
|---|--|

- b. CREATIVE INSURANCE COMPANIES
2405 Texas Avenue South, Ste. 300
College Station, Texas
Sole source
OX M/WBE
- Hospital Radiology Equipment and Lab Equipment, Brackenridge Hospital
Twelve (12) Month Maintenance Insurance Agreement
Total \$301,579.00 BC9-018
- c. MEDIFAX, INC.
3345 Bee Cave Place, Suite 210
Austin, Texas
Low Bid of 3
OX M/WBE
- Medical Transcription Services, Brackenridge Hospital
Twelve (12) Month Service Agreement
Total \$81,480.00
- d. UNITED SURGICAL CORPORATION
15500-A Rockfield
Irvine, California
Low Bid meeting specs. - 2 bids lower
OX M/WBE
- Phacoemulsifier, Brackenridge Hospital
Total \$50,711.00 BH9-116
- e. TECHNICON INSTRUMENTS CORPORATION
511 Benedict Avenue
Tartan, New York
Best of 2 RFP'S
OX M/WBE
- Hematology Analyzer, Brackenridge Hospital
Twelve (12) Month Supply Agreement
Total \$137,502.55 BH9-095
- f. FLEET TRAILER & TRUCK EQUIPMENT
6900 South IH-35
Austin, Texas
Low Bid of 2
OX M/WBE
- Twelve (12) Truck-Mounted Bodies, General Services Department
Items 1-8 - \$142,275.00 89-0091-OM
- g. Bid Award:

NORTH CENTRAL DODGE, INC.
7309 North IH-35
Austin, Texas
- Forty (40) Light Duty Trucks, General Services Department
Total \$418,338.00 89-0094-OM
- Items LT1A-1,2,3; LT-2;
LT3-1,2,3,4; LT4-1,2,3; LT5-1,2,3;
LT6 & LT8 - \$418,338.00
- h. Bid Award:

HENDRIX GMC TRUCKS, INC.
4400 South IH 35
Austin, Texas
- Five (5) Truck Cab and Chassis, General Services Department
Total \$141,145.00 89-0088-OM
- Items 3,4&5 - \$141,145.00

1. PELZEL AND ASSOCIATES (WBE)
5524 Bee Cave Road, Bldg. H-1
Austin, Texas
- Austin Access Television Studio,
Transportation and Public Services
Department
Total \$748,022.00 89-C014-JJ
- j. Bid awards:
Low Bid of 4
15% M/WBE
- Asphalt Concrete Materials,
Transportation and Public Services
Department and Water and Wastewater
Department
Twelve (12) Month Supply Agreement
Total \$1,143,964.00 88-0282-DC
- (1) CAPITOL AGGREGATES INC.
Bolm Road
Austin, Texas
- Items 1.1, 2.1, 3.1 & 4.1 -
\$661,375.00
- (2) AUSTIN PAVING COMPANY
428 E. Anderson Lane
Austin, Texas
- Items 1-4 - \$252,250.00
- (3) PIONEER CONCRETE OF TEXAS
8900 Ramirez Lane
Austin, Texas
- Items 1.1-2.4, 3.1, 4.1-4.4 -
\$140,800.00
- (4) METRO HAULING, INC.
1011 San Jacinto Blvd.
- Items 3.2-3.4, 5.1-5.4 -
\$89,539.00

Project Walking Books

Approved an application to the Texas State Library and Archives Commission for a grant in the amount of \$63,673.00 for Project Walking Books for the period September 1, 1989 through August 31, 1990.

Project AAG

Approved an application to the Texas State Library and Archives Commission for a grant in the amount of \$45,158.00 for Project AAG (Adult Basic Education/Amnesty/GED) for the period September 1, 1989 to August 31, 1990.

Oil Overcharge Fund Programs

Authorized submittal of applications to the State of Texas for Oil Overcharge Fund Programs.

Thermal Energy Storage Program Guidelines

Approved of Thermal Energy Storage Program Guidelines for the C.I.P. fund of the Resource Management Department and approving execution of Participation Agreements in accordance with such guidelines.

Contract Hearing Examiner

Approved of Amendment No. One to the contract with Rafael Quintanilla for the provision of additional services as the Contract Hearing Examiner for the Electric Utility Rate Process in an amount not to exceed \$7,375.00 and authorize the City Manager or her designee to negotiate and execute said contract amendment.

Water Supply Contract

Approved a Water Supply Contract between the City of Austin and Windermere Utility Company, Inc.

Public Hearing Set

Set a public hearing on the following:

Disannexation of all territory annexed for limited purposes before September 1, 1987, with the effective date of the disannexation to be June 15, 1989: April 20, 1989 at 5:30 P.M.

NORTHWEST TRAVIS COUNTY MUD NO. 1

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance amending the Northwest Travis County MUD No. 1 Consent Agreement to authorize an advance defeasement of contract bonds and the development of parkland. (5-0 Vote, Councilmembers Barnstone and Nofziger out of the room.)

DISPOSABLE DIAPER CONTRACT

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second, adopted a resolution approving a contract as follows: (5-0 Vote, Councilmembers Barnstone and Nofziger out of the room)

GENERAL MEDICAL
P.O. Box 19259
Austin, Texas

- Disposable Diapers, Brackenridge
Hospital
Twelve Month Supply Agreement
Total \$38,538.80 BS9-053

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) Potential Litigation re: LCRA, City of Austin/
Arco Coal contract
- (c) IN RE - Nash, Phillips Copus, Inc. Bankruptcy

2. Land Acquisition - Section 2, Paragraph f

- (a) Consider acquisition of working interest at
Fayette Power Project
- (b) Discuss proposals for convention center property
exchange.

RECESS

Council recessed its meeting from 3:24 to 4:42 P.M.

ZONING HEARINGS

Mayor Cooke announced Council would hear the following zoning cases. Council heard, closed public hearings where necessary and acted on cases as noted after each listing.

(1)	-88	CITY OF AUSTIN	1401-1721 Rosewood	From Tr. 1 "CS", "CS-1"
	0140	By Planning	Avenue	& "MF-4"
		Department	1101-1117 Angelina	Tr. 2 "MF-4-H"
			Street	Tr. 3 "CS" & "MF-4"
			1506-1610 East 11th	Tr. 4 "CS"
			Street	To Tr. 1 "SF-3"
			1100-1108 Concho	Tr. 2 "SF-3-H"
			Street	Tr. 3 "SF-6"
			1508-1704 Gregory	Tr. 4 "SF-6"
			Street	RECOMMENDED
			1130-1156 Salina St.	<u>ORDINANCE</u>

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

(2)	r-87	MCGILL	3701-3717 Spicewood	From Tr. 1 "LO"
	066	INVESTMENTS	Springs Road	Tr. 2 "LR"
		By Jerry		To Tr. 1 "LR-CO"
		Harris		Tr. 2 "GR-CO"

SENT BACK TO PLANNING COMMISSION

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, combined: Dumpsters will be screened from residential uses to the north and dumpsters 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".

(3) -89 CITY OF AUSTIN 4513 Lucksinger From "LI"
0015 By Planning Dept. Lane To "SF-3"
ORDINANCE

(On Mayor Pro Tem Shipman's motion, Mayor Cooke's second, 5-0 Vote, Councilmembers Humphrey and Urdy out of the room.)

(4) h-75 PEASE SCHOOL 1106 Rio Grande St. From "UNZ"
017 By City of Austin To "UNZ-H"
RECOMMENDED
DENIED

The Motion made was to approve.

(On Mayor Pro Tem Shipman's motion, Councilmember Carl-Mitchell's second, 3-2-0 Vote, Councilmember Barnstone and Mayor Cooke voted No, Councilmember Humphrey out of the room, Councilmember Urdy abstained.)

(5) h-87 WHITE-HANCOCK LOG 4811-4813 Sinclair From "SF-3"
019 CABINS Street To "SF-3-H"
By City of Austin RECOMMENDED
ORDINANCE

(6) -89 CONSTRUCTION DATA 13100 Block Hwy 183 From "SF-2"
0002 SERVICES North To "GR"
By Espey, Huston & Assoc. FIRST READING

RECOMMENDED limit of .26 FAR, limit of food sales to .03 FAR and prohibiting restaurant (fast food, drive-in) until US 183 is upgraded to a freeway, dedication of 75 ft. of right-of-way from the centerline of US 183, and reservation of 150' right-of-way from the centerline of US 183 in accordance with the Roadway Plan.

- (7) -89 GARY LIPPOLD 12937-12947 Research From "SF-2"
0003 By Holford Group Blvd. To "GR-CO"
FIRST READING

RECOMMENDED limited to an overall .18 FAR, excluding food sales and restaurant (drive-in, fast food), or limited to .052 FAR for restaurant (drive-in, fast food), .034 FAR for food sales, or .92 for medical office, dedication of 75 ft. of right-of-way and reservation of 150 ft. of right-of-way from the centerline of US 183.

- (8) -88 DOC HOLLIDAY'S 6210 U.S. 290 West From "DR"
0139 By Wally Hawkins To "GR-CO"
ORDINANCE

RECOMMENDED limited to pawn shop as the only permitted "GR" use, and permitted "LR" uses, signs to be permanent pole signs or signs attached to the building.

(On Mayor Pro Tem Shipman's motion, Mayor Cooke's second, 5-0 Vote, Councilmembers Humphrey and Urdy out of the room.)

BLACKSHEAR URBAN RENEWAL PLAN

The Council, on Councilmember Urdy's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving amendments to Blackshear Urban Renewal Plan to permit townhouse (single family) use in the "R" Residence District of the Blackshear Urban Renewal Land Use Plan. (6-0 Vote, Councilmember Barnstone out of the room.)

VISITORS RECOGNIZED

Mayor Cooke recognized the presence of Dr. Cliff Price, member of Rotary International, who was present in the Council Chamber with business professional Rotarians from India. They were in Austin on a study-exchange trip and were observing the Council meeting.

PUBLIC HEARING - STREET VACATION

Mayor Cooke opened the public hearing set for 5:00 P.M. on vacation of a portion of Theresa Avenue Alley (700 Block). (Request submitted by Jay Layden on behalf of Mark A. Kirkpatrick and Barbara J. Mahler) No one appeared to speak.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance vacating a portion of the Theresa Avenue Alley (700 Block). (7-0 Vote)

PARKING METERS AND FINES

The Council, on Councilmember Nofziger's motion, Mayor Pro Tem Shipman's second, passed through second reading only an ordinance amending the 1988-89 Operating Budget by: (4-2 Vote, Councilmembers Urdy and Carl-Mitchell voted No, Mayor Cooke out of the room.)

- (1) Reducing General Fund revenues by \$232,005.00 (\$42,000.00 Transportation and Public Services Department meter collections and \$190,005.00 in Municipal Court fine revenues).
- (2) Appropriating \$41,000.00 to the Transportation and Public Services Department from the General Fund Ending Balance.
- (3) Establishing three (3) core areas in the Central Business District and reducing parking meter rates to 1985 levels in those areas, effective July 15, 1989.
- (4) Reducing parking meter zone violation fines from \$10.00 (\$15.00 late payment) to \$5.00 (\$10.00 late payment), effective May 1, 1989.

Motion to Reconsider

Councilmember Barnstone made a motion, seconded by Councilmember Nofziger to reconsider. Motion passed by a vote of 6-0 with Councilmember Carl-Mitchell out of the room.

Motion

The Council, on Councilmember Barnstone's motion, Councilmember Nofziger's second, passed through SECOND AND THIRD READINGS of an ordinance amending the 1988-89 Operating Budget by: (5-1 Vote, Councilmember Urdy voted No, Councilmember Carl-Mitchell out of the room.)

- (1) Reducing General Fund revenues by \$232,005.00 (\$42,000.00 Transportation and Public Services Department meter collections and \$190,005.00 in Municipal Court fine revenues).
- (2) Appropriating \$41,000.00 to the Transportation and Public Services Department from the General Fund Ending Balance.
- (3) Establishing three (3) core areas in the Central Business District and reducing parking meter rates to 1985 levels in those areas, effective July 15, 1989.
- (4) Reducing parking meter zone violation fines from \$10.00 (\$15.00 late payment) to \$5.00 (\$10.00 late payment), effective May 1, 1989.

TACO BELL

The Council, on Councilmember Urdy's motion, Councilmember Barnstone's second, approved rescinding Council action taken February 23, 1989 to deny a request for variance from dedication of 15 feet of right-of-way by Taco Bell located at 2802 Guadalupe and granted the variance.

PUBLIC HEARING

Mayor Cooke opened the public hearing set for 6:00 P.M. on reprogramming of \$825,000.00 in unexpended 13th Year Community Development Block Grant Program (CDBG) funds to the 14th year CDBG Program to conduct a street and drainage Capital Improvements Project in the area known as the Rodriguez Subdivision.

No one appeared to speak.

Motion

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Carl-Mitchell's second, closed the public hearing. (6-0 Vote, Councilmember Nofziger out of the room.)

ITEM POSTPONED

Postponed to April 4, 1989 is an item from Mayor Pro Tem Shipman to direct staff to proceed expeditiously to acquire a portion of a 10.6 acre tract of land out of the Thomas Anderson Survey #17 in the City of Austin, Travis County, Texas, for the McCarty Lane-Convict Hill Road Improvements.

ZONING ORDINANCE

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second, passed through second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code (Land Use) to cover the following changes: (7-0 Vote)

(1) GEORGE P. SHELLEY
By Clark, Thomas,
Winters & Newton
C14-88-0146

10200 North Lamar From "SF-2"
Boulevard to "LR-MU"
(Valid Petition) ORDINANCE

GRANTED "LR-CO" (PLANNING COMMISSION
RECOMMENDATION, DELETE "M-U" OVERLAY
AND DO NOT EXTEND STREET

First reading on February 23, 1989, (5-0). Mayor Pro Tem Sally Shipman and Councilmember Smoot Carl-Mitchell out of room at roll call. Second reading March 16, 1989 (4-0). Mayor Pro Tem Sally Shipman, Councilmembers George Humphrey and Smoot Carl-Mitchell absent. Conditions have been met as follows: Restrictive covenant incorporating conditions imposed by Council has been executed.

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.

1. Pending Litigation - Section 2, Paragraph e

- (a) City of Austin vs. Houston Lighting and Power
- (b) Potential Litigation re: LCRA, City of Austin/
Arco Coal contract
- (c) IN RE - Nash, Phillips Copus, Inc. Bankruptcy

2. Land Acquisition - Section 2, Paragraph f

- (a) Consider acquisition of working interest at
Fayette Power Project
- (b) Discuss proposals for convention center property
exchange.

RECESS

Council recessed its meeting from 6:12 to 6:35 P.M.

COAL SUPPLY CONTRACT

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, adopted a resolution approving an amendment to the Coal Supply Contract between the City of Austin and the Lower Colorado River Authority with Thunder Basin Coal Company, providing for coal supply for the period April 1, 1989 through December 31, 2001.

NO ACTION ON TWO ITEMS

Council took no action on the following resolutions:

- a. Consider authorizing the City Manager to contract for the purchase of spot-coal supplies to fuel the Fayette Power Project for the period April 1, 1989 through March 31, 1990.
(Estimated amount \$4,515,000.00)
- b. Consider acquisition of a share of the working interest in natural gas leases at Fayette Power Project site.

ADJOURNMENT - Council adjourned its meeting at 6:36 P.M.