



## Austin City Council MINUTES

APRIL 22, 1993

### MEETING CALLED TO ORDER - 1:00 P.M.

Mayor Todd called to order the meeting of the Council, noting the absence of Councilmember Epstein.

1. Approval of Minutes for Regular Meeting of April 1, 1993 and April 15, 1993 and Special Meetings of March 31, April 7 (2:00 and 4:00 P.M.) and April 14 and 15, 1993.

Approved as corrected, on Councilmember Garcia's motion, Mayor Todd's second, 5-0 Vote, Mayor Pro Tem Urdy not yet present and Councilmember Epstein absent.

### CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Hank Erb, to discuss the airport at Bergstrom.
3. Mr. Felix Rosales, Jr., to discuss no airport en mi barrio.
4. Mr. Paul Hernandez, to discuss abuse of power, waste, runaway government and say no to Max & Council - no Bergstrom airport.
5. Ms. Carol Hadnot, to discuss affirmative action initiatives.
6. Mr. Andrew Maddox, to discuss STNP.
7. Mr. Mack McLendon, to discuss the South Texas Nuclear Project.
8. Mr. Bill Jackson, to discuss the South Texas Nuclear Project.
9. Mr. Paul Robbins, to ask for investigation of STNP.
10. Mr. Tim Curtis, to ask Council for investigation of STNP.
11. Ms. Claire Saxton, to request an investigation of STNP.

**ITEMS CONTINUED FROM PREVIOUS MEETINGS**

12. Grant a hardship exemption through February 2, 1994 from Section 4-3-12(B) of the Ozone Depleting Chemicals Ordinance for businesses using products manufactured with methyl chloroform. (No fiscal impact.) [Reviewed by Environmental Board]

On Councilmember Nofziger's motion, Councilmember Garcia's second, 6-0 Vote, Councilmember Epstein absent.

13. Approve the Master Plan for the new Airport at Bergstrom and authorize its submission to the Federal Aviation Administration (FAA) for review and approval. (No fiscal impact.)

On Councilmember Reynolds' motion, Councilmember Garcia's second, 6-0 Vote, Councilmember Epstein absent.

**Motion to Reconsider**

Councilmember Reynolds made a motion to reconsider, seconded by Councilmember Larson, 6-0 Vote, Councilmember Epstein absent.

**Motion**

Motion to approve, on Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 Vote, Councilmember Epstein absent.

14. Approve negotiation and execution of a ten (10) year lease of 6,600 net usable square feet of clinic space at 21 Waller Street from the Austin Geriatric Center, Inc., for Health and Human Service Department clinic operations, in the amount of \$94,880 for the period of February, 1993 to September, 1993. (Funding in the amount of \$44,880 for the lease is available in the 1992-93 operating budget of the Health and Human Services Department; funding for the remaining term of the lease is subject to appropriation of funds in future budgets; funding in the amount of \$50,000 for renovations is available in the Health and Human Services Department Disproportionate Share Fund as approved by Council on March 11, 1993.)

**Motion**

On Councilmember Nofziger's motion, Councilmember Garcia's second, 6-0 Vote, Councilmember Epstein absent.

15. Provide direction and support to the City of Austin's Charter Revision Committee. (Mayor Pro Tem Charles Urdy)

### Motion

Mayor Pro Tem Urdy made a motion, seconded by Councilmember Reynolds "to provide at least part of the direction to the appointed Charter Revision Committee and I think we have discussed some of those items already, one of them among them, of course, is single member districts and we have discussed that before that at the time we gave the charge to the Charter Revision Committee that would be one of them. In addition to that we have a long list of items that are effective in the Charter but are not in compliance with current State laws".

### Friendly Amendment

Councilmember Reynolds offered a friendly amendment to "look at potential ways to improve operation and function of government".

### Roll Call on Motion with Friendly Amendment - FAILED

3-3-0 Vote, Mayor Todd, Councilmembers Garcia and Nofziger voted No, Councilmember Epstein absent.

16. Receive a report on the condition of playscapes in City park and recreational areas and direct the City Manager to include funds in the 1993-94 Capital Budget for their refurbishment or repair. (Mayor Pro Tem Charles Urdy and Councilmember Ronney Reynolds)

On Councilmember Reynolds' motion, Councilmember Nofziger's second, 5-0 Vote, Councilmember Epstein absent, Mayor Todd out of the room.

17. Direct the City Manager to develop options available for the City of Austin's General Fund, so that revenues to the General Fund can be maximized by the redevelopment of the non-aviation portions of the Bergstrom Air Force Base, while minimizing costs to the airlines and other users of the new municipal airport. (Councilmember Ronney Reynolds)

On Councilmember Reynolds' motion, Councilmember Larson's second, 5-0 Vote, Councilmember Epstein absent, Mayor Todd out of the room.

### ORDINANCES

18. DID NOT approve third reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 5010 U.S. Highway 290 West, Case No. C14-92-0149, from "RR" Rural Residence to "GR-CO" Community Commercial-Conditional Overlay, K-MART CORPORATION, by Bury & Pittman (Gret Strmiska). First reading on

March 18, 1993; Vote 4-3, Mayor Todd, Councilmembers Garcia and Nofziger voting "No". Conditions met as follows: Conditional overlay incorporates conditions imposed by Council.

**FAILED** by vote of 3-3-0, Mayor Todd, Councilmembers Garcia and Nofziger voted No, Councilmember Epstein absent.

19. Amend the Austin City Code by modifying the Basic Traffic Ordinance, Chapter 16-4, Section 4 - Speed Limits, to install a 20 mph school zone on Hillview Road, from Exposition Boulevard to Maria Anna Road, adjacent to Casis Elementary School. (Funding in the amount of \$4,000 for flashing signals is available in the 1992-93 operating budget of the Child Safety Fund.)
20. Authorize acceptance of \$19,720 from Work/Family Directions Development Corporation to enhance summer camp programs at the Austin Nature Center; amend Ordinance 920922-E, the Operating Budget, Recreation Programs Enterprise Fund, of the Parks and Recreation Department by appropriating \$19,720, increasing revenues and expenditures. (Recommended by Parks Board)
21. Authorize acceptance of \$15,000 in grant funds from the Texas Department of Health, Bureau of HIV and Sexually Transmitted Disease (STD) Control, for the David Powell Early Intervention Clinic; amend Ordinance 920922-E, the 1992-93 operating budget, amending the Special Revenue Fund by appropriating \$15,000 for the Health and Human Services Department Special Revenue Fund.
22. Authorize acceptance of \$138,500 in grant funds from the Texas Water Commission to expand illegal dumping enforcement activities in Austin and Travis County; amend Ordinance No. 920922-E, the 1992-93 operating budget, amending the Special Revenue Fund by appropriating \$138,500 for the Health and Human Services Department Special Revenue Fund, and authorizing two (2) grant funded full-time positions. (City's match is \$62,530 - to be funded by existing budgeted program expenses and indirect cost recovery.) [Related to Item 26]
23. Amend Ordinance No. 920922-E and 920922-A, the Operating and Capital Budgets by transferring \$270,000 from the 1992-93 General Fund Contingency Reserve to the Capital Budget and appropriating \$847,000 in the Capital Budget for land acquisition. (Related to Items 24 & 25)

## RESOLUTIONS

24. Approve a resolution expressing the City Council's intent to reimburse the costs of acquiring the 0.821 acres (north half block of Block 22 of the Original City of Austin) from the Missouri Pacific Railroad out of future bond proceeds. (Related to Items 23 & 25)
25. Approve a resolution authorizing the negotiation and execution of a contract for the purchase of approximately 0.821 acres (35.779 SF) of land, (the north half block of Block 22 of the Original City of Austin), located at Third and Guadalupe from Missouri Pacific Railroad Company, in the amount of \$847,000. (Funding in the amount of \$270,000 is provided by the 1992-93 General Fund Contingency Reserve; remaining balance to be funded from General Fund Budgets.) [Related to Items 23 & 24]
26. Amend the Health Authority Interlocal Cooperation Agreement with Travis County to expand illegal dumping enforcement activities. (Related to Item 22)
27. Approve the filing of eminent domain proceedings to acquire a permanent wastewater easement containing the following strips of land: Part I - for 866 square feet of land; and Part II - for 19,765 square feet of land out of the Northwest 4.194 acres of Tract Number 4, Lockhart Highway Subdivision, in Austin, Travis County, Texas, owned by Hazel S. Goodson, for the Lockheed Area Wastewater Service Project. (Estimated cost is \$4,950 - funding included in the 1991-92 Capital Budget of the Water and Wastewater Utility)
28. Approve the selection of CH2M-HILL, INC., Austin, Texas, to provide professional engineering and associated services for the oversight review of the Water and Wastewater Utility Long-Range Infrastructure Plan, in the amount of \$50,000. (Funding in the amount of \$25,000 included in CIP 392-227-7903 - Water Master Plan; \$25,000 included in CIP 448-237-8903 - Wastewater Master Plan.) Best qualification statement of three (3). 10% MBE, 5% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)
29. Approve execution of a construction contract award to HAEGELIN CONSTRUCTION CO., INC., Austin, Texas, for construction of Barton View Annexed Area Water and Wastewater Improvements, Phase II, in the amount of \$613,820. (Funding in the amount of \$601,000 is included in the 1991-92 Capital Budget for the Wastewater Utility; \$12,820 is included in the 1991-92 Capital Budget for the Water Utility.) Low bid of six (6). 1.36% MBE, 1.89% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission.)

30. Approve a construction contract award to AUSTIN BRIDGE AND ROAD INC., Austin, Texas, for the 26th Street/Oltorf Street and the Springdale Road Reconstruction and Overlay Projects, in the amounts of \$1,386,718.65 and \$1,015,700 respectively, for a total amount of \$2,402,418.65. (Funding in the amount of \$2,348,463.65 is included in the 1991-92 Capital Budget of the Department of Public Works and Transportation; \$26,000 included in the 1991-92 Capital Budget of the Wastewater Utility; \$20,875 included in the 1991-92 Capital budget of the Water Utility; and \$7,080 is available in the 1991-92 operating budget of the Drainage Utility.) Low bid of two (2). DBE Subcontractor participation: 26th Street/Oltorf Project: (17.87% MBE, 7.31% WBE); Springdale Road Project: 14.88% MBE, 10.17% WBE).
31. Approve a construction contract award to AUSTIN BRIDGE & ROAD, INC., Austin, Texas, for construction of Tortuga Trail drainage improvements, in the amount of \$42,406. (Funding included in the 1992-93 Capital Budget of the Department of Public Works and Transportation.) Low bid of four (4). 5.11% MBE, 7.53% WBE Subcontractor participation. (Reviewed by Environmental Board)
32. Approve execution of a contract award to AUSTIN BRIDGE & ROAD, INC., Austin, Texas, for construction of median modifications to East Riverside Drive and Lakeshore Boulevard, in the amount of \$134,809. (Funding included in the 1992-93 Capital Budget of the Department of Public Works and Transportation.) Low bid of four (4). 11.94% MBE, 16.17% WBE Subcontractor participation.
33. Authorize negotiation and execution of an amendment to the professional services agreement with TURNER, COLLIE & BRADEN, INC., Austin, Texas, for additional design and permitting assistance for the Stassney Lane from Nuckols Crossing Road to Burleson Road improvements, in the amount of \$69,000, for a total contract amount of \$310,236.96. (Funding included in the 1992-93 Capital Budget of the Department of Public Works and Transportation.) 7% MBE, 3% WBE Subcontractor participation.
34. Approve Change Order #10 to CAPITAL EXCAVATION CO., Austin, Texas, for reconstruction of driveways and partial removal of the Burleson Road railroad crossing from Ben White Boulevard to Montopolis Drive, as part of the Burleson Road Improvements Project, in the amount of \$36,465, for a total contract amount of \$1,930,192. (Funding included in the 1991-92 Capital Budget of the Department of Public Works and Transportation.) No M/WBE Subcontracting opportunities were identified.
35. Approve execution of a twelve (12) month supply agreement with WRIGHT OIL CO., San Antonio, Texas, for the purchase of lubricating oil, fluids, and greases, in an amount not to exceed \$180,100, with options to extend agreement for two (2) additional twelve (12) month

periods, in amounts not to exceed \$189,105 and \$198,560 respectively, for a total contract amount not to exceed \$567,765. (Funding in the amount of \$75,042 is available in the 1992-93 operating budget of the Fleet and Radio Fund; funding for the remaining \$105,058 of the contract and the extension options will be contingent upon availability of funding in future budgets.) Low bid of nine (9). No M/WBE Subcontracting opportunities were identified. Reference No. RF93100006.

36. Approve execution of a twelve (12) month supply agreement with FLEX-O-LITE INC., St. Louis, Missouri, for the purchase of traffic cones, in an amount not to exceed \$44,400, with two (2) twelve (12) month extension options in an amount not to exceed \$44,400 per extension, for a total amount not to exceed \$133,200. (Funding in the amount of \$18,500 is available in the 1992-93 operating budget of the Water and Wastewater Utility; funding in the amount of \$25,900 of the original contract and the extension options is contingent upon availability of funding in future budgets.) Low bid of thirteen (13). No M/WBE Subcontracting opportunities were identified. Reference No. RH93100013.

#19-36 on Councilmember Nofziger's motion, Councilmember Garcia's second, 6-0 Vote, Councilmember Epstein absent.

37. Approve the negotiation and execution of a one (1) year contract with SUNGUARD RECOVERY SERVICES, INC., Wayne, Pennsylvania, for a disaster recovery site for continued data processing, including 72 hours of testing time, in an estimated amount of \$106,248, with four (4) one (1) year extension options, in estimated amounts of \$111,171, \$116,392, \$110,139 and \$116,004 respectively, for a total estimated amount of \$559,954. (Funding in the amount of \$44,270 is available in the 1992-93 operating budget of the Information Systems Department; funding for the remaining seven (7) months of the contract and the extension options is contingent upon availability of funding in future budgets.) Best proposal of three (3). No M/WBE Subcontracting opportunities were identified. Reference No. 921121-3JR.

On Councilmember Reynolds' motion, Councilmember Nofziger's second 5-0 Vote, Councilmember Epstein absent, Mayor Todd out of the room.

38. Approve negotiation and execution of a contract with SHELDON I. DORENFEST & ASSOCIATES, LTD., Chicago, Illinois, for long-range information systems planning and consulting services for Brackenridge Hospital, in an amount not to exceed \$72,250. (Funding is available in the 1992-93 operating budget of Brackenridge Hospital.) Best proposal of six (6). No M/WBE Subcontracting opportunities were identified. Reference No. BC2-392.

39. Approve execution of a contract with SOUTHERN AMBULANCE BUILDERS, INC., LaGrange, Georgia, for the purchase of two (2) ambulances for the Emergency Medical Services Department, in an amount not to exceed \$128,320. (Funding is available in the 1992-93 operating budget for the Emergency Medical Services Department.) Low bid of four (4). No M/WBE Subcontracting opportunities were identified. Reference No. RF93100022.
40. Approve execution of a contract with LYNCH DISPLAY VANS, INC., for the purchase of a custom truck to be used as a mobile police station to augment the Police Department's community policing efforts, in an amount not to exceed \$99,970. (Funding is available in the 1992-93 (18th Year) Community Development Block Grant budget for the Police Department.) Low bid of four (4). No M/WBE Subcontracting opportunities were identified.

#38-40 On Councilmember Nofziger's motion, Councilmember Garcia's second, 6-0 Vote, Councilmember Epstein absent.

41. Approve execution of contracts with the following vendors for the purchase of vehicles to be used by the Aviation Department, Electric Utility, Environmental Conservation Services Department, Health Department, Planning Department, Emergency Management Services (EMS), and Water and Wastewater Utility: LEIF JOHNSON FORD, Austin, Texas, for the purchase of one (1) van, thirteen (13) compact pickups, and one (1) full-size pickup, in an amount not to exceed \$160,236; RODEO CHEVROLET, Bandera, Texas, for the purchase of one (1) four-wheel drive utility vehicle and seven (7) vans, in an amount not to exceed \$114,189; HENDRIX GMC TRUCKS, INC., Austin, Texas, for the purchase of twenty-five (25) four-wheel drive utility vehicles, three (3) vans and one (1) pickup, in an amount not to exceed \$465,752; BILL MUNDAY PONTIAC, INC, Austin, Texas, for the purchase of six (6) vans, in an amount not to exceed \$79,260, for total amount not to exceed \$819,437. (Funding in the amount of \$14,168 is available in the operating budget of the Aviation Department; \$65,540 is available in the operating budget of the Environmental and Conservation Services Department; \$40,315 in the Health Department's Special Revenue Fund; \$132,080 in the operating budget of the Planning Department; \$13,023 in the operating budget of EMS; \$178,706 in the operating budget of the Water and Wastewater Utility; \$375,605 in the 1992-93 Capital Budget of the Electric Utility.) Low bids of five (5). No M/WBE Subcontracting opportunities were identified.

On Councilmember Nofziger's motion, Councilmember Garcia's second, 5-0-1 Vote, Councilmember Epstein absent, Councilmember Reynolds abstained.



42. Approve the execution of a contract with SOUTHWESTERN BELL TELEPHONE COMPANY, Austin, Texas, to provide, lay and install fiber optic cable and copper cable in an underground conduit across West 5th Street between two Utility Customer Service Offices, in the amount of \$47,144. (Funding is available in the 1992-93 operating budget of the Utility Customer Service Office.) Low bid of two (2) No M/WBE Subcontracting opportunities were identified. Reference No. VC93300067.
43. Approve a \$250,000 Neighborhood Commercial Management Program Loan to KAF Development Company for the development of an office/warehouse complex in the Seventh Street Commercial Redevelopment area. (Funding is available in the 17th Year Community Development Block Grant Neighborhood Commercial Management Program.) [Recommended by Housing Subcommittee]
44. Approve a Neighborhood Commercial Management Program loan to the East Austin Economic Development Corporation for new construction of a two-story 8500 sq. ft. office building in the East 11th Street Commercial Redevelopment Area, in the amount not to exceed \$330,000, and approve a five year lease agreement for 6,000 square feet of the newly constructed building at one dollar per square foot per month. (Funding is available in the 18th Year Community Development Block Grant Neighborhood Commercial Management Program.) [Recommended by Housing Subcommittee]
45. Approve execution of a contract award to ALLKIN CONSTRUCTION, INC., Austin, Texas, for interior renovation of the Police locker/shower facility at 812 Springdale Road, in the amount of \$152,816. (Funding included in the 1992-93 Capital Budget for the Police Department.) Low bid of eight (8). 11.86% MBE, 4.38% WBE Subcontractor participation.
46. Approve an amendment to the consultant contract with CH2M-HILL, Austin, Texas, for development of 1993-94 rate options, alternative rate designs and rate transitioning plans as per the Water and Wastewater Utility's Cost of Service Rate Study, in the amount of \$37,600, for a total amount not to exceed \$292,100. (Funding is available in the 1992-93 operating budget of the Water and Wastewater Utility.) No M/WBE Subcontracting opportunities were identified. Reference No. SA23692. (Recommended by Water and Wastewater Commission)

#### ITEMS FROM COUNCIL

47. Adopt the City Council Affirmative Action and Minority Procurement Committee's goals and objectives for affirmative action and minority/women procurement, approve With Many as the annual workplan for affirmative action and minority/women procurement for 1993, and

adopt new interim affirmative action employment goals. (Recommended by Affirmative Action Subcommittee)

#42-47 on Councilmember Nofziger's motion, Councilmember Garcia's second, 6-0 Vote, Councilmember Epstein absent.

48. Direct the City Manager to develop a plan for including fire safety information in the City's direct weatherization program. (Councilmember Bob Larson)

On Councilmember Larson's motion, Councilmember Reynolds' second, 5-0 Vote, Councilmember Epstein absent, Mayor Todd out of the room.

49. Direct the City Manager to work with Bergstrom Air Force Base personnel regarding their course outline for human relations training for possible inclusion in a cultural awareness training course for City of Austin employees. (Councilmember Bob Larson and Mayor Pro Tem Urdy)

On Councilmember Larson's motion, Mayor Pro Tem Urdy's second, 5-0 Vote, Councilmember Epstein absent, Mayor Todd out of the room.

50. Approve a resolution to designate the River Street site a.k.a. Street and Bridge Maintenance Yard on River Street as the site for a multicultural center for for and additional 5 years beginning June 30, 1994 and direct the City Manager to do an in-house study to determine the feasibility of relocating the City operation from the River Street site and also explore the possibility of converting the existing buildings for use as a temporary site for a multicultural center; and identify funding for the current City operation and renovation of the buildings for use as a multicultural center. (Councilmembers Gus Garcia and Michael "Max" Nofziger)

Motion

Councilmember Garcia made a motion, seconded by Councilmember Nofziger to adopt the resolution and stated the following: (Motion passed by a 6-0 Vote, with Councilmember Epstein absent.)

Councilmember Garcia stated: "The Resolution that is in the back-up material will reflect the changes. I want the record to reflect that this is merely a continuation of the Resolution that was adopted by Council in 1989, with the exception of a 'Be it further resolved' and in that one we're asking the direction of the City Manager to do an in-house study to determine the feasibility of relocating the City Street and Maintenance Operation from the River Street site and also explore the possibilities of converting the existing buildings to be used as temporary site for the multicultural center, and identify funding for the current City operation and renovation of the buildings for use as a multicultural center."

51. Approve a resolution granting a lifetime swimming privilege to Barton Springs to Frances Muller Pannell. (Councilmember Michael "Max" Nofziger and Mayor Pro Tem Charles Urdy)

On Councilmember Nofziger's motion, Councilmember Garcia's second, 6-0 Vote, Councilmember Epstein absent.

52. Direct the City Manager to investigate funding options for the implementation of Phase I of the "Ole Mexico" marketing campaign and report back to Council within two weeks. (Councilmember Gus Garcia and Mayor Bruce Todd)

On Councilmember Garcia's motion, Councilmember Larson's second, 6-0 Vote, Councilmember Epstein absent.

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

53. C14r-85-145 - AMRESKO MANAGEMENT, INC., (Mike Pacillio), by Bury & Pittman (James B. Knight), 9809-9900 Stonelake Boulevard. Restrictive Covenant Amendment. Planning Commission Recommendation: To grant the request to amend the restrictive covenant.

Postponed to May 6, 1993 at 4:00 P.M., on Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Councilmember Epstein absent.

To be heard by Planning Commission on April 20, 1993; Recommendation to Follow

54. C14-93-0006 - GUARANTY FEDERAL SAVINGS BANK, by Strasburger & Price, L.L.P., 2300-2400 Gracy Farms Lane. From SF-6 to MF-3. Planning Commission had no recommendation, it did not have a quorum vote. Vote was 4-4-0.

On Councilmember Reynolds' motion, seconded by Councilmember Larson, to pass through FIRST READING ONLY, continue the public hearing, approve MF-2, 15 units per acre with 13 acres to the north dedicated as park land to the City. Councilmember Garcia's friendly amendment for 12 units per acre was accepted and will be discussed during the testimony during Second Reading of the ordinance. (6-0 Vote, Councilmember Epstein absent)

55. C14-93-0019 - W.M. INVESTMENTS NO. FOUR, by Alan Nutt, Architect, 8440 Burnet Road. From CS to CS-1. Planning Commission had no recommendation because there was not a quorum vote. Vote was 4-2-1 Valid Petition of 49%. Applicant requests emergency passage of ordinance.

### Motion - Withdrawn

Mayor Pro Tem Urdy made a motion, seconded by Councilmember Garcia to zone CS-1 with a minimum of 70% floor space for recreation, and roll back if use ceases. The motion and second were withdrawn.

### Motion

Councilmember Larson made a motion, seconded by Councilmember Nofziger, to bring this back on May 6, 1993 and also determine if the valid petition still stands. 6-0 Vote, Councilmember Epstein absent.

56. C14-93-0037 - RESOLUTION TRUST CORPORATION (Buz Ziergler) and COW PATH PARTNERS (Ken Schick), by Turner, Collie & Braden, Inc. (Scott Smiley), 5324-5332 Duval Road. From SF-2 and SF-3 to G0. Planning Commission recommendation to grant L0-C0, limit floor to area ratio for medical office use to 0.38:1, Vote 7-0.  
ORDINANCE

On Councilmember Garcia's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Epstein absent.

The following item will be postponed to a future date. Posting of this item on this agenda is required due to a previous notification for this date.

57. C14-93-0015 - AUSTIN CHINESE CHURCH, 11118 Dessau Road. From PUD to G0.  
POSTPONED TO MAY 6, 1993

On Councilmember Garcia's motion, Mayor Pro Tem Urdy's second 6-0 Vote, Councilmember Epstein absent.

RECESS - Council recessed from 5:55 P.M. to 6:30 P.M., on Councilmember Garcia's motion, Councilmember Reynolds' second, 4-0 Vote, Councilmembers Larson and Nofziger out of the room, Councilmember Epstein absent.

### FINAL CITIZEN COMMUNICATIONS

Andrew C. Elliott, Bill Ligon, Robert Singleton, Gavino Fernandez, Mike workman, Jimmy A. Castro, Al St. Louis, Karen Hadden, Mark Nowaski, Jeff Richardson

**PUBLIC HEARINGS AND APPROVAL OF ORDINANCES/RESOLUTIONS**

58. 4:30 P.M. - Full purpose annexation of the National Linen Service Tract.

Close public hearing, on Councilmember Reynolds' motion, Councilmember Larson's second, 6-0 Vote, Councilmember Epstein absent.

59. 5:00 P.M. - Citizen input on community needs to be addressed by activities funded under the 19th Year (Fiscal Year 1993-94) Community Development Block Grant Entitlement Program.

Close public hearing on Councilmember Reynolds' motion, Councilmember Larson's second, 4-0 vote, Mayor Todd and Councilmember Nofziger out of the room, Councilmember Epstein absent.

60. 5:30 P.M. - Appeal by Mr. I.T. Gonzalez, representing the New Jerusalem Pentecostal Church, of the Planning Commission's decision of February 23, 1993, to deny a request for a compatibility standards waiver setback for a proposed church at 9005 Capital Drive. (This item will be postponed to a future date. Posting of this item on this agenda is required due to a previous notification on this date.)

Postponed to June 3, 1993 at 5:30 P.M.

61. 6:45 P.M. - Amend Title XIII (Land Development Code) of the Austin City Code of 1992 by establishing and defining "microbrewery" use and the zoning districts in which such use is authorized, and other site development regulations related to the microbrewery use.

Continue public hearing to May 6, 1993 at 6:45 P.M., on Councilmember Larson's motion, Councilmember Reynolds' second, 6-0 Vote, Councilmember Epstein absent.

62. 7:00 P.M. - Adopt an ordinance approving waiver of wastewater Capital Recovery Fee of \$590.25 per connection or owner occupied single family residential properties in Plaza Granados Subdivision pursuant to Sec. 13-3A-18, Land Development Code; waiving the requirement of Sec. 13-3A-18(c) that funds be appropriated from other city funds in an amount equal to the reduction of Capital Recovery Fees caused by the waiver. (Recommended by Water and Wastewater Commission).

**Motion**

The public hearing was closed on Councilmember Garcia's motion,

Councilmember Larson's second, 4-0 Vote, Councilmember Nofziger and Mayor Todd out of the room, Councilmember Epstein absent.

Motion

The Council, on Councilmember Reynolds' motion, Councilmember Larson's second, waived the requirement for three readings and finally passed the ordinance. 5-0 Vote, Mayor Todd out of the room, Councilmember Epstein absent.

EXECUTIVE SESSION (No Public Discussion on These Items)

Council held its executive session the morning of this date in the Mayor's office.

The City Council will announce that it will go into Executive Session, if necessary, pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation and personnel matters. No final action will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

Pending/Contemplated Litigation - Section 2 Paragraph e

63. Discussion of City of Austin v. Houston Lighting & Power Company, Cause No. D-3405.
64. Discussion of City of San Antonio, Texas et al v. Westinghouse Electric Corporation, Cause No. 90-S-0884-C.

Land Acquisition - Section, 2 Paragraph f

65. Discussion of real property acquisition for park and recreation purposes.
66. Discussion of real property acquisition for potential Zaragosa Branch Library/Recreation Center.
67. Discuss land acquisition of a 13.599 acre tract of land for expansion of the Dove Springs District Park and Williamson Creek Greenbelt.
68. Discuss land acquisition of a 1.204 acre tract of land and 7 residential lots for the expansion of the East Bouldin Creek Park.

ACTION ON THE FOLLOWING

69. Approve a resolution authorizing the negotiation and execution of a contract for purchase of a 13.599 acre tract of land from Claude L.

and Clara Cooper for the expansion of the Dove Springs District Park and Williamson Creek Greenbelt. In the amount of \$72,500.00.

70. Approve a resolution authorizing the negotiation and execution of a contract for the purchase of a 1.204 acre tract of land and seven (7) residential lots from the Dawson family for the expansion of the East Bouldin Creek Park. In the amount of \$156,000.00.

#69-70 on Councilmember Nofziger's motion, Councilmember Garcia's second, 6-0 Vote, Councilmember Epstein absent.

71. APPOINTMENTS

Charter Revision Committee - 9  
No action.

10:02 P.M. - ADJOURN - on Mayor Pro Tem Urdy's motion, Councilmember Garcia's second, 6-0 Vote, Councilmember Epstein absent.