



Austin City Council MINUTES

JULY 18, 1996

Mayor Todd called the meeting to order, noting the presence of all Councilmembers..

1. Approval of Minutes for Special Called Session of July 10, 1996 and Regular Called Meeting of July 11, 1996.
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Gus Pena, to discuss city issues.
Absent
3. Mr. W.D. Fowler, to discuss issues related to Austin Fire Fighters.
4. Mr. Arvid Youngquist, to discuss single issue candidate, single issue voters, and effective Council responsiveness.
Absent
5. Ms. Barbara Rush, to discuss employee relations.
6. Mr. Robert Thomas, to discuss the Rosewood Recreation Center and the Central City Entertainment Center.
7. Ms. Linda Watkins, to discuss zoning cases C14-95-0007 and C14-95-0008.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

8. Approve a street name change of the entire length of Family Land Drive to Real Catorce. (Processing fee of \$110 paid by the requester.)
Ordinance No. 960718-D approved on, Councilmember Goodman's motion, Councilmember Griffith's second, 5-2 vote, Mayor Pro Tem Garcia and Slusher voting "NO".
9. Approve a contract with MORGANTI NATIONAL, Houston, Texas, for construction of the Passenger Terminal Facility Project at Austin-Bergstrom International Airport, in the amount of \$91,665,223, including all alternate items, plus a contingency fund of \$6,416,565. (Funding was included in the 1995-96 Capital budget for Aviation) Low responsive bid of four. Phase I DBE Participation 13.4%: Subcontractor participation 13.4% MBE, 0% WBE. (Recommended by the Airport Advisory Board)
Approved on, Mayor Pro Tem Garcia's motion, Mayor Todd's second, 6-1 vote, Councilmember

Mitchell voting "NO".

TIME CERTAIN 1:30

10. Authorize the issuance of City of Austin, Texas, Combined Utility Systems Revenue Refunding Bonds, Series 1998, including approval and authorization of a Purchase Contract, Deposit Agreement, Paying Agent/Registrar Agreement, and Official Statement pertaining thereto. (The \$25,693,953 debt service requirement for 1996-97 will be provided in the 1996-97 proposed budget of the Utility Revenue Bond Redemption Fund.)
Ordinance No. 960718-A approved
11. Approve the redemption of certain outstanding bonds of the City of Austin. (Associated costs will be provided from the proceeds of the related issuance of Combined Utility Systems Revenue Refunding Bonds, Series 1998.)
Approved

Items 10 and 11 approved on, Councilmember Reynolds' motion, Mayor Pro Tem Garcia's second, 6-0 vote, Councilmember Griffith off the dais.

ORDINANCES

12. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 5100 Southwest Parkway and 4900, 4916 Industrial Oaks Boulevard, Case No. C14-96-0043, from "GR", Community Commercial to "SF-6", Townhouse and Condominium Residence, zoning subject to applicant's voluntary agreement with an Integrated Pest Management Program (IPM); BH TRAVIS COUNTRY (Lee Weber), by Land Strategies (Paul Johnson). First reading on June 13, 1996; Vote 5-0, Nofziger off the dais. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council. Note: At this time, the only additional condition the applicant and the neighborhood have agreed upon is to "limit the site to a maximum of 88 single family homes with (private) garages."
Approved second reading only on, Councilmember Goodman's motion, Councilmember Reynolds' second, 6-1 vote, Councilmember Slusher voting "NO".
13. Amend Ordinance 950911-B, the 1995-96 Capital budget of the Water and Wastewater Utility, by appropriating \$3,307,485 to provide funding for the relocation of existing water and wastewater lines from Payload Pass to Woodward Street. (Funding is available from the sale of commercial paper.) (Recommended by Water and Wastewater Commission) (Recommended by the Planning Commission) **(Related to Items 16,17)**
Ordinance No. 960718-C approved on, Mayor Pro Tem Garcia's motion, Councilmember Reynolds' second, 6-0-1 vote, Councilmember Slusher voting abstaining.
14. Amend ordinance 950911-A, the 1995-96 Operating budget, by decreasing the General Fund Contingency Reserve by \$181,391; increasing General fund transfers out of the liability reserve fund by \$181,391; and increasing revenue and requirements of the liability reserve fund by \$1,181,391 to fund additional claims reserves. (Funding in the amount of \$181,391 is available in the 1995-96 General Fund Contingency reserve; \$1,000,000 is available in the 1995-96 Operating budget of the Electric Utility.)

Ordinance No. 960718-B approved on, Councilmember Goodman's motion, Councilmember Griffith's second, 7-0 vote.

15. Approve an ordinance authorizing the execution of the final loan documents and repealing Ordinance No. 951116-E, with the U.S. Department of Housing and Urban Development (HUD) for a section 108 Loan Guarantee assistance for the development of the Central City Entertainment Center; and repealing ordinance No. 951116-E. (Funding in the amount of \$8,785,000 in Section 108 guaranteed loan funds is available from the U.S. Department of Housing and Urban Development(HUD). (Related to 34,35,36)
Substitute motion to postpone action for two weeks, but allow for speakers on, Councilmember Goodman's motion, Councilmember Griffith's second, 3-4 vote, Mayor Todd, Mayor Pro Tem Garcia, Councilmembers Reynolds and Mitchell voting "NO.

Motion fails.

Motion to approve on, Councilmember Mitchell's motion, Mayor Pro Tem Garcia's second, 5-0-2 vote, Councilmembers Griffith and Slusher abstaining.

Ordinance No. 960718-G approved

RESOLUTIONS

16. Approve an increase in the amount declared for the reimbursement of Water and Wastewater Utility's capital costs during FY 1995-96 by \$3,307,485, for a total amount not to exceed \$48,707,485. (Funding is available from the sale of commercial paper.) (Recommended by Water and Wastewater Commission) (Related to Items 13,17)
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Reynolds' second, 6-0-1 vote, Councilmember Slusher abstaining.
17. Authorize execution of an Interlocal Agreement with the TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) for the relocation of existing water and wastewater utilities as part of the U.S. 290 (Ben White) Improvements from Payload Pass to Woodward Street, in the amount of \$3,307,485. (Funding in the amount of \$3,107,051 was included in the 1995-96 Amended Capital budget of the Water & Wastewater utility; \$200,434 was included in the 1991-92 Capital budget of the Water & Wastewater Utility, (Recommended by the Water & Wastewater Commission) (Related to 13, 16)
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Reynolds' second, 6-0-1 vote, Councilmember Slusher abstaining.
18. Approve negotiation and execution of a twelve month service and supply agreement with PAGING NETWORK OF SAN ANTONIO, INCORPORATED, (PAGENET), Austin, Texas, for the rental of pagers and for paging services, in an estimated annual amount not to exceed \$108,115 and for optional related hardware and software purchases in an estimated amount not to exceed \$7,250, for a total amount not to exceed \$115,365 with four one year extension options in the following amounts: \$126,175 in year two, \$138,070 in year three, \$151,150 in year four, and \$165,540 in year five for a total estimated amount not to exceed \$696,300. (Funding in the amount of \$20,000 is available in the 1995-96 operating budget of various City departments. Funding for the

remaining nine 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

19. Approve execution of a twelve month contract with ARMORED TRANSPORT TEXAS, INC., Austin, Texas, for armored car services, in an amount not to exceed \$44,940 with two twelve months extension options in an amount not to exceed \$44,940 per extension, for a total contract amount not to exceed \$134,820. (Funding for an estimated \$7,490 for the first two months is available in the 1995-96 operating budgets of various City departments. Funding for the final ten 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

20. Approve negotiation and execution of a two year contract with KPMG PEAT MARWICK L.L.P., Austin, Texas, for audit and related services in the amount of \$468,400 with the option to extend thereafter for up to three twelve month periods in an amount not to exceed \$234,200 per extension, for a total amount not to exceed \$702,600, for a total contract amount not to exceed \$1,171,000. (Funding has been requested in the 1996-97 budget of the Finance and Administrative Services Department. Funding for the second year and the extension options is contingent upon available funding in future budgets.) Best proposal of two. 48% MBE, 0% WBE Subcontractor participation.

Approved

Items 18 through 20 approved on, Councilmember Goodman's motion, Councilmember Griffith's second, 7-0 vote.

21. Approve negotiation and execution of a twelve month service agreement with ADVANCE SECURITY, Austin, Texas, from October 1996 through September 1997 for security guard services at multiple Electric Utility Departments sites, in an amount not to exceed \$381,996 with the option to extend for up to three twelve month periods in an amount not to exceed \$381,996 per period, for a total contract amount not to exceed \$1,527,984. (Funding has been requested in the 1996-97 budget of the Electric Utility Department. Funding for the extension options is contingent upon available funding in future budgets.) Low bid of six meeting specifications. No M/WBE Subcontracting opportunities were identified.

Postponed to August 1, 1996

22. Approve execution of a contract with INCHCAPE TESTING SERVICES, Richardson, Texas, to provide in accordance with Texas Natural Resource Conservation Commission (TNRCC) grant funded laboratory analysis of contaminated sediment in the Urban Watersheds, in an amount not to exceed \$69,740. (Funding in the amount of \$17,435 is available in the 1991-92 Special Revenue Fund of the Environmental and Conservation Services Department.) Sole Source. No M/WBE Subcontracting opportunities were identified. Funding is available from the Texas Natural Resource Conservation Commission.

Approved

23. Approve negotiation and execution of an Interlocal Agreement between the City of Austin and Capital Metropolitan Transportation Authority to implement a bike-transit link program, in an amount not to exceed \$15,000. (Funding is available in the 1995-96 operating budget of the

Environmental and Conservation Services Department.) (Recommended by Environmental Board)
Approved

Items 22 and 23 approved on, Councilmember Goodman's motion, Councilmember Griffith's second, 7-0 vote.

ENERGY ITEMS (24-25)

24. Approve the issuance of a Letter of Intent and rebates to Larry Peel Company, Inc., in the amount of \$120,150 for the installation of high-efficiency air conditioning equipment and energy-efficient gas combination furnaces at the Gaines Ranch Apartments, a 390-unit complex currently under construction at 4424 Gaines Ranch Loop. Energy improvements qualifying for these rebates will save an estimated 263 kilowatts at a program cost of \$272 per kilowatt saved. The high-efficiency air conditioners and heating units will save residents between \$75 and \$150 per year in energy costs. (Funding is available in the 1995-96 operating budget of the Conservation Rebates and Incentives Fund.) (Recommended by Resource Management Commission)
Approved on, Councilmember Goodman's motion, Councilmember Griffith's second, 5-1-1 vote, Councilmember Mitchell voting "NO, Councilmember Slusher abstaining.
25. Approve the issuance of a Letter of Intent and a rebate to Applied Materials Building 33 in the amount of \$81,027.05 for the installation of premium efficiency water-cooled centrifugal chillers, interior fluorescent lighting system, electric motors and variable frequency drives for the electric motors. Installation of this equipment will save an estimated 568 kilowatts at a cost of \$143 per kilowatt saved. (Funding is available in the 1995-96 operating budget of the Conservation Rebates and Incentives Fund.) (Recommended by Resource Management Commission)
Approved on, Councilmember Goodman's motion, Councilmember Griffith's second, 7-0 vote.
26. Authorize negotiation and execution of an amendment to the 1995-96 Joint Funding Agreement for water resources investigation projects between the City of Austin and the United States Department of the Interior Geological Survey, in the amount of \$50,000. The City's portion of the original agreement amount is \$229,515. The amended amount is \$279,515. The amended amount is \$279,515. (Funding is available in the 1995-96 operating budget of the Drainage Utility Fund.)
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Mitchell off the dais.
27. Authorize 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 \$300,000. (Cost reimbursement will be paid from the Water and Wastewater Utility's operating fund.) (Recommended by Water and Wastewater Commission)
Approved
28. Approve execution of a construction contract with H.B. TRAVIS, Georgetown, Texas, for redevelopment of Montopolis Park, located at 1200 Montopolis Drive, in the amount of \$182,100. (Funding was included in the 1994-95 Amended Capital budget of the Parks and Recreation Department.) Low bid of six. 32.24% MBE, 1.16% WBE Subcontractor participation.

Approved

29. Approve execution of a contract with VOICE SOLUTIONS, INC., (WBE/FR), Houston, Texas, for the purchase of an upgrade to the voice and call processing system (VMX) in the Environmental and Conservation services department to replace the current interactive voice response system in the Development Review & Inspection Department in the amount of \$72,089. (Funding in the amount of \$17,944 in the 1995-96 Operating budget of the Environmental and Conservation Department; \$3,000 is available in the 1995-96 Operating budget of the Finance and Administrative Services Department; \$3,600 is available in the 1995-96 Operating budget of the Human Resources; \$47,545 was included in the 1994-95 Capital budget of the Development Review and Inspection Department.) Sole Source. No M/WBE Subcontracting opportunities were identified.

Approved

30. Approve the reappointment of Jackie Goodman and appoint Beverly Griffith and Daryl Slusher as Directors of the Austin Housing Finance Corporation for a term to expire on June 15, 1999. (No fiscal impact.)

Approved

Items 27 through 30 approved on, Councilmember Goodman's motion, Councilmember Griffith's second, 7-0 vote.

31. Authorize the City Manager to execute a fund/approval agreement with the Department of Housing and Urban Development (HUD) to accept a section 108 loan guarantee commitment in the amount of \$2,000,000. (Funding in the amount of \$2,000,000 is anticipated from the U.S. Department of Housing and Urban Development.) **(Related to 32)**

Approved

32. Approve an amendment to the City's 1995-96 Community Development Program and consider a revision to the Consolidated Plan and create a new program category for One Stop Career Center. (Funding in the amount \$2,000,000 is anticipated from the U.S. Department of Housing and Urban Development Section 108 Guaranteed Loan Program) **(Related to 31)**

Approved

Items 31 and 32 approved on, Mayor Pro Tem Garcia's motion, Councilmember Reynolds' second, 5-0-1 vote, Councilmember Slusher abstaining, Councilmember Mitchell off the dais.

33. Amend the Articles of Incorporation of the Austin-Rosewood Community Development Corporation; approve the appointment of the Chairperson and three directors of the Austin-Rosewood Community Development Corporation. (No fiscal impact.) (Recommended by Central City Entertainment Center Advisory Board)

Motion to approve on, Councilmember Mitchell's motion, Mayor Pro Tem Garcia's second, 5-0-2 vote, Councilmembers Griffith and Slusher abstaining.

34. Approve a resolution authorizing the execution of a financing agreement between the City of Austin and Austin Rosewood Community Development Corporation (ARCDC) in the amount of \$8,130,000 for the development of the Central City Entertainment Center (CCEC) located at 2334

Rosewood Avenue, less the costs of issuance of bonds in regard to the financing of the project. (Funds in the amount of \$8,130,000 in guaranteed Section 108 loan funds are available from the U.S. Department Of Housing and Urban Development.)(Related to 15,35,36)

Motion to approve on, Councilmember Mitchell's motion, Mayor Pro Tem Garcia's second, 5-0-2 vote, Councilmembers Griffith and Slusher abstaining.

34. Authorize the execution of a ground lease agreement between the City of Austin and Austin Rosewood Community Development Corporation (ARCDC) for the development of the Central City Entertainment Center (CCEC) located at 2334 Rosewood Avenue. (Related to 15,34,36)

Motion to approve on, Councilmember Mitchell's motion, Mayor Pro Tem Garcia's second, 5-0-2 vote, Councilmembers Griffith and Slusher abstaining.

36. Authorize the City Manager to authorize the Austin-Rosewood Community Development Corporation to accept a bid from SOUTHWEST CONSTRUCTORS, INC., Austin, Texas for site work and building demolition for Central City Entertainment Center, and enter into a demolition contract in the amount of \$888,888. (Funding was included in the 1994-95 Capital budget.) (Related to 15,34,35)

Motion to approve on, Councilmember Mitchell's motion, Mayor Pro Tem Garcia's second, 5-0-2 vote, Councilmembers Griffith and Slusher abstaining.

37. Set a public hearing to approve a permanent Wastewater Line Use Agreement for approximately 26,800 SF (0.614 acres) and a Temporary Construction Use Agreement for approximately 41,500 SF (0.953 acres) and Temporary Staging Area Use Agreement approximately 16,900 SF (0.39 acres), allowing the construction of an 18-inch diameter gravity wastewater line through dedicated parkland known as Mary Moore Searight Park in accordance with Section 26.001 of the Texas Parks and Wildlife Code. (No fiscal impact.) (Suggested date and time: August 22, 1996 at 4:30 P.M.) (To be reviewed by Parks Board July 9, 1996) (Recommended by the Parks Board.)

Approved

ITEMS FROM COUNCIL

38. Approve execution of an amendment to the Human Services Interlocal Agreement with Travis County for PATHWAYS COMMUNITY COUNSELING, for substance abuse prevention counseling, in an amount not to exceed \$12,000. (Mayor Pro Tem Gus Garcia and Councilmember Jackie Goodman)

Approved

Items 37 and 38 approved on, Councilmember Goodman's motion, Councilmember Griffith's second, 7-0 vote.

39. Approve execution of an amendment to the Human Services Interlocal Agreement with Travis County for the Capital Area Training Foundation, GATEWAY training program, in an amount not to exceed \$21,000. (Mayor Brute Todd and Mayor Pro Tem Gus Garcia)

Approved on, Councilmember Goodman's motion, Councilmember Griffith's second, 6-0-1 vote, Councilmember Mitchell abstaining.

40. Approve a resolution to adopt the City Manager's plan for outsourcing which would include final Council approval before any current city services, facilities, assets, and resources were to be contracted out. (Mayor Bruce Todd and Councilmember Ronney Reynolds)

Item 40 was taken with item 41.

41. Consider a resolution declaring that all city operations are public, declaring that any moves toward privatization of city operations constitutes a policy change, and directing the City Manager to expend staff time on any privatization efforts only at direction of Council. (Councilmember Daryl Slusher, Mayor Pro Tem Gus Garcia, and Councilmember Beverly Griffith)

Motion to approve on, Councilmember Slusher's motion, Mayor Pro Tem Garcia's second.

Substitute motion by Councilmember Reynolds to approve City Manager's proposal, Mayor Todd's second, 2-4-1 vote, Mayor Pro Tem Garcia, Councilmembers Griffith, Mitchell and Slusher voting "NO", Councilmember Goodman abstaining.

Motion fails

Substitute motion on language submitted by Councilmember Goodman that the City Manager shall bring recommendations to, and receive direction from City Council before implementation of any planning or negotiation that administratively pre-empts the policy making purview of Mayor and Council, (in "outsourcing or privatization) on, Councilmember Mitchell's motion, Councilmember Goodman's second, 5-2 vote, Mayor Todd and Councilmember Reynolds voting "NO.

42. Amend ordinance 950911-B, the 1995-96 Capital budget of the Financial Services Department, by transferring \$250,000 from the Contingency Capital Budget Reserve to the Parks and Recreation capital budget. Amend the 1995-96 Capital budget of the Parks and Recreation Department by increasing transfers in and appropriating \$250,000 for Phase I parks improvements at Springdale Park. (To be reviewed by the Planning Commission 7/16/96) (Councilmembers Eric Mitchell and Beverly Griffith)

Ordinance No. 960718-F approved on, Councilmember Mitchell's motion, Mayor Pro Tem Garcia's second, 6-0 vote, Mayor Todd off the dais.

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

43. 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 grant MF-1-CO, Multifamily Residence (limited density)-Conditional Overlay, subject to the following conditions: 1) to limit the density to a maximum of 12.44 units per acre; 2) to provide a "100 foot vegetative buffer" from the westerly boundary of the subject tract that will allow spray irrigation and utility crossings only; 3) to provide a "200 foot buffer" immediately east of the "100 foot vegetative buffer," that will allow water quality facilities, storm water management facilities, public and private utilities, and other drainage structures/improvements; 4) to provide a "150 foot wide setback" immediately east of the "200 foot buffer," that will limit the height of structures within the area to a maximum of 35 feet; and 5) to

participate in the Integrated Pest Management Program (IPM). Note: The public hearing was closed at the July 11, 1996 City Council meeting. (continued from 6/6/96, 6/27/96 & 7-11-96)

Approved first reading only, second and third to be scheduled on August 1, 1996 agenda, as recommended by Planning Commission, subject to: reducing impervious cover by 1 additional acre. Impervious cover will be 40%. Site plan should be reviewed Barton Springs/Edwards Aquifer Conservation District for environmental features on, Councilmember Goodman's motion, Councilmember Reynolds' second, 5-2 vote, Mayor Pro Tem Garcia and Councilmember Slusher voting "NO".

44. C14-95-0136 - TOM WHITE PROPERTIES (Tom White), by Land Strategies, Inc. (Paul Linehan), 5366 and 5408 U.S. Hwy. 290 West at Southwest Parkway. From DR to IP, CS & RR. Planning Commission Recommendation: To Grant CS, Commercial Services for Tract 1; IP-CO, Industrial Park-Conditional Overlay for Tracts 2 and 4; and RR, Rural Residence for Tract 3. The conditional overlay provisions for Tracts 2 and 4 are as follows: (1) limit height to a maximum of 35 feet; (2) prohibit the following uses - Automotive Rentals, Automotive Sales, Automotive Repair Services, Construction Sales and Service, Convenience Storage, Off-Site Accessory Parking, Outdoor Entertainment, Restaurant (drive-in, fast food), Restaurant (limited), Restaurant (general), Service Station, Vehicle Storage, Railroad Facilities, Outdoors Sports and Recreation, and Exterminating Services; (3) subject to an Integrated Pest Management Program (I.P.M.); and (4) 70% Xeriscape landscaping. All tracts will be subject to recommendations in Transportation Impact Analysis Memorandum dated February 26, 1996.

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

Approved first reading only on Planning Commission recommendation with following modifications: 1) tract 2 zoned RR instead of IP-CO; and 2) prohibit access to Southwest Parkway on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 4-2 vote, Councilmembers Goodman and Slusher voting "NO", Councilmember Mitchell off the dais.

45. C14-95-0195 - MELLON PROPERTIES (Blake Magee), by Graves, Dougherty, Hearon & Moody (Ann E. Vanderburg), West Howard Lane and North Lamar. From GR to CS. Planning Commission Recommendation: To Grant CS-CO, Commercial Services-Conditional Overlay, zoning with the provisions of the overlay as follows: (1) limit Floor-To-Area Ratio (F.A.R.) to 1:1; (2) prohibit adult oriented businesses, pawn shop services, equipment repair services, and vehicle storage; and (3) dedication of 60 feet of right-of-way from the future centerline of Howard Lane. Note: Staff recommends the deferral of condition #3 to the subdivision stage of development.
Ordinance No. 960718-E approved

46. C14R-84-202(DE) - BROCKTON OFFICE PARK (Industrial Properties Corp.), by Griffin Engineering (Greg Griffin), 2525 Kramer Lane. Request to from LI to LI, and delete a previously approved Principle Roadway Area site plan. (continued from 7-11-96) (To be heard by Planning Commission on 7/16/96)
Applicant requests a postponement to August 8, 1996.

Items 45 and 46 approved on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 6-0 vote, Councilmember Mitchell off the dais.

PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

47. 5:00 P.M. - Public hearing on the appeal of the Planning Commission's decision to approve a conditional use permit site plan for a cocktail lounge. The proposed site for the lounge is located at 914 North Lamar Boulevard. The appeal is being made by Mr. Allan Nutt, architect and agent for Montwalk Holdings (owner), James E. Cousar, Chair, Zoning Commission, Old West Austin Neighborhood Association, and Karen Akins, Chair, Old West Austin Neighborhood Association. (Recommended by Planning Commission)

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

Action on the Following

48. Deny or grant the appeal of the Planning Commission's decision to approve the conditional use permit for a cocktail lounge. The proposed site for the lounge is located at 914 North Lamar Blvd. The appeal is being made by Mr. Allan Nutt, architect and agent for Montwalk Holdings (owner), James E. Cousar, Chair, Zoning Commission, Old West Austin Neighborhood Association, and Karen Akins, Chair, Old West Austin Neighborhood Association.

Motion by Mayor Pro Tem Garcia to adopt the Planning Commission recommendation, Councilmember Slusher's second, 3-4 vote, Mayor Todd, Councilmembers Goodman, Mitchell and Reynolds voting "NO".

Motion fails.

Motion to grant Conditional Use Permit without Planning Commission recommendation, i.e. not close at 10:00 p.m./keep open until 2:00 a.m. with provision for security from 10:00 p.m. to 2:30 a.m., on, Councilmember Mitchell's motion, Councilmember Reynolds' second, 3-4 vote, Mayor Pro Tem Garcia, Councilmembers Goodman, Griffith and Slusher voting "NO".

Motion fails

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held on the morning of this date.

Executive session held at 6:55 p.m. to 7:50 p.m. on items 9 and 50.

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

49. Discuss consolidation of office space.

50. Discuss fee simple acquisition of joint/EMS fire station facility.

Advice of Counsel - Section 551.071

51. Discuss state laws affecting City policies for the extension of municipal services.

Staff Briefing - Section 551.075

52. Staff briefing on the Central City Entertainment Center. (No City Council deliberation permitted under Section 551.075)

Action on the Following

53. Authorize execution of a contract for the purchase of a joint EMS/fire station in the Maconda Park Subdivision.

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

54. Approve settlement of Melissa McGrath, et al v. City of Austin, Texas, et al. Cause No. A-95-CV-220-SC, in the United States District Court, Western District of Texas, Austin, division.

Approved in an amount of \$180,391.

55. **APPOINTMENTS**

ARTS & RECREATION SUBCOMMITTEE - JOAN GRUSZKA.

CAP METRO BOARD - JILL FULLER, SUSAN HANDY.

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

ADDENDUM - July 18, 1996

Addendum to the agenda for the Austin City Council regular meeting of July 18, 1996 at 1:00 PM at City Council Chambers, 307 W. 2nd Street, Austin, Texas.

56. Approve a resolution to reaffirm the City's commitment to develop 100 housing units in the SCIP II area, of which, 50 will be rental units and 50 will be for home ownership. (Councilmember Eric Mitchell)

Approved

57. Direct the City Manager to develop a plan to acquire the necessary additional land and finance the development of 48 additional housing units in the SCIP II area. (Councilmember Eric Mitchell)

Approved

58. Authorize negotiation and execution of an amendment to the contract with Anderson Community Development Corporation for the acquisition of land and development of 52 low income housing units, of which, 35 will be rental housing units and 17 are single family home ownership units in the SCIP II area, in an amount not to exceed \$1,630,000. Funding in the amount of \$590,000 is

available in the 1995-96 Operating budget of the Neighborhood Housing & Conservation Office (HOME Year 4 Match); \$210,000 is available from HOME Year 4, and \$830,000 is available from 21st Year CDBG Housing Implementation Program.

Approved

Items 56 through 58 approved on, Councilmember Mitchell's motion, Councilmember Reynolds' second, 4-1-2 vote, Councilmember Slusher voting "NO", Mayor Todd, Councilmember Griffith abstaining.

ADJOURNED at 10:50 p.m.

Approved on this the 25th day of July, 1996, on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Mitchell absent.