



Austin City Council MINUTES

FEBRUARY 29, 1996

Mayor Todd called the meeting to order, Councilmember Shea absent.

1. Approval of Minutes for the Worksession of February 14, 1996 and the Regular Called Meeting of February 15, 1996. Approval of Minutes should include: Special Called Meeting of February 7, 1996 and Regular Called Meeting of February 8, 1996.
Approved, on Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Shea absent.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Charlie Waits, to discuss city matters.
3. Mr. Gus Pena, to discuss affordable housing and youth issues.
4. Mr. Leonard Lyons, to discuss contract and franchise compliance.
5. Mr. Ian Levin, to discuss quicker response time by police, more capable and consistent procedure from 911 to Austin police department, and smaller geographical radius per patrol unit in this area.
6. Mr. Lawrence Freilich, to discuss city wastewater ordinance.
7. Mr. Richard Moore, III, to discuss the Austin homeless problem.
Absent
8. Mr. Samuel Joseph Kipple, to discuss the future of city utilities.
Absent
9. Ms. Brette Browning, to discuss ADA and IDEA laws and curb cuts.
Absent
10. Ms. Terri Stellar, to discuss city compliance with ADA.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

11. Approve a remediation contract award to CCC GROUP, INC., San Antonio, Texas, for the removal of refuse and other materials from Springdale Park, in the amount of \$208,838. (Funding was included in the 1995-96 approved Capital budget of the Solid Waste Services Department.) Single bid. 9.8% MBE, 3.5% WBE Subcontractor participation.
Approved on, Councilmember Nofziger's motion, Councilmember Goodman's second, 7-0 vote

ORDINANCES

12. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 12913-12931 U.S. Hwy. 183 North, Case No. C14-95-0131, from "SF-2", Single Family Residence (standard lot) to "GO", General Office, GEORGE BLITCH/SHANNON KELLEY (George Blitch), by Richard H. Crank, ASLA (Richard Crank). First reading on December 7, 1995; Vote 6-0, Goodman off the dais. Conditions met as follows: there are no conditions to be met.
Ordinance No. 960229-A approved, on Councilmember Nofziger's motion, Councilmember Goodman's second, 7-0 vote.

13. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 8207 North IH-35 NB, Case No. C14-95-0137, from "LO", Limited Office & "SF-3", Family Residence to "GR-CO", Community Commercial-Conditional Overlay, and "LO-CO", Limited Office-Conditional Overlay for the first 100 feet of the Eastern most property line, subject to the following on both tracts: (1) limit development to that which will generate less than 2,000 vehicle trips per day; and (2) dedicate up to 40 feet of right-of-way from the existing centerline of Rutherford Drive; For the GR-CO portion of the site, the following conditions will apply - (1) Any development on the site will include a 65' vegetative buffer along the East & North property lines of the subject tract where it is adjacent to a property zoned SF-3. The buffer shall remain undisturbed except that the following activities shall be permitted if necessary: (a) Drainage Improvements, (b) Installation of Underground Utilities, and (c) Landscaping & Landscape Maintenance, including irrigation system. (2) Walls or fences not to exceed 4' in height shall be placed on the perimeter of the parking areas on the site where vehicular traffic or parking causes headlights to point in the direction of the adjacent property zoned SF-3. The purpose of the walls is to screen the adjoining homes from headlights. (3) No building or tenant amenities such as pool, tennis courts, or recreational equipment shall be placed within 100' of any adjacent property zoned SF-3. (4) No building taller than one story shall be located closer than 150' from any adjacent property zoned SF-3. (5) In addition to compliance with the Landscape Ordinance, at least six 15-gallon trees shall be placed within the 65' buffer in areas where the existing vegetation is sparse for the purpose of additional screening of applicant's development from SF-3 zoned properties. The trees shall be either Cedar Elm, Easter Red Cedar, or Live Oak. (6) Prior to the final reading of the zoning ordinance, the applicant will deliver to you a letter agreement including a commitment to use reasonable efforts to limit the times for construction activity on the tract and to relocate wildlife which may be displaced by the proposed development. The letter agreement will include a contact person with phone numbers that your client can call in the event that the construction times are not complied with. The letter agreement will also include a commitment to provide your client with a copy of the site plan for review and comment, either prior to or upon the submittal of the site plan to the city. It is expressly understood that your client's approval of the site plan is not a requirement for city approval of a site development permit. For the LO-CO portion on the site, the following conditions will apply - (1) Prohibit the Medical Office use. (2) A 65 foot minimum setback for all parking and driveways from SF-3, Single Family zoned areas. (3) Provide a 50 foot undisturbed buffer, except for utilities and off-site drainage from SF-3 zoned areas; WINDSOR RESIDENTIAL

PROPERTIES (Nancy Roger), by Strasburger & Price, LLP. (Richard T. Suttle, Jr.). First reading on December 14, 1995; Vote 6-0, Shea absent. Conditions met as follows: conditional overlay incorporates conditions imposed by Council. Note: A petition of 33.96% has been filed in opposition to this request.

Postponed to February 7, 1996

14. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 11601-11805 North F.M. 620 and 11612-11714 Anderson Mill Road, Case No. C14-95-0167, from "SF-2", Single Family Residence (standard lot) to "GR-CO", Community Commercial-Conditional Overlay, zoning for the southwestern portion of the tract; "LO-CO", Limited Office-Conditional Overlay for the first 300 feet of the northeastern most property line; and "LR-CO", Neighborhood Commercial-Conditional Overlay for the first 300 feet of the northwestern most property line. The provisions of the overlay are as follows: (1) a minimum 50 foot buffer on the northeastern portion of the first 300 feet of the rear yard (LO-CO portion only); (2) prohibit Hospital (limited) uses (for the entire site); (3) dedication of 53 feet of right-of-way from the future centerline of Anderson Mill Road; LUMBERMAN'S INVESTMENT (Phillip Breland), by Small, Craig & Werkenthin (Jim Nias). First reading on January 4, 1996; Vote 5-0; Shea absent and Nofziger off the dais. Conditions met as follows: conditional overlay incorporates conditions imposed by Council. Street deed has been executed.
Ordinance 960229-B approved, on Councilmember Nofziger's motion, Councilmember Goodman's second 7-0 vote.
15. Approve first reading of an ordinance granting a charter bus franchise to Admiral Coach Lines, Inc., and a proposed rate of fare. (5% of gross revenues for the first year, 10% each additional year.) (Recommended by Urban Transportation Commission)
Approve first reading only, on Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-0-2 vote, Councilmembers Mitchell and Reynolds abstaining.
16. Amend the Austin City Code by modifying the Basic Traffic Ordinance, Section 16-4-4 (D) Speed Limits, for the installation of a 20 mph school zone on Samuel Huston Avenue for students attending Norman Elementary School. (Funding in the amount of \$6,500 for the installation of flashing lights, traffic signs, and pavement markings is available in the 1995-96 Child Safety Fund for the Public Works and Transportation Department.)
Ordinance No. 960229-C approved
17. Amend the Austin City Code by modifying the Basic Traffic Ordinance, Section 16-4-4 (D) Speed Limits, for the installation of a 20 mph school zone on Leafield Drive for students attending Boone Elementary School. (Funding in the amount of \$500 for the installation of traffic signs and pavement markings is available in the 1995-96 Child Safety Fund for the Public Works and Transportation Department.)
Ordinance No. 960229-D approved
18. Approve changing the street name of a portion of SIMMONS ROAD to BLUFFSTONE

COVE (from the intersection of Forsythia Drive and Simmons Road northeasterly to the end of this portion of Simmons Road, approximately 850'). (Processing and street sign fees to be paid by the requester.)

Ordinance No. 960229-E approved

19. Approve changing the street name of the entire length of FORSYTHIA DRIVE to BLUFFSTONE LANE (from the intersection of Forsythia Drive and Capital of Texas Highway North westerly to the end of the right-of-way, approximately 1500'). (Processing and street sign fees to be paid by the requester.)

Ordinance No. 960229-F approved

20. Adopt an ordinance to discontinue approximately 40 acres of land to adjust the corporate boundary between the City of Austin and the City of Sunset Valley. (No fiscal impact.)

Ordinance No. 960229-G approved

21. Adopt an ordinance annexing, for full purposes, the Jourdan Crossing 300 annexation area.

Ordinance No. 960229-H approved

22. Amend Section 15-2-3 of the Austin City Code, Subsection (A), to update the criteria for approving Non-Construction Street Closure permits. (No fiscal impact.)

Ordinance No. 960229-I approved

Items 16 through 22 approved, on Councilmember Nofziger's motion, Councilmember Goodman's second, 7-0 vote.

23. Amend the City Code by adding Chapter 15-10 to regulate the planting, maintenance and removal of trees on public property. (Requires 1% of the actual construction costs of new roadway or roadway capacity expansion projects funded by future general obligation bond proceeds to be devoted to tree planting.) (Recommended by Environmental Board, Parks and Recreation Board, Forestry Board and Water and Wastewater Commission)

Approved first and second reading only on, Councilmember Goodman's motion, Mayor Pro Tem Garcia's second, 5-1-1 vote, Councilmember Mitchell voting "NO", Councilmember Reynolds abstaining.

24. Amend Ordinance 950911-A, the 1995-96 operating budget, by increasing budgeted revenue and expenditures by \$20,000 in the Radio Communications Fund. (Funding is available from various local area governmental agencies.) **(Related to Item 29)**

Ordinance No. 960229-J approved, on Councilmember Nofziger's motion, Councilmember Goodman's second, 7-0 vote.

25. Amend Ordinance 950911-B, the 1995-96 Capital budget of the EMS Department, by transferring \$549,385 from EMS Medic 13 project to EMS stations 8, 18, 10 , and 9 for a total appropriation of \$1,555,888. (Funding was included in the 1995-96 Capital Budget of the EMS Department) **(Related to Item 27)**

Postponed for one week to March 7, 1996

26. Amend Ordinance 950911-A, the 1995-96 Operating Budget by transferring \$70,000 from

the General Fund Contingency Reserve and increasing the appropriation for the Fire Department by \$70,000 to fund the repair of a City fire pumper. (Funding is available in the General Fund Contingency Reserve) **(Related to Item 28)**

Ordinance No. 960229-K approved, on Councilmember Nofziger's motion, Councilmember Goodman's second, 7-0 vote.

RESOLUTIONS

27. Approve a construction contract award to BRAUN & BUTLER CONSTRUCTION INC, Austin, Texas for completion of four EMS Additions, in the amount of \$584,000. (Funding was included in the 1995-96 amended Capital budget of the EMS Department) Sole responsive bid. 24.09% MBE, 8.57% Subcontractor participation. **(Related to item 25)**
Postponed for one week to March 7, 1996
28. Approve execution of a contract with SPECIAL EQUIPMENT SERVICES, INC, Kaufman, Texas for the repair of a City fire pumper in an amount not to exceed \$75,000. (Funding is available in the amended 1995-96 Operating budget of the Fire Department) Low bid of two. No Subcontracting opportunities identified. **(Related to 26)**
Approved
29. Approve an Interlocal Agreement between the City of Austin, Information Systems Department, Radio Communications Division and other various governmental agencies for maintenance of two-way radios and related equipment, in the amount of \$20,000. (Funding is available in the Radio Communications fund of the Information Systems Department.) **(Related to Item 24)**
Approved
30. Authorize an amendment to increase the contract with SOUTHWESTERN BELL TELEPHONE, Dallas, Texas, for the purchase and construction of fiber optic cable facilities which connect remaining City buildings to the Greater Austin Area Telecommunications Network (GAATN), in an amount not to exceed \$510,000, for a total contract amount of \$953,468.45. (Funding was included in the 1995-96 Capital budget of the Information Systems Department.) (Recommended by Telecommunications Infrastructure Subcommittee)
Approved
31. Express the City of Austin's official intent to reimburse eligible costs associated with improvements to the City of Austin telecommunications network and Phase II of the Great Austin Area Telecommunications Network (GAATN). (\$2,000,000 to be funded through the issuance of contractual obligations to be sold in September, 1996.) (Recommended by Telecommunications Infrastructure Subcommittee)
Approved
32. Authorize amendments to the Interlocal Agreements between City of Mustang Ridge and City of Rollingwood with the City of Austin, Information Systems Department, Radio Communications Division to provide two-way radio maintenance, with automatic renewals each year and automatic rate adjustments. (Estimated revenue for the Radio

Communications Fund of the Information Systems Department is \$2,400.)

Approved

33. Approve a temporary street closure application from Ms. Brooke Van Horn, on behalf of the "Susan G. Koeman, 5K Race For the Cure", a charitable run for the fight against cancer, to temporarily close the 2000 block of Whitis Avenue, between 4:00 a.m. and 2:00 p.m. on March 3, 1996 for use as a temporary staging area for the start and finish of the race. (The \$50 street closure fee to be paid by the applicant.)

Approved

34. Approve Change Order #5 to BAY MAINTENANCE COMPANY, INC., Horseshoe Bay, Texas, to pay for additional replacement of sunken curbs, gutters, sidewalk, and failed pavement areas as part of the Vargas/Parker Street Reconstruction and Overlay Project, in the amount of \$79,809, for a total contract amount of \$2,016,574.29. (Funding in the amount of \$74,391 was included in the 1994-95 Capital budget of the Public Works and Transportation Department; \$5,118 was included in the 1993-94 Capital budget of the Water Utility; \$300 was included in the 1991-92 Capital budget of the Wastewater Utility.) 62.47% DBE Subcontractor participation: 45.55% MBE, 16.92% WBE) (Recommended by Water and Wastewater Commission)

Approved

35. Authorize negotiation and execution of Supplemental Amendment #1 to the Professional Services Agreement with HDR ENGINEERING, INC., Austin, Texas, for preliminary design, engineering/architectural and construction management (Phases I, II, and III) services for the Drinking Water Laboratory Improvements Project, in the estimated amount of \$493,000, for a total contract amount of \$845,167.46. (Funding was included in the 1995-96 Capital budget of the Water and Wastewater Utility.) 21.0% MBE, 4.5% WBE Subconsultant participation. (Recommended by Water and Wastewater Commission)

Approved

36. Authorize negotiation and execution of an Interlocal Agreement with the TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) for the relocation of existing water and wastewater utilities as part of the US 290 West improvements from Industrial Oaks Boulevard to Williamson Creek, Phase II, in the amount of \$2,318,000. (Funding was included in the 1991-92 Capital budget of the Water and Wastewater Utility.) (Recommended by Water and Wastewater Commission)

Approved

37. Authorize negotiation and execution of Amendment #3 to the Professional Services Agreement with WESTIN ENGINEERING, INC., Spicewood, Texas, for Phase III (construction management) services for the Wastewater Lift Station Telemetry System Expansion and Renovation Improvements Project, in the estimated amount of \$177,313, for a total agreement amount of \$427,313. (Funding was included in the 1991-92 Capital budget of the Water and Wastewater Utility.) 1.6% MBE, 27.5% WBE Subconsultant participation. (Recommended by Water and Wastewater Commission)

Approved

38. Approve Change Order #3 to BRH GARVER, INC., Austin, Texas, for additional work

required due to a redesign of a segment of water and wastewater lines as part of the Lockheed Wastewater Project Phase 2 project, in the amount of \$81,290.68, for a total contract amount of \$1,104,671.28. (Funding was included in the 1991-92 Capital budget of the Water and Wastewater Utility.) 9.29% MBE, 0.09% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)

Approved

39. Ratify approval of a Supplemental Amendment #7 to the Professional Services Agreement with TURNER, COLLIE AND BRADEN, INC., Austin, Texas, for engineering services required to repair and replace failed portions of a major water transmission main at the Green Water Treatment Plant, in the amount of \$37,200, for a total contract amount of \$821,742. (Funding was included in the 1995-96 Capital budget of the Water and Wastewater Utility.) No M/WBE Subconsultant opportunities were identified. (Recommended by Water and Wastewater Commission)

Approved

40. Approve execution of a contract award to the C.C. CARLTON CONSTRUCTION COMPANY, Austin, Texas, for construction of an 840 foot water line to the Zilker Garden Center from an existing water main in Zilker Park, in an amount not to exceed \$70,075. (Funding is available in the 1991-92 Capital budget of the Parks and Recreation Department.) Single bid. 29.87% MBE, 8.73% WBE Subcontractor participation.

Approved

41. Approve execution of a twelve month supply agreement with ALAMO IRON WORKS, INC., San Antonio, Texas, for the purchase of miscellaneous tools used in daily operations and maintenance by city departments, in an amount not to exceed \$40,964.88 with the option to extend for two additional twelve month periods in an amount not to exceed \$40,964.88 per extension, for a total amount not to exceed \$122,894.64. (Funding in the amount of \$23,896.18 is available in the 1995-96 operating budget of the user departments. Funding for the remaining five months and the extension options is contingent upon available funding in future budgets.) Low bid of twelve. No M/WBE Subcontracting opportunities were identified.

Approved

42. Approve execution of a contract with MCCOMBS FLEET SERVICE, Austin, Texas, for the purchase of nine full-size utility carryalls and six light trucks with mounted platform service bodies, in an amount not to exceed \$500,594. (Funding in the amount of \$33,196 is available in the 1995-96 operating budget of the Aviation Department; \$30,899 is available in the 1995-96 operating budget of the Public Works, Street and Bridge Division; \$35,319 is available in the 1995-96 operating budget of the Drainage Utility Department; and \$261,400 is available in the 1995-96 Vehicle Acquisition Fund; \$140,140 was included in the 1995-96 Capital budget of the Water and Wastewater Utility Department.) Low bid of two meeting specifications. No M/WBE Subcontracting opportunities were identified.

Approved

Items 28 through 42 approved, on Councilmember Nofziger's motion, Councilmember

Goodman's second, 7-0 vote.

43. Authorize negotiation and execution of Amendment #1 to the Professional Services Agreement with KEYSER MARSTON ASSOCIATES, INC., San Francisco, California, for real estate services related to the Downtown Space Consolidation of City of Austin Offices, as part of the Downtown Austin Development-Implementation Contract, in an amount not to exceed \$100,000, for a total contract amount of \$200,000. (Funding is available in the 1995-96 operating budget of the Planning, Environmental and Conservation Services Department.) No M/WBE Subcontracting opportunities were identified.
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Reynolds' second, 7-0 vote.

Austin-Bergstrom International Airport (Items 44-45)

44. Approve the execution of a supply and service contract with EASTER-OWENS ELECTRIC COMPANY, Arvada, Colorado, for the purchase and installation of the computerized airfield lighting control system for the Austin-Bergstrom International Airport, in an amount not to exceed \$446,114. (Funding was included in the 1995-96 Capital budget of the Aviation Department.) DBE Participation 19.10%; 16.20% MBE, 2.90% WBE Subcontractor participation. (Reviewed by Airport Advisory Board)
Approved
45. Approve execution of a construction contract to LIGHTHOUSE INTERNATIONAL, INC., Austin, Texas, for Remediation and Demolition Project #5D for the Austin-Bergstrom International Airport, in the amount of \$278,789.95, plus a contingency fund of \$27,879, for a total contract amount of \$306,668.95. (Funding was included in the 1995-96 Capital budget of the Aviation Department.) 100% DBE participation: 100% MBE, 0% WBE. (Reviewed by Airport Advisory Board)
Approved
46. Approve an Interlocal Cooperation Agreement with the Austin Independent School District (AISD) for community education, tutorial, and after school enrichment services, in an amount not to exceed \$954,909. (Funding is available in the 1995-96 operating budget of the Health and Human Services Department. Funding for renewal is contingent upon available funding in future budgets.)
Approved
47. Approve execution of a twelve month service agreement with ST. DAVID'S OCCUPATIONAL HEALTH SERVICES, Austin, Texas, to provide physical examinations of firefighters and fire cadet applicants; to provide drug screening test of fire cadet applicants, in an amount not to exceed \$109,000 with two twelve month extension options in an amount not to exceed \$109,000 per extension option, for a total amount not to exceed \$327,150. (Funding in the amount of \$63,612.50 is available in the 1995-96 operating budget of the

Austin Fire department. Funding for the remaining five months and the extension options is contingent upon available funding in future budgets.) Best proposal of three. No M/WBE

Subcontracting opportunities were identified.

Approved

48. Approve the selection of BRIDGEFARMER & ASSOCIATES, INC., Dallas, Texas, to provide engineering services for Railroad Line Improvements from McNeil to Austin Convention Center Terminus, in the estimated amount of \$79,000. (Funding was included in the 1994-95 Capital budget of the Public Works and Transportation Department.) Best qualification statement of seven. 30.0% DBE Subconsultant participation.

Approved

Items 44 through 48 approved, on Councilmember Nofziger's motion, Councilmember Goodman's second, 7-0 vote.

49. Approve an amendment to the City's Consolidated Plan by adding a new program called the East 11th and East 12th Streets Redevelopment Program. (No fiscal impact.) (Recommended by Community Development Commission) **(Related to item 50)**

Approved

50. Authorize the execution of the funding approval/agreement with the U.S. Department of Housing and Urban Development (HUD) for HUD Section 108 Loan Guarantee assistance, in an amount not to exceed \$9,035,000 to implement the East 11th and 12th Street revitalization effort; and authorize the City Manager or his designee to negotiate with HUD concerning loan documentation and financing requirements under the Texas Local Government Code. (Under the Section 108 Loan Guarantee Assistance Program, the City will issue a series of promissory notes equal to \$9,035,000 which will be sold to investors and guaranteed by HUD.) **(Related to item 49)**

Approved

Items 49 and 50 approved on, Councilmember Mitchell's motion, Mayor Pro Tem Garcia's second, 6-1 vote, Councilmember Nofziger voting "NO".

51. Authorize negotiation and execution of a contract under the Community Housing Development Organization Program (CHDO) with Austin Habitat for Humanity, in an amount not to exceed \$240,675 to be funded from the Home Investment Partnership Program (HOME) Year 3 Grant.

Approved

52. Authorize negotiation and execution of a contract under the Community Housing Development Organization Program (CHDO) with the American Institute for Learning, in an amount not to exceed \$155,575 to be funded from the Home Investment Partnership Program (HOME) Year 3 Grant.

Approved

53. Authorize negotiation and execution of a contract under the Neighborhood and Youth Support Program (NYSP) with the River City Youth and Family Builders Program (formerly Austin/Travis County Youth Services, Inc.) in an amount not to exceed \$125,000 to be funded from the Community Development Block Grant (CDBG) to move, rehabilitate, and

enlarge a Bergstrom home to house River City Youth and Family Builders Program and administrative activities.

Approved

ITEMS FROM COUNCIL

54. Set a public hearing for the renaming of 26th Street to Barbara Jordan Avenue. (Suggested date and time: April 25, 1996 at 4:30 p.m.) (Mayor Pro Tem Gus Garcia and Mayor Bruce Todd)

Approved

55. Approve a resolution directing the City Manager to begin the self reliant neighborhood process in the Holly neighborhood area. (Mayor Pro Tem Gus Garcia and Mayor Bruce Todd)

Approved

Items 51 through 55 approved, on Councilmember Nofziger's motion, Councilmember Goodman's second, 7-0.

56. Approve a resolution recognizing Samsung Semiconductor, Inc for its willingness to work with the City to develop a responsive water quality plan for Jourdan Crossing project, and urging Samsung to commit to meeting all current water quality standards. (Councilmember Brigid Shea)

Withdrawn

57. Approve a resolution requiring that any City Council agenda item pertaining to the solicitation of information or proposals regarding the possible sale or other disposition of the City's electric utility will be scheduled for a time certain of 5:30 P.M. on Thursday, March 7, 1996. (Councilmember Brigid Shea and Councilmember Max Nofziger)

Approved, on Councilmember Nofziger's motion, Councilmember Goodman's second 7-0 vote.

58. Approve a resolution directing the City Manager to develop a plan to implement the recommendations proposed by Price Waterhouse/RMI related to making the Electric Utility Department competitive and to draft Charter Amendments related to the Electric Utility Department. (Councilmember Ronney Reynolds)

Motion to approve on Councilmember Reynolds' motion, Mayor Todd's second.

Motion to approve with friendly amendment by Mayor Todd to: (1) The City Manager specifically include in his plan how conservation programs will be cut by \$1.5 million in indirect administrative costs and an additional \$1 million in staffing reductions in fiscal year 96-97 and how to eliminate the commercial and residential rebate program over the next three years and put in place other efficient and effective demand side management programs as recommended by Price Waterhouse/RMI. (2) The City Manager specifically include reductions from the Electric Utility Transfer to the General Fund by \$6 million in fiscal year 96-97 and the continued reduction of the transfer over five years to reach the \$27.2 million reduction, with the aim being to reduce the transfer to the national average for Large

Municipally Owned Utilities of 6.1% as recommended by Price Waterhouse/RMI.

Friendly amendment not acceptable to maker.

Friendly amendment by Councilmember Mitchell to keep Holly closure as part of the motion.

Friendly amendment not acceptable to maker and seconder.

Friendly amendment by Mayor Pro Tem Garcia, to end the resolution (see attachment), on the third line. To put a period after competitive and scratch out the rest, and that would mean that only the "BE IT RESOLVED" section of the resolution would be adopted and not the "BE IT FURTHER RESOLVED" three sections.

Friendly amendment accepted by maker and seconder.

Approved on Councilmember Reynolds' motion, Mayor Todd's second, 7-0 vote.

4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

59. C14-96-0007 - JOURDAN CROSSING PROJECT (William F. Burrow), by Jenkins & Gilchrist (Henry Gilmore), 2301 to 3501 E. Yager Lane. From I-RR & UNZ to LI-PDA. Planning Commission Recommendation: To Grant LI-PDA, Limited Industrial Services-Planned Development Agreement, subject to the following conditions: 1) The site will be subject to the Planned Development Agreement (PDA) "Site Development Standards and the performance standards applicable in the PDA district (LDC: Section 13-2-269) with the following exceptions: a) SIGNS: To limit the maximum amount of total combined area for freestanding signs (3 sq. ft. and larger) shall be limited to a combined sign area of 600 square feet for the site; b) TRANSPORTATION: 1. To remove the reference to "EDS," which is a test area. 2. To include "gowning/locker" area as an occupied space that would be used to determine the required parking and loading. 3. To remove the reference to "ERT" and replace it with "emergency response Team" area. 4. To clarify/combine paragraph 6.B.4 and 6.B.5. from the February 9, 1996 memorandum to Greg Guernsey, to state that office related areas, such as kitchen, cafeteria, dining, auditoriums and similar spaces are "accessory uses" will not be included in the area to determine the required parking and loading. c) NOISE: To limit the maximum allowable sound pressure level measured along each property line to 65 dba when adjoining commercial zoning and 70 dba when adjoining industrial zoning, based on the DNL (Ldn) measurement methodology. d) HELICOPTER LANDING SITES: The proposed helicopter landing sites are allowed as a "permitted use," provided the facilities comply with title 17 article iii of the code of the city of austin and any applicable federal aviation administration rules and regulations. 2) The site will be subject to the recommendations contained in the February 16, 1996, Development Services Department-Transportation Review memorandum. 3) Deletion of Section 6a from the applicant's site development standards relating to transportation and bicycle parking that reads as follows: 1) the minimum number of bicycle parking spaces required shall be one percent (1%) computed as a percentage of the total number of motor vehicle spaces on the site parking lot(s).
Ordinance No. 960229-L, first, second and third reading approved on an "Emergency

Basis", with language added by Councilmember Goodman to read: A minimum of one-half inch (1/2") of runoff from impervious cover on the Site will be captured pursuant to the water quality management program which will include regular monitoring and maintenance by the Owner, on Mayor Pro Tem Garcia's motion, Councilmember Goodman's second 7-0 vote.

60. C14-95-0156 - GOTTESMAN COMPANY, by The Liverman Company (Robert J. Liverman), Duval Road and Amherst Drive. From SF-2 to GR-CO. Planning Commission Recommendation: To Grant NO-CO, Neighborhood Office-Conditional Overlay, with the provisions of the overlay as follows: (1) prohibit access to the abutting section of Dorsett Road; and (2) limit development to generate less than 2,000 vehicle trips per day. A petition of 27.8% has been filed in opposition to this request. (cont'd. from 1/4/96 & 2/1/96)
Postponed to March 7, 1996, applicant's request
61. C14-78-219 - JOE HAJJAR, North R.M. 620 and Proadmede. Request for Restrictive Covenant Termination. Planning Commission Recommendation: Approve termination of restrictive covenant. (cont'd. from 2/1/96 & 2/8/96)
Postponed to March 7, 1996, applicant's request
62. C14-95-0164 - JOE HAJJAR, North R.M. 620 and Broadmeade Avenue. From LR to CS-1. Planning Commission Recommendation: To grant GR-CO, Community Commercial-Conditional Overlay zoning for Tract 2, with the provisions of the overlay as follows: prohibit the following uses - Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (any type), Commercial Off-Street Parking, Communication Services, Drop-Off Recycling Collection Facility, Exterminating Services, Funeral Services, Indoor Entertainment, Indoor Sports and Recreation, Outdoor Entertainment, Outdoor Sports and Recreation, Pawn Shops, Business Support Services, Business or Trade School, and Theaters. The CS-1-CO, Commercial Liquor Sales-Conditional Overlay portion identified as Tract 1 was not granted, (2)dedication of up to 35 feet of right-of-way from the existing centerline of Briar Hollow Drive. (cont'd. from 2/1/96 & 2/8/96)
Postponed to March 7, 1996, applicant's request
63. C14-95-0163 - JOE HAJJAR, North F.M. 620 and Broadmeade Avenue. From SF-2 & LR to GR. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay for Tract 1 and RR, Rural Residence District for Tract 2 (floodplain). The provision of the overlay are as follows: (1) prohibit - Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (any type), Commercial Off-Street Parking, Communication Services, Drop-Off Recycling Collection Facility, Exterminating Services, Funeral Services, Indoor Entertainment, Indoor Sports and Recreation, Outdoor Entertainment, Outdoor Sports and Recreation, Pawn Shops, Business Support Service, Business or Trade School, and Theaters. (cont'd. from 2/1/96 & 2/8/96)
Postponed to March 7, 1996, applicant's request
64. C14-95-0165 - JOE HAJJAR, North F.M. 620 and Briar Hollow Drive. From SF-2 to GR. Planning Commission Recommendation: To Grant LR, Neighborhood Commercial, subject to dedication of up to 35 feet of right-of-way from the existing centerline of Briar Hollow Drive. (cont'd. from 2/1/96 & 2/8/96)
Postponed to March 7, 1996, applicant's request

65. C14-95-0117 - PHILLIPS & COPUS CREDITORS (Allen T. Jacoby), by Graves, Dougherty, Hearon & Moody (Ann E. Vanderburg), 5601 - 5839 S. MoPac NB. From MF-3-CO to MF-3. Planning Commission Recommendation: To Grant MF-3-CO, Multifamily Residence (medium density)-Conditional Overlay, zoning subject to: (1) limit density to 25 units per acre, and (2) recommendations of the Transportation Review Memorandum, dated November 20, 1995.
Approve first reading only, on Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-1 vote, Councilmember Shea voting "NO".
66. C14-83-098 - Y & O INC., by Abbe/Garrett Engineering (Jack Garrett), Brodie Lane and West William Cannon Drive. RESTRICTIVE COVENANT AMENDMENT. Planning Commission Recommendation: To Approve the request to amend the restrictive covenant by deleting Section I that reads as follows: "The said property shall be used only for the uses, as of the date of this agreement, permitted under the following City of Austin Zoning Ordinance Classifications: (a) "GR", 1st Height and Area applies to subtract A which is more fully described by meets and bounds in Exhibit "B" which is attached hereto and made part hereof for all purposes. (b) "A-2"(SF-6), 1st Height and Area applies to subtract B which is more fully described by meets and bounds in Exhibit "C" which is attached hereto and made part hereof for all purposes. (c) "O-1"(LO), 1st Height and Area applies to subtract C which is more fully described by meets and bounds in Exhibit "D" which is attached hereto and made part hereof for all purposes." NOTE: It should be noted that the remainder of the restrictive covenant will remain intact. Other restrictions that are part of the restrictive covenant that will still apply to the property are as follows: "(a) No curbcuts, entrances, or driveways shall be allowed unto Bannockburn Drive. (b) No video arcades or fast food restaurants shall be allowed on subtract A. (c) No structure shall be built or impervious cover placed within the most southern ten (10) feet of subtracts B and C where the southern property line adjoins Lots No. 16 through 26, Block E, Bannockburn Section 2. (d) No pole signs shall be erected on the property along Bannockburn Drive; provided, however that a pole sign may be erected on the property at the intersection of Bannockburn Drive and Brodie Lane and said sign shall only face traffic on Brodie Lane." Further, subject to compliance with current standards (secondary containment, electronic monitoring, and the current Underground Storage Tank development standards) of underground storage tanks.
Approved
67. C814-85-018.1 - RSRF FERN BLUFF CO. (Blake Magee), by Graves, Dougherty, Hearon & Moody (Ann Engle Vanderburg), Fern Bluff Avenue and Park Valley Drive. RESTRICTIVE COVENANT TERMINATION. Planning Commission Recommendation: To Approve the request to terminate the restrictive covenant which had covered the 11.4 acres "small lot" subdivision known as Fern Bluff Section Four.
Approved
68. C14-95-0141 - SHADOWRIDGE CROSSING (Steve Tucker), by Carlson Engineering (Terry Reynolds), 6701 to 6821 Telluride Trail and 6601 to 6611 Debcoe Drive. From SF-2 to SF-4A. Planning Commission Recommendation: To Grant SF-4A, Single Family Residence (small lot), zoning as requested.
Ordinance No. 960229-M approved

69. C14-95-0142 - SHADOWRIDGE CROSSING (Steve Tucker), by Carlson Engineering (Terry Reynolds), 6704 to 6816 Telluride Trail and 6701 to 6805 Debcoe Drive. From SF-2 to SF-4A. Planning Commission Recommendation: To Grant SF-4A, Single Family Residence (small lot), zoning as requested.

Ordinance No. 960229-N approved

70. C14-95-0143 - SHADOWRIDGE CROSSING (Steve Tucker), by Carlson Engineering (Terry Reynolds), 6600 to 6712 Debcoe Drive. From SF-2 to SF-4A. Planning Commission Recommendation: To Grant SF-4A, Single Family Residence (small lot), zoning as requested.

Ordinance No. 960229-O approved

Items 66 through 70 approved, on Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-2 vote, Councilmembers Shea and Nofziger voting "NO".

71. C14-95-0144 - SHADOWRIDGE CROSSING (Steve Tucker), by Carlson Engineering (Terry Reynolds), 7601 to 7705 Shadowridge Run. From SF-2 to SF-4A. Planning Commission Recommendation: To Grant SF-4A, Single-Family Residence (small lot), zoning as requested.

Motion to close hearing on Councilmember Mitchell's motion, Mayor Pro Tem Garcia's second 4-0 vote, Councilmembers Shea, Nofziger and Reynolds off the dais.

Approved first and second reading only on, Mayor Pro Tem Garcia's motion, Councilmember Mitchell's second 5-0 vote, Councilmembers Shea and Nofziger off the dais.

72. C14-95-0180 - WILLIAM BRIGHT (Jean Land), by Patton Construction (Daniel M. Patton), N. Capital of Texas Highway and Stoneridge Terrace. From SF-2 to GO. Planning Commission Recommendation: To Grant GO-CO, General Office Conditional Overlay, with the provision of the overlay to limit development to generate less than 2,000 vehicle trips per day. (Note: There is a valid petition of 22.52% filed in opposition to this request.)

Approve first reading only

73. C14-95-0187 - T. BOOTHE COMMISSION CO. (Terry Boothe), by Stanberry & Associates (Janet Wise), Teri Road and Friedrich Lane. From SF-3 to LO. Planning Commission Recommendation: To Grant LO-CO, Limited Office-Conditional Overlay, with the provision of the overlay limiting development to generate less than 2,000 trips per day, zoning as requested.

Ordinance No. 960229-P approved

74. C14-95-0189 - SCI TEXAS FUNERAL SERVICES & TEXAS COMMERCE BANK EXECUTOR (Tommy Park/Tommy Clark), by Small, Craig & Werkenthin (Jim Nias), 14411 to 14509 North IH-35 NB. From SF-2 to CS. Planning Commission Recommendation: To Grant CS-CO, Commercial Services-Conditional Overlay, zoning with the provision of the overlay to limit development to generate less than 2,000 vehicle trips per day.

Approve first reading only

75. C14-95-0190 - AUSTIN CATHEDRAL CHURCH (Francisco Colop), by Vision Design (Andrew Guzman), 1130 Tillery Street. From SF-3 to SF-5. Planning Commission Recommendation: To Grant SF-5, Urban Family Residence, zoning as requested.
Approve first reading only
76. C14-95-0191 - GRANIT CHIEF REALTY (Richard Enthoven), by Chardonnay Liquor (Sue Ann Saunders), 11828 to 11910 Metric Boulevard. From GR-CO to CS-1. Planning Commission Recommendation: To Grant CS-1, Commercial Liquor Sales, zoning as requested.
Ordinance No. 960229-Q approved
77. C14-95-0192 - JACK & CAROLYN SADLER, BRENDA M. HORTON, JOHN FELTER (Brenda M. Horton), 3111 to 3207 Ferguson Lane and 9110 to 9208 Sansom Road. From I-RR to SF-1 & LI. Planning Commission Recommendation: To Grant SF-1-CO, Single Family Residence (large lot)-Conditional Overlay for Tract 1; NO-CO, Neighborhood Office-Conditional Overlay for Tract 2; W/LO-CO, Warehouse/Limited Office-Conditional Overlay for Tract 3; and RR, Rural Residence for Tract 4 which will be defined by the 100 year flood plain.
Ordinance No. 960229-R approved
78. C14-95-0194 - UNUM LIFE INS. CO. OF AMERICA (Janis Cohen), by Oxford Commercial, Inc. (Allen Jacoby), 4205 to 4301 Westbank Drive. From SF-2 to LO. Planning Commission Recommendation: To Grant LO, Limited Office-Conditional Overlay, zoning.
Ordinance No. 960229-S approved
79. C14-95-0196 - NATIONWIDE LIFE INS. (Paul Thomas), by Jenkins & Gilchrist, P.C. (J. Bradley Greenblum), 13928 Research Boulevard. From DR & CS-1 to CS. Planning Commission Recommendation: To Grant CS, Commercial Services, zoning as requested.
Ordinance No. 960229-T approved
80. C14-95-0197 - HEBCO (Todd Piland), by Jenkins & Gilchrist (J. Bradley Greenblum), 13938 Research Boulevard. From DR to CS. Planning Commission Recommendation: To Grant CS, Commercial Services, zoning as requested.
Ordinance No. 960229-U approved
81. C14-95-0200 - C.O.A.- PLANNING AND DEVELOPMENT, 4309 and 4311 Marathon Boulevard. From SF-3 to P. Planning Commission Recommendation: To Grant P, Public District, zoning as requested. **Approve first reading only**
82. C14-92-0120 - LEIF JOHNSON FORD, by Stephen Drenner, 5073 West U.S. Hwy. 290. RESTRICTIVE COVENANT AMENDMENT. Planning Commission Recommendation: To amend the restrictive covenant by adding the following sentence to restriction No. 1, paragraph A.: "as supplemented by that certain traffic impact analysis addendum dated May, 1995 by WHM Engineering Consultants, Inc." Not to amend to delete restriction No. 2 which states: "No underground storage tanks shall be permitted on the property, or any portion of

the property." To amend restriction No. 3 to read: "Uses requiring hazardous discharge permits from the Texas Natural Resources Conservation Commission shall be prohibited on the property."

Approved

Items 72 through 82 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's, 7-0 vote.

83. C14-95-0128 - STATE OF TEXAS-SCHOOL TRACT (Christopher K. Price), by Bury & Pittman (Glenn A. Barton), Burleson Road and Montopolis Drive. From DR to LI. Planning Commission Recommendation: To Grant LI-PDA, Limited Industrial - Planned Development Agreement, subject to compliance with PDA Performance Standards, compliance with the recommendations for Tract 2 included in the Traffic Impact Analysis memorandum from Ivan Naranjo dated February 16, 1996 and prohibiting the following uses: Basic Industry and Resource Extraction. **(Related to 84 & 85)**
Approve first and second reading only

84. C14-95-0129 - STATE OF TEXAS-SCHOOL TRACT (Christopher K. Price), by Bury & Pittman (Glenn A. Barton), Burleson Road and Montopolis Drive. From DR to LI. Planning Commission Recommendation: To Grant LI-PDA, Limited Industrial-Planned Development Agreement, subject to compliance with the PDA Performance Standards, compliance with the recommendations for Tract 1 included in the Traffic Impact Analysis memorandum from Ivan Naranjo dated February 16, 1996, and prohibiting the following uses: Basic Industry and Resource Extraction. **(Related to 83 & 85)**
Approve first and second reading only

PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

85. 4:00 P.M. - Public hearing to consider special exceptions to provisions of the Land Development Code , Administrative Criteria Manual, and Appendix D, Drainage Criteria Manuals for the Expo Center development. **(Related to items 83 & 84)**

Motion to close hearing on items 83, 84 and 85 on, Councilmember Shea's motion, Councilmember Reynolds' second, 7-0 vote.

Items 83 through 85 approved on first and second reading only, on Councilmember Shea's motion, Councilmember Reynolds' second, 6-0 vote, Councilmember Nofziger off the dais.

86. 4:30 P.M. - Public hearing on an ordinance amendment to prohibit the obstruction of access aisles of parking spaces for the disabled and modify accessibility regulations of the Land Development Code. (No fiscal impact.) (Recommended by Mayor's Committee for People with Disabilities and Planning Commission)

Ordinance No. 960229-V approved

Motion to close hearing and approve, on Mayor Pro Tem Garcia's motion, Councilmember Mitchell's second, 7-0 vote.

87. 5:00 P.M. - Public hearing to appeal a Planning Commission decision to approve a conditional use permit site plan for a residential treatment facility in "LR" (Neighborhood Commercial) zoning at 6618 Manor Road.

Motion to close hearing on Mayor Pro Tem Garcia's motion, Councilmember Reynolds' second, 7-0 vote.

Motion to postpone to March 21st on, Councilmember Goodman's motion, Councilmember Shea's second 2-4-1 vote, Mayor Todd, Mayor Pro Tem Garcia, Councilmembers Nofziger and Reynolds voting "NO", Councilmember Mitchell abstaining.

Motion fails.

Motion to deny appeal on, Councilmember Mitchell's motion, Mayor Todd's second, 3-4 vote, Mayor Pro Tem Garcia, Councilmembers Goodman, Shea and Reynolds voting "NO".

Motion fails

Motion to grant appeal on Section 9, and deny permit with friendly amendment by Councilmember Mitchell to direct staff and neighborhood to help find alternate location for treatment center, on Mayor Pro Tem Garcia's motion, Councilmember Shea's second, 4-2-1 vote, Mayor Todd and Councilmember Mitchell voting "NO", Councilmember Nofziger abstaining.

88. 6:30 P.M. - Public hearing on proposed amendment to the City's Community Development Program to consider a revised Consolidated Plan reprogramming funds from 1995 and prior years for the El Buen Pastor Child Development Center; and direct the City Manager to notify the community of the proposed amendment as provided for in the City's Citizen Participation Plan, as required under Chapter 373 of the Texas Local Government Code.

Motion to close public hearing on, Mayor Pro Tem Garcia's motion, Councilmember Shea's second, 7-0 vote.

89. 7:00 P.M. - Public hearing on proposed amendment to the City's Community Development Program to consider a revised Consolidated Plan reprogramming funds from prior years for the G.N.D.C. Elderly Housing Project; and direct the City Manager to notify the community of the proposed amendment as provided for in the City's Citizen Participation Plan as required under Chapter 373 of the Texas Local Government Code.

Motion to close hearing on, Councilmember Shea's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held on the morning of this date on all other items.

Executive session held at 5:59 p.m. to 6:35 p.m. on items 90 and 92.

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.

Pending Litigation - Section 551.071

90. Discuss City of Cedar Park v. City of Austin; Cause No. 95 317-c368, in the District Court of Williamson County.
91. Discuss Diana Maria Pfuntner v. Edward Thomas Strout and the City of Austin; In the 250th Judicial District Court of Travis County.
92. Discuss City of Austin v. Houston Lighting and Power Company, Cause No. 94-007946, in the 11th District Court of Harris County, Texas.

Real Estate Acquisition - Section 551.072

93. Discuss fee simple acquisition of real property for the Davis Water Treatment Plant Improvements.

Personnel Matters - Section 551.074

94. Discuss appointment of Municipal Court Presiding Judge.

ACTION ON THE FOLLOWING

95. Authorize fee simple acquisition of real property adjacent to the Davis Water Treatment Plant for the Davis Treatment Plant Improvements.
Approved in the amount of \$81,872 on, Councilmember Nofziger's motion, Councilmember Goodman's second, 7-0 vote.
96. Appoint Municipal Court Presiding Judge.
Motion to appoint Penny Wilkov as Municipal Court Presiding Judge, approved on Councilmember Nofziger's motion, Councilmember Goodman's second, 4-0-3 vote, Mayor Todd, Mayor Pro Tem Garcia and Councilmember Reynolds abstaining.
97. Approve settlement of Cause No. 95-01588; Diana Maria Pfuntner v. Edward Thomas in the amount of \$71,000.
Approved
98. Consider releasing certain land in Williamson County from the City of Austin extra territorial jurisdiction.

Approved

99. Appointments

CAPCO - CAPTAIN BOBBIE OWENS, LIEUTENANT JOY MOONEY, LYNN MILLEGAN,
JIM HEALD

PARKLAND MAINTENANCE TASK FORCE - MEHRON AZARMEHR, DAVID STEKOLL,
SERGIO LOZANO-SANCHEZ, PHIL FRIDAY.

Approved

Items 97 through 99 approved on, Councilmember Nofziger's motion, Councilmember
Goodman's second, 7-0 vote.

ADDENDUM - February 29, 1996

99. Appointments

CAPCO - GEOGRAPHICAL INFORMATION SYSTEMS AREA COUNCIL - 2

No action taken

ADJOURNED at 12:00 a.m.

Approved on this the 7th day of March, 1996, on, Mayor Pro Tem Garcia's motion, Councilmember
Goodman's second, 4-0 vote, Councilmembers Shea, Mitchell and Nofziger temporarily absent.