



Austin City Council MINUTES

REGULAR MEETING
SEPTEMBER 4, 1997

Mayor Watson called the meeting to order, Councilmember Spelman temporarily absent.

1. Approval of Minutes for Special Called Meeting of August 16, 1997 and Regular Meetings of August 20 and 21, 1997.
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 6-0 vote, Councilmember Spelman temporarily absent.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. George Humphrey, to discuss Holly.
3. Mr. Peter VonWupperfeld, to discuss Holly Street Power Issues.
Absent
4. Mr. John McMillan, to recommend a study to determine which of the current municipal buildings could be converted to solar power.
5. Mr. Gordon Byram, to discuss treatment of board members.
Absent
6. Mr. Richard Troxell, to discuss homeless issues in Austin.
7. Mr. Gus Pena, to discuss the budget, public safety and city government.
8. Mr. Leonard Lyons, to discuss who needs a budget we we each have our own sandbox.
9. Mr. Dale Johnson to discuss budget and bicycles.
10. Mr. Michael Bonds, to discuss bicycles and cops.
11. Mr. Russ Molenarr, Hays County Commissioner, to discuss regional cooperation and thank Council.
Absent

READING OF CONSENT AGENDA

READING OF DISCUSSION AGENDA

CITIZEN COMMUNICATIONS: CONSENT AGENDA

ACTION ON CONSENT AGENDA

Water and Wastewater Utility

12. Approve a resolution authorizing termination and release of the Restrictive Covenant on the George Yonge Subdivision C8s-86-021 by the City Council of the City of Austin and George Yonge, owner of 1.1136 acres of land. (No fiscal impact.) [Recommended by Water and Wastewater Commission]
Resolution No. 970904-12 approved

13. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement for Industrial Waste Services, setting terms under which the City's Water and Wastewater Utility would assist Rollingwood in performing industrial waste inspections, sampling, lab analyses, issuance of permits, and enforcement support for the City of Rollingwood. (City of Rollingwood will pay for services rendered based on time, materials and overhead.) [Recommended by Water and Wastewater Commission]
Resolution No. 970904-13 approved

14. Approve a resolution authorizing negotiation and execution of an agreement with Triple S Petroleum, for the construction of a 24-inch water main and appurtenances to provide permanent water service within and near the proposed Texaco Service Station, located at the intersection of FM 2222 and Riverplace Blvd., with City cost reimbursement in an amount not to exceed \$75,000. (Cost reimbursement is contingent upon available funding in future budgets of the Water and Wastewater Utility's Capital Improvement Project Funds in March, 1999.) [Recommended by Water and Wastewater Commission]
Resolution No. 970904-14 approved

15. Approve a resolution authorizing negotiation and execution of an agreement with Del Valle Independent School District, for the construction of a 24-inch water main and appurtenances to provide permanent water service within and near the proposed Del Valle High School, located at the intersection of Ross Road and Pearce Lane, with City cost reimbursement in an amount not to exceed \$1,400,000. (Cost reimbursement is contingent upon available funding in future budgets of the Water and Wastewater Utility's Capital Improvement Project Fund.) [Recommended by Water and Wastewater Commission]
Resolution No. 970904-15 approved

16. Approve a resolution authorizing negotiation and execution of an amendment to the professional services agreement with BUDD, BEETS, HARDEN & KOLFLAT - ARCHITECTURE, Austin, Texas, for design and construction services associated with modifications to the Water and Wastewater Utility's South First Street Service Center, in the amount of \$45,330, for a total amount not to exceed \$512,074. (Funding was included in the 1993-94 Capital budget of the Water and Wastewater Utility.) 6.18% MBE, 4.72% WBE Subconsultant participation. [Recommended by Water and Wastewater Commission]
Resolution No. 970904-16 approved

17. Approve a resolution authorizing execution of a contract with WITEL TELECOMMUNICATIONS SYSTEMS, INCORPORATED, Austin, Texas, for the purchase and installation of a telephone system for the Water and Wastewater Utility Govalle Wastewater Treatment Plant located at 911 Linger Lane, in the amount of \$65,202.85. (Funding in the amount of \$45,000 was included in the 1996-97 operating budget of the Water and Wastewater Utility. Funding in the amount of \$20,202.85 was included in the 1995-96 Capital budget of the Water and Wastewater Utility.) Low bid of two meeting specifications. 7.5% MBE, 7.5% WBE Subcontractor participation. [Recommended by Water and Wastewater Commission]
Resolution No. 970904-17 approved
18. Approve a resolution authorizing execution of a contract with FRUEHAUF TRAILER SERVICES, Austin, Texas, for the purchase of three frame-type semi-trailers used to haul water treatment sludge, in an amount not to exceed \$193,905 with an option to purchase two additional frame-less semi-trailers in an amount not to exceed \$131,758, for a total contract amount not to exceed \$325,663. (Funding was included in the 1996-97 Capital budget of the Water and Wastewater Utility. Funding for the option to purchase two additional semi-trailers is contingent upon available funding in future budgets.) Single bid. No MWBE Subcontracting opportunities were identified. [Recommended by Water and Wastewater Commission]
Resolution No. 970904-18 approved

Police

19. Approve a resolution authorizing negotiation and execution of a contract with CARROLL SYSTEMS, INC., Austin, Texas, to provide a cable distribution system for the Austin Police Department Headquarters, in an amount not to exceed \$314,184. (Funding was included in the 1996-97 Special Revenue Fund of the Austin Police Department.) Best proposal of two. No M/WBE Subcontracting opportunities were identified.
Resolution No. 970904-19 approved

Items 12 through 19 approved on, Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.

20. Approve a resolution confirming the appointment of Stanley L. Knee as Police Chief.
Resolution No. 970904-20 approved on, Councilmember Lewis' motion, Mayor Pro Tem Garcia's second, 7-0 vote.

Health and Human Services

21. Approve a resolution authorizing execution of a supply agreement with BARKER OFFICE FURNITURE, Austin, Texas, for the purchase of La-Z-Boy, HON and Superior Chair Craft office furniture for the Austin/Travis County Health and Human Services Department, in an amount not to exceed \$100,000 with one twelve month extension option in an amount not to exceed \$100,000 per extension, for a total contract amount not to exceed \$200,000. (Funding

is contingent upon approval of the 1997-98 budget. Funding in the amount of \$57,400 will be included in the 1997-98 Disproportionate Share Fund, \$37,600 will be included in the 1997-98 operating budget of the Health and Human Services Department, and \$5,000 is available in the Travis County Reimbursed Fund.) Highest discount of eight. No M/WBE Subcontracting opportunities were identified.

Resolution No. 970904-21 approved on, Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.

22. Approve a resolution authorizing execution of a contract with LUCENT TECHNOLOGIES, INC., Austin, Texas, to upgrade the telephone system, including a one year warranty, at the South Austin Community Clinic, located at 2529 South 1st Street, in an amount not to exceed \$38,736. (Funding was included in the 1993-94 Capital budget of the Health and Human Services Department.) Sole source. No M/WBE Subcontracting opportunities were identified. **Resolution No. 970904-22 approved on, Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.**

Emergency Medical Services

23. Approve a resolution authorizing execution of a contract with TAYLOR MADE AMBULANCES, Newport, Arkansas, for the purchase of repair services, including a twelve month workmanship warranty, for an EMS ambulance, in an amount not to exceed \$55,000. (Funding is available in the 1996-97 Operating Budget of the Emergency Services Department.) Sole Source. No M/WBE Subcontracting opportunities were identified. **Resolution No. 970904-23 approved**

Finance and Administrative Services

24. Approve a resolution authorizing execution of a contract with TAYLOR MADE AMBULANCES, Newport, Arkansas, for the purchase of five ambulances with extended warranties, in an amount not to exceed \$676,250, including a supply agreement with two twelve month extension options to purchase up to ten additional units in each extension option in an amount not to exceed \$1,359,000 for the first extension option and \$1,379,000 for the second extension option, for a total contract amount not to exceed \$3,414,250. (Funding was included in the 1996-97 Vehicle Acquisition Fund. Funding for the extension options is contingent upon available funding in future budgets.) Low bid of six. No M/WBE Subcontracting opportunities were identified. **Resolution No. 970904-24 approved**

Items 23 and 24 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

25. Approve a resolution authorizing negotiation and execution of a twelve month contract with MIS TECHNOLOGIES, Tulsa, Oklahoma, to provide a temporary integrated database management system administrator to support the Information Systems operations of the Police Department, in an amount not to exceed \$156,000 with the option to extend for one six

month period in an amount not to exceed \$78,000, for a total contract amount not to exceed \$234,000. (Funding in the amount of \$13,000 was included in the 1996-97 operating budget of the Information System Office, Financial Services Department. Funding for the remaining eleven months and the extension option is contingent upon available funding in future budgets.) Best proposal of four. No M/WBE Subcontracting opportunities were identified.

Postponed

26. Approve a resolution authorizing negotiation and execution of a twenty-four month revenue contract with AT&T COMMUNICATIONS, INC., Dallas, Texas, for long distance services for all coin and credit card pay telephones located on City premises with two twelve month extension options, for an estimated revenue of \$300,000. (Estimated revenue in the amount of \$189,300 was included in the 1997-98 operating budgets of the following departments: Aviation - \$164,800; Convention Center - \$14,000; and General Fund - \$10,500.) Sole source.

Resolution No. 970904-26 approved

27. Approve a resolution authorizing execution of a contract with COMMERCIAL BODY CORPORATION, San Antonio, Texas, for the purchase of five medium truck cab and chassis with mounted service bodies and aerial devices for use by the Public Works Department for maintenance and repair of overhead traffic signals, and the Parks and Recreation Department's Forestry Division for tree pruning activities, in an amount not to exceed \$354,276. (Funding in the amount of \$275,513 was included in the 1996-97 Vehicle Acquisition Fund; \$78,763 was included in the 1996-97 operating budget of the Public Works and Transportation Department.) Low bid of two meeting specifications. No M/WBE Subcontracting opportunities were identified.

Resolution No. 970904-27 approved

28. Approve a resolution to amend the current contract with KPMG PEAT MARWICK, L.L.P., Austin, Texas, for financial analysis and related services, in the amount of \$150,000, for a total contract amount not to exceed \$1,321,000. (Funding is contingent upon approval of the 1997-98 Operating Budget of the Strategic Planning Investment Fund.)

Resolution No. 970904-28 approved

Neighborhood Housing and Community Development

29. Approve a resolution authorizing an amendment to the Blackshear Area Urban Renewal Plan to allow for a Street Setback Variance to the Holy Cross Catholic Church, located at 1610 East 11th Street. (No fiscal impact.) [Recommended by Urban Renewal Board and Board of Adjustment.]

Resolution No. 970904-29 approved

Items 26 through 29 approved on, Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.

Drainage Utility

30. Approve a resolution authorizing execution of a contract with NOVALYNX SYSTEMS, INC., Rancho Cordova, California, for the purchase of forty alert data transmitters to replace field equipment for the Flood Early Warning Systems of the Stormwater Management Section, in the amount of \$50,175. (Funding was included in the 1996-97 approved Capital budget of the Drainage Utility Department.) Low bid of four. No M/WBE Subcontracting opportunities were identified.
Resolution No. 970904-30 approved on, Councilmember Lewis' motion, Councilmember Slusher's second, 7-0 vote.
31. Approve a resolution authorizing execution of a contract with HOLT COMPANY OF TEXAS, Austin, Texas, for the purchase of a track loader to remove debris in drainage areas, in an amount not to exceed \$91,128. (Funding was included in the 1996-97 approved Capital budget of the Drainage Utility Department.) Low bid of two. No M/WBE Subcontracting opportunities were identified.
Resolution No. 970904-31 approved

Solid Waste Services

32. Approve a resolution authorizing execution of a contract with LONGHORN INTERNATIONAL EQUIPMENT, Austin, Texas, for the purchase of three rear-loading refuse and recyclable collection bodies, in an amount not to exceed \$185,991. (Funding was included in the 1996-97 Capital budget of the Solid Waste Services Department.) Low bid of two. No M/WBE Subcontracting opportunities were identified.
Resolution No. 970904-32 approved
33. Approve a resolution authorizing execution of a contract with LONGHORN INTERNATIONAL EQUIPMENT, Austin, Texas, for the purchase of ten crew style truck cab and chassis in an amount not to exceed \$814,310. (Funding was included in the 1996-97 Capital budget of the Solid Waste Services Department.) Sole source. No M/WBE Subcontracting opportunities were identified.
Resolution No. 970904-33 approved

Public Works

34. Amend Ordinance 960910-G, the 1996-97 Operating Budget of the Public Works and Transportation Department by decreasing budgeted expenditures for construction of speed humps by \$100,000 and increasing the General Fund transfer to Capital Improvement Projects by \$100,000. Amend Ordinance 960910-A, the 1996-97 Capital budget of the Public Works and Transportation Department by appropriating \$100,000 to a new project, Traffic Calming. (Funding was included in the 1996-97 operating budget of the Public Works and Transportation Department.)
Ordinance No. 970904-A approved

Items 31 through 34 approved on, Mayor Pro Tem Garcia's motion, Councilmember Lewis'

second, 7-0 vote.

35. Approve an ordinance to adopt wage rates for City Building, Highway-Heavy, and Utilities Construction Projects, and repeal Ordinance 881201-D. (No fiscal impact.) [Recommended by Construction Advisory Committee]. **(Related to Item 36)**
Ordinance No. 970904-H approved
36. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement with the GENERAL SERVICES COMMISSION to conduct annual Prevailing Wage Surveys to determine prevailing wage rates for building projects. (Funding in the amount of \$150 for the purchase of a prevailing rate wage scale is available in the 1996-97 operating budget of the Public Works and Transportation Department.) [Recommended by Construction Advisory Committee] **(Related to Item 35)**
Resolution No. 970904-36 approved

Items 35 and 36 approved on, Councilmember Goodman's motion, Councilmember Spelman's second, 5-0 vote, Mayor Pro Tem Garcia and Councilmember Lewis off the dais.

37. Approve a resolution authorizing execution of a construction contract with BALLOU CONSTRUCTION COMPANY, Salina, Kansas, for slurry seal treatment (a protective coating) for streets in the Milwood Subdivision and surrounding area, in the amount of \$277,440. (Funding in the amount of \$143,900 was included in the 1996-97 Amended Capital budget of the Public Works and Transportation Department; \$133,540 was included in the 1996-97 Amended operating budget of the Public Works and Transportation Department Transportation Fund.) Single bid. No M/WBE Subcontracting opportunities were identified.
Resolution No. 970904-37 approved
38. Approve a resolution authorizing execution of a construction contract with TREMUR CONSULTING CONTRACTORS, INC., Del Valle, Texas, for construction of a joint Fire/EMS Station located at 10041 Lake Creek Parkway, Highway 183 and 620, in the amount of \$1,665,140. (Funding was included in the 1996-97 Capital Budget of the Fire Department.) Low bid of two (2). 23.8% MBE, 12.74% WBE Subcontractor participation.
Resolution No. 970904-38 approved

Parks and Recreation

39. Approve an ordinance amending Chapter 9-2 of the Austin City Code, the Art in Public Place Program, to provide for public art funds to remain in the budget of eligible Capital Improvement Program projects, rather than setting up separate public art funds. (No fiscal impact.)
Ordinance No. 970904-B approved
40. Approve a resolution authorizing ratification of a construction contract with PORT ENTERPRISES, INC., Manchaca, Texas, for reroofing the Parks and Recreation

Department's Riverside Center, located at 901 W. Riverside Drive, in the amount of \$151,602. (Funding was included in the 1996-97 Amended Capital budget of the Parks and Recreation Department.) Low bid of two. No M/WBE Subcontracting opportunities were identified.
Resolution No. 970904-40 approved

Electric

41. Approve a resolution adopting a public hearing process for modifying the current electric rates and tariffs of the City of Austin. (Recommended by Electric Utility Commission)
Resolution No. 970904-41 approved
42. Approve a resolution to appoint Scott McCollough as Consumer Advocate to represent residential and small commercial ratepayers in the electric rate setting process, in an amount not to exceed \$11,000. (Funding is available in the 1996-97 operating budget for the Electric Utility.) [Recommended by Electric Utility Commission]
Resolution No. 970904-42 approved

Convention Center

43. Approve execution of a construction contract with SMITH CONTRACTING, CO., Austin, Texas, for construction of the Austin Convention Center Auxiliary Parking Lot, in the amount of \$75,837. (Funding was included in the 1991-92 Capital Budget of the Austin Convention Center Department.) Low bid of two. 25.70% MBE, 8.57% WBE Subcontractor participation.
Resolution No. 970904-43 approved

Development Review and Inspection

44. C14-97-0062 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as Felix Avenue & Grove Boulevard, from "MF-2", Multifamily Residence (low density), and "SF-6", Townhouse and Condominium Residence to "P", Public District zoning. First reading on August 21, 1997; Vote 5-0, Spellman absent, Griffith off the dais. Applicant: Trust for Public Land (Ted Siff); Agent: C.O.A.- Park Planning & Design (Butch Smith). City Staff: Craig Alter, 499-2769. **(Related to Item 45)**
Ordinance No. 970904-C approved
45. C14-97-0063 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as South Pleasant Valley Road & Grove Boulevard, from "MF-2", Multifamily Residence (low density), "SF-3", Family Residence, "GO-MU", General Office-Mixed Use Combining District, "LR", Neighborhood Commercial, "RR", Rural Residence and "P", Public District to "P", Public District zoning. First reading on August 21, 1997; Vote 5-0, Spellman absent and Griffith of the dais. Applicant: Trust for Public Land (Ted Siff); Agent: C.O.A.- Park Planning & Design (Butch Smith). City Staff: Craig Alter, 499-2769. **(Related to Item 44)**
Ordinance No. 970904-D approved

Items 37 through 45 approved on, Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.

46. C14-97-0028 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 5412 Montview Street, from "SF-2", Single Family Residence (standard lot) to "SF-3", Family Residence zoning. First reading on July 31, 1997; Vote 6-1, Goodman voting "No". Conditions met as follows: There are no conditions to be met. Applicant: Janet Margaret Creelman; Agent: Alana & Bill Moore. City Staff: Craig Alter, 499-2769. NOTE: A valid petition has been filed in opposition to this rezoning request.

Motion to deny zoning on, Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

NOTE: Cannot refile for same request or more restrictive for 12-18 months

47. C14-97-0030 - Approve third reading of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 15000 to 15016 North FM 620 Road, from "DR", Development Reserve to "CS-CO", General Commercial Services-Conditional Overlay zoning with conditions. First reading on June 26, 1997; Vote 6-1, Goodman voting "No". Second reading on July 31, 1997; Vote 6-1, Goodman voting "No". Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: GDC Interests (Henry Dekeraty); Agent: IRM Architects (Hugo Bazan). City Staff: David Wahlgren, 499-6455.

Ordinance No. 970904-G approved on, Councilmember Slusher's motion, Councilmember Spelman's second, 6-1 vote, Councilmember Goodman voting "NO".

48. C14-97-0046 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 8319 Research Boulevard, from "CS", General Commercial Services to "CS-1", Commercial Liquor Sales zoning. First reading on July 31, 1997; Vote 6-0, Garcia off the dais. Conditions met as follows: There are no conditions to be met. Applicant: Hur Enterprises, Inc. (John Hur). City Staff: Craig Alter, 499-2769.

Ordinance No. 970904-E approved

49. C14-97-0054 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 9515 North Lamar Boulevard, from "CS-1-CO", Commercial Liquor Sales-Conditional Overlay to "CS-1-CO", Commercial Liquor Sales-Conditional Overlay zoning with conditions. First reading on August 14, 1997; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: Austin Northwend Center; Agent: Richard Crank. City Staff: David Wahlgren, 499-6455.

Ordinance No. 970904-F approved

Items 48 and 49 approved on, Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.

ITEMS FROM COUNCIL

50. Approve a resolution expressing the City Council's full support for the City Manager's plan to allocate \$584,000 from the Drainage Utility Fund for the design and construction of structural best management practices for the mitigation of water quality impacts of the IH 35/Ben White Project. (Councilmembers Beverly Griffith and Jackie Goodman, and Mayor Pro Tem Gus Garcia)
Resolution No. 970904-50 approved on, Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 6-0 vote, Councilmember Lewis off the dais.
51. Approve a resolution extending the term of the Floodplain Task Force. (Councilmembers Daryl Slusher, Jackie Goodman and William Spelman)
Resolution No. 970904-51 approved on, Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.
52. Approve a resolution granting permission to the Bear Creek Oaks Property Owners Association to incorporate the Town of Bear Creek, and initiating an interlocal agreement on development regulation and protection of the Barton Springs Edwards Aquifer. (Councilmembers Daryl Slusher, Jackie Goodman and William Spelman)
Pulled off agenda

4:00 P.M. - BOARD OF DIRECTOR'S MEETING OF THE AUSTIN INDUSTRIAL DEVELOPMENT CORPORATION

The Mayor will recess the City Council meeting. A Board meeting of the Austin Industrial Development Corporation will be conducted. Following adjournment of the Austin Industrial Development Corporation Board meeting, the City Council will be reconvened. Items 53-54 are the AIDC items to be considered by Austin Industrial Development Corporation's Board of Directors.

53. Approve a resolution to elect officers of the Corporation.
54. Approve a resolution authorizing a change of User on the Austin Industrial Development Corporation Industrial Development Revenue Bond, Series 1983 (Scarborough Building Partnership) from Scarborough Building Partnership to Scarborough Partners LTD and execution of documents related thereto.
Postponed

4:30 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

55. C14-97-0045 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 9731 North IH-35 Service Road NB from "SF-2", Single Family Residence (standard lot) to "CS", General Commercial Services. Planning Commission Recommendation: To Grant "CS-CO", General Commercial Services-Conditional Overlay District zoning with conditions. Applicant: Estate of Roy M. McNair (J.D. Baskin); Agent:

Prossner & Associates (Kurt Prossner). City Staff: Susan Villarreal, 499-6319. (continued from 7/17/97)

Approved CS-CO zoning subject to new prohibits uses: 1) cocktail lounges, bars, restaurants, fast food businesses, 2) any business dealing with automotive sales, repairs, etc., 3) service stations, 4) pawn shops, 5) theaters, 6) commercial blood plasma center, 7) laundry services, 8) limited warehousing and distribution, 9) agricultural sales and services, 10) building maintenance, 11) construction sales and services, 12) recycling facilities, 13) equipment repair, 14) recreational facilities and services, indoor or outdoor, 15) any type of day care/school facility/group home, 16) transitional housing, 17) transportation terminals, 18) local utility services, 19) hotel/motel and 20) entertainment facilities, first reading only on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 5-0 vote, Councilmembers Griffith and Spelman off the dais.

56. C14-97-0079 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 7703 Bluff Springs Road, from "I-RR", Interim Rural Residence to "MH", Mobile Home Residence and "P", Public District. Planning Commission Recommendation: This request is forwarded to Council without a recommendation. Applicant: Regency Village at Onion Creek (Kathleen Godwin); Agent: Bury & Pittman, Inc. (Jim Gallegos). City Staff: Joe Arriaga, 499-2308. (continued from 8/21/97)
Postponed to September 25, 1997
57. C14R-85-145(DE5) - Public hearing to amend Chapter 13-2 of the Austin City Code by deleting a previously approved zoning site plan and rezoning property locally known as 9701 Stonelake Boulevard, from "CH", Commercial Highway to "CH-CO", Commercial Highway-Conditional Overlay zoning with conditions. Planning Commission Recommendation: To Approve the request for site plan deletion. Applicant: Z-K Real Estate (Robert J. Liverman); Agent: Doucet & Associates (J. Keith Schauer). City Staff: George Zapalac, 499-2725.
Ordinance No. 970904-I approved
58. C14R-85-178 - Public hearing to amend Chapter 13-2 of the Austin City Code by amending a restrictive covenant for property locally known as U.S. Highway 183 and FM 620 North, existing zoning "SF-6", Townhouse and Condominium Residence, "MF-3", Multifamily Residence (medium density), "CS", General Commercial Services, "CH", Commercial Highway, "GR", Community Commercial, "P", Public District, and "GR-CO", Community Commercial-Conditional Overlay. Planning Commission Recommendation: To Approve the restrictive covenant amendment. Applicant: Seaman Debartolo Group; Agent: Jenkins & Gilchrist (J. Bradley Greenblum). City Staff: Craig Alter, 499-2769.
Approved
59. C14R-85-372 - Public hearing to amend Chapter 13-2 of the Austin City Code by amending a restrictive covenant for property locally known as U.S. Highway 183 North and FM 620 North, existing zoning "P", Public District, "CS", General Commercial Services & "MF-3", Multifamily Residence (medium density). Planning Commission Recommendation: To Approve the restrictive covenant amendment. Applicant: Simon Debartolo Group; Agent: Jenkins &

Gilchrist (J. Bradley Greenblum). City Staff: Craig Alter, 499-2769.

Approved

Items 57 through 59 approved on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 5-0 vote, Councilmembers Griffith and Spelman off the dais.

60. C14-97-0050 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 1904 Woodland Avenue from "SF-3", Family Residence to "SF-6", Townhouse and Condominium Residence. Planning Commission Recommendation: To Grant "SF-6", Townhouse and Condominium Residence zoning. Applicant: Thomas Martin Henry, Joshua Baellow & Joey Chioco; Agent: Minter, Joseph & Thornhill (Nikelle S. Meade). City Staff: Susan Villarreal, 499-6319.

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

Motion to deny on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

NOTE: Law Department report to Council on what can be done legally to require disclosure of land use regulations by realtors and attorneys at closing of real estate.

61. C14-97-0055 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 8010 South Congress Avenue from "DR", Development Reserve to "CS", General Commercial Services. Planning Commission Recommendation: To Deny "CS", General Commercial Services. Applicant: Don Valk; Agent: Mike Killebrew. City Staff: Craig Alter, 499-2769.

Postponed one month to October 2, 1997, applicant's request on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 5-0 vote, Councilmembers Griffith and Spelman off the dais.

62. C14-97-0058 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 12312 and 12318 North Mopac Expressway NB from "GR", Community Commercial to "CS", General Commercial Services. Planning Commission Recommendation: To Grant "CS-CO", General Commercial Services-Conditional Overlay zoning with conditions. Applicant: North Central Harken Partnership Ltd. (Ken Delf); Agent: Bury & Pittman, Inc. (Timothy Moltz). City Staff: Antonio Gonzalez, 499-2243.

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

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

63. C14-97-0059 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally know as 13900 North FM 620 from "DR", Development Reserve to "GR", Community Commercial. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial-Conditional Overlay zoning with conditions. Applicant: Pohl, Brown &

Assoc. (William B. Pohl); Agent: Early Services, Inc. (Tim Early). City Staff: David Wahlgren, 499-6455.

Approved Planning Commission recommendation of GR-CO, subject to limited impervious cover to 25 percent of net site area, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 5-0 vote, Councilmembers Griffith and Spelman off the dais.

64. C14-97-0065 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 402 and 404 West 34th Street, from "SF-3", Family Residence to "MF-3", Multifamily Residence (medium density). Planning Commission Recommendation: To Grant "MF-2-CO, Multifamily Residence (low density)-Conditional Overlay zoning with conditions. Applicant: Byron Smith; Agent: John Fitzpatrick (John Cowan). City Staff: David Wahlgren, 499-6455. NOTE: A valid petition has been filed in opposition to this rezoning request.

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

Motion to deny zoning on, Councilmember Goodman's motion, Councilmember Griffith's second, 7-0 vote.

NOTE: Cannot refile same request or more permissive for 12-18 months

65. C14-97-0088 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 7200 Berkman Drive from "SF-3", Family Residence to "P", Public District. Planning Commission Recommendation: To Grant "P", Public District zoning. Applicant: Doris Ethel Wimberly; Agent: City of Austin-Public Works (Kathy M. Anderson). City Staff: Don Perryman, 499-2786.

Approved first reading only

66. C14-97-0089 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 5706 to 5804 Courtyard Drive from "SF-2", Single Family Residence (standard lot) and "SF-4A", Single Family Residence (small lot) to "SF-6", Townhouse and Condominium Residence. Planning Commission Recommendation: To Grant "SF-6", Townhouse and Condominium Residence District zoning. Applicant: Courtyard Tennis and swim Club (Glen H. Ivy); Agent: Land Strategies (Paul Linehan). City Staff: Don Perryman, 499-2786.

Ordinance No. 970904-J approved

67. C14-97-0094 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 13804 Pansy Trail from "CS", General Commercial Services to "CS-MU", Commercial Services-Mixed Use Combining District. Planning Commission Recommendation: "CS-MU", General Commercial Services-Mixed Use Combining District zoning. Applicant: Jeff & Debbie Sanderson. City Staff: Craig Alter, 499-2769. **Ordinance No. 970904-K approved**

68. C14-97-0102 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning

property locally known as 1901 North Lamar Boulevard from "LO", Limited Office to "GR", Community Commercial. Planning Commission Recommendation: "LR-CO", Neighborhood Commercial District zoning with conditions. Applicant: Texas Medical Association (Robert L. Davis); Agent: Armbrust, Brown & Davis (Richard T. Suttle). City Staff: Don Perryman, 499-2786.

Ordinance No. 970904-L approved

Items 65 through 68 approved on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 5-0 vote, Councilmembers Griffith and Spelman 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.

69. APPOINTMENTS

Charter Revision Committee - SAM ISSACHAROFF, BARBARA HANKINS, COMMISSIONER MARGARET GOMEZ, REPRESENTATIVE GLEN MAXEY, CECILE RICHARDS, ROBERT CHAPA, RAYMOND CHAN, ERMA JEFFERSON, CHARLES MILES

Environmental Justice Task Force - MARGARET MENICUCCI, CAROL KIM

Floodplain Task Force - ELIZABETH BOURBON

ADJOURNED at 10:38 p.m. on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 7-0 vote.

Approved this the 25th day of September, 1997, on Councilmember Slusher's motion, Councilmember Spelman's second, 6-0 vote, Mayor Pro Tem Garcia off the dais