# **Austin City Council MINUTES**

For

DECEMBER 18, 1986 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

# **City Council**

Frank C.Cooksey Mayor

John Treviño, Jr. Mayor Pro Tem

Council Members Mark Rose Smoot Carl-Mitchell Sally Shipman George Humphrey Charles E. Urdy

> Jorge Carrasco City Manager

Elden Aldridge City Clerk

## Memorandum To:

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

## MINUTES APPROVED

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, approved the minutes for regular meeting of December 11, 1986 and special meetings of December 4, 9 & 10, 1986. (4-0 Vote, Mayor Pro Tem Trevino, Councilmembers Urdy and Carl-Mitchell out of the room.)

## CITIZEN COMMUNICATIONS

Mr. Tom Albin discussed limited purpose annexation of Wells Branch area. Mr. Joseph Wiseman discussed a building permit for property located at 3812 Avenue G. Mr. Joel Cryer withdrew his request to talk. Mr. Thad Coker talked about age limitation and condition of taxi cabs. Mr. Chikezie Joe Ohiagu did not speak. Mr. Ben Brown and Mr. Dennis Lilly discussed ending contracting inspections by the Building Inspections Department. Mr. Bill Steele did not speak.

#### RESOURCE MANAGEMENT COMMISSION REPORT

Mr. Roger Duncan reported on Drafting a Conservation Retrofit ordinance for Austin, for the Resource Management Commission.

#### ELECTRIC UTILITY COMMISSION REPORT

Mr. Albert Fairweather gave the Electric Utility Commission Report on Fuel Overcollection Refund Report.

#### PROCLAMATION

Mayor Cooksey read a proclamation to Clothilde Davis Haynes, on the occasion of her cessation of employment with the City of Austin.

OLD BUSINESS - ORDINANCES

## Zoning Ordinances

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Trevino's second, amended Chapter 13-2 and 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes:

> TWO PARK PLACE JOINT VENTURE By Fred Robinson C14-86-128

4009 Banister From "LO" to "GR" Lane

Second and third readings. First reading on July 31, 1986, (7-0 Vote). Conditions have been met as follows: Restrictive covenant incorporating conditions imposed by Council has been executed.

LEON SCHMIDT By S.A. Garza C14-83-079

3422 South Lamar From Interim "SF-2" to "GR" & "RR"

Second and third readings. First reading on February 6, 1986, (7-0). Conditions have been met as follows: Right-of-way on South Lamar has been dedicated by street deed.

DWYER-SANDERS GROUP PARTNERS

8516 Old Manor Rd. From "DR" to "MF-3"

By Karen Steingraber C14r-86-024

Second and third readings. First reading on May 8, 1986, (6-0). Councilmember Rose out of the room. Conditions have been met as follows: Development restricted to that shown on site plan attached as Exhibit to the ordinance.

B & J ASSOCIATES ST. DAVID'S COMMUNITY HOSPITAL C14r-86-048

919 E. 32nd Street From "MF-3", "MF-4". "LO" & "CS" to "CS"

Second and third readings. First reading on August 28, 1986, (6-0). Councilmember Rose out of the room. Conditions have been met as follows: Development restricted to that shown on site plan attached as an Exhibit to the ordinance.

JERRY A. & SHIRLEY C. STRANGE

6701 Convict Hill Road

From Interim "SF-2" to "GR" & "CS"

C14-84-265

Second and third readings. First reading on November 7, 1985. Councilmember Mark Rose absent. Conditions have been met as follows: Right-of-way on Convict Hill Rd. has been dedicated by street deed.

HUNTERWOOD ASSOCIATES,

409 E. William Cannon Drive

From "LO" to "MF-3"

By Vicki Brown C14r-86-114

Second and third readings. First reading on July 31, 1986. (7-0). Conditions have been met as follows: Development restricted to that shown on site plan attached as an Exhibit to the ordinance.

BRODIE BUNCH, LTD.

8611 Brodie Lane

From Interim "RR" to "LR", "GR" &

"SF-6"

By T.L. Irion C14r-85-280

Second reading. First reading on August 28, 1986, (4-3). Mayor Cooksey, Councilmember Shipman and Carl-Mitchell voted NO. Conditions have been met as follows: Development restricted to that shown on site plan attached as an Exhibit to the ordinance. Access easement agreement has been executed.

> 4-3 Vote, Councilmembers Shipman and Carl-Mitchell and Mayor Cooksey voted No.

CITY OF AUSTIN PARKS & RECREATION

6614 Blue Bluff & 7507 Decker Lane From "SF-3" to "CS-1" & "P"

DEPARTMENT C14-86-151

PASSED ON 12/17/86

Second and third readings. First reading on September 4, 1986, 7-0. Conditions have been met as follows: Lease amendment incorporating conditions imposed by Council has been executed.

**HEALTHVEST** By Dudley D. McCalla C814-86-030

1407 Stassney Lane

From Interim "SF-2"

to "PUD"

Second and third readings. First reading on December 4, 1986, (5-2) Mayor Pro Tem Trevino Jr. and Councilmember Humphrey voted No. No conditions to be met.

> 5-2 Vote, Councilmember Humphrey and Mayor Pro Tem Trevino voted No.

## Parkland Acquisition Program

Passed through second reading of the creation of a non-profit corporation for the purpose of developing and implementing a Parkland Acquisition Program; approving articles of incorporation; approving the initial bylaws thereof; and appointing the initial directors thereof. (The ordinance will be on the January 15, 1987 agenda for third and final reading.)
RECESS

Council recessed its meeting from 2:55 p.m. to 2:56 p.m. to conduct an Emergency Special Called Meeting.

#### OLD BUSINESS - RESOLUTIONS

The Council, on Councilmember Carl-Mitchell's motion, Council-member Urdy's second, adopted the following resolutions in one consent motion: (7-0 Vote)

## Approach Mains

Approved the following approach mains: NOTE: The amount of LUE's approved for wastewater commitment does not guarantee service in the event that the flows, to affected treatment plants exceed legally permitted flows, and does not imply commitment for land use.

- 1. 977 Southwest Summit Water
- 2. 978 Southwest Summit Wastewater
- 3. 979 Boston Point Water
- 4. 980 Boston Point Wastewater

Include on all the Water and Wastewater Commission; and Planning Commission recommendations.

## Interim Planning Board for the Homeless Program

Established an Interim Planning Board for the Homeless Program.

## Fire Station Projects

Authorized Eminent Domain Proceedings to acquire the following tracts of land for:

(1) R.M. 2222 and Loop 360 Fire Station Project.

Fee simple title to 4.9459 acres of land out of an 8.87 acre tract as recorded in Volume 856, Pages 3-6, Travis County, Texas. C.I.P. No. 85/83-06

Adopted a resolution approving acquisition of the leasehold interest in a 4.9459 acre tract of land for the RM 2222/Highway 360 fire station site.

## Fire Station Projects - (Continued)

Authorized Eminent Domain Proceedings to acquire the following tracts of land for:

- (1) Bee Caves Woods and Honey Tree Fire Station Project. Fee simple title to 1.542 acres of land out of Lot 5, Block G, Preliminary Plan of Treemont Subdivision, Phase E, Travis County, Texas. C.I.P. No. 85/83-01
- (2) Rain Creek Area Fire Station Project.

Fee simple title to 1.8 acres of land out of the James Coleman Survey 25, Great Hills Subdivision, Travis County, Texas. C.I.P. No. 85/83-07

## Capital Improvements Program

Authorized Eminent Domain Proceedings to acquire the following tract of land for the Braker Lane Street Improvement Project:

(1) 32,411 square feet out of Lot 14, Frank Stark Subdivision within the John C. Brooke Survey, Travis County, Texas. C.I.P. No. 82/62-15

#### ITEMS POSTPONED

Postponed to January 8, 1987 is consideration of a resolution approving a contract with Sargent & Lundy Engineers, for consultant services on the repowering potential of the Seaholm Power Plant in the amount of \$200,000.00.

Postponed to January 8, 1987 is consideration of entering into a contract with EBASCO SERVICES, INC. for engineering consultant services for the Power Plant Operation Study in the amount of \$104,000.00.

Postponed to January 8, 1987 is consideration of a resolution towenter into a contract to hire a legislative lobbyist for the City of Austin.

Postponed to January 8, 1987 is consideration of an ordinance approving the agreement concerning creation and operation of Senna Hills Municipal Utility District.

Postponed to January 15, 1987 is consideration of granting a Comprehensive Watersheds Ordinance waiver to the Steiner Ranch.

Postponed to January 15, 1987 is consideration of amending the Water and Wastewater Utility Service Area Amendment Ordinance No. 810820-B to include areas served by approved 1985 Water and Wastewater Revenue Bond Improvements.

Pulled from the agenda was consideration of acquiring the following for the purpose of Braker Lane right-of-way:

A 83,520 square foot tract situated in the John Applegate Survey.

Postponed to January 15, 1987 is consideration of awarding contracts for the Housing and Economic Development Fund sponsored by the 12th Year CDBG Program.

Postponed to January 8, 1987 is consideration of submittal of Texas Department of Health Operations Permit Application for Wasteto- Energy Project.

Postponed to January 15, 1987 is consideration of a resolution passed by the Electric Utility Commission on December 8, 1986, regarding calculation of January utility bills.

Postponed to January 15, 1987 is consideration of approval of an RFP to solicit professional services for the Civic Center Project and amend the previously adopted Civic Center District boundaries.

Postponed to January 15, 1987 at 5:00 p.m. is public hearing on an ordinance providing for the Subdivision of Duplexes and establishing zoning for subdivided duplexes.

Postponed to January 8, 1987 is zoning hearing on C14h-85-016, DAVIS-TURNER HOUSE at 909 East 12th Street

#### ITEM PREVIOUSLY APPROVED

A resolution approving the Memorandum of Understanding establishing the Center for Environmental Research was passed on December 17, 1986 at the Special Called Meeting.

#### CONSENT ORDINANCES

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (7-0 Vote)

## Speed Zones

Approved amending the Austin City Code to modify the following Speed Zones:

# a. Section 11-2-99(c) 25 mph

Add: Barton Hills Drive from Barton Skyway to Four Oaks Lane.

b. Section 11-2-100(a) 35 mph

Delete: Burleson Road from Parker Lane to Ben White Boulevard.

Add: Burleson Road from East Oltorf Street to E. Ben White Blvd.

c. Section 11-2-100(b) 40 mph

Add: Burleson Road from Montopolis Drive to U.S. Highway 183 South.

d. Section 11-2-100(a) 35 mph

Delete: Oltorf Street from Parker Lane to IH 35.

Section 11-2-100(a) 35 mph

Add: (1) East Oltorf Street from IH 35, South, to Pleasant Valley Road, South.

(2) West Oltorf Street from Lamar Boulevard South to Congress Avenue, South.

e. Section 11-2-100(b) 40 mph

Add: David Moore Drive from Slaughter Lane to 2000 feet south of Slaughter Lane.

f. Section 11-2-100(a) 35 mph

Add: Pleasant Valley Road, South from Button Bend Road to William Cannon Drive, East.

g. Section 11-2-100(a) 35 mph

Delete: Stassney Lane from Congress Avenue to Buffalo Pass.

Add: West Stassney Lane from South Congress Avenue to West Gate Boulevard.

h. Section 11-2-100 (b) 40 mph

Delete: R.M. 2222, Spur 69 from 32 feet west of Highland Hills Drive to the west City limits Station 421 + 94 (west of Dry Creek Drive).

Section 11-2-100(a) 35 mph

Add: R.M. 2222 from 32 feet west of Highland Hills Drive to 184.4 feet west of Highland Hills Circle (mile point 8.485).

## h. Section 11-2-100(b) 40 mph (continued)

Add: R.M. 2222 from 184.4 feet west of Highland Hills Circle (mile point 8.485) to 1525.92 feet east of Mount Bonnell road (mile point 7.602).

Section 11-2-100 (c) 45 mph

Add: R.M. 2222 from 1525.92 feet east of Mount Bonnell Road (mile point 7.602) to 2761.44 feet west of Mount Bonnell Road (mile point 6.790).

Add: R.M. 2222 from 3659.04 feet west of Mount Bonnell Road (mile point 6.620) to 4403.52 feet west of Mount Bonnell Road (mile point 6.309).

Add: R.M. 2222 from 1415.04 feet east of Lakewood Drive (mile point 5.748) to 1974.72 feet east of the west City limits (mile point 4.207).

Section 11-2-100(e) 55 mph

Add: R.M. 2222 from 1974.72 feet east of the West City limits (mile point 4.207) to the west City limits (mile point 3.833).

## i. Section 11-2-100(c) 45 mph

Delete: U.S. 183 (Research Boulevard) from north City limits (Station 51 + 76) to 730 feet west of Burnet Road (Station 299 + 75).

Section 11-2-100 (d) 50 mph

Delete: U.S. 183 (Research Boulevard) from 725 feet west of Peyton Gin Road to 500 feet west of Shoal Creek Boulevard.

Section 11-2-100(e) 55 mph

Delete: U.S. 183 (Research Boulevard) from 500 feet west of Shoal Creek Boulevard to north City limit (north of R.M. 620).

Add: U.S. 183 (Research Boulevard) from 725 feet west of Peyton Gin Road to the center of F.M. 1325 (Burnet Road).

Section 11-2-100(c) 45 mph

Add: U.S. 183 (Research Boulevard) from the Center Line of Burnet Road (mile point 5.353) to 2793.12 feet west of Burnet Road (mile point 4.824).

Section 11-2-100(d) 50 mph

Add: U.S. 183 (Research Boulevard) from 2793.12 feet west of Burnet Road (mile point 4.824) to 517.44 feet south of Anderson Mill Road (Mile point 28.442).

Section 11-2-100(c) 45 mph

Add: U.S. 183 (Research Boulevard) from 517.44 feet south of Anderson Mill Road (mile point 28.442) to 1325.28 feet north of the Center Line of R.M. 620 (mile point 26.700).

Section 11-2-100 (d) 50 mph

Add: U.S. 183 (Research Boulevard) from 1325.28 feet north of the Center Line of R.M. 620 (mile point 26.700) to 3204.96 feet north of the Center Line of R.M. 620 (mile point 26.344).

Section 11-2-100 (e) 55 mph

Add: U.S. 183 (Research Boulevard) from 3204.96 feet north of the Center Line of R.M. 620 (mile point 26.344) to 4540.8 feet north of the Center Line of R.M. 620 (mile point 26.091 City limit line).

## Zoning Ordinance

Approved amending Chapter 13-2 and 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes:

WALTER R. CARRINGTON C14-82-198

5113 South 1st Street From Interim "SF-3" to "LO"

Heard and granted May 2, 1985, (5-0) Conditions have been met as follows: Parkland has been dedicated.

#### CONSENT RESOLUTIONS

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, adopted the following resolutions in one consent motion: (7-0 Vote)

#### Release of Easements

Authorized release of the following easements:

a. Portions of the Electric and Telephone Easement of record in Volume 1034, page 802, of the Williamson County Deed Records and located on Los Indios, Phase A-1, Block "B", a subdivision of record in Cab. F at Slides 184-185, Williamson County, Texas. (Submitted by Terry Reynolds of Espey, Huston & Assoc. on behalf of their client Nash Phillips Copus)

- A portion of the drainage Easement on Lot 27, Block "J", Texas
   Caks Section 9. (Request submitted by Richard R. Ryan of Carlson
   Dippel Surveying Company on behalf of Bill Milburn, Inc.).
- C. A portion of the 10' Public Utility Easement on Lots 3 & 4, Block "S", Allandale Estates, Section Two and release of the License Agreement for the Encroachment of record in Volume 6637, Page 1251, of the Travis County Real Property Records, 8305-8307 Shoal Creek Boulevard. (Request submitted by Benjamin B. Turner, Jr. of Consort, Inc., on behalf of Tyrus F. Collins)
- d. A portion of the 10' Public Utility Easement with a centerline being the common boundary between Lots 51 and 52, Cardinal Hills Estate Unit #4. (Request submitted by Wm. Clarke Howard on behalf of Lot 51 & 52 Joint Venture)

## Eminent Domain

Authorized the filing of proceedings in Eminent Domain to acquire a tract of land in the Knowles Subdivision in Williamson County for right-of-way purposes.

Authorized Eminent Domain Proceedings to acquire the following described tract of land for a Permanent Drainage Easement and Temporary Workspace for the upgrade and maintenance of Waller Creek, South of East 1st Street:

a. 1,289 square feet of land out of and a part of Lot 7, Block 183, Original City of Austin, Travis County, Texas, according to a map or plat of said Original City of Austin on file in the General Land Office of the State of Texas.

Authorized Eminent Domain Proceedings to acquire in fee simple the following described tract of land for the West 35th/Jefferson Street Intersection Improvement Project:

a. 428 square feet of land out of the George W. Spear League, in the City of Austin, Travis County, Texas. (R.G. Mueller, owner)

# Braker Lane Right-of-Way

Approved acquisition of the following for the purpose of Braker Lane right-of-way:

a. A 26,495 square foot tract situated in the John Applegate Survey, Travis County, Texas, City of Austin, and being a portion out of a 5.00 acre tract of land conveyed to Benny L. Teas and sons by deed recorded in Volume 8532, Page 419 of the deed records of Travis County, Texas. C.I.P. No. 82/62-15.

## Contractual Agreements Cancelled

Authorized execution to cancel contractual agreements No. 8014-63 and 8014-1-69 with the State Department of Highways and Public Transportation, due to project consolidation.

## Govalle Branch Library

Authorized a lease with J.A.Z. Corp. for the Govalle Branch Library.

## Parmer Lane Improvements Project

Approved acquisition of right-of-way for the Parmer Lane Improvements Project. C.I.P. No. 81/62-06

#### Cameron Electric Substation

Approved purchase of 3.2795 acres of land out of the James P. Wallace Survey No. 57 for the proposed Cameron Electric Substation. C.I.P. No. 86/16-04.

## Change Orders

Approved the following change orders:

- a. In the amount of \$40,828.00 to Austin Road Company for the North Bluff, Phase II Paving and Drainage Project. (7.06% increase of original amount of \$578,648.00 total changes to date 14.62%) C.I.P. No. 78/62-32.
- b. In the amount of \$77,516.00 to Austin Power, Inc. for the Albert H. Ullrich Water Treatment Plant Expansion. (0.57% increase of the original amount of \$13,647,000.00 total changes to date 0.57%) C.I.P. No. 73/22-98.
- c. In the amount of \$54,679.00 to ENERGY PLANT CONSTRUCTORS, INC., for the South Austin Regional Wastewater Treatment Plant Expansion and Improvements Project. (0.632% increase of the original contract amount of \$8,657,190.00 total change orders to date represent an increase of 7.887%) C.I.P. No. 85/23-16
- d. In the amount of \$142,589.00 to ENERGY PLANT CONSTRUCTORS, INC., for the South Austin Regional Wastewater Treatment Plant Expansion and Improvements Project. (1.647% increase of the original contract amount of \$8,657,190.00 total changes to date 9.767%) C.I.P. No. 85/23-16
- e. In the amount of \$32,348.28 to PELZEL-HARRIS AND ASSOCIATES, INC., for Old Main Library Renovation, Phase III. 22.62% increase of the original contract amount of \$377,196.00) C.I.P. No. 75/85-02

## Contract

Approved a contract (RFP) with QEI, Inc. in the amount of \$192,947.00 for a Remote Terminal and Spare Parts. C.I.P. Nos. 81/16-02 & 79/16-05.

## Fayette Power Project

Authorized solicitation of proposals for the lease of certain oil and gas interests totalling approximately 640 acres at the Fayette Power Project.

## Contracts Approved

ASEA ELECTRIC, INC. c/o Len T. Deloney Company 1900 Mistywood Drive Austin, Texas

POWER ENTERPRISES, INC. 2704 Engineers Road Belle Chase, Louisiana

TRENCH ELECTRIC COMPANY c/o R. D. Erb Company, Inc. 5511 San Pedro Avenue San Antonio, Texas

GENERAL ELECTRIC COMPANY 1550 NE Loop 410, Ste. 206 San Antonio, Texas

POWER ENTERPRISES, INC. Box 6261 New Orleans, Louisiana

- CAPITAL IMPROVEMENTS PROGRAM Station Class Surge Arresters,
  Electric Utility Department
  Total \$143,685.00 C.I.P. Nos.
  86/16-20, 86/16-12, 81/16-02,
  85/16-02, 86/16-13, 86/16-11,
  86/16-10, 86/16-09, 85/16-18 &
  86/16-01
- CAPITAL IMPROVEMENTS PROGRAM Steel Structures, Electric Utility
  Department
  Total \$147,136.00 C.I.P. Nos.
  85/13-13, 86/13-13 & 85/13-07
- CAPITAL IMPROVEMENTS PROGRAM Coupling Capacitors and Line
  Traps, Electric Utility Department
  Total \$135,715.00 C.I.P. Nos.
  85/16-17, 86/16-15, 85/16-18,
  86/16-20 & 85/16-02
- CAPITAL IMPROVEMENTS PROGRAM Shunt Power Capacitor Banks,
  13.2KV, Electric Utility Department
  Item 1 \$69,962.00 C.I.P. No.
  86/16-02
- CAPITAL IMPROVEMENTS PROGRAM Fabricated Structural Steel, Electric Utility Department Total \$224,460.00 C.I.P. Nos. 81/16-02, 85/16-19, 86/16-20, 86/16-02, 86/16-05, 86/16-11, 85/16-20, 86/16-07 & 86/16-11

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USCO POWER EQUIPMENT CORPORATION 10900 Shady Trail Dallas, Texas - CAPITAL IMPROVEMENTS PROGRAM Outdoor Air Switches, 138KV &
345KV, Electric Utility Department
Items 1-6 - \$201,500.00 C.I.P.
Nos. 85/16-18, 85/16-02, 85/16-07,
81/16-02, 85/16-20, 86/16-13,
86/16-12 & 85/16-19

B & B LANDCLEARING COMPANY 1212 Old Bastrop Highway Austin, Texas - CAPITAL IMPROVEMENTS PROGRAM Installation of Underground
Electric Distribution Facilities
for the Carson Creek Substation,
Unit 4-5-6 Foundations and Ductline,
Electric Utility Department
Total \$28,775.20 C.I.P. No.
85/16-12

ELECTRIC UTILITY CONSTRUCTION CO. 5401 South Sheridan, Unit 202 Tulsa, Oklahoma

- CAPITAL IMPROVEMENTS PROGRAM Construction of Overhead Electric
Distribution Facilities for Peyton
Gin and Gailwood Drive 3 Phase
Reconductor, Electric Utility
Department
Total \$39,866.05 C.I.P. No.
87/14-02

WEST TEXAS SUN ELECTRIC SERVICES, INC. dba Sun Electric 1313 East 5th Street Austin, Texass CAPITAL IMPROVEMENTS PROGRAM Construction of Overhead Electric
Distribution Facilities for
Pleasant Lane to Fiskville
Substation 3 Phase Reconductor,
Electric Utility Department
Total \$56,866.30 C.I.P. No.
87/14-02

MIRANDA CONSTRUCTION COMPANY (MBE) - 5214 Burleson Road Austin, Texas

CAPITAL IMPROVEMENTS PROGRAM Construction of sidewalk and
sidewalk ramp improvements,
Phase II, Project 6, North Loop/
53rd Street, Public Works
Department
Total \$122,286.50 C.I.P. Nos.
86/61-03 & 83/22-04

CONSTAR CONSTRUCTION COMPANY 10104 FM 969 Austin, Texas - CAPITAL IMPROVEMENTS PROGRAM - Construction of Parker Lane retaining wall, Transportation and Public Services Department Total \$35,467.00 C.I.P. No. 85/60-70

ENGINEERING DESIGN GROUP. INC. 5800 East Skelly Drive, Ste. 600 Tulsa, Oklahoma

CAPITAL IMPROVEMENTS PROGRAM -Lift Station Telemetry System, Transportation and Public Services Department Total \$523,220.00 C.I.P. No. 85/23-25

MID-CHIO MARKINGS & TRAFFIC SIGNS, - 28" Traffic Cones, General INC. 51 Benedict Avenue Norwalk, Ohio

Services Department Twelve (12) Month Supply Agreement Item 1 - \$59,520.00 87-0004-PS

SOPHISTICATED BUSINESS SYSTEMS 1122 Melissa Lane Garland, Texas

Direct Entry Offense Reporting System Implementation, Police Department Total \$287,000.00 86-5581-LI

EAGLE SIGNAL CONTROL COMPUTER 8004 Cameron Road Austin, Texas

CAPITAL IMPROVEMENTS PROGRAM -Traffic Control Computer, Transportation & Public Services Department Total \$377,907.00 C.I.P. No. 86/88-03

# Thunder Basin Coal Company

Confirmed approval of a Contract Amendment with Thunder Basin Coal Company for accelerated coal deliveries to avoid a price increase and for supplying up to 121,500 tons of additional "spot" coal to the Fayette Power Project during December, 1986.

## License Agreements

Approved entering into the following License Agreement: (6-0 VOTE, COUNCILMEMBER ROSE ABSTAINED)

a. To allow encroachment of landscaping, irrigation and lighting into the public right-of-way of Congress Avenue (100 Block) West 1st Street (100 Block) and West 2nd Street (100 Block) and the encroachment of a handicap ramp and steps into the Colorado Street Alley right-of-way (100 Block). (Request submitted by Mr. Kevin A. Fleming on behalf of Lincoln Property Company.)

## Approach Mains

Approved the following approach mains:

NOTE: The amount of LUE's approved for wastewater commitment does not guarantee service in the event that the flows to affected treatment plants exceed legally permitted flows, and does not imply commitment for land use. (Water and Wastewater Commission recommends approval)

These approach mains were approved per staff, Water and Waste-water and Planning Commission requirements.

- a. 647 Harper Tract Water
- b. 919 Southwest 67 Water
- c. 925 Insurance Company of America Tr. Wastewater (Cost participation)
- d. 1109 Harper Park Wastewater
- e. 1134 Broaddus Tract Water
- f. 1135 Broaddus Tract Wastewater
- g. 1143 Southeast Subdivisions Water
- h. 1192 Omni Business Park Wastewater
- i. 1203 Yates 169-Acre Tract Water
- j. 1204 Yates 169-Acre Tract Wastewater

## CDBG Emergency Repairs Program

Approved contract award for the Emergency Repairs Consultation Services program sponsored by the 12th Year CDBG Program.

## Contract Renewed

Approved renewing the contract with Dr. David Tobey and Associates for the period of October 1, 1986 to September 30, 1987.

## Street Banner

Authorized a banner welcoming the 70th Session of the Legislature for 11th Street.

## Public Hearings Set

Set public hearings on the following:

- a. Providing a site specific waiver from the requirements of Part 5(2) of Ordinance 861106-J to permit the dedication of an easement for construction of Southwest Parkway:

  January 15, 1987 at 6:30 p.m.
- b. Rescinding the denial of the request for a zoning change for property located at 2658-2712 Capital of Texas Highway South, to wit: The Barton Creek Office Park PUD, which request was denied on the 4th day of December, 1986: January 29, 1987 at 4:00 p.m.

## Zoning Oversight Committee

Approved extending the terms of the Zoning Oversight Committee  $\checkmark$  for one additional year and reappointing existing members.

#### INAUGURAL PARADE

The Council, on Councilmember Rose's motion, Councilmember Humphrey's second, approved waiving the fees for the Inaugural Parade to be held January 20, 1987. (7-0 Vote)

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#### FOREIGN TRADE ZONE IN AUSTIN

Councilmember Rose introduced an item to Council to consider a resolution to create a Foreign Trade Zone in Austin. Council agreed to refer the concept to the Economic Development Commission for study as soon as possible.

## PAY EQUITY TASK FORCE RESOLUTION

Councilmember Shipman introduced an item to Council in the form of a resolution amending the Pay Equity Task Force Resolution to allow for expanded membership. She said the Task Force should include personnel professionals in the private sector and asked that the item be posted on the January 8, 1987 agenda.

## PUBLIC HEARING - ZONING - OLD BUSINESS

Mayor Cooksey announced Council would hear the following zoning case scheduled under Old Business. Council heard, closed the public hearing and passed through FIRST READING ONLY of an ordinance granting as follows, on Councilmember Humphrey's motion, Mayor Cooksey's second, 4-2-1 Vote, Councilmembers Carl-Mitchell and Shipman voted NO, Mayor Pro Tem Trevino abstained.

-86 LEXINGTON
188 DEVELOPMENT CO.

(North Travis County MUDs 1,2,3) By Robert A. Moorman 9700-10100 U.S. 290 East

8600-9500, 5700-6500 Boyce Lane 9700-1200 Giles Road 5200-5700 Cameron Rd.

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From "DR"
To "SF-2", "SF-4",

"SF-6", "MF-2",
"MF-3", "IR",
"GR", "IO", "GO",
"LI", "IP", "P"
"RR"

RECOMMENDED "SF-2",
"SF-4", "SF-6", "MF-2",
"MF-3", "IR", "GR",
"GO", "IO", "LI", "IP",

& "P", (Table III),
subject to staff recommendations excepting
conditions 1, 2, & 3
(these will be addressed
in consent agreement);
tracts A-5 and A-8 in
consent agreement);
tracts A-5 and A-8 shall

not be restricted against retail use; and subject to the consent agreement provisions for the T.I.A. to determine cost participation for roadway improvements.

FIRST READING

Approved Planning Commission recommendation, C1 and C22 zoned "SF-2"; and A5 and A8 restricted against retail use.

#### **EXECUTIVE SESSION**

Mayor Cooksey announced Council would go into Executive Session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated to discuss matters of land acquisition, litigation and for personnel matters. No official action of the City Council will be taken on any of these matters unless such item is specifically listed on the agenda.

- 1. Pending Litigation Section 2, paragraph e
  - (a) Coastal Corporation et al v. Valero et al
  - (b) Northwest M.U.D.s
- 2. Land Acquisition Section 2, paragraph f.
  - (a) Municipal Office Complex Lease Consolidation

#### RECESS

Council recessed for executive session at 4:20 p.m. and resumed its recessed meeting at 8:04 p.m.

## ZONING ORDINANCES

Council had before them for approval two zoning ordinances dealing with WSLA Development Corporation; and zoning ordinances for Robert J. Wilson, WREK Venture and HRGM; as well as a resolution to consider approving in form and substance a phasing agreement to satisfy traffic concerns for Maconda Park contingent on Council approval of zoning.

Motion

Councilmember Carl-Mitchell stated, "This will be a motion on Items Dic (2) and (3); and E6-b,c & d; and F.24 which is a resolution for Maconda Park which they agreed to the traffic phasing agreement which is contingent on approval of the zoning. I think that they are zoned "DR" now. The agreement is as in our back-up packet

with the approval of the zoning conditioned on the amendment of each phasing agreement to provide for an agreement between the owners, the City, and the Southwest Williamson County Road District Number 1 which shall address the development of necessary roadway improvements in the event the District is unable to fund such improvements and will specifically provide for the use of letters of credit or other forms of participation by the landowner.

"The specific amendments are: In Section 3.03 of the Pecan Park Phasing Agreement, that's amended by adding a new sub paragraph h. and other agreements are amended by adding a paragraph 5.i. to read, 'Not withstanding any provision herein to the contrary, the provisions of this paragraph agreement are of no force or in effect unless and until there has been an executed tripartite agreement between the owner, the City and the District which provides for development of necessary roadway improvements in the event the District is unable to fund such improvements and which specifically addresses the ability of the City to call the letters of credit."

Martin Camp, representing WSLA Development, told Council, "At the time of the second reading of the zoning ordinance there was an issue about whether on two of the sites that are adjacent to the neighborhood we would have a requirement that the City Council actually approve the site plan as opposed to just the normal administration process that would be subject to appeal. There was some ambiguity in the Council's action at first. Mrs. Shipman had requested that the site plan approval by the City Council, which we had agreed to, but because of confusion staff wanted a clarification that the City did not want the City Council to approve the sites other than the two which are next to the neighborhood. I would like the record to reflect that the motion includes the City Council reviews the two sites adjacent to the Anderson Mill Neighborhood Association and the other sites have to go through the site plan approval process that is normally administrative and only if appealed." Councilmember Carl-Mitchell said that was his understanding at the time. Councilmember Shipman agreed.

## Second to the Motion

Councilmember Humphrey seconded the motion which included the following:

WSLA DEVELOPMENT CORP. 10500, 10600, 10602 From "SF-2" to By Thomas J. Ellis 10704,10706,10900 "GR" & "CH" Cl4r-86-118 Pecan Park Road

Third reading only. Second reading on November 6, 1986, (5-0). Mayor Frank C. Cooksey and Councilmember Smoot Carl-Mitchell absent. Conditions to be met as follows: Development restricted to that shown on site plan attached as Exhibit to the ordinance and restrictive covenant incorporating conditions imposed by Council has been executed. Right-of-way on R.M. 620 North and U.S. Highway 183 North has been dedicated by street deeds.

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WSLA DEVELOPMENT CORP. By Thomas J. Ellis C14r-86-119 10501-12701 Pecan Park Road From "SF-2" & "DR" to "GR" & "GO"

Third reading only. Second reading on November 6, 1986, (5-0). Mayor Frank C. Cooksey and Councilmember Smoot Carl-Mitchell absent. Conditions to be met as follows: Development restricted to that shown on site plan attached as Exhibit to the ordinance and restrictive covenant incorporating conditions imposed by Council has been executed. Right-of-way on R.M. 620 North and U.S. Highway 183 North has been dedicated by street deeds.

ROBERT J. WILSON By Miguel Guerrero C14r-85-360 13945 U.S. Hwy. 183 13128 & 13224 RM From Interim "RR"
& "SF-2" to "CH",
"GR", "MF-6",
"IO" & "CH-PDA"

Heard and granted June 5, 1986, (5-2). Councilmembers Sally Shipman and George Humphrey voted "NO". Conditions have been met as follows: Restrictive covenant incorporating conditions imposed by Council has been executed. PDA Agreement has been executed. Development restricted to that shown on site plan attached as an Exhibit to ordinance.

WREK VENTURE
By Mauro, Wendler
& Sheets
Cl4r-85-392

14073 U.S. Hwy. 183

From Interim "RR" to "CH", "GR" & "GO"

Peard and granted June 5, 1986 (6-0). Councilmember Charles Urdy out of room at roll call. Conditions have been met as follows: Phasing Agreement has been executed. Restrictive covenant incorporating conditions imposed by Council has been executed. Right-of-way on Lakeline Boulevard and U.S. 183 has been conveyed by street deed.

HRGM By Anne Wynne C14r-85-366 (85-022) 14021-14071 Hwy. 183

From Interim "RR"
to "CH", "GO",
"IR", "IP", "GR"
& "MF-3"

Heard and granted April 10, 1986, (6-1). Councilmember George Humphrey voted "NO". Conditions have been met as follows: Phasing Agreement has been executed. Restrictive covenant incorporating conditions imposed by Council has been executed. And the following resolution:

Adopted a resolution approving in form and substance a phasing agreement to satisfy traffic concerns for Maconda Park contingent on Council approval of zoning.

## Roll Call on Motion for all Items

5-0 Vote, Councilmember Rose and Mayor Pro Tem Trevino out of the room.

#### LATER IN THE DAY:

## Motion-to-Reconsider

Later in the day Councilmember Carl-Mitchell made a motion to reconsider, seconded by Councilmember Rose, which bpassed by a vote of 7-0.

## Motion

Councilmember Carl-Mitchell made the same motion as on pages 17-20 with the addition that participants require drainage improvements. The motion was seconded by Councilmember Rose and passed by a vote of 7-0.

#### APPEAL TO COUNCIL

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, set a public hearing for January 22, 1987 at 7:00 p.m. on the request of Mr. Billy R. Patterson's appeal of the Electrical Board's denial to re-instate his master electrician's license. (4-0 Vote, Mayor Pro Tem Trevino, Councilmembers Rose and Urdy out of the room.)

## PROTOTYPICAL FIRE STATION

The Council, on Councilmember Rose's motion, Councilmember Urdy's second, adopted a resolution approving the selection of professional architectural services in connection with planning, design and construction of the Rain Creek Parkway and Lost Horizon Boulevard Prototypical Fire Station. C.I.P. No. 85/83-07. (7-0 Vote)

#### CAPITAL IMPROVEMENTS PROGRAM

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, adopted a resolution to approve the transfer of \$5,000,000.00 out of current revenue to Gas Turbine Generating Units (SN 85/12-04). (7-0 Vote)

## MUNICIPAL OFFICE COMPLEX LEASE CONSOLIDATION

The Council, on Councilmember Urdy's motion, Councilmember Rose's second, approved consolidating the City's leased office space and selected Republic Plaza for the negotiations of either a lease or a lease/purchase agreement and instructed staff to start those negotiations. (6-1 Vote, Councilmember Shipman voted No.)

Councilmember Shipman stated, "I'm going to vote against the motions because philosophically I do not support purchasing a building and calling it City Hall and the numbers I have seen regarding a short-term lease are marginal at best for any consolidation."

## FEBRUARY 7, 1987 BOND ELECTION

Council had before them an ordinance to establish propositions in the form of a ballot for the February 7, 1987 bond election.

Dick Stanford, Coordinator of Friends for Mueller Airport, asked Council to include airport improvements on the ballot for the bond election. He said this should not be delayed.

Frank Wright asked for clarification of the motion, and was told it had not yet been made.

Councilmember Urdy said he would make the motion and said, "This is with reference to the affordable housing bond election set for February 7th. I understand we do not have all of the precinct judges at this point and so we cannot pass the ordinance but we can make the necessary decisions and number one is how many propositions we can have and so the motion is:

#### Motion

Councilmember Urdy made a motion to have two propositions with the first proposition being for infrastructure and real estate development, real estate acquisition, infrastructure development for affordable housing, and proposition number two would be for remodeling, reconstruction of publicly owned dwellings and new construction of affordable housing. Attached to those propositions would be some bond covenants. Mayor Pro Tem Trevino seconded the motion which passed by a vote of 7-0 with the following propositions and covenant:

#### PROPOSITION NUMBER 1

"THE ISSUANCE OF \$7,500,000 TAX SUPPORTED GENERAL OBLIGATION BONDS
FOR THE ACQUISITION OF REAL PROPERTY AND INSTALLATION OF STREETS,
UTILITIES AND OTHER IMPROVEMENTS NECESSARY FOR DWELLING ACCOMMODATIONS
FOR LOW INCOME PERSONS."

## PROPOSITION NUMBER 2

"THE ISSUANCE OF \$15,000,000 TAX SUPPORTED GENERAL OBLIGATION BONDS FOR THE CONSTRUCTION OF AFFORDABLE HOUSING FOR LOW INCOME PERSONS AND THE RECONSTRUCTION, ALTERATION, IMPROVEMENT AND REPAIR OF PUBLICLY OWNED AND CONTROLLED DWELLING ACCOMMODATIONS FOR LOW INCOME PERSONS."

PART 3. Propositions 1 and 2, above, being in relation to the provision of affordable housing, the City Council pledges and covenants with the voters of the City of Austin that in the event said propositions are approved by the voters, the program developed to expend the funds to be derived from the issuance and sale of said bonds shall be designed to:

- (a) assure that most of the funds are used to provide housing benefitting very low income households in the City;
- (b) place substantial emphasis on rental housing in the initial stages of the program to meet the needs of the lowest income residents, while also providing opportunities for homeownership to those meeting established minimum criteria;
- (c) place substantial emphasis upon providing housing in existing neighborhoods, while also including programs to improve existing public housing and opportunities for using public funds to encourage private investment in affordable housing;
- (d) provide citizens with meaningful opportunities to participate in the decision-making and implementation processes of local housing development; and
- (e) limit administrative and overhead costs to the fullest extent practicable, consistent with sound management practices.

The City Council further pledges and covenants that substantially all proceeds, and income earned from the proceeds, and all repayments of any loans made from the proceeds shall be used to provide housing for households with income below eighty percent (80%) of the Austin median family income.

A substitute motion had been made by Councilmember Carl-Mitchell and seconded by Councilmember Shipman to add language designating 80% of the sums to 60% of the people below medium income. Motion failed by a vote of 3-4 with Councilmembers Rose, Urdy, Mayor Pro Tem Trevino and Councilmember Humphrey voting No.

After the vote on the substitute motion, Councilmember Urdy stated: "I want to mention, in connection with the discussion on that (substitute motion) I think when we come back in January, and we won't pass the ordinance formally until then, I want to ask the staff to bring back the guidelines we use for these programs in trying to reach those goals we expressed....if we can bring those to present it will clarify better what I was trying to say...."

#### TOURISM AND CONVENTION SERVICES

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, adopted a resolution approving a contract with Fellers, Lacy and Gaddis for Tourism and Convention Services for the City of Austin, as recommended by staff. (6-0 Vote, Councilmember Rose out of the room.)

#### EMPLOYEE BENEFITS MANAGEMENT SYSTEM CONTRACT

Mayor Cooksey introduced an item for discussion concerning Employee Benefits Management System Contract.

City Manager Carrasco told Council there were three options:
1. Void contract and start over, precluding the Coordinated Benefits
System; 2. Reject the protest and proceed with Coordinated Benefits
System; 3. Limit contract with Coordinated Benefits System to one year
and then start over. Mr. Carrasco said his recommendation would be to
exercise the 90 day cancellation clause for Coordinated Benefits
System and preclude them from future RFP's.

Mr. Bill Bingham, representing Life Insurance Company of the Southwest, said he agreed with the recommendation of the City Manager.

Martin Camp, representing Coordinated Benefit Systems, told Council Mr. DiFiore had not taken advantage of the situation and he said if the City Manager's recommendation is followed then that would be telling his client to give up everything he had done in order to manage the City's benefit system contract.

Discussion followed, and the concensus of opinion was that the Councilmembers and the Mayor did not agree with City Manager Carrasco's recommendation. City Manager Carrasco said his recommendation was an effort to balance between two area's of vendors.

#### Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Humphrey's second, approved staying with Coordinated Benefits Systems

one year and then go through with another RFP. (7-0 Vote)

NORTHWEST M.U.D.'s

Mayor Cooksey referred to the item concerning Northwest MUD's which had been discussed during Executive Session. He asked for a City Manager Report on the subject at the January 15, 1987 Council Meeting.

#### ADIRONDACK CONDOMINIUMS

The Council, on Councilmember Carl-Mitchell's motion, Council-member Rose's second, passed through second and third readings of a Comprehensive Watersheds Ordinance waiver for Adirondack Condominiums. (6-1 Vote, Mayor Cooksey voted No.)

## ACTION CONTINUED

Council was to take action on the following, but voted to continue the discussion until January 15, 1987 at 1:30 p.m., on Councilmember Shipman's motion, Councilmember Rose's second. (7-0 Vote)

STEPHEN A. GREENBERG By Kathryn E, Allen C14-86-154 1512 Eva Street

From "SF-3"
To "NO"
NOT RECOMMEDED

#### GREINER AUSTIN TEAM FOR MUELLER AIRPORT

Council had before them for consideration a resolution to consider accepting and approving design work of the interim site recommendation of the Greiner Austin Team for Facility Development Option (FDO) 6b at Robert Mueller Airport and authorization to distribute RFP for alternate airport site study update and evaluation to accommodate Austin area long term aviation demand.

## Motion

The Council, on Councilmember Carl-Mitchell's motion, Council-member Rose's second, adopted a resolution to authorize issuance of the RFP. (5-0 Vote, Councilmembers Shipman and Humphrey out of the room). Balance of resolution will be on the January 8, 1987 agenda.

#### ZONING ORDINANCE

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, passed through SECOND READING of an ordinance amending Chapter 13-2 and 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes: (5-0 Vote, Councilmembers Rose and Urdy out of the room.)

STANLEY J. WILLIAMS, INTEREST By John M. Joseph C14r-86-187 13700-13800 Research Boulevard (U.S. Highway 183) From "SF-2" to "GR"

Second and third readings. First reading on November 13, 1986, (6-0). Councilmember Charles Urdy out of room at roll call. Conditions have been met as follows: Maintain sidewalks along Pecan Drive and North Lake Creek Parkway. Require phasing in of the site in accordance with the lakeline agreement approved by City Council. The posting of fiscal for signalization and roadway improvements will be addressed by the phasing agreement. Decide at the time of subdivision approval, the future intersection alignment of Pecan Drive and Hymeadow Drive, and waive the requirement to close the driveways closest to U.S. Highway 183 on Pecan Drive and North Lake Creek Parkway. This item is posted 72 hours in advance of the meeting.

#### OPERATING BUDGET AMENDMENT

The Council, on Councilmember Shipman's motion, Councilmember Rose's second, waived the requirement for three readings and finally passed an ordinance amending the 1986-87 Operating Budget by reappropriating \$1,124,022.00 in carry-over funds from the Water and Wastewater Operations Fund; and \$6,591,972.00 in carry-over funds from the Electric Utility Operating Fund in order to fund purchases and contracts intended to have been contracted for during FY 1985-86, minus \$10,000.00 for annual report. (6-0 Vote, Councilmember Humphrey out of the room.)

## DISANNEXATION

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, waived the requirement for three readings and finally passed an ordinance approving disannexation of that portion of the F.M. 1826 Corridor in Hays County. C7ad-86-014. (6-0 Vote, Councilmember Humphrey out of the room.)

## LANDTASK, INC.

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, adopted a resolution approving a contract for professional services for outside land acquisition to Landtask, Inc. in the amount up to \$100,000.00. (5-0 Vote, Councilmembers Humphrey and Rose out of the room.)

#### CONTRACT APPROVED

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, adopted a resolution approving the following contract: (6-0 Vote, Councilmember Humphrey out of the room)

SOPHISTICATED BUSINESS SYSTEMS 1122 Melissa Lane Garland, Texas

- Direct Entry Offense Reporting System Implementation, Police Department Total \$287,000.00 86-5581-LI

#### MANAGEMENT INFORMATION SYSTEM AT BRACKENRIDGE HOSPITAL

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, adopted a resolution approving conversion of Management Information System at Brackenridge Hospital by:

- Authorizing the City Manager to renegotiate Arthur Anderson and Co. engagement terms to provide additional professional services to Brackenridge Hospital. (Such additional services not to exceed \$560,000.00 plus expenses)
- b. Authorizing the City Manager to renegotiate the SMS contract to provide additional professional services to Brackenridge Hospital. (Such additional services not to exceed \$495,000.00 plus expenses.)

#### APPOINTMENTS

The Council, on Councilmember Shipman's motion, Councilmember Rose's second, approved the following appointments: (6-0 Vote, Councilmember Humphrey out of the room)

Board of Directors, Austin Convention & Visitors Bureau
Ron Payner, Austin Marriott at the Capital, General Manager; Nick Ghawi, La Mansion
Hotel, General Manager; Cathy Haller, Stephen F. Austin Hotel, Sales Director;
Marilyn Monroe, President, TSAE; Fred A. Hanna, Alexander's Headliners East,
President; Juan Patillo, Tramex Travel, President.

## Citizens Committee on State Lands

David Frederick, Dr. Stan Friedman, Dr. Gail Gemberling, Katina Hanna, Dr. Jonathan Markley, Bo McCarver, James Pinedo and Angelo Zottarelli

#### PUBLIC HEARING INDEFINITELY POSTPONED

Postponed indefinitely at the request of the applicant is the 7:00 publichearing on creation of the Bear Creek at Austin MUD.

## SITE PLAN APPROVAL

The Council, on Councilmember Shipman's motion, Councilmember Rose's second, approved the following site plan: (6-0 Vote, Councilmember Humphrey out of the room.)

-84 REV. A.D. 213 EVERHART

EVERHART
By Jimmy Nassour

6100-6300 South

1st Street

Site Plan approval for Tract A as approved by City Council. with APPROVED WITH LANDSCAPING

#### ADJOURNMENT

Council adjourned its meeting at 12:40 A.m. on December 19, 1986.