



Austin City Council

MINUTES

JUNE 27, 1996

Mayor Todd called the meeting to order, Councilmember Reynolds temporarily absent.

1. Approval of Minutes for Special Called Meeting of June 12, 1996 and Regular Called Meeting of June 13, 1996.
Minutes for Regular Called Meeting of June 13, 1996 postponed.

Minutes for Special Called Meeting of June 12, 1996 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Reynolds temporarily absent.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Gus Pena, to discuss homeless, youth, and housing issues.
3. Mr. Ted Kircher, to discuss information age advances for the environment.
4. Mr. Jeryl Hart, to request Council action on zoning case C14-93-0029.
Absent
5. Mr. Jason Austin, to discuss solutions regarding the new bicycle helmet law.
6. Mr. Joseph P. Redington, to discuss repeal of bicycle helmet law.
7. Ms. Jennifer McPhail.
8. Mr. Dave Angelo, to discuss his utility bill.
Absent
9. Mr. Wayne Spahn.
10. J.T. Timpleton.
11. Mr. Leonard Lyons, to discuss Time Warner.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

ORDINANCES

12. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 2900 to 3200 Blocks West William Cannon (north side) between Deaton Hill Dr. and Stage Coach Trail, Case No. C14-95-0109, from "SF-2", Single

Family Residence (standard lot) to "RR-CO", Rural Residence-Conditional Overlay, with the provisions of the overlay as follows: (1) prohibit Kennels, Stables, Club or Lodge, Community Recreation (public and private), Safety Services, and Telecommunication Tower uses; (2) increase minimum lot size requirement from 43,560 sq. ft. to 87,120 sq. ft.; (3) decrease the maximum allowed building height from 35 to 17 feet; (4) decrease the maximum allowed building coverage from 20% to 10%, and the maximum allowed impervious cover from 25% to 12%; and (5) increase the required rear yard setback from 20 feet to 40 feet, and the required interior side yard setback from 10 feet to 20 feet; CITY OF AUSTIN-Department of Development Review and Inspection. First reading on February 1, 1996; Vote 5-0, Shea and Nofziger absent. Conditions met as follows: conditional overlay incorporates conditions imposed by Council.

Ordinance 960627-A approved on, Councilmember Reynolds' motion, Mayor Todd'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 10603 FM 2222, Case No. C14-95-0193, from "I-SF-2", Interim Single Family Residence (standard lot) to "GR", Community Commercial zoning, for Tracts 1 and 2; "GO", General Office, zoning for Tract 3; and "MF-2-CO", Multifamily Residence (low density)-Conditional Overlay for Tract 4, and compliance with the Traffic Impact Analysis memo with the provisions of the overlay as follows: (1) limit the density to 14 units per acre on the multifamily tract; (2) prohibit access to Riverplace Boulevard (unless approved by the Riverplace Homeowners Association and a traffic signal at F.M. 2222 and Business Park Drive is not installed and (3) that all structures, which are office and retail uses, beyond the 1,000 feet outside the Hill Country Roadway ordinance be limited to 40 feet in height; DON ENGELING, by Urban Design Group (Laura T. Berland). First reading on June 13, 1996; Vote 5-0, Shea and Nofziger off the dais. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council.

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

14. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 2090 Woodward, Case No. C14-96-0020, from "SF-2", Single Family Residence (standard lot) to "LI-CO", Limited Industrial Services-Conditional Overlay, zoning with the provision of the overlay to limit development to generate less than 2,000 vehicle trips per day; UNISOURCE WORLDWIDE (Leigh A. Purdy), by A. R. Thrower Design (Ron Thrower). First reading on April 25, 1996; Vote 5-0; Reynolds absent and Nofziger off the dais. Conditions met as follows: conditional overlay incorporates conditions imposed by Council.

Ordinance No. 960627-B approved

15. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as North FM 620 and FM 2222, to grant MF-2-CO, with the Conditional Overlay limiting development subject to the terms of the Canyon Creek Phasing Agreement. Conditions met as follows: Restrictive Covenant has been executed.

Ordinance No. 960627-C approved

16. Approve an amendment to the Land Development Code permitting small plant nurseries on site of 43,560 square feet by conditional use in "LR" and "GR" use districts, and allowing for the sale/storage of herbicides and pesticides in an area of 100 square feet or 0.075% of the total site

area, which ever is greater.

Ordinance No. 960627-D approved

Items 14 through 16 approved on, Councilmember Reynolds' motion, Mayor Todd's second 7-0 vote.

17. Approve first reading of an ordinance granting a franchise to Central South West Communications, Inc. to construct and operate a city-wide broadband telecommunications network. (Unanticipated revenue for 1995-96 is \$8,750.) (Recommended by Telecommunications Commission)

Motion to delay first reading on, Councilmember Mitchell's motion, Councilmember Slusher's second, 2-5 vote, Mayor Todd, Mayor Pro Tem Garcia, Councilmembers Goodman, Griffith and Reynolds voting "NO".

Approve first reading only with a work session to be scheduled and citizen comments to be left open in second and third reading on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-1-1 vote, Councilmember Slusher abstaining, Councilmember Mitchell voting "NO".

18. Repeal Ordinance 871210-F which declared the necessity for paving James Casey Street from 800' south of Radam Lane to 300' south of Radam Lane. (No fiscal impact. The James Casey Street project is funded by G. O. Bonds)

Ordinance No. 960627-E approved

19. Repeal Ordinance 861030-H which declared the necessity for paving Taylor Draper Lane from approximately 801.66' south of Penny Creek Drive, northerly 605.74'. (No fiscal impact. The Taylor Draper Lane project is funded by G.O. Bonds.)

Ordinance No. 960627-F approved

Items 18 and 19 approved on, Councilmember Reynolds' motion, Mayor Todd's second, 7-0 vote.

20. Approve an amendment to LDC permitting small plant nurseries on sites of 43,560 square feet by conditional use in "LR" and "GR" use districts, and allowing for the sale/storage of herbicides and pesticides in an area of 100 square feet or 0.075% of the total site area, which ever is greater. (No fiscal impact.) (Recommended by Planning Commission)

Pulled off the agenda, duplicate item.

21. Amend Ordinance 950911-A, the 1995-96 Operating budget of the Water and Wastewater Utility by increasing the beginning balance by \$6,569,751 to reflect the audited balance of \$25,486,962. Increase the transfers to the Capital Improvements Program by \$350,000 to \$12,120,000 for the Ullrich land acquisition. Amend ordinance 950911-B, the 1995-96 Capital budget of the Water & Wastewater Utility by increasing the appropriation of the Ullrich Water Treatment Plant Project by \$350,000 for the Ullrich land acquisition. **(Related to Item 63)** Recommended by the Water & Wastewater Commission.

Ordinance No. 960627-G approved on, Councilmember Reynolds' motion, Mayor Todd's second, 7-0 vote.

22. Authorize the negotiation and execution of an agreement with Austin-Jourdan Crossing Partners (S.L.C. Holdings Ltd., Sage Land Company, and J. D. Byram Partner), for the construction of a 48/36-inch wastewater main and appurtenances to provide permanent wastewater service within and near Jourdan Crossing Subdivision with City cost reimbursement, in an amount not to exceed \$3,000,000 and approving waiver of certain requirements under Sections 13-3-18 of the 1992 Austin City Code relating to the year in which the first reimbursement is made. (Cost reimbursement in an amount not to exceed \$3,000,000 will be paid from the Water and Wastewater Utility operating fund.) (To be reviewed by Water and Wastewater Commission June 26, 1996) **(Related to Item 23)**
Ordinance No. 960627-J approved

RESOLUTIONS

23. Authorize the negotiation and execution of an agreement with Austin-Jourdan Crossing Partners (S.L.C. Holdings Ltd., Sage Land Company, and J.D. Byram Partner), for the construction of a 24-inch water main and appurtenances to provide permanent water service within and near Jourdan Crossing Subdivision with City cost reimbursement, in an amount not to exceed \$1,101,240. (Cost reimbursement in an amount not to exceed \$1,101,240 will be paid from the Water and Wastewater Utility's operating fund.) (To be reviewed by Water and Wastewater Commission June 26, 1996) **(Related to Item 22)** Recommended by Water & Wastewater Commission
Approved

Items 22 and 23 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

24. Approve execution of a contract through the State of Texas Cooperative Purchasing Program with SUBURBAN PROPANE LLP, Austin, Texas, for the conversion of forty-one light vehicles to operate on either liquid propane gas or gasoline, in the amount of \$90,276.01. (Funding in the amount of \$33,842.66 is available in the 1995-96 Vehicle Acquisition Fund; \$2,331.95 is available in the 1995-96 operating budget of the Water and Wastewater Utility; \$8,978.08 is available in the 1995-96 operating budget of the Water and Wastewater Utility; \$4,489.04 is available in the 1995-96 operating budget of the Transportation Fund; \$2,244.52 is available in the 1995-96 operating budget of the Solid Waste Services Department. Funding in the amount of \$38,389.76 was included in the 1995-96 Capital budget of the Electric Utility Department.) Recommended by Water & Wastewater Commission
Approved on, Councilmember Reynolds' motion, Mayor Todd's second, 7-0 vote.

25. Approve a construction contract with AUSTIN BRIDGE AND ROAD, INC., Austin, Texas, for the Robert Mueller Municipal Airport Runway 13R-31L, Runway 17-35, Taxiway Delta and Taxiway Hotel Pavement Maintenance, in the amount of \$507,382. (Funding was included in the 1995-96 Capital budget of the Aviation Department.) (To be reviewed by Airport Advisory Board June 25, 1996.) Low bid of two. 29.67% MBE, 8.44% WBE Subcontractor participation.
Approved on, Councilmember Reynolds' motion, Mayor Todd's second, 7-0 vote.

26. Authorize negotiation and execution of a Utility Easement to Texas Utility Electric Company (TUElectric) for the Brushy Creek Regional Wastewater Treatment Plant Expansion Project.) (No

fiscal impact.)

Postponed

27. Approve Change Order #3 to the contract with CHASCO CONTRACTING, Austin, Texas, for additional materials for drainage improvements between Alpine Road and Pickle Road as part of the East-West Bouldin Drainage Improvements Alpine Road Extended Detention Pond project, in the amount of \$27,691.64, for a total contract amount of \$320,971.64. (Funding was included in the 1994-95 Capital budget of the Public Works and Transportation Department.) 17.71% MBE, 3.46% WBE Subcontractor participation.

Approved

28. Approve execution of a contract with LODAL, INC., Kingsford, Michigan, for the purchase of three recycle collection trucks, in the amount of \$325,281. (Funding was included in the 1995-96 Capital budget of the Solid Waste Services Department.) Sole source. No M/WBE Subcontracting opportunities were identified.

Approved

29. Approve execution of a twelve month supply agreement with SENSUS TECHNOLOGIES, INC., Uniontown, Pennsylvania, for the purchase of turbine type cold water meters for the Water and Wastewater Utility, in an amount not to exceed \$109,206 with two twelve month extension options in an amount not to exceed \$109,206 per extension, for a total amount not to exceed \$327,618. (Funding for an estimated \$36,402 is available in the 1995-96 operating budget of the Water and Wastewater Utility. Funding for the final eight months and the extension options is contingent upon available funding in future budgets.) Low bid of four. No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)

Approved

30. Approve execution of a twelve month supply agreement with THE ROHAN COMPANY, Austin, Texas, for the purchase of various utility repair parts for the Water and Wastewater Utility, in an amount not to exceed \$80,335 with two twelve month extension options in an amount not to exceed \$80,335 per extension option, for a total amount not to exceed \$241,005. (Funding for an estimated \$33,473 is available in the 1995-96 operating budget of the Water and Wastewater Utility. Funding for the final eight months and the extension options is contingent upon available funding in future budgets.) Low bid of two. No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)

Approved

31. Approve an Interlocal Cooperation Agreement with the University of Texas School of Law, Center for Public Policy Dispute Resolution, to provide training and consultant services to the Water and Wastewater Utility for public involvement activities and alternative dispute resolution, for an amount not to exceed \$22,000. (Funding is available in the 1995-96 operating budget of the Water and Wastewater Utility.) (Recommended by Water and Wastewater Commission)

Approved

Items 27 through 31 approved on, Councilmember Reynolds' motion, Mayor Todd's second, 7-0 vote.

32. Authorize the negotiation and execution of an agreement with NATIONAL INSTRUMENTS, for the construction of a 18-inch wastewater main and appurtenances to provide permanent wastewater service within and near National Instruments with City cost reimbursement, in an amount not to exceed \$250,000. (Cost reimbursement in an amount not to exceed \$250,000 will be paid from the Water and Wastewater Utility's Operating fund.) (Recommended by Water and Wastewater Commission)

Postponed

33. Authorize the negotiation and execution of an agreement with Quarry Lake Business Center, Ltd., for the construction of a 15-inch wastewater main and appurtenances to provide permanent wastewater service downstream of the Quarry Subdivision with City cost participation, in an amount not to exceed \$46,182.50. (Cost participation in an amount not to exceed \$46,182.50 will be paid from the Water and Wastewater Utility's operating fund.) (Recommended by Water and Wastewater Commission)

Approved on, Councilmember Reynolds' motion, Mayor Todd's second, 6-0-1 vote, Councilmember Griffith abstaining.

34. Authorize negotiation and execution of Amendment #4 to the Professional Services Agreement with HDR ENGINEERING, INC., Austin, Texas, for additional Phase II (engineering design) and Phase III (construction management services) for the A. R. Davis Water Treatment Plant High-Service Pump Station Improvements, in an amount not to exceed \$317,100, for a total contract amount of \$2,036,106. (Funding was included in the 1995-96 Capital budget of the Water and Wastewater Utility.) 0% MBE, 3.0% WBE Subconsultant participation. (Recommended by Water and Wastewater Commission)

Approved

35. Approve the negotiation and execution of a professional services agreement with KURKJIAN ENGINEERING, Austin, Texas, for Phase I (preliminary engineering) services for the Upper Walnut Creek Interceptor Project, in an amount not to exceed \$90,000. (Funding was included in the 1995-96 Capital budget of the Water and Wastewater Utility Department.) Best qualification statement of fourteen. 8.6% MBE, 18.2% WBE Subconsultant participation. (Recommended by Water and Wastewater Commission)

Approved

36. Approve Change Order #3 to the contract with BRH GARVER, INC., Buda, Texas, for quantity adjustments of various sizes of pipe, valves, trench safety system and erosion control, for the Hilltop Acres Water and Wastewater Improvements, Phase II, in the amount of \$36,986.87, for a total contract amount of \$1,221,685.57. (Funding in the amount of \$36,986.87 was included in the 1991-92 Capital budget of the Water and Wastewater Utility.) 30.22% MBE, 3.82% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)

Approved

Items 34 through 36 approved on, Councilmember Reynolds' motion, Mayor Todd's second, 7-0 vote.

37. Authorize negotiation and execution of Amendment #4 to the Professional Services Agreement with CH2M-HILL, INC., Austin, Texas, for additional Phase III construction management services

for the Wastewater Treatment Plants Nutrient Removal Studies project, in the amount of \$47,200, for a total amount of \$1,630,209. (Funding was included in the 1995-96 Capital budget of the Water and Wastewater Utility.) 33.8% MBE, 0% WBE Subconsultant participation. (To be reviewed by Water and Wastewater Commission June 26, 1996) Recommended by Water & Wastewater Commission

Approved on, Councilmember Goodman's motion, Councilmember Reynolds' second, 4-0-1 vote, Councilmember Slusher abstaining, Mayor Pro Tem Garcia and Councilmember Mitchell off the dais.

38. Approve execution of a five month agreement with HENDRIX TRUCKS AND EQUIPMENT, Austin, Texas, for the purchase and installation of after-market truck equipment to be mounted on various City trucks, in the amount of \$106,200 with two twelve month extension options in the amount of \$106,200 each, for a total amount of \$318,600. (Funding in the amount of \$76,556 is available in the 1995-96 Vehicle Acquisition Fund; \$8,425 is available in the 1995-96 operating budget of the Aviation Department; \$5,984 is available in the 1995-96 operating budget of the Water and Wastewater Utility; \$474 is available in the 1995-96 operating budget of the Parks Department; and \$1289 is available in the 1995-96 operating budget of the Transportation Fund. Funding in the amount of \$13,470 was included in the 1995-96 Capital budget of the Water and Wastewater Utility. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) Low bid of two. No M/WBE Subcontracting opportunities were identified.

Approved

39. Approve execution of a contract with HENDRIX TRUCKS AND EQUIPMENT, Austin, Texas, for the purchase of eighteen service bodies, in the amount of \$240,707. (Funding in the amount of \$23,004 is available in the 1995-96 Vehicle Acquisition Fund; \$19,690 is available in the 1995-96 operating budget of the Water and Wastewater Utility. \$198,013 was included in the 1995-96 Capital budget of the Water and Wastewater Utility.) Low bid of three. No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)

Approved

40. Approve execution of a contract with VERA'S TRUCKING (MBE/FH), Kyle, Texas for the hauling of an estimated 16,000 cubic yards of unusable rock and soil spoils from the Austin Memorial Park Cemetery in an amount not to exceed \$65,000. (Funding is available in the 1995-96 Operating budget of the Cemetery Special Revenue Fund.) Low bid of two. Prime participation: 58% MBE. 25% MBE, 17% WBE Subcontractor participation.

Approved

41. Approve execution of a contract with INDUSTRIAL CONSTRUCTION COMPANY, (MBE/MB), Universal City, Texas, for construction of the playscape improvements at McBeth Recreation Center, located at 2401-A Columbus Drive, in the amount of \$157,724. (Funding in the amount of \$84,417 was included in the 1993-94 Amended Capital budget of the Parks and Recreation Department; \$73,307 was included in the 1994-95 Amended Capital budget of the Parks and Recreation Department.) Low bid of three. Prime participation: 98.61% MBE. 0% MBE, 1.39% WBE Subcontractor participation.

Approved

42. Approve execution of a twelve month supply and service agreement with AQUA CHLORINE COMMERCIAL SERVICES, San Antonio, Texas, for the purchase of pool chemicals and maintenance/cleaning of chlorinating dispensers for fifteen City swimming pools, in an amount not to exceed \$180,470 with two extension options in an amount not to exceed \$180,470 per extension option, for a total amount not to exceed \$541,410. (Funding in the amount \$45,117.50 is available in the 1995-96 operating budget of the Parks and Recreation department. Funding for the remaining nine months and the extension options is contingent upon available funding in future budgets.) Low bid of three. No M/WBE Subcontracting opportunities were identified.

Approved

43. Approve a resolution to adopt official intent of the City relating to the TBO Austin, Inc., Cargo project at Austin-Bergstrom International Airport in order to qualify for tax exemption.

Approved

Items 38 through 43 approved on, Councilmember Reynolds' motion, Mayor Todd's second, 7-0 vote.

44. Set a public hearing on an amendment to Chapter 13-5 of the Land Development Code concerning requirements for a Neighborhood Traffic Analysis. (No fiscal impact.) (Recommended by Planning Commission) (Suggested date and time: July 25, 1996, at 5:00 p.m.)

Postponed indefinitely

ITEMS FROM COUNCIL

45. Approve a resolution directing the City Manager to assist Capital Metro in finding an alternate site for the proposed Intermodal Aggregate Facility for rail freight service to a site other than the Downtown Railyard at E. 4th Street & IH 35, preferably to a site east of Ed Bluestein Boulevard. (Mayor Pro Tem Gus Garcia, Councilmember Jackie Goodman, and Councilmember Beverly Griffith)

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

46. Repeal ordinance No. 960523-A which created the position of pedestrian coordinator in the Department of Public Works and Transportation. (Mayor Bruce Todd and Councilmember Ronney Reynolds)

Ordinance No. 960627-H approved on Councilmember Reynolds' motion, Mayor Todd's second, 5-2 vote, Mayor Pro Tem Garcia and Councilmember Goodman voting "NO".

47. Approve a resolution to direct the City Manager to implement pedestrian friendly policies into the existing and future transportation planning process. (Mayor Bruce Todd and Councilmember Ronney Reynolds)

Friendly amendment by Councilmembers Slusher and Griffith to replace draft language with a new resolution more specifically directing the City Manager to establish plans and time tables for implementation of several pedestrian friendly policies and report back to council on staff's progress, adding friendly amendment by Mayor Todd to accept City Manager's recommendation assigning primary responsibilities for pedestrian planning to staff to accomplish the intent of this

resolution, Councilmember Reynolds' motion, Councilmember Slusher's second, friendly amendment accepted by motioner and seconder, 6-0 vote, Councilmember Mitchell off the dais.

48. Approve an ordinance to extend for one additional year the waiver of development fees for projects located within Subdistricts 1 and 2 of the East 11th Street Neighborhood Conservation Combining District (NCCD). (Councilmember Eric Mitchell and Mayor Pro Tem Gus Garcia)
Ordinance No. 960627-I approved with extension of five (5) years; staff to maintain fiscal impact annually on, Councilmember Reynolds' motion, Mayor Todd's second 7-0 vote.
49. Approve the Austin Transportation Study Advisory Committee Joint Powers Agreement. (Mayor Pro Tem Gus Garcia)
Approved on Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Mitchell off the dais.
50. Appoint four (4) Council members to the Austin Transportation Study Advisory Committee and three (3) Council members as alternates. (Mayor Pro Tem Gus Garcia)
Approved with Mayor Pro Tem Garcia, Councilmembers Griffith, Goodman and Reynolds appointed to the Austin Transportation Study Advisory Committee, Mayor Todd, Councilmembers Mitchell and Slusher as alternates on, Councilmember Reynolds' motion, Mayor Todd's second, 7-0 vote.

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

51. 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.
(continued from 6-6-96)
Motion to close public hearing on, Councilmember Reynolds' motion, Councilmember Goodman's second, 4-0 vote, Mayor Pro Tem Garcia, Councilmembers Mitchell and Slusher off the dais.

Postponed two weeks by Council to July 11, 1996 on, Councilmember Goodman's motion, Councilmember Griffith's second, 7-0 vote.

52. C14-96-0052 - W.W. DEERFIELD C/O WALTERS SOUTHWEST (Bill Walters), by Bury & Pittman/Land Strategies (James B. Knight/Paul Linehan), 8700 Block of Brodie Lane. From SF-2 to MF-2. Planning Commission Recommendation: (to be heard by PC on 6-25-96). (continued from 6-6-96)
Postponed, staff request to July 11, 1996 on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.
53. C14R-86-097(DE) - BOSTON 290 OFFICE PARK, by Bury & Pittman (Jim Gallegos), 5316 U.S. Hwy. 290 West. From GO & LR to GO-CO & LR-CO.
Request to delete a previously approved Principle Roadway Area site plan. Planning Commission Recommendation: Approved request to delete site plan. Note: The applicant and staff have agreed the conditional overlay limiting traffic may be removed, because the site fronts on U.S. Highway 290 West and a Traffic Impact Analysis will be required on the site if the development exceeds 2,000 vehicle trips per today.
Motion to deny on, Councilmember Slusher's motion
- Motion fails for lack of second.**
- Ordinance No. 960627-K approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-1 vote, Councilmember Slusher voting "NO".**
54. C14-95-0145 - T.S.-S.D. II, A TEXAS LTD. PARTNERSHIP (Phillip H. Annis), by Urban Design Associates (Robin Abrahms), Approximately 500 feet North of the intersection of Pecan Park Blvd. and Lakestop Blvd. From P to GR. Planning Commission Recommendation: To Grant GR, Community Commercial, zoning subject to a restrictive covenant providing for a transit facility.
Postponed to July 11, 1996, applicant's first request.
55. C14-95-0146 - T.S.-S.D. II, A TEXAS LTD. PARTNERSHIP (Phillip H. Annis), by Urban Design Associates (Robin Abrahms), Approximately 725 feet South of the intersection of Pecan Park Boulevard. and Lakeline Boulevard. From MF-3 to GR. Planning Commission Recommendation: To Grant GR, Community Commercial zoning subject to dedication of 75 feet of right-of-way and reservation of 200 feet of right-of-way from the existing centerline of U.S. Highway 183.
Postponed to July 11, 1996, applicant's first request.
56. C14-95-0149 - PAR 620, LTD. (Phillip H. Annis), by Urban Design Associates (Robin Abrams), Ridgeline Boulevard and North F.M. 620. From MF-3 to GR (Tract 1) and LO (Tract 2). Planning Commission Recommendation: To grant GR-CO, Community Commercial-Conditional Overlay for Tract 1 and LO-CO Limited Office-Conditional Overlay for Tract 2. The conditions of the overlay are as follows:
1. a) Prohibit the following uses in Tract 1 and 2: Outdoor Sports and Recreation and Outdoor Entertainment,
 - b) The following uses are prohibited within 300 feet from the Shenendoah, Section 5 Subdivision easternmost boundary: Automotive Repair Services, Automotive Washing (any type), Restaurants, Theater, Indoor Entertainment, Club or Lodge in Tracts 1 and 2. Prohibit any buildings within 100 feet from the westernmost property line of Tract 1.

- d) Limit the height of all buildings to a maximum of 30 feet beyond 100' feet from the westernmost property line of Tract 1 to a depth of 200 feet westerly.
 - e) Limit the height of all buildings to a maximum of 40 feet beyond 200 feet from the westernmost property line of Tract 1.
 - f) Require owner to construct and maintain a six foot privacy fence along the westernmost property line of Tract 1.
 - g) Limit the height of all buildings to a maximum of 40 feet in Tract 1.
2. Prohibit any development on Tract 2 except for the construction and maintenance of a six foot privacy fence.
 3. Applicant has agreed to execute a private restrictive covenant with the Shenendoah Neighborhood Association on additional restrictions in connection with the development of the subject property.

Postponed to July 11, 1996, applicant's first request.

57. C14-96-0065 - JONES ENGINEERING (Randall Jones), 1212 East Braker Lane. From SF-2 to NO. (To be reviewed by Planning Commission on June 25, 1996) Planning Commission Recommendation: To Grant NO, Neighborhood Office, zoning as requested.

Approved Planning Commission's recommendation, first reading only

58. C14-96-0081 - SUZY GALLAGHER, by C.O.A.- Department of Development Review and Inspection, 808 East 51st Street. From CS-CO to CS-CO. Planning Commission Recommendation: To Grant CS-CO Commercial Services-Conditional Overlay, zoning subject to: (1) prohibit access to East 51st Street, excluding a Drive-in Service associated with a restaurant, restaurant (drive-in, fast food); and (2) limit floor-to-area ration (F.A.R.) for the following uses - General Retail Sales (general and convenience) - 0.14, Restaurant (general) - 0.31, Restaurant (limited) - 0.67, Food Sales - 0.51, and Financial Services - 0.22.(To be heard by Planning Commission on June 25, 1996. (To be reviewed by Planning Commission on June 25, 1996)

Approved Planning Commission's recommendation, first reading only

Items 54 through 58 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second 7-0 vote.

PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

59. 5:00 P.M. - Public hearing on a proposed amendment to the City's 1995 Community Development Program and to consider a revised 1995-96 Consolidated 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.

Motion to close public hearing on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-0 vote, Councilmembers Griffith and Reynolds off the dais.

EXECUTIVE SESSION (No Public Discussion on These Items)

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

60. Discuss approval of a resolution to authorize settlement of Cody Lee Talent v. City of Austin, in Cause No. 95-11303, in the 345th District Court, Travis County, Texas.

Real Estate - Section 551.072

61. Discuss lease extension for Finance and Administrative Services' Building Services Division and to discuss possible real estate acquisitions for Building Services.
62. Discuss the negotiations for relocation of the Del Valle Schools.
63. Discuss fee simple acquisition of real property adjacent to the Ullrich Water Treatment Plant.

ACTION ON THE FOLLOWING

64. Authorize lease extension for the 34,663 square foot building located at 1905 East 6th Street from Trammel Crow for Finance and Administrative Services' Building Services division.

Approved

65. Authorize fee simple acquisition of real property adjacent to the Ullrich Water Treatment Plant.

Approved

Items 64 and 65 approved on, Councilmember Reynolds' motion, Mayor Todd's second, 7-0 vote.

66. Consider approval of a resolution to authorize settlement of Cody Lee Talent v. City of Austin, in Cause No. 95-11303, in the 345th District Court, Travis County, Texas.

Approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Reynolds off the dais.

67. APPOINTMENTS

SIDEWALK TASK FORCE - KIT KRANKEL.

TRAVIS CENTRAL APPRAISAL DISTRICT BOARD - REV. KRISTOFFER LANDS.

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

ADJOURNED at 7:09 p.m. on, Councilmember Reynolds' motion, Councilmember Mitchell's second, 6-0 vote, Mayor Pro Tem Garcia off the dais.

Approved on this the 11th day of July, 1996, on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

