



# Austin City Council MINUTES

REGULAR MEETING  
THURSDAY, APRIL 30, 1998

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

1. Approval of Minutes for Regular Meetings of April 15 & 16, 1998  
Postponed

## CITIZEN COMMUNICATIONS: GENERAL

2. Greg Ericson, to discuss Texas Best Seminars.  
**Absent**
3. Kenneth Snyder, to discuss North Ridge Acres Subdivision.
4. John Drive and Spicewood Springs Road, in an amount not to exceed \$156,000. (Funding is available in the 1997-98 Amended Capital budget of the Fire Department.) Best qualification statement of seven. 65% MBE Prime participation. 0% MBE, 20% WBE Subconsultant participation.  
**Resolution No. 980430-13 approved**
14. Approve a resolution authorizing execution of a five month supply agreement with HEARTSTREAM, INC., Seattle, Washington, for purchase of automated external defibrillators and associated accessories, in an amount not to exceed \$82,500, with two twelve month extension options in an amount not to exceed \$82,500 per extension, for a total contract amount not to exceed \$247,500. (Funding was included in the 1997-98 Amended Operating Budget for the Austin Fire Department. Funding for the extension options is contingent upon available funding in future budgets.) Sole Source. No M/WBE Subcontracting opportunities were identified.  
**Resolution No. 980430-14 approved**

## Parks and Recreation

15. Approve an ordinance authorizing acceptance of \$1,734 in grant funds from the Texas Commission on the Arts for a group art exhibition at the Julia C. Buttrick Gallery at the Dougherty

Arts Center; amend Ordinance 970917-A, the 1997-98 operating budget, amending the Special Revenue Fund for the Parks and Recreation Department by appropriating \$1,734 in grant funds for the Parks and Recreation Department Special Revenue Fund. (An in-kind salary match in the amount of \$1,803 is required and available in the 1997-98 operating budget of the Parks and Recreation Department.)

**Ordinance No. 980430-B approved**

16. Approve a resolution authorizing the appointment of Directors to the Austin-Rosewood Community Development Corporation. (No fiscal impact.)

**Resolution No. 980430-16 approved**

17. Approve a resolution authorizing execution of a construction contract with A.D. WILLIS COMPANY, INC., Austin, Texas, for reroofing and water infiltration repairs at the Austin Nature Center located at 301 Nature Center Drive, in the amount of \$142,550. (Funding is included in the 1997-98 Capital budget of the Parks and Recreation Department.) Single bid. 8.8% MBE, 0% WBE Subcontractor participation.

**Resolution No. 980430-17 approved**

18. Approve a resolution authorizing a twelve month service agreement with PAMPERED LAWNS, Austin, Texas, for grounds maintenance in the Gracy Woods area, in the amount of \$51,830 with the option to extend for two additional twelve month periods in an amount not to exceed \$51,830 per extension, for a total amount not to exceed \$155,490. (Funding in the amount of \$21,595.83 was included in the 1997-98 operating budget of the Parks and Recreation Department. Funding for the remaining seven months and the extension options is contingent upon available funding in future budgets.) Low bid of five. No M/WBE Subcontracting opportunities were identified.

**Resolution No. 980430-18 approved**

### Public Works

19. Approve an ordinance amending the Austin City Code by modifying the Basic Traffic Ordinance, Section 16-4-4 (D), Speed Limits, for the installation of a reduced speed school zone on Yaupon Drive for the protection of students attending Laurel Mountain Elementary School. (Funding in the amount of \$200 for sign installation is available in the 1997-98 operating budget of the Child Safety Fund.)

**Ordinance No. 980430-C approved**

20. Amend Ordinance 970915-A, the 1997-98 Capital budget of the Public Works and Transportation Department, by increasing appropriations by \$944,318 for various repairs to railroad crossing signal equipment and railroad crossings. (Funding is available through reimbursements from Capital Metropolitan Transportation Authority.) [Recommended by Planning Commission]

**Ordinance No. 980430-D approved**

21. Approve a resolution authorizing execution of a construction contract with RAILROAD SIGNAL, INC., Tulsa, Oklahoma, for signal/crossing protection equipment repair to the City's Llano-to-Giddings Railroad, in an amount not to exceed \$986,550.48. (Funding was included in

the 1997-98 Amended Capital budget of the Public Works and Transportation Department.)  
**Resolution No. 980430-21 approved**

22. Approve a resolution authorizing the sale of 3,093 square feet of City owned land out of Lot 7, Block D, Capital Heights Addition, City of Austin, Travis County, Texas, locally known as 1100 Jewell Street, to Mr. Patrick Alexander, the adjacent property owner, in the amount of \$1,250 revenue. ( Revenue will be deposited in the Land Sales, Real Estate Services Division, Public Works and Transportation Department account.)  
**Resolution No. 980430-21 approved**

23. Approve a resolution authorizing negotiation and execution of a fifteen year ground lease with one five year extension option with TIME WARNER CABLE, Austin, Texas, for the use of 1,200 square feet of land located at 5301 East Riverside Drive to construct a 400 square foot structure and maintain a microwave antenna tower at a height not to exceed sixty feet. (Revenue for the first fifteen year period lease is \$76,200.)  
**Resolution No. 980430-23 approved**

24. Approve a resolution authorizing negotiation and execution of an amendment to the Land Surveying Services Rotation List agreements for land surveying services on Capital Improvement Projects for a period of approximately six months or until funding is expended in the additional amount of \$150,000, an amended total amount of each contract not to exceed \$901,000 and a total amount of all contracts not to exceed \$901,000 with the following **15** firms: **(1)** MACIAS & ASSOCIATES, INC., (MBE/MH), Austin, Texas, 73.2% MBE Prime participation, 8.6% MBE, 18.2% WBE Subconsultant participation.; **(2)** MCGRAY & MCGRAY LAND SURVEYORS, INC., (WBE/FR), Austin, Texas, 91.4% WBE Prime participation, 8.6% MBE, 0% WBE Subconsultant participation; **(3)** SURVEY RESOURCES, INC., Austin, Texas, 8.6% MBE, 18.2% WBE Subconsultant participation; **(4)** MARTINEZ, WRIGHT & MENDEZ, INC., (MBE/MH), Austin, Texas, 81.8% MBE Prime participation, 0% MBE, 18.2% WBE Subconsultant participation; **(5)** CAPITAL SURVEYING COMPANY, INC., Austin, Texas, 8.6% MBE, 18.2% WBE Subconsultant participation; **(6)** SURVEYING & MAPPING, INC., (MBE/MB), Austin, Texas, 80% MBE Prime participation, 0% MBE, 20% WBE Subconsultant participation; **(7)** RALPH HARRIS SURVEYOR, INC., Austin, Texas, 8.6% MBE, 18.2% WBE Subconsultant participation; **(8)** JAMES E. GARON & ASSOCIATES, Austin, Texas, 8.6% MBE, 18.2% WBE Subconsultant participation; **(9)** BAKER-AICKLEN & ASSOCIATES, INC., Austin, Texas, 8.6% MBE, 18.2% WBE Subconsultant participation; **(10)** RUST LICHLITER/JAMESON, Austin, Texas, 8.6% MBE, 18.2% WBE Subconsultant participation; **(11)** TERRA FIRMA, Austin, Texas, 8.6% MBE, 18.2% WBE Subconsultant participation; **(12)** LANDMARK SURVEYING, INC., (WBE/FR), Austin, Texas, 91.4% WBE Prime participation, 8.6% MBE, 0% WBE Subconsultant participation; **(13)** LENZ & ASSOCIATES, INC., dba AB SURVEYING COMPANY, Austin, Texas, . 8.6% MBE, 18.2% WBE

Subconsultant participation; (14) CANALES, MARTINEZ & NASH SURVEYING COMPANY, (MBE/MH), Austin, Texas, 73.2% MBE Prime participation, 8.6% MBE, 18.2% WBE Subconsultant participation; (15) PROFESSIONAL DESIGN GROUP, Austin, Texas, No M/WBE Subcontracting Opportunities were identified; and 3DS, INC., Austin, Texas, 8.6% MBE, 18.2% WBE Subconsultant participation. (Funding is available in the Capital budgets of various City departments requiring services)

**Resolution No. 980430-24 approved**

25. Approve a resolution authorizing a settlement with GRIFFIN-AUSTIN COMPANY, INC., for claims arising in connection with a construction contract for the Community Development District 18 Project (CDD 18), in the amount of \$135,353.49. (Funding is available in the 1997-98 Amended Capital budget of the Public Works and Transportation Department.)

**Resolution No. 980430-25 approved**

#### **Dell Computer (Items 26-32)**

26. Approve a resolution authorizing negotiation and execution of a Community Facilities Agreement with DELL COMPUTER CORPORATION, Austin, Texas, for the design and construction of Heatherwilde Boulevard from Howard Lane to Parmer Lane, and at least two water quality control facilities on the site of the proposed Dell Campus in northeast Austin. (Funding in the amount of \$3,500,000 will be reimbursed from the proceeds of future debt issuance.)

**Resolution No. 980430-26 approved**

27. Amend Ordinance 970915-A, the 1997-98 Capital budget of the Public Works and Transportation Department, by appropriating \$1,500,000 to reimburse Dell Corporation for the design and construction of Heatherwilde Boulevard from Howard Lane to Parmer Lane and create a project known as Heatherwilde Boulevard from Howard Lane to Parmer Lane. (\$1.5 million will be reimbursed from the proceeds of long term debt issuance.) [To be reviewed by Planning Commission April 28, 1998] (was not recommended by the Planning commission due to lack of a quorum vote. (vote: 4-0-4)

**Ordinance No. 980430-E approved**

28. Approve a resolution authorizing official intent to reimburse eligible costs associated with the reimbursement of the Dell Computer Corporation for the design and construction of Heatherwilde Boulevard from Howard Lane to Parmer Lane in an amount of up to \$1,500,000 and amend the 1997-98 two year proposed debt sale to include the debt issuance. (\$1.5 million to be funded through the issuance of long term debt to be sold in September, 1998)

**Resolution No. 980430-28 approved**

29. Amend Ordinance 970915-A, the 1997-98 Capital Budget of the Watershed Protection Department, by appropriating \$2,000,000 to reimburse the Dell Corporation for the construction of at least two water quality controls on the site of the proposed Dell Campus in northeast Austin,

and create a project known as Dell Campus Water Quality Controls. (\$2.0 million will be reimbursed from the proceeds of long term debt issuance.) [Reviewed by Environmental Board and Recommended by Planning Commission] (was not reviewed by the Environmental Board nor the Planning Commission)

**Ordinance No. 980430-F approved**

**Items 12 through 29 approved on Councilmember Spelman's motion, Councilmember Lewis' second, 6-0 vote, Mayor Pro Tem Garcia off the dais.**

30. Approve a resolution authorizing official intent to reimburse eligible costs associated with the reimbursement of the Dell Computer Corporation for at least two water quality controls on the proposed site of its manufacturing campus in northeast Austin in the amount of \$2,000,000 and amend the 1997-98 two year proposed debt sale to include the debt issuance. (\$2.0 million will be funded through the issuance of long term debt to be sold in September, 1998.) [Reviewed by Environmental Board and Recommended by Planning Commission]

**Resolution No. 980430-30 approved**

**Motion to reconsider items 29 and 30 on Councilmember Goodman's motion, Councilmember Griffith's second, 6-0 vote, Mayor Pro Tem Garcia off the dais.**

**Items 29 and 30 approved on Councilmember Goodman's motion, Mayor Pro Tem Garcia's second, 7-0 vote.**

31. Approve an ordinance authorizing negotiation and execution of an agreement with DELL COMPUTER CORPORATION, for the construction of a 24-inch water main and appurtenances to provide permanent wastewater service within and near the proposed Parmer North tract with City cost reimbursement in an amount not to exceed \$1,487,500 and approving waiver of certain requirements under City Ordinance 820923-V relating to the collection of fees for a Service Extension Request with Council approval, approving waiver of certain requirements under Section 13-1-481 and 13-3-17 of the City Code relating to a request for cost reimbursement being made by the service extension application process, and approving waiver of certain requirements under Section 13-3-18 of the City Code relating to the year in which the first reimbursement is made; waiver of capital recovery fee requirements under Section 13-3A-18 (b) and the requirements set forth in Section 13-3A-18(c) of the City Code that an amount equal to the capital recovery fees waived by Council be appropriated from other City funds; waiver of tap fees and waiver of public hearings. (Cost reimbursement in an amount not to exceed \$1,487,500 is contingent upon available funding in future budgets. Waiver of Application Fees, Capital Recovery and Tap Fees are estimated to be \$249,322. These fees are not budgeted.) [Recommended by Water and Wastewater Commission]

**Ordinance No. 980430-G approved**

32. Approve an ordinance authorizing negotiation and execution of an agreement with DELL COMPUTER CORPORATION, for the construction of a 18-inch gravity wastewater main and appurtenances to provide permanent water service within and near the proposed Parmer North tract with City cost reimbursement in an amount not to exceed \$950,000, and approving waiver of

certain requirements under Section 13-1-481 and 13-3-17 of the City Code relating to a request for cost reimbursement being made by the service extension application process, and approving waiver of certain requirements under Section 13-3-18 of the City Code relating to the year in which the first reimbursement is made; waiver of capital recovery fee requirements under Section 13-3A-18 (b) and the requirements set forth in Section 13-3A-18(c) of the City Code that an amount equal to the capital recovery fees waived by Council be appropriated from other City funds; waiver of tap fees and waiver of public hearings. (Cost reimbursement in an amount not to exceed \$950,000 is contingent upon available funding in future budgets. Waiver of Application Fees, Capital Recovery and Tap Fees are estimated to be \$145,873. These fees are not budgeted.) [Recommended by Water and Wastewater Commission]  
**Ordinance No. 980430-H approved**

### Water/Wastewater

33. Approve a resolution authorizing negotiation and execution of an agreement with Travis County Water Control and Improvement District No. 14 setting forth terms and conditions for acquisition of all property, rights and assets comprising the District's waterworks system and for the assumption of the District's bonded indebtedness, liabilities and other obligations. (The Water and Wastewater Utility estimates an increase in annual revenues of approximately \$175,000 per annum from the transition of District customers from wholesale to retail rates. The City would assume bonded indebtedness totaling \$1,032,250 and a commitment for funding replacement of the Thomas Springs Reservoir at approximately \$790,000. Overall, the Utility Finance Division estimates a Net Present Value of \$1,553,760.) [Recommended by Water and Wastewater Commission]  
**Resolution No. 980430-33 approved**

### Solid Waste Services

34. Approve a resolution authorizing execution of a contract with AUSTIN LAND SERVICE, Austin, Texas, for brush and tree grinding services at Hornsby Bend Wastewater Treatment Plant, in an amount not to exceed \$52,347.68. (Funding in the amount of \$26,173.69 is available in the 1997-98 operating budget of the Solid Waste Services Department; \$26,173.69 is available in the 1997-98 operating budget of the Water and Wastewater Utility.) Single bid. No M/WBE Subcontracting opportunities were identified.  
**Resolution No. 980430-34 approved**
35. Approve a resolution authorizing execution of Change Order #3 to the construction contract with SMITH CONTRACTING COMPANY, INC., Austin, Texas, for changes required for the building permit, additional electrical work, and upgrades to accommodate communications system needs for the South Austin Transfer Station located at 3810 Todd Lane, in the amount of \$62,414.41, for a total contract amount of \$2,683,771.63. (Funding is available in the 1997-98 Amended Capital budget of the Solid Waste Services Department.) 18.25% MBE, 0% WBE Subcontractor participation.  
**Resolution No. 980430-35 approved**

### Watershed Protection

36. Set a public hearing on a variance request by Alice Fishel to construct a storage shed at 6704 Shady Cedar Drive in the 25 year floodplain. (Suggested date and time: May 14, 1998 at 6:00 P.M.)  
**Approved**

### Planning, Environmental and Conservation Services

37. Approve a resolution authorizing the release of approximately 31 acres of Austin's Extra Territorial Jurisdiction (ETJ) to the Village of San Leanna. (No fiscal impact.)  
**Resolution No. 980430-37 approved**
38. Set public hearings for the proposed limited purpose annexation of the Motorola Lease Consolidation Project site. (Suggested dates and times: May 7, 1998 at 7:30 p.m. and May 14, 1998 at 6:30 p.m.)  
**Approved**
39. Approve a resolution authorizing the issuance of a Letter of Intent and a rebate to CRESCENT REAL ESTATE EQUITIES, LTD., for the installation of high efficiency air conditioning equipment for the Bank One Tower office building located at 221 West 6<sup>th</sup> Street, in the amount of \$41,874. This equipment will save an estimated 174 kilowatts at a cost of \$241 per kilowatt saved. (Funding is available in the 1997-98 operating budget of the Conservation Rebates and Incentives Fund.) [To be reviewed by Resource Management Commission April 21, 1998] (was recommended by Resource Management Commission)  
**Resolution No. 980430-39 approved**

### Finance and Administrative Services

40. Approve a resolution authorizing execution of a twelve month supply agreement with G T DISTRIBUTORS, INC., Austin, Texas, for the purchase of repair parts for light bars and sirens on emergency service vehicles, in an amount not to exceed \$45,000 with two twelve month extension options in an amount not to exceed \$45,000 per extension, for a total contract amount not to exceed \$135,000. (Funding in the amount of \$22,500 was included in the 1997-98 operating budget of various City departments and will be charged out as used and reimbursed to the Radio Fund for the Radio Communications Division of the Financial and Administrative Services Department. Funding for the remaining six months and the extension options is contingent upon available funding in future budgets.) Best discount of five. No M/WBE Subcontracting opportunities were identified.  
**Resolution No. 980430-40 approved**

## Human Resources

41. Approve a resolution confirming the reappointment of Gerald Henderson to the Police and Fire Civil Service Commissions.  
**Resolution No. 980430-41 approved**

## Police

42. Approve an ordinance authorizing acceptance of \$25,000 in grant funding from the State of Texas, Office of the Comptroller of Public Accounts, for the enforcement of new regulations concerning the sale and distribution of tobacco products to minors; amend Ordinance 970917-A, the 1997-98 Operating budget, amending the Police Department Special Revenue Fund by increasing grant funding and grant expenditures by \$25,000. (A City match is not required.)  
**Ordinance No. 980430-I approved**
43. Approve a resolution authorizing execution of an Interlocal Agreement with the Capital Area Planning Council (CAPCO) related to the City's participation in the enhanced 9-1-1 emergency telephone system, which includes maintaining the Public Safety Answering Point (PSAP), upgrading equipment, providing addressing maintenance and training personnel, in an amount not to exceed \$263,538. (Funding will be provided by the Capital Area Planning Council to reimburse salary, supply and training costs associated with this agreement. The 1997-98 Operating budget of the Police Department includes a reimbursement from Capital Area Planning Council of \$102,681 for addressing maintenance and the approved 1997-98 operating budget for the Infrastructure Support Services Department includes a reimbursement of \$70,406 for addressing maintenance, for a total budgeted reimbursement of \$173,087. The remaining reimbursement of \$90,451 will cover training and supply costs for the Police Department in the amount of \$26,450, training costs for Emergency Medical Services Department in the amount of \$52,000, and training costs for the Fire Department in the amount of \$12,001.)  
**Resolution No. 980430-43 approved**

## City Clerk

44. Amend Ordinance 980312-H by changing the polling place for Precinct 250/267 to Fire Station 33 located at 9409 Bluegrass Drive for the election to be held on May 2, 1998; waiving the provisions of Sections 2-2-3, 2-2-5 and 2-2-7 of the Austin City Code and declaring an emergency.)  
**Ordinance No. 980430-J approved**

Items 31 through 44 approved on Councilmember Spelman's motion, Councilmember Lewis' second, 6-0 vote, Mayor Pro Tem Garcia off the dais.

## Development Review and Inspection

45. C14-98-0003 - Approve second reading of an ordinance amending Chapter 13-2 of the Austin City Code zoning property locally known as 7808 San Felipe Boulevard, from "I-RR", Interim Rural Residence District to "W/LO-CO", Warehouse/Limited Office-Conditional Overlay District



zoning with conditions. First reading on March 26, 1998; Vote 6-0, Spelman off the dais. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council on first reading. Pieratt No. 1, L.L.C. (John Pieratt); Jim Bennett. City Staff: David Wahlgren, 499-6455.

**Approved second reading only with amendments by Councilmember Goodman to grant CS-CO with conditions, subject to a 25 foot landscape buffer and a 50 foot building setback from the adjoining apartment to the north, and a 25 foot setback from the rear property line, further limiting the height of the building to two stories (35 feet) and prohibiting the following uses: 1) auto repair facilities, 2) kennels, 3) off-site accessory parking, 4) pawn shop services, 5) auto salvage, 6) fast food drive-in, 7) adult oriented business, 8) service stations, 9) automotive rentals, 10) automotive sales, 11) automotive washing, 12) blood plasma centers, 13) commercial off-street parking, 14) convenience storage, 15) drop-off recycling centers, 16) equipment repair services, 17) equipment sales, 18) indoor entertainment, 19) laundry services, 20) personal improvement services, 21) vehicle storage, 22) guidance services, 23) residential treatment, and 24) transitional housing uses, on Councilmember Goodman's motion, Councilmember Griffith's second, 7-0 vote.**

46. C14-98-0016 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 5410 South 1st Street, from "SF-3", Family Residence District to "NO-CO", Neighborhood Office - Conditional Overlay District zoning with conditions. First reading on April 9, 1998; Vote 6-0, Spelman off the dais. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: Macias and Associates (Carmelo Macias); Agent: LOC (Sergio Lozano). City Staff: Joe Arriaga, 499-2308.

**Ordinance No. 980430-K approved on Councilmember Spelman's motion, Councilmember Lewis' second, 6-0 vote, Mayor Pro Tem Garcia off the dais.**

47. Approve second/third readings of an ordinance that establishes specific criteria, procedures, and regulations to be applied in areas annexed into the City of Austin in December, 1997, to authorize administrative approval of development projects where the developer may assert a vested right to complete construction; and superseding disputed development regulations including without limitation the "SOS" Save Our Springs Watershed Protection Ordinance.

**Ordinance No. 980430-L approved on Councilmember Spelman's motion, Councilmember Griffith's second, 7-0 vote.**

#### ITEMS FROM COUNCIL

48. Approve a resolution supporting adherence to the policy of implementing sustainable building construction and operations guidelines related to expansion of the Austin Convention Center and the use of that facility as an educational venue for the City's sustainability goals. (Mayor Kirk Watson and Councilmember Jackie Goodman)

**Resolution No. 980430-48 approved**

49. Approve a resolution to set a public hearing regarding a request for an appeal of the Planning

Commission's decision regarding a Conditional Use Permit for King Billiard located at 8319 Research Boulevard. (Suggested date and time: May 21, 1998 at 6:00 P.M.) [Mayor Pro Tem Gus Garcia and Councilmember William Spelman]

**Resolution No. 980430-49 approved**

50. Adopt a resolution directing the City Manager to prepare an interim ordinance regulating commercial and industrial uses along South First Street and South Congress Avenue for the area along South First Street and South Congress Avenue, between Town Lake and Ben White Boulevard; and along Oltorf Street, between South Congress Avenue and South First Street, and to initiate a land use/zoning study for the area (Councilmember Jackie Goodman)

**Resolution No. 980430-50 approved**

51. Set a public hearing regarding an amendment to a restrictive covenant for Ecomat of Austin located at 2915 Guadalupe Street. (Suggested date and time: May 14, 1998 at 4:30 P.M.) [Councilmember Jackie Goodman and Mayor Kirk Watson]

**Approved**

52. Approve a resolution directing the City Manager to initiate a neighborhood compatible zoning on the Tank Farm site located at Airport Blvd. and Springdale Blvd. (Mayor Kirk Watson and Mayor Pro Tem Gus Garcia)

**Resolution No. 980430-52 approved**

**Items 48 through 52 approved on Councilmember Spelman's motion, Councilmember Lewis' second, 6-0 vote, Mayor Pro Tem Garcia off the dais.**

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

53. C14-97-0155 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as approx. 1600' along the east of side of Cameron Loop, north from its intersection with Davis Lane, previously known as Southland Oaks Municipal Utility District No. 1 (Cherry Creek 9), from "I-RR", Interim Rural Residence and "I-SF-2", Interim Single Family Residence (standard lot) to "RR", Rural Residence; "SF-1", Single Family Residence (large lot); "SF-2", Single Family Residence (standard lot); "SF-3", Family Residence; "SF-4A", Single Family Residence (small lot); "SF-5", Urban Family Residence; "SF-6", Townhouse and Condominium Residence; "MF-1", Multifamily Residence (limited density); "MF-2", Multifamily Residence (low density); "MF-3", Multifamily Residence (medium density); "MF-4", Multifamily Residence (moderate-high density); "NO" Neighborhood Office; "LO" Limited Office; "GO" General Office; "LR", Neighborhood Commercial; "GR", Community Commercial; "CS", General Commercial Services; and "P", Public District. Planning Commission Recommendation: To Grant "SF-2", Single Family Residence (standard lot) District; "SF-3", Family Residence District; "MF-2", Multifamily Residence (low density) District; "LR", Neighborhood Commercial District; and "P", Public District zoning with conditions. Applicant: City of Austin. Agent: Development Review and Inspection Department. City Staff: Greg Guernsey, 499-2387. (Continued from 3/26/98)  
**Postponed to June 4, 1998 at request of Cherry Creek S.W. Neighborhood Association.**

54. C14-97-0156 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as Approx. 1700' along the east side of Brodie Lane, Approx. 1750' north from its intersection with Slaughter Lane West, previously known as Southland Oaks Municipal Utility District No. 1 (Cherry Creek 10), from "I-RR", Interim Rural Residence and "I-SF-2", Interim Single Family Residence (standard lot) to "RR", Rural Residence; "SF-1", Single Family Residence (large lot); "SF-2", Single Family Residence (standard lot); "SF-3", Family Residence; "SF-4A", Single Family Residence (small lot); "SF-5", Urban Family Residence; "SF-6", Townhouse and Condominium Residence; "MF-1", Multifamily Residence (limited density); "MF-2", Multifamily Residence (low density); "MF-3", Multifamily Residence (medium density); "MF-4", Multifamily Residence (moderate-high density); "NO" Neighborhood Office; "LO" Limited Office; "GO" General Office; "LR", Neighborhood Commercial; "GR", Community Commercial; "CS", General Commercial Services; and "P", Public District. Planning Commission Recommendation: To Grant "RR", Rural Residence District; "SF-2", Single Family Residence (standard lot) District; "SF-4A", Single Family Residence (small lot) District; "LO" Limited Office District; "LR", Neighborhood Commercial District; and "P", Public District zoning with conditions. Applicant: City of Austin. Agent: Development Review and Inspection Department. City Staff: Greg Guernsey, 499-2387. (Continued from 3/26/98)  
**Approved first reading only, granting as recommended by Planning Commission, except modified tract 2 to LO zoning instead of LR.**

**Items 53 and 54 approved on Councilmember Spelmans' motion, Councilmember Griffith's second, 7-0 vote.**

55. C14-98-0012 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 1001 to 1115 E. 12th St. & 1002 to 1016 Catalpa St. from "SF-3", Family Residence; "LO", Limited Office & "CS", General Commercial Services to "CS-MU", General Commercial Services - Mixed Use Combining District. Planning Commission Recommendation: To Grant "CS-MU-CO", General Commercial Services - Mixed Use Combining District - Conditional Overlay zoning with conditions. Applicant: Anderson Community Development (Gene Watkins); Agent: LDC (Lauretta Dowd). City Staff: Ivan Naranjo, 499-2724. (Continued from 4/9/98)  
**Ordinance No. 980430-Q approved Planning Commission recommendation**

56. C14-98-0013 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 1400 East 12th Street from "CS", General Commercial Services, to "CS-MU", General Commercial Services - Mixed Use Combining District. Planning Commission Recommendation: To Grant "CS-MU-CO", General Commercial Services - Mixed Use Combining District - Conditional Overlay zoning with conditions. Applicant: Anderson Community Development (Gene Watkins); Agent: LDC (Lauretta Dowd). City Staff: Ivan Naranjo, 499-2724. (Continued from 4/9/98)  
**Ordinance No. 980430-R approved Planning Commission recommendation**

**Items 55 and 56 approved on Councilmember Spelman's motion, Councilmember Slusher's second, 7-0 vote.**

57. C14-96-0146 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 8036 U.S. Highway 290 from "I-RR", Interim-Rural Residence to "CS", General Commercial Services. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial - Conditional Overlay zoning with conditions. Applicant: William E. Fowler, Jr. City Staff: Antonio Gonzalez, 499-2243.

**Motion to close public hearing on Councilmember Spelman's motion, Councilmember Slusher's second, 7-0 vote.**

**Approved first reading only granting CS-CO zoning with construction sales and services as the only permitted CS use, and allowing all GR uses except those prohibited by PC and staff, plus automotive repair. Roll back to GR-CO if construction sales and services use ceases for more than 90 days, on Councilmember Goodman's motion, Councilmember Spelman's second, 6-0 vote, Mayor Watson off the dais.**

58. C14-98-0008 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 1303 Matthews Lane from "DR", Development Reserve to "SF-1", Single Family Residence (Large Lot). Planning Commission Recommendation: To Grant "SF-1-CO", Single Family Residence (Large Lot) - Conditional Overlay zoning with conditions. Applicant: Donald L. Godwin;. City Staff: Joe Arriaga, 499-2308.

**Approved first reading only as recommended by Planning Commission**

59. C14-98-0020 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 2256 E. Riverside Dr. from "GR", Community Commercial to "W/LO", Warehouse Limited Office. Planning Commission Recommendation: To Grant "W/LO", Warehouse Limited Office zoning. Applicant: Riverside Group (Del Trautmann); Agent: Paul Juarez. City Staff: Ivan Naranjo, 499-2724.

**Ordinance No. 980430-M approved as recommended by Planning Commission**

60. C14-98-0022 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as City Park Road and FM 2222 Road from "DR", Development Reserve to "RR", Rural Residence District. Planning Commission Recommendation: To Grant "RR", Rural Residence District zoning. Applicant: City of Austin. Property Owner: Mabe, Inc. DBA Westminster Glen Subd.; Agent: Development Review and Inspection Department. City Staff: Don Perryman, 499-2786.

**Ordinance No. 980430-N approved as recommended by Planning Commission**

61. C14-98-0024 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 6410 McNeil Road from "I-RR", Interim-Rural Residence to "GR", Community Commercial. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial- Conditional Overlay zoning with conditions. Applicant: New Image Hair Salon (Deborah Gwen Jackson); Agent: Sarah Crocker. City Staff: David Wahlgren, 499-6455.

**Ordinance No. 980430-O approved as recommended by Planning Commission**

62. C14-98-0025 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property

locally known as 7509 Manchaca Road from "SF-3", Family Residence; "DR", Development Review to "LO", Limited Office; and "W/LO", Warehouse Limited Office. Planning Commission Recommendation: To Grant "LO-CO", Limited Office - Conditional Overlay zoning for Tract 1 and "W/LO-CO", Warehouse Limited Office - Conditional Overlay zoning for Tract 2 with conditions. Applicant: Richard Todd & Curtis Markland; Southwest Baptist Church (Ken Pumley); Agent: Site Specific (John Hussey). City Staff: Joe Arriaga, 499-2308.

**Approved first reading only as recommended by Planning Commission**

63. C14-98-0032 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 301 E. Howard Lane from "LI", Limited Industrial Service; "LI-PDA", Limited Industrial Services - Planned Development Area to "LI-PDA", Limited Industrial Services - Planned Development Area. Planning Commission Recommendation: To Grant "LI-PDA", Limited Industrial Services - Planned Development Area zoning with conditions. Applicant: City of Austin. Property Owners: North Point Business Park (Scharles Schwartz); Ridge Investors, Ltd.; Marth & Ralph Vectrees, Alan David Vertrees, Marianne/Louis Vertrees; McAdams Properties, Ltd.; Herbert Muecke; Agent: Development Review and Inspection Department. City Staff: David Wahlgren, 499-2680.

**Ordinance No. 980430-P approved as recommended by Planning Commission**

64. C14-97-0146 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as North Lamar Blvd. and Guadalupe St. from "UNZ", Unzoned to "GR-MU", Community Commercial -Mixed Use zoning. Planning Commission Recommendation: To Deny "GR-MU", Community Commercial-Mixed Use District zoning. Applicant: General Land Office of State of Texas (Bob Hewgley). City Staff: Don Perryman, 499-2786.

**Postponed one week to May 7, 1998**

Items 58 through 64 approved on Councilmember Spelman's motion, Councilmember Griffith's second, 7-0 vote.

## PUBLIC HEARINGS

65. 6:00 P.M. - Public hearing on an ordinance to amend Chapter 13-8 of the Land Development Code repealing the National Electric Code, 1993 edition with local amendments and adopting the 1996 National Electrical Code with local amendments.

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

## ACTION ON PUBLIC HEARINGS

66. Approve an ordinance to amend Chapter 13-8 of the Land Development Code repealing the National Electric Code, 1993 edition with local amendments and adopting the 1996 National Electrical Code with local amendments. [Recommended by Electrical Board]  
**Ordinance No. 980430-S approved on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.**

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held at 12:30 p.m. to 1:30 p.m.

Executive session held at 3:04 p.m. to 4:30 p.m.

The City Council will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda. The City Council may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Private Consultation with Attorney Section 551.071

67. Discuss arbitration results in Pelzel & Associates v. City of Austin, Cause No. 93-14549, in the Travis County District Court.
68. Discuss City of Austin v. Horse Thief Hollow Ranch, Ltd., et al., Cause No. 98-00248, Travis County District Court.
69. Discuss legal issues related to annexation and vested rights.
70. Discuss settlement of contract claims of the Lower Colorado River Authority and the City of Austin against Union Pacific Railroad Company concerning transportation of coal to the Fayette Power Project.

Real Property Section 551.072

71. Discuss proposed purchase of land in the Drinking Water Protection Zone for water quality conservation purposes.

ACTION ON EXECUTIVE SESSION ITEMS

72. Approve settlement of contract claims of the Lower Colorado River Authority and the City of Austin against Union Pacific Railroad Company concerning transportation of coal to the Fayette Power Project.  
**No action taken**

ADJOURNED at 6:48 p.m. on Councilmember Slusher's motion, Councilmember Spelman's second, 7-0 vote.

Approved the minutes for Regular Meeting of April 30, 1998, Special Called Meeting of May 12, 1998, Worksession of May 13, 1998 and Regular Meeting of May 14, 1998, on this the 21<sup>st</sup> day of May, 1998 on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 5-0 vote, Councilmembers Goodman and Spelman off the dais, Special Called Meeting of April 22, 1998 postponed.