



## Austin City Council MINUTES

DECEMBER 3, 1992

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

1. Approval of Minutes for Regular Meeting of November 19, 1992

On Councilmember Garcia's motion, Councilmember Reynolds' motion,  
7-0 Vote.

### CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Leonard Lyons, to discuss business as usual at Disneyworld.
3. Ms. Missy McCullough, to discuss the proposed Humane Society budget request.
4. Ms. Rose Hayden, to discuss the City's contract with the Humane Society. Not present.
5. Ms. Robin McKeever, to discuss the Humane Society's contract with the City for animal control, and management audit of the Humane Society. Not present.
6. Ms. Patricia Valls-Trelles, to discuss the City's contract with the Humane Society.
7. Mr. James Tyma, to discuss the necessity of shelter for the homeless and disabled.
8. Ms. Elizabeth Rogers, to discuss job discrimination as a cause of homelessness; lack of mental health care and therapy counseling for chronic, low income and mentally disabled.
9. Mr. Lance Winters, to discuss and inquire about the Channel 6 facility disenfranchising itself from public news conferences.
10. Mr. Henry Ratliff, to discuss City difficulties.

11. Mr. Pete Dwyer, to discuss recently adopted Wastewater Department service extension policy for areas inside or outside corporate City limits authorized by City Manager (concerns Loop 360 limited purpose annexation and 1987 City Council resolution.) Did not speak.

#### BOARD AND COMMISSION REPORTS

12. BRACKENRIDGE HOSPITAL BOARD - Mr. Chris Eakle, Secretary, to discuss Brackenridge Hospital Restructuring.

Postponed to December 9, 1992.

13. HEALTH CARE TASK FORCE - Mr. Kevin Reed, Chair, to provide an update on Committee recommendation on Health Care Delivery and Financing.

Postponed to December 9, 1992.

#### ITEMS CONTINUED FROM PREVIOUS MEETINGS

14. Approve a construction contract award to TANK SYSTEMS, INC., Austin, Texas, for the construction of a ventilation system in the Boiler/Mechanical room at Brackenridge Hospital, in the amount of \$82,700. (Funding is available in the 1992-93 operating budget of Brackenridge Hospital.) Lowest responsive bid of two (2). 0% MBE, 7.50% WBE subcontractor participation.

On Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

15. Approve a resolution adopting the City of Austin Legislative program for the 73rd Session of the Texas Legislature.

On Councilmember Garcia's motion, Councilmember Larson's second, 7-0 Vote, with a friendly amendment by Councilmember Larson to move the following to the priority category from the support category:

"Adoption of motor fuels tax legislation which would make revenues available for street maintenance in urban areas."

#### ORDINANCES

16. Amend the City Code by increasing the speed limit on Mopac Boulevard (Loop 1) frontage roads from 40 mph to 45 mph from Rollingwood/Columbus Drive to south of RM 2244; establishing the speed limit on Mopac Boulevard (Loop 1) frontage roads at 50 mph from south of Spyglass Drive to south of Barton Skyway; and establishing the speed limit on Mopac Boulevard (Loop 1) frontage

roads at 55 mph from south of Barton Skyway to south of Loop 360. (The Texas Department of Transportation will fund the necessary changes.)

On Councilmember Larson's motion, Councilmember Garcia's second, 6-0 Vote, Councilmember Nofziger out of the room, with a friendly amendment by Mayor Todd to request the City Manager to request staff to take mitigating factors to the Highway Department and ask for their specific review and let the Council know what they decide.

17. Amend the City Code by modifying the Basic Traffic Ordinance, Chapter 16-4, for the installation of a 30 mph school zone on Loyola Lane adjacent to Barbara Jordan Elementary School. (Funding in the amount of \$4,000 for flashing equipment is available in the 1992-93 Operating Budget of the Department of Public Works and Transportation.)
18. Amend the City Code to expand and clarify the duties of the Environmental Board to include the advisory role for the City's Drainage Utility. (Recommended by Environmental Board)
19. Approve full purpose annexation for the following areas: South Lamar Area, River Oaks/Tanglewild Area, Coxville Area, Parmer Lane right-of-way, Burleson Road right-of-way, and FM 2222 right-of-way. (Funding is available in the 1992-93 operating budgets of required services; estimated average annual net revenue to the City is \$77,445 over 1992-97)

#17-19 on Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

#### RESOLUTIONS

20. Approve negotiation and execution of a twelve (12) month contract with TRANS-CENTURY CORPORATION (WBE), Austin, Texas, for managed care consulting and marketing services for Brackenridge Hospital, in an amount not to exceed \$72,000, including an option to extend thereafter for up to two (2) additional twelve month periods, in an amount not to exceed \$72,000 per extension, for a total amount not to exceed \$216,000. (Funding is available in the 1992-93 operating budget of Brackenridge Hospital; funding for the second and third extension options is contingent upon availability of funding in future budgets.) Single bid. No M/WBE subcontracting opportunities were identified. Reference No. BC2-179.
21. Approve execution of a twelve (12) month supply agreement with ROSS LABORATORIES, Columbus, Ohio, for a liquid intravenous feeding system for patients at Brackenridge Hospital, in an amount not to exceed \$41,742,63, including an option to extend thereafter for up to three (3) additional twelve (12) month periods, in an amount not

to exceed \$41,742.63 per extension, for a total amount not to exceed \$166,970.52. (Funding in the amount of \$34,785.53 is available in the 1992-93 operating budget of Brackenridge Hospital; funding in the amount of \$6,957.10 will be requested in the 1993-94 operating budget of Brackenridge Hospital; funding for the extension options is contingent upon availability of funding in future budgets.) Low bid of five (5) meeting specifications. No M/WBE subcontracting opportunities were identified.

22. Approve execution of a contract with OLYMPUS CORPORATION, Irving, Texas, for the purchase of a urologic procedure video system and instrumentation for Brackenridge Hospital, in an amount not to exceed \$63,783. (Funding is available in the 1992-93 operating budget of Brackenridge Hospital.) Low bid of five (5). No M/WBE subcontracting opportunities were identified.
23. Approve execution of a contract with BALTIMORE THERAPEUTIC EQUIPMENT COMPANY, Hanover, Maryland, for the purchase of a work simulator system to be used in the Brackenridge Occupational Therapy Department to measure a patient's loss of function and/or progress toward full rehabilitation, in an amount not to exceed \$37,145. (Funding is available in the 1992-93 operating budget of Brackenridge Hospital.) Low bid of two (2). No M/WBE subcontracting opportunities were identified. Reference No. BH2-325.
24. Approve execution of a twelve (12) month supply agreement with STANDARD TEXTILE COMPANY, INC., Cincinnati, Ohio, for linen/garment items and management/inventory control program at Brackenridge Hospital, in an amount not to exceed \$184,180, including an option to extend thereafter for up to two (2) additional twelve (12) month periods, in an amount not to exceed \$184,180.64 per extension, for a total amount not to exceed \$552,541.92. (Funding in the amount of \$153,483.87 is available in the 1992-93 operating budget of Brackenridge Hospital; funding for the final two (2) months of the original contract period and the extension options is contingent upon available funding in future budgets.) Low bid of eight (8). No M/WBE subcontracting opportunities were identified. Reference No. BC2-351.

#20-24 on Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

25. Approve negotiation and execution of a twelve (12) month contract with PCA HEALTH PLANS OF TEXAS, INC., Austin, Texas, to provide individual practice association health maintenance organization (HMO) services, in the estimated amount of \$7,153,501, with two (2) twelve (12) month extension options, in an estimated amount of \$7,153.501 per extension, for a total estimated amount of \$21,460,503. (Funding in the amount of \$5,365,126 is available in

the 1992-93 operating budget of the Employee Benefits Fund; funding in the amount of \$1,788,375 and the extension options is contingent upon available funding in future budgets.) Best proposal of two (2). .014% MBE, 0% WBE Subcontractor participation. Reference No. 920846-3LI.

26. Approve negotiation and execution of a twelve (12) month contract with PRUCARE OF AUSTIN, for group type health maintenance organization services, in an estimated amount of \$3,737,514, with two (2) twelve (12) month extension options in an estimated amount of \$3,737,514 per extension, for a total estimated amount of \$11,212,542. (Funding in the amount of \$2,803,136 is available in the 1992-93 operating budget of the Employee Benefits Fund; funding in the amount of \$934,378 and the extension options is contingent upon available funding in future budgets.) Best proposal of two (2). No M/WBE subcontracting opportunities were identified. Reference No. 920846-3LI.

#25-26 on Councilmember Garcia's motion, Councilmember Larson's second, 7-0 Vote.

27. Approve execution of a twelve (12) month supply agreement with HYDROFLOW, INC., Beaumont, Texas, for the purchase of fire hydrant parts, in an amount not to exceed \$41,558.85 with two (2) twelve (12) month extension options, in an amount not to exceed \$41,558.85 per extension, for a total amount not to exceed \$124,676.55. (Funding in the amount of \$34,632.38 is available in the 1992-93 operating budget of the Water and Wastewater Utility; funding for the final two (2) months of the original contract and the extension options is contingent upon available funding in future budgets.) Low bid of two (2). No M/WBE subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission) Reference No. 920977-1SH.
28. Authorize granting of an easement to Southwestern Bell Telephone to relocate and upgrade equipment for installation of digital phone service for the Davis Water Treatment Plant. (Southwestern Bell will pay \$1,200 for use of the easement.)
29. Approve the selection of SCHIFF & ASSOCIATES, INC., Bastrop, Texas, to provide professional engineering and associated services for security system improvements at Robert Mueller Municipal Airport, in the amount of \$52,000. (Funding is included in the 1992-93 Capital Budget of the Aviation Department.) Best qualification statement of two (2). 25% MBE, 0% WBE subcontractor participation. (Recommended by Airport Advisory Board on December 2, 1992.)
30. Approve the selection of SOUTHWESTERN LABORATORIES, INC., Austin, Texas, and authorize negotiations and execution of a professional services agreement to provide geotechnical testing and engineering

services for the redevelopment of Bergstrom as Austin's new airport, in an amount not to exceed \$250,000. (Funding is included in the 1992-93 Capital Budget for the Aviation Department; the project is eligible for 75% reimbursement of eligible costs from the Federal Aviation Administration.) Best qualification statement of three (3). DBE Subconsultant participation: 20% (5% MBE, 15% WBE. Recommended by Airport Advisory Board on December 2, 1992; Recommended by Aviation Subcommittee)

31. Approve the selection of ESPEY, HUSTON & ASSOCIATES, INC., Austin, Texas, to provide professional engineering and associated services for aircraft rescue and fire fighting facilities improvements at Robert Mueller Municipal Airport, in the amount of \$119,000. (Funding is included in the 1992-93 Capital Budget of the Aviation Department.) Best qualification statement of three (3). 10% MBE, 0% WBE subcontractor participation. (Recommended by Airport Advisory Board on December 2, 1992)

#27-31 on Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

32. Authorize negotiation and execution of a Phase III & Phase IV agreement with ENGINEERING-SCIENCE, INC., Austin, Texas, for design and construction phase engineering and associated services for the FM 812 Landfill Leachate Treatment and Slope Stabilization improvements, in the amount of \$335,000, for a total amount of \$510,098. (Funding is available in the 1992-93 operating budget of Solid Waste Services.) 4.9% MBE, 5.9% WBE Subcontractor participation. (Reviewed by Solid Waste Advisory Commission)

Postponed to December 10, 1992.

33. Approve the lease of an additional 1,460 sq. ft. of City owned office and warehouse space located at 411 W. 2nd Street to HELPING OUR BROTHERS OUT, INC. (HOB0), for a total of 12,700 square feet, to expand services at the homeless resource center. (The space is leased to HOB0 for \$1.00. Funding for renovations will be provided by a grant from the Texas Department of Housing and Community Affairs.)
34. Approve the lease of 5,885 net usable square feet of office space at 327 Congress Avenue, Suite 500, from the Teachers Insurance and Annuity Association, for the Health and Human Services Department, Community Health programs Unit, in the amount of \$56,400. (Funding is available in the 1992-93 operating budget of the Health and Human Services Department; funding for the remaining term and the extension options is subject to appropriation of funds in future budgets.)

35. Approve negotiation and execution of contracts with four (4) agencies for HIV Early Intervention Services, in a total amount not to exceed \$160,894; AIDS Services of Austin (\$65,104); Austin/Travis County MHMR CARE Unit (\$29,980); Community Action (\$43,658); and Planned Parenthood of Austin (\$22,152). [Funding is provided by the U.S. Department of Health and Human Services.]
36. Approve issuance of a Letter of Intent and a rebate amount of \$100,000 to P.R.B.J. Inc., for the installation of energy savings measures for the Shoreline Apartments, located at 1801 S. Lakeshore Drive. (Funding is available in the Energy Rebates & Incentive Fund of the Environmental and Conservation Services Department.) [Recommended by Resource Management Commission]
37. Approve an Interlocal Agreement with Travis and Williamson Counties to enhance the 911 emergency telephone system by establishing a uniform system for the assignment of street and road names and addresses for residences, businesses and parcels of land in unincorporated areas of Travis County. (Funding will be provided from the 911 Service Fee.)

#33-37 on Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

38. Authorize negotiation of a strategic partnership between the City of Austin and Dell Computer Corporation. (Funding will be provided by the additional sales tax to be generated by Dell's sales outside the City of Austin.)

On Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

71. (ADDENDUM) Set a public hearing to approve an agreement with the Austin Independent School District for the temporary use of portions of Stacy Park: December 10, 1992 at 6:45 P.M.

On Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

#### ITEMS FROM COUNCIL

39. Approve a resolution downsizing the South Austin Outfall Phase II Project to 42" for that portion of the project serving the Barton Creek area and to return to City Council with an new construction contract award recommendation as soon as practicable. (Councilmember Ronney Reynolds)

No Action

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

40. C14-92-0088 - O Mesa LLC (John H. Greenwood), Nathan B. Smith, 9200-9220 Jollyville Road and 9000-9024 Mesa Drive. From LO & SF-3 to SF-4A. Planning Commission Recommendation: To Grant SF-4A, Single-Family Residence (small lot), limiting density to 29 lots and prohibiting blasting.

**First Reading**

41. C14-84-378 - O MESA LLC (John H. Greenwood), by Nathan B. Smith, 9200-9220 Jollyville Road and 9000-9024 Mesa Drive. To terminate the existing restrictive covenant. Planning Commission Recommendation: To approve termination of the restrictive covenant.

**Pulled off agenda.**

**#40-41 on Councilmember Garcia's motion, Councilmember Larson's second, 7-0 Vote.**

42. C14H-92-0011 - HUSTON-TILLOTSON COLLEGE (Joseph E. Mills), 900 Chicon Street. From MF-4 to MF-4-H. Planning Commission Recommendation: To Grant MF-4-H, Multifamily Residence (moderate-high density)-Historic, zoning based on designation criteria items (1), (2), (6), (7), (8), (9), (11), (12), and (13).

**Ordinance - On Councilmember Garcia's motion, Councilmember Larson's second, 6-0 Vote, Mayor Pro Tem Urdy abstained.**

43. C14-92-0096 - PHYLLIS BARGEN, by Roger Hamilton, 13203 U.S. 183 North. From SF-2 to GR. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay, limiting Floor-to-Area Ratios for the following uses: General Retail Sales (general) - 0.68; General Retail Sales (convenience) - 0.14; Restaurant (fast food, drive-in) - 0.13; Restaurant (general and limited) - 0.50; Financial Services - 0.64; and Food Sales - 0.58.

**Ordinance**

44. C14-92-0095 - BELCO EQUITIES (Rudy Belton), by Raphael Babay, 8805 North Plaza Drive. From GR to MF-3. Planning Commission Recommendation: To Grant MF-3, Multi-family (Medium Density), zoning.

**Ordinance**

45. C14-92-0112 - JERRY PETROPOULOS, 11657 Research Boulevard. From GR to CS-1. Planning Commission Recommendation: To Grant CS-1, Commercial Liquor Sales, zoning.  
**Emergency Passage of Ordinance**

46. C14-92-0034 - YMCA TOWNLAKE (Larry E. Smith), by Cencor Realty (John Morran), 6219 Oakclaire Drive. From DR to GR. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay, subject to the following conditions: (1) Any structure constructed shall not have exterior facades of more than sixty percent (60%) glass; (2) Mirrored glass with a reflectance greater than twenty percent (20%) is prohibited; (3) Uses shall be limited to those permitted in the LO zoning district (except lodging house, residential and safety services), indoor sports and recreation, and outdoor sports and recreation as the only permitted GR uses; (4) After construction of improvements, the area utilized for outdoor sports and recreation shall be fenced; (5) All buildings within the area designated on a site plan for outdoor sports and recreation shall be limited to thirty-five feet (35') in height; (6) Activities in the area for outdoor sports and recreation shall begin no earlier than 6:00 a.m. nor continue any later than 9:00 p.m. (7) Lighting for the "playground area" shall be limited to wall-mounted security lighting; (9) Red-tipped photinias, or some other similar plant material shall be planted along the north boundary line of the new site, to provide a continuous hedge row for sound buffering.

**First Reading**

47. C14-92-0098 - PARSON ENTERPRISES (Dorothy Shay Parsons), by RPS/Real Property Services (John F. Miller), 1201-1209 West Braker Lane. From NO & SF-3 to LR. Planning Commission Recommendation: To Grant LR-CO, Neighborhood Commercial-Conditional Overlay, subject to dedication of up to thirty-five feet (35') of right-of-way from the existing centerline of Plains Trail and up to sixty feet (60') from the existing centerline of West Braker Lane. Furthermore, subject to the provisions of the Conditional Overlay as follows: (1) permitted NO, Neighborhood Office uses and Financial Services as the only permitted LR use; (2) development limited to 12,500 square feet or 0.14 Floor-to-Area Ratio (F.A.R.); and (3) NO, Neighborhood Office, development regulations, with the exception of impervious cover, which would be limited to sixty-five percent (65%).

**First Reading**

48. C14-92-0099 - PACIFIC FIRST BANK (Jerry Van Valkenburg), by River City Engineering (Patrick Lackey), 8503-8801 Wall Street. From I-RR to CS-CO. Planning Commission Recommendation: To Grant CS-CO, Commercial Services-Conditional Overlay, zoning subject to maximum Floor-to-Area Ratios (F.A.R.) of 0.137 for Administrative and Business Offices, 0.052 for Medical Offices, and prohibiting the following uses: Restaurant (general/limited/fast food), General Retail Sales (general/convenience), Food Sales, and Financial Services.
- Ordinance**

49. C14-92-0100 - MICA CORPORATION (Tandy Freeman), 16258 IH-35 North. From SF-2 to LI. Planning Commission Recommendation: To Grant LI-CO, Limited Industrial-Conditional Overlay, limiting FAR's as follows: General Retail Sales (Gen/Conv.) 0.037; Restaurant (Fast Food) 0.0072; Restaurant (General) 0.028; Financial Services-0.035; Food Sales - 0.032.

Ordinance

50. C14-92-0102 - BILLY AND BETTY TRIMBLE, by Thomas and Mary O'Brian, 1610 and 1700-1704 Barclay Drive (even numbers only). From DR to SF-1. Planning Commission Recommendation: To Grant SF-1, Single Family Residence.

Ordinance

51. C14-92-0103 - BALCONES ANIMAL HOSPITAL (Dr. James Woods), by Carson Planners (Ron Throver), 6909 McNeil Road. From SF-3 to LI. Planning Commission Recommendation: To Grant LI-CO, Limited Industrial Services-Conditional Overlay, zoning and restricting Floor-to-Area Ratios (F.A.R.) for the following uses: Retail uses - 0.28; Fast Food Restaurant - 0.055; General Restaurant - 0.21; Financial Services - 0.27; Food Sales and Convenience Market - 0.059.

Ordinance

52. C14-92-0104 - TEXAS DISTRICT LUTHERAN CHURCH (Gerald B. Kieschnick), by Saegert, Angenend & Augustin (Wendall Corrigan), 7900 U.S. Hwy. 290 East. From SF-3 to G0. Planning Commission Recommendation: To Grant G0-CO, General Office-Conditional Overlay, subject to reservation of up to one hundred fifty feet (150') of right-of-way from the existing centerline of U.S. Hwy. 290 East. With the provisions of the conditional overlay limits development to 159,000 square feet or 0.73 floor-to-area ratio for General Office, and 60,000 square feet or 0.27 floor-to-area ratio for Medical Offices.

Ordinance

#43-52 on Councilmember Garcia's motion, Councilmember Larson's second, 7-0 Vote.

53. C14-92-0105 - FIRST GIBRALTER BANK (Brian Selbo), by RTG/Partnars Inc. (Martha Nelson), 12710 Research Boulevard. From LO to LR. Planning Commission Recommendation: To grant LR-CO, Neighborhood

Commercial-Conditional Overlay, limited to permitted LO, Limited Office uses and Financial Services as the only LR use.

Ordinance - On Councilmember Garcia's motion, Councilmember Larson's second, 6-0-1 Vote, Councilmember Reynolds abstained.

54. C14-92-0111 - ANN VANCE THURMOND ESTATE (Frank Thurmond), by Site Specifics (B.J. Cornelius), 4011 Red River Street. From LO to LR. Planning Commission Recommendation: To Grant LR, Neighborhood Commercial, zoning subject to dedication of up to forty feet (40') of right-of-way from the existing centerline of Red River Street.

Ordinance - On Councilmember Garcia's motion, Councilmember Larson's second, 7-0 Vote.

55. C14-92-0113 - MARY HOBART KEY, 2102 Nueces. From MF-4-H to MF-4. Planning Commission Recommendation: Motion to grant MF-4 failed by a vote of 4-2 due to lack of a quorum vote; Motion to forward to Council without a recommendation failed by a vote of 4-2 due to lack of a quorum vote.

Send back to Planning Commission - On Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 Vote.

56. C14-92-0107 - FRANKLIN FEDERAL BANCORP (Vera Massaro), by Bury & Pittman (James B. Knight), 13601 & 13605 Ida Ridge Drive and 2700, 2800 & 2900 Century Park Boulevard. From IP to MF-3. Planning Commission Recommendation: To grant MF-3 subject to a density limitation of 23 units per acre; a 50' undeveloped setback on Lots 1 and 3, Block A; prohibit multifamily development on Lots 1 and 2, and the northernmost 75' of Lot 3, Block A.

#### First Reading

57. C14-92-0108 - FRANKLIN FEDERAL BANCORP (Vera Massaro), by Bury & Pittman (James B. Knight), 2701 & 2801 Century Park Boulevard and 13503 Elm Ridge. From IP to MF-3. Planning Commission Recommendation: To grant MF-3 subject to a density limitation of 23 units per acre; a 50' undeveloped setback on Lots 1 and 3, Block A; prohibit multifamily development on Lots 1 and 2, and the northernmost 75' of lot 2, Block A.

#### First Reading

58. C14-92-0109 - FRANKLIN FEDERAL BANCORP (Vera Massaro), by Bury & Pittman (James B. Knight), 2901, 3001 and 3201 Century Park Boulevard, and 13502 Elm Ridge Lane. From GO & IP to MF-3.

Planning Commission Recommendation: To grant MF-3 subject to a density limitation of 23 units per acre.

First Reading.

59. C14-92-0110 - FRANKLIN FEDERAL BANCORP (Vera Massaro), by Bury & Pittman (James B. Knight), 13601 Century Park Cove, 13604 Ida Ridge Drive and 13533 Burnet Road. From GO, IP to MF-3. Planning Commission Recommendation: To grant MF-3 subject to a density limitation of 23 units per acre.

First Reading

#56-59 on Councilmember Garcia's motion, Councilmember Larson's second, 6-0 Vote, Councilmember Reynolds abstained.

To be heard by Planning Commission on December 1, 1992;  
Recommendation to Follow

60. C14-92-0097 - SUNRISE COMMUNITY CHURCH (Jim Koopman), by Mattie Dixon, 4430 Manchaca Road and 2000-2098 Redd Street (even numbers only). From CS, SF-3 to LO.

Postpone to December 17, 1992

The following cases will be postponed to a future date; Posting of this case on this agenda is required due to a previous advertisement for a public hearing on this date.

61. C14-92-0101 - RUDOLF & SUSANNE MARMANN, 1722 & 1724 West 6th Street. From NO to GO-CO.

Postponed to December 17, 1992

62. C14-92-0106 - JERRY DEUTSER, by Bury & Pittman (James B. Knight), 8801 Research Boulevard. From GR to LI.

Postponed to December 17, 1992

#### PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

63. 4:30 P.M. - Approve an update to the Impact Fee CIP and Land Use Assumptions; amend the Impact Fee Service Area and Water and Wastewater Utility service area; and amend Chapter 13-3 and 13-3A, Land Development Code by approving and incorporating the amended

Impact Fee CIP and Land Use Assumptions. (Reviewed by Water and Wastewater Commission and Planning Commission)

Motion

The Council, on Councilmember Reynolds' motion, Councilmember Garcia's second, closed the public hearing. 7-0 Vote.

Motion

First Reading - On Councilmember Epstein's motion, Councilmember Reynolds second, approved staff recommendation and start annexation for Gaines Ranch with a Friendly Amendment by Councilmember Larson to remove 142 acres served by Round Rock.

Substitute Motion - FAILED

Councilmember Garcia offered a substitute motion seconded by Councilmember Nofziger to accept Planning Commission recommendation, proceed with deletion of the 142 acres served by Round Rock, and begin annexation proceedings for Gaines Ranch. Motion FAILED by a 3-4 vote with Councilmembers Reynolds, Epstein and Larson and Mayor Pro Tem Urdy voting No.

Roll Call on Main Motion

4-3 Vote, Mayor Todd, Councilmembers Nofziger and Garcia voted No.

64. 5:00 P.M. - Appeal by Mr. Paul J. Viktorin of Bury & Pittman, Inc., representing Bluebonnet Development Ltd. regarding the Planning Commission's decision to deny a variance request to Section 13-7-19 of the Land Development Code (LDC) allowing the transfer of filtration requirements for the Edwards Mountain Subdivision to the Lakeview Subdivision.

Withdrawn

South Austin Outfall ( Items 65-68)

65. 5:30 P.M. - Approve a 2.363 acre sanitary sewer and a 6.147 acre temporary workspace easement for the construction of and maintenance of the South Austin Outfall Relief Main, Phase II through dedicated parkland known as Town Lake Park and Zilker Park, in accordance with Sec. 26.001 of the Texas Parks and Wildlife Code. (Reviewed by Water and Wastewater Commission and Parks Board)

Public Hearing Closed and easement approved, on Councilmember Reynolds' motion, Councilmember Larson's second, with a friendly amendment by Councilmember Epstein to take items 65, 66 and 67 together. 4-3 Vote, Mayor Todd, Councilmembers Garcia and Nofziger voted No.

66. Approve a construction contract to OSCAR RENDA CONTRACTING, INC., Roanoke, Texas, for construction of a 48-inch interceptor for the South Austin Outfall Relief Main, Phase II, in the amount of \$2,652,205. (Funding is included in the 1992-92 Capital Budget of the Water and Wastewater Utility.) Low bid of seven (7). 39.88% MBE, 5.05% WBE Subcontractor participation. (Reviewed by Water and Wastewater Commission and Parks Board)
67. Approve Supplemental Amendment #2 to the Agreement with the University of Texas Archaeological Research Laboratory, Austin, Texas, for archaeological monitoring of the construction of the South Austin Outfall, in the maximum amount of \$40,000, for a total amount of \$131,794.70. (Funding is included in the 1992-93 Capital Budget of the Water and Wastewater Utility.) (Reviewed by Water and Wastewater Commission)
- #65-66-67 on Councilmember Reynolds' motion, Councilmember Larson's second, 4-3 vote, Mayor Todd, Councilmembers Garcia and Nofziger voted No.
68. Approve a resolution referring the approval of the construction of the South Austin Outfall Phase II CIP Project to the voters of the City of Austin for consideration at the election of May 1, 1993. (Councilmembers Michael "Max" Nofziger and Gus Garcia)

No action

**EXECUTIVE SESSION (No Public Discussion on These Items)**

Mayor Todd announced that Council would go into Executive Session, 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**

69. Discussion of Applications of Garwood Irrigation Company, and Pierce Ranch/Lower Colorado River Authority to Amend Certificates of Adjudication Nos. 14-5434, respectively, pending before the Texas Water Commission.

RECESS - Council recessed from 2:55 to 4:07 p.m. for Executive Session.  
No action was taken as a result of discussion.

70. APPOINTMENTS

The following appointments were made on Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

ANIMAL ADVISORY BOARD - Dana Sweet

BUILDING AND STANDARDS COMMISSION - Ethleynn Beebe, David Brown, Willo Hardin and Joseph Luke

CABLE COMMISSION - Ida Hernandez

COMMUNITY DEVELOPMENT COMMISSION - Lupe Silva-Aboud

CONSTRUCTION ADVISORY COMMITTEE - James Yauger

DESIGN COMMISSION - Perry Lorenz, Clovis Heimsath, Edgar Farrera

DOWNTOWN COMMISSION - Clovis Heimsath, Jerry Shaw, Sterling Lands, John Hickman, Marilyn Good, Carlie Saunders, Paul Finch, Fred Robinson, Lori Renteria and Gisela Triana

ECONOMIC DEVELOPMENT COMMISSION - Dr. Edward Baldwin, Delores Lenzy, Jonathan Conant

ETHICS REVIEW COMMISSION - Jett Hanna

HUMAN RIGHTS COMMISSION - James Hill, Willie Ramirez

IMPACT FEE ADVISORY COMMITTEE - Mary Arnold, William Burba

MEXICAN-AMERICAN CULTURAL CENTER TASK FORCE - Jimmy Castro

SOLICITATION BOARD - Johnetta Ellison

9:50 P.M. - ADJOURN

16