



## Austin City Council MINUTES

APRIL 21, 1994 - 1:00 P.M.

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

### MINUTES APPROVED

1. Approval of Minutes for Special Meeting of April 13 & 14, 1994, and Regular Meeting of April 14, 1994.  
Approved on Councilmember Garcia's motion, Councilmember Reynolds' second, 5-0 vote, Councilmember Goodman absent.

### CITIZEN COMMUNICATIONS: GENERAL

2. Mr. John W. Lewis, to discuss proposed campaign reform.
3. Mr. Mike Workman, to discuss support of charter proposition #1 to create neighborhood election districts.
4. Mr. John Johnson, to speak to the citizens of Austin.
5. Mr. Roger Baker, to discuss three more good reasons to fire Boss Todd.
6. Mr. Richard Trachtenberg, to discuss current city issues.
7. Ms. Mary Robinson, to discuss funding of Connections Resource Center.
8. Mr. Leonard Lyons, to discuss new Convention Center Audit, Brackenridge Hospital, and how long will Todd hold up wide distribution before election.
9. Ms. Linda Ruiz, to discuss child care issues.
10. Mr. Bill Jackson, to discuss the South Texas Nuclear Project.

### ITEMS CONTINUED FROM PREVIOUS MEETINGS

#### Balcones Canyonlands Conservation Plan (BCCP) (Items 11-12)

11. Approve authorization to prepare an application for funding from the Statewide Transportation Enhancement Program provided for by the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) to acquire land in east and west Austin for the protection of scenic viewsheds. (No fiscal impact.)

Approved on Councilmember Garcia's motion, Councilmember Shea's second, 5-0 vote, Councilmember Goodman absent.

12. Approve authorization to prepare and submit a Public Sector 10(a) Balcones Canyonlands Conservation Plan (BCCP) in cooperation with Travis County and the Lower Colorado River Authority to the U.S. Fish and Wildlife Service covering the participants Capital Improvements Programming mitigation for endangered species; authorize negotiation and execution of an Interlocal Agreement with Travis County and the Lower Colorado River Authority for implementation of the BCCP.

Approved on Councilmember Shea's motion, Councilmember Garcia's second, 5-0 vote, Councilmember Goodman absent.

#### ORDINANCES

13. Approve third reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 2701 and 2801 Century Park Blvd., Case no. C14-92-0108, from IP, Industrial Park to MF-3, Multi-family Residence (medium density) AUSTIN CENTURY PARK, LTD. (Ralph Reed), by Brown, McCarrol & Oaks, Hartline (Henry Gilmore). First reading on December 3, 1992, vote: 6-0-1 (Council Member Reynolds abstained - the applicant was Franklin Federal Bancorp). Second reading on April 7, 1994; vote 5-0-1 Councilmember Reynolds abstained. Conditions to be met: a conditional overlay incorporates conditions imposed by Council. Ordinance No. 940421-A

14. Approve third reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 3001 and 3201 Century Park Blvd., and 13502 Elm Ridge Lane, Case no. C14-92-0109, from IP, Industrial Park to MF-3, Multi-family Residence (medium density) AUSTIN CENTURY PARK, LTD. (Ralph Reed), Brown, McCarrol & Oaks, Hartline (Henry Gilmore). First reading on December 3, 1992, vote 6-0-1 (Council Member Reynolds abstained - the applicant was Franklin Federal Bancorp). Second reading on April 7, 1994; vote 5-0-1 Councilmember Reynolds abstained. Conditions to be met: a conditional overlay incorporates conditions imposed by Council. Ordinance No. 940421-B

Item 13-14 approved on Councilmember Shea's motion, Councilmember Garcia's second, 4-0-1 vote, Councilmember Reynolds abstaining and Councilmember Goodman absent.

#### Towing Regulations (Items 15-17)

15. Amend Chapter 8-14 of the Code of the City of Austin, 1992 as amended, by revising Article VI entitled Towing Regulation that regulates all towing movements within the City of Austin. (No fiscal impact) Ordinance No. 940421-C
16. Establish the maximum fees which may be charged by towing business permit holders, pursuant to Chapter 8-14 of the City Code for the City of Austin, 1992, as amended, for the towing and impoundment of vehicles, and for the services rendered in response to collisions. (No fiscal impact) Ordinance No. 940421-D

17. Authorize towing permit fees to be charged by the City of Austin in connection with Article VI of Chapter 8-14 of the City Code for the City of Austin, 1992, as amended, concerning towing regulations. (Estimated revenue to the 1993-94 General Fund is \$6,804).

Ordinance No. 940421-E

Item 15-17 approved on Councilmember Shea's motion, Councilmember Garcia's second, 5-0 vote, Councilmember Goodman absent.

18. Amend Ordinance 930915-A, the 1993-94 General Fund Operating Budget, by appropriating \$100,000 to the Health & Human Services Department, Social Services Fund, to fund an adolescent violence and drug abuse prevention project. (Funding is available in the 1993-94 General Fund unreserved ending balance.) [Recommended by Community Action Network] (Related to Item 21)

Approved 1st reading only on Councilmember Reynolds' motion, Councilmember Garcia's second, 4-1 vote, Mayor Pro Tem Nofziger voted NO, Councilmember Goodman absent.

19. Amend Ordinance No. 930915-A, the 1993-94 General Fund operating budget, by reducing the appropriation for Reappropriation of Departmental Savings by \$154,768 and increasing the appropriation for the Department of Planning and Development operating budget by \$154,768 to fund professional services related to downtown development projects. (Funding is available in the 1993-94 General Fund.) [Related to Item 20]

Formal protest filed. Postponed one week.

#### RESOLUTIONS

20. Approve negotiation and execution of a two (2) year contract with KEYSER MARSTON ASSOCIATES, INC., San Francisco, California, for professional services related to downtown development, in an estimated amount not to exceed \$184,000, with the option to extend for three (3) twelve (12) month periods in an amount not to exceed \$150,000 per extension, for a total amount not to exceed \$634,000. (Funding is available in the 1993-94 operating budget of the Department of Planning and Development; funding for the extension options is contingent upon available funding in future budgets.) Best proposal of fifteen (15). 10.6% MBE, 5.4% WBE Subcontractor participation. (Related to Item 19)  
Postponed one week.

21. Approve the negotiation and execution of a twelve (12) month contract with GREATER CALVARY RITES OF PASSAGE, INC., Austin, Texas, for the provision of adolescent violence and drug abuse prevention program services, in an amount not to exceed \$100,000. (Funding is available in the 1993-94 Health and Human Services Department Social Services Budget.) Best proposal of four (4). No M/WBE Subcontracting opportunities were identified. (Recommended by Community Action Network) (Related to Item 18)

Approved on Councilmember Reynolds' motion, Councilmember Garcia's second, 4-1 vote, Mayor Pro Tem Nofziger voted NO, Councilmember Goodman absent.

22. Approve the execution of a contract with AMERICAN TELEPHONE & TELEGRAPH CORPORATION (AT & T), Austin, Texas, to upgrade the existing PBX Telephone Switch for the South Austin Health Clinic, in an amount not to exceed \$53,987. (Funding was included in the 1993-94 Capital budget of the Health and Human Services Department.) Sole Source. No M/WBE Subcontracting opportunities were identified.
23. Approve negotiation and execution of a seven (7) year lease with One Commodore, Inc., for 7,498 net usable square foot lease at One Commodore Plaza, 800 Brazos, for use as office space for the Office of Minority Business Affairs, in the amount of \$739,079.04. (No fiscal impact for 93-94; funding for the remainder of the contract is contingent on availability of funding in future budgets.)

Item 22-23 approved on Councilmember Shea's motion, Councilmember Garcia's second, 5-0 vote, Councilmember Goodman absent.

#### ITEMS FROM COUNCIL

24. Set public hearings to consider the full purpose annexation of the Stenis tract and adjacent property comprising approximately 90 acres of land at Loop 360 and Spicewood Springs Road. (Suggested dates and times: May 12, 1994 and May 19, 1994 at 5:00 p.m.) [Councilmember Brigid Shea]

Approved on Councilmember Shea's motion, Councilmember Reynolds' second, 4-0 vote, Mayor Todd out of the room, Councilmember Goodman absent.

#### 3:00 P.M. - ELECTRIC UTILITY (Items 25-46)

25. Electric Utility Commission Report - Jim Cash, Chair  
Report presented by Merle Moden
26. Resource Management Commission Report - Glenn Crow, Chair  
Report presented by Glenn Crow
27. Monthly Management Report
28. Approve the execution of a contract with AUS-TEX PLUMBING, HEATING AND AIR CONDITIONING, INC., Pflugerville, Texas, for upgrade of the logic control rooms at Decker and Holly Power Plants by providing new air conditioning units, ducting and installation of equipment, in the amount of \$138,795. (Funding was included in the 1993-94 Capital budget of the Electric Utility Department.) Single bid. 21.41% MBE, 2.28% WBE Subcontractor participation.
29. Approve execution of a contract with HOUSTON DYNAMIC SERVICE, INC., Houston, Texas, for the repair and refurbishment of the spare boiler feed pump rotor element of the main boiler feed pump #4 at the Holly Power Plant, in the amount of \$49,370. (Funding is available in the 1993-94 operating budget of the Electric Utility Department.) Low bid of two (2) meeting specifications. No M/WBE Subcontracting opportunities were identified.

30. Approve the execution of a twelve (12) month supply agreement with TECHLINE, INC., Austin, Texas, for the purchase of steel traffic signal pole/mast assemblies, in an amount not to exceed \$391,600, with the option to extend for two (2) additional twelve (12) month periods, in an amount not to exceed \$391,600 per extension, for a total amount not to exceed \$1,174,800. (Funding in the amount of \$163,166 for the first five (5) months of the original contract period is available in the 1993-94 operating budget of the Electric Utility Department; funding for the final seven (7) months of the original contract period and the extension options is contingent upon available funding in future budgets.) Low bid of two (2) meeting specifications. No M/WBE Subcontracting opportunities were identified.
31. Approve execution of a contract with VALMONT INDUSTRIES, Tulsa, Oklahoma, for the purchase of fabricated galvanized structural steel for use in the construction of supports for electrical equipment and conductors at the new Ed Bluestein Substation, in the amount of \$142,824. (Funding was included in the 1993-94 Capital budget of the Electric Utility Department.) Low bid of four (4). No M/WBE Subcontracting opportunities were identified.
32. Approve execution of a twelve (12) month supply agreement with ANTHONY CRANE RENTAL OF TEXAS, Fort Worth, Texas, for the lease of boom trucks, in amount not to exceed \$450,000, with the option to extend for two (2) additional twelve (12) month periods in an amount not to exceed \$450,000 per extension, for a total amount not to exceed \$1,350,000. (Funding in the amount of \$39,584 is available in the 1993-94 operating budget of the Electric Utility Department; \$355,000 was included in the 1993-94 Capital budget of the Electric Utility Department; the remaining \$55,416 for the final seven (7) months of the original contract period and all extension options is contingent upon available funding in future budgets.) Low bid of three (3). No M/WBE Subcontracting opportunities were identified.
33. Approve execution of a contract with TECHLINE, Austin, Texas, for the purchase of galvanized steel transmission line conductor arms, in the amount of \$81,904.21. (Funding was included in the 1993-94 Capital budget of the Electric Utility Department.) Low bid of four (4). No M/WBE Subcontracting opportunities were identified.
34. Approve execution of a contract with CARROLL SYSTEMS, Pflugerville, Texas, for the purchase and installation of telecommunications cabling to provide communications pathways for the Decker Power Plant, in the amount of \$106,448. (Funding was included in the 1993-94 Capital budget of the Electric Utility Department.) Low bid of four (4). No M/WBE Subcontracting opportunities were identified.
35. Approve execution of a contract with WESTINGHOUSE ELECTRIC SUPPLY COMPANY, San Antonio, Texas, for the purchase of replacement parts for 345kV and 69kV circuit breakers, in the amount of \$202,103.83. (Funding was included in the 1993-94 operating budget of the Electric Utility Department.) Sole Source. No M/WBE Subcontracting opportunities were identified.
36. Approve modification to a contract with BARON USA, INC., Cookeville, Tennessee, for the purchase of an oil heating module to be used in conjunction with an oil purification system to process large power transformers, in the amount of \$54,125, for a total contract amount of \$394,125. (Funding was included in the 1993-94

Capital budget of the Electric Utility Department.) No M/WBE Subcontracting opportunities were identified.

37. Approve execution of a contract with THOMAS & BETTS CORPORATION, Memphis, Tennessee, for the purchase of galvanized steel transmission line structures used to extend new 138kv transmission lines from Decker, Switchyard and Kingsbery Substations to the proposed Ed Bluestein Substation, in the amount of \$244,532. (Funding was included in the 1993-94 Capital budget of the Electric Utility Department.) Low bid of three (3). No M/WBE Subcontracting opportunities were identified.
38. Approve execution of a contract with LONGHORN INTERNATIONAL EQUIPMENT, INC., Austin, Texas, for the purchase of one (1) 56,000 lb. Gross Vehicle Weight Ratio (GVWR) truck/tractor used to transport transmission poles, transformers and other heavy electrical hardware, in the amount of \$73,530. (Funding was included in the 1993-94 Capital budget of the Electric Utility Department.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified.
39. Approve execution of a contract with HI-TECH PUMP & CRANE, INC., Houston, Texas, for the purchase of one (1) 55 foot and one (1) 65 foot aerial tower trucks used in the construction and maintenance of street lighting systems, in an amount not to exceed \$230,356. (Funding was included in the 1993-94 Capital budget of the Electric Utility Department.) Low bid of four (4). No M/WBE Subcontracting opportunities were identified.  
Pulled
40. Approve execution of a contract with CAPITAL TWO-WAY COMMUNICATIONS, INC., Austin, Texas, for the purchase of seventy-one (71) portable two-way Radios for use by Field personnel, in an amount not to exceed \$68,728. (Funding was included in the 1993-94 Capital budget for the Electric Utility Department.) Low bid of three (3). No M/WBE Subcontracting opportunities were identified.
41. Approve execution of a contract with SCHNEIDER NA/SQUARE D, Clearwater, Florida, for the purchase of five (5) live-tank circuit breakers and accessories to protect equipment and transmission lines from damage caused by electrical currents, in the amount of \$1,006,710. (Funding was included in the 1993-94 Capital budget of the Electric Utility Department.) Low bid of five (5). No M/WBE Subcontracting opportunities were identified.
42. Approve execution of a one (1) year Interlocal Agreement with the TEXAS PARKS AND WILDLIFE DEPARTMENT, Austin, Texas, for hydrilla control at Walter E. Long Lake, in an amount not to exceed \$50,000; with an option to extend the contract for four (4) one (1) year periods in an amount not to exceed \$50,000 per extension, for a total amount of \$250,000. (Funding in the amount of \$20,833 is available in the 1993-94 operating budget of the Electric Utility Department; funding for the final five (5) months of the original contract period and the extension options is contingent upon available funding in future budgets.)
43. Approve the execution of a twelve (12) month service agreement with SPOTLESS CLEANING, INC. (MBE), Austin, Texas, for janitorial services at Town Lake Center, 721 Barton Springs Road, in the amount of \$82,260, with the option to extend for

two (2) twelve (12) month periods in the amount of \$82,260 per extension, for a total contract amount of \$246,780. [Funding in the amount of \$27,420 is available in the 1993-94 operating budget of the Electric Utility Department; funding for the final eight (8) months of the original contract period and the extension options is contingent upon available funding in future budgets.] Low bid of eight (8) meeting specifications. No M/WBE Subcontracting opportunities were identified.

44. Approve the execution of a twelve (12) month supply agreement with GRAYBAR ELECTRIC, Austin, Texas, for the purchase of PVC conduit, in an amount not to exceed \$96,487, with the option to extend for one (1) twelve (12) month period in the amount of \$96,487, for a total amount of \$192,974. [Funding in the amount of \$40,203 is available in the 1993-94 operating budget of the Electric Utility Department; funding for the final seven (7) months of the original contract period and the extension options is contingent upon available funding in future budgets.] Low bid of five (5). No M/WBE Subcontracting opportunities were identified.
45. Express the City's intent to reimburse eligible costs for purchase of computer based distributed control systems for power plant equipment and associated services, and maintenance of these control systems from the Foxboro Company, Foxboro, Massachusetts, in an amount not to exceed \$18,000,000. (Funding to be provided through debt issuance to be sold in future years.) [Related to Item 46]
46. Approve a ten (10) year purchase contract with THE FOXBORO COMPANY, Foxboro, Massachusetts, for the purchase of computer based distributed control systems for power plant equipment and associated services, and maintenance of these control systems, in an amount not to exceed \$18,000,000. (The amount of the contract for the initial City projects is an amount not to exceed \$3,312,000. Funding was included in the 1993-94 Capital budget of the Electric Utility Department. Funding for future City projects in subsequent years under this contract is subject to available funding in future budgets.) [Related to Item 45]

Energy Conservation (Items 47-59)

47. Approve the issuance of a Letter of Intent and a rebate in the amount of \$125,240 to the Great Hills Village Apartments, 10050 Great Hills Trail, for the installation of high efficiency heat pump air conditioning equipment. (Funding is available in the 1993-94 operating budget of the Conservation Rebates and Incentives Fund.)
48. Approve the issuance of a Letter of Intent and a rebate in the amount of \$79,845.75 to the Cherry Creek Duplexes, 5510 Fernview, for the installation of high efficiency heating and air conditioning equipment, attic insulation and solar screens. (Funding in the amount of \$73,745.75 is available in the 1993-94 operating budget of the Conservation Rebates and Incentives Fund, and \$6,100 is available in the 1993-94 operating budget of the Environmental and Conservation Services Fund.)
49. Approve the issuance of a Letter of Intent and a rebate in the amount of \$38,012 to the Kucera Management Company, 8140 North MoPac, for the installation of high efficiency lighting conversion equipment. (Funding is available in the 1993-94 operating budget of the Conservation Rebates and Incentives Fund.)

50. Approve the issuance of a Letter of Intent and a rebate in the amount of \$54,960.80 to the Four Seasons Hotel, 98 San Jacinto, for the installation of high efficiency lighting conversion equipment. (Funding is available in the 1993-94 operating budget of the Conservation Rebates and Incentive Fund.)
51. Approve the issuance of a Letter of Intent and a rebate in the amount of \$44,838.40 to the U.S.A.A. Realty Company, 11044 Research Blvd., for the installation of high efficiency lighting conversion equipment. (Funding is available in the 1993-94 operating budget of the Conservation Rebates and Incentives Fund.)
52. Approve the issuance of a Letter of Intent and a rebate in the amount of \$118,784.43 to Motorola Inc., 6501 William Cannon Drive West, for the installation of three (3) water-cooled centrifugal chillers and fourteen (14) electric motors. (Funding is available in the 1993-94 operating budget of the Conservation Rebates and Incentives Fund.)
53. Approve the issuance of a Letter of Intent and a rebate in the amount of \$62,454.00 to the Metropolitan Life Insurance Company, 100 Congress Avenue, for the installation of high efficiency lighting conversion equipment. (Funding is available in the 1993-94 operating budget of the Conservation Rebates and Incentives Fund.)
54. Approve the issuance of a Letter of Intent and a rebate in the amount of \$51,955.20 to the Allstate Insurance Company, 6850 Austin Center Blvd., for the installation of high efficiency lighting conversion equipment. (Funding is available in the 1993-94 operating budget of the Conservation Rebates and Incentives Fund.)
55. Approve the issuance of a Letter of Intent and a rebate in the amount of \$44,014.80 to the DuPont Group, 6330 Hwy. 290 East, for the installation of high efficiency lighting conversion equipment. (Funding is available in the 1993-94 operating budget of the Conservation Rebates and Incentives Fund.)
56. Approve the issuance of a Letter of Intent and a rebate in the amount of \$42,744 to the Cielo Center, 1250 Capital of Texas Highway, for the installation of high efficiency lighting conversion equipment. (Funding is available in the 1993-94 operating budget of the Conservation Rebates and Incentives Fund.)
57. Approve the issuance of a Letter of Intent and a rebate in the amount of \$74,649.20 to Equity Office Properties, Inc., 111 Congress Avenue, for the installation of high efficiency lighting conversion equipment. (Funding is available in the 1993-94 operating budget of the Conservation Rebates and Incentives Fund.)
58. Approve the issuance of a Letter of Intent and a rebate in the amount of \$41,336.40 to Northland Properties, 3307 Northland Avenue, Limited for the installation of high efficiency lighting conversion equipment. (Funding is available in the 1993-94 operating budget of the Conservation Rebates and Incentives Fund.)



59. Approve execution of a six (6) month service agreement with VALDEZ REMODELING (MBE), Austin, Texas, for the purchase and installation of heating systems for low-to-moderate income Southern Union Gas households located within the City limits of Austin, in the amount of \$35,000, with the option to extend for one (1) additional six (6) month period, in the amount of \$35,000, for a total amount not to exceed \$70,000. (Funding is provided by Southern Union Gas and is available in the 1993-94 Operating budget of the Environmental and Conservation Services Department; funding for the final month of the original contract period and the extension option is contingent upon available funding in future budgets.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified.

Item 28-59 approved on Councilmember Shea's motion, Mayor Pro Tem Nofziger's second, 5-0 vote, Councilmember Goodman absent.

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

60. C14-86-161 - TREEMONT, AUSTIN, INC., by Land Strategies, Inc. (Paul Linehan). Restrictive Covenant Amendment. Planning Commission Recommendation: To Approve the amendment request.
61. C14-94-0025 - CITIZEN INSURANCE (Mark Oliver), by Conley Engineering (Carl Conley), 301 to 309 West Wonsley Dr. From MF-2 to MF-3. PLANNING COMMISSION RECOMMENDATION: To Grant MF-3-CO, Multifamily Residence (medium density)-Conditional Overlay, zoning, subject to: (1) maximum density of 28 dwelling units and ingress and egress to West Wonsley Drive limited to Emergency access use only. Restrictive covenant for compliance with the Integrated Pest Management. Private agreement between applicant and Georgian Acres Neighborhood Association for the mix of 28 dwelling units to be 14 one-bedroom units and 14 two bedroom units, requiring a key pad security system and a resident manager on site on a part-time basis.  
Postponed to April 28, 1994.
62. C14-94-0031 - EDWARD WIGHT, by Austin Permit Service, Inc. (Melissa Whaley), 2107 Manana Street. From LA to SF-2. PLANNING COMMISSION RECOMMENDATION: To Grant SF-2, Single Family Residence (standard lot).  
Ordinance No. 940421-F
63. C14-94-0029 - KNIGHTS OF COLUMBUS STATE (Charles Emery), by Minter, Joseph & Thornhill (Glenn K. Weichert), 2613 Columbus St. From SF-3 to NO. PLANNING COMMISSION RECOMMENDATION: To Grant NO-CO, Neighborhood Office-Conditional Overlay, zoning subject to: (1) 75 foot undisturbed buffer off Mopac; (2) 25% Impervious Cover; (3) limited to one entrance only off Columbus Drive; (4) 25 foot undisturbed buffer from Columbus Drive and 25-100 feet of undisturbed buffer allowing water quality controls only; and (5) compliance with an Integrated Pest Management Program.  
Postponed to May 19, 1994.
64. C14-94-0027 - HENSEL PHELPS CONSTRUCTION (Steve Currier), by Cox/Croslin & Associates (Michael G. Murphy), 16021 N I 35 Service Road NB. From SF-2 to CS. (Gilleland Creek). PLANNING COMMISSION RECOMMENDATION: To Grant CS-CO,

Commercial Services-Conditional Overlay, zoning limiting development as follows: 159,804 sq. ft. for Administrative/Business Offices, 58,530 sq. ft. for Medical Offices, 13,269 sq. ft. for General Retail Sales (general & convenience), 9,738 sq. ft. for Restaurant (general), 3,163 sq. ft. for Restaurant (drive-in, fast food), 12,500 sq. ft. for Financial Services, and 2,730 sq. ft. for Food Sales. Further subject to compliance with an Integrated Pest Management Program. Ordinance No. 940421-G

65. C14-94-0012 - MACKEY-ADAMS PROPERTIES (Harry Mackey), by Fatter & Evans Architects (Mervin Fatter), 4810 N. IH-35 Service Road NB. From MF-3 & LR to GR. PLANNING COMMISSION RECOMMENDATION: To Grant GR-CO, Community Commercial-Conditional Overlay, zoning subject to prohibiting access to Harmon Avenue. Ordinance No. 940421-H

66. C14-94-0032 - MACKEY-ADAMS PROPERTIES, INC. (Harry Mackey), by Fatter & Evans Architects (Mervin Fatter), 4810 N. IH-35 Service Road NB. From LO to GR PLANNING COMMISSION RECOMMENDATION: To Grant GR-CO, Community Commercial-Conditional Overlay, subject to limiting development as follows: (1) 13,260 sq. ft. Retail (general & convenience), (2) 9,730 sq. ft. for Restaurant (general), (3) 3,160 sq. ft. (fast food & drive-in), (4) 12,500 sq. ft. for Financial Services, (5) 2,730 sq. ft. for Food Sales, and (5) prohibit access to Harmon Avenue. Ordinance No. 940421-I

Item 60-66 approved on Councilmember Garcia's motion, Councilmember Shea's second 5-0 vote, Councilmember Goodman absent.

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

67. 4:30 P.M. - Public hearing to levy paving assessments for Havana Street.

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

Approve 1st reading of assessment on Councilmember Garcia's motion, Mayor Pro Tem Nofziger's second, 4-1 vote, Councilmember Reynolds' voted NO, Councilmember Goodman absent.

Approve a charge of 1985 rate of \$36 per square foot on Councilmember Reynold's motion, Mayor Todd's second, 3-2 vote, Mayor Pro Tem Nofizer and Councilmember Garcia voted NO, Councilmember Goodman absent.

#### New Austin Airport (Items 68-69)

68. 5:00 P.M. - Approve height limitations and airport hazard area ordinances for the New Austin Airport at Bergstrom. (Recommended by Planning Commission)
69. 5:00 P.M. - Approve a compatible land use ordinance for the New Austin Airport at Bergstrom. (Recommended by Planning Commission)  
Close public hearing and approved Ordinance No. 940421-K on Councilmember Garcia's motion, Councilmember Reynolds' second, 5-0 vote, Councilmember Goodman absent.

70. 5:30 P.M. - Public hearing on an ordinance placing a ban on skateboarding in certain areas. (Mayor Pro Tem Michael "Max" Nofziger)  
Close public hearing on Councilmember Garcia's motion, Councilmember Reynolds' second, 4-0 vote, Mayor Todd out of the room, Councilmember Goodman absent.

EXECUTIVE SESSION (No Public Discussion on These Items)

The Executive Session was held on the morning of this date.

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.

71. Discuss legal issues related to the South Austin Outfall, Phase II, and litigation status of Save Our Springs Legal Defense Fund and Save Barton Creek Association v. City of Austin, et al. (South Austin Outfall, Phase III); Cause No. 92-16982 and Cause No. 3-93-087-CV.
72. Discuss status of Milburn Investments, Inc., et al v. City of Austin, et al, Cause No. 93-08464; in the 261st Judicial District Court of Travis County, Texas.
73. Seek advice of Counsel regarding credit reconciliation contract between the City of Austin and Spectrum Financial Services, Inc., dated March, 1992.
74. Discuss legal issues relating to investigation of Brackenridge Hospital.

75. APPOINTMENTS

MAYOR'S COMMITTEE FOR PEOPLE WITH DISABILITIES - Christine Crocker, Linda Rucker, Jean Winberly, Ona Del Vento, and Rachel Sartin

Approved on Councilmember Garcia's motion, Councilmember Shea's second, 5-0 vote, Councilmember Goodman absent.

ADJOURN at 6:55 p.m. on Councilmember Garcia's motion, Councilmember Shea's second, 4-0 vote, Mayor Todd out of the room, Councilmember Goodman absent.

Approved on 28th day of April, 1994 on Councilmember Goodman's motion, Mayor Pro Tem Nofziger's second, 4-0 vote, Councilmembers Garcia and Reynolds out of the room.

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