



# Austin City Council MINUTES

JUNE 6, 1996

Mayor Todd called the meeting to order, Councilmember Shea off the dais, Councilmember Reynolds temporarily absent and Councilmember Goodman absent.

1. Approval of Minutes for Regular Meeting of May 16, 1996, Worksession of May 22, 1996, and Regular meeting of May 23, 1996.  
Approved on Mayor Pro Tem Garcia's motion, Councilmember Shea's second, 5-0 vote, Councilmember Reynolds temporarily absent, Councilmember Goodman absent.

## CITIZEN'S COMMUNICATION GENERAL

2. Mr. Dale Johnson, to discuss bicycle helmet ordinance.
3. Mr. Gus Pena, to discuss city issues and youth issues.
4. Mr. Jim Coddington, to discuss homeless resolution.  
**Absent**
5. Mr. Austin Jernigan, to request rescission of the bicycle helmet ordinance.
6. Ms. Janine Winter, to discuss rescission of the bicycle helmet ordinance and encourage commuters to use their bikes as much as possible.

## ITEMS CONTINUED FROM PREVIOUS MEETINGS

### ORDINANCES

7. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 11617 Research Boulevard, Case No. C14-95-0133, from "LR", Neighborhood Commercial to "GR-CO", Community Commercial-Conditional Overlay, for Tract 1; and "LR", Neighborhood Commercial for Tract 2, subject to the following conditions: (1) dedication of up to 35 feet of right-of-way from the existing centerline of both Angus Road and Thunder Creek Road; (2) prohibit following uses - Automotive Sales, Automotive Repair Services, Automotive Rentals, Automotive Washing (self-service, automatic mechanical), Drop-Off Recycling Facility, Exterminating Services, Kennels, Hotel-Motel, Pawn Shop Services, Adult Oriented Businesses, and Indoor Sports and Recreation; (3) limit Drive-In, Fast Food to the 50 feet (the US 183 side) of Tract 2 with a drive-thru window; and (4) limit development to land uses and intensities which will not exceed or significantly vary

from the projected traffic conditions assumed in the TIA", TRI-ROADS II (Henry Mayes), by Richard H. Crank, ASLA (Richard Crank). First reading on January 11, 1996; Vote 5-0; Shea absent and Mitchell off the dais. Conditions met as follows: conditional overlay incorporates conditions imposed by Council and street deeds have been executed.

**Ordinance No. 960606-A approved**

8. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 8518 Fathom Circle, Case No. C14-95-0134, from "MF-2", Multifamily Residence (low density) to "GO-CO", General Office-Conditional Overlay, with the provisions of the overlay as follows: (1) prohibit access to Fathom Circle; (2) rollback to MF-2, Multifamily Residence (low density), zoning if parking is not developed; and (3) prohibit following uses - Administrative and Business Offices, Business or Trade School, Communication Services, Personal Services, Software Development, Counseling Services, Day Care Services, Local Utility Services, Private Secondary Education Facilities, Arts and Craft Studio (limited), Business Support Services, Medical Offices, Professional Office, College or University Facilities, Convalescent Services, Cultural Services, Hospital Services, Private Primary Educational Facilities, and Safety Services; LOUIS R. WILLIAMS by Richard H. Crank, ASLA (Richard Crank). First reading on January 11, 1996; Vote 5-0; Shea absent; Mitchell off the dais. Conditions met as follows: conditional overlay incorporates conditions imposed by Council and the restrictive covenant has been executed.

**Ordinance No. 960606-B approved**

9. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 608 W. Gibson Street, Case No. C14-95-0175, from "SF-3", Family Residence to "GO-CO", General Office-Conditional Overlay zoning for Tract 1 and "RR", Rural Residence District for Tract 2; the provisions of the overlay are as follows: (1) subject to NO, Neighborhood Office site development standards; (2) prohibit all GO uses, except Off-Site Parking and NO, Neighborhood Office uses; (3) provide a 25 foot undisturbed buffer along the westernmost property line; (4) construct a solid wood fence along the westernmost property line, except for utility crossing; (5) limit one curb cut to West Gibson Street; and (6) a rollback to SF-3, Family Residence, zoning should parking use cease; EL MERCADO RESTAURANT (Antonio Villegas), by Roel Bazan, AIA Architects (Roel Bazan). First reading on February 1, 1996; Vote 5-0; Shea and Nofziger off the dais. Conditions met as follows: conditional overlay incorporates conditions imposed by Council. Restrictive covenant incorporating conditions imposed by Council has been executed.

**Ordinance No. 960606-C approved**

10. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 1130 Tillery Street, Case No. C14-95-0190, "SF-3", Family Residence to "SF-5", Urban Family Residence; AUSTIN CATHEDRAL CHURCH (Francisco Colop), by Vision Design (Andrew Guzman). First reading on February 29, 1996; Vote 7-0.

**Ordinance No. 960606-D approved**

11. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 8601 South 1st Street, Case No. C14-96-0005, from "DR", Development Reserve to "IP", Industrial Park subject to: (1) height limit of 40 feet; (2) 70% impervious coverage for the site; (3) prohibit access to Swanson Lane; (4) limit hours of operation

to 7 A.M. to 9 P.M.; SID ORTON INVESTMENTS (Sid Orton), by Holland Co. (Steve Holland). First reading on April 11, 1996; Vote 5-0; Shea & Nofziger off the dais. Conditions met as follows: conditional overlay incorporates conditions imposed by Council and restrictive covenant has been executed. Note: The applicant and the neighborhood have agreed to two additional conditions that limit development to generate less than 2,000 vehicle trips per day and prohibit Automobile Sales.

**Ordinance No. 960606-E approved**

12. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 7605 Cameron Road, Case No. C14-96-0024, from "SF-3", Family Residence to "GR-CO", Community Commercial-Conditional Overlay for the first 150 feet from Cameron Road; "SF-5", Urban Family Residence and "RR", Rural Residence for area in the floodplain. The conditional overlay would prohibit the following uses on the GR portion of the site - Lodging House, Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (all), Indoor Entertainment, Indoor Sports and Recreation, Outdoor Entertainment, Outdoor Sports and Recreation, Restaurant (drive-in, fast food), Service Station, Theater, and Community Recreation (public); ROBERTA A. MITCHELL, by Situs Planning & Design (John Warden). First reading on May 9, 1996; Vote 4-0, Nofziger absent; Goodman and Shea off the dais. Conditions met as follows: conditional overlay incorporates conditions imposed by Council.

**Ordinance No. 960606-F approved**

13. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 8801 East U.S. Hwy. 290, Case No. C14-96-0030, from "DR", Development Reserve to "GR-CO", Community Commercial-Conditional Overlay zoning 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; CATER JOSEPH. First reading on March 28, 1996; Vote 5-0; Todd absent and Mitchell off the dais. Conditions met as follows: conditional overlay incorporates conditions imposed by Council. Street Deed for reservation of right-of-way has been executed.

**Ordinance No. 960606-G approved**

14. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 901 W. Ben White Boulevard, Case No. C814-95-0001 (formerly C814-94-0002), from "LO", Limited Office, "GR", Community Commercial, "CS", Commercial Services, "GO", General Office & "GO-CO", General Office-Conditional Overlay to "PUD", Planned Unit Development, with the following conditions:

- 1) The maximum building height shall not exceed the following -
  - a. 60 feet for the area 200 feet\* north and parallel to the southernmost property line,
  - b. 80 feet for the area 300 feet\* north and parallel to the southernmost property line,
  - c. 0 feet for the area 100 feet east and parallel to the westernmost property line (adjoining Emerald Forest's 70' ROW),
  - d. 80 feet for the area 230 feet\*\* east and parallel to the westernmost property line (adjoining Emerald Forest's 70'ROW), and
  - e. the remainder of the site shall be restricted to a height of 120 feet.

\*Except, all improvements within 50 feet of the single family and duplex uses (zoned SF-3 & LO) and located within the Casey Estates Subdivision, Section One, shall comply with compatibility standards without waivers from the height and setback requirements.

\*\* Except, all improvements shall be further restricted by #7 below.

- (2) The area adjoining the 100 foot area immediately east and parallel to the westernmost property line (adjoining Emerald Forest's 70' ROW), shall be restricted to minor utility crossings, hike and bike trails, water quality improvements and a single 80 space surface parking lot.
- (3) The land uses on the site are limited to the uses allowed, both permitted and conditional uses, within the GO, General Office District, except to permit Hospital Services (general) as an additional permitted use.
- (4) The site shall comply with compatibility standards for the entire site, except for the building height and setback requirements as modified by #1 above.
- (5) The site shall comply with the site development standards of the GO district and other applicable sections of the Land Development Code (LDC).
- (6) The overall impervious cover on the site shall not exceed 76%.
- (7) The site shall comply with the Traffic Impact Analysis Review recommendations contained within the Memorandum, dated December 1, 1995.
- (8) The 100-year flood plain and the adjoining 100 foot area immediately adjoining the flood plain shall be left undisturbed, except for minor utility crossings, and hike and bike trails.
- (9) The site shall provide on-site structural water quality controls (LDC, Sect. 13-7-19) in accordance the Environmental Criteria Manual for new or redevelopment within the site which creates impervious cover; HOSPITAL CORPORATION OF AMERICA (Kent Ferguson), by Minter, Joseph & Thornhill (Kenneth W. Brown). First reading on February 1, 1996; Vote 5-0; Shea & Nofziger absent. Conditions met as follows: conditional overlay incorporates conditions imposed by Council and the restrictive covenant has been executed.

**Ordinance No. 960606-H approved**

**Items 7 through 14 approved on, Mayor Pro Tem Garcia's motion, Councilmember Nofziger's second, 6-0 vote, Councilmember Goodman absent.**

15. Approve second reading of an ordinance granting a cable franchise to Time Warner Entertainment Company, L.P. (dba Austin Cablevision) to provide cable services. (Franchise fee revenue \$2.6 million)  
**Approved second reading only on, Mayor Pro Tem Garcia's motion, Councilmember Reynolds' second, 5-0 vote, Councilmember Mitchell off the dais, Councilmember Goodman absent.**
16. Approve first reading of an ordinance extending the term of the current franchise with Time Warner Entertainment Company L.P. (dba Austin Cablevision) to provide cable services until December 31, 1996. (Franchise Fee Revenue \$650,000) (Approved by Council Committee for Telecommunications Infrastructure)  
**Approved first reading only**

17. Approve out-of-district water and wastewater service by Village at Western Oaks Municipal Utility District (MUD) to Dick Nichols Park and authorize payment of District Water Tap Fee, Wastewater Tap Fee, Capital Recovery Fee and Deposit totaling \$39,637.50 for connection of out-of-district utility service to Dick Nichols Pool and Bathhouse project. (Funding was included in 1995-96 Amended Capital Budget of the Parks & Recreation Department)  
**Ordinance No. 960606-I approved**
18. Authorize acceptance of \$100,000 in grant funds from the Office of the Governor, Criminal Justice Division, Title V Delinquency Prevention Fund for supporting neighborhood level delinquency prevention planning and service coordination; amend Ordinance No. 950911-A, the 1995-96 operating budget, amending the Special Revenue Fund by appropriating \$100,000 in grant funds for the Health and Human Services Department Special Revenue Fund; and authorize 1.00 full-time equivalent (FTE) grant funded position.  
**Ordinance No. 960606-J approved**

**Items 16 through 18 approved on, Mayor Pro Tem Garcia's motion, Councilmember Nofziger's, second, 6-0 vote, Councilmember Goodman absent.**

19. Approve issuance by Circle C Municipal Utility District (MUD) No. 4 of Waterworks and Sewer System Combination Unlimited Tax and Revenue Bond Series 1996, in an amount not to exceed \$2,460,000; approve substantial draft of Bond Resolution, Notice of Sale, Bid Instructions, Form of Bid, and Preliminary Official Statement. (No fiscal impact.) (Recommended by Water and Wastewater Commission)  
**Postponed to June 13, 1996**

## RESOLUTIONS

20. Approve a contract with SUNDT CORP., Tucson, Arizona for the construction of the Terminal Apron at Austin-Bergstrom International Airport (ABIA) in the amount of \$14,992,884, plus a contingency fund of \$1,499,288 for change orders. (Funding is included in the 1995-96 Capital Budget for Aviation). Low bid of three. DBE participation 32.8%; MBE 3.74%, WBE 29.06%.  
**Approved on Mayor Pro Tem Garcia's motion, Councilmember Reynolds' second, 5-0 vote, Councilmember Nofziger off the dais, Councilmember Goodman absent.**
21. Approve a construction contract award to JORDAN-WHITFIELD, INC., Austin, Texas, for the Robert Mueller Municipal Airport Maintenance Yard Safety Improvements, in the amount of \$63,887. (Funding was included in the 1995-96 Capital budget of the Aviation Department.) Low bid of two. 3.21% MBE, 0.39% WBE Subcontractor participation. (Reviewed by Airport Advisory Board)  
**Approved**
22. Approve negotiation and execution of contracts with AUSTIN MUSEUM OF ART, INC (AMOA), Austin, Texas, for the development, management, and operation of a downtown art museum.  
**Approved**
23. Authorize negotiation and execution of a professional services agreement with VENTURI, SCOTT BROWN AND ASSOCIATES, INC, Philadelphia, Pennsylvania, to provide architectural

design feasibility services for the downtown art museum in an amount not to exceed \$300,000. (Funding was included in the 1991-92 Capital budget of the Parks and Recreation Department) Sole source. 13% MBE, 4% WBE Subcontractor participation.

**Approved**

24. Approve one eight month contract with Salvation Army for homeless related services under the U.S. Department of Housing and Urban Development (HUD) Emergency Shelter Grant Programs, in an amount not to exceed \$41,188 with two twelve month extension options in an amount not to exceed \$41,188 per extension, for a total amount not to exceed \$123,564. (Funding is available in the Special Revenue Fund of the Health and Human Services Department from U.S. Department of Housing and Urban Development Emergency Shelter Grant.)

**Approved**

**Items 21 through 24 approved on, Mayor Pro Tem Garcia's motion, Councilmember Nofziger's second, 6-0 vote, Councilmember Goodman absent.**

25. Authorize an Interlocal Agreement with Travis County Emergency Services District No. 9 for the provision of First Responder Fire and EMS Services to the Parkstone Subdivision and Foster Hilltop areas for a term of three years. (No fiscal impact.)

**Approved on, Mayor Pro Tem Garcia's motion, Councilmember Nofziger's second, 5-1 vote, Councilmember Shea voting "NO", Councilmember Goodman absent.**

26. Approve execution of a twelve month supply agreement with CORPORATE APPAREL GROUP, LTD., Walled Lake, Michigan, for the purchase of City of Austin uniform trousers and shirts, in an amount not to exceed \$73,768.78 with two twelve month extension options in an amount not to exceed \$73,768.78 per extension, for a total amount not to exceed \$221,306.34 (Funding in the amount of \$24,589.60 is available in the 1995-96 operating budget of the user departments. Funding for the remaining eight months and the extension options is contingent upon available funding in future budgets.) Low responsive bid of five. No M/WBE Subcontracting opportunities were identified.

**Approved**

27. Approve execution of a twelve month supply agreement with DAVIS TRUCK AND EQUIPMENT COMPANY OF SAN ANTONIO, INC., San Antonio, Texas, for the purchase of repair parts for Perkins tippers, used to lift and empty residential refuse containers, in an amount not to exceed \$80,000 with two twelve month extension options in an amount not to exceed \$80,000 per extension, for a total amount not to exceed \$240,000. (Funding in the amount of \$26,667 is available in the 1995-96 operating budget of the Fleet Maintenance Division. Funding for the remaining eight months and the extension options is contingent upon available funding in future budgets.) Single bid. No M/WBE Subcontracting opportunities were identified.

**Approved**

28. Approve the execution of a twelve month supply agreement with CAPITOL TWO-WAY COMMUNICATIONS, INC. (WBE/FR), Austin, Texas, for the purchase of Motorola Brand radio parts, in an amount not to exceed \$140,000 per year with the option to extend for up to two twelve month extension options in an amount not to exceed \$140,000 per extension, for a total

contract amount not to exceed \$420,000. (Funding in the amount of \$46,666.66 is available in the 1995-96 operating budget of various City departments. Funding for the remaining eight months and the extension options is contingent upon available funding in future budgets.) Low bid of two meeting specifications. No M/WBE Subcontracting opportunities were identified.

**Approved**

29. Approve execution of a contract with HEMPHILL BUS SALES, Cypress, Texas, for the purchase of one passenger bus for the McBeth Recreation Center, in the amount of \$52,734. (Funding is available in the 1995-96 Vehicle Acquisition Fund.) Low bid of two. No M/WBE Subcontracting opportunities were identified.

**Approved**

30. Approve execution of a contract with QUALITY EQUIPMENT COMPANY, Austin, Texas, for the purchase of four compact tractor loaders, in the amount of \$90,930.87 (Funding in the amount of \$39,222.60 is available in the 1995-96 operating budget of the Drainage Utility Fund; \$22,553.80 is available in the 1995-96 operating budget of the Water Division of the Water and Wastewater Utility; \$29,154.47 is available in the 1995-96 Capital budget of the Wastewater Division of the Water and Wastewater Utility Department.) Low bid of three. No M/WBE Subcontracting opportunities were identified.

**Approved**

31. Approve execution of a contract with PERKIN ELMER, Norwalk, Connecticut, for the purchase of an coupled plasma spectrometer used to analyze drinking water, wastewater and various sludges for the Water and Wastewater Utility, Instrument Laboratory, in an amount not to exceed \$121,242. (Funding is available in the 1995-96 operating budget of the Water and Wastewater Utility.) Single bid. No M/WBE Subcontracting opportunities were identified.

**Approved**

32. Approve execution of a twelve month supply agreement with SENSUS TECHNOLOGIES, INC., Uniontown, Pennsylvania, for the purchase of various sizes of sealed register and compound type water meters for the Water and Wastewater Utility, in an amount not to exceed \$180,423 with two twelve month extension options in an amount not to exceed \$180,423 per extension, for a total amount not to exceed \$541,269. (Funding in the estimated amount of \$75,176 is available in the 1995-96 operating budget of the Water and Wastewater Utility. Funding for the final seven months and the extension options is contingent upon available funding in future budgets.) Sole source. No M/WBE Subcontracting opportunities were identified.

**Approved**

33. Approve execution of a contract with TEXANA MACHINERY CORPORATION, Austin, Texas, for the purchase of four trailer mounted air compressors, in the amount of \$43,235. (Funding in the amount of \$10,799 is available in the 1995-96 Vehicle Acquisition Fund; \$10,799 is available in the 1995-96 operating budget of the Street and Bridge Division of the Public Works and Transportation Department; \$21,637 was included in the 1995-96 Capital budget of the Line Maintenance Division of the Water and Wastewater Utility Department.) Low bid of four. No M/WBE Subcontracting opportunities were identified.

**Approved**

34. Approve execution of a contract with LONGHORN INTERNATIONAL EQUIPMENT COMPANY, Austin, Texas, for the purchase of twenty medium and heavy class truck cabs and chassis used in the daily operations of maintenance and construction of the City's infrastructure, in the amount of \$1,071,927. (Funding in the amount of \$515,905 is included in the 1995-96 Capital budget of the Water & Wastewater Utility)  
**Approved**
35. Approve execution of a contract with HOLT COMPANY OF TEXAS, San Antonio, Texas, for the purchase of a portable generator and transfer switch, which is used as an alternative power source for the Barton Creek lift station, for the Water and Wastewater Department, in the amount of \$79,107. (Funding was included in the 1995-96 Capital budget of the Water and Wastewater Utility.) Single bid. No M/WBE Subcontracting opportunities were identified.  
**Approved**
36. Approve execution of a contract with ROCAL, INC., Frankfort, Ohio, for the purchase of two thousand stop signs for the Signs Division of the Public Works and Transportation Department through the State of Texas Cooperative Purchasing Program, in the amount of \$67,460. (Funding is available in the 1995-96 operating budget of the Public Works and Transportation Department Signs Division)  
**Approved**
37. Approve execution of two twelve month supply agreements, one with PURCELL TIRE AND RUBBER COMPANY, Austin, Texas, in an amount not to exceed \$455,000, and one with GRAY'S WHOLESALE TIRE DISTRIBUTORS, INC., Fort Worth, Texas, in an amount not to exceed \$410,000, for the purchase of new tires and tubes for the Fleet Maintenance Division of Finance and Administrative Services Department with two twelve month extension options for each contract, in an amount not to exceed \$455,000 and \$410,000 respectively per extension, for total contract amounts of \$2,595,000. (Funding in the amount of \$288,333.33 is available in the 1995-96 operating budget of the Fleet Maintenance Fund. Funding for the remaining eight months and the extension options is contingent upon available funding in future budgets.) Low bids of five. No M/WBE Subcontracting opportunities were identified.  
**Approved**
38. Approve a construction contract with BRAUN & BUTLER CONSTRUCTION, INC., Austin, Texas, for construction of the Milwood Branch Library at 12500 Amherst Drive, in the amount of \$1,061,650. (Funding was included in the 1992-93 Capital budget of the Library Department.) Low responsive bid of ten. 25.41% MBE, 9.55% WBE Subcontractor participation.  
**Approved**
39. Approve a construction contract with THERMAL MECHANICAL CONTRACTORS, INC., Manor, Texas, for installation of new chiller equipment at John Henry Faulk Library and Austin Police Department Headquarters, in the amount of \$182,400. (Funding was included in the 1994-95 Amended Capital budget of the Planning and Environmental Conservation Services Department.) Low bid of three. 0% MBE, 21.25% WBE Subcontractor participation.  
**Approved**
40. Approve a construction contract with AUS-TEX PLUMBING, HEATING, AND A/C, INC., Pflugerville, Texas, for the replacement of the existing cooling tower at Palmer Auditorium, in the



amount of \$64,366. (Funding was included in the 1991-92 Approved Capital budget of the Convention Center.) Low bid of four. 48.75% MBE, 0% WBE Subcontractor participation.

**Approved**

41. Approve a construction contract with AUSTIN BRIDGE AND ROAD, INC., Austin, Texas for reconstruction, overlay, and utility trench repair of Congress Avenue Phase II from Cesar Chavez to 11th Street, in the amount of \$394,497.63, with \$98,624.41 as a contingency amount to be used for change orders, for a total amount not to exceed \$493,122.04. (Funding in the amount of \$381,760.04 is included in the 1995-96 Capital budget of the department of Public Works and Transportation; \$59,182 is included in the 1993-94 Capital budget of the Department of Public Works and Transportation; \$4,500 is included in the 1991-92 Capital budget of the Wastewater utility; \$39,480 is included in the 1991-92 Capital budget of the Water utility; \$4,000 is included in the 1995-1996 Capital budget of the Drainage Utility,; and \$4200 is included in the 1995-1996 Operating budget of the Drainage utility department.) Low bid of four. 24% MBE, 12.65 WBE Subcontractor participation.

**Approved**

**Items 26 through 41 approved on, Mayor pro Tem Garcia's motion, Councilmember Nofziger's second, 6-0 vote, Councilmember Goodman absent.**

42. Authorize an Interlocal Agreement with the TEXAS DEPARTMENT OF TRANSPORTATION for construction of the Parmer Lane 48-inch Water Transmission Main, Dessau Road to Howard Lane, project in the amount of \$3,153,300. (Funding in the amount of \$1,354,300 was included in the 1991-92 Capital budget of the Water and Wastewater Utility; \$1,798,970 was included in the 1995-96 Capital budget of the Water and Wastewater Utility.) (Recommended by Water and Wastewater Commission)

**Approved on, Councilmember Shea's motion, Mayor Todd's second, 4-0-1 vote, Councilmember Shea abstaining, Councilmember Nofziger off the dais, Councilmember Goodman absent.**

43. Authorize negotiation and execution of Amendment #2 to the Professional Services Agreement with HDR ENGINEERING, INC., Austin, Texas, for design (Phase II) engineering services for the A.R. Davis Water Treatment Plant Improvements Project, in an amount not to exceed \$2,548,000, for a total contract amount of \$3,393,167.46. (Funding was included in the 1995-96 Capital budget of the Water and Wastewater Utility.) 6.5% MBE, 55.2% WBE Subconsultant participation. (Recommended by Water and Wastewater Commission)

**Approved**

44. Approve execution of a contract amendment with the law firm Dow, Cogburn, & Friedman, P.C. to provide legal services for the cable franchise renewal of the Time Warner Entertainment Company L. P. (dba Austin Cablevision), in an amount not to exceed \$40,000 for a total contract amount not to exceed \$60,000. (Funding is available in the 1995-96 Operating budget of the Finance and Administrative Services Department.)

**Approved**

45. Authorize negotiation and execution of an Interlocal Agreement with the University of Texas at the Austin Center for Research in Water Resources for a water quality future needs assessment for urban creeks for one year, in the amount of \$55,000. (Funding is available in the 1995-96

operating budget of the Drainage Utility Department.)

**Approved**

46. Authorize a \$50,000 increase in the Interlocal Agreement with Lower Colorado River Authority (LCRA) for laboratory analysis services during the second of three years of the agreement. (Funding is available in the 1995-96 Drainage Utility Department operating budget.)

**Approved**

47. Authorize negotiation and execution of an Interlocal Agreement with the University of Texas Air Quality Laboratory for sampling and analysis of Volatile Organic Compounds, in an amount not to exceed \$30,000. (Funding is available in the 1995-96 Planning and Development Department Special Revenue Fund.)

**Approved**

**Items 43 through 47 approved on, Mayor Pro Tem Garcia's motion, Councilmember Nofziger's second, 6-0 vote, Councilmember Goodman absent.**

48. Amend Lease Agreement with Travis County for the Travis County Exposition Center.

**Approved on, Councilmember Reynolds' motion, Mayor Pro Tem Garcia's second, 5-0 vote, Councilmember Nofziger off the dais, Councilmember Goodman absent.**

49. Set a public hearing to hear comments on approving a waiver of Development Process fees for the first phase of the Samsung semiconductor facility and all Water and Wastewater Capital Recovery fees for Samsung Semiconductors, Inc. (Estimated total fee waiver of \$1,543,625.) (Suggested date and time: June 13, 1996 at 4:30 p.m.)

**Approved on, Mayor Pro Tem Garcia's motion, Councilmember Nofziger's second, 6-0 vote, Councilmember Goodman absent.**

50. Set a public hearing on an amendment to Chapter 13-5 of the Land Development Code concerning requirements for a Neighborhood Traffic Analysis. (Recommended by Planning Commission) (Suggested date and time: June 27, 1996 at 4:30 p.m.)

**Postponed to June 27, 1996**

51. Set a public hearing on a proposed amendment to the City's 1995 Community Development Program and to consider a revised 1995-96 Consolidation Plan adding a new program (One Stop Career Center) funded through the U.S. Department of Housing and Urban Development (HUD) Section 108 Loan Guarantee Program; and to direct the City to notify the community of proposed amendment as provided for in the City's Participation Plan. (Suggested date and time: June 27, 1996 at 5:00 p.m.)

**Approved**

#### **ITEMS FROM COUNCIL**

52. Adopt an ordinance naming the planned branch library at the Americana Theater site, located at 2200 Hancock Drive, as the Senator Ralph Yarborough Library. (Recommended by the Library Commission) (Councilmember Brigid Shea, Mayor Pro Tem Gus Garcia, Councilmember Max Nofziger)

Ordinance No. 960606-K approved

Items 51 and 52 approved on, Mayor Pro Tem Garcia's motion, Councilmember Nofziger's second, 6-0 vote, Councilmember Goodman absent.

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

53. C14-94-0168 (part 2) - PARMER RIDGE LTD. (John Lloyd), by Espey, Huston & Associates (Danny R. Martin), Josh Ridge Blvd. and Harrisglenn Dr. From I-RR (Tract 2A & Tract 2B) to MF-2-CO (Tract 2A) & LR-CO (Tract 2B). Planning Commission Recommendation: To Grant SF-2-CO, Single Family Residence (standard lot)-Conditional Overlay for the portion of Tract 2A from the southern line of the greenbelt/drainage area to a line 270 feet south from southern edge of greenbelt; MF-2-CO, Multifamily Residence (low density)-Conditional Overlay for the remaining portions of Tract 2A and a portion of Tract 2B to the extent the acreage will support a maximum of 320 multifamily units; and LR-CO, Neighborhood Commercial-Conditional Overlay zoning for the remainder of Tract 2B. The provisions of the overlay are as follows: (1) multifamily development shall not exceed 320 units total; (2) no development shall occur until extension of Parmer Lane east of IH 35 to East Dessau Road is completed; and (3) subject to the limits and intensities of development outlined in the Traffic Impact Analysis (T.I.A.) Memorandum dated February 15, 1995. In addition, a restrictive covenant requiring the following: (1) fiscal arrangements for 100 percent of cost of installation of a signal at the intersection of Parmer Lane and Harrisglenn Drive prior to third reading; (2) fiscal arrangements with the Texas Department of Transportation (TXDOT) for 46 percent of the cost of installation of a westbound signal head at the intersection of Parmer Lane and IH 35 if required by TXDOT; and (3) prohibit construction until access to Parmer Lane is available.  
**Neighborhood requests a postponement to June 27, 1996, approved on Councilmember Nofziger's motion, Mayor Pro Tem Garcia's second, 6-0 vote, Councilmember Goodman absent.**
54. C14-95-0118 - T. DAVID YOUNG, by Land Strategies, Inc. (Paul W. Linehan), East Stassney Lane and Wasson Road. From RR, GR, LO, SF-6, SF-3, MF-2 to IP, MF-2. Planning Commission Recommendation: To Grant W/LO-CO, Warehouse/Limited Office-Conditional Overlay, zoning for the existing SF-3, MF-2 and a portion of the SF-6 (400 feet from the centerline of the creek as shown in the applicant's exhibit), and LO-CO, Limited Office-Conditional Overlay for the remainder of the existing SF-6 zoned area (this portion to be limited to MF-2 impervious coverage limits) for Tract #1; RR, Rural Residence, zoning for Tract #2; and MF-2, Multi-Family Residence (low density), zoning for Tract #3. Further subject to the following conditions: (1) Planning Commission approval of the site plan; (2) conditional overlay to limit building height to one-story (25 feet); (3) dedication of up to 35 feet of right-of-way from the existing centerline of Wasson Road; (4) a restrictive covenant to limit hours of operation from 7:00 a.m. to 7:30 p.m., Monday through Friday, and from 9:00 a.m. to 5:00 p.m. on Saturday; and (5) orient loading dock facilities towards Wasson Road and the following conditions outlined in the October 25, 1995, letter from Ken Brown to the Planning Commission: (i) clearing within the Water Quality Transition Zone (WQTZ) will be limited to that required for: Utility Installation, Construction of Parking, Buildings, Stormwater Management/Water Quality (SWM/WQ) Facilities, and the support infrastructure as allowed by the permitted thirty percent (30%) impervious cover; and (ii) development within the WQTZ will be limited as follows - (a) the inward seventy-five feet (closest to Williamson Creek) will be restricted to no development except for required utilities

and SWM/WQ facilities, (b) the outward seventy-five feet (furthest from Williamson Creek) will be restricted to no more than thirty percent (30%) impervious cover. This impervious cover can be developed as one-story buildings, parking, drives, sidewalks, SWM/WQ facilities and the like. Further subject to limit development to a maximum of 2,000 trips per day on the entire parcel (tracts 1, 2, & 3). **Motion to close public hearing on, Councilmember Reynolds' motion, Mayor Pro Tem Garcia's second, 4-0 vote, Councilmember Shea off the dais, Mayor Todd and Councilmember Goodman absent.**

**Approved Tract 3 as recommended by Planning Commission, first reading only; Tracts 1 and 2 referred back to Planning Commission to be reheard, (Planning Commission to explore possibility of hazardous materials storage and spillage to creek on Tract 1) on, Councilmember Reynolds' motion, Councilmember Nofziger's second, 4-0 vote, Councilmember Shea off the dais, Mayor Todd and Councilmember Goodman absent.**

55. C14-96-0054 - JOHN KING, INC. (John King), by Abbe/Garrett Engineering (Michael Simmons-Smith), North Lamar Blvd. and Yager Lane. From LO to CS. Planning Commission Recommendation: To Grant CS-CO, Commercial Services-Conditional Overlay, zoning subject to: (1) dedication of 35 feet of right-of-way from the existing centerline of Yager Lane; (2) prohibit the following uses - Adult Oriented Businesses, Arts & Craft Industry, Automotive Repair, Automotive Sales, Automotive Rentals, Automotive Washing, Outside Storage, Agriculture Sales & Services, Nursery, Convenience Store, Drop-Off Recycling, Equipment Repairs & Sales, Extermination Services, Indoor Entertainment, Kennels, Outdoor Entertainment, Outdoor Sports and Recreation, Pawn Shops, Restaurant (fast food), Vehicle Storage, and Custom Manufacturing; and (3) a restrictive covenant requiring - 3 foot tall landscaped berm to screen all parking along Lamar Boulevard and Yager Lane; and 50% increase in number of required trees within Lamar Boulevard streetyard.

**Approve Planning Commission recommendation, first reading only, on, Councilmember Nofziger's motion, Mayor Pro Tem Garcia's second, 6-0 vote, Councilmember Goodman absent.**

56. C14-96-0063 - LUPE RIOJAS, by Sabia Botanicals (Laura Reisfield), 605 Henderson Street. From MF-4 to CS-CURE. (To be reviewed by Planning Commission)

**Ordinance No. 960606-L approved CS-CURE, commercial services-central urban redevelopment combining district zoning subject to the following modifications under the CURE combining district for general retail sales (convenience) uses: 1) modify section 13-5-107 of the LDC to establish a parking ratio of one required parking space per 1000 square feet, and 2) limit the floor-to-area ratio (far) to 0.18 to 1 on, Councilmember Nofziger's motion, Mayor Pro Tem Garcia's second, 6-0 vote, Councilmember Goodman absent.**

57. C14-96-0052 - W.W. DEERFIELD C/O WALTERS SOUTHWEST (Bill Walters), by Bury & Pittman (James B. Knight), 8700 Block of Brodie Lane. From SF-2 to MF-2. (This case will be postponed to a future date. Posting of this cases on this agenda is required due to a previous advertisement for a public hearing on this date.)

**Applicant requests a postponement to June 27, 1996, on, Councilmember Nofziger's motion, Mayor Pro Tem Garcia's second, 6-0 vote, Councilmember Goodman absent.**

## PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

58. 6:00 P.M. - Public hearing to receive citizen input on an ordinance amending water quality regulations contained in the Land Development Code as requested by the Planning Commission. (Recommended by Environmental Board and Planning Commission)  
Postponed to June 13, 1996.

ACTION ON THE FOLLOWING

59. Approve an ordinance amending water quality regulations contained in the Land Development Code as requested by the Planning Commission. (No fiscal impact.) (Recommended by Environmental Board and Planning Commission)  
No action taken

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held on the morning of this date.

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.

Real Estate - Section 551.072

60. Discuss the sale of five contiguous parcels of City-owned land to Austin Housing Finance Corporation for low to moderate income homes.

Advice of Counsel - Section 551.071

61. Discuss implementation of Meet and Confer Process.

ACTION ON THE FOLLOWING

62. Approve the sale of five contiguous parcels of City-owned land to Austin Housing Finance Corporation for construction of low to moderate income homes.  
Approved

ADDENDUM - June 6, 1996

Addendum to City Council Agenda For Regular Meeting of June 6, 1996 at City Council Chambers, 307 W. 2nd Street, Austin, Texas.

63. Approve a resolution designating the area west of Decker Lake Road, south of Manor Road,

north of Martin Luther King, Jr. Boulevard, and east of Highway 183 as a City sponsored neighborhood preservation redevelopment area. (Councilmember Eric Mitchell and Mayor Bruce Todd)

Approved

Items 62 and 63 approved on, Mayor Pro Tem Garcia's motion, Councilmember Nofziger's second, 6-0 vote, Councilmember Goodman absent.

ADJOURNED at 5:15 p.m.

Approved on this the 13<sup>th</sup> day of June, 1996 on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Mitchell temporarily absent.