



**Austin City Council
MINUTES
For**

DECEMBER 13, 1990

Mayor Cooke called to order the meeting of the Council, noting the absence of Councilmember Nofziger, who he said would attend later. Councilmember Barnstone entered at 5:25 P.M. and left shortly thereafter.

1. Approved Minutes for Regular Meeting of December 6, 1990 and Special Meeting of December 7, 1990

On Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Barnstone absent.

1:00 P.M. - CITIZEN COMMUNICATIONS

2. Ms. Sue Schorer discussed current City issues.
3. Ms. Rosie T. McGee discussed water tap at 14805 Zurich Drive.
4. Ms. Jo Benoit discussed reallocation of Capital Improvement Business Loan (CIBL) awarded.
5. Mr. Donald F. Bell discussed customer debt to the Electric Utility and suggested a way to reduce it.
6. Mr. David N. Elliott discussed current City issues.
7. Mr. Thom Prentice discussed City issues.
8. Mr. R. Luthor Carpenter discussed open government and mismanagement.
9. Mr. Eric Anderson discussed current City issues.
10. Mr. Leonard Lyons discussed citizen communications to and from Council.
11. Mr. Richard Trachtenberg discussed facilitation of communications to and from Council.

1:30 P.M. - BOARD AND COMMISSION REPORTS

12. Technical Review Task Force - Report on Ozone Depletion.
Report was presented by Mike Daniels.

ITEMS CONTINUED FROM PREVIOUS MEETING

13. Approved an Ordinance establishing revised volume discount rate for use of the City of Austin FM 812 sanitary landfill by volume hauler provided that an acceptable equivalent volume of landfill space, or compensation for use of the City landfill, is provided to the City.

On Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 5-1 Vote, Councilmember Larson voted No, Councilmember Barnstone absent.

14. Approve an Ordinance repealing Ordinance No. 900913-N and re-establishing fees for engineering review and construction inspection of water and wastewater facilities and street and drainage improvements.

Pulled off indefinitely.

Year End Budget Adjustments (Items 15-18)

15. Approved an Ordinance amending the 1990-91 General Fund Operating Budget by increasing the beginning balance by \$18,832 and appropriating \$326,503 in expenditures and \$307,671 in grant reimbursements to departments listed below to fund certain expenditures that, although planned for fiscal year 1989-90, were not spent. (Source of Funding: General Fund - \$18,832. [#15 Feast of Sharing \$5,064.10. Social Services \$13,767.90] General Fund Grants - \$307,671. Appropriations: Environmental & Conservation Services, \$50,150; Health & Human Services, \$257,521.

On Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 5-0 Vote, Councilmember Epstein out of the room, Councilmember Barnstone absent.

16. Approved allocation of \$5,064.10 from the 1990-91 Social Services homeless allocation to pay the fees for the "Feast of Sharing." (Related to Item 15)

On Mayor Pro Tem Urdy's motion, Councilmember Carl-Mitchell's second, 5-0 Vote, Councilmember Epstein out of the room, Councilmember Barnstone absent.

17. Approved an Ordinance amending the 1989-90 Operating Budget for the Water and Wastewater Utility by increasing revenues by \$5,631,843 and appropriations by \$1,785,784.

On Mayor Pro Tem Urdy's motion, Councilmember Carl-Mitchell's second, 5-0 Vote, Councilmember Epstein out of the room, Councilmember Barnstone absent.

18. Approved an Ordinance amending the 1989-90 Brackenridge Hospital Operating Budget by increasing total net revenues by \$5,021,784 and increasing expenditures by \$2,417,848 due to increased patient load.

On Councilmember Carl-Mitchell's motion, Mayor Pro Tem Urdy's second, 5-0 Vote, Mayor Cooke out of the room, Councilmember Barnstone absent.

19. Approved execution of a twelve (12) month Service Agreement contract with AMPCO PARKING, 2135 Gulf Central Drive, Houston, Texas, for management of the Brackenridge Hospital Parking Garage, for a net revenue of \$172,618 to the

Hospital, with an option to extend for up to one (1) twelve (12) month period for a total estimated revenue of \$345,236. Best overall proposal of six (6) proposals. 7.05% MBE, 8.46% WBE Subcontractor participation.

On Councilmember Epstein's motion, Councilmember Nofziger's second, 5-0 Vote, Mayor Pro Tem Urdy out of the room, Councilmember Barnstone absent.

20. Authorized and approved a letter of agreement for the payment of \$100,000 to the Texas Nature Conservancy for work associated with development of the Balcones Canyonlands Habitat Conservation Plan. (Funding included in the General Fund - Environmental and Conservation Services).

On Councilmember Nofziger's motion, Councilmember Carl-Mitchell's second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

21. Authorized extension of existing Financial Services Department contract with Coopers & Lybrand to perform special service audit for six (6) neighborhood based subgrantees at a cost of \$56,000 plus out-of-pocket expenses of \$2,000 for a total cost of \$58,000. (Funding in the amount of \$29,000 available through Community Development Block Grant funds, and \$29,000 available from Program Income Funds of Subgrantee Agencies).

The audit was approved, cost was amended so City pays 100% of the cost of the audit and the City Manager is directed to direct staff to find the full amount of the money out of CDBG funds for 14th Year.

On Mayor Pro Tem Urdy's motion, Councilmember Nofziger's second, 4-2 Vote, Mayor Cooke and Councilmember Epstein voted No, Councilmember Barnstone absent.

22. Approved execution of a contract with BRUNING COMPANY, 4930 Research Drive, San Antonio, Texas, for a twelve (12) month Supply Agreement for the purchase of blue-line and black-line paper for use in drafting requirements, in an amount not to exceed \$53,700, with an option to extend for up to one (1) twelve (12) month period in an amount not to exceed \$53,700, for a total amount not to exceed \$107,400. (Funding included in the FY 1990-91 Operating Budget for General Services Department.) Low bid of two (2) bids. 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. 900835-1CM.

23. Approved execution of a contract with DANNENBAUM ENGINEERING CORP., 8627 North MoPac Boulevard, Austin, Texas, for selection of professional engineering services to develop, design, and provide construction phase services for the Robert Mueller Municipal Airport Main Runway Pavement Evaluation and Rehabilitation Program, in the amount of \$330,000. (Funding in the amount of \$90,000 available in C.I.P. 881-817-0518; and \$240,000 available in C.I.P. 881-817-0519. The City anticipates 75% grant funding from the Federal Aviation Administration). 23% DBE (23% MBE, 0% WBE).

24. Approved an Interlocal Cooperation Agreement with Travis County to accept \$1,120,000 from the County for design and construction of a new City park in the Dove Springs community area.

#22-24 on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Barnstone absent.

25. Approved second reading of an Ordinance amending Title XIII of the Austin City Code of 1981, to institute the Development System Improvements (DSI) relating to notice and appeal procedures, administrative approvals of certain applications required under the Land Development Code. (Public Hearing held December 6, 1990 - No Citizen Sign-Up)

On Councilmember Epstein's motion, Councilmember Larson's second, 4-2 Vote, Councilmembers Carl-Mitchell and Nofziger voted No, Mayor Pro Tem Urdy out of the room.

ORDINANCES

Zoning (Item 26)

26. Approved second/third readings of an Ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 4107 Nixon Lane, Case No. C14-84-036, from "I-SF-2" to "LI", Don McElvreath, Owner. First reading on July 12, 1984; Vote 5-0. Conditions met as follows: Street Deed satisfying right-of-way dedication requirement has been executed.

On Councilmember Carl-Mitchell's motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Councilmember Barnstone absent.

27. Amended Ordinance No. 870514-R to allow waiver of charges by the City Health Authority for immunizations administered under the Inner-City Immunization Initiative Grant funded by the Texas Department of Health. (No immunization revenues were budgeted for this grant-funded program. No net effect on the General Fund).

On Councilmember Carl-Mitchell's motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Councilmember Barnstone absent.

28. Approve an amendment to Chapter 13-8, Article VII of the Land Development Code of the City of Austin by adding provisions regulating the permitting and storage of common pool treatment chemicals.

Pulled off the agenda.

29. Approved the disannexation of eleven limited purpose areas that are remnant areas comprising approximately 150 acres scattered throughout the northwestern quadrant that are no longer connected to the City limits due to the required disannexations pursuant to SB 962, including a tract inadvertently omitted from the required disannexations, in order to correct ordinance enforcement and voting precinct problems.
30. Amended the FY 1990-91 Environmental and Conservation Services Department Operating Budget to fund the City's participation in the Capital Area Planning Council (CAPCO) Regional Solid Waste Plan. (Funding of \$28,500 from Environmental and Conservation Services Department).
31. Amended the 1990-91 Operating Budget by increasing beginning fund balances and reappropriating expenditures to departments listed below to fund certain expenditures that, although planned for fiscal year 1989-90 were not spent.

(Source of funding: 1989-90 Enterprise Fund - \$731,160). [Appropriations: Environmental and Conservation Services - \$175,200; Water and Wastewater - \$72,513; Energy Conservation Fund - \$41,121; Drainage Fund - \$17,000; Aviation - \$393,593; Convention Center \$31,733]. (Related to Year-End Budget Adjustments).

Aviation (Items 32-34)

32. Amended the Operating Budget of the Department of Aviation by \$35,000 to purchase and install a Digital PBX Telephone System at Robert Mueller Municipal Airport. (Related to Item 33).

#29-32 on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Councilmember Barnstone absent.

RESOLUTIONS

33. Approved execution of a contract with SOUTHWESTERN BELL TELECOM, 8911 Capital of Texas Highway, Austin, Texas, for the purchase and installation of a Digital PBX Telephone System at Robert Mueller Municipal Airport, in a total amount not to exceed \$60,000. (Funding in the amount of \$35,000 from the Department of Aviation current operating funds, and \$25,000 from the reappropriated 1989-90 Aviation Operating Fund). Best proposal of two (2). 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. (Related to Item 32)

On Councilmember Epstein's motion, Councilmember Larson's second, 5-0 Vote, Mayor Pro Tem Urdy out of the room, Councilmember Barnstone absent.

34. Approve negotiation and execution of a contract with CONTRAX SYSTEMS, INC., Cincinnati, Ohio, for the installation and implementation of an Integrated Tenant Billing and Lease Management System at Robert Mueller Airport, in an amount not to exceed \$72,508. (Funding available through a reappropriation from the FY 1989-90 Aviation Operating Budget.) Best proposal of six (6) bids. 0% M/WBE Subcontractor participation.

Postponed to January 10, 1991.

35. Approved a License Agreement from Missouri Pacific Railroad Company for placement of an 8-inch Wastewater Pipeline Crossing at Milepost 186.08. (The licensee will be the City of Austin - \$750 application fee to be paid from Wastewater Fund, C.I.P. No. 443-237-0713]
36. Authorized release of two (2) triangular shaped portions of a five foot (5') wide Electric and Telephone Easement recorded in Volume 7863, Page 259, Travis County Real Property Records, locally known as 1200 Treadwell. (\$250.00 application fee has been paid.)
37. Authorized release of a portion of the underground electric and telephone easement recorded in Vol. 9615, Pg. 313, Travis County Deed Records located on Lot 37, Blk. "C", Wells Point Phase C-3 Section Two, locally known as 15518 Smoke Signal Pass. (\$250 application fee has been paid).
38. Authorized release of a portion of the Drainage and Public Utility Easement recorded in Bk. 84, Pg. 11B, Travis County Plat Records, located on Lot 2, Blk. A,

Vista North Sect. I, locally known as 7903 Valburn Drive. (\$250 application fee has been paid).

39. Authorized release of a portion of a Public Utility Easement of record in Bk. 60, Pg. 75, TCPR, located on Lot 52, Blk. F, Colony Park Section One, Phase Two, locally known as 6704 Colony Park Cove. (\$250 application fee has been paid).
40. Authorized release of portions of the five foot (5') Public Utility Easements running along the west side lot line and the east side lot line recorded in Plat Book 14, Page 55, Travis County Property Records (TCPR), located on Lot 2B, Resubdivision of Lot 2, J. Grant Webster Resubdivision. (5795 Airport Blvd.) [Request submitted by David Bell on behalf of W.J. Grierson, owner of the Sherwin Williams Paint Store at 5795 Airport Boulevard. - \$250 application fee has been paid.]
41. Authorized and approve the filing of Eminent Domain Proceedings to acquire a wastewater easement containing 9,803 square feet of land and a temporary workspace easement containing 22,874 square feet of land out of the S.F. Slaughter League No. 1 in Austin, Travis County, Texas, owned by Jimmy Ray Simpson, Independent Executor of the Estate of A.H. Simpson, deceased, W.H. Simpson, aka Wilburn H. Simpson, J.R. Simpson, aka Jimmy Ray Simpson, F.E. Simpson, aka Floyd E. Simpson, and C.W. Simpson, aka Calvin W. Simpson for the Slaughter Lane Area III, Phase II Wastewater Project.
42. Authorized and approved the filing of Eminent Domain Proceedings to acquire a sanitary sewer easement containing 956 square feet (0.022 acre) of land and two temporary workspace easements containing a total of 6,029 square feet of land out of the William Cannon League in Austin, Travis County, Texas, owned by Bill Milburn, Inc., for the Slaughter Lane Area III, Phase II Wastewater Project.
43. Authorized and approved the filing of Eminent Domain Proceedings to acquire a wastewater easement containing 3,291 square feet (0.0755 acre) of land and a temporary workspace easement containing 7,289 square feet of land out of the S.F. Slaughter League No. 1 in Austin, Travis, County, Texas, owned by Jamee F. Stewart and husband, Charles Stewart for the Slaughter Lane Area III.
44. Authorized and approved the filing of Eminent Domain Proceedings to acquire a sanitary sewer easement containing 16,120 square feet (0.3701 acre) of land and a temporary workspace easement containing 24,182 square feet of land out of the S.F. Slaughter League No. 1 in Austin, Travis County, Texas, owned by Edwin Tabb Harrell for the Slaughter Lane Area III, Phase II Wastewater Project.
45. Authorized and approved the filing of Eminent Domain Proceedings to acquire a ten foot (10') wide permanent waterline easement consisting of 1,158 square feet of land out of Lot 3 of the Barrington Oaks Commercial, a subdivision in the James Howlett Survey, Abstract No. 892, located in the City of Austin, Williamson County, Texas, owned by David G. Price, Trustee, of the Price Revocable Trust dated August 2, 1982, for U.S. Highway 183 Improvement Project.
46. Authorized and approved the filing of Eminent Domain Proceedings to acquire a ten foot (10') wide permanent waterline easement consisting of 2,563 square feet of land out of Lot 2, Barrington Oaks Commercial, a subdivision in the James Howlett Survey, Abstract No. 892, located in the City of Austin, Williamson County, Texas, owned by Birch 78 Associates for the U.S. Highway 183 Improvement Project.

47. Authorized and approved the filing of Eminent Domain Proceedings to acquire a wastewater easement containing 18.382 square feet (0.4220 acre) of land and two temporary workspace easements containing a total of 27,707 square feet of land out of the S.F. Slaughter League No. 1 in Austin, Travis County, Texas, owned by David Chappell Moore, aka D.C. Moore, for the Slaughter Lane Area III, Page II Wastewater Project.

#35-47 on Councilmember Nofziger's motion, Councilmember Larson's second, 5-0 Vote, Mayor Pro Tem Urdy out of the room, Councilmember Barnstone absent.

48. Approved award of a Professional Services Agreement to THE UNIVERSITY OF TEXAS AT AUSTIN, TEXAS - ARCHAEOLOGICAL RESEARCH LABORATORY, for the South Austin Regional Wastewater Treatment Plant Service Area; Historical Cultural Survey Plan for Unsurveyed Areas, at an estimated cost of \$37,887. (Funding included in C.I.P. No. 432-237-0525). Best RFP of three (3). 2.1% MBE, 1.1% WBE Subcontractor participation.

On Councilmember Nofziger's motion, Councilmember Larson's second, 4-1-0 Vote, Councilmember Epstein abstained, Mayor Pro Tem Urdy out of the room, Councilmember Barnstone absent.

49. Approved a Supplemental Amendment to the Professional Services Agreement between the City of Austin and Camp Dresser & McKee, Inc., 9442 Capital of Texas Hwy. North; Austin, Texas, for additional construction and post-construction phase services at the Hornsby Bend Sludge Management Facilities, at an estimated cost of \$190,000. (Funding included in C.I.P. No. 436-237-0361.)
50. Approved a construction contract Award to TRAVIS PAVING COMPANY, 739 Slaughter Lane, Austin, Texas, for renovation of a boat ramp access drive at Fire Station No. 31 located at RM 2222/Hwy. 360, Austin, Texas, in the amount of \$39,662.20. (Funding included in C.I.P. No. 826-83700032, formerly C.I.P. No. 837032) Best bid of seven (7) bids. 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities.
51. Approved a construction contract award to INSITUFORM TEXARK INC., 9330 L.B. J. Freeway, Dallas, Texas, for the West 17th Street Cured Resin Lining Storm Sewer rehabilitation project, in the amount of \$60,840. (Funding in the amount of \$30,000 available in C.I.P. No. 804-607-1182, and the balance of \$30,840 available in the Operating Budget of the Stormwater Management Division of the Public Works and Transportation Department). Sole Bidder. 0% MBE, .82 WBE Subcontractor participation.
52. Approved execution of a contract with HOLT COMPANY OF TEXAS, Austin, Texas, for a twelve month supply agreement for repair/replacement parts to repair and maintain Caterpillar heavy equipment and diesel engines for the City's fleet, in an amount not to exceed \$60,000 to include the option to extend thereafter for up to two (2) additional twelve (12) month extension periods in an amount not to exceed \$60,000 for each period, for a total amount not to exceed \$180,000. (Funding available in the 1990-91 Operating Budget for the General Services Department). Sole Bid. 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference No. 910006-1LI.

53. Approved execution of a contract with ROHAN COMPANY, Austin, Texas, for a twelve

(12) month supply agreement for the purchase of fire hydrants, in an estimated amount of \$82,840, with the option to extend for one (1) additional twelve (12) month period in an estimated amount of \$82,840, for an estimated total amount of \$165,680. (Funding available in 1990-91 Operating Budget for the General Services Department). Low bid of four (4). 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference No. 900833-1B0.

54. Approved contract awards to MITCHELL COMPANY (MBE), underwritten by STANDARD INSURANCE COMPANY, for Basic Life Insurance and Stop-Loss Coverage, and THE ROMINE GROUP, underwritten by NORTHWESTERN NATIONAL LIFE INSURANCE COMPANY for Supplemental Life Insurance coverage, in estimated amounts not to exceed \$712,750 and \$525,000 respectively. (Funding included in the 1990-91 Employee Benefits Fund). Best two (2) bids of ten (10). 0% M/WBE Subcontractor participation.
56. Approved execution of a contract for a twelve (12) month supply agreement with SOUTHERN SAFETY SALES, Austin, Texas, for the purchase of chest drainage systems, in an amount not to exceed \$35,694 with an option to extend up to one (1) twelve (12) month period in an amount not to exceed \$35,694, for a total amount not to exceed \$71,388. (Funding included in the 1990-91 Operating Budget for Brackenridge Hospital). Low bid of five (5). 0% M/WBE Subcontractor participation. Reference No. BS0-221.
57. Authorized application for and acceptance of a grant in an amount not to exceed \$80,000 from the Texas Water Development Board, to study the impact of the City's water conservation programs on future water and wastewater plant capacity requirements. (The City's matching share of up to \$80,000 would be in-kind services performed by existing personnel. Funding available in the 1990-91 Operating Budget of the Environmental and Conservation Services Department).

#49-57 on Councilmember Nofziger's motion, Councilmember Larson's second, 5-0 Vote, Mayor Pro Tem Urdy out of the room, Councilmember Barnstone absent.

PUBLIC HEARINGS AND APPROVAL OF ORDINANCES/RESOLUTIONS

58. 4:30 P.M. - Authorize the negotiation and execution of a license agreement with Valero Transmission L P for a .2218 acre gas pipe line interconnect and meter regulator station site across a portion of dedicated parkland known as Walter E. Long Park to serve the Decker Creek Power Plant and provide a "loop System" between the "Lone Star 20 and Valero 20" pipelines in accordance with Sec. 26.001 et seq of the Texas Parks and Wildlife Code.

Mayor Cooke asked if all feasible, prudent alternatives had been investigated. Bill Stockton, Director of Public Works and Transportation, said that they had been. Mayor Cooke then asked if steps were to be taken to protect the land to return it to its natural state. Mr. Stockton answered in the affirmative.

The Council, on Councilmember Larson's motion, Councilmember Nofziger's second, closed the public hearing and approved staff recommendation with no fee waiver. (5-0 Vote, Mayor Pro Tem Urdy out of the room, Councilmember Barnstone absent.

59. 5:00 P.M. - Approve the vacation of 1.541 acres of land in the Thomas Anderson Survey #17, 5500 Block of Hwy. 290 West.

Closed the public hearing and approved on Councilmember Carl-Mitchell's motion, Councilmember Larson's second, 5-0 Vote, Mayor Pro Tem Urdy out of the room, Councilmember Barnstone absent.

60. 5:30 P.M. - Amend the downtown service fee (Sec. 6-6-81 of the Austin City Code) for businesses abutting the alleys north and south of East 6th St., as well as those east and west of Congress Avenue to cover the cost of sidewalk cleaning; and for portable restrooms in the E. 6th Street alleys; and to amend the 1990-91 Environmental and Conservation Services Department Operating Budget to increase revenues by \$34,407. (Reviewed by Sixth Street Subcommittee)

Postponed to January 17, 1991 at 5:30 P.M.

61. 6:00 P.M. - Approve allocation of \$5,030,262 in budgeted funds for Social Services. (Funding included in FY 1990-91 Operating Budget, General Fund). [Councilmember Smoot Carl-Mitchell] (Related to Item 15)

Public hearing was closed, on Mayor Pro Tem Urdy's motion, Councilmember Carl-Mitchell's second, 6-0 Vote, Councilmember Barnstone absent.

Approved as amended, on Councilmember Nofziger's motion, Councilmember Epstein's second, 6-0 Vote, Councilmember Barnstone absent.

62. 7:00 P.M. - Annexation of the North Central Austin Growth Corridor Municipal Utility District (NCAGC MUD) and four outlying parcels. (Continued from December 6, 1990)

Public hearing closed, on Councilmember Carl-Mitchell's motion, Councilmember Epstein's second, 5-0 Vote, Councilmember Nofziger out of the room, Councilmember Barnstone absent.

Action will be taken December 18, 1990.

63. 7:30 P.M. - Approve an amendment to the Land Development Code requiring restaurants and cocktail lounges to provide parking for outdoor seating areas.

Public hearing closed on Councilmember Carl-Mitchell's motion, Councilmember Epstein's second, 6-0 Vote, Councilmember Barnstone absent.

Action will be taken January 10, 1991.

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

ZONING DISTRICTS

64. GHW-90-0002 - NEW LIFE RENEWAL CENTER, by Erick W. Evans, 2904 Sweeney Lane.

(Group Home Waiver). [Planning Commission Action pending review by Subcommittee].

Postponed to January 10, 1991 at 4:00 P.M.

To be Heard by Planning Commission on December 11, 1990; Recommendation to Follow.

65. C814-74-013 - LAKEWOOD SECTION 5-A (PUD), by Leon Thompson, 7505-7621 Lakewood Drive. (Planned Unit Development Ordinance Amendment)

Postponed to January 31, 1991 at 4:00 P.M.

66. SPC-90-0142C - DIAMOND SHAMROCK, by Bury and Pittman, 1801 East Farmer Lane (Conditional Use Permit).

Ordinance Approved

67. C14-90-0045, ELI J. GARZA, by Cencor Realty, MoPac Expressway South and West William Cannon Drive from "GR-CO" to "GR-CO". (Amendment to Conditions approved with Zoning Case C14-88-0068).

First Reading

Recommended As Requested:

68. C14-90-0074 - TEXAS COMMERCE BANK, by McGinnis, Lockridge & Kilgore, 7748 U.S. Hwy. 290 West, from "RR" to "GO". (Applicant Requests Emergency Passage)

Emergency Passage of Ordinance

69. C814-90-0003 - MARKBOROUGH COMMUNITIES, by Lichliter/Jameson & Assocs., 9746-9760 U.S. Hwy. 290 East, from "DR" to "PUD".

Ordinance

Recommended As Requested, With Conditions:

70. C14-86-316 - SOUTH EAST AUSTIN ASSOC., by Mathias Company, 7000-7009 E. Ben White Blvd., from "SF-2, SF-3" to Tract 1: "CS", Tract 2: "LI".

First Reading

#64-70 on Councilmember Carl-Mitchell's motion, Councilmember Larson's second, 5-0 Vote, Mayor Pro Tem Urdy out of the room, Councilmember Barnstone absent.

ITEMS FROM COUNCIL

71. Approved a Resolution supporting various legislative measures relating to a detoxification program. (Sixth Street Subcommittee)

On Councilmember Larson's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Barnstone absent.

72. Adopt the City of Austin's Legislative Program for the 72nd Session of the Texas Legislature. (Legislative Subcommittee)

Motion

Councilmember Carl-Mitchell's made a motion, seconded by Mayor Cooke to approve as presented. (A friendly amendment by Councilmember Barnstone to delete Item 6 was not accepted.)

Motion to Amend

Councilmember Barnstone made a motion, seconded by Mayor Cooke, to delete Item #6. Motion passed by 4-1-1 Vote, Councilmember Carl-Mitchell voted No, Mayor Pro Tem Urdy abstained, Councilmember Epstein out of the room.

Roll Call on Main Motion as Amended

6-0 Vote, Councilmember Epstein out of the room.

73. Recognition of Beth Sieven and Bobby Hawthorne, Co-Presidents of Allandale Neighborhood Association, for their donation of \$500 for furniture for the North Loop Branch Library. (Councilmember Smoot Carl-Mitchell)

Council accepted their check and thanked them for it.

74. Approved a Resolution allowing the installation of banners and decorations along Congress Avenue from January 4, 1991 through January 22, 1991. (Legislative Subcommittee).

On Councilmember Larson's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Barnstone absent.

75. Approved an Ordinance waiving sign permit fees for the installation of banners in the amount of \$2,952 for the Inaugural Celebration. (Legislative Subcommittee).

On Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 5-1 Vote, Councilmember Epstein voted No, Mayor Pro Tem Urdy out of the room.

76. Set a public hearing on an appeal of the Planning Commission's denial of SPC-90-0138C, "Dance Across Texas" Night Club. Date and time: January 10, 1991 at 4:30 p.m.) [Councilmember Michael "Max" Nofziger]

77. Approved a Resolution setting the schedule for presentation of Issue Papers on the City Council's Top Priorities for 1991. (Mayor Lee Cooke)

#76-77 on Councilmember Larson's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Barnstone out of the room.

78. Approved an Ordinance canceling the regular scheduled City Council meeting of January 3, 1991. (Councilman Robert Barnstone)

On Councilmember Barnstone's motion, Councilmember Nofziger's second, 5-1 Vote, Mayor Cooke voted No, Mayor Pro Tem Urdy out of the room.

EXECUTIVE SESSION

Mayor Cooke announced Council would enter into executive session, pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation and for personnel matters. No final action, decision or vote by the City Council will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

79. Pending/Contemplated Litigation - Section 2, Paragraph e

(a) Discussion of Barton Creek Properties, Inc., v. City of Austin (appeal to Texas Water Commission).

(b) Discussion of Ernest Lopez, Jr. et al v. Austin Police Department et al, Civil Action No. A90 CA 994.

RECESS

Council recessed its meeting from 3:24 to 4:00 P.M. for Executive Session. No action was taken on items discussed.

ADJOURN

The Council adjourned its meeting at 8:27 P.M.