



Austin City Council MINUTES

MARCH 24, 1994 - 1:00 P.M.

Mayor Todd called to order the meeting of the Council, noting the absence of Mayor Pro Tem Nofziger.

MINUTES APPROVED

1. Approval of Minutes for Regular Meeting of March 17, 1994 and Special Meetings of March 16 (1:30 p.m.) and 17, 1994 (10:00 a.m.)

Approved on Councilmember Garcia's motion, Councilmember Shea's second, 4-0 vote, Councilmember Reynolds out of the room, Mayor Pro Tem Nofziger absent.

CITIZEN COMMUNICATIONS: GENERAL

2. Ms. Venola Schmidt, to oppose the sale of Brackenridge Hospital.
3. Mr. Michael Clark, to discuss traffic and crowd control in neighborhood during U.I.L. basketball tournament.
4. Mr. Brent White, to discuss "Even with the 'environmental' Council, students have no friends. The Council supports the continued disenfranchisement of students via May elections".
5. Mr. Greg Powell, to discuss Brackenridge issues.
6. Mrs. Carol Guthrie, to discuss City issues.
7. Mr. Ron Bartels, to present the 1993 Legislative Reports to the Council and to thank the City of Austin and the Council for support of Texas Industries for the Blind and Handicapped.
8. Mr. Richard Trachtenberg, to discuss telecommunication issues.
9. Mr. John Johnson, to address Council.
10. Mr. Leonard Lyons, to discuss the Mayor's P.I.O. Department: 17 FTEs and \$600,000.00 per year, to pour coffee, serve cookies and make copies.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

11. Approve Supplemental Amendment No. 1 with PARSONS BRINCKERHOFF CONSTRUCTION SERVICES, INC., Austin, Texas, for Phase II - Design Services, and Initial Phase III - Construction Management Services, as part of the Program Management Support Services Professional Services Agreement for the redevelopment of Bergstrom as Austin's new airport, in the amount of \$6,500,000 for a total contract amount of \$10,000,000. [Funding was included in the 1993-94 Capital Budget for the Aviation

Department; the project is eligible for 75% reimbursement of eligible costs from the Federal Aviation Administration (FAA)]. DBE Subcontractor participation 20%; 12.5% MBE, 7.5% WBE. (Recommended by Airport Advisory Board)

Approve authorization of negotiation of supplemental amendment No. 1 on Councilmember Shea's motion, Councilmember Garcia's second, 5-0 vote, Mayor Pro Tem Nofziger absent.

ORDINANCES

12. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 1106 Toyath Street, Case No. C14H-93-0010, from "SF-3", Family Residence to "SF-3-H", Family Residence-Historic, LAWSON HOUSE (Christopher Thomas), First reading on February 3, 1994; Vote 6-0.
ORDINANCE NO. 940324-A
13. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 4108 Speedway, Case No. C14H-93-0020, from "MF-4", Multifamily Residence (moderate-high density) to "MF-4-H", Multifamily Residence (moderate-high density), BAILEY-NEWGREN HOUSE, by John H. and Martha B. Campbell. First reading on February 3, 1994; Vote 6-0.
ORDINANCE NO. 940324-B
14. Approve issuance by River Place Municipal Utility District of Unlimited Tax and Revenue (District) Bonds Series 1994, in an amount not to exceed \$3,900,000; approving the terms, conditions and covenants of the Bond Resolution, Notice of Sale, Bid Instructions, Form of Bid and the Preliminary Official Statement. (No direct fiscal impact; the City is not obligated for payment on District Bonds until annexation and dissolution of the District.) [Recommended by Water and Wastewater Commission]

ORDINANCE NO. 940324-C with deletion of "closing on the" on line 10 and line 12 of Part 1.
15. Amend Chapter 18-2, Article I of the Austin City Code of 1992 (Pretreatment and Monitoring Program) by providing revised definitions, pretreatment, monitoring and reporting requirements, revised local limits for discharge or prohibited waste, revised procedures for wastewater discharge permits, and revised procedures and penalties for enforcement of pretreatment and monitoring requirements to accord with federal law requirements. (No fiscal impact) [Recommended by Water and Wastewater Commission]
ORDINANCE NO. 940324-D
16. Authorize acceptance of a \$10,000 donation from the Austin Community Foundation CGA East Austin Youth Classic Fund for enlargement of the basketball court at Alamo Park located at 2100 Alamo Street to regulation size; amend Ordinance No. 930915-A, the 1993-94 Capital budget by appropriating \$10,000 for the Parks and Recreation Department Alamo Park Basketball Court. (Recommended by Planning Commission)
ORDINANCE NO. 940324-E

17. Approve issuance of free lifetime swim passes for Barton Springs Pool to Mrs. Sterling S. Speake and Mrs. Tibb Burnet. (Recommended by Parks Board)
DELETED FROM AGENDA
18. Deny an 8.8% electric rate increase as requested by Pedernales Cooperative, Inc.
ORDINANCE NO. 940324-F

RESOLUTIONS

19. Approve negotiation and execution of a twelve (12) month service agreement with SILVIA KENIG (MBE), Austin, Texas, to provide Spanish language interpreter and translation services for Municipal Court, in an amount not to exceed \$74,988, with two (2) twelve (12) month extension options, in an amount not to exceed \$74,988 per extension, for a total amount not to exceed \$224,964. [Funding for an estimated \$37,494 is available in the 1993-94 operating budget for Municipal Court; funding for the final six (6) months of the original contract period 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.

Brackenridge Hospital (Items 20-23)

20. Approve execution of a contract with AGFA DIVISION MILES, INC., Wilmington, Massachusetts, for the purchase of three (3) x-ray film daylight multiloader/processors for use in the Radiology Department to develop, fix, wash and dry automatically and continuously film exposed for medical purposes, in an amount not to exceed \$213,696. (Funding is available in the 1993-94 operating budget of Brackenridge Hospital.) Low bid of four (4) meeting specifications. No M/WBE Subcontracting opportunities were identified. (Recommended by Hospital Board)
21. Approve selection of a twelve (12) month supply agreement with AGFA DIVISION MILES, INC., Irving, Texas, for x-ray film, screens, and cassettes for use by the Radiology Department to record images during diagnostic radiological procedures, in an amount not to exceed \$335,074.96, including an option to extend thereafter for up to two (2) additional twelve (12) month periods, in an amount not to exceed \$355,179.46 for the first extension, and not to exceed \$376,490.23 for the second estimated \$147,617 is available in the 1993-94 operating budget of Brackenridge Hospital; \$7,100.64 is available in the 1993-94 operating budget of the Health and Human Services Department; \$12,819.84 is available in the 1993-94 operating budget for the Federally Qualified Health Center Fund; funding for the final six (6) months of the original contract period and the extension options is contingent upon availability of funding in future budgets.] Low bid of six (6) meeting specifications. No M/WBE Subcontracting opportunities were identified. (Recommended by Hospital Board)

22. Approve a construction contract award to C. YOUNG AND COMPANY, INC., Austin, Texas, for renovation of a portion of the existing Imaging Services and Emergency Room departments to accommodate the installation of a previously purchased computed tomography scanner and two (2) radiographic scanners, in the amount of \$459,000. (Funding is available in the 1993-94 amended Capital Budget for Brackenridge Hospital.) Low bid of two (2). 9.1% MBE, 3.4% WBE Subcontractor participation. (Recommended by Hospital Board)

Item 12-22 approved on Councilmember Garcia's motion, Councilmember Reynolds' second, 5-0 vote, Mayor Pro Tem Nofziger absent.

23. Approve execution of a twelve (12) month supply agreement with BAXTER HOSPITAL SUPPLY, San Antonio, Texas, for EKG back pads, in an amount not to exceed \$37,116, including an option to extend thereafter for up to two (2) additional twelve (12) month periods, in an amount not to exceed \$37,116 per extension, for a total amount not to exceed \$111,348. (Funding for \$18,558 is available in the 1993-94 operating budget of Brackenridge Hospital; funding for the final six (6) months of the original contract period and the extension options is contingent upon availability of funding in future budgets.) Low bid of three (3). No M/WBE Subcontracting opportunities were identified.

Councilmember Shea made a motion to postpone for two weeks, Mayor postponed after no opposition from Councilmembers.

24. Approve execution of a twelve (12) month supply agreement with BOISE CASCADE OFFICE PRODUCTS, Austin, Texas, for office paper for use by all City departments, in an amount not to exceed \$239,183.57, with two (2) twelve (12) month extension options, in an amount not to exceed \$239,183.57 per extension, for a total amount not to exceed \$717,550.71. (Funding for an estimated \$119,591.76 is available in the 1993-94 operating budgets of user departments; funding in the amount of \$119,591 for the extension options is contingent upon availability of funding in
25. Approve execution of a twelve (12) month supply agreement with AIRCO GASES, Houston, Texas, for the purchase of approximately 2,596 tons of liquid carbon dioxide for use in the treatment of drinking water, in an amount not to exceed \$132,396, with two (2) twelve (12) month extension options, in an amount not to exceed \$132,396 per extension, for a total amount not to exceed \$397,188. [Funding for an estimated \$55,165 is available in the 1993-94 operating budget for the Water and Wastewater Utility; funding for the final five (5) months of the original contract and the extension options is contingent upon availability of funding in future budgets.] Low bid of five (5). No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)
26. Approve execution of a contract with POWERSCREEN OF TEXAS, LaGrange, Texas, for the purchase of a mobile trommel screen and conveyer used in the production of Dillo Dirt, in an amount not to exceed \$135,000. (Funding was included in the 1991-92 and 1992-93 Capital Budgets of the Water and Wastewater Utility.) Low bid of three (3). No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)

27. Authorize negotiation and execution of an Agreement with Springwoods MUD and REG Enterprises, Inc., to provide terms and conditions for temporary pass-through wastewater service to the Timberwood Subdivision. (Cost of connection to be paid by customer. The Water and Wastewater Utility will receive annual wastewater revenue of approximately \$22,800 based on current rates and full buildout of the subdivision.) [Recommended by Water and Wastewater Commission]
DELETED FROM AGENDA
28. Authorize negotiation and execution of an Agreement with Anderson Mill MUD and SLC Holdings, Ltd., for temporary out-of-district utility service to 40.959 acre subdivision known as Balcones Greene. (The Water and Wastewater Utility will collect wholesale revenue in the amount of \$80 per month) [Recommended by Water and Wastewater Commission]
29. Approve execution of the following contracts through the State of Texas Cooperative Purchasing Program for the purchase of various types of trucks, utility vehicles, sedans, vans and cab and chassis with the following: HENDRIX GMC, Austin, Texas, in the amount of \$978,894 for 75 units; SOUTHWAY FORD, INC., San Antonio, Texas, in the amount of \$277,764 for 18 units; McMORRIS DOWNTOWN FORD, Austin, Texas, in the amount of \$88,275 for 6 units; BILL MUNDAY PONTIAC, INC., Austin, Texas, in the amount of \$58,745 for 5 units; WICKERSHAM FORD L-M, INC., Orange, Texas, in the amount of \$134,031 for 7 units; KNAPP CHEVROLET, INC., Houston, Texas, in the amount of \$104,893.74 for 7 units; MAXWELL CHRYSLER PLYMOUTH DODGE, Austin, Texas, in the amount of \$154,359 for 10 units, for a total amount of \$1,796,961.74. (Funding is included in the 1993-94 Fleet Acquisition Fund; the 1993-94 Capital Budget for Parks and Recreation Golf, and various operating budgets of City departments.)
30. Approve execution of a contract with SMEAL FIRE APPARATUS, Snyder, Nebraska, for the purchase of one (1) custom built 100 ft. ladder, tandem axle fire truck, in the amount of \$489,443.70. ((Funding was included in the 1993-94 Capital Budget for the Fire Department.) Low bid of five (5). No M/WBE Subcontracting opportunities were identified.

Item 24-30 approved on Councilmember Garcia's motion, Councilmember Reynolds' second, 5-0 vote, Mayor Pro Tem Nofziger absent.

31. Approve selection of FACILITIES PROGRAMMING AND CONSULTING AND FROMBERG ASSOCIATES, INC., Austin, Texas, to provide programming and planning phase services for a new City Hall, in an estimated maximum fee of \$50,000. [Funding was included in the 1993-94 Capital Budget of the Department of Public Works and Transportation Capital Improvement Project (New City Hall Plan)]. Best proposal of ten (10). 10% MBE, 5% WBE Subcontractor participation.

Approved on Councilmember Garcia's motion, Councilmember Shea's second, 4-0-1 vote, Councilmember Goodman abstained, Mayor Pro Tem Nofziger absent.

32. Authorize negotiation and execution of Phase II of a four phase professional services agreement with RADIAN CORPORATION, Austin, Texas, for additional environmental engineering and testing services for the Mabel Davis Park Landfill Site Assessment and Remediation Project, in the amount of \$212,000, for a total contract amount of \$365,951. (Funding was included in the 1993-94 Capital Budget of the Solid Waste Services Fund.) 20.94% MBE, 10.36% WBE Subcontractor participation.

Postponed for two weeks

33. Approve a construction contract award to H.B. TRAVIS CONSTRUCTORS, INC., Georgetown, Texas, for accessibility improvements to the Municipal Court Building in compliance with the Americans with Disabilities Act, in the amount of \$68,599. (Funding was included in the 1993-94 Capital Budget for the Department of Public Works and Transportation). Low bid of two (2). 11.20% MBE, 8.78% WBE Subcontractor participation.

Item 32-33 approved on Councilmember Garcia's motion, Councilmember Reynolds' second, 5-0 vote, Mayor Pro Tem Nofziger absent.

34. Approve execution of a twelve (12) month service agreement with BURNUP & SIMS OF TEXAS, Austin, Texas, for underground transmission and distribution construction and maintenance, in an amount not to exceed \$9,449,563, with the option to extend for two (2) additional twelve (12) month periods, in an amount not to exceed \$9,449,563 per extension, for a total amount not to exceed \$28,348,689. [Funding in the amount of \$9,149,563 was included in the 1993-94 Capital Budget for the Electric utility; funding in the amount of \$150,000 is available in the 1993-94 operating budget for the Electric Utility Department; funding for the final six (6) months of the original contract period (\$50,000) and the extension options is contingent upon availability of funding in future budgets]. Single bid. 10% MBE, 5% WBE Subcontractor participation.

Approved on Councilmember Garcia's motion, Councilmember Goodman's second, 5-0 vote, Mayor Pro Tem Nofziger absent.

35. Approve execution of a contract award to POOL AND ROGERS PAVING COMPANY, INC., Buda, Texas, for pavement maintenance of Parking Lot "D" at Robert Mueller Airport, in the amount of \$288,292. (Funding was included in the 1993-94 Capital Budget for Aviation). Low bid of three (3). 8.81% MBE, 11.02% WBE Subcontractor participation.
36. Approve selection of MARTINEZ AND WRIGHT ENGINEERS, INC., (MBE), Austin, Texas, for negotiation and execution of a contract to provide professional engineering services for the East terminal apron and overnight pad pavement evaluation and rehabilitation at Robert Mueller Airport, in the amount of \$160,000. (Funding was included in the 1993-94 Capital Budget for Aviation). Best qualification statement of six (6). 10% MBE, 6% WBE Subcontractor participation. (Reviewed by Aviation Advisory Board)
37. Set a public hearing to adopt height limitations and airport hazard area ordinances for the New Austin Airport at Bergstrom. (Suggested date and time: April 21, 1994 at 5:00 p.m.)

38. Set a public hearing to adopt a compatible land use ordinance for the New Austin Airport at Bergstrom. (Suggested date and time: April 21, 1994 at 5:00 p.m.)

Item 35-38 approved on Councilmember Garcia's motion, Councilmember Reynolds' second, 5-0 vote, Mayor Pro Tem Nofziger absent.

ITEMS FROM COUNCIL

39. Approve a resolution directing the City Manager to provide a six-month update to the City Council on the status of the contract between the City of Austin, Travis County and PCA health Plans of Texas, Inc., and that subsequent updates be provided at six-month intervals. (Councilmember Gus Garcia)

Approved on Councilmember Garcia's motion, Councilmember Shea's second, 4-0 vote, Councilmember Reynolds out of the room, Mayor Pro Tem Nofziger absent.

40. Approve a resolution recognizing the merits of the Drug Abuse Resistance Education (D.A.R.E.) Program in our schools and a continuing commitment to the program. (Mayor Bruce Todd)

Approved on Councilmember Garcia's motion, Councilmember Reynolds' second, 5-0 vote, Mayor Pro Tem Nofziger absent.

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

41. C14-73-073 - PETER B. HALL, by Elizabeth W. Juen, Area bounded by U.S. Hwy. 183, Rutherford Lane, Centre Park Drive. RESTRICTIVE COVENANT TERMINATION. Planning Commission Recommendation: To approve request to terminate the restrictive covenant.
42. C8s-86-007 - J & W BURNS, EADS & HILL, by Urban Design (Laura Toups), Manchaca Road and Berkley Avenue. RESTRICTIVE COVENANT TERMINATION Planning Commission Recommendation: To Approve request to terminate the restrictive covenant.
43. C14-94-0003 - MV WALNUT CREEK, LTD. (Rick Marcellin), by The Faust Group (William Faust), U.S. Hwy. 290 & E. U.S. Hwy. 183. From I-RR to LI. Planning Commission Recommendation: To Grant RR, Rural Residence, for that area determined to be within the boundaries of the 100-year floodplain of Buttercup Creek, IP, Industrial Park for area north of the creek, and LI-CO, Limited Industrial-Conditional Overlay, with the provisions of the overlay limiting floor-to-area ratios (FARS) and/or square footages as follows: (1) Basic Industry - 0.0886 FAR or 218,385 sq. ft.; (2) Custom and/or Light Manufacturing - 0.210 FAR or 518,310 sq. ft.; (3) Convenience Storage - 0.296 FAR or 729,400 sq. ft.; (4) Limited Warehousing and Distribution - 0.183 FAR or 450,200 sq. ft.; (5) General Retail Sales (General) and (Convenience) - 13,269 sq. ft.; (6) Restaurant (Drive-in; Fast Food) - 3,163 sq. ft.; (7) Restaurant (General) - 9,735 sq. ft.; (8) Food Sales - 11,359 sq. ft.; (9) Financial Services - 11,500 sq. ft.; (10) prohibit access to Sansom Road; (11) prohibition of any use engaged in storage of,

or manufacturing processes utilizing, flammable or explosive materials on the tracts bordering Sansom Road; (12) prohibit access to Ferguson Road for Lot 159; and (13) 100 feet of undisturbed buffer for lots on Sansom Road; and (5) compliance with an Integrated Pest Management Program (restrictive covenant).
POSTPONE FOR TWO WEEKS

44. C14-94-0004 - MV WALNUT CREEK, LTD. (Rick Marcellin), by The Faust Group (William Faust), E. U.S. Hwy. 290 & E. U.S. Hwy. 183. From I-RR to LI. Planning Commission Recommendation: To Grant LI, Limited Industrial Services, subject to compliance with an Integrated Pest Management Program (restrictive covenant).
ORDINANCE FOR 1ST READING ONLY
45. C14-94-0005 - MV WALNUT CREEK, LTD. (Rick Marcellin), by The Faust Group (William Faust), E. U.S. Hwy. 290 & E. U.S. Hwy. 183. From I-RR to LI. Planning Commission Recommendation: To Grant LI-CO, Limited Industrial Services-Conditional Overlay, subject to limitations in the floor-to-area ratios (FARS) as follows: General Retail Sales (General and Convenience) - 0.083 FAR or 13,269 sq. ft.; Restaurant (Drive-in; Fast Food) - 0.0198 FAR or 3,163 sq. ft.; Restaurant (General) - 0.061 FAR or 9,735 sq. ft.; Food Sales - 0.0706 FAR or 11,259 sq. ft.; and Financial Services - 0.0721 FAR or 11,500 sq. ft. Further subject to compliance with an Integrated Pest Management Program (restrictive covenant).
ORDINANCE FOR 1ST READING ONLY
46. C14-94-0006 - MV WALNUT CREEK, LTD. (Rick Marcellin), by The Faust Group (William Faust), E. U.S. Hwy. 290 & E. U.S. Hwy. 183. From I-RR to LI. Planning Commission Recommendation: To Grant LI-CO, Limited Industrial Services-Conditional Overlay, subject to the following: (1) limiting floor-to-area ratios (FARS), as follows: Basic Industry - 0.606 FAR or 218,385 sq. ft., General Retail Sales (general and convenience) - 0.0368 FAR or 13,269 sq. ft., Restaurant (drive-in, fast-food) - 0.00878 FAR or 3,163 sq. ft., Restaurant (general) - 0.0270 FAR or 9,735 sq. ft., Food Sales - 0.0312 FAR or 11,259 sq. ft., Financial Services - 0.032 FAR or 11,500 sq. ft.; (2) Access limited to Wall Street and east/west section of Rundberg/Ferguson Lanes; (3) Prohibition of any use engaged in storage of, or manufacturing processes utilizing flammable or explosive materials; (4) Compliance with IP, Industrial Park, development regulations; (5) Compliance with the Integrated Pest Management Program (restrictive covenant); (6) Allow Automotive Wash as an accessory to a principle use; and (7) prohibit the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, Equipment Repair Services, Equipment Sales, Kennels, Scrap & Salvage, Vehicle Storage, Veterinary Services, Congregate Living, Transitional Homes, Monument Retail Sales, Service Station, and Resource Extraction.
ORDINANCE FOR 1ST READING ONLY with the deletion of Congregate Living and Transitional Home.
47. C14-94-0007 - MV WALNUT CREEK, LTD. (Rick Marcellin), by The Faust Group (William Faust), E. U.S. Hwy. 290 & E. U.S. Hwy. 183. From I-RR to LI. Planning Commission Recommendation: To Grant LI-CO, Limited Industrial-Conditional Overlay, zoning, with the provisions of the overlay limiting the floor-to-area ratios (FARS) and/or square footages as follows: (1) Basic Industry - 0.1465 FAR or 218,385 sq. ft.; (2) Custom and/or Light Manufacturing - 0.348 FAR or 518,310 sq. ft.; (3) Convenience Storage - 0.489 FAR or 729,400 sq. ft.; (4) Limited Warehousing and Distribution - 0.302 FAR or 450,200 sq. ft.; (5) Medical Offices - 0.0393 FAR or 58,530 sq. ft.; (6) General Retail Sales (General and Convenience)

13,269 sq. ft.; (7) Restaurant (Drive-in; Fast Food) - 3,163 sq. ft.; (8) Restaurant (General) - 9,735 sq. ft.; (9) Food Sales - 11,259 sq. ft.; (10) Financial Services - 11,500 sq. ft. Further subject to compliance with an Integrated Pest Management Program (restrictive covenant).

ORDINANCE FOR 1ST READING ONLY

48. C14-94-0008 - ROBERTSON, STEPHENS & CO., by The Faust Group (W. M. Faust), 1212 E. Anderson Lane. From CS to LI. Planning Commission Recommendation: To Grant LI, Limited Industrial Services, subject to a restrictive covenant indicating that the applicant will comply with an Integrated Pest Management Program.
ORDINANCE NO. 940324-G
49. C14-94-0011 - T. K. GOLF INC. (Ted Honda), by Strasburger & Price, L.L.P. (Richard Suttle), 13609 N. IH-35 Service Road NB. From SF-2 to CS-1. Planning Commission Recommendation: To Grant CS-1, Commercial Liquor Sales, subject to compliance with an Integrated Pest Management Program.
ORDINANCE FOR 1ST READING ONLY
50. C14-94-0013 - TEXAS INDUSTRIES, INC. (Barry M. Bone), by Brown McCarroll & Oaks Hartline (Jerry L. Harris), 10114 Jollyville Road. From SF-2 to GR. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay, zoning subject to limiting the square footage for the following uses: (1) Restaurant (general/limited) - 9,700 sq. ft.; (2) Restaurant (fast food) - 2,600 sq. ft.; (3) General Retail (general/convenience) - 13,200 sq. ft.; and (4) Food Sales - 2,700 sq. ft. Further subject to compliance with an Integrated Pest Management Program (restrictive covenant).
ORDINANCE NO. 940324-H
51. C14-94-0024 - COMMERCIAL SQUARE (John Felter), by David Weiss, 7910 Burleson Road. From IP to LI.
PLANNING COMMISSION RECOMMENDATION: To grant LI-CO subject to compliance with an Integrated Pest Management Program.
ORDINANCE NO. 940324-I
52. C14-94-0033 - NORA B. WISE, TRUSTEE, 1201 West 45th Street. From SF-3 to LO-MU.
PLANNING COMMISSION RECOMMENDATION: To grant LO-MU-CO subject to conditions
ORDINANCE NO. 940324-J

Item 41-52 approved Councilmember Goodman's motion, Councilmember Garcia's second, 5-0 vote, Mayor Pro Tem Nofziger absent.

PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

53. 4:30 P.M. - Appeal by Mr. Dan Molina and Mr. Dan Pike of the Planning Commission's decision to approve a Hill Country Roadway site plan for the Twin Rock Apartments, 7700 Capital of Texas Highway North.

Speaker cards on file in the City Clerk's Office.

Close public hearing on Councilmember Garcia's motion, Councilmember Shea's second, 5-0 vote, Mayor Pro Tem Nofziger absent.

Postpone until April 7, 1994, at 5:45 p.m. on Councilmember Shea's motion, Councilmember Goodman's second, 5-0 vote, Mayor Pro Tem Nofziger absent.

Close public hearing on Councilmember Garcia's motion, Councilmember Shea's second, 5-0 vote, Mayor Pro Tem Nofziger absent.

Postpone until April 7, 1994, at 5:45 p.m. or until Council gets the analysis with how it compares with the CVO, the water quality monitoring data, the legal interpretation of what is taking place and what is not taking place, what future potential legal litigation that we may be subject to, and the exact path that the council can take and possible variables; on Councilmember Shea's motion, Councilmember Goodman's second, 5-0 vote, Mayor Pro Tem Nofziger absent.

54. 5:00 P.M. - Public Hearing to review Austin CableVision's basic service rate and related equipment installation charges.

Speaker cards on file in the City Clerk's Office.

Close public hearing on Councilmember Shea's motion, Councilmember Reynolds' second, 5-0 vote, Mayor Pro Tem Nofziger absent.

55. 5:30 P.M. - Public Hearing to amend Section 10-5-2 (Noise Ordinance) of the City Code by adding a 30' distance criteria to the current regulations set forth in Section 10-5-2(G). (Councilmembers Gus Garcia and Ronney Reynolds, and Mayor Bruce Todd)
Speaker cards on file in the City Clerk's Office.

Close public hearing on Councilmember Garcia's motion, Councilmember REynolds' second, 4-0 vote, Councilmember Goodman out of the room, Mayor Pro Tem Nofziger absent.

EXECUTIVE SESSION

Council held executive session 2:45 to 3:45 P.M. for discussion on Items 56-59.

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

56. Discuss litigation status of Pelzel & Associates Inc. v. City of Austin; Cause No. 93-14549 (Travis County) and seek legal advice on issues related to the St. Elmo Vehicle Maintenance Facility.
57. Discuss Downtown land acquisition.
58. Seek legal advice about proposed settlement of City's claim regarding Burnup & Sims' performance under a previous contract.

59. Seek advice of City Attorney regarding contract audits performed by Corley & Company, P.C.

ACTION ON THE FOLLOWING

60. Authorize settlement of the City's claim against Burnup & Sims.

Approved the amount of \$121,683.93 on Councilmember Garcia's motion, Councilmember Goodman's second, 5-0 vote, Mayor Pro Tem Nofziger absent.

61. Authorize settlement of a claim filed by Corley & Co. related to a contract for services with the City.

Approved the amount of \$109,770.00 on Councilmember Garcia's motion, Councilmember Goodman's second, 5-0 vote, Mayor Pro Tem Nofziger absent.

62. Approve Change Order #14 to PELZEL & ASSOCIATES, INC., for storage and delivery costs, contractor's extended overhead costs and construction changes for the St. Elmo Vehicle Maintenance Facility.

Approved the amount of \$85,906.36 on Councilmember Garcia's motion, Councilmember Goodman's second, 5-0 vote, Mayor Pro Tem Nofziger absent.

ADDENDUM

63. APPOINTMENTS

URBAN TRANSPORTATION COMMISSION - 3

Postponed

ADJOURN at 8:35 p.m. on Councilmember Garcia's motion, Councilmember Shea's second, 4-0 vote, Councilmember Goodman out of the room, Mayor Pro Tem Nofziger absent.

The Council recessed from 6:40 until 7:10 p.m. on Councilmember Reynolds' motion, Councilmember Shea's second, 5-0 vote, Mayor Pro Tem Nofziger absent.

1. The first thing that I noticed when I stepped out of the plane was the cold air.

It was a sharp contrast to the warm, humid air of the tropics. I shivered as I pulled my coat closer.

The landscape was a vast, flat expanse of snow, stretching as far as the eye could see.

I had heard that the winter in the north was harsh, but I didn't realize it would be this cold.

The snow was deep and soft, making it difficult to walk. I had to be careful not to slip.

The sun was low in the sky, casting a pale, yellowish light over the scene. It felt like a warm blanket in the cold.

I had never experienced anything like this before. It was a completely new world.

It was a beautiful sight, but also a little scary.

I had never seen so much snow before.

The snow was everywhere, covering everything in a thick blanket. It was like a white world.

I had heard that the winter was the best time to visit, but I didn't realize it would be this cold.

I had never experienced anything like this before. It was a completely new world.