



Austin City Council MINUTES

NOTICE OF MEETING
REGULAR MEETING
THURSDAY, JANUARY 7, 1999

Mayor Watson called the meeting to order, noting the temporary absence of Mayor Pro Tem Goodman and Councilmember Spelman.

1. Approval of Minutes for December 9 & 10, 1998.
Approved on Councilmember Griffith's motion, Councilmember Lewis' second, 5-0 vote, Councilmembers Garcia and Spelman off the dais.

CITIZEN COMMUNICATIONS: GENERAL

2. Richard Troxell, to discuss the homeless.
3. Gus Pena, to discuss city issues and the health clinics.
Absent
4. Dave Schroeder, to discuss "given the hundreds of atomic transport accidents, the City needs to purchase Geiger counters and a gross of personal dosimeters for each fire and police station.
5. Helga Williams, requesting mediation between Up To Me and the neighborhood, and education on the program and what they could do for the community.
6. Pat Jennings, requesting mediation between Up To Me and the neighborhood.
Absent
7. Charlie Caldwell, to discuss Liberty Lunch.
8. Doug Moss, to discuss The Parke at Travis Country.
Diana Morrison spoke for Doug Moss.
9. Kirk Becker, to complain about not being able to complain.
10. Pat Valls-Trelles, to discuss the hiring process for new animal services manager/community input.
11. Charles Waits, to discuss "how can we make Access TV accessible."

READING OF CONSENT AGENDA

READING OF DISCUSSION AGENDA

CITIZEN COMMUNICATIONS: CONSENT AGENDA

ACTION ON CONSENT AGENDA

Municipal Court

12. Approve a resolution authorizing execution of a twelve-month service agreement with JESSIE LEE COBURN, CSR. CVR, Austin, Texas, for court reporting services, in an amount not to exceed \$57,460, with four twelve month extension options, in an amount not to exceed \$57,460 per extension, for a total contract amount not to exceed \$287,300. (Funding in the amount of \$43,095 was included in the 1998-99 Operating Budget of Municipal Court. Funding for the final three months and the extension options is contingent upon available funding in future budgets.) Single bid. No M/WBE Subcontracting opportunities were identified.
Resolution No. 990107-12 approved

Parks and Recreation

13. Approve a resolution authorizing execution of a contract with KISZKIEL CONSTRUCTION, INC., Cedar Park, Texas, for construction and renovation of the Northeast District Park Play Area, in the amount of \$94,746. (Funding was included in the 1997-98 Amended Capital Budget of the Parks and Recreation Department.) Low bid of two. 23.8% MBE, 8.4% WBE Subcontractor participation.
Resolution No. 990107-13 approved
14. Approve a resolution authorizing execution of a construction contract with MUNIZ CONCRETE AND CONTRACTING, INC., (MBE/MH), Austin, Texas, for building and parking area improvements at the Jimmy Clay and Roy Kizer Golf Courses, located at 5400 Jimmy Clay Drive, in the amount of \$1,203,899. (Funding is available in the 1998-99 Capital Budget of the Golf Enterprise Fund.) Low bid of four. MBE Prime Participation: 82.72%; 5.81% MBE, 2.17% WBE Subcontractor participation.
Resolution No. 990107-14 approved

Items 12 through 14 approved on Councilmember Lewis' motion, Councilmember Garcia's second, 7-0 vote.

Public Works

15. Approve a resolution authorizing right-of-way vacation of the alley in the 200 block of West 2nd Street, from Colorado Street to Lavaca Street as requested by Jim Alvis on behalf of Third and Colorado LLC. (Revenue in the amount of \$8,535 will be receipted to Public Works and Transportation Capital Project Management Fund; revenue in the amount of \$123,945 will be receipted in the General Fund.) [Recommended by Urban Transportation Commission and Planning Commission)
Postponed Indefinite
16. Amend the City Code by modifying the Basic Traffic Ordinance, Section 16-4-4(D), Speed Limits, for installation of a reduced speed school zone on Tallwood Drive for the protection of students attending Hill Elementary School. (Funding in the amount of \$200 for sign installation is available in the 1998-99 Child Safety Fund for the Department of Public Works and Transportation.)
Ordinance No. 990107-A approved

17. Approve a resolution authorizing negotiation and execution of an amendment to the professional service agreement with HDR ENGINEERING, INC., Austin, Texas, for additional design services for the Lamar Boulevard Pedestrian and Bicycle Bridge project, in an amount not to exceed \$890,000, for a total amount not to exceed \$1,487,466. (Funding is available in the 1992-93 and 1997-98 Amended Capital Budget of the Department of Public Works and Transportation.) 10.10% MBE, 17.31% WBE Subcontractor participation.

Resolution No. 990107-17 approved

18. Approve an ordinance authorizing acceptance and execution of a contract with the TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) to provide administrative support for Austin Metro Trails and Greenways which was approved by the Austin Transportation Study (ATS) Policy Advisory Committee to be funded through the Federal Intermodal Surface Transportation Efficiency Act (ISTEA) Surface Transportation Program (STP), in the amount of \$22,000; Amend Ordinance No. 980915-A, the 1998-99 Public Works and Transportation Special Revenue Fund by appropriating a total amount of \$17,600 and by authorizing a 0.50 full-time equivalent (FTE) position. (Funding in the amount of \$17,600 is available from Federal ISTEA STP funds; City required City Matching funds of \$4,400 are available in the 1998-99 Approved Operating Budget of the Public Works and Transportation Department). [To be reviewed by Planning Commission on January 5, 1999.]

Ordinance No. 990107-B approved

Items 16 through 18 approved on Councilmember Lewis' motion, Councilmember Garcia's second, 7-0 vote.

19. Approve a resolution approving execution of a construction contract with TREMUR CONSULTING CONTRACTORS, INC., Manor, Texas for construction of the Plaza Saltillo Project, in the amount of \$1,477,708.48 plus \$221,656.27 to be used as a contingency fund, for a total amount not to exceed \$1,699,364.75. (Funding is available in the 1994-95, 1995-96, 1997-98 and 1997-98 Amended Capital Budgets of the Public Works and Transportation Department). Low bid of two. DBE Subcontractor participation: 33.84% non-MBE, 21.83% non-WBE.

Resolution No. 990107-19 approved with correction of 33.84% DBE and 21.83% non-DBE on Councilmember Lewis' motion, Councilmember Garcia's second, 7-0 vote.

Finance and Administrative Services

20. Approve a resolution authorizing execution of a twelve month contract with COMPUTER ASSOCIATES INTERNATIONAL, Islandia, New York, for the renewal licensing and software maintenance for Datacom/DB for Multiple Virtual Storage used on the City's Mainframe computer located at Waller Creek Plaza, in an amount not to exceed \$43,039 with three twelve month options in amounts not to exceed \$43,039 per option, for a total contract amount not to exceed \$172,156. (Funding was included in the 1998-99 Operating Budget of Financial and Administrative Services.) Sole Source. No M/WBE Subcontracting opportunities were identified.

Resolution No. 990107-20 approved

21. Approve a resolution authorizing execution of a contract with HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENT COOPERATIVE PURCHASING PROGRAM, Houston, Texas, for the purchase of eight replacement and one additional loader/backhoes; one replacement wheel loader and one additional track loader for use by the Parks and Recreation Department, Water

and Wastewater Utility, and Public Works and Transportation, in the amount of \$605,655.75. (Funding in the amount of \$35,842.49 was included in the 1998-99 Vehicle Acquisition Fund; \$33,440.93 was included in the 1998-99 Operating Budget of the Water and Wastewater Utility Water Division; \$150,186.12 was included in the 1998-99 Operating Budget of the Department of Public Works and Transportation, Transportation Fund; \$285,225.24 was included in the 1998-99 Amended Capital Budget of the Water and Wastewater Utility; and \$100,960.97 was included in the 1998-99 Amended Capital Budget of the Watershed Protection Department.)

Resolution No. 990107-21 approved

22. Approve a resolution authorizing execution of a contract through the STATE OF TEXAS COOPERATIVE PURCHASING PROGRAM with AUTOMOTIVE RESOURCES INC., Fairfax, Virginia, for the purchase of a heavy-duty mobile automotive lifting system, including installation services for use by the Fleet Services Division, in the amount of \$59,376.04. (Funding was included in the 1998-99 Operating Budget of the Finance and Administrative Department, Fleet Services Division.)

Resolution No. 990107-22 approved

23. Approve a resolution authorizing execution of a twelve month supply agreement with UNIFORM CONCEPTS, Austin, Texas, for the purchase of men's work trousers and shirts, in an amount not to exceed \$63,996.70 with two twelve month extension options in an amount not to exceed \$63,996.70 per extension, for a total contract amount not to exceed \$191,990.10. (Funding in the amount of \$47,997.52 was included in the 1998-99 Operating Budget of various City departments. Funding for the remaining three months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid of 10 meeting specifications. No M/WBE Subcontracting opportunities were identified.

Resolution No. 990107-23 approved

24. Approve a resolution authorizing execution of a twelve month service agreement with CROWDER INDUSTRIAL RADIATOR SERVICE, Pflugerville, Texas, for radiator repair services for various City vehicles, in an amount not to exceed \$100,000, with two twelve month extension options in an amount not to exceed \$100,000 per extension, for a total contract amount not to exceed \$300,000. (Funding in the amount of \$75,000 was included in the 1998-99 Operating Budgets of various City departments. Funding for the remaining three months of the original contract period and the extension options will be contingent upon available funding in future budgets.) Low bid of three. No M/WBE Subcontracting opportunities were identified.

Resolution No. 990107-24 approved

25. Approve a resolution authorizing execution of a twelve month supply agreement with RDO EQUIPMENT CO., Manor, Texas, for the purchase of captive repair parts for John Deere heavy equipment, in an amount not to exceed \$60,000, with two twelve month extension options in an amount not to exceed \$60,000 per extension, for a total contract amount not to exceed \$180,000. (Funding in the amount of \$45,000 was included in the 1998-99 Operating budgets of various City departments; funding for the remaining three months of the original contract period and the extension options will be contingent upon available funding in future budgets.) Single bid. No M/WBE Subcontracting opportunities were identified.

Resolution No. 990107-25 approved

Items 20 through 25 approved on Councilmember Lewis' motion, Councilmember Garcia's second, 7-0 vote.

Police

26. Approve a resolution authorizing the negotiation and execution of an Agreement with the University of Texas at Austin to study and evaluate the Police Department's community policing efforts through the "Advancing Community Policing" program utilizing grant funding in an amount not to exceed \$100,000. (Funding is available from the United States Department of Justice Office of Community Oriented Policing Services as part of a \$1,000,000 grant award received by the City of Austin.)

Resolution No. 990107-26 approved on Councilmember Lewis' motion, Councilmember Garcia's second, 6-0-1 vote, Councilmember Spelman "ABSTAINED".

Library

27. Approve a resolution authorizing application of \$235,000 in grant funds from the State of Texas Telecommunications Infrastructure Fund Board for additional Internet access for the public at all Austin Public Library locations, and to provide enhanced World Wide Web services and availability. (A City match is not required).

Resolution No. 990107-27 approved on Councilmember Lewis' motion, Councilmember Garcia's second, 7-0 vote.

Health and Human Services

28. Amend Ordinance No. 980915-A, the 1998-99 Operating Budget of the Health and Human Services Department's Travis County Reimbursed Fund by decreasing revenue from Travis County in the amount of \$392,165; decreasing operating expenditures in the amount of \$392,165; and decreasing FTEs by 17.0, as a result of the transfer of the County's On-Site Sewage Facility Program from the Health and Human Services Department to the Travis County Transportation and Natural Resources Department, effective January 1, 1999. (\$664,126 and 17.0 Full-time Equivalents (FTEs) are in the 1998-99 Operating Budget of the Health and Human Services Department's Travis County Reimbursed Fund for the County's On-Site Sewage Facility Program. This is a part of \$5,583,174 and 95.75 FTEs for all programs in the Travis County Reimbursed Fund with an equivalent amount of revenue to reimburse the costs incurred. As a result of the transfer of the On-Site Sewage Facility Program, the expenditure and revenue budgets for the 1998-99 Travis County Reimbursed fund will be reduced by \$392,165 and 17.0 FTEs, thereby leaving an appropriated budget balance of \$5,191,009 and 78.75 FTEs in the Travis County Reimbursed Fund. This amendment will have no impact on the General Fund.) [Related to Item 29]

Postponed Indefinite

9. Approve a resolution authorizing Amendment No. 9 of the Interlocal Cooperation Agreement between the City of Austin and Travis County for the City Health Department/County Health Department to transfer operation of the County's On-Site Sewage Facility Program from the Health and Human Services Department to the Travis County Transportation and Natural Resources Department, effective January 1, 1999. (\$664,125 and 17.0 FTEs are in the 1998-99 Operating Budget of the Health and Human Services Department Travis County Reimbursed Fund for the County's On-Site Sewage Facility Program. This is a part of \$5,583,174 and 95.75 FTEs for all programs in the Travis County Reimbursed Fund with an equivalent amount of revenue to reimburse the costs incurred. As a result of the transfer of the On-Site

Sewage Facility Program, the expenditure and revenue budgets for the 1998-99 Travis County Reimbursed Fund will be reduced by \$392,165 and 17.0 FTEs, thereby leaving an appropriated budget balance of \$5,191,009 and 78.75 FTEs in the Travis County Reimbursed Fund. (Related to Item 28)

Postponed Indefinite

30. Approve Amendment No. One to the 1999 Interlocal Cooperation Agreement for the Human Services Program between the City of Austin and Travis County to fund and administer four additional social services contracts for the period of January 1, 1999 through December 31, 1999; provide emergency funding; and delete two contracts and their associated funding from the agreement at a net additional cost of \$236,861, for a total revised cost to the City not to exceed \$5,987,441. (Funding in the amount of \$5,271,365 was included in the 1998-99 Operating Budget for the Health and Human Services Department, Social Services Fund for 11 months of the original Interlocal Agreement period. \$266,000 of the increase reflected in this amendment was included in the 1998-99 Operating Budget of the Health and Human Services Department, Social Services Fund. The \$22,453 emergency funding included in this amendment is available in the 1998-99 Operating budget of the Health and Human Services Department, Social Services Fund.)

Resolution No. 990107-30 approved

31. Approve a resolution authorizing a contract with SmartGrls to provide services directed to middle school girls who may be at risk or who would benefit from programs designed to encourage continued educational attainments in industrial, professional or technology careers, for the period of October 1, 1998 through May, 1999, at a cost not to exceed \$50,000. (Funding was included in the 1998-99 Operating Budget for the Health and Human Services Department.)

Resolution No. 990107-31 approved

32. Approve a resolution authorizing an amendment to the contract with AIDS SERVICES OF AUSTIN for food bank services, dental care, client advocacy/legal services, and wellness education for persons with HIV, in an amount not to exceed \$52,425, for a total contract amount of \$1,060,795. (Funding is available in the 1997-98 Health and Human Services Department special Revenue Fund Ryan White Title I HIV Emergency Care grant program. A City match is not required)

Resolution No. 990107-32 approved

33. Approve a resolution authorizing confirmation of the appointment of Steven Harris, M.D. as Health Authority for Austin/Travis County Health and Human Services Department beginning January 11, 1999.

Resolution No. 990107-33 approved

Solid Waste

34. Set a public hearing to amend Ordinance No. 980915-D, the 1998-99 Fee Ordinance, amending the Solid Waste Services residential garbage collection rates for the former Southland Oaks MUD. (Suggested date and time: January 21, 1999 at 6:30 p.m.)

Resolution No. 990107-34 approved

Items 30 through 34 approved on Councilmember Lewis' motion, Councilmember Garcia's second, 7-0 vote.

35. Approve a resolution authorizing execution of an amendment to the professional service agreement with CARTER-BURGESS, INC., Austin, Texas, for additional funding for the Private

Landfill Environmental Assessment Project, in an amount not to exceed \$45,078.48, for total amount not to exceed \$95,078.48. (Funding is available in the 1998-99 Approved Operating Budget of the Solid Waste Services Department.) 8.6% MBE, 18.2% WBE Subcontractor participation.

Resolution No. 990107-35 approved on Councilmember Lewis' motion, Councilmember Garcia's second, 7-0 vote.

Housing

36. Approve an ordinance to approve the proposed Urban Renewal Plan for the East 11th and 12th Streets Urban Renewal Area. (No fiscal impact associated with adoption of the plan.) [Recommended by Planning Commission; to be reviewed by Urban Renewal Board on January 4, 1999.]

Postponed to January 14, 1999

37. Approve a resolution endorsing the Central East Austin Master Plan (CEAMP) concept that complements the East 11th and 12th Streets Urban Renewal Area. (No fiscal impact associated with adoption of this plan.)

Postponed to January 14, 1999

Convention Center

38. Approve a resolution to approve execution of a construction contract with DYNAMIC CONTRACTORS, LLC. (MBE/MB), San Antonio, Texas, for deconstruction/demolition of buildings within the proposed Austin Convention Center expansion area, in the amount of \$329,500 plus \$49,425 as a contingency fund to be used for change orders, for a total amount not to exceed \$378,925. (Funding in the amount of \$378,925 is included in the 1997-98 Amended Capital budget of the Austin Convention Center Department). Low bid of 10. MBE Prime Participation: 100%; 0% M/WBE Subcontractor participation.

Resolution No. 990107-38 approved

Planning, Environmental and Conservation Services

39. Set public hearings for the full purpose annexation of the Keesee Tract, located east of the intersection of IH-35 and the Slaughter Creek Overpass. (Suggested dates and times: January 21, 1999 at 6:00 p.m. and February 4, 1999 at 6:30 p.m.)

Resolution No. 990107-39 approved

Development Review

40. C14-98-0008 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 1303 Matthews Lane from "DR", Development Reserve to "SF-1-CO", Single-Family Residence-Conditional Overlay District zoning with conditions. First reading on April 30, 1998; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: Donald L. Godwin. City Staff: Joe Arriaga, 499-2308.

Ordinance No. 990107-C approved

41. C14-98-0055 - Approve second/third readings on an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as Elroy Road and FM 973 from "SF-2", Single Family Residence (Standard Lot) and "P", Public to "MF-2", Multi-Family Residence (Low Density) district zoning on Tract 1; "SF-4A", Single Family Residence (Small Lot) District zoning on Tract 2; "MF-2", Multi-Family Residence (Low Density) District zoning on Tract 3; "SF-4A", Single Family Residence (Small Lot) District zoning on Tract 4; and "GR", Community Commercial District zoning on Tract 5, with conditions. First reading on December 3, 1998; Vote 6-0, Lewis absent). Conditions met as follows: Conditional overlay incorporates conditions imposed by Council on first reading. Applicant: MC Joint Venture (William Gurasich); Agent: Armbrust Brown & Davis (Richard T. Suttle, Jr.). City Staff: Joe Arriaga, 499-2308.
Ordinance No. 990107-D approved

Items 38 through 41 approved on Councilmember Lewis' motion, Councilmember Garcia's second, 7-0 vote.

42. C814-81-005 – Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as Candle Ridge Drive and Far West Blvd. to amend an existing Planned Unit Development District zoning. First reading on October 22, 1998; Vote 5-1, Lewis nay and Slusher off the dais. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council on first reading. Applicant: Meadow Mountain IV Homeowners Association (Rebecca Waddell). Agent: George Fanguy and Simon Bedoya. City Staff: Don Perryman, 499-2786.
Ordinance No. 990107-E approved on Councilmember Lewis' motion, Councilmember Garcia's second, 6-1 vote, Councilmember Slusher voting "NO".

43. C14-97-0132 – Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by zoning property locally known as 4501 Guadalupe Street from "GO", General Office, "MF-4", Multi-Family Residence (moderate-high density), and "CS", General Commercial Services to "GR-CO", General Office-Conditional Overlay District zoning with conditions. First reading on May 7, 1998; Vote 5-0, Watson absent and Goodman off the dais. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council on first reading. Applicant: Argama, Inc. (Joe Lucas); Agent: Locke Purnell Rain Harrell (Henry Gilmore). City Staff: Don Perryman, 499-2786.
Approved on Councilmember Lewis' motion, Councilmember Garcia's second, 7-0 vote.

Motion to reconsider on Councilmember Garcia's motion, Councilmember Spelman's second, 7-0 vote.

Motion to postpone to February 4, 1999 at applicant's request on Councilmember Spelman's motion, Councilmember Slusher's second, 7-0 vote.

44. SP-98-0455AW - To set a public hearing to consider a request to waive the minimum separation distance requirement of City Code Section 8-3-4, between a proposed gas station/convenience store (Exxon Tiger Market) located at 1320 East Oltorf Street which intends to sell alcoholic beverages and a public school (Travis High School) and a church (Faith Presbyterian Church). Applicant: Exxon Company USA; Agent: Wallace Group (Christopher M. Ruiz); City Staff: Connie Buckner, 499-2206 (Suggested date and time: February 4, 1999, at 7:30 p.m.)
Resolution No. 990107-44 approved on Councilmember Lewis' motion, Councilmember Garcia's second, 7-0 vote.

45. Set a public hearing to consider a request from Ms. Patricia Jennings regarding the proposed relocation of the Up-To-Me, Inc. transitional treatment facility from its present location at 6222 North Lamar Blvd. to 2915 Webberville Road. (Suggested date and time: January 14, 1999, at 7:00 p.m.)
Resolution No. 990107-45 approved with a friendly amendment by Councilmember Slusher to allow one hour of discussion at the hearing, 30 minutes for each side, including rebuttal, on Councilmember Spelman's motion, Councilmember Slusher's second, 7-0 vote.
46. Set a public hearing to consider an ordinance amending Chapter 13-2 of the City Code to amend Article VII: Sign Regulations, as it relates to off-premise non-conforming signs (Billboards). City Staff: Gregory Guernsey, 499-2387. (Suggested date and time: January 14, 1999, at 6:00 p.m.)
Approved on Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.

Motion to reconsider on Councilmember Garcia's motion, Councilmember Spelman's second, 7-0 vote.

Postponed to February 11, 1999 on Councilmember Garcia's motion, Councilmember Lewis' second, 7-0 vote.

ITEMS FROM COUNCIL

47. Approve co-sponsorship of a parade to be held on January 18, 1999, in honor of Dr. Martin Luther King, Jr. (Councilmember Willie Lewis and Councilmember Gus Garcia)
Approved on Councilmember Lewis' motion, Councilmember Garcia's second, 7-0 vote.
Recessed from 2:40 p.m. until 4:00 p.m. on Councilmember Slusher's motion, Councilmember Spelman's second, 7-0 vote.

4:30 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

48. C14-98-0006 - Public hearing to amend Chapter 13-2 of the Austin City Code zoning property locally known as 8420 Spicewood Springs Road from "I-RR", Interim Rural Residence District, to "SF-2", Single Family Residence zoning. Planning Commission Recommendation: To Grant "SF-2-CO" Single Family Residence (Standard Lot)-Conditional Overlay District zoning with conditions. Applicant: FC Properties One, LTD., Agent: Drenner and Stuart, L.L.P. (Steven C. Metcalfe) City Staff: David Wahlgren, 499-6455.
Pulled from agenda
49. C14-98-0007 - Public hearing to amend Chapter 13-2 of the Austin City Code zoning property locally known as 8150 Spicewood Springs Road from "I-RR", Interim Rural Residence District, to "SF-2", Single Family Residence zoning. Planning Commission Recommendation: To Grant "SF-2-CO" Single Family Residence (Large Lot)-Conditional Overlay District zoning with conditions. Applicant: FC Properties One, LTD., Agent: Drenner and Stuart, L.L.P. (Steven C. Metcalfe) City Staff: David Wahlgren, 499-6455.
Postponed to February 4, 1999, applicant's first request
50. C14-98-0054 – Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as Elroy Road and Moore's Crossing Road, from Tract 1: "SF-2", Single Family Residence (standard lot) & "P", Public District; Tract 2: "MF-2", Multifamily Residence (medium

density), "GR", Community Commercial, & "P", Public District; Tract 3: "SF-2", Single Family Residence (standard lot); Tract 4: "GR", Community Commercial; Tract 5: "GR", Community Commercial, "MF-2", Multifamily Residence (medium density), "P" Public District; and Tract 6: "SF-2", Single Family Residence (standard lot), & "MF-2", Multifamily Residence (medium density) to Tract 1: "SF-4A", Single Family Residence (small lot) District; Tract 2: "GR", Community Commercial District; Tract 3: "GR", Community Commercial District; Tract 4: "SF-2", Single Family Residence (standard lot) District, "P", Public District; Tract 5: "SF-2", Single Family Residence (standard lot) District; and Tract 6: "MF-2", Multifamily Residence (medium density) District. Planning Commission Recommendation: To Grant "SF-4A", Single-Family Residence (Small Lot) District zoning on Tract 1; "GR", Community Commercial District zoning on Tract 2; "GR-CO" Community Commercial-Conditional Overlay District zoning on Tract 3; "LR", Neighborhood Commercial District zoning on Tract 4, "SF-2", Single-Family Residence (Standard Lot) District zoning on Tract 5; and "MF-2", Multi-Family Residence (Low Density) District zoning on Tract 6, with conditions. Applicant: MC Joint Venture (William Gurasich); Agent: Armbrust Brown & Davis (Richard T. Suttle, Jr.). City Staff: Joe Arriaga, 499-2308.

Ordinance No. 990107-F approved

Items 48 through 50 approved on Councilmember Spelman's motion, Councilmember Garcia's second, 7-0 vote.

51. C14-98-0107 – Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally know as 6109 W. William Cannon, from "LR", Neighborhood Commercial to "GR", Community Commercial. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial-Conditional Overlay District zoning with conditions. Applicant: Benchmark Land Development (David C. Mahn), Agent: GSG, Inc. (Alan D. Rhames). City Staff: Joe Arriaga, 499-2308. (Continued from 11/19/98)

Approved first reading only on Mayor Pro Tem Goodman's motion, Councilmember Spelman's second, 7-0 vote.

52. C14-98-0110 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 13601 Century Park Cove and 13604 Ida Ridge Drive from "IP", Industrial Park to "MF-3", Multi-Family Residence (medium density). Planning Commission Recommendation: To Grant "MF-3-CO", Multi-Family Residence (medium density)-Conditional Overlay District zoning with conditions. Applicant: Sage Land Company, Inc. (Peter A. Lamy); Agent: Prime Strategies, Inc. (Ralph E. Reed). City Staff: David Wahlgren, 499-6455. (Continued from 11/5/98)

Postponed to January 21, 1999, applicant's first request

53. C14-98-0111 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 13601 & 13605 Ida Ridge Dr. and 2700, 2800, and 2900 Century Park Blvd. from "IP", Industrial Park to "MF-3", Multi-Family Residence (medium density). Planning Commission Recommendation: To Deny "MF-3, Multi-Family Residence (medium density) zoning. Applicant: Sage Lane Company (Peter A. Lamy); Agent: Prime Strategies (Ralph A. Reed). City Staff: David Wahlgren, 499-6455. (Continued from 11/5/98)

Postponed to January 21, 1999, applicant's second request.

54. C14-98-0138 – Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 2101 North Lamar Boulevard from "LO", Limited Office to "MF-3", Multi-Family Residence (medium density). Planning Commission Recommendation: To Grant "MF-3-CO", Multi-

Family Residence (medium density-conditional overlay) District zoning with conditions. Applicant/Agent: Ronald Scharfe. City Staff: Don Perryman, 499-2786. Note: A valid petition has been filed in opposition to this rezoning request.

Postponed to February 4, 1999, neighborhood's first request.

55. C14-98-0139 – Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as 9600 to 9610 Manchaca Rd. and 2000 to 2020 Monarch Drive, from "SF-2", Single Family Residence to "LR", Neighborhood Commercial. Planning Commission Recommendation: To Grant "LR-CO", Neighborhood Commercial-Conditional Overlay District zoning with conditions. Applicant: Jan Felder Currier, Agent: Howell Co. (W.B. Bill Howell). City Staff: Joe Arriaga, 499-2308.

Approved Planning Commission's recommendation first reading only.

56. C14-98-0143 - Public hearing to amend Chapter 13-2 of the Austin City Code zoning property locally known as 12598 Research Blvd. from "GR", Community Commercial & LO Limited Office to "CS", General Commercial Services zoning. Planning Commission Recommendation: To Grant "LO" Limited Office District zoning on Tract 1, and "CS-1-CO", Commercial-Liquor Sales-Conditional Overlay District zoning on Tract 2, with conditions. Applicant: First Hand Car Wash (Timothy R. Broeden), Agent: James Lawson, City Staff: David Wahlgren, 499-6455.

Approved Planning Commission's recommendation first reading only.

57. C14-98-0146 - Public hearing to amend Chapter 13-2 of the Austin City Code zoning property locally known as 12602 Blackfoot Trail from "SF-1", Single Family Residence (Large Lot), to "GR", Community Commercial zoning. Planning Commission Recommendation: To Grant "SF-2", Single Family Residence (Standard Lot) District zoning on Tract 1 and "GR-CO" Community Commercial District zoning on Tract 2, with conditions. Applicant: Abraham Birgani, Agent: I.T. Gonzalez, City Staff: David Wahlgren, 499-6455.

Postponed to February 4, 1999. This is applicant's first request due to a valid petition.

58. C14-98-0147 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as 8721 and 8609 South First Street, from "DR", Development Reserve to "LR-CO", Neighborhood Commercial-Conditional Overlay District zoning on Tract 1, and "IP-CO", Industrial Park-Conditional Overlay District zoning on Tract 2. Planning Commission Recommendation: To Grant "LR-CO", Neighborhood Commercial-Conditional Overlay District zoning on Tract 1, "IP-CO", Industrial Park-Conditional Overlay District zoning on Tract 2, with conditions. Applicant: Kay Carter; Agent: Richard Crank. City Staff: Joe Arriaga, 499-2308.

Approved Planning Commission's recommendation with the following additional conditions; 1) limit impervious cover to 70% for tracts 1 & 2; 2) limit building height to 40' for tracts 1 & 2; 3) signs will comply with neighborhood commercial sign regulations for tract 1 & 2; 4) prohibit automotive washing and adult oriented uses, first reading only.

Items 52 through 58 approved on Councilmember Spelman's motion, Councilmember Garcia's second, 7-0 vote.

59. C14-98-0148 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 700-1100 East Stassney Lane from "GR", Community Commercial to "CS-CO", General Commercial Services-Conditional Overlay district. Planning Commission Recommendation: To Grant "CS-CO", General Commercial Services-Conditional Overlay district zoning with conditions.

Applicant: Oryx Development Corporation (David McClain); Agent: Minter, Joseph & Thornhill (Michele Hausmann). City Staff: Debra Williams, 499-2987. (Continued from 12/10/98)

Close the public hearing on Councilmember Slusher's motion, Councilmember Spelman's second, 5-0 vote, Mayor Watson and Councilmember Garcia off the dais.

Approved Planning Commission recommendation with the following additional conditions; 1) prohibit 12 additional uses (indoor sports & recreation, adult oriented businesses, pawn shop services, automotive rental, automotive sales, automotive repair services, commercial off-street parking, off-site accessory parking, theater, automotive washing, service station, drop-off recycling collection facility), 2) explore increasing height for fence at rear of the site, 3) comply with the integrated pest management program; first reading only on Councilmember Spelman's motion, Councilmember Slusher's second, 6-0 vote, Councilmember Garcia off the dais.

Questions for staff: 1) Does Sunset Valley have stormwater (regional stormwater) regulations? Are they similar to Austin's? 2) How long has the City had its regional stormwater detention/flooding prevention regulations (RSMP). This relates to detention of rainwater runoff either on site detention or regional.

*Land uses to be added to the conditional overlay agreed to between the neighborhood association and the applicant.

60. C14-98-0154- Public hearing to amend Chapter 13-2 of the Austin City Code zoning property locally known as 9915 to 10009 Anderson Mill Rd. from "I-RR", Interim Rural Residence District, to "LR", Neighborhood Commercial zoning. Planning Commission Recommendation: To Grant "LR-CO", Neighborhood Commercial-Conditional Overlay District zoning with conditions. Applicant: Bethany Methodist (Michael Lowry), Agent: Richard Crank, City Staff: David Wahlgren, 499-6455.
Ordinance No. 990107-G approved
61. C14-98-0155 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as 11877-11879 Research Blvd. from "LO", Limited Office, "SF-2", Single Family (Standard Lot), and "GR", Community Commercial to "GR", Community Commercial. Planning Commission Recommendation: To Grant "LO-CO", Limited Office-Conditional Overlay District zoning with conditions. Applicant: City of Austin; Agent: Development Review and Inspection Department. Property Owners: Ruth Brunk, Dicotec Inc. and James Mattox; City Staff: David Wahlgren, 499-6455. Note: A valid petition has been filed in opposition to this rezoning request. (Continued from 12/10/98)
Postponed to January 14, 1999, by staff request in order to research legal questions raised by the property owner.
62. C14-98-0157 - Public hearing to amend Chapter 13-2 of the Austin City Code zoning property locally known as 12103 Jekel Circle from "SF-3", Single Family Residence, to "CS-CO", General Commercial Services zoning. Planning Commission Recommendation: To Grant "CS-CO", General Commercial Services-Conditional Overlay District zoning with conditions. Applicant: Stephen and Tressie Dillinger, Agent: Jim Bennett, City Staff: David Wahlgren, 499-6455.
Approved Planning Commission's recommendation, first reading only.
63. C14-98-0164 - Public hearing to amend Chapter 13-2 of the Austin City Code zoning property locally known as 7200 McNeil Drive from "I-SF-2", Interim Single Family Residence, to "CS", General Commercial Services zoning. Planning Commission Recommendation: To Grant "CS-CO", General

Commercial Services-Conditional Overlay District zoning with conditions. Applicant: Larry Braxton, Agent: Jim Bennett, City Staff: David Wahlgren, 499-6455.

Ordinance No. 990107-H approved

64. C14-98-0187 - Public hearing to amend Chapter 13-2 of the Austin City Code zoning property locally known as 13700 to 13800 N. US Hwy 183 from "DR", Development Reserve, and "GR", Community Commercial to "GR", Community Commercial zoning. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial-Conditional Overlay District zoning with conditions. Applicant: LBJ Co. LP (Texas Ltd. Partnership), Agent: Minter, Joseph, and Thornhill (John M. Joseph), City Staff: David Wahlgren, 499-6455.

Ordinance No. 990107-I approved

65. C14-98-0196 - Public hearing to amend Chapter 13-2 of the Austin City Code rezoning property locally known as 9801 Anderson Mill Road from "SF-1", Single Family Residence (Large Lot), to "GO", General Office zoning. Planning Commission Recommendation: To Grant "LO", Limited Office District zoning with conditions. Applicant: Anderson Mill Oakpark (Chi Kao Hsu), Agent: Chin and Patrick, LLP (Daniel Chin), City Staff: David Wahlgren, 499-6455.

Approved Planning Commission's recommendation first reading only.

66. C14-98-0200 - Public hearing to amend Chapter 13-2 of the Austin City Code zoning property locally known as 7318 McNeil Drive from "I-RR", Interim Rural Residence, to "GR", Community Commercial zoning. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial-Conditional Overlay District zoning with conditions. Applicant: BWL, LP (Henry W. Branson III), Agent: McGinnis, Lockridge, & Kilgore (Julian Lockwood), City Staff: David Wahlgren, 499-6455.

Ordinance No. 990107-J approved

67. C14-98-0201 - Public hearing to amend Chapter 13-2 of the Austin City Code zoning property locally known as 12112 Boardwalk Dr. from "I-SF-2", Interim Single Family Residence, to "LI", Limited Industrial zoning. Planning Commission Recommendation: To Grant "LI-CO", Limited Industrial-Conditional Overlay District zoning with conditions. Applicant: Youngquist Investments, LTD. (JE Youngquist), Agent: Site Specific (John Hussey), City Staff: David Wahlgren, 499-6455.

Ordinance No. 990107-K approved

Items 60 through 67 approved on Councilmember Spelman's motion, Councilmember Garcia's second, 7-0 vote.

Recessed from 5:50 p.m. until 6:00 p.m. on Councilmember Slusher's motion, Councilmember Griffith's second, 7-0 vote.

PUBLIC HEARINGS

68. **6:00 p.m.** - Public hearing on an appeal of the Sign Review Board's decision to deny a variance request to install a freestanding sign exceeding the maximum allowable sign height requirement of Section 13-2-867 from 35 feet to 50 feet in height in a "GR", Community Commercial zoning district (Expressway Corridor sign district) for Shell Oil Company, 2711 South Interstate 35. Applicant: Jim Bennett on behalf of Mr. Robert E. Strobeck.

Close public hearing on Councilmember Garcia's motion, Councilmember Lewis' second, 6-0 vote, Mayor Pro Tem Goodman off the dais.

ACTION ON PUBLIC HEARINGS

69. Approve a resolution regarding an appeal of the Sign Review Board's decision to deny a variance request to install a freestanding sign exceeding the maximum allowable sign height requirement of Section 13-2-867 from 35 feet to 50 feet in height in a "GR", Community Commercial zoning district (Expressway Corridor sign district) for Shell Oil Company, 2711 South Interstate 35. Applicant: Jim Bennett on behalf of Mr. Robert E. Strobeck.

Councilmember Lewis moved to approve a 43 foot variance; motion failed for lack of second.

Moved to deny the appeal by Councilmember Spelman, Councilmember Griffith's second, 6-1 vote, Councilmember Lewis voting "NO".

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held at 12:30 p.m. to 1:50 p.m.

The City Council will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda.

The City Council may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Private Consultation with Attorney – Section 551.071

70. Discuss Kirk Anderson, Trustee V. City of Austin, Cause No. 98-11862, in the 201st Judicial District Court of Travis County, Texas. (This litigation concerns development regulations applicable in the Barton Springs Zone.)
71. Discuss FM Properties Operating Co. v. City of Austin, Cause No. 98-0685, in the Supreme Court of Texas.

Pulled from Executive Session

ACTION ON THE FOLLOWING

72. Approve settlement of Kirk Anderson, Trustee V. City of Austin, Cause No. 98-11862, in the 201st Judicial District Court of Travis County, Texas. (This litigation concerns development regulations applicable in the Barton Springs Zone.)

No action taken

73. APPOINTMENTS

Solid Waste Task Force – CAROL SZERZEN.

Approved on Councilmember Garcia's motion, Mayor Pro Tem Goodman's second, 7-0 vote.

ADJOURNED at 7:03 p.m. on Mayor Pro Tem Goodman's motion, Councilmember Garcia's motion, 7-0 vote.

Approved on this the 14th day of January, 1999 on Councilmember Garcia's motion, Councilmember Lewis's second, 4-0 vote. Councilmembers Griffith, Slusher and Spelman off the dais.