



## Austin City Council MINUTES

MAY 13, 1993 - 1:00 P.M.

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

Mayor Todd called to order the meeting of the Council, noting that Councilmember Epstein was not yet present.

### MINUTES APPROVED

1. Approval of Minutes for Special Meeting of May 3, 1993 and Regular Meeting of May 6, 1993

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

### CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Mark Weaver, to discuss the use of tax money from the City being used to fund the distribution of man sex material in front of our public schools.
3. Mr. Henry Ratliff, to discuss the ongoing difficulties of Austin, Texas.
4. Mr. Kirk Becker, to call for the removal of the "Heine Knobs" at 6th & Congress and other actions to generate goodwill toward downtown businesses.
5. Ms. Rebecca Cobos, to describe patterns of unfair hiring and promotion of Hispanics and Blacks. Did not speak.
6. Ms. Tish Williams, to discuss Seton Hospital PUD request. Did not speak.
7. Ms. Charlene Shillman, to discuss the Museum of Fine Arts, Austin, vs Austin Museum of Art.
8. Mr. DeVon Wood, to discuss cemeteries. Did not speak.
9. Mr. Ron Lane, to discuss hospital issues.

10. PERFORMANCE REPORT - Report was presented by Budget Officer Charles Curry.

ORDINANCES

11. Approve third reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 5600-5720 F.M. 2222, Case No. C14-92-0134, from SF-2, Single Family Residence (standard lot) to GR-CO, Community Commercial-Conditional Overlay, JOSIE CHAMPION,. First reading on April 1, 1993; Vote 5-2, Mayor Todd and Councilmember Garcia voting "No." Conditions met as follows: Conditional Overlay and a restrictive covenant incorporate conditions imposed by Council. A street deed dedicating right-of-way has been executed. Second reading on May 6, 1993, Vote 4-2, Mayor Todd and Councilmember Garcia voting "No," Councilmember Nofziger Absent. Conditions met as follows: Conditional Overlay and a restrictive covenant incorporate conditions imposed by Council. A street deed dedicating right-of-way has been executed.

On Councilmember Reynolds' motion, Councilmember Larson's second, 5-2 Vote, Mayor Todd and Councilmember Garcia voted No.

12. Approve third reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 1700-2300 Loop 360, Case No. C814-87-007, from SF-2; Single Family Residence (standard lot) to PUD, Planned Unit Development, INTERNATIONAL BANK OF COMMERCE (Parkstone PUD) [Pete Dwyer], by Terry Bray/Bury & Pittman. First reading on September 1, 1988; Vote 5-0, Councilmembers Urdy and Barnstone out of the room. Second reading on June 25, 1992; Vote 5-2, Mayor Todd and Councilmember Garcia voting "No." On April 1, 1993, Council held a public hearing on the revised plan and consideration of a waiver from the Hill Country Roadway Ordinance, which requires a 100-foot undisturbed highway vegetative buffer. On a 6-1 vote, with Councilmember Garcia voting "No," Council approved the revised plan and reduced the buffer requirement to 30 feet for the proposed residential development, prohibited gasoline storage for sales, and required that final plats not be considered for the property to the south for six months. Conditions met as follows: Conditions imposed by Council have been incorporated into a PUD Ordinance.

On Councilmember Reynolds' motion, Mayor Pro Tem Urdy's second, 6-1 Vote, Councilmember Garcia voted No.

13. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 1900 Fort View Road, Case No. C14-92-0123, from "LR", Neighborhood Commercial to "GR-MU", Community Commercial-Mixed Use, PAULINE B. SPILLMAN, by

Feliciano Lopez. First reading on January 7, 1993; Vote 6-0, Mayor Pro Tem Urdy Absent. Conditions met as follows: A street deed has been executed satisfying the conditions imposed by Council.

14. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 1919 to 2017 Woodward Street, Case No. C14-92-0148, from "GR", Community Commercial to "CS", Commercial Services, CROW AUSTIN #5, by Trammell-Crow Company (Bob Liverman). First reading on February 4, 1993; Vote 6-0, Councilmember Nofziger absent. Conditions met as follows: No conditions to be met.
15. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 9809-9900 Stonelake Boulevard, Case No. C14-92-0145, from CH, Commercial Highway to MF-3-CO, Multifamily Residence (medium density) - Conditional Overlay, FDIC AMRESKO MANAGEMENT, INC., (Mike Pacillio), by Bury & Pittman (James B. Knight). First reading on May 6, 1993; Vote 5-0, Councilmember Epstein out of room; Nofziger Absent. Conditions met as follows: Conditional Overlay incorporates conditions imposed by Council.
16. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 2701 S. Congress Avenue, Case No. C14-93-0013, from SF-3,, Family Residence to CS-CO, Commercial Services-Conditional Overly, SPILLAR CUSTOM HITCHES (Ted Jeter), River City Engineering (Patrick A. Lackey). First reading on April 1, 1993; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council.

#13-16 on Councilmember Garcia's motion, Councilmember Nofziger's second, 7-0 Vote.

17. Amend the Austin City Code by modifying the Basic Traffic Ordinance, Chapter 16-4, Section 5 - Speed Limits, to adjust the existing speed zone on Gracy Farms Lane from 30 mph to 35 mph from Metric Boulevard to Swearingen Drive, and 30 mph to 40 mph from Metric Boulevard to MoPac Expressway East frontage road. (Funding in the amount of \$600 for speed limit signs is available in the 1992-93 operating budget of the Department of Public Works and Transportation.)

Postponed

18. Amend the Austin City Code by modifying the Basic Traffic Ordinance, Chapter 16-4, Section 4 - Speed Limits, for the installation of a 20 mph school zone on Rutland Drive adjacent to Cook Elementary School. (Funding in the amount of \$12,700 for flashing equipment is available in the 1992-93 operating budget of the Child Safety Fund.)

19. Amend the Austin City Code by modifying the Basic Traffic Ordinance, Chapter 16-4, Section 6 - Construction Speed Limits, to temporarily reduce the speed limit on U.S. 183 (339.07 feet north of the centerline of RM 620 to 2,510.93 feet south of the centerline of RM 620) from 55 mph to 40 mph, until construction is completed. (All costs will be paid by the Texas Department of Transportation)
20. Amend the Austin City Code by modifying the Basic Traffic Ordinance, Chapter 16-4, Section 5 - Speed Limits, to set the speed limit on East Oltorf Street from South Pleasant Valley Road to Wickersham Lane at 35 mph, from Wickersham Lane to Alvin DeVane Boulevard at 40 mph, and from Alvin DeVane Boulevard to Montopolis Drive at 45 mph. (Funding in the amount of \$390 for speed limit signs is available in the 1992-93 operating budget of the Department of Public Works and Transportation.)
21. Amend the Austin City Code by modifying the Basic Traffic Ordinance, Chapter 16-1, Section 1 - Definitions, to clarify the definition of "truck" to include vehicle/trailer combination. (No fiscal impact.)
22. Amend Sections 16-2-2(B) and (C), 16-5-92(A), 16-5-94(A) and 16-5-95(A) of the Austin City Code to change the title of Parking Aides to Parking Enforcement Officers; authorize the Director of the Department of Public Works and Transportation to designate personnel with the authority to issue parking citations. (No fiscal impact.)
23. Approve full purpose annexation of the National Linen Tract. (Funding is available in the 1992-93 operating budgets for required services.)
24. Approve issuance by Tanglewood Forest Municipal Utility District of District Unlimited Tax and Revenue Refunding Bonds Series 1993, in an amount not to exceed \$4,500,000; approving the terms, conditions and covenants of the Bond Order and Preliminary Official Statement. (No direct fiscal impact to the City. The City is not responsible for payment on District bonds until annexation and dissolution of the district.)
25. Approve repealing Ordinance No. 930503-A and ordering a run-off election for the purpose of electing two City Council members on June 5, 1993. (Related to Item 35)
26. Amend Ordinance No. 920922-E, the 1992-93 operating budget for the Regional Stormwater Management Program, Special Revenue Fund, to increase appropriations by \$300,000; amend Ordinance No. 920922-A, the 1992-93 Capital budget, increasing appropriations by \$300,000 to fund a portion of the Dick Nichols Park Detention Pond. (Funding is available in the Subdivision Participation Fund; revenues have been

collected from developers within the Williamson Creek watershed as part of the Regional Stormwater Management Program.) [Related to Item 34]

27. Amend Ordinance 920922-A, the approved 1992-93 Capital Budget for the Drainage Utility by appropriating \$290,000 from the Urban Watersheds Structural Control Fund and creating a project to fund a design and construction agreement between the City of Austin and West 38th Street Ltd. for a regional stormwater quality control facility on the Hemphill Branch of Waller Creek. (Recommended by Environmental Board and Planning Commission) [Related to Item 33]

Health and Human Services (Items 28-32)

28. Authorize acceptance of \$399,226 in grant funds from the Texas Department of Housing and Community Affairs, Community Services Block Grant (CSBG) program, for the operation of City and County Neighborhood Centers; amend Ordinance No. 920922-E, the 1992-93 operating budget, amending the Special Revenue Fund by appropriating \$21,638 for the Health and Human Services Department Special Revenue Fund. (Recommended by Community Development Commission) [Related to Item 31]
29. Authorize acceptance of \$683,652 in grant funds from the Texas Department of Health, Ryan White/Title II grant; amend Ordinance No. 920922-E, the 1992-93 operating budget, amending the Special Revenue Fund by appropriating an additional \$107,652 in the Health and Human Services Department Special Revenue Fund, and authorize one (1) grant funded full-time equivalent. (Related to Item 30)
30. Approve negotiation and execution of twelve (12) month contracts with nine (9) community organizations for HIV services under the Texas Department of Health, Ryan White II grant program, in an amount not to exceed \$482,910, including the option to extend the contracts for twelve (12) months, in an amount not to exceed \$482,910, for a total amount of \$965,820 over a twenty-four (24) month period: AIDS Services of Austin - \$163,991 per year; Community Action - \$69,053 per year; Pediatric AIDS League - \$18,903 per year; Project Transitions - \$80,066 per year; Waterloo Counseling Center - \$40,503 per year; CTMF HIV Study Group - \$15,670 per year; ALLGO/InformesIDA - \$35,340 per year; HIV Wellness Center - \$26,676 per year; and A/TCMHMR CARE Unit - \$32,708 per year. (Funding provided by the Texas Department of health; funding for the twelve (12) month extension is contingent upon renewal of the grant from the Texas Department of Health.) [Related to Item 29]
31. Approve a twelve (12) month contract with the Travis County Human Services Department for delivery of basic needs services through the five (5) rural neighborhood centers operated by Travis County, as part of the Community Services Block Grant (CSBG) program, in an

amount not to exceed \$81,282. (Funding provided by the Texas Department of Housing and Community Affairs.) [Recommended by Community Development Commission] (Related to Item 28)

32. Approve amendments to Social Services contracts with CHILD AND FAMILY SERVICES and AUSTIN FAMILY HOUSE to reflect additional funding recommended by the Community Action Network (CAN), in an amount not to exceed \$9,219 and \$10,262 respectively, for total contract amounts of \$94,938 for Child and Family Services, and \$37,595 for Austin Family House, including an option to extend the contract amendments for 12 months, in an amount not to exceed \$33,396 (\$15,804 and \$17,592 respectively) and a final option to extend for one (1) month in an amount not to exceed \$2,783 (\$1,317 and \$1,466 respectively), for total contract amendments of \$55,660 over a 20 month period. (Funding in the amount of \$13,915 is included in the 1992-93 Social Services operating budget; the balance of \$5,566 and funding for the extensions is contingent upon Council approval of the 1993-94 operating budget.) [Recommended by the Community Action Network]
33. Approve negotiation and execution of an agreement between the City of Austin and West 38th Street Ltd. for the design and construction of a regional stormwater quality control facility on the Hemphill Branch of Waller Creek, in the amount of \$290,000, and cost participation in yearly maintenance costs for the facility which are expected to be approximately \$20,000 per year. (Funding in the amount of \$290,000 is included in the Urban Watersheds Structural Control Fund; funding for maintenance costs will begin in 1993-94 and will be budgeted as part of the Urban Watersheds Program in the Drainage Utility operating budget.) [Recommended by Environmental Board] (Related to Item 27)
34. Approve a construction contract award to FIRST TEXAS GENERAL CONTRACTORS, Austin, Texas, for the regional stormwater management pond at Dick Nichols Park, in the amount of \$490,398. (Funding is included in the 1992-93 amended Capital Budget for the Department of Public Works and Transportation.) Low bid of eight (8). 10.49% MBE, 6.90% WBE Subcontractor participation. (Reviewed by Environmental Board; to be reviewed by Planning Commission on May 11, 1993.) (Related to Item 26)
35. Approve a joint election agreement with Travis County to hold a joint election on June 5, 1993. (Related to Item 25)

Brackenridge Hospital (Items 36-38)

36. Approve execution of a twelve (12) month supply agreement with REMEL LIMITED PARTNERSHIP, Lenexa, Kansas, for microbiology lab media used in the Laboratory Department of Brackenridge Hospital for the growth of microorganisms which assist in diagnosing disease, in an amount

not to exceed \$63,925.74, including an option to extend thereafter for up to one (1) additional twelve (12) month period, in an amount not to exceed \$63,925.74, for a total amount not to exceed \$127,851.48. (Funding in the amount of \$26,635.73 is available in the 1992-93 operating budget of Brackenridge Hospital; funding for the final seven months of the original contract period and the extension option is contingent upon availability of funding in future budgets.) Low bid of six (6) meeting specifications. No M/WBE subcontracting opportunities were identified. Reference No. BS3-104.

37. Approve negotiation and execution of a twelve (12) month service agreement with AUSTIN PATHOLOGY ASSOCIATES, Austin, Texas, to provide administrative and supervisory pathology services in connection with treatment of patients at Brackenridge Hospital, in an amount not to exceed \$156,000, including an option to extend thereafter for up to four (4) additional twelve (12) month periods, in amounts not to exceed \$162,240, \$168,730, \$175,479 and \$182,498 respectively, for a total amount not to exceed \$844,947. (Funding in the amount of \$65,000 is available in the 1992-93 operating budget of Brackenridge Hospital; funding for the final seven months of the original contract period and the extension options is contingent upon availability of funding in future budgets.) Sole proposal. No M/WBE subcontracting opportunities were identified. Reference No. BC3-137.

38. Approve Supplemental Amendment No. 1 to the current lease between the City of Austin (Lessor) and County of Travis (Lessee) for lease space in the Brackenridge Hospital Complex in Austin for County Medical Examiner functions, to extend the lease term for six (6) months, and to reduce the rental payments from \$1,750 per month to \$0.

39. Approve the reappointment of Dr. Alba Ortiz to the Civil Service Commission.

#18-39 on Councilmember Garcia's motion, Councilmember Nofziger's second, 7-0 Vote.

40. Authorize execution of the City of Austin's permit application to the Texas Water Commission for the South Austin Transfer Station (Solid Waste) and to execute the necessary documents to be attached to said application. (Reviewed by the Solid Waste Advisory Commission)

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

41. Approve execution of a contract with DAVIS TRUCK & EQUIPMENT COMPANY OF SAN ANTONIO, INC., for the purchase and installation of a

truck-mounted hydraulic loader and brush dump body for use by the Environmental and Conservation Services Department for bulky item pickup in various neighborhood clean-up programs, in an amount not to exceed \$37,337.75. (Funding is available in the 1992-93 Capital Budget of the Environmental and Conservation Services Department.) Low bid of two (2). No M/WBE subcontracting opportunities were identified. Reference No. RF93100037.

42. Approve execution of a contract with DAVIS TRUCK & EQUIPMENT COMPANY OF SAN ANTONIO, INC., for the purchase and installation of two (2) truck mounted asphalt hot patch dump bodies used by the Street and Bridge Division for patching holes in City streets, in an amount not to exceed \$66,597.50. (Funding is available in the 1992-93 operating budget of the Transportation Fund.) Single bid. No M/Wbe Subcontracting opportunities were identified. Reference No. RF931000028.

43. Approve execution of a twelve (12) month supply agreement with SOUTHERN MATERIALS, Austin, Texas, for the purchase of modified hot mix asphalt to be used by the Street and Bridge Division of the Department of Public Works and Transportation for pavement repair and resurfacing of streets, in an amount not to exceed \$1,125,000, with one (1) twelve (12) month extension option, in an amount not to exceed \$1,125,000, for a total amount not to exceed \$2,250,000. (Funding in the amount of \$375,000 is available in the 1992-93 operating budget of the Transportation Fund; funding for the remaining \$750,000 of the contract period and the extension option will be contingent upon availability of funding in future budgets.) Low bid of two (2). No M/WBE subcontracting opportunities were identified. Reference No. 1FB RH93100011.

44. Approve execution of a twelve (12) month supply agreement with MAC HAIK FORD, INC., Houston, Texas, for the purchase of equipment repair parts for Ford light trucks and sedans in the City's fleet, in an amount not to exceed \$160,000, with options to extend the agreement for two (2) additional twelve (12) month periods, in amounts of \$160,000 each for a total contract amount not to exceed \$480,000. (Funding in the amount of \$60,000 is available in the 1992-93 operating budget of the Fleet and Radio Fund; funding for the remaining \$100,000 of the 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. Reference No. 1FB RF93100002-1.

45. Approve negotiation and execution of a twelve (12) month contract with CHILD AND FAMILY SERVICES, Austin, Texas, for Community Development Block Grant (CDBG) homeowner credit counseling and program services for home ownership and housing developing programs, in an amount not to exceed \$42,000. (Funding in the amount of \$40,000 is available in the 18th Year CDBG fund; \$2,000 is provided

by Austin Housing Finance Corporation.) Best proposal of two (2). No M/WBE subcontracting opportunities were identified. Reference No. R09330004. (Recommended by Housing Subcommittee)

46. Approve the sale of a portion of Lot 54, Tarrytown, locally known as 2007 Tower Drive to C.J. and Atelia Clarkson, owners of the adjoining property, in the amount of \$1,800. (Recommended by Planning Commission)
47. Approve Change Order #2 to CRAIG, SHEFFIELD & AUSTIN, INC., Houston, Texas, for modifications at the Thomas C. Green Water Treatment Plant, to comply with the Safe Drinking Water Act, in the amount of \$18,228.83, for a total contract amount of \$2,143,659.38 (Funding included in the 1992-93 Capital Budget of the Water and Wastewater Utility.) 0% MBE, 2.85% WBE Subcontractor participation. (Reviewed by Water and Wastewater Commission)
48. Approve Change Order #5 to CASH CONSTRUCTION COMPANY, Pflugerville, Texas, for additional wastewater main improvements as part of the Phase I South Austin Outfall Relief Main, in the amount of \$106,527.71, for a total contract amount of \$2,229,516.22. (Funding is included in the 1991-92 Capital Budget of the Water and Wastewater Utility.) 4.01% MBE, 3.05% WBE Subcontractor participation. (Reviewed by Water and Wastewater Commission)
49. Authorize negotiation and execution of an amendment to the agreement with ESPEY, HUSTON & ASSOCIATES, Austin, Texas, for final design, permitting and construction services for Shoal Creek Channel Improvements between White Rock Boulevard and Shoal Creek Boulevard, in the amount of \$23,100, for a total contract amount of \$590,637.19. (Funding is included in the 1992-93 Capital Budget of the Drainage Utility.) No M/WBE Subcontracting opportunities were identified.
50. Approve a construction contract award to J.C. EVANS CONSTRUCTION CO., INC., Austin, Texas, for wastewater service to annexed areas on U.S. 183 from Balcones Woods Drive to the Williamson County Line, in the amount of \$121,960. (Funding is included in the 1991-92 Capital Budget of the Water and Wastewater Utility.) Low bid of eight (8). .09% MBE, 7.28% WBE Subcontractor participation. (Reviewed by Water and Wastewater Commission)
51. Approve a construction contract award to NBS CONSTRUCTION, INC., Austin, Texas, for the rehabilitation of Windsor Road/24th Street from Hartford Road to Lamar Boulevard, in the amount of \$327,113.75. (Funding in the amount of \$189,032.75 is included in the 1991-92 Capital Budget of the Public Works & Transportation Department; \$137,081 is included in the 1992-93 Capital Budget of the Public Works & Transportation Department; \$500 is included in the 1991-92 Capital Budget of the Water Utility; \$500 is included in the 1991-92

Capital Budget of the Wastewater Utility.) Low bid of four (4). DBE Subcontractor participation: 0% MBE, 28.5% WBE Subcontractor participation. (Reviewed by Water and Wastewater Commission)

52. Approve a construction contract award to POOL & ROGERS PAVING COMPANY, INC., Buda, Texas, for the rehabilitation of Riverside Drive from South First Street to Lamar Boulevard, in the amount of \$211,498.73. (Funding in the amount of \$133,055.62 is included in the 1992-93 Capital Budget of the Department of Public Works & Transportation; \$75,843.11 is available in the 1992-93 operating budget of the Transportation Fund; \$2,600 is included in the 1991-92 Capital Budget of the Wastewater Utility.) Low bid of three (3). 7.50% MBE, 8.25% WBE Subcontractor participation. (Reviewed by Water and Wastewater Commission)
53. Approve execution of a construction contract award to INSITUFORM TEXARK, INC., Chesterfield, Missouri, for reconstruction of a concrete pipe/stone arch storm sewer system at West Sixth Street and Blanco Street, in the amount of \$165,800. (Funding is included in the 1992-93 Capital Budget of the Drainage Utility.) Single bid. 11.55% MBE, 2.56% WBE Subcontractor participation. (Reviewed by Environmental Board)
54. Approve the selection of CH2M-HILL, INC., Austin, Texas, to provide Phase I professional engineering and associated services for Wastewater Treatment Plants Nutrient Removal/Studies, in the amount of \$50,000. (Funding is included in the 1991-92 Capital Budget for the Water and Wastewater Utility.) Best qualification statement of six (6). 10% MBE, 5% WBE Subcontractor participation. (Reviewed by Water and Wastewater Commission)
55. Approve the selection of six firms: ABBE/GARRETT ENGINEERING, INC., Austin, Texas; BAKER-AICKLEN & ASSOCIATES, INC., Austin, Texas; BLACKWELL ENVIRONMENTAL, INC., Austin, Texas; ESPEY-HUSTON & ASSOCIATES, INC., Austin, Texas; KEY GROUP ENGINEERING, Austin, Texas; MARTINEZ AND WRIGHT ENGINEERS, INC., Austin, Texas, for negotiation and execution of six contracts to provide professional engineering services for the preliminary analysis and design of water and wastewater system improvements in areas annexed by the City, in the amount of \$2,000,000. (Funding is included in the 1991-92 Capital Budget of the Water and Wastewater Utility.) Best proposals of fifteen (15). M/WBE Subcontractor participation: 10% MBE, 5-10% WBE (Espey-Huston & Associates); 10% MBE, 15% WBE (Key Group Engineering); 10% MBE, 5% WBE for all remaining firms. (Reviewed by Water and Wastewater Commission)

#41-55 on Councilmember Garcia's motion, Councilmember Nofziger's second, 7-0 Vote.

56. Approve execution of an Interlocal Agreement with Austin Community College, Austin Independent School District and Travis County, for installation of an area-wide high-speed fiber optic telecommunications network. (No fiscal impact.)

Postponed to May 20, 1993.

57. Approve negotiation and execution of an agreement with the Austin Museum of Art, Inc., whereby the Austin Museum of Art, Inc., agrees to reimburse the City for its purchase of the north half of block 22 of the City of Austin under certain terms and conditions.

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

#### ITEMS FROM COUNCIL

58. Possible action or direction to the City Manager based on the results of City Proposition 2 on the May 1, 1993 election ballot. (Councilmember Bob Larson)

On Councilmember Garcia's motion, Councilmember Nofziger's second, 6-1 Vote, Mayor Pro Tem Urdy voted No.

59. Status report on and possible direction to the City Manager regarding the relocation of the day labor site. (Councilmember Bob Larson)

Report received.

60. Direct the City Manager to observe the spirit of the "no grapes" effort in the procurement of food products purchased for consumption at all City Council and City-sponsored functions, as a symbol of the City's solidarity with Cesar Chavez and the farm workers struggle for justice. (Councilmember Gus Garcia and Mayor Bruce Todd)

61. Declare June 5, 1993, as Barton Creek/Barton Springs Day, and approve an ordinance waiving admission fees to Barton Springs Pool for June 5, 1993. (Councilmembers Michael "Max" Nofziger and Gus Garcia)

71. Rescind action on the first reading of Case C14-92-0135 - DOUG SNYDER, by Prossner & Assoc. (Kurt M. Prossner), 3108 Oak Creek Drive, and refer it back to the Planning Commission for reconsideration. (Councilmember Bob Larson and Mayor Pro tem Charles Urdy)

#60-61 and 71, on Councilmember Garcia's motion, Councilmember Nofziger's second, 7-0 Vote.

RECESS - Council recessed from 3:43 to 4:08 P.M.

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

62. C14-93-0019 - W.M. INVESTMENTS NO. FOUR, by Allan Nutt, Architect, 8440 Burnet Road. From CS to CS-1. Planning Commission Recommendation: Forward to Council without a recommendation due to lack of a quorum vote.

APPROVED CS-1-CO 1) LIMITING OUTDOOR SPORTS AND RECREATION TO A MINIMUM OF 70% OF THE FLOOR AREA; 2) PROHIBITING ADULT-ORIENTED BUSINESSES; 3) A ROLLBACK TO CS IF THE USE CEASES FOR MORE THAN 90 DAYS; AND 4) A RESTRICTIVE COVENANT REQUIRING 20 ADDITIONAL PARKING SPACES AND A TRAFFIC STUDY WITH 6 MONTHS TO DETERMINE IF THE EXTRA SPACES ARE REQUIRED, AND TO BE TERMINATED BY STAFF. On Councilmember Reynolds' motion, Councilmember Garcia's second, 6-0-1 Vote, Councilmember Epstein abstained.

63. C14-93-0044 - EDWARD R. RATHGEBER, JR. (John Moran), by Capital Metro (Michael Quimet), 6405 IH-35 North. From GR to P. Planning Commission Recommendation: To grant P, Public District, zoning as requested.

POSTPONED TO MAY 20, 1993 TO CORRECT ADDRESS [1616 E. WILLIAM CANNON DRIVE] On Councilmember Garcia's motion, Councilmember Reynolds' second, 5-0 Vote, Mayor Pro Tem Urdy and Councilmember Epstein out of the room.

64. C14-93-0045 - NASH PHILLIPS/COPUS, INC. (James A. Howard), by Urban Design Group (Laura Toups), 12100 Metric Boulevard. From L0 to MF-3. Planning Commission Recommendation: To grant MF-1 limited to 12 units per acre.

POSTPONE TO MAY 20, 1993 AT NEIGHBORHOOD'S REQUEST, on Councilmember Reynolds' motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

To be heard by Planning Commission on May 11, 1993; Recommendation to Follow

65. C14-93-0038 - FRANKLIN FEDERAL BANCORP (by Vera D. Massaro), by Minter, Joseph & Thornhill (Glenn Weichert), 6403-6511 Sanderson Avenue. From MF-2 to GR.

POSTPONED TO MAY 27, 1993, AS REQUESTED BY APPLICANT.

66. C14-93-0039 - ELI GARZA, by Minter, Joseph & Thornhill (Glenn

Weichert), 4200-4210 West William Cannon Drive. From GR-CO to GR-CO.

POSTPONED TO MAY 27, 1993 AS REQUESTED BY APPLICANT.

#65-66 on Mayor Pro Tem Urdy's motion, Councilmember Garcia's second, 6-0 Vote, Councilmember Reynolds abstained.

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

67. C14-93-0042 - ELI GARZA, by Minter, Joseph & Thornhill (Glenn Weichert), 6363-6411 MoPac Expressway South. From LR to MF-2.

POSTPONED TO JUNE 3, 1993; AS REQUESTED BY STAFF, on Councilmember Garcia's motion, Councilmember Reynolds' second, 5-0 Vote, Mayor Pro Tem Urdy and Councilmember Epstein out of the room.

PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

68. 5:00 P.M. - Proposed 1993-94 Operating and Capital Budgets.

Closed public hearing, on Councilmember Epstein's motion, Councilmember Larson's second, 7-0 Vote.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held on the morning of this date in the Mayor's office.

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

Land Acquisition - Section 2, Paragraph f

69. Discussion of Fee Simple Acquisition of real property located at 812 Springdale Road for the East Austin Police Substation.

ACTION ON THE FOLLOWING

70. Authorize fee Simple Acquisition of real property located at 812 Springdale Road for the East Austin Police Substation.

In the amount of \$585,000, on Councilmember Garcia's motion, Councilmember Nofziger's second, 6-0-1 Vote, Councilmember Reynolds abstained.

ADJOURN - The meeting was adjourned at 5:47 P.M.

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