



Austin City Council MINUTES

FEBRUARY 1, 1996

Mayor Todd called the meeting to order, noting the absence of Councilmembers Shea and Nofziger.

- 1 Approval of Minutes for Regular Called Meeting of January 11, 1996, for the Worksession of January 17, 1996, for the Regular Called Meeting of January 18, 1996, and amend minutes of October 19, 1995 to add Manuel Zuniga to Electric Utility Commission.
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-0 vote, Councilmembers Shea and Nofziger absent.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Gus Pena, to discuss youth and child care issues.
Absent
3. Mr. James F. Calahan, to discuss upgrades of Loyola Lane and Johnny Morris Road.
Absent
4. Mr. Mike Daywood, to request a fence behind property located on Frontage Road and Mo-Pac Boulevard at our home
Absent
5. Mr. Richard R. Troxell, to discuss homeless issues in Austin
6. Ms. Mary Aleshire, to discuss homeless issues in Austin; Caritas.
Absent
7. Mr. Gavino Fernandez, Jr., dedicate Colorado River Park as parkland
8. Mr. Robert Donley, to oppose \$1,265,000 CDBG for Clubhouse Geayl Proposal
9. Mr. Arvid Tadao Youngquist, to recommend urgent approval of the drainage utility fee for churches be waived toward coalition to assist the homeless and to wish Council good health in season of flu, cedar fever and cold climate
Absent
10. Mr. James A. Castro, to discuss the Government Technology Conference '96
11. Ms. Karen Hadden, to discuss Four Points, Freeport, human rights, and the need to repeal the encampment ordinance and provide services to the homeless
Did not speak

ITEMS CONTINUED FROM PREVIOUS MEETINGS

12. Consider amending current tax abatement guidelines and criteria (Ordinance 950406-E) to allow abatements for downtown multifamily residence projects. (Councilmembers Michael "Max" Nofziger and Jackie Goodman)
Postponed to February 8, 1996
13. Approve an ordinance amending the Land Development Code to create a new zoning district, the Central Urban Redevelopment District (CURE) for the downtown area (Councilmembers Eric Mitchell and Ronney Reynolds)
Postponed to February 8, 1996

ORDINANCES

14. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 606 & 700 Chaparral Road, Case No. C14-94-0084, from "SF-2", Single Family Residence (standard lot) to "NO-MU-CO", Neighborhood Office-Mixed Use Combining District-Conditional Overlay, subject to: (1) dedication of up to 35' of right-of-way from the existing centerline of Chaparral Road, and (2) limit future development to such an intensity that no more than a maximum of 600 additional vehicle trips-per-day would be generated to the tracts, TRACT 1: LINK CAN CORP (Thomas E. Link), TRACT 2 FORREST C. WALKER, ET AL, by Blazier, Rutland & Lerner P.C (Roy Rutland III). First reading on September 1, 1994; Vote 6-0, Garcia out of the room. Conditions met as follows: conditional overlay incorporates conditions imposed by Council Street deed has been executed.
Ordinance No. 960201-A approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-0 vote, Councilmembers Shea and Nofziger absent.
15. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 9152 to 9170 N. U.S Hwy 183, Case No. C14-95-0043, from "SF-3", Family Residence to "CS-CO", Commercial Services-Conditional Overlay for Tract 1 and 2, subject to (1) 10 foot buffer (after privacy fence) from West property line of Tract 2; (2) limit development to generate less than 2,000 vehicle trips per day, (3) limit access to property from U.S. Hwy 183 only, (4) prohibit following uses - Agricultural Sales and Services, Automotive and Equipment Services, Automotive Rentals, Automotive Sales, Commercial Blood Plasma Center, Construction Sales and Services, Convenience Storage, Exterminating Services, Indoor Entertainment, Indoor Sports and Recreation, Monument Retail Sales, Pawn Shop Services, Restaurant (drive-in, fast food), Theater, Vehicle Storage; and (5) limit height to 35 feet for Tract 2 only, AKIN, MGUMP, STRUASS, HAUER & FELD (Daniel W. Nelson), by Strasburger & Price (Richard Suttle) First reading on June 22, 1995, Vote 5-0, Shea absent; Mitchell off the dais. Conditions met as follows: conditional overlay incorporates conditions imposed by Council.
Postponed to February 15, 1996
16. Approve second readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 1515 West 5th Street, Case No. C14-95-0153, from "MF-6-CO", Multifamily Residence (highest density)-Conditional Overlay to "GR-CO", Community Commercial-Conditional Overlay, with the provisions of the overlay as follows. (1) limit development to generate less than 2,000 vehicle trips per day, (2) prohibit access to West Lynn Street, (3) notwithstanding all applicable water quality controls provisions contained in the Land Development

Code, at the time of an application for approval of a site plan for development of the Property, or any portion of the Property, the Owner shall design, construct, and maintain water quality ponds on the Property in accordance with the Environmental Criteria Manual and shall be subject to review and approval by the Environmental and Conservation Services Department, and (4) prohibit Food Sales use; KATTON, INC. (Javad Ahmadi), by Fatter & Evans Architects (Mervin Fatter). First reading on January 4, 1996; Vote 5-0, Shea absent Conditions met as follows conditional overlay incorporates conditions imposed by Council The applicant has requested to modify condition three above which addresses on-site water quality controls

Approve second reading only with conditions to modify #3 as addressed in backup material on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-0 vote, Councilmembers Shea and Nofziger absent.

- 17 Approve second reading of an ordinance amending Section 10 Chapter 18-3, the Drainage Utility, offering an exemption from drainage utility fees for churches that join in a coalition to assist the homeless. (Councilmembers Michael "Max" Nofziger , Jackie Goodman, and Bridget Shea)
Postponed to February 8, 1996
- 18 Approve first reading of an ordinance granting a franchise agreement between the City of Austin and Time Warner Communications of Austin, L P to provide telecommunication services (Unanticipated revenue for 1995-96 is \$30,000.)
Approve first reading only on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 4-1 vote, Councilmember Mitchell voting "NO", Councilmembers Shea and Nofziger absent.
19. Approve changing the street name of the entire length of GHOST DANCE DRIVE, to EAGLES LANDING DRIVE (from intersection of Ghost Dance Drive and Copperwood Drive south-easterly to the intersection of Ghost Dance Drive and Sacred Arrow Drive). (Processing and street sign fees will be paid by the requester)
Ordinance No. 960201-B approved
- 20 Approve changing the street name of the entire length of GHOST DANCE COVE, to EAGLES LANDING COVE (from the intersection of Ghost Dance Drive and Ghost Dance Cove southerly to the end of the right-of-way, approximately 150') (Processing and street sign fees will be paid by the requester)
Ordinance No. 960201-C approved
- 21 Authorize acceptance of \$78,949 in additional grant funds from the Texas Department of Health for the Immunization Action Plan, amend Ordinance No. 950911-A, the 1995-96 Operating Budget, amending the Special Revenue Fund by appropriating an additional \$78,949 in grant funds for the Health and Human Services Department Special Revenue Fund, for a total grant amount of \$145,949; and authorize an additional 2 00 full time equivalent (FTE) grant funded positions.
Ordinance NO. 960201-D approved

RESOLUTIONS

22. Approve negotiation and execution of a contract with AT&T CORPORATION, Austin, Texas, to upgrade the existing telephone PBX Switch at the Austin Convention Center and add a DCS network connectivity software and interface card to the telephone PBX Switch at the Palmer Auditorium, in an amount not to exceed \$68,298. (Funding is available in the 1995-96 operating budget of the Austin Convention Center.) Sole Source No M/WBE Subcontracting opportunities were identified
Approved
23. Authorize an Interlocal Agreement for industrial waste services with the City of Sunset Valley (The City of Sunset Valley will pay the City of Austin, for services rendered on a time and materials plus overhead basis This will generate an estimated \$9,000 in revenue for the Water and Wastewater Utility.) (Recommended by Water and Wastewater Commission)
Approved
24. Authorize an Interlocal Agreement for industrial waste services with the City of West Lake Hills (The City of West Lake Hills will pay the City of Austin for services rendered on a time and materials plus overhead basis This will generate an estimated \$9,000 in revenue for the Water and Wastewater Utility) (Recommended by Water and Wastewater Commission)
Approved
25. Approve an amendment to the Wholesale Wastewater Service Contract with Southwest Travis County Municipal Utility District (MUD) #1 allowing the MUD to install their own flow monitor metering device in the pipe system which connects the MUD to the City's Slaughter Creek Interceptor. (No fiscal impact.) (Recommended by Water and Wastewater Commission)
Approved
26. Approve Change Order #2 to EDWARD R. COLEMAN CONSTRUCTION, COMPANY, Austin, Texas, for Angus Valley Drainage and Street Improvements, Part III (A), for 70 cubic yards of street excavation, 469 square yards of 8 inch asphalt stabilized base, 1780 square yards of asphaltic concrete pavement and 2 pedestrian ramps, in the amount of \$22,821.65, for a total contract amount of \$303,597.15. (Funding was included in the 1991-92 Approved Capital budget of the Public Works and Transportation Department.) 22.41% MBE, 0% WBE Subcontractor participation.
Approved

Items 19 through 26 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-0 vote, Councilmembers Shea and Nofziger absent.

27. Approve negotiation and execution of a 10-year lease for a 9,065 square foot area in the Govalle Shopping Center, located at 2765 East 7th Street, for a joint Civil Service Recruiting Office with H.E. Butt Store Property Number One, in the amount of \$1,247,162.70 (Funding in the amount of \$32,634 is available in the Austin Police Department Asset Forfeiture Fund and \$21,756 is available in the Austin Fire Department operating budget. Funding for the remaining rental payments is contingent upon available funding in future budgets)
Approved on Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-0 vote, Councilmembers Shea and Nofziger absent.
28. Set a public hearing for an ordinance amendment to prohibit the obstruction of access aisles of parking spaces for the disabled and modify accessibility regulations of the Land Development Code.

(Suggested date and time February 29, 1996 at 4 30 P M) (No fiscal impact) (Recommended by Mayor's Committee for People with Disabilities and Planning Commission)
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-0 vote, Councilmembers Shea and Nofziger absent.

ITEMS FROM COUNCIL

29. Direct the City Manager to make use of the wildlife expertise offered by the Travis Audubon Society to articulate a limited revision to the management plan for Hornsby Bend Sludge Management Facility Improvements (Mayor Pro Tem Gus Garcia and Councilmember Max Nofziger)
Postponed to February 8, 1996

30. Consider an ordinance increasing the 65 and older City tax exemption from the first \$51,000 of value to the first \$100,000 of value (Councilmembers Eric Mitchell and Ronney Reynolds)

Council discussion.

Motion to approve on Councilmember Mitchell's motion, Councilmember Reynolds' second, 2-3 vote, Mayor Todd, Mayor Pro Tem Garcia and Councilmember Goodman voting "NO", Councilmember Shea and Nofziger absent.

Motion fails.

Substitute motion to refer to City Manager at budget time, on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 3-2 vote, Councilmembers Mitchell and Reynolds voting "NO", Councilmembers Shea and Nofziger absent.

Motion fails.

31. Approve a resolution that the City of Austin encourages the efforts of El Concilio, its partner organizations, and Diana Castaneda, AISD Trustee, District 2, for a Parents' Education Summit in East Austin on March 30, 1996, at Martin Middle School to empower parents to be effective advocates for the education of their children (Councilmember Eric Mitchell)
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-0 vote, Councilmembers Shea and Nofziger absent.

32. Approve the negotiation and execution of an agreement to renew, revise, and extend to December 31, 1996, the grant agreement contract the City and the Anderson Community Development Corporation, dated July 17, 1995, in an amount not to exceed \$1,200,000 for the development of 100 rental housing units in the SCIP II rental housing. (Councilmember Eric Mitchell)
Postponed to February 8, 1996

33. Approve the reprogramming of \$75,000 from prior year's Community Development Block Grant funds to the 21st Year Neighborhood and Youth Support Program (Councilmember Eric Mitchell) (Related to Item 34)
Postponed to February 8, 1996

- 34 Approve the negotiation and execution of a contract with ATHLETES SERVICES NETWORK OF AMERICA in an amount not to exceed \$75,000 from 21st Year Neighborhood and Youth Support Program funds for youth midnight basketball activities (Councilmember Eric Mitchell) (Related to Item 33)
Postponed to February 8, 1996

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

35. C14-95-0156 - GOTTESMAN COMPANY, by The Liverman Company (Robert J. Liverman), Duval Road and Amherst Drive. From SF-2 to GR-CO. Planning Commission Recommendation To Grant NO-CO, Neighborhood Office-Conditional Overlay, with the provisions of the overlay as follows. (1) prohibit access to the abutting section of Dorsett Road. A petition of 33 76% has been filed in opposition to this request (cont'd. from 1/4/96)
Applicant's second request for postponement to February 29, 1996
- 36 C14-78-219 - JOE HAJJAR, North R M 620 and Broadmeade RESTRICTIVE COVENANT TERMINATION. Planning Commission Recommendation. Approved termination of the restrictive covenant
Postponed to February 8, 1996, neighborhood's first request
37. C14-95-0164 - JOE HAJJAR, North R M 620 and Broadmeade Avenue. From LR to CS-1 Planning Commission Recommendation. To grant GR-CO, Community Commercial-Conditional Overlay zoning for Tract 2, with the provisions of the overlay as follows: prohibit the following uses - Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (any type), Commercial Off-Street Parking, Communication Services, Drop-Off Recycling Collection Facility, Exterminating Services, Funeral Services, Indoor Entertainment, Indoor Sports and Recreation, Outdoor Entertainment, Outdoor Sports and Recreation, Pawn Shops, Business Support and Trade Services, and Theaters The CS-1-CO, Commercial Liquor Sales-Conditional Overlay portion which was identified as Tract 1 will be excluded.
Postponed to February 8, 1996, neighborhood's first request
- 38 C14-95-0163 - JOE HAJJAR, North F M 620 and Broadmeade Avenue From SF-2 & LR to GR. Planning Commission Recommendation To Grant GR-CO, Community Commercial-Conditional Overlay for Tract 1 and RR, Rural Residence District for Tract 2 (floodplain). The provision of the overlay are as follows: (1) prohibit - Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (any type), Commercial Off-Street Parking, Communication Services, Drop-Off Recycling Collection Facility, Exterminating Services, Funeral Services, Indoor Entertainment, Indoor Sports and Recreation, Outdoor Entertainment, Outdoor Sports and Recreation, Pawn Shops, Business Support Services, Business or Trade School, and Theaters, (2) dedication of up to 35 feet of right-of-way from the existing centerline of Briar Hollow Drive, and (3) dedication of 75 feet of right-of-way and reservation of 125 feet of right-of-way from the future centerline of F M 620.
Postponed to February 8, 1996, neighborhood's first request
- 39 C14-95-0165 - JOE HAJJAR, North F.M 620 and Briar Hollow Drive From SF-2 to GR Planning Commission Recommendation: To Grant LR, Neighborhood Commercial, subject to dedication of up

to 35 feet of right-of-way from the existing centerline of Briar Hollow Drive; and dedication of 75 feet of right-of-way and reservation of 125 feet of right-of-way from the future centerline of F M. 620.
Postponed to February 8, 1996, neighborhood's first request

40. C14-95-0151 - MARY TERESA DERR, by The Faust Group (Bill Faust), 4300 Medical Parkway. From SF-3 to LO Planning Commission Recommendation: To Grant LO-CO, Limited Office-Conditional Overlay, with the provisions of the overlay as follows (1) prohibit Medical Office use, and (2) dedication of up to 35 feet right-of-way from the existing centerline of Medical Parkway and 30 feet from the existing centerline of Burnet Road. Applicant request that condition prohibiting Medical Office use be deleted.
Approved first reading only
41. C14-95-0007 - NEW FIRST CITY TEXAS (Mari Epperson), by Strasburger & Price, L.L.P (Richard T. Suttle), 5101 to 5201 E. Oltorf Street From I-SF-2 to LI. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay, with the provision of the overlay to limit development to a density that generate less than 2,000 vehicle trips-per-day
Postponed to February 15, 1996, neighborhood's first request
42. C14-95-0008 - NEW FIRST CITY TEXAS (Mari Epperson), by Strasburger & Price, L.L.P (Richard T. Suttle), 5000 to 5400 E. Oltorf Street. From I-SF-2 to LI Planning Commission Recommendation: To Grant RR-CO, Rural Residence-Conditional Overlay for Tract 3 and the portion of Tract 1 immediately west of Tract 3 (minimum of 100' wide) and north of a line continuing west of the southern boundary of Tract 3, subject to prohibit access to East Riverside Farms Drive, GO-CO, General Office-Conditional Overlay for the remainder of Tract 1 and all of Tract 2, subject to height limit of 35' and impervious cover limit of 50%, all 3 tracts will be further subject to transportation recommendations contained in the overall zoning staff recommendation.
Postponed to February 15, 1996, neighborhood's first request
43. C14-95-0109 - CITY OF AUSTIN-Planning & Development, 2900 to 3200 Blocks West William Cannon (north side) between Deaton Hill Dr. and Stage Coach Trail. From SF-2 to RR. Planning Commission Recommendation: To Grant RR-CO, Rural Residence-Conditional Overlay, with the provisions of the overlay as follows (1) prohibit Kennels, Stables, Club or Lodge, Community Recreation (public and private), Safety Services, and Telecommunication Tower uses, (2) increase minimum lot size requirement from 43,560 sq. ft. to 87,120 sq. ft.; (3) decrease the maximum allowed building height from 35 to 17 feet, (4) decrease the maximum allowed building coverage from 20% to 10%, and the maximum allowed impervious cover from 25% to 12%, and (5) increase the required rear yard setback from 20 feet to 40 feet, and the required interior side yard setback from 10 feet to 20 feet
Approved first reading only
44. C814-95-0001 (formerly C814-94-0002) - HOSPITAL CORPORATION OF AMERICA (Kent Ferguson), by Minter, Joseph & Thornhill (Kenneth W. Brown), 901 W. Ben White Boulevard. From LO, GR, CS, GO & GO-CO to PUD. Planning Commission Recommendation. To Grant PUD, Planned Unit Development, zoning subject to (1) The maximum building height shall not exceed the following - a 60 feet for the area 200 feet* north and parallel to the southernmost property line, b 80 feet for the area 300 feet* north and parallel to the southernmost property line, c 0 feet for the area 100 feet east and parallel to the westernmost property line (adjoining Emerald Forest - 70' ROW), d.

80 feet for the area 130 feet** east and parallel to the westernmost property line (adjoining Emerald Forest - 70'ROW), and e. the remainder of the site shall be restricted to a height of 120 feet.

Approve first reading only

*Except, all improvements within 50 feet of the single family and duplex uses(zoned SF-3 & LO) and located within the Casey Estates Subdivision, Section One, shall comply with compatibility standards without waivers from the height and setback requirements.

** Except, all improvements shall be further restricted by (f) below (a) The area adjoining the 100 foot area immediately east and parallel to the westernmost property line (adjoining Emerald Forest - 70' ROW), shall be restricted to minor utility crossings, hike and bike trails, water quality improvements and a single 80 space surface parking lot (b) The land uses on the site are limited to the uses allowed, both permitted and conditional uses, within the GO, General Office District, except to permit Hospital Services (general) as an additional permitted use. (c) The site shall comply with compatibility standards for the entire site, except for the building height and setback requirements as modified by #1 above (d) The site shall comply with the site development standards of the GO district and other applicable sections of the Land Development Code (LDC) (e) The overall impervious cover on the site shall not exceed 76% (f) The site shall comply with the Traffic Impact Analysis Review recommendations contained within the Memorandum, dated December 1, 1995 (g) The 100-year flood plain and the adjoining 100 foot area immediately adjoining the flood plain shall be left undisturbed, except for minor utility crossings, and hike and bike trails (h) The site shall provide on-site structural water quality controls (LDC, Sect. 13-7-19) in accordance the Environmental Criteria Manual for new or redevelopment within the site which creates impervious cover

- 45 C14-95-0173 - EMORIUM SHOPPING CENTRE(Roger Bowler), by Ray Wilkerson Companies (Jim Spence), 8900 N. U.S. Hwy. 183 From GR to CS. Planning Commission Recommendation. To Grant CS-CO, Commercial Services-Conditional Overlay, with the provision of the overlay to limit development to generate less than 2,000 vehicle trips per day
Ordinance No. 960201-E approved
- 46 C14-95-0174 - GT DISTRIBUTION (William W. Orr), by Amelia Lopez-Phelps, Consulting (Amelia Lopez-Phelps), 5426 Guadalupe Street. From LO & CS to CS. Planning Commission Recommendation. To Grant CS, Commercial Services, zoning as requested.
Ordinance No. 960201-F approved
47. C14-95-0177 - NELSON PUETT MORTGAGE (Nelson Puett), by Edward R Rathberger, Jr , Sendero Drive and Copperwood Drive. From SF-2-CO to SF-2-CO Planning Commission Recommendation To Grant SF-2-CO, Single Family Residence (standard lot)-Conditional Overlay, zoning with the provision of the conditional overlay as follows. (1) limiting development to generate no more than 2,000 vehicle trips per day, (2) dedication of 40 acres as greenbelt, (3) prohibit residential development in the 40 acre buffer zone, but allow water quality measures; and (4) limited to a maximum of 135 units. Note. the condition of compliance with the Save Our Springs Ordinance has been removed
Ordinance No. 960201-G approved
- 48 C14-95-0178 - BLACKWELL PROPERTIES (Jon Cran), 3607 Manchaca Road From SF-3 to LO-MU Planning Commission Recommendation: To Grant LO-MU, Limited Office-Mixed Use

Combining District, zoning
Approved first reading only

49. C14-95-0184 - HACKNEY AUTOMOTIVE (Norman Hackney), by Amelia Lopez-Phelps, Consulting (Amelia Lopez-Phelps), 6940 South IH-35 Service Road SB From SF-3 to CS Planning Commission Recommendation: To Grant CS, Commercial Services, zoning as requested.
Ordinance No 960201-H approved
50. C14-95-0185 - HOLT CORPORATION (Pete Donahoe), by Amelia Lopez-Phelps, Consulting (Amelia Lopez-Phelps), 9601 South IH-35 Service Road NB From SF_2 to LI Planning Commission Recommendation To Grant LI-CO, Limited Industrial Services-Conditional Overlay, with the provision of the overlay to limit development to generate less than 2,000 vehicle trips per day
Ordinance No 960201-I approved
51. C14-87-011 - M.V. WALNUT CREEK LTD. ATTN STEPHEN A. PHYRR (Rick Marcelin), by Keith Schauer, 8100-8105 Cross Park Drive and 8063, 8101-8105 Exchange Drive RESTRICTIVE COVENANT AMENDMENT Planning Commission Recommendation To Approve the amendment.
Approved
52. C14-95-0175 - EL MERCADO RESTAURANT (Antonio Villegas), by Roel Bazan, AIA Architects (Roel Bazan), 608 W. Gibson Street From SF-3 to CS Planning Commission Recommendation: To Grant GO-CO, General Office-Conditional Overlay zoning for Tract 1 and RR, Rural Residence District for Tract 2, the provisions of the overlay are as follows. (1) subject to NO, Neighborhood Office site development standards, (2) prohibit all GO uses, except Off-Site Parking and NO, Neighborhood Office uses, (3) provide a 25 foot undisturbed buffer along the westernmost property line; (4) construct a solid wood fence along the westernmost property line, except for utility crossing, and (5) limit one curb cut to the West Gibson Street. Further subject to rollback to SF-3, Family Residence, zoning should parking use cease.
Approved first reading only

Items 35 through 52 approved on, Councilmember Mitchell's motion, Councilmember Reynolds' second, 5-0 vote, Councilmembers Shea and Nofziger absent.

PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

53. 4:15 P.M. - Public hearing changing the street name of the entire length of Dessau Road (East and West) from the intersection of IH 35 North and West Dessau Road easterly to the end of Dessau Road East, the 90 degree angle), to Howard Lane (East and West)
Ordinance No. 960201-J approved
- Motion to close hearing and approve on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second 5-0 vote, Councilmembers Shea and Nofziger absent.**
54. 4:30 P.M. - Public hearing on proposed amendment to the City's Community Development Program to consider a revised Consolidated Plan reprogramming funds from 1995 and prior years for the El Buen Pastor Child Development Center; and

direct the City Manager to notify the community of the proposed amendment as provided for in the City's Citizen Participation Plan, as required under Chapter 373 of the Texas Local Government Code.

Postponed to February 8, 1996

55. 5:00 P.M. - Public hearing to consider full purpose annexation of approximately 300 acres of land in Jourdan Crossing
Motion to close hearing on Councilmember Mitchell's motion, Councilmember Reynolds' second, 5-0 vote, Councilmembers Shea and Nofziger absent.

56. 5:30 P.M. - Public hearing on proposed amendment to the City's Community Development Program to consider a revised Consolidated Plan reprogramming funds from 1995 and prior years for the Greater East Austin Youth League; and direct the City Manager to notify the community of the proposed amendment as provided for in the City's Citizen Participation Plan, as required under Chapter 373 of the Texas Local Government Code.

Cancelled

57. 6:30 P.M. - Public hearing on proposed amendment to the City's Community Development Program to consider a revised Consolidated Plan reprogramming funds from 1995 and prior years for the G.A.I.N. Elderly Housing Project, and direct the City Manager to notify the community of the proposed amendment as provided for in the City's Citizen Participation Plan as required under Chapter 373 of the Texas Local Government Code

Postponed to February 8, 1996

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session 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 this 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 on this agenda.

Pending Litigation - Section 551.071

58. Discuss Monaghan et al v. Maple Run at Austin MUD and the City of Austin, 53rd District Court, Travis County, Texas, CA 95-06139.
59. Discuss an amendment to a contract with Randy Leavitt, Attorney at Law, for legal representation in Case No. A-94-CA-355_S; Joel Bellah v. Scott Gunnlaugsson and Walter Riek, in the United States District Court.
60. Discuss Sara Palmer Neuhaus v. City of Austin, No. A-94-CA-367JN, in the United States District Court, Western District of Texas, Austin Division.

Personnel Matters - Section 551.074

- 61 Discuss appointment of Municipal Court Presiding Judge.
Postponed to February 8, 1996

ACTION ON THE FOLLOWING

- 62 Appoint Municipal Court Presiding Judge.
63. Approval of an amendment in connection with Monaghan et al v. Maple Run at Austin MUD and the City of Austin, 53rd District Court, Travis County, Texas, CA 95-06139.
Approved
64. Approval of an agreement in connection with Sara Palmer Neuhaus v. City of Austin, No. A-94-CA-367JN, in the United States District Court, Western District of Texas, Austin Division
Approved in an amount not to exceed \$85,000
65. Approval of an agreement in connection with Randy Leavitt, Attorney at Law, for legal representation in Case No A-94-CA-355-S, Joel Bellah et al v. Scott Gunnlaugsson and Walter Riek; in the United States District Court.
Approved in the amount of \$18,000, not to exceed \$55,000

Items 64 and 65 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-0 vote, Councilmembers Shea and Nofziger absent.

66. APPOINTMENTS

COMMUNITY DEVELOPMENT COMMISSION - 4 (1 PUBLIC OFFICIAL REPRESENTATIVE TO EXPIRE 3/1/96; 3 URBAN RENEWAL AGENCY REPRESENTATIVES; 2 TO EXPIRE 3/1/96 & 1 TO EXPIRE 3/1/97).
URBAN RENEWAL AGENCY - 3 (SEE COMMUNITY DEVELOPMENT COMMISSION).
No action taken

ADJOURNED at 5:25 p m. on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 4-0 vote, Councilmember Mitchell off the dais, Councilmembers Shea and Nofziger absent.

Approved on this the 8th day of February, 1996, on Mayor Pro Tem Garcia's motion, Mayor Todd's second, 7-0 vote.

The minutes were amended on July 3, 2003 to add the word "Approved" which had erroneously been omitted, to item number 63.