



Austin City Council MINUTES

MARCH 28, 1996

Mayor Pro Tem Garcia called the meeting to order, Councilmembers Goodman and Mitchell off the dais, Mayor Todd and Shea temporarily absent.

1. Approval of Minutes for Special Called Meeting of March 20, 1996 and Regular Meeting of March 21, 1996.
Approved on Councilmember Shea's motion, Councilmember Goodman's second, 6-0 vote, Mayor Todd absent.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Gus Pena, to discuss funding for parks and recreation, summer job programs; and to discuss homeless issues.
3. Ms. Della Green, to discuss reconsideration of appeal of Planning Commission's decision to grant a conditional use permit for the Push-Up residential treatment facility.
Absent
4. Mr. Lucius Lomax, to discuss Park & Recreation Department.
Absent
5. Ms. Carmen Quintero, to discuss nuisance caused by soup kitchen at 908 E. Cesar Chavez.
6. Mr. Joe Quintero, to discuss relocation of soup kitchen at 908 E. Cesar Chavez.
7. Ms. Melissa Jiminez, to discuss neighborhood safety, moving soup kitchen, and kids safety.
8. Mr. Robert Thomas, to discuss employees' rights, Rosewood Park, and Central City Entertainment Center.
9. Ms. Pat Garlinghouse, to update Council on activities related to the Austin Community Television.
10. Mr. Clifton Griffin, to discuss activities of Austin Community Television and its impact on the community.
11. Mr. Leonard Lyons, to discuss pre-election candidate information forum on access Channel 6.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

Home Program (Items 12-13)

12. Authorize a grant from the HOME Program Year 3 to the Austin Housing Finance Corporation (AHFC), in an amount not to exceed \$150,000; and authorize the General Manager or his/her representative to execute any necessary and proper instruments, agreements, and grants to transfer the operation of the Down Payment Assistance Program to the Austin Housing Finance Corporation. (Related to Item 63)

Approved, on Councilmember Nofziger's motion, Councilmember Goodman's second, 5-0 vote, Councilmember Mitchell off the dais, Mayor Todd absent.

13. Authorize a grant from the HOME Program Years 3 and 4 to the Austin Housing Finance Corporation (AHFC), in an amount not to exceed \$1,160,000; and execution of an agreement to transfer the operation of the Single Family Loan Program to the Austin Housing Finance Corporation. (Related to item 64)

Approved

Community Development Block Grant (Items 14 -15)

14. Authorize a grant from the 21st Year Community Development Block Grant (CDBG) to the Austin Housing Finance Corporation (AHFC) in an amount not to exceed \$1,185,840 to fund the Welcome Home Program. (Related to item 65)

Approved

15. Authorize a grant from the 21st Year Community Development Block Grant (CDBG) to the Austin Housing Finance Corporation (AHFC), in an amount not to exceed \$1,046,269; and execution of an agreement to transfer the operation of the Single Family Loan Program to the Austin Housing Finance Corporation. (Related to item 66)

Approved

Items 13 through 15 approved on, Councilmember Shea's motion, Councilmember Goodman's second, 5-1 vote, Councilmember Mitchell voting "NO", Mayor Todd absent.

16. Approve an ordinance amending the Austin City Code of 1992, by adding a new chapter defining qualified community gardens, adding new sections which establish a temporary exemption from the platting requirements and a temporary tap for qualified community gardens and provides an exemption for qualified community gardens from paying water capital recovery fees. (It is estimated there will be a \$5,000 reduction in capital recovery fees annually).

Ordinance No. 960328-A approved on, Councilmember Nofziger's motion, Councilmember Goodman's second, 5-0 vote, Councilmember Mitchell off the dais, Mayor Todd absent.

17. Approve a twelve month service agreement with TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED (TIBH), Austin, Texas for median and triangle mowing in the amount of \$74,115.60 with the option to extend for two additional 12 month periods in the amount of \$74,115.60 for a total amount of \$222,346.80. (Funding in the amount of \$37,057.80 is available in the 1995-96 Operating budget of the Parks and Recreation Department.

Funding for the remaining 6 months of the contract and the extension options is contingent upon available funding in future budgets). No subcontracting opportunities identified.
Postponed

ORDINANCES

18. Approve third reading of an ordinance to amend the City Code by adding Chapter 15-10 to regulate the planting, maintenance, and removal of trees on public property. (Estimated total first year cost is \$123,900. 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).
Ordinance No. 960328-B approved on, Councilmember Nofziger's motion, Councilmember Goodman's second, 4-1 vote, Councilmember Reynolds voting "NO", Councilmember Mitchell off the dais, Mayor Todd absent.

19. Approve third reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 7601-7705 Shadowridge Run, Case No. C14-95-0144, from SF-2, Single-Family Residence (standard lot) District to SF-4A, Single-Family Residence (small lot) District, SHADOWRIDGE CROSSING (Steve Tucker), by Carlson Engineering (Terry Reynolds). First and Second reading on February 29, 1996; Vote 5-2, Shea and Nofziger no. Conditions met as follows: There are no conditions to be met. (cont'd. from 03/07/96 & 03/21/96)
Motion to deny on, Councilmember Nofziger's motion, Councilmember Goodman's second, 5-0-1 vote, Councilmember Reynolds abstaining, Mayor Todd absent.

20. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 1000 Block of East Braker Lane, Case No. C14-95-0108, from "DR", Development Reserve to "GO-CO", General Office-Conditional Overlay for Tract 1, and "W/LO", Warehouse/Limited Office-Conditional Overlay for Tract 2, subject to limiting development to generate less than 2,000 vehicle trips per day; THE KUCERA COMPANY (Angelos Paraskevas), by Bury & Pittman (James B. Knight). 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.
Ordinance No. 960328-C approved on, Councilmember Nofziger's motion, Councilmember Goodman's second, 5-0 vote, Councilmember Mitchell off the dais, Mayor Todd absent.

21. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as North F.M. 620 and Broadmeade Avenue, Case No. C14-95-0163, from "SF-2", Single Family Residence (standard lot) & "LR", Neighborhood Commercial to "GR-CO", Community Commercial-Conditional Overlay for Tract 1 and "RR", Rural Residence District for Tract 2 (floodplain). The provisions of the overlay are as follows: prohibit the following uses - Automotive Repair Services, Automotive Sales, Automotive Washing (any type), Drop-Off Recycling Collection Facility, Exterminating Services, Indoor Entertainment, Indoor Sports and Recreation, Business or Trade Services, Hotel-Motel, and sale or rental of Adult-Oriented Products if such sale or rental accounts for 10% or more revenues of a specific business; JOE HAJAR. First reading on March 7, 1996;

Vote 4-0, Mitchell, Nofziger & Shea off the dais. Conditions met as follows: conditional overlay incorporates conditions imposed by Council. (cont'd. from 03/21/96)

Postponed for two weeks

22. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as North F. M. 620 and Broadmeade Avenue, Case No. C14-95-0164, from "LR", Neighborhood Commercial to "GR-CO", Community Commercial-Conditional Overlay zoning for Tract 2, with the provisions of the overlay as follows: (1) prohibit the following uses - Automotive Repair Services, Automotive Sales, Automotive Washing (any type), Drop-Off Recycling Collection Facility, Exterminating Services, Indoor Entertainment, Indoor Sports and Recreation, Business or Trade School, Hotel-Motel, and sale or rental of Adult-Oriented Products if such sale or rental accounts for 10% or more revenues of a specific business; and (2) dedication of up to 35 feet of right-of-way from the existing centerline of Briar Hollow Drive; AND "CS-1-CO", Commercial Liquor Sales-Conditional Overlay, zoning for Tract 1 with the provisions of the overlay limiting: (1) uses permitted in GR zoning district; (2) one liquor store only; and (3) this liquor store will be limited to a maximum of 5,000 square feet; JOE HAJAR. First reading on March 7, 1996; Vote 4-0, Mitchell, Nofziger & Shea off the dais. Conditions met as follows: conditional overlay incorporates conditions imposed by Council. (cont'd. from 03/21/96)

Postponed for two weeks

23. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as North F.M. 620 and Briar Hollow Drive, Case No. C14-95-0165, from "SF-2", Single Family Residence (standard lot) to "GR-CO", Community Commercial-Conditional Overlay zoning, with the provisions of the overlay as follows: (1) prohibit the following uses - Automotive Repair Services, Automotive Sales, Automotive Washing (any type), Drop-Off Recycling Collection Facility, Exterminating Services, Indoor Entertainment, Indoor Sports and Recreation, Business or Trade School, Hotel-Motel, and sale or rental of Adult-Oriented Products if such sale or rental accounts for 10% or more revenues of a specific business; and (2) dedication of up to 35 feet of right-of-way from the existing centerline of Briar Hollow Drive; JOE HAJAR. First reading on March 7, 1996; Vote 4-0, Mitchell, Nofziger & Shea off the dais. Conditions met as follows: conditional overlay incorporates conditions imposed by Council. (cont'd. from 03/21/96)

Postponed for two weeks

24. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as South Capital of Texas Highway and Stoneridge Terrace, Case No. C14-95-0180, from "SF-2", Single Family Residence (standard lot) to "GO-CO", General Office-Conditional Overlay on and NO-CO, Neighborhood Office-Conditional Overlay along the east two (2) feet of the site, subject to the following: 1) limiting the gross floor area of the building to 18,000 sq. ft.; 2) the limit the building height to a maximum of twenty (20) feet; 3) to provide an undisturbed buffer along the north property line of twenty-five (25) feet; and 4) limit development to generate less than 2,000 vehicle trips per day, WILLIAM BRIGHT (Jean Land), by Patton Construction (Daniel M. Patton). First reading on February 29, 1996; Vote 7-0. Conditions met as follows: conditional overlay incorporates conditions imposed by Council. Note: The valid petition associated with this case was withdrawn at first reading of the ordinance.

Ordinance No. 960328-D approved on, Councilmember Nofziger's motion, Councilmember Goodman's second, 5-0 vote, Councilmember Mitchell off the dais, Mayor Todd absent.

25. Amend Chapter 8-14 of the Austin City Code by adding a section declaring it unlawful to operate a bus, subject to Chapter 8-14, Article III, on any street that has a "No Trucks" designation. (No fiscal impact.)
Postponed to April 11, 1996
26. Approve changing the street name of the entire length of SHUMOOK COVE to CHARDONNAY COVE (from the intersection of Gutherie Drive and Shumook Cove northerly to the end of the right-of-way, approximately 230'). (No fiscal impact. Processing and street sign fees will be paid by the requester.)
Ordinance No. 960328-E approved
27. Approve changing the street names of the entire length of all seven streets in Village Park 7 at Travis Country Subdivision and one street in Village Park 2 at Travis Country, as listed: Dusk-Flute Drive to Comanche Creek Drive, Buffalo Hat Drive to Concho Creek Bend, Sachem Drive to Calhoun Canyon Loop, War Drum Court to Apache Creek Cove, Lone Tee Pee Drive to Bandera Creek Trail, Pemican Cove to Senora Creek Court, Totem Cove to Fannin Falls Place, and Industrial Oaks Boulevard (a portion of) to Mission Oaks Boulevard. (No fiscal impact. Processing and street sign fees will be paid by the requester.)
Ordinance No. 960328-F approved
28. Authorize acceptance of \$42,961 in grant funds from the State of Texas, Governor's Office, Criminal Justice Division, for the Police Department's Emergency Outreach to Children in Violent Households Program; amend Ordinance No. 950911-A, the 1995-96 operating budget, amending the Special Revenue Fund by appropriating \$42,961 in grant funds for the Police Department Special Revenue Fund; and authorize 1.00 full-time equivalent (FTE) grant funded position. **(Related to Item 50)**
Ordinance No. 960328-G approved
29. Accept \$30,000 in grant funds from the MCI Foundation, for MCI LibraryLink, a collaborative effort of MCI Telecommunications Corporation and the American Library Association, designed to enhance Internet and World Wide Web access to the Austin Public Library catalog and the related reference databases; amend Ordinance No. 950911-A, the 1995-96 operating budget, by appropriating \$30,000 for the Library Department Special Revenue Fund. (In-kind funding in the amount of \$25,025 is available in the 1996 operating budget of the Library Department.) (Recommended by Library Commission)
Ordinance No. 960328-H approved

ESOLUTIONS

30. Approve a construction contract award to SHANNON-MONK, INC., San Antonio, Texas, for the construction of erosion control projects located at Andover Place, Elmsgrove Drive, Meander Drive, and West 49th Street, as part of the Erosion Control Project Group 5, in the

amount of \$451,430.01. (Funding in the amount of \$446,430.01 was included in the 1995-96 Approved Capital budget of the Drainage Utility. Funding in the amount of \$5,000 was included in the 1991-92 Approved Capital budget of the Water and Wastewater Utility.) Low bid of two. 35.0% MBE, 7.5% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission and Environmental Board)

Approved

31. Approve the City of Austin's Citizen Participation Plan for federal Housing and Urban Development grant programs. (No fiscal impact.) (Recommended by Community Development Commission)

Approved

32. Approve forming a working group with other governmental entities to develop plans for a unified public safety communications system and center, to seek and apply for funding, and develop recommendations for Council approval. (No fiscal impact.)

Approved

33. Approve the execution of a two year agreement between the City of Austin and SIGNATURE FLIGHT SUPPORT, INC., Austin, Texas, to provide aircraft and motor vehicle fuel to air cargo carriers, whose operations will relocate from the current airport to Austin-Bergstrom International Airport (ABIA), effective November 1, 1996. (The proposed \$60,000 annual payment to the supplier will be recovered through offsets against the fees paid by Signature Flight Support, Inc., for its Robert Mueller Municipal Airport (RMMA) operations.) (Reviewed by Airport Advisory Board)

Approved

Items 26 through 33 approved on, Councilmember Nofziger's motion, Councilmember Goodman's second, 5-0 vote, Councilmember Mitchell off the dais, Mayor Todd absent.

34. Authorize negotiation and execution of a professional services agreement with ROBERT JACKSON/EMILY LITTLE JOINT VENTURE ARCHITECTS (WBE/FR), Austin, Texas, to provide architectural design and construction phase services for the Emergency Medical Services Station #13, in the amount of \$106,200. (Funding is available in the 1995-96 Capital budget of the Emergency Medical Services Department.) Best qualification statement of six. 49.5% WBE Prime participation. 23.0% MBE, 7.5% WBE Subconsultant participation.

Motion to award bid to alternate contractor, Carter Design on, Councilmember Mitchell's motion, Mayor Pro Tem Garcia's second, 3-2 vote, Councilmembers Goodman and Shea voting "NO", Councilmember Nofziger off the dais, Mayor Todd absent.

Motion fails

Motion to approve staff recommendation on, Councilmember Goodman's motion, Councilmember Shea's second, 4-1 vote, Councilmember Mitchell voting "NO", Councilmember Nofziger off the dais, Mayor Todd absent.

35. Authorize negotiation and execution of a professional services agreement with THE

POLKINGHORN CLINE PARTNERSHIP, Austin, Texas, to provide architectural design and construction phase services for the Renovations of the Rosewood-Zaragosa and South Austin Clinics, in the amount of \$320,000. (Funding was included in the 1994-95 Capital budget of the Health and Human Services Department.) Best qualification statement of sixteen. 12.0% MBE, 20.5% WBE Subconsultant participation.

Approved on, Councilmember Nofziger's motion, Councilmember Goodman's second, 5-0 vote, Councilmember Mitchell off the dais, Mayor Todd absent.

36. Authorize negotiation and execution of a professional services agreement with ROGERS & PERRY ARCHITECTS, Austin, Texas, to provide architectural design and construction phase services for the North Loop Area Branch Library, in the amount of \$147,500. (Funding was included in the 1995-96 Capital budget of the Library Department.) Best qualification statement of twenty-two. 8.6% MBE, 18.2% WBE Subconsultant participation.
Postponed to April 11, 1996

37. Authorize negotiation and execution of a professional services agreement with WHITE DOLCE BARR ARCHITECTS & PLANNERS, INC., Austin, Texas, to provide architectural design and construction phase services for a fire station at 480 Ralph Ablanado Drive, in the amount of \$138,000. (Funding was included in the 1995-96 Capital budget of the Fire Department.) Best qualification statement of fifteen. 9.0% MBE, 20.0% WBE Subconsultant participation.

Approved

38. Approve execution of a twelve month supply contract with WAYEST SAFETY, INC., Dallas, Texas, for the purchase of Scott parts and accessories for firefighter's air breathing apparatus, in an amount not to exceed \$126,295.85. (Funding in the amount of \$63,147.93 is available in the 1995-96 operating budget of the Austin Fire Department. Funding for the remaining six months is contingent upon available funding in future budgets.) Low bid of four meeting specifications. No M/WBE Subcontracting opportunities were identified.

Approved

39. Approve execution of a contract with TAYLOR MADE AMBULANCES, Newport, Arkansas, for the purchase of two replacement vehicles: one truck mounted custom built self contained breathing apparatus air bottle transport body and one duplicate transport body mounted on a City owned truck cab and chassis to be used by the Austin Fire Department, in a total amount not to exceed \$77,100. (Funding in the amount of \$50,800 is encumbered in the 1994-95 Vehicle Acquisition Fund. \$26,300 is encumbered in the 1994-95 Operating Budget of the Austin Fire Department.) Low bid of six. No M/WBE Subcontracting opportunities were identified.

Approved

40. Approve execution of a twelve month supply agreement with TECHLINE, INC., Austin, Texas, for the purchase of steel traffic signal poles, mast arms and hardware used in the installation, maintenance, and repair of traffic signals, in an amount not to exceed \$175,070 with two twelve month extension options in an amount not to exceed \$175,070 per extension, for a total amount not to exceed \$525,210. (Funding in the amount of \$87,535 is available in the 1995-96 operating budget of the Public Works and Transportation

Department. Funding for the remaining six months and the extension options is contingent upon available funding in future budgets.) Low bid of two. No M/WBE Subcontracting opportunities were identified.

Approved

41. Approve execution of a contract with COOPER EQUIPMENT COMPANY, San Antonio, Texas, for the purchase of a hydrostatic drive chip spreader to be used in road resurfacing applications, in an amount not to exceed \$149,950. (Funding is available in the 1995-96 operating budget of the Public Works and Transportation Department.) Sole Source. No M/WBE Subcontracting opportunities were identified.

Approved

42. Authorize negotiation and execution of Architectural Service Rotation List Agreements with: GUTIERREZ/JOHNSON ARCHITECTS-JV (WBE/FR), Austin, Texas; and J. ROBINSON & ASSOCIATES, ARCHITECTS, INC., Austin, Texas, to provide professional services on a variety of small projects for the removal of architectural barriers in public buildings and parks for compliance with The Americans with Disabilities Act (ADA), for a period of approximately two years or until available funding is expended, in the amount of \$205,000 (estimated amount approximately \$102,500 per firm). (Funding in the amount of \$105,000 was included in the 1995-96 Capital budget of the Parks and Recreation Department; \$70,000 was included in the 1993-94 Capital budget of the Public Works and Transportation Department; \$30,000 is available in the Capital and operating budgets of the various departments needing services.) Best qualification statements of sixteen.

Approved

43. Authorize negotiation and execution of Architectural Services Rotation List Agreements with: LAURIE SMITH DESIGN ASSOCIATES (WBE/FR), Austin, Texas; THE BARR COMPANY, AIA (WBE/FR), Austin, Texas; ELLIOTT & HAMILL ARCHITECTS, Austin, Texas; MORTON & ASSOCIATES ARCHITECTURE, Austin, Texas; and COFFEE, CRIER & SCHENCK ARCHITECTS, Austin, Texas, to provide professional services on a variety of small projects for a period of approximately two years or until available funding is expended, in the amount of \$500,000 (estimated amount approximately \$100,000 per firm). (Funding is available in the operating and/or capital budgets of the various departments needing the services.) Best qualification statements of eighteen.

Approved

44. Approve negotiation and execution of agreements with WELLS BRANCH MUD and MILBURN INVESTMENTS, INC., to set forth terms for pass-through water and wastewater service to a maximum of 200 lots in Willow Run 10 subdivision. (This will be a revenue producing agreement for the City of Austin beginning in 1996-97. It is estimated that the City will receive \$356,000-\$419,000 in Impact Fees at full buildout and approximately \$119,000 annually in water and wastewater sales revenues depending on the number of homes ultimately constructed.) (Recommended by Water and Wastewater Commission)

Approved

45. Approve negotiation and execution of an Interlocal Agreement with TRAVIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 10 setting forth terms and

conditions for metering, billing, and usage of the District's water lines to serve City water customers in the vicinity of Brady Lane and Ridgewood Road. (No fiscal impact.) (Recommended by Water and Wastewater Commission and Water Control and Improvement District No. 10)

Approved

Items 37 through 45 approved on, Councilmember Nofziger's motion, Councilmember Goodman's second, 5-0 vote, Councilmember Mitchell off the dais, Mayor Todd absent.

46. Approve a construction contract award to WESTERN SUMMIT CONTRACTORS, Houston, Texas, for plant improvements necessary to comply with state and federal regulations and to provide reliable treatment of drinking water at the Albert H. Ullrich Water Treatment Plant, in the amount of \$17,643,834. (Funding was included in the Approved Capital budgets of the Water and Wastewater Utility.) Low bid of five. 6.23% MBE, 4.38% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)

Motion to reject all bids and ask staff to rebid on, Councilmember Goodman's motion, Councilmember Mitchell's second, 4-1 vote, Councilmember Shea voting "NO", Councilmember Nofziger of the dais, Mayor Todd absent.

47. Approve Change Order #6 to SHASTA INDUSTRIES, INCORPORATED, Phoenix, Arizona, for an accelerated construction schedule as part of the Dick Nichols Park Pool and Bathhouse construction, in the amount of \$40,000, for a total contract amount of \$1,508,652.29. (Funding was included in the 1994-95 Capital budget of the Parks and Recreation Department.) No M/WBE Subcontracting opportunities were identified. (Recommended by Planning Commission)

Approved

48. Approve the selection of Winterowd Associates Landscape Architecture (WBE/FR), Austin, Texas, and Eleanor H. McKinney, Landscape Architect (WBE/FR), Austin, Texas, and Larson/Burns, Inc., Austin, Texas, for a landscape architectural services rotation list to provide consultant, and landscape architectural services for small landscape and park design projects for a period of two years or until available funding is expended, in the amount of \$70,000 (estimated amount of approximately \$35,000 per firm). (Funding was included in the 1995-96 Capital budget of the Parks and Recreation Department.) Best qualification statements of four.

Approved

49. Authorize the application and acceptance of sixth year grant funding in the amount of \$55,000 from the State of Texas, Governor's Office, Criminal Justice Division, to continue funding one regular full-time victim counselor and increase funding for temporary counselor interns in the Police Department's Victims Assistance Program.

Approved

50. Authorize the application and acceptance of the second year of a five year Victims Assistance grant in the amount of \$34,369 from the State of Texas, Governor's Office, Criminal Justice Division, for the Police Department's Emergency Outreach to Children in Violent Households Program. (\$8,592 in matching cash funds are required. Funding for one

month of the annual cash match for the current fiscal year is available in the 1995-96 operating budget of the Police Department. Funding for future cash matches is contingent upon available funding in future budgets.) (Related to Item 28)

Approved

51. Approve negotiation and execution of a twelve month contract with Public Financial Management, Inc., Austin, Texas, for financial advisory services with three one year extension options. (Fees funded through bond proceeds at the time of sale.)

Approved

Items 47 through 51 approved on Councilmember Nofziger's motion, Councilmember Goodman's second, 5-0 vote, Councilmember Mitchell off the dais, Mayor Todd absent.

52. Consider a request by HNQ, INC., Bassam Qussad, Director, proposed operator of Al's Food Mart, located at 3503 Webberville Road, to waive the minimum separation distance requirement of City Code Section 8-3-4, between the store, which intends to sell alcoholic beverages, and the Friendship Baptist Church. (No fiscal impact.)

Approved on Councilmember Nofziger's motion, Councilmember Goodman's second, 4-1 vote, Councilmember Shea voting "NO", Councilmember Mitchell off the dais, Mayor Todd absent.

53. Authorize execution of a revised Interlocal Agreement between the City of Austin and Travis County for operation of the Central Booking Facility. (Funding in the amount of \$2,525,352 is available in the 1995-96 operating budget of the Police Department.)

Approved

54. Approve the award of a construction contract to RGM CONSTRUCTORS L.P., Pflugerville, Texas, for the construction of the Clubhouse Utilities Construction project for the Austin-Bergstrom International Airport, in the amount of \$248,844 plus a contingency fund of \$25,000 for change orders. (Funding was included in the 1995-96 approved Capital budget of the Aviation Department.) Low bid of six. 33.86% DBE Subcontractor participation: 26.88% MBE, 6.98% WBE. (Reviewed by Airport Advisory Board)

Approved

Items 53 and 54 approved on, Councilmember Nofziger's motion, Councilmember Goodman's second 5-0 vote, Councilmember Mitchell off the dais, Mayor Todd absent.

ITEMS FROM COUNCIL

55. Approve a resolution directing the City Manager to work with appropriate boards and commissions and interested citizens to develop plans and measures for encouraging pedestrian traffic in the city including the creation of the position of pedestrian coordinator. (Councilmember Max Nofziger, Mayor Pro Tem Gus Garcia, and Councilmember Jackie Goodman)

Approved on, Councilmember Nofziger's motion, Councilmember Goodman's second, 4-1 vote, Councilmember Reynolds voting "NO", Councilmember Mitchell off the dais, Mayor Todd absent.

56. Resolution to direct the City Manager to develop and/or implement a plan concerning the future use of the decommissioned Seaholm Power Plant and associated buildings and grounds by the year 2000 for alternative uses, and report back to Council in 45 days regarding the progress of the development and implementation of this plan. (Councilmember Max Nofziger, Mayor Pro Tem Gus Garcia, and Councilmember Brigid Shea)
Postponed two weeks to April 11, 1996
57. Amend Chapter 7-1 of the City Code, "Discrimination in Housing," to achieve substantial equivalency with federal housing laws and regulations. (Mayor Pro Tem Gus Garcia, Councilmember Max Nofziger, Councilmember Eric Mitchell)
Ordinance No. 960328-I approved on, Councilmember Nofziger's motion, Councilmember Goodman's second, 5-0 vote, Councilmember Mitchell off the dais, Mayor Todd absent.
58. Adopt the 1995 Bicycle Plan, Part 1. (Recommended by Planning Commission, Parks Board, Environmental Board, Urban Transportation Commission). (Councilmember Max Nofziger, Mayor Pro Gus Garcia, Councilmember Jackie Goodman)
Approved first reading only on, Councilmember Nofziger's motion, Councilmember Goodman's second, 4-1 vote, Councilmember Reynolds voting "NO", Councilmember Mitchell off the dais, Mayor Todd absent.
59. Approve a resolution expressing strong support for Austin Community College to locate its new south Austin campus on land currently owned by Huston-Tillotson College; and direct the City Manager to begin preparing an annexation plan for annexation of that site. (Councilmember Brigid Shea and Councilmember Max Nofziger)
Approved on, Councilmember Nofziger's motion, Councilmember Goodman's second, 4-1 vote, Councilmember Reynolds voting "NO", Councilmember Mitchell off the dais, Mayor Todd absent.
60. Direct the City Manager to draft a letter to the Texas Department of Transportation regarding the City's desire to participate in the Koenig Lane Project. (Councilmember Jackie Goodman)
Correction read into the record of change from Texas Department of Transportation to Austin Transportation study.

Motion to approve letter to Austin Transportation Study, with amendment by City Manager on, Councilmember Goodman's motion, Councilmember Shea's second, 4-0-1 vote, Councilmember Reynolds abstaining, Councilmember Mitchell off the dais, Mayor Todd absent. (SEE ATTACHMENT)

61. Direct the City Manager to determine what further Council action is necessary to implement a voluntary program to promote the implementation of Stage I Vapor Recovery system. (Councilmember Max Nofziger, Mayor Pro Tem Gus Garcia, Councilmember Brigid Shea)
Approved with friendly amendment by Councilmember Reynolds to look at providing incentives on, Councilmember Nofziger's motion, Councilmember Goodman's second, 5-0 vote, Councilmember Mitchell off the dais, Mayor Todd absent.

3:30 P.M. - BOARD OF DIRECTOR'S MEETING OF AUSTIN HOUSING FINANCE CORPORATION

The Mayor will recess the City Council meeting. A Board meeting of the Austin Housing Finance Corporation (AHFC) will be conducted. Following adjournment of the AHFC Board meeting, the City Council will be reconvened. Items 62-66 are the AHFC items to be considered by the Austin Housing Finance Corporation's Board of Director's.

62. Approve minutes of December 14, 1995, meeting.
63. Authorize acceptance of a grant in an amount not to exceed \$150,000 from the City of Austin, from the HOME Program Year 3 to fund the Down Payment Assistance Program, accept grants from donors to be deposited into a Special Down Payment Assistance Fund with the Austin Housing Finance Corporation (AHFC); authorize the AHFC to operate the Down Payment Assistance Program and expend any funds received into said fund; and authorize entering into participation agreements with the Texas State Affordable Housing Corporation. **(Related to items 12)**
64. Authorize acceptance of HOME Program Years 3 and 4 grant from the City of Austin in an amount not to exceed \$1,160,000; execute an agreement to accept transfer of the Single Family Loan Program to the Austin Housing Finance Corporation (AHFC) and authorize execution of grant agreements, certifications, and such other instruments as may be necessary and proper to carry out the purposes of the Single Family Loan Program; and increase the AHFC budget accordingly. **(Related to item 13)**
65. Authorize acceptance of 21st Year Community Development Block Grant (CDBG) from the City of Austin in an amount not to exceed \$1,185,840 to fund the Welcome Home Program and authorize the execution of grant agreements, certifications, and other instruments as may be necessary and proper to carry out the purposes of the Welcome Home Program; and increase the budget by the same amount. **(Related to 14)**
66. Authorize acceptance of a grant from the City of Austin, from the 21st Year Community Development Block Grant (CDBG) in an amount not to exceed \$1,046,269 to fund the Single Family Loan Program; execute an agreement to accept transfer of the Single Family Loan Program to the Austin Housing Finance Corporation (AHFC) and authorize the execution of grant agreements, certifications and such other instruments as may be necessary and proper to carry out the purposes of the Single Family Loan Program; and adjust the budget accordingly. **(Related to 15)**

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

67. C14-95-0176 - ROBERT SCHMIDT, 5905 McCarty Lane. From SF-2 to GR. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay subject to the following conditions: (1) limited to Automotive Repair use as the only permitted GR use, and LR, Neighborhood Commercial uses; (2) limit Floor to Area Ratio (FAR) to a total of 38,000 square feet of building use on this site; (3) limit development intensity to a level that will generate less than 2,000 vehicle trips per day; and (4) dedication

of up to 35 feet of right of way from the existing centerline of McCarty Lane.
Ordinance No. 960328-J approved as recommended, staff deleted ROW requirement.

68. C14-96-0002 - CENTRAL LIFE ASSURANCE COMPANY, by Strasburger & Price, L.L.P. (David Armbrust), 9300 Great Hills Trail. From LO 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.
Ordinance No. 960328-K approved Planning Commission recommendation

Items 67 and 68 approved on Councilmember Reynolds' motion, Councilmember Goodman's second, 5-0 vote, Councilmember Mitchell off the dais, Mayor Todd absent.

69. C14-96-0004 - TOP SURFACE (Kevan Calhoun), by King, Polson & Associates, P.C. (William M. King), 2006 West Koenig Lane. From SF-2 to LO. Planning Commission Recommendation: To Grant LO-CO, Limited Office-Conditional Overlay, zoning, with the provision of the overlay prohibiting Medical Office use, and Arts and Crafts Studio use; and subject to the dedication of 45 feet of right-of-way from the existing centerline of West Koenig Lane.
Approved Planning Commission recommendation, first reading only on, Councilmember Goodman's motion, Councilmember Reynolds' second 4-0 vote, Councilmembers Mitchell and Nofziger off the dais, Mayor Todd absent.

70. C14-96-0005 - SID ORTON INVESTMENTS (Sid Orton), by Holland Co. (Steve Holland), 8601 South 1st Street. From DR to LI. Planning Commission Recommendation: To Grant IP, Industrial Park subject to: (1) height limit of 40 feet; and (2) 50% impervious coverage for the site.
Postponed for two weeks to April 11, 1996, applicant's first request

71. C14-96-0008 - B.J. & CINDY BARNHART, by Amelia Lopez-Phelps Consulting (Amelia Lopez-Phelps), 12612 North Lamar Boulevard. From DR & RR to MF-2. Planning Commission Recommendation: To Grant MF-2-CO, Multifamily Residence (low density)-Conditional Overlay, for Tract 1 and RR, Rural Residence, for Tract 2 for the portion located in the floodplain. The conditional overlay will limit the property as follows: (1) development of the property shall be limited to less than 2,000 vehicle trips per day, and subject to the North Lamar - IH 35 Association's conditions as listed: (1) 6 foot height wood privacy and decorative metal security fencing along the north, west and south boundaries of the site; (2) placement driveway access 300 feet from the tracts existing southeastern corner on Lamar Boulevard. Note: Planning Commission request that the engineering study be submitted to the neighborhood concurrently with the city's submittal.
Ordinance No 960328-L approved Planning Commission recommendation with the word "APPROXIMATELY" added to condition #2 as shown on, Councilmember Reynolds' motion, Councilmember Goodman's second, 5-0 vote, Councilmember Mitchell off the dais, Mayor Todd absent.

72. C14-78-219 - JOE HAJJAR, North R.M. 620 and Broadmeade. Request for Restrictive Covenant Termination. Planning Commission Recommendation: Approve termination of restrictive covenant. (cont'd. from 2/1/96, 2/8/96, 2/29/96 & 03/21/96)

Postponed for two weeks to March 11, 1996, staff request

TO BE HEARD BY PLANNING COMMISSION 03-26-96, RECOMMENDATION TO FOLLOW

73. C14-96-0030 - CATER JOSEPH, 8801 East U.S. Hwy. 290. From DR to GR. Approve GR-CO, Community Commercial-Conditional Overlay subject to the following conditions: 1. Limit development to generate less than 2,000 vehicle trips per day; and 2. Reservation of up to 200 feet of right-of-way from the existing centerline of U.S. Highway 290 East. Approved Planning Commission recommendation, first reading only on, Councilmember Reynolds' motion, Councilmember Goodman's second, 5-0 vote, Councilmember Mitchell off the dais, Mayor Todd absent.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held at 3:55 p.m. to 5:22 p.m.

Executive session held at 6:15 p.m. to 7:00 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.

Advice of Counsel - Section 551.071

74. 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

75. Discuss real property for the Balcones Canyonland Preserve (BCP).

ADDENDUM - March 28, 1996

EXECUTIVE SESSION (No Public Discussion on These Items)

The City Council will announce that it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive 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 Legal Counsel regarding any other item on this agenda.

Personnel Matters - Section 551.074

76. Discuss appointment of Municipal Court Relief Judges. (Councilmember Eric Mitchell)

Action on the Following

77. Appoint Municipal Court Relief Judges.
No action taken

78. Approve benefit and compensation package of Municipal Court Relief Judges.
No action taken

ADJOURNED at 7:10 p.m.

Approved on this 11th day of April, 1996, on, Mayor Pro Tem Garcia's motion, Mayor Todd's second, 5-0 vote, Councilmembers Shea and Goodman temporarily absent.