



Austin City Council MINUTES

JULY 28, 1994 - 1:00 P.M.

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

MINUTES APPROVED

1. Approval of Minutes for Regular Meetings of June 23, 1994 and July 14, 1994, and Special Meetings of June 21 and 22, 1994 and July 12, 1994 (7:00 P.M. and 12:00 P.M.) and July 13 and 14, 1994

Approved Regular Meeting of July 14, 1994 Special Meetings of July 12, July 13 and July 14, 1994 on Councilmember Garcia's motion, Councilmember Goodman's second, 6-0 vote, Mayor Todd out of the room.

CITIZEN COMMUNICATIONS: GENERAL

2. Ms. Carol Guthrie, to discuss the budget.
3. Mr. Larry Malone, to discuss utility subsidy for youth sports problems; pull funds from budget to cover shortage in this year's funds.
4. Mr. Daryl Shuler, to explain problems caused by action of Parks and Recreation Department.
Not present
5. Mr. Edward Bridges, to discuss changing City payroll policy of Quick Check, from 70% to 100%. If error is found, the employee should not suffer further damage.
Not present
6. Ms. Diane Swinney, to discuss concern regarding athletic facilities sponsored by the Youth Athletic Council under PARD having to pay utilities for the months of August and September.
Not present

ITEMS CONTINUED FROM PREVIOUS MEETINGS

7. Approve the filing of eminent domain proceedings to acquire a wastewater easement containing 11,620 square feet of land and a temporary construction easement containing 763 square feet of land out of the J.C. Tannehill League in Austin, Travis County, Texas owned by Estate of Willie Cora Thompson Davis, Everette Douglas Davis, Francis Elaine Davis, Iris Davis Laryea, Akaimi Davis, Calasca Dimple Davis Murphy, Ogereda Marion Davis Bowman, Willie Ray Davis, Vessie Vivian Davis Tutt, Scottie Lee Davis Ivory, Agenes Teresia Davis Lewis, Floyd Andrew Davis, Barbara Jean Davis Dotson, Nikki Fonne Simmons Hall, Ronald Knowlton Davis, and James S. L. Davis, Jr., as their interest may appear for the Fort Branch of Boggy Creek Phase II Drainage Project. (Appraised value is \$200)
Deleted

8. Approve execution of a fifteen (15) month contract with THE AUSTIN TRAINING FOUNDATION, Austin, Texas, for services relating to school-to-work activities in the Austin area, in an amount not to exceed \$351,391. (Funding is available in the 1993-94 operating budget of the Human Resources Department. Funding in the amount of \$200,000 for the remainder of the contract period is contingent upon available funding in the 1994-95 operating budget.) Sole Source. No M/WBE Subcontracting opportunities were identified.
Approved
9. Approve execution of a contract with CAJUN CONTRACTORS, INC., Baton Rouge, Louisiana, for the construction of the Garfield Substation, in the amount of \$1,337,000. (Funding was included in the 1993-94 Capital Budget for the Electric Utility Department.) Low bid of seven (7). 13.72% MBE, 0% WBE Subcontractor participation.
Approved

Items 8-9 approved on Councilmember Garcia's motion, Mayor Pro Tem Nofziger's second, 7-0 vote.

ORDINANCES

10. Approve third reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 12103-12299 IH-35 North, Case No. C14-92-0150, from "SF-2", Single Family Residence (standard lot) to "MF-3-CO", Multifamily Residence (medium density)-Conditional Overlay, TEXAS COMMERCE BANK-AUSTIN, N.A. (Doug Snyder), by Holford Group (David Holt). First reading on May 6, 1993; Vote 5-0-1, Councilmembers Garcia abstained and Nofziger was absent. Second reading on June 10, 1993; Vote 5-0-1, Councilmember Garcia abstained. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council.

Ordinance No. 940728-V approved on Councilmember Goodman's motion, Mayor Pro Tem Nofziger's second, 6-0-1 vote, Councilmember Garcia abstaining.

11. Amend the Austin City Code by modifying the Basic Traffic Ordinance, Section 16-4-4 (D) Speed Limits, for the installation of a 20 mph school zone on East 32nd Street for students attending Robert E. Lee Elementary School. (Funding in the amount of \$2,500 for signs and flashing equipment is available in the 1993-94 Child Safety Fund of the Department of Public Works and Transportation.)

Ordinance No. 940728-A approved

12. Repeal Ordinance No. 860619-M which declared the necessity for paving Spicewood Springs Road from Mesa Drive to the Neely Canyon Intersection. (No fiscal impact.)

Ordinance No. 940728-B approved

13. Amend Ordinance No. 930915-B, the 1993-94 Capital budget of the Public Works and Transportation Department, by transferring from the Public Works Building Maintenance Contingency and appropriating \$90,000 for the City Hall Renovation, \$160,000 for the St. Elmo Vehicle Maintenance Facility, and \$440,000 for the 6th & Chicon Building Purchase, for a total amount of \$690,000.

Ordinance No. 940728-C approved

14. Amend Ordinance 930915-B, the 1993-94 Capital Budget of the Parks and Recreation Department by accepting a donation of \$22,700 from the Trust for Public Land and \$22,800 from the Texas Parks and Wildlife Department and transferring \$65,000 from the Williamson Creek Greenbelt Development Project, \$5,000 from the Parkland Dedication Zone 10 Project, and appropriating \$115,500 to Dove Springs Park/McKinney Falls State Park Trail new project. (Funding in the amount of \$65,000 authorized through 1992 General Obligation Bond Proposition Number 13; \$5,000 authorized through Parkland Dedication Ordinance fees.)

Ordinance No. 940728-D approved

15. Authorize acceptance of an increase of \$28,877 in demonstration grant funds from the United States Department of Health and Human Services, Youth Gang Prevention grant program; amend Ordinance No. 930915-A, the 1993-1994 operating budget, amending the Special Revenue fund by appropriating an additional \$28,877 for the Health and Human Services Department, for a total grant amount of \$178,877. (Related to Item 16)

Ordinance No. 940728-E approved

RESOLUTIONS

16. Approve an Interlocal Agreement with the University of Texas, School of Social Work, for the operation of a field internship program for the period from July 1, 1994 to June 30, 1995, in the amount of \$39,249. (Funding in the amount of \$10,704 is included in the Special Revenue Fund of the Health and Human Services Department, Gangproofing Young Children grant, for the period of July 1, 1994 - September 29, 1994. Funding in the amount of \$28,546 is contingent upon approval of carry-over funding from the United States Department of Health and Human Services in year three.) [Related to Item 15]
Approved
17. Approve execution of a contract with NEEL ASSOCIATES, INC., Waco, Texas, for the painting and repair of a Austin Fire Department pumper truck, in an amount not to exceed \$35,999. (Funding is available in the 1993-94 operating budget of the Fleet and Radio Fund.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified.
Approved

18. Approve execution of a twelve (12) month supply agreement with MILE-HI T FIRE EQUIPMENT, Round Rock, Texas, for the purchase of repair parts for Seagrave fire fighting trucks, in an amount not to exceed \$100,000, with two (2) twelve (12) month extension options in an amount not to exceed \$100,000 per extension, for a total contract amount not to exceed \$300,000. (Funding in the amount of \$16,667 is available in the 1993-94 operating budget of Fleet and Radio Fund. Funding for the remaining \$83,333 amount of the contract period and the extension options will be contingent upon available funding in future budgets.) Single bid. No M/WBE Subcontracting opportunities were identified.
Approved

19. Approve execution of a contract with SOUTHERN MATERIALS, INC., Austin, Texas, for the purchase of 1450 tons of hot mix concrete used for pavement repair and resurfacing of South Shore Bridge to Forest View Drive, in an amount not to exceed \$35,525. (Funding is available in the 1993-94 operating budget of the Public Works and Transportation Department.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified.
Approved

20. Approve a contract award to CAPITAL EXCAVATION, Austin, Texas, for the installation of underground water quality vaults in Gillis Park and House Park as part of the Litter Control Retrofit I Project, in the amount of \$79,825. (Funding was included in the 1993-94 Capital budget of the Drainage Utility.) Low bid of three (3). 0.75% MBE, 2.20% WBE Subcontractor participation. (Reviewed by Environmental Board)
Approved

Items 11-20 approved on Councilmember Garcia's motion, Mayor Pro Tem Nofziger's second, 7-0 vote.

21. Approve the selection of two consulting engineering firms: HUNTINGDON ENGINEERING & ENVIRONMENTAL, INC., Austin, Texas, in the estimated amount of \$771,000; and DANNENBAUM ENGINEERING CORP., Austin, Texas, in the estimated amount of \$485,000 for the 1995/1996 Street Rehabilitation Program. (Funding in the amount of \$906,000 was included in the 1993-94 Capital budget of the Public Works and Transportation Department; \$350,000 was included in the 1993-94 Capital budget of the Water and Wastewater Utility.) Best qualification statement of nine (9). DBE Participation: Huntingdon Engineering & Environmental, Inc. 16% MBE, 9% WBE; Dannenbaum Engineering Corporation 23% MBE, 2% WBE. (Recommended by the Water and Wastewater Commission)

Approved on Councilmember Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Mitchell out of the room.

22. Approve execution of a twelve (12) month contract with ORACLE CORPORATION, Redwood Shores, California, for the purchase of maintenance (including license renewal and software updates) for database management software products currently in use at Water and Wastewater Utility, in an amount not to exceed \$58,569. (Funding is available in the 1993-94 operating budget of the Water and Wastewater Utility.) Sole Source. No M/WBE Subcontracting opportunities were identified. (Recommended by the Water and Wastewater Commission)
Approved

23. Approve execution of a twelve (12) month supply agreement with L & L SERVICE COMPANY, Austin, Texas, for the purchase of approximately 342,000 pounds of anhydrous ammonia used in the water treatment process as an anti-bacterial by the Water and Wastewater Utility, in an amount not to exceed \$68,400, with three (3) twelve (12) month extension options in an amount not to exceed \$68,400 per extension, for a total amount not to exceed \$273,600. [Funding in the amount of \$11,400 is available in the 1993-94 operating budget of the Water and Wastewater Utility. Funding for the final ten (10) months of the original contract period and the extension options is contingent upon available funding in future budgets.] Low bid of two (2). No M/WBE Subcontracting opportunities were identified. (Recommended by the Water and Wastewater Commission)
Approved
24. Approve a construction contract award to J.D. RAMMING PAVING COMPANY, INC., Round Rock, Texas, for repavement of the Koenig Lane Service Center parking lot, in the amount of \$119,324.50. (Funding was included in the 1993-94 Capital budget of the Water and Wastewater Utility.) Low bid of four (4). 21.9% MBE, 7.41% WBE Subcontractor participation. (Recommended by the Water and Wastewater Commission)
Approved
25. Approve execution of a contract with TATE INTEGRATED SYSTEMS L.P., Owings Mills, Maryland, for the purchase of a process control system for the South Austin Regional Wastewater Treatment Plant, in an amount not to exceed \$940,674. (Funding was included in the 1991-92 Capital budget of the Water and Wastewater Utility.) Best proposal of nine (9). 10.0% MBE, 5.0% WBE Subcontractor participation. (Recommended by the Water and Wastewater Commission)
Approved
26. Approve a construction contract award to BRH-GARVER, INC., Houston, Texas, for construction of water and wastewater improvements along Chisholm Lane as part of the Slaughter Lane Area III Wastewater Subsystem "M" Project, in the amount of \$914,866. (Funding was included in the 1991-92 Capital budget of the Water and Wastewater Utility.) Low bid of five (5). 10.1% MBE, 5.0% WBE Subcontractor participation. (Recommended by the Water and Wastewater Commission)
Approved
27. Approve a construction contract award to HAEGELIN CONSTRUCTION CO., INC., Austin, Texas, for the construction of U.S. 290 West 12" Water line from Roadrunner Lane to Old Fredericksburg Road, in the amount of \$214,221.30. (Funding was included in the 1993-94 Capital budget of the Water and Wastewater Utility.) Low bid of seven (7). 3.74% MBE, 3.87% WBE Subcontractor participation. (Recommended by the Water and Wastewater Commission)
Approved
28. Approve revising the booking policy for the Austin Convention Center Department. (No fiscal impact.)
Approved

29. Approve a construction contract award to HI-TECH GENERAL CONTRACTING, INC., Cedar Park, Texas, for interior and exterior improvements to the Austin Convention and Visitors Bureau (ACVB), in the amount of \$73,400. (Funding is available in the 1993-94 operating budget of ACVB.) Low bid of three (3). 10.08% MBE, 6.9% WBE Subcontractor participation.

Approved

30. Approve an amendment to a contract with SYKES ENTERPRISES, INC., Irving, Texas, to continue professional contract programming services for various production support and development projects for the Utility Customer Service Office (UCSO), in an estimated amount of \$103,750, for a total contract amount of \$518,750. (Funding is available in the 1993-94 operating budget of the Utility Customer Service Office.) No M/WBE Subcontracting opportunities were identified.

Approved

Items 22-30 approved on Councilmember Garcia's Motion, Mayor Pro Tem Nofziger's second, 7-0 vote.

31. Approve execution of a twelve (12) month contract with TOWERS PERRIN, Austin, Texas, to provide actuarial and consulting services for the Employee Benefits Program and Fund, in an amount not to exceed \$288,600, with two (2) twelve (12) month extension options, in an amount not to exceed \$288,600 per extension, for a total amount not to exceed \$865,800. [Funding in the amount of \$48,100 is available in the 1993-94 Employee Benefits Fund. Funding for the remaining ten (10) months of the original contract period (\$240,500) and extension options are contingent upon future budgets.] Best proposal of five (5). 1% MBE, 11% WBE Subcontractor participation.

Postponed until August 4, 1994

32. Authorize negotiation and execution of an amendment to the Professional Services Agreement with KINNEY & ASSOCIATES, Austin, Texas, for bidding and construction administration phase services for the Zilker Hillside Theatre renovation project, in the amount of \$29,000, for a total contract amount of \$60,500. (Funding in the amount of \$29,000 was included in the 1992-93 Capital budget of the Parks and Recreation Department.) 12.42% MBE, 12.07% WBE Subcontractor participation.

Approved on Councilmember Garcia's motion, Mayor Pro Tem Nofziger's second, 7-0 vote.

33. Approve issuance of an order for control systems from THE FOXBORO COMPANY, Foxboro, MA, for the Holly Street Power Plant Units 3 and 4 control systems in the estimated amount of \$2,800,000. (Funding was approved by Council on April 21, 1994.)

Approved on Councilmember Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Mitchell out of the room.

34. Approve execution of a contract with RICHMOND CAPITAL CORPORATION, Baton Rouge, Louisiana, for the purchase of a used Harris mini-computer with a 120 day warranty for the Electric Utility, in an amount not to exceed \$70,000. (Funding was included in the 1993-94 Capital budget of the Electric Utility.) Single bid. No M/WBE Subcontracting opportunities were identified.
Approved
35. Approve ratification of a contract with PATENT SCAFFOLDING COMPANY, Dallas, Texas, for scaffolding service at Decker Power Plant units 1 and 2, in the amount of \$48,853.06 (Funding in the amount of \$21,209.74 was included in the 1993-94 Capital budget of the Electric Utility Department; \$27,643 is available in the 1993-94 operating budget of the Electric Utility Department.) No M/WBE Subcontracting opportunities were identified.
Approved
36. Provide additional direction concerning prior action on a professional service agreement to authorize negotiations with R.W. BECK & ASSOCIATES, San Antonio, Texas, and POWER ENGINEERS, INC., Hailey, Indiana, for environmental studies, route selection, public involvement programs, and design and project management for the installation of electric transmission system related to Holly Power Plant.
Approved
37. Approve cancellation of a contract with HENNA CHEVROLET, Austin, Texas, and ratify a contract with MCMORRIS FORD, Austin, Texas, for the purchase of three (3) additional mid-size utility vehicles to be used by Materials Management Division of Financial Services, Health Department and Aviation Department, in an amount not to exceed \$63,283. (Funding in the amount of \$40,455 is available in the 1993-94 Fleet Acquisition Fund and \$22,828 is available in the 1993-94 operating budget of the Aviation department.) Single available bid of three (3). No M/WBE Subcontracting opportunities were identified.
Approved
38. Approve execution of a construction contract to MCGINNES BROTHERS, INC., Houston, Texas, for Leachate/Slope Remediation Improvements project at FM 812 Landfill, in the amount of \$1,852,443. (Funding was included in the 1993-94 Capital budget of Solid Waste Services.) Low bid of five (5). 10.74% MBE, 6.90% WBE Subcontractor participation. (Related to Item 39)
Approved
39. Authorize negotiation and execution of an amendment to the existing Professional Services Agreement with ENGINEERING-SCIENCE, INC., Austin, Texas, for Phase IV (construction phase) engineering and associated services for the Leachate/Slope Remediation of the FM 812 Landfill Improvements project, in the estimated amount of \$100,000, for a total contract amount of \$610,098. (Funding was included in the 1993-94 Capital budget of Solid Waste Services.) 25.4% MBE, 2.8% WBE Subcontractor participation. (Related to Item 38)
Approved
40. Approve a community input process and amend the schedule for consideration of amendments to Chapters 5-7 of the Austin City Code (Disparity Study process). [No fiscal impact.]
Councilmember Shea added City of Austin Commission for Women to the resolution.
Approved

41. Set a public hearing to approve 3.151 acres temporary and 0.742 acres permanent drainage use and 0.346 acres temporary and 0.128 acres permanent wastewater use through dedicated parkland known as Givens Park in accordance with Chapter 26.001 of the Texas Parks and Wildlife Code. (Suggested date and time: September 1, 1994 at 6:30 p.m.)
Approved

Items 34-41 approved on Councilmember Garcia's motion, Mayor Pro Tem Nofziger's second, 7-0 vote.

ITEMS FROM COUNCIL

42. Direct the City Manager to address issues related to the Waller Creek Watershed. (Councilmember Jackie Goodman and Mayor Bruce Todd)

The council directed the city manager to prepare an RFQ for feasibility study for the creation of a creek walk along the lower Waller Creek watershed near downtown with the study addressing beautification, pedestrian & access. Security for lower Waller Creek watershed & provide data on economic benefits of creating a creek walk.

The study should also consider flood management & water quality planning for the Waller Creek watershed. It should include the methods & cost of addressing flooding & pollution in the watershed, taking into account past & current studies of flooding & water quality problems along Waller Creek. Storm drainage interceptor concepts as well as other traditional methods of addressing flooding should be considered part of the study.

The city manager was directed to seek funding sources for the study.

The city manager is to submit a final draft within 30-days to the City Council of the RFQ and his recommendation for funding the study.

Approved on Councilmember Goodman's motion, Councilmember Shea's second, 7-0 vote.

43. Approve a resolution expressing City of Austin support of the Texas Parks and Wildlife Department's proposal for Enhancement Funding for the LBJ Scenic Hill County Trail Planning Study. (Councilmembers Brigid Shea and Jackie Goodman)

Approved on Councilmember Shea's motion, Councilmember Goodman's second, 7-0 vote.

44. Approve a resolution directing the City Manager to creatively restructure the management structure of the Greater Austin Area Telecommunications Network (GAATN) and to report back to the Council in 60 days. (To be reviewed by the Council Committee for Telecommunication Infrastructure on July 26, 1994). [Councilmember Gus Garcia]

Approved on Councilmember Garcia's motion, Mayor Pro Tem Nofziger's second, 7-0 vote.

45. Approve a resolution to encourage and support economic development strategies in the immediate central business district of East Austin. [Recommended by Planning Commission] (Mayor Bruce Todd and Councilmembers Brigid Shea and Jackie Goodman)

Postponed until August 4, 1994

46. Direct the City Manager to aggressively pursue all prudent means of reducing the proposed increase in electric rates. (Councilmembers Brigid Shea and Jackie Goodman)

Postponed until August 4, 1994

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

47. C14H-93-0016 - CITY OF AUSTIN (B.J. SMITH HOUSE), By Planning and Development Department, 700 West 6th Street. From CBD to CBD-H. Planning Commission Recommendation: To Grant CBD-H, Central Business District-Historic, zoning based on designation criteria items (1), (2), (3), (6), (8), (9), (11), (12) and (13).

Close public hearing on Councilmember Garcia's motion, Councilmember Shea's second, 7-0 vote.

Postponed action for one week and requested that the staff and the Historic Landmark Commission review this case with the applicant on Councilmember Reynolds' motion, Councilmember Shea's second, 6-1 vote, Councilmember Mitchell voting NO.

48. C14r-85-145(DE) - STONELAKE IV, By Graves, Dougherty, Hearon & Moody (Terry Bray), 9401 Stonelake Boulevard. Existing zoning: CH & CS. Request for a partial site plan deletion and restrictive covenant amendment.
Ordinance No. 940728-F approved

49. C14-93-0156 - FIRST STATE BANK (James Barlow), by Brown, McCarroll & Oaks Hartline (Henry Gilmore), 3920 to 3926 S. IH-35 Service Road SB. From SF-3 to GR. Planning Commission Recommendation: To grant GR-CO, Community Commercial-Conditional Overlay, zoning, subject to joint access to I.H. 35 with lots 3 and 4 of the Perry Addition and compliance with the Integrated Pest Management Program. The provision of the conditional overlay will limit intensity and uses to a level that will generate less than 2,000 vehicle trips-per-day.
Ordinance No. 940728-G approved

50. C14H-94-0010 - PEARCE-ANDERSON HOUSE, by David Stark, 809 E. 46th Street. From SF-3 to SF-3-H. Planning Commission Recommendation: To grant SF-3-H, Family Residence-Historic, zoning based on designation criteria items (1), (3), (6), (8), (9), (11), and (12).
Ordinance No. 940728-H approved

Items 48-50 approved on Councilmember Reynolds' motion, Councilmember Mitchell's second, 7-0 vote.

51. C14-94-0046 - MILBURN INVESTMENTS, INC. (Paul D. Shepherd), 225 to 629 Ralph Ablanado Drive. From DR to SF-4A. Planning Commission Recommendation: To grant SF-4A, Single Family Residence (small lot), limited to eight (8) units per acre (u.p.a.).

Close public hearing on Mayor Pro Tem Nofziger's motion, Councilmember Reynolds' second, 6-0 vote, Councilmember Garcia out of the room.

Approve SF-3 on Councilmember Goodman's motion. Motion failed for lack of a second.

Approved on first reading Planning Commission recommendation on Councilmember Reynolds' motion, Councilmember Mitchell's second, 4-2 vote, Councilmembers Goodman and Shea voting NO, Councilmember Garcia out of the room.

Substitute motion by Councilmember Shea to grant SF-2, Councilmember Goodman's second, 2-4 vote, Mayor Todd, Mayor Pro Tem Nofziger and Councilmembers Mitchell and Reynolds voting NO, Councilmember Garcia out of the room.

52. C14-94-0048 - TEXAS COMMERCE BANK (John Doyal), Holford Group (David Holt), Spicewood Springs Road and Oak Cliff Drive. From I-RR to SF-2. Planning Commission Recommendation: To grant SF-2-CO, Single Family Residence (standard lot)-Conditional Overlay, zoning, subject to prohibition of direct access on Spicewood Springs Road, Oak Cliff Drive, and Arterial 8 (when and if constructed); all access should be directed through the existing access easement.

Ordinance No. 940728-I approved on Councilmember Reynolds' motion, Councilmember Mitchell's second, 6-0-1 vote, Councilmember Garcia abstained.

53. C14-94-0060 - INDEPENDENT BANKERS CORP. (Chris Williston), by MJS Designs (Mary J. Stone), 408 West 14th Street. From GO-H to DMU-H. Planning Commission Recommendation: To grant DMU-H, Downtown Mixed Use-Historic, zoning as requested.

Ordinance No. 940728-J approved on Councilmember Reynolds' motion, Councilmember Mitchell's second, 7-0 vote.

54. C14-94-0061 - KATTON, INC. (Javad Ahmadi), 1515 to 1517 West 5th Street. From LI to MP-6. Planning Commission Recommendation: To grant MF-6-CO, Multifamily Residence (high density)-Conditional Overlay, subject to Integrated Pest Management Program. The provisions of the conditional overlay are as follows: (1) limit the development to an intensity of 65 units per acre; (2) limit maximum height to 50 feet; (3) prohibit access to West Lynn as a public street; and (4) require construction of on-site sedimentation/filtration ponds at the development phase.

Close public hearing on Councilmember Reynolds' motion, Councilmember Garcia's second, 7-0 vote.

Ordinance No. 940728-U approved on Councilmember Reynolds' motion, Councilmember Garcia's second, 7-0 vote.

55. C14-94-0062 - PERRY R. SALDANA, 1306 E. 7th Street. From LO-H to GO-H. Planning Commission Recommendation: To grant GO-CO-H, General Office-Conditional Overlay-Historic, zoning subject to dedication of up to 60 feet of right-of-way from the existing centerline of East 7th Street according to the roadway plan. (Dedication of right-of-way has been administratively waived; no right-of-way required.) Further subject to limiting redevelopment to LO, Limited Office site development regulations.
Ordinance No. 940728-K approved
56. C14-94-0063 - T-ANCHOR CO. (Felix T. Munson), by Baker-Aicklen & Associates (John Morrey), 1713 Three Points Road. From SF-2 to LI. Planning Commission Recommendation: To Grant LI, Limited Industrial Services, zoning as amended, subject to dedication of up to 35 feet of right-of-way from the existing centerline of Three Points Road and Grand Street, and compliance with an Integrated Pest Management Program.
Ordinance No. 940728-L approved
57. C14-94-0066 - SCENIC BROOK WEST PARTNERSHIP (J.D. Angerman), by W.B. Howell, Business Center Drive and U.S. Hwy. 290 West. From LR to SF-3. Planning Commission Recommendation: To grant SF-3, Family Residence, zoning as requested.
Ordinance No. 940728-M approved

Items 55-57 approved on Councilmember Reynolds' motion, Councilmember Mitchell's second, 7-0 vote.

58. C14-94-0068 - JAMES H. ARNOLD, by Richard Crank, Centennial Trail and Beckwood Drive. From DR to SF-1. Planning Commission Recommendation: To grant SF-1-CO, Single Family Residence (large lot)-Conditional Overlay and RR, Rural Residence for areas within the 100-year floodplain. Provisions of the conditional overlay are as follows: (1) Restrict Randy Road to a maximum of three single family lots, and restrict the total number of single family lots for the proposed development to 63; (2) Prohibit the extensions of Beckwood Drive and Gilcrest Lane subject to notifying the City Council prior to final action of any concerns expressed by the County.

Close public hearing on Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 vote.

Postponed until August 11, 1994, on Mayor Pro Tem Nofziger's motion, Councilmember Shea's second, 7-0 vote.

59. C14-94-0069 - DRISCOLL MOTORS (Michael Driscoll), by Land Strategies, Inc. (Paul W. Linehan), 1501 W. Anderson Lane. From LR to GR. Planning Commission Recommendation: To grant GR-CO, Community Commercial-Conditional Overlay (for Building footprints), with GR, Community Commercial for an additional 100 feet along Anderson Lane and subject to additional conditions: (1) dedication of 45 feet of right-of-way from the existing centerline of Anderson Lane; (2) rollback provision to LR, if the use ever ceases for more than 90 days; (3) GR zoning be limited to automotive sales and permitted LR uses; and (4) the additional

voluntary list of conditions proposed by the applicant through a private restrictive covenant (not a condition of zoning) in a letter dated July 8, 1994, from Driscoll Motors to Chip Harris, president of the Crestview Neighborhood Association.

Close public hearing and approved 1st reading to grant GR on Councilmember Mitchell's motion, Mayor Todd's second, 4-2-1 vote, Mayor Pro Tem Nofziger and Councilmember Goodman voting NO, Councilmember Shea abstained.

60. C14-94-0070 - FRANK & KATHERINE DEJENNAS, 10304 D-K Ranch Road. From DR to SF-2. Planning Commission Recommendation: To grant SF-2, Single Family Residence (standard lot), zoning as recommended.

Ordinance No. 940728-N approved on Councilmember Reynolds' motion, Councilmember Mitchell's second, 7-0 vote.

61. C14-94-0071 - TRAVIS FUNDING CORPORATION (Bill Walters), by Bury & Pittman (James B. Knight), E. Riverside Drive and Wickersham Lane. From GR to MF-3. Planning Commission Recommendation: To grant MF-3, Multifamily Residence (medium density) and RR, Rural Residence for the area determined to be in the 100-year floodplain of Country Club Creek.

Approved 1st reading on Councilmember Reynolds' motion, Councilmember Mitchell's second, 6-1 vote, Councilmember Goodman voting NO.

62. C14-94-0072 - DWAYNE BACON, by Site Specifics (John Hussey), 6925 E. Ben White Boulevard. From DR to LI. Planning Commission Recommendation: To grant LI-CO, Limited Industrial Services-Conditional Overlay, with the provisions of the conditional overlay limiting development to intensity and uses to a level that would generate less than 2,000 vehicle trips-per-day.

Ordinance No. 940728-0 approved on Councilmember Reynolds' motion, Councilmember Mitchell's second, 7-0 vote.

63. C14-94-0030 - CAPITAL COMMERCIAL INVESTMENT (Doug Agarwal), by Minter, Joseph & Thornhill (Kenneth W. Brown), 300 Little Texas Lane. From MF-2 to MF-3. Planning Commission Recommendation: To grant MF-3-CO, Multifamily Residence (medium density)-Conditional Overlay, with the following provisions: (1) limit density to 210 units; (2) prohibit access to Little Texas Lane until the road is upgraded to a collector status; and (3) compliance with an Integrated Pest Management Program.

Close public hearing on Councilmember Garcia's motion, Mayor Pro Tem Nofziger's second, 7-0 vote.

Ordinance No. 940728- granting MF-3 with condition of 35 feet right of way of curb line approved on Councilmember Mitchell's motion, Councilmember Garcia's second, 7-0 vote.

according to Joe Gomez this passed on first reading only

64. C14-94-0074 - CAPITAL COMMERCIAL INVESTMENT (Doug Agarwal), by Minter, Joseph & Thornhill (Kenneth W. Brown), 300 to 399 E. Stassney Lane. From MF-2 to MF-3-CO. Planning Commission Recommendation: To grant MF-2-CO, Multifamily Residence (low density)-Conditional Overlay, zoning limiting density to 19.5 units per acre, and subject to compliance with an Integrated Pest Management Program.

Approved 1st reading on Councilmember Reynolds' motion, Councilmember Mitchell's second, 7-0 vote.

65. C14-94-0075 - ARTHUR STONE/ADDIE G. STONE/BARBARA STONE SIECK, 2311 Westrock Drive. From I-RR to SF-5. Planning Commission Recommendation: To grant SF-5-CO, Urban Family Residence-Conditional Overlay, with the provision of the overlay to limit density to 1.15 units per acre.

Ordinance No. 940728-P approved on Councilmember Shea's motion, Councilmember Reynolds' second, 7-0 vote.

66. C14-94-0076 - TEMPLE INLAND MORTGAGE c/o LUMBERMAN'S INVESTMENT (John Avent), by Carlson Engineering (Terry Reynolds), W. William Cannon Drive and Beckett Road. From I-SF-2 to SF-2. Planning Commission Recommendation: To grant SF-2, Single Family Residence (standard lot), subject to compliance with an Integrated Pest Management Program.
Approved 1st reading

67. C14-94-0077 - SHADOWRIDGE CROSSING (Steve Tucker), by Carlson Engineering (Charles Brigance), 6801 to 6821 Telluride Trail. From SF-4A to SF-2. Planning Commission Recommendation: To grant SF-2, Single Family Residence (standard lot), zoning as requested.
Ordinance No. 940728-Q approved

68. C14-94-0078 - SHADOWRIDGE CROSSING (Steve Tucker), by Carlson Engineering (Charles Brigance), 6600 to 6712 Debcoe Drive. From SF-4A to SF-2. Planning Commission Recommendation: To grant SF-2, Single Family Residence (standard lot), zoning as requested.
Ordinance No. 940728-R approved

69. C14-94-0079 - SHADOWRIDGE CROSSING (Steve Tucker), by Carlson Engineering (Charles Brigance), 7601 to 7705 Shadowridge Run. From SF-4A to SF-2. Planning Commission Recommendation: To grant SF-2, Single Family Residence (standard lot), zoning as requested.
Ordinance No. 940728-S approved

70. C14-94-0080 - SHADOWRIDGE CROSSING (Steve Tucker), by Carlson Engineering (Charles Brigance), 6704 to 6816 Telluride Trail and 6701 to 6805 Debcoe Drive. From SF-4A to SF-2. Planning Commission Recommendation: To grant SF-2, Single Family Residence (standard lot), zoning as requested.
Ordinance No. 940728-T approved

Items 67-70 approved on Councilmember Reynolds' motion, Councilmember Mitchell's second, 7-0 vote.

71. C14-94-0067 - ESTATE OF VICTORIA AUDISH (Dorothy Yentzen), by LZT Architects (Herman Thun), 801 to 811 W. Stassney Lane. From LO to MF-3.

Postponed until August 4, 1994 on Mayor Pro Tem Nofziger's motion, Councilmember Goodman's second, 7-0 vote.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive Session held from 3:17 p.m. until 4:17 p.m. on items 73-75.

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 the agenda.

Advice from Counsel - Section 551.071

72. Discuss Austin Black Contractors Association, Inc. v. City of Austin, Cause No. 94-CA-269-SS, U.S. District Court, Western District.
73. Discuss Philip Gutierrez, et al v. Mobil Oil Corp., et al; Cause No. 92-04889.
74. Discuss legal issues related to properties located within the 504.9 contour line.
75. Seek legal advice regarding School District Development Agreements.
76. Seek legal advice on proposed lease agreement with the Austin Hospital Authority.

ACTION ON THE FOLLOWING

77. Authorize development agreements with independent school districts.

Postponed until August 4, 1994, on Mayor Pro Tem Nofziger's motion, Councilmember Goodman's second, 7-0 vote.

78. **APPOINTMENTS**

ETHICS REVIEW COMMISSION - CONFIRMING NOMINATIONS OF JETT HANNA BY MAYOR PRO-TEM NOFZIGER AND TRACYE MCDANIEL BY COUNCIL MEMBER MITCHELL MADE AT THE JULY 21, 1994 CITY COUNCIL MEETING.

Approved on Mayor Pro Tem Nofziger's motion, Councilmember Reynolds' second, 7-0 vote.

PLANNING COMMISSION - 3 (TO EXPIRE 7/1/96)

Approved Scott Roberts, Walter Brown and Joe McCormick on Councilmember Mitchell's motion, Councilmember Reynolds' second, 5-1-1 vote, Councilmember Shea voting NO, Mayor Pro Tem Nofziger abstained.

Substitute motion to approve Scott Roberts, Walter Brown, and Dave Sullivan offered by Mayor Pro Tem Nofziger, Councilmember Shea's second, 2-5 vote, Mayor Todd and Councilmembers Garcia, Goodman, Mitchell and Reynolds voting NO.

Substitute motion to approve Dave Sullivan in place of Walter Brown offered by Councilmember Garcia, Councilmember Shea's second, 2-4-1 vote, Mayor Todd and Councilmembers Goodman, Mitchell and Reynolds voting NO, Mayor Pro Tem Nofziger abstained.

The Council recessed from 6:30 until 7:15 p.m. on Councilmember Shea's motion, Councilmember Reynolds' second, 7-0 vote.

Approved extending meeting from 10:00 until 10:45 p.m. on Councilmember Reynolds' motion, Councilmember Mitchell's second, 6-0-1 vote, Councilmember Shea abstained.

ADJOURN at 10:45 p.m.

Approved this the 18th day of August, 1994 with correction to item 63 to show 1st reading only on Councilmember Garcia's motion, Mayor Pro Tem Nofziger's second, 6-0 vote, Councilmember Mitchell out of the room.

