



Austin City Council MINUTES

APRIL 24, 1997
REGULAR MEETING

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

1. Approval of Minutes for Special Called Meeting of March 24, 1997; Regular Meetings of March 26 & 27, and April 3, 1997, Special Called Meeting of April 7, 1997; Regular Meetings of April 9 & 10, 1997.
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 7-0 vote.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Robert Thomas, to discuss employment as an athlete at the Rosewood Recreation Center; to ask City Manager for help.
3. Mr. Alec Piland, to discuss Austin traffic.
4. Mr. Gus Pena, to discuss public safety, city issues and low income affordable housing.
5. Mr. Nolan Lujan, to discuss Austin EMS employee Association.
6. Mr. Leonard Lyons, to discuss bananas for the 800 lb. gorilla, not cash.
7. Mr. John McMillan, to propose that the Austin Public Library system establish an independently-endowed Texas-theme branch public library in central Austin that will exclusively offer books and other library materials written or produced by Texans or about Texas or Texans.
8. Mr. Paul Robbins, to discuss city issues.
9. Mr. Beau Byers, to discuss PARD Administration Policy.
10. Mr. Steve Moore, to discuss affordable housing.
Absent
11. Mr. Shannon Bower, to discuss the police helicopter support program.

READING OF CONSENT AGENDA

READING OF DISCUSSION AGENDA

CITIZEN COMMUNICATIONS: CONSENT AGENDA

ACTION ON CONSENT AGENDA

ITEMS CONTINUED FROM PREVIOUS MEETINGS

12. Approve an ordinance authorizing annexation by Travis County Water Control and Improvement District No. 10 of 17.6556 acre tract owned by William D. McCormick and Esther L. McCormick, located in the vicinity of Weston Lane and RM 2244. (The Water and Wastewater Utility estimated it will receive approximately \$4,776 in additional wholesale water revenues. This revenue is not included in the 1996-97 operating budget.) (Recommended by Water and Wastewater Commission with conditions, and the Planning Commission)
Ordinance No. 970424-A approved

Municipal Court

13. Approve an ordinance amending Section 16-5-98 of the City Code to establish a new fine schedule and to create an incentive for early remittance of parking fines. (No fiscal impact.)
Ordinance No. 970424-B approved
14. Approve a resolution authorizing negotiation and execution of a twelve month service agreement with SYLVIA B. KENIG, INC. (MBE/FH), Austin, Texas, to provide Spanish Language Interpreter Services for the Austin Municipal Court, in an amount not to exceed \$93,410 with two twelve month extension options in an amount not to exceed \$93,410 per extension, for a total contract amount not to exceed \$280,230. (Funding in the amount of \$38,920.83 was included in the 1996-97 operating budget of the Municipal Court. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) Sole proposal. 100% MBE Prime participation. No M/WBE Subcontracting opportunities were identified.
Approved

Parks and Recreation

15. Approve an ordinance authorizing acceptance of \$5,000 in grant funds from the 1996 Urban Forestry Public Outreach of the Texas Forest Service for neighborhoods Street Tree Planting Video; amend Ordinance 960910-G, the 1996-97 Operating Budget Special Revenue Fund of the Parks and Recreation Department by appropriating \$5,000 in grant funds. (City's match of \$5,000 is available in the 1996-97 Operating Budget Special Revenue Fund of the Parks and Recreation Department.)
Ordinance No. 970424-C approved
16. Approve a resolution authorizing a construction contract award to LTI ENTERPRISES, INC., Austin, Texas, for construction of accessibility improvements at Headquarters and Visitor's Pavilion of the Austin Nature and Science Center, in an amount not to exceed \$51,900. (Funding was included in the 1996-97 Amended Capital budget of the Parks and Recreation Department.) Low bid of five. 33.85% MBE, 14.06% WBE Subcontractor participation.
Approved

Financial Services

17. Approve a resolution establishing the Susan B. Hadden Telecommunity Award to be awarded annually to recognize citizens for their participation and assistance to the City of Austin on telecommunications issues. (Recommended by Council Committee for Telecommunications Infrastructure)
Approved
18. Approve a resolution authorizing execution of a twelve month supply agreement with ALEXANDER MANUFACTURING COMPANY, Mason City, Iowa, to provide radio batteries for mobile communications equipment used by various City departments, in an amount not to exceed \$50,497.25 with three twelve month extension options in an amount not to exceed \$50,497.25 per extension, for a total contract amount not to exceed \$201,989. (Funding was included in the 1996-97 operating budgets of the user departments. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) Low bid of five. No M/WBE Subcontracting opportunities were identified.
Approved
19. Approve negotiation and execution of a 12 month contract with the following vendors: MICRO MEDIA SOLUTIONS, INC. (MBE), Austin, Texas; COMPUTER SOLUTIONS, Austin, Texas; DELL COMPUTERS, Round Rock, Texas; INACOM INFORMATION SYSTEMS, Austin, Texas, for the purchase of notebook computers, desktop computers, servers and three year on-site warranty and service for a total amount to all contractors not to exceed \$3,000,000, with three twelve month extension options in an amount not to exceed \$3,000,000 per extension for total contract amounts not to exceed \$12,000,000. (Funding in the amount of \$2,086,643 was included in the 1996-97 operating budget for each City department; funding for the remaining seven months of the original contract period and extension options will be contingent upon available funding in future budgets.) Best proposals of thirteen. Total MBE Prime Participation: 20%. No M/WBE Subcontracting opportunities were identified.
Approved

Police

20. Approve a resolution authorizing execution of a twelve month service agreement with AMERICAN EAGLE WRECKER SERVICE, INC., Austin, Texas, to provide towing of abandoned and junk vehicles to the City's Abandoned Vehicle Facility, in an amount not to exceed \$40,000 with two twelve month extension options in an amount not to exceed \$40,000 per extension, for a total contract amount not to exceed \$120,000. (Funding in the amount of \$16,666.67 was included in the 1996-97 operating budget of the Austin Police Department. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) Low bid of five. No M/WBE Subcontracting opportunities were identified.
Approved
21. Authorize execution of an Interlocal Agreement between the City of Austin and Travis County in an amount not to exceed \$129,125 in grant funding to participate in the creation of a 24 hour Family Protection Team to serve victims of domestic violence. (Federal grant funding for this purpose is included in the "Encourage Arrest Policies for Domestic Offenders Program" in the 1996-97 Austin Police Department Special Revenue Fund.)

Approved

22. Authorize execution of an Agreement for Professional Services between the City of Austin and the Center for Battered Women in an amount not to exceed \$65,590 in grant funding to provide professional counseling services to family violence victims. (Federal grant funding for this purpose is included in the "Encourage Arrest Policies for Domestic Offenders Program" in the 1996-97 Austin Police Department Special Revenue Fund.)

Approved

23. Authorize execution of an Agreement for Professional Services between the City of Austin and Legal Aid of Central Texas in an amount not to exceed \$64,501 in grant funding to provide professional legal services to family violence victims. (Federal grant funding for this purpose is included in the "Encourage Arrest Policies for Domestic Offenders Program" in the 1996-97 Austin Police Department Special Revenue Fund.)

Approved

24. Authorize execution of an Agreement for Professional Services between the City of Austin and the Women's Advocacy Project, Inc., in an amount not to exceed \$49,500 in grant funding to provide professional legal advocacy services during the trial and sentencing phases of family violence cases. (Federal grant funding for this purpose is included in the "Encourage Arrest Policies for Domestic Offenders Program" in the 1996-97 Austin Police Department Special Revenue Fund.)

Approved

25. Authorize execution of an Agreement for Professional Services between the City of Austin and the Austin Child Guidance Center in an amount not to exceed \$22,800 in grant funding to provide professional services to juvenile victims of domestic violence. (Federal grant funding for this purpose is included in the "Encourage Arrest Policies for Domestic Offenders Program" in the 1996-97 Austin Police Department Special Revenue Fund.)

Approved

26. Authorize execution of an Agreement for Professional Services between the City of Austin and Child and Family Services, Inc., in an amount not to exceed \$22,800 in grant funding to provide professional counseling services to battering and abusive men. (Federal grant funding for this purpose is included in the "Encourage Arrest Policies for Domestic Offenders Program" in the 1996-97 Austin Police Department Special Revenue Fund.)

Approved

27. Correct Ordinance No. 961211-A, which establishes the classifications and positions in the classified service of the Austin Police Department. (No fiscal impact.)

Ordinance No. 970424-D approved

28. Approve the lease of 23,866 net rentable square feet of office space for use by the Police Department, in the amount of \$297,789 per year. (Funding in the amount of \$10,971 for the remaining four months of the current fiscal year is available in the 1996-97 Operating Budget of the Police Department; funding for the remainder of the lease is contingent upon approved funding in future budgets.)

Approved

Human Resources

29. Approve a resolution authorizing negotiation and execution of a three month contract with WORKPLACE VIOLENCE RESEARCH INSTITUTE, Laguna Beach, California, to provide consultative, training, and facility security assessment services related to the implementation of the City's Workplace Violence Prevention Program, in an amount not to exceed \$60,565.00. (Funding is available in the 1996-97 Workers Compensation Fund.) Best proposal of two. No M/WBE Subcontracting opportunities were identified.

Approved

Items 12 through 29 approved on, Councilmember Reynolds' motion, Mayor Pro Tem Garcia's second, 7-0 vote.

Public Works

30. Approve a resolution authorizing execution of a construction contract award with AUSTIN BRIDGE & ROAD COMPANY, Austin, Texas, for the Transportation System Management (TSM) Project on Burnet Road at North Loop Boulevard to include street intersection improvements and water line relocations, in the amount of \$499,333 with an additional \$49,933.30 as a contingency fund for change orders, for a total amount of \$549,266.30. (Funding in the amount of \$425,769.30 was included in the 1995-96 Approved Capital budget of the Public Works and Transportation Department; \$123,497 was included in the 1991-92 Approved Capital budget of the Water and Wastewater Utility.) Low bid of ten. 27.44% MBE, 8.75% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission and Urban Transportation Commission)

Postponed two weeks to May 8, 1997

31. Approve a resolution authorizing negotiation and execution of Land Surveying Services Rotation List Agreements with: MACIAS & ASSOCIATES, INC., (MBE/MH), Austin, Texas; MCGRAY & MCGRAY LAND SURVEYORS, INC., (WBE/FR), Austin, Texas; SURVEY RESOURCES, INC., Austin, Texas; MARTINEZ, WRIGHT & MENDEZ, INC., (MBE/MH), Austin, Texas; CAPITAL SURVEYING COMPANY, INC., Austin, Texas; SURVEYING AND MAPPING, INC., (MBE/MB), Austin, Texas; RALPH HARRIS SURVEYOR, INC., Austin, Texas; JAMES E. GARON & ASSOCIATES, Austin, Texas; BAKER-AICKLEN & ASSOCIATES, INC., Austin, Texas; RUST LICHLITER/JAMESON, Austin, Texas; TERRA FIRMA, Austin, Texas; LANDMARK SURVEYING, INC., (WBE/FR), Austin, Texas; LENZ & ASSOCIATES, INC., (dba AB Surveying Co.), (MBE/MH), Austin, Texas, Austin, Texas; PROFESSIONAL DESIGN GROUP, Austin, Texas ; 3DS, INC., Austin, Texas, for land surveying services on Capital Improvements Projects for a period of approximately two years, or until funding is expended, for a total not to exceed \$751,000. (Funding for these services is available in the Capital budgets of the various departments for which services are needed.) Best proposals of nineteen. Macias & Associates, Inc. 73.2% MBE Prime participation. 8.6% MBE, 18.2% WBE Subconsultant participation; McGray & McGray Land Surveyors, Inc.: 91.4% WBE Prime participation. 8.6% MBE, 0% WBE Subconsultant participation; Survey Resources, Inc.: 8.6% MBE, 18.2% WBE Subconsultant participation; Martinez, Wright &

Mendez, Inc.: 81.8% MBE Prime participation. 0% MBE, 18.2% WBE Subconsultant participation; Capital Surveying Company, Inc.: 8.6% MBE, 18.2% WBE Subconsultant participation; Surveying and Mapping, Inc.: 80% MBE Prime participation. 0% MBE, 20.0% WBE Subconsultant participation; Ralph Harris Surveyor, Inc.: 8.6% MBE, 18.2% WBE Subconsultant participation; James E. Garon & Associates: 8.6% MBE, 18.2% WBE Subconsultant participation; Baker-Aicklen & Associates, Inc.: 8.6% MBE, 18.2% WBE Subconsultant participation; Rust Lichliter/Jameson: 8.6% MBE, 18.2% WBE Subconsultant participation; Terra Firma: 8.6% MBE, 18.2% WBE Subconsultant participation; Landmark Surveying, Inc.: 91.4% WBE Prime participation. 8.6% MBE, 0% WBE Subconsultant participation; Lenz & Associates: 8.6% MBE, 18.2% WBE Subconsultant participation; Canales, Martinez & Nash Surveying Company: 73.2% MBE Prime participation. 8.6% MBE, 18.2% WBE Subconsultant participation; Professional Design Group: No M/WBE Subconsulting opportunities were identified; 3DS INC., 8.69% MBE, 18.2% WBE Subconsulting participation.

Approved

Health

32. Approve an ordinance authorizing acceptance of an additional \$799,495 in grant funds from the United States Department of Health and Human Services Ryan White Title I Supplemental grant program; amend Ordinance No. 960910-G, the 1996-97 Operating Budget; amend the Special Revenue Fund by appropriating an additional \$799,495 in grant funds for the Health and Human Services Department Special Revenue Fund, for a total grant amount of \$1,865,005; and authorize an additional 8.0 full-time equivalent grant funded positions. (Funding is available from the U.S. Department of Health and Human Services Ryan White Title Supplemental grant.)
Ordinance No. 970424-E approved

33. Authorize acceptance of \$129,590 in additional grant funds from the Texas Department of Housing and Community Affairs for the Community Services Block Grant (CSBG) program; amend Ordinance No. 960910-G, the 1996-97 operating budget, amending the Special Revenue Fund by appropriating an additional \$129,590 in grant funds for the Health and Human Services Special Revenue Fund, for a total grant amount of \$608,135. (A city match is not required.)
Ordinance No. 970424-F approved

Items 31 through 33 approved on, Councilmember Reynolds' motion, Mayor Pro Tem Garcia's second, 7-0 vote.

Planning, Environmental and Conservation Services

34. Approve a resolution authorizing the release of approximately 3,630 acres of Austin's Extraterritorial Jurisdiction (ETJ) consisting of approximately 3,506 acres to the City of Pflugerville and approximately 124 acres to the City of Lakeway and authorize negotiation and execution of all agreements and documents necessary to release all rights and obligations under the Agreement concerning Creation and Operation of North Travis County MUD No. 5, as amended, and to transfer facilities to the District or to the City of Pflugerville which were

previously dedicated to the City under the Consent Agreement. (No fiscal impact.) **Approved on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 7-0 vote.**

Development Review & Inspection

35. Amend Ordinance No. 950720-B, by amending condition No. 2 (Part 2) to reflect the correct amount of building square footage permitted by adding "or 96,000 square feet of gross floor area"; for property locally known as 3300 to 3500 W. Parmer Lane, Case No. C14-94-0176. City Staff: David Wahlgren, 499-6455.
Ordinance No. 970424-G approved

36. Amend Ordinance No. 961003-F, by revising the legal description to include Lots 1, 2, and 17, Block H, University Hills Section 1 Subdivision; for the property locally known as 6414 North Hampton Drive, Case No. C14-96-0089. City Staff: Greg Guernsey, 499-2387.
Ordinance No. 970424-H approved

Items 35 and 36 approved on, Councilmember Reynolds' motion, Mayor Pro Tem Garcia's second, 7-0 vote.

37. Approve third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 1701-1709 Lavaca Street and 200-216 West 17th Street, Case No. C14-96-0009, from "DMU", Downtown Mixed Use District and "CS", General Commercial Services to "DMU-CURE", Downtown Mixed Use District-Central Urban Redevelopment District, zoning with conditions. First reading on April 25, 1996; Vote 6-0, Reynolds absent. Second reading on May 16, 1996; Vote 7-0. Conditions met as follows: Ordinance incorporates the conditions imposed by Council at second reading. City Staff: Antonio Gonzalez, 499-2243.
Postponed to May 8, 1997

38. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 8905 Cullen Lane, Case No. C14-96-0017, from "I-RR", Interim Rural Residence; "DR", Development Reserve; and "GR", Community Commercial Services to "CS-CO", General Commercial Services-Conditional Overlay, zoning with conditions. First reading on April 25, 1996; Vote 6-0, Reynolds absent. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. City Staff: Antonio Gonzalez, 499-2243.
Ordinance No. 970424-I approved

39. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as the vicinity of Sunridge Drive and Wickersham Lane, Case No. C14-96-0056, from "MF
_2", Multifamily Residence (low density) to "SF-2", Single Family Residence (standard lot) zoning. First reading on September 26, 1996; Vote 6-0; Garcia absent. Conditions met as follows: There are no conditions to be met. City Staff: Susan Villarreal, 499-6319.
Ordinance No. 970424-J approved

40. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as West Dittmar Road and Cooper Lane, Case No.

C14-96-0126, from "I-RR", Interim Rural Residence to "SF-2-CO", Single Family Residence (standard lot)-Conditional Overlay, zoning with conditions. First reading on March 6, 1997; Vote 5-0, Mitchell and Todd off the dais. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. City Staff: Susan Villarreal, 499-6319.

Ordinance No. 970424-K approved

41. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 209 & 219 West Stassney, Case No. C14-97-0002, from "SF-3", Family Residence to "NO-CO", Neighborhood Office-Conditional Overlay, zoning with conditions. First reading on March 20, 1997; Vote 6-0, Reynolds of the dais. Conditions met as follows: conditional overlay incorporates conditions imposed by Council at first reading. City Staff: David Wahlgren, 499-6455.

Ordinance No. 970424-L approved

42. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as the vicinity of Pearce Lane and FM 973, Case No. C14-97-0005, from "DR", Development Reserve to "MH", Mobile Home Residence district, zoning with conditions. First reading on March 27, 1997; Vote 6-0, Reynolds of the dais. Conditions met as follows: Restrictive covenants incorporates conditions imposed by Council at first reading. City Staff: Craig Alter, 499-2769.

Ordinance No. 970424-M approved

Items 38 and 42 approved on, Councilmember Reynolds' motion, Mayor Pro Tem Garcia's second, 7-0 vote.

43. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as the 2215 to 2301 Westlake Drive, Case No. C14-97-0009, from "SF-3", Family Residence and "CS", General Commercial Services to "CR-CO", Commercial Recreation-Conditional Overlay, zoning with conditions. First reading on April 10, 1997; Vote 4-3, Todd, Mitchell and Reynolds-No. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. City Staff: David Wahlgren, 499-6455.

Ordinance No. 970424-N approved second and third readings limiting additional boat slips to 25 on, Mayor Pro Tem Garcia's motion, Councilmember Reynolds' second 7-0 vote.

44. Set a public hearing on a variance request to construct a new home located at 4502 Craigwood Drive in the 25-year floodplain of a tributary of Walnut Creek. (Suggested date and time: May 8, 1997 at 6:00 p.m.)

Approved

45. Set a public hearing on a variance request to construct an addition to an existing home located at 4813 Creek Bend Drive in the 25-year floodplain of Williamson Creek. (Suggested date and time: May 8, 1997 at 6:00 p.m.)

Approved

46. Set a public hearing on variance requests to place a manufactured home in the 25-year floodplain of Onion Creek at the following locations: 5302 Thornwood Drive; 5403 Sand Hill Drive; 6822 Onion Creek Drive; and 5409 Vine Hill Drive. (Suggested date and time: May 8, 1997 at 6:00 p.m.)

Approved

47. Set a public hearing on a variance request to construct an addition to a manufactured home at 6808 Thatch Lane in the 25-year floodplain of Onion Creek. (Suggested date and time: May 8, 1997 at 6:00 p.m.)

Approved

48. Set a public hearing on a variance request to complete construction of a detached workshop and gameroom at 7103 Glowworm Circle in the 25-year floodplain of Onion Creek. (Suggested date and time: May 8, 1997 at 6:00 p.m.)

Approved

49. Set a public hearing on a variance request to construct an addition to an existing home at 1112 Brookwood Avenue in the 25-year floodplain of Tannehill Branch of Boggy Creek. (Suggested date and time: May 8, 1997 at 6:00 p.m.)

Approved

Items 44 through 49 approved on, Councilmember Reynolds' motion, Mayor Pro Tem Garcia's second, 7-0 vote.

Aviation

50. Approve the selection and authorize negotiation and execution of a professional services agreement with ROMA DESIGN GROUP, San Francisco, California, for preparation of a Reuse and Redevelopment Master Plan for Robert Mueller Municipal Airport, in an amount not to exceed \$500,000. (Funding was included in the 1996-97 operating budget for the Department of Aviation.) Best proposal of five. DBE Prime Participation: 33%; 8.8% MBE Subcontractor participation, 18.2% WBE Subcontractor participation. (Recommended by Aviation Advisory Board.)

Motion to postpone for two weeks on, Councilmember Mitchell's motion, Councilmember Slusher's second,

No vote taken

Substitute motion by Councilmember Griffith approve in an amount not to exceed \$500,000 conditioned on a council vote determining the process and schedule for approval of the redevelopment plan prior to Roma Design Group's beginning any planning work concerning the site itself, Councilmember Goodman's second, 6-1 vote, Councilmember Mitchell voting "NO".

Development Review/Drainage Utility

51. Approve a resolution authorizing execution of a contract with DENSON CONSULTING, Austin, Texas, for the purchase of forty-nine personal computer systems for the Automated Subdivision and Site Plan Review Program, in an amount not to exceed \$218,295. (Funding in the amount of \$111,375 was included in the 1996-97 operating budget of the Development and Review; \$106,920 was included in the 1996-97 operating budget of Drainage Utility Department.) Low bid of eighteen. No M/WBE Subcontracting opportunities were identified.
Approved on, Councilmember Reynolds' motion, Mayor Pro Tem Garcia's second, 7-0 vote.

Mid-Year Budget Amendments

52. Approve an Ordinance amending Ordinance No. 960910-G, the 1996-97 Operating Budget of the Health and Human Services Department's Travis County Reimbursed Fund by: (1) decreasing budgeted revenue from Travis County in the amount of \$97,349; and (2) decreasing budgeted expenditures in the amount of \$97,349; and (3) decreasing authorized full-time Equivalent (FTE) positions by 2.4 thereby reducing the number of FTEs reimbursed by Travis County from 98.90 to 96.50.
Ordinance No. 970424-O approved
53. Approve the adoption of an Official Declaration of Intent to Reimburse acquisition and construction costs of the 1996-97 Capital Improvement Projects for the City of Austin Public Works and Transportation Department. **(Related to Items 54-55)**
Approved
54. Amend Ordinance No. 960910-A, the 1996-97 Capital Budget of the Public Works and Transportation Department by transferring \$400,000 from the Stassney Lane (Nuckols Crossing to Burleson Road project) [1984 GO Bonds, Proposition 18] to the Barton Springs (Lamar to Robert E. Lee Road) project (1984 GO Bonds, Proposition 18) for roadway, sidewalk and drainage improvements at the intersection of Robert E. Lee and Barton Springs Road. (Recommended by Planning Commission) **[Related to Items 53 & 55]**
Ordinance No. 970424-P approved
55. Amend Ordinance No. 960910-A, the 1996-97 Capital Budget of the Public Works and Transportation Department by transferring \$286,000 from the Stassney/Nuckols Crossing to Burleson Road project (1984 GO Bonds, Proposition 18) to the Grove Blvd./Riverside to US 183 project (1984 G.O. Bonds, Proposition 18) to fund the extension of Grove Blvd. From Hogan to the entrance of the Montopolis Sports Complex Park. (Recommended by Planning Commission) **[Related to Items 53-54]**
Ordinance No. 970424-Q approved
56. Amend Ordinance No. 960910-A, the 1996-97 Capital Budget of the Financial Services Department by transferring \$800,000 from the 1997 CIP Contingency project to the Public Works and Transportation Department. Amend Ordinance No. 960910-A, the 1996-97 Capital Budget of the Public Works and Transportation Department by increasing transfers in by \$800,000 from the 1997 CIP Contingency project (FASD), transferring \$1,000,000 from the completed Manchaca ROW project and appropriating \$1,800,000 to a new project, Metric Blvd./Rutland to Rundberg. (Recommended by Planning Commission)

Ordinance No. 970424-R approved

57. Approve a resolution authorizing negotiation and execution of a contract with MET 94, Ltd. for improvements along Metric Boulevard from Rutland to Rundberg Lane, in an amount not to exceed \$1,862,790. (Funding in the amount of \$1,800,000 was included in the 1996-97 Amended Capital Budget of the Public Works and Transportation Department; \$62,790 is available in the 1996-97 Capital Budget of the Water and Wastewater Utility.)

Approved

58. Authorize acceptance of an Intermodal Surface Transportation Efficiency Act (ISTEA) Grant from the Texas Department of Transportation for upgrades to the computerized traffic signal system; Amend Ordinance No. 960910-A, the 1996-97 Capital Budget of the Public Works and Transportation Department by appropriating \$2,692,000 to a new ISTEA Traffic Signal System project. (City's match of \$673,000 (20% match) and \$13,460 (2% administrative fee) are included in the 1996-97 approved Capital Budget.) [Recommended by Planning Commission] **(Related to Item 59)**

Ordinance No. 970424-S approved

59. Amend Ordinance No. 960910-A, the 1996-97 Capital Budget for the Public Works and Transportation Department by appropriating \$476,000 to a new ISTEA Traffic related project. (City's match of \$126,180 is included in the 1996-97 approved Capital Budget.) [Recommended by Planning Commission] **(Related to Item 58)**

Ordinance No. 970424-T approved

60. Authorize acceptance of an Intermodal Surface Transportation Efficiency Act (ISTEA) Grant from the Texas Department of Transportation for bicycle projects; Amend Ordinance No. 960910-A, the 1996-97 Capital Budget of the Public Works and Transportation Department by appropriating \$896,185 to a new ISTEA Bikeways project; Amend Ordinance No. 960910-G, the 1996-97 Operating Budget of the Public Works and Transportation Department Special Revenue Fund by increasing budgeted revenue by \$24,960 and budgeted expenditures by \$24,960, and authorizing 0.50 additional full-time equivalent positions (FTEs). [Recommended by Planning Commission]

Ordinance No. 970424-U approved

61. Amend Ordinance No. 960910-G, the 1996-97 Operating Budget of the Drainage Utility Fund by increasing the audited beginning balance by \$1,160,223; increasing the transfer to the CIP by \$845,500; increasing budgeted expenditures of the Administration Division by \$89,469; increasing budgeted expenditures of the Stormwater Management Division by \$55,000; increasing budgeted expenditures of the Environmental Resource Management Division by \$170,254; authorizing 2.0 additional Full Time Equivalent positions (FTEs) for water quality monitoring. (Reviewed by Planning Commission and Environmental Board)

Ordinance No. 970424-V approved

62. Amend Ordinance No. 960910-A, the 1996-97 Capital Budget of the Drainage Utility by increasing transfers in from the Drainage Utility Fund by \$845,500; increasing appropriations to existing projects by \$245,500 (Water Quality Retrofit Planning - \$50,000; Non-Urban Watershed Retrofits - \$70,000; Upper Brushy Creek Drainage Improvement - \$22,500; and

Maintenance Equipment Replacement - \$103,000); appropriating \$100,000 to a new project, Onion Creek Flood Control Improvements; and appropriating \$500,000 to a new project, Lower Shoal Erosion Control Improvements. (Reviewed by Planning Commission and Environmental Board) **Ordinance No. 970424-W approved**

63. Amend Ordinance No. 960910-A, the 1996-97 Capital Budget of the Financial Services Department by transferring \$160,000 from the 1997 CIP Contingency Project to the Parks and Recreation Department, and the 1996-97 Capital Budget of the Parks and Recreation Department by increasing transfers in by \$160,000, transferring \$50,000 from the completed Dick Nichols Park project and increasing appropriations by \$210,000 for additional project requirements of the Dove Springs Recreation Center project (1992 GO Bonds, Proposition 8). **Ordinance No. 970424-X approved**
64. Amend Ordinance No. 960910-G, the 1996-97 Operating Budget by decreasing budgeted expenditures of the Parks and Recreation Department by \$91,337 to reflect current fiscal year savings as a result of the Central City Entertainment Center facility management services contract; and Decreasing the General Fund transfer to the Support Services Fund by \$47,000 and reducing the budgeted expenditures of Internal Audit by \$47,000 to recognize projected savings increasing budgeted expenditures of the Austin Police Department by \$45,000 to purchase 20 hand radios and 20 tactical headsets for the SWAT, K9 and Explosive Ordinance programs, increasing the unreserved ending balance of the General Fund by \$ 93,337. **Ordinance No. 970424-Y approved**

Items 52 through 64 approved on, Councilmember Mitchell's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

65. Amend Ordinance No. 960910-G, the 1996-97 Operating Budget by decreasing the budgeted expenditures of PECSD as related to the downtown feasibility study by \$150,000; decreasing the General Fund transfer to the Planning, Environmental and Conservation Services Department (PECSD) by \$150,000; decreasing the unreserved ending balance of the General Fund by \$31,548 increasing the General Fund Transfer to Support Services by \$181,548; increasing budgeted expenditures of the Human Resources Department by \$181,548 to fund compensation planning and administration initiatives; and authorizing 3.25 additional Full Time Equivalent (FTE) positions in the Human Resources Department for compensation planning and administration initiatives. **Ordinance No. 970424-CC approved on, Councilmember Mitchell's motion, Mayor Pro Tem Garcia's second, 5-2 vote, Councilmembers Goodman and Slusher voting "NO".**
66. Amend Ordinance No. 960910-B, the 1996-97 Fee Ordinance, to establish reservation fees for special events at the Veloway. (It is anticipated that these new rental reservation fees will result in an increased General Fund Revenue estimate of \$1,800.) **Ordinance No. 970424-Z approved**
67. Amend Ordinance No. 960910-G, the 1996-97 Operating Budget of the Recreation Programs Enterprise Fund of the Parks and Recreation Department by increasing budgeted revenue by \$54,375 and increasing budgeted expenditures by \$54,375 resulting from increased participation in recreation programs and operation of the Pioneer Farm.

Ordinance No. 970424-AA approved

68. Authorize the Parks and Recreation Department to expend \$10,000 from the Cemetery Fund to provide tree trimming due to ball moss at Oakwood Cemetery.

Approved

Items 66 through 68 approved on, Councilmember Mitchell's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

69. Amend Ordinance No. 960910-G, the 1996-97 Operating Budget of the Travis County Reimbursed Fund of the Health and Human Services Department by decreasing budgeted revenue from Travis County in the amount of \$97,349; decreasing budgeted expenditures in the amount of \$97,349; and decreasing authorized Full Time Equivalents (FTEs) by 2.4, thereby reducing the number of FTEs reimbursed by Travis County from 98.90 to 96.50.

Pulled off agenda (same as item 52)

70. Amend Ordinance No. 960910-G, the 1996-97 Operating Budget by decreasing budgeted expenditures of the Health and Human Services Department by \$130,948; increasing the General Fund Transfer to Support Services by \$130,948; increasing budgeted expenditures of the Financial and Administrative Services Department (FASD) by \$130,948 to transfer funding of the East Side Story project (\$100,846) and the Arthur B. DeWitty Center (\$30,102) from Health and Human Services to FASD and moving 2.0 FTE positions from Health and Human Services to FASD.

Ordinance No. 970424-BB approved on, Councilmember Mitchell's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

ITEMS FROM COUNCIL

71. Status report and recommendations regarding the establishment of a Small Minority Business Assistance Program. (Mayor Pro Tem Gus Garcia)

Pulled off agenda

72. Staff briefing on SCIP II, SCIP III, Austin Revitalization Authority, and Central City Entertainment Center. (Councilmember Eric Mitchell) (6:30 p.m. - Time Certain)

Motion to recess public discussion to time certain on May 8, 1997 at 6:45 p.m. on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-1 vote, Councilmember Mitchell voting "NO".

73. Approve a resolution amending the City's Legislative Program to express support of or opposition to legislation concerning water utility service fees. (Mayor Pro Tem Gus Garcia and Councilmember Daryl Slusher)

Motion by Mayor Pro Tem Garcia to oppose bills, Councilmember Slusher's second, 6-0 vote, Councilmember Mitchell off the dais.

74. Direct the City Manager to review the City's policy for lighting recreation fields and provide a report to City Council. (Councilmember Eric Mitchell)

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

75. Approve a resolution directing the City Manager to provide a report on Austin Police Department community outreach and policing programs and to begin suggested long-term initiatives. (Councilmember Jackie Goodman)
Pulled

76. Set public hearings for annexation of Regency Village. (Suggested dates and times: May 8, 1997 at 7:30 p.m. and May 15, 1997 at 6:00 p.m.) [Councilmember Jackie Goodman and Mayor Pro Tem Gus Garcia]
Approved

77. Approve a resolution instructing the City Manager to maximize revenues to the City's General Fund from the Mueller and Bergstrom properties. (Councilmembers Beverly Griffith, Daryl Slusher and Jackie Goodman)
Approved

Items 76 and 77 approved on, Councilmember Reynolds' motion, Mayor Pro Tem Garcia's second, 7-0 vote.

78. Approve an ordinance amending Ordinance No. 960910-G, the 1996-97 Operating Budget by transferring \$593,520 from the General Fund Contingency Reserve, appropriating \$593,520 to the Police Department to fund the Walking Beat Program. (Councilmember Eric Mitchell)
Motion to approve \$693,000 for 27 officers to be split between 11th/12th and South Congress on, Councilmember Mitchell's motion, Councilmember Goodman's second, 2-5 vote, Mayor Todd, Mayor Pro Tem Garcia, Councilmember Griffith, Reynolds and Slusher voting "NO".

79. Amend Ordinance No. 960910-G, the 1996-97 Operating Budget for the Airport Fund by appropriating an additional \$50,000 to fund weather observers and decreasing the ending balance by the same amount. (Mayor Bruce Todd)
Ordinance No. 970424-DD approved on, Councilmember Mitchell's motion, Mayor Todd's second 6-1 vote, Councilmember Griffith voting "NO".

80. Amend Ordinance No. 960910-G, the 1996-97 Operating Budget, by appropriating \$34,500 from the General Fund Contingency Reserve and by increasing the transfer to the Support Services Fund and appropriating an additional \$34,500 to Financial Services to fund professional services related to corridor development, SH 130 and commuter rail. (Mayor Bruce Todd)
Ordinance No. 970424-EE approved on, Councilmember Goodman's motion, Mayor Todd's second, 7-0 vote.

81. Amend Ordinance No. 960910-A, the 1996-97 Capital Budget of Financial and Administrative Services Department by transferring \$100,000 from the 1997 CIP Contingency Project to the Public Works and Transportation Department; amend the 1996-97 Capital Budget of the Public Works and Transportation Department by increasing the transfers in by \$100,000 from the 1997 CIP Contingency Project (FASD), and increasing the appropriation of the ISTEAs steam train project for cost overruns, in the amount of \$100,000, for a total project cost of \$306,028. (Mayor Bruce Todd)
Ordinance No. 970424-FF approved with the allocation first to come out of the Convention

Center Tourism Fund, unless it is not legally permissible by bond council and second to the CIP only if the first alternative is not acceptable to legal council on, Mayor Pro Tem Garcia's motion, Mayor Todd's second, 5-0-1 vote, Councilmember Mitchell "ABSTAINING", Councilmember Goodman temporarily absent.

Friendly amendment by Councilmember Slusher if we cannot find the money from the first two funds, to come back with this item.

Friendly amendment accepted by maker and seconder.

82. Approve an Interlocal Agreement with Capital Metro Transportation Authority for cablecasting meetings on Channel 6. (Capital Metro will pay the City \$200 per meeting over the term of the contract.) [Councilmember Eric Mitchell]
Approved on, Councilmember Reynolds' motion, Mayor Pro Tem Garcia's second, 7-0 vote.

4:30 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

83. C14p-81-028 - Public hearing to amend the restrictive covenant by revising provision number #1 for property locally known as 4400 Ridge Oak Drive. The existing zoning is "P", Public District. City Staff: Antonio Gonzalez, 499-2243.
Approved on, Councilmember Mitchell's motion, Mayor Todd's second, 7-0 vote.

84. C14-96-0064 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as 1704 to 1710 Lovingood Drive, from "SF-3", Family Residence to "LR", Neighborhood Commercial, zoning. Planning Commission Recommendation: To forward to Council without a recommendation. City Staff: Susan Villarreal, 499-6419.
Motion to close public hearing on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second 6-0 vote, Councilmember Mitchell off the dais.

Motion to approve on, Councilmember Mitchell's motion, Mayor Pro Tem Garcia's second, 4-2-1 vote, Councilmembers Griffith and Slusher voting "NO", Councilmember Goodman "ABSTAINING".

Zoning did not meet the 6 votes required with a valid petition.

Substitute motion by Councilmember Griffith to approve LO Limited Office, 1st reading, at second reading, explore access prohibition to Lovingood and fencing on, Councilmember Goodman's second, 6-1 vote, Councilmember Mitchell voting "NO".

85. C14-96-0139 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as Brodie Lane and West William Cannon Drive, from "PDA-LI", Planned Development Area-Limited Industrial Services to "GR", Community Commercial zoning. Planning Commission Recommendation: To Grant "GR", Community Commercial zoning, with conditions. City Staff: Antonio Gonzalez, 499-2243.
Ordinance No. 970424-GG approved Planning Commission recommendation

86. C14-96-0143 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as 3341 Paisano Trail, from "SF-2", Single Family Residence (standard lot) to "GO", General Office, zoning. Planning Commission Recommendation: To Grant "RR", Rural Residential for the area within the 100-year flood plain and "GO-CO", General Office-Conditional Overlay, zoning for the remainder of the tract with conditions. City Staff: Greg Guernsey, 499-2387.
Approved first reading only

87. C14-96-0154 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as North IH-35 NB and East Yager Lane, from "LI", Limited Industrial Services; "GR", Community Commercial; "GO", General Office; and "CS", General Commercial Services, zoning to "RR", Rural Residential; "GO", General Office; "LI", Limited Industrial Services; and "GR", Community Commercial, zoning. Planning Commission Recommendation: To Grant "GR", Community Commercial zoning for Tract 1 and 2; "LI", Limited Industrial Services zoning for Tract 3; "GO", General Office zoning for Tract 4; and "RR", Rural Residential zoning for Tract 5. City Staff: Antonio Gonzalez, 499-2243.
Ordinance No. 970424-HH approved Planning Commission recommendation with new change - tract 3 to be zoned GO, General Office.

Items 85 through 87 approved on, Councilmember Mitchell's motion, Mayor Todd's second, 7-0 vote.

88. C14-96-0160 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as South MoPac and West Slaughter Lane, from "I-SF-2", Interim Single Family Residence (standard lot) and "I-RR", Interim Rural Residence to "SF-2", Single Family Residence (standard lot); "P", Public District; "GO", General Office; "MF-2-CO", Multifamily Residence (low density)-Conditional Overlay; "RR", Rural Residence; and "GR-CO", Community Commercial-Conditional Overlay zoning. Planning Commission Recommendation: Forwarded to Council without a recommendation. City Staff: Joe Arraiga, 499-2308.
Motion to close public hearing on, Mayor Pro Tem Garcia's; motion, Councilmember Reynolds' second, 4-0 vote, Councilmembers Griffith, Mitchell and Slusher off the dais.

Motion to postpone to May 8, 1997 on, Councilmember Goodman's motion, Mayor Pro Tem Garcia's second, 6-0 vote, Councilmember Mitchell off the dais.

89. C14-97-0004 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as 4103 Marathon Boulevard, from "SF-3", Family Residence, zoning to "LO", Limited Office, zoning. Planning Commission Recommendation: To Grant "LO", Limited Office zoning. City Staff: Greg Guernsey, 499-2387.
Ordinance No. 970424-II approved
90. C14-97-0011 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning

property locally known as 8900 Manchaca Road, from "DR", Development Reserve to "GO", General Office zoning. Planning Commission Recommendation: To Grant "GO-CO", General Office-Conditional Overlay zoning on Tract 1 and "NO-CO", Neighborhood Office-Conditional Overlay zoning on Tract 2 with conditions. City Staff: Craig Alter, 499-2769.

Ordinance No. 970424-JJ approved

91. C14-97-0016 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as 13201 North FM 620 Road, from "GR", Community Commercial to "CS-CO", Commercial Services-Conditional Overlay. Planning Commission Recommendation: To Grant "CS-CO", Commercial Services-Conditional Overlay, zoning with conditions. City Staff: Craig Alter, 499-2769.

Ordinance No. 970424-KK approved

Items 89 through 91 approved on, Councilmember Mitchell's motion, Mayor Todd's second 7-0 vote.

PUBLIC HEARINGS

92. 6:00 - P.M. - Public hearing on water quality in Barton Springs and the Barton Creek Watershed and the results of monitoring in that watershed. Councilmembers Daryl Slusher and Jackie Goodman)

Motion to close public hearing on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 6-0 vote, Councilmember Mitchell off the dais.

93. 7:00 - P.M. - Public hearing on a proposed amendment to the City's 1996 Community Development Program and approve a revised Annual Consolidated Plan, and notify the community of the proposed amendment as provided for in the City's Citizen Participation Plan.

Motion to close public hearing on, Councilmember Goodman's motion, Councilmember Reynolds' second, 7-0 vote.

94. 7:30 - P.M. - Public hearing on an appeal by Vivek Bakshi, Ph.D., of the Planning Commission's decision to approve a request for a variance for construction on slopes associated with a subdivision preliminary plan and appeal of the approval of the preliminary plan, case number C8-96-0117, Nassour Acres, located between Canyon Rim Drive and King Arthur Court.

Motion to close public hearing on, Councilmember Slusher's motion, Councilmember Reynolds' second, 6-0 vote, Councilmember Mitchell off the dais.

95. 8:00 - P.M. - Public hearing on the terms and conditions in the proposal for the State Pooling Board and National Guard to relocate to ABIA from RMMA.

Motion to close public hearing on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 6-0 vote, Councilmember Mitchell off the dais.

ACTION ON PUBLIC HEARINGS

96. Approve a resolution to deny/grant an appeal by Vivek Bakshi, Ph.D., of the Planning Commission's decision to approve a request for a variance for construction of slopes associated with the Nassour Acres subdivision preliminary plan and appeal of the approval of the preliminary plan, located between Canyon Rim Dr. and King Arthur Court. (Variances approved by Environmental Board and Planning Commission)
Motion to deny appeal on, Mayor Pro Tem Garcia's motion, Mayor Todd's second, 6-0-1 vote, Councilmember Mitchell "ABSTAINING".
97. Approve a resolution approving a Memorandum of Understanding among the State Aircraft Pooling Board, the General Services Commission, the Texas National Guard Armory Board and the City for the relocation of aviation activities from Robert Mueller Municipal Airport. [Recommended by Airport Advisory Board]
Approved on, Councilmember Reynolds' motion, Mayor Pro Tem Garcia's second, 7-0 vote.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held at 12:45 p.m. to 2:00 p.m.

Executive session held at 7:50 p.m. to 8:27 p.m. on items 104 and 107.

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

98. Discuss Summit at West Rim, Ltd. (Weaver), et al. v. The City of Austin, et al.; Cause No. 59,606-A, in the Probate Court of Travis County.
99. Discuss Nigel Gusdorf, Martin Thompson and Charles Wood v. The City of Austin; Cause No. 95-03722; Travis County District Court.
100. Discuss W.W. Deerfield Ltd. v. City of Austin, Cause No. 96-13413, Travis County District court.

Real Estate - Section 551.072

101. Discuss purchase of the Christopher House.

Land Acquisition - Section 551.072

102. Discuss real property acquisitions for the Barton Creek Wilderness Park.

Advice of Counsel - Section 551.071

103. Discussion of City rights and obligations related to ownership of Mueller and Bergstrom properties.
104. Discuss legal issues on the ramifications of restrictions pertaining to the use of the Sand Beach Reserve.

ACTION ON EXECUTIVE SESSION ITEMS

105. Approve amendments to professional service agreements with Thompson & Knight, Wayne Gronquist, and Minter, Joseph & Thornhill for legal services in Summit at West Rim, Ltd. (Weaver), et al. v. The City of Austin, et. al., Cause No. 59,606-A, in the Probate Court of Travis County.
Approved on, Councilmember Reynolds' motion, Mayor Pro Tem Garcia's second, 7-0 vote.

ADDENDUM

April 24, 1997

106. Direct the City Manager to develop recommendations for enhancing public safety, public recreation and shoreline conservation on Lake Austin between Tom Miller Dam and Taylor Slough and report back to Council with these recommendations by June 1, 1997. (Councilmember Beverly Griffith)
Approved on, Councilmember Reynolds' motion, Mayor Pro Tem Garcia's second, 7-0 vote.

ADJOURNED at 11:50 p.m.

Approved this the 8th, day of May, 1997 on Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 5-0 vote, Councilmembers Griffith and Goodman temporarily absent.