



Austin City Council MINUTES

REGULAR MEETING
THURSDAY, MAY 8, 1997

1. Approval of Minutes for Regular Meetings of April 23 and 24, 1997.
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 5-0 vote, Councilmembers Griffith and Goodman temporarily absent.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Mike Workman, to inform the Council of several actions of the Austin Arts Commission that have not been in compliance with city policies regarding open meetings requirements.
3. Mr. Gus Pena, to discuss public safety, youth issues and housing issues.
Absent
4. Mr. Mark Landers, to discuss CS zoning in Bouldin Creek neighborhood (1400 Block of South 5th Street).
5. Mr. Richard Troxell, to discuss homelessness a - citizen's response.
6. Mr. Mike Sloan, to discuss the need for extensive public input prior to utility restructuring.
7. Mr. David Blakely, to discuss lean beef.

READING OF CONSENT AGENDA

READING OF DISCUSSION AGENDA

CITIZEN COMMUNICATIONS: CONSENT AGENDA

ACTION ON CONSENT AGENDA

ITEMS CONTINUED FROM PREVIOUS MEETINGS

8. Approve a resolution authorizing execution of a construction contract award with AUSTIN BRIDGE & ROAD COMPANY, Austin, Texas, for the Transportation System Management Project on Burnet Road at North Loop Boulevard to include street intersection improvements and water line relocations, in the amount of \$499,333.00 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 \$245,769.30 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 and Urban Transportation Commissions)

Pulled off agenda

Police

9. Approve a resolution authorizing the extension of a contract with SOUTHWESTERN BELL TELEPHONE COMPANY, Austin, Texas, for a twelve month lease of data circuits to allow connection of Austin Police Department's computers to remote sites, in an amount not to exceed \$66,000. (Funding was included in the 1996-97 operating budget of the Police Department.) Sole source. No MWBE Subcontracting opportunities were identified.

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

10. Approve a resolution authorizing negotiation and execution of a twelve month contract with S&P COMMUNICATIONS, INC., Austin, Texas, for the maintenance and support for Mobile Data Terminals installed in Police cars, in an amount not to exceed \$132,221. (Funding in the amount of \$55,090 was included in the 1996-97 operating budget of the Austin Police Department. Funding for the remainder of the contract is contingent upon available funding in future budgets.) Sole source. No MWBE Subcontracting opportunities were identified.

Postponed to May 22, 1997

11. Approve a resolution authorizing negotiation and execution of a professional services agreement with JESSEN INC., (MBE/MH), Austin, Texas, for architectural design and construction phase services for the South Austin Police Substation located at 400 Ralph Ablanedo Drive, in an amount not to exceed \$295,565. (Funding was included in the 1996-97 Capital budget of the Police Department.) Best qualification statement of eighteen. 65% MBE Prime participation. 0% MBE, 20% WBE Subconsultant participation. (Recommended by Planning Commission)

Approved

Finance and Administrative Services

12. Approve first reading of an ordinance granting a municipal consent agreement for telecommunications services to Lone Star Net, Inc. (No fiscal impact.) [Recommended by Council Committee for Telecommunications Infrastructure.]

Approved first reading only

13. Approve a resolution authorizing execution of a contract with MCCOMBS FLEET SERVICE, Austin, Texas, for the purchase of seventy various types of sedans, light trucks, vans and truck chassis with mounted service bodies for use by various City departments, in the amount of \$1,772,805. (Funding in the amount of \$1,069,312 was included in the 1996-97 operating budgets of various City departments. Funding in the amount of \$132,611 was included in the 1996-97 Capital budget of the Water Division of the Water and Wastewater Utility; \$383,501

was included in the 1996-97 Capital budget of the Wastewater Division of the Water and Wastewater Utility; \$155,783 was included in the 1996-97 Capital budget of the Drainage Utility; \$31,598 was included in the 1996-97 Capital budget of the Solid Waste Services Department.) Low bid of two. No M/WBE Subcontracting opportunities were identified.

Approved

14. Approve a resolution authorizing negotiation and execution of roofing and waterproofing rotation list agreements with: AMTECH ROOFING CONSULTANTS, INC., Austin, Texas; CONLEY DESIGN GROUP, INC., Austin, Texas; THE KENT J. CHATAGNIER FIRM (WBE/FR), Austin, Texas; LAW ENGINEERING AND ENVIRONMENTAL SERVICES, INC., Austin, Texas; PRICE CONSULTING, INC., Austin, Texas; TRINITY ENGINEERING AND TESTING CORPORATION, Austin, Texas, for professional services on a variety of roofing and/or waterproofing projects, for a period of approximately two years or until available funding is expended, in an amount not to exceed \$300,000 (estimated amount approximately \$50,000 per firm). (Funding in the amount of \$100,000 was included in the Capital budget of the Finance and Administrative Services Department, (Building Services); \$200,000 is available in the Capital and/or operating budgets of various departments requiring services. Best qualification statements of nine. No M/WBE Subcontracting opportunities were identified.

Approved

Health and Human Services

- 15 Approve a resolution authorizing execution of a construction contract with AUS-TEX PLUMBING-HEATING-AIR CONDITIONING, INC., Pflugerville, Texas, for interior renovations to the Rebekah Baines Johnson Health Center Building located at 21 Waller Street, in the amount of \$1,181,743. (Funding in the amount of \$1,010,034 is available in the 1994-95 Approved Capital budget of the Health and Human Services Department; \$100,000 is available in the 1994-95 Amended Capital budget and \$19,459 is available in the 1994-95 Approved Capital budget of the Planning, Environmental and Conservation Services Department; \$11,300 is available in the 1996-97 Approved Capital budget of the Financial Services Department; and \$40,950 is available in the 1996-97 Approved Capital budget of the Public Works and Transportation Department.) Low bid of five. 15.05% MBE, 7.09% WBE Subcontractor participation.

Approved

Items 11 through 15 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second 7-0 vote.

Utility Customer Service

16. Approve a resolution authorizing execution of amendment #3 to the contract with TURTLE MOUNTAIN GROUP CONSULTING, INC., (MBE/MN), Austin, Texas, for additional consulting services of the City's land information utility billing system, in an amount not to exceed \$46,000, for a total contract amount of \$413,700. (Funding was included in the 1996-97 Capital budget of the Electric Utility Department.) No M/WBE Subcontracting opportunities were identified.

Postponed one week

17. Approve negotiation and execution of a twelve month collection agreement with CREDIT SYSTEMS INTERNATIONAL (WBE/FR), Fort Worth, Texas, to provide for the collection of inactive, unpaid accounts for the Utility Customer Service Office, with two twelve month extension options, for an annual estimated collection of \$1,092,000, and a commission rate of 19% of the amount collected for accounts less than 1 year old and 48% of the amount collected for accounts over 1 year old, for an estimated net benefit to the City of \$884,520 per year. (Funding is available in the 1996-97 Operating Budget of the Utility Customer Service Office.) Best proposal of four. Prime WBE Participation: 100%. Subcontracting participation: 5% MBE, 0% WBE.

Pulled off agenda

Fire

18. Approve a resolution authorizing negotiation and execution of a professional services agreement with MCKINNEY ARCHITECTS, INC., (WBE/FR), Austin, Texas, to provide architectural design and construction phase services for a fire station located at 8700 Highway 71 in Oak Hill, in the amount of \$120,000. (Funding was included in the 1996-97 Capital budget of the Fire Department.) Best qualification statement of thirteen. 9.0% MBE, 5.0% WBE Subconsultant participation.

Approved

Public Works

19. Approve the sale of a 2.356 acre remainder tract owned by the TEXAS DEPARTMENT OF TRANSPORTATION, in exchange for the purchase of a 3.846 acre tract of right-of-way owned by the United States of America (IRS) for the U.S. 290/IH-35 Interchange. (No fiscal impact.)

Approved

20. Approve a resolution authorizing negotiation and execution of mechanical-electrical-plumbing engineering professional service agreements rotation list with: GOETTING & ASSOCIATES, INC., Austin, Texas; O'CONNELL ROBERTSON & ASSOCIATES, INC., Austin, Texas; THE ARIZPE GROUP, INC., (MBE/MH), Austin, Texas; GOODWIN ENGINEERING, INC., Austin, Texas; ACR ENGINEERING, INC., Austin, Texas; TOM GREEN AND COMPANY ENGINEERS, INC., Austin, Texas, for various small projects for a period of approximately two years or until available funds are expended, in an amount not to exceed \$900,000 (estimated amount approximately \$150,000 per firm). (Funding was included in the Capital budgets of the various departments requiring services.) Best qualification statements of twelve. M/WBE Subconsultant Participation: Goetting & Associates, Inc.: 8.6% MBE, 18.2% WBE; O'Connell Robertson & Associates, Inc.: MBE percentages cannot be determined at this time because the scope of work is unknown, 0% WBE; The Arizpe Group, Inc.: 81.8% MBE Prime Participation; 0% MBE, 18.2% WBE; Goodwin Engineering, Inc.: 8.6% MBE, 18.2% WBE; ACR Engineering, Inc.: 8.6% MBE, 18.2% WBE; Tom Green and Company Engineers, Inc.: 13.0% MBE, 2.0% WBE.

Approved

21. Approve a resolution authorizing negotiation and execution of architectural design and

construction phase professional service agreements with: ARCHITECTURE PLUS+ (WBE/FR), Austin, Texas; J. ROBINSON & ASSOCIATES, ARCHITECTS, INC., Austin, Texas; ELLIOTT & HAMILL ARCHITECTS, Austin, Texas; DELGADO DESIGN GROUP, INC., (MBE/MH), Austin, Texas, for a variety of projects to remove physical barriers in public buildings in compliance with the Americans with Disabilities Act (ADA), for a period of two years or until available funding is expended, in an amount not to exceed \$400,000. (Funding was included in the 1996-97 Approved Capital budget of the Public Works and Transportation Department.) Best qualification statements of eight. Subconsulting opportunities cannot be determined at this time because the scope of work is unknown.

Approved

22. Approve a resolution authorizing negotiation and execution of structural engineering rotation list professional service agreements with: FRANK LAM & ASSOCIATES, INC., (MBE/MA), Austin, Texas; JASTER-QUINTANILLA & ASSOCIATES, INC., (MBE/MH), Austin, Texas; PICKETT, KLEM & ASSOCIATES, INC., Austin, Texas; DATUM ENGINEERING, INC., Austin, Texas; P.E. STRUCTURAL CONSULTANTS (WBE/FR), Austin, Texas, for various small projects for a period of two years or until available funding is expended, in the amount of \$400,000 (estimated amount approximately \$80,000 per firm). (Funding is available in the Capital budgets of the various departments requiring services.) Best qualification statements of nine. M/WBE Subconsultant participation: Frank Lam & Associates, Inc.: 73.2% MBE Prime participation, 8.6% MBE, 18.2% WBE; Jaster-Quintanilla & Associates, Inc.: 75% MBE Prime participation, 0% MBE, 25% WBE; Pickett, Kelm & Associates: 8.6% MBE, 18.2% WBE; Datum Engineering, Inc.: 10% MBE, 18.2% WBE; P.E. Structural Consultant 90% WBE Prime participation, 10% MBE, 0% WBE.

Approved

23. Approve a resolution authorizing negotiation and execution of a License Agreement with NEWTON BOYS VENTURES, INC., Austin, Texas to film a portion of the motion picture "The Newton Boys" on the City of Austin Giddings to Llano railroad right-of-way. (A fee of \$2,500 per week of railroad right-of-way used will be paid by the Newton Boys Ventures, Inc., to the Capital Metropolitan Transportation Authority.)

Approved

24. Approve a resolution authorizing the conveyance of a 0.349 acre tract of highway right-of-way surplus by the Texas Department of Transportation to the adjoining property owner, Ewing Industries - Rancho Las Palmas, Limited Partnership. (No fiscal impact.)

Approved

Planning, Environmental and Conservation Services

25. Approve an ordinance authorizing the Assignment of Agreement Concerning Creation and Operation and Agreement Regarding Wastewater Services of Fern Bluff Municipal Utility District from City of Austin to City of Round Rock. (This action releases Austin from current fiscal participation requirements associated with serving the MUD through the Brushy Creek Regional Wastewater System.) [Recommended by Water and Wastewater Commission]

Ordinance No. 970508-E approved

26. Approve a resolution authorizing the release of approximately 739 acres of Austin's Extra

Territorial Jurisdiction (ETJ) comprising Fern Bluff Municipal Utility District to the City of Round Rock. (No fiscal impact.)

Approved

Information Systems

27. Approve negotiation and execution of a contract with COOPERS AND LYBRAND, Austin, Texas, to provide a Year 2000 Risk Assessment of information technology and infrastructure/facility systems, in an amount not to exceed \$65,000. (Funding is available in the 1996-97 Operating Budget for the Information System Office, Financial Services Department.) Best proposal of eleven. No M/WBE Subcontracting opportunities were identified.

Approved

Items 18 through 27 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

Development Review And Inspection

28. Approve third reading 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. (continued from 4-24-97)

Motion to approve on, Councilmember Mitchell's motion, Councilmember Reynolds' second,

No vote taken

Substitute motion by Councilmember Goodman to approve with maximum 165 foot height, 15 foot setback from 17th St. on, Councilmember Goodman's motion, Councilmember Mitchell's second, 5-2 vote, Mayor Pro Tem Garcia and Councilmember Griffith voting "NO".

Motion fails to override valid petition, valid petition requires 6-1 vote minimum, no action taken.

29. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning to delete a portion of a previously approved Principle Roadway Area site plan for property locally known as 12500-12600 RR 620 North, Case No. C14r-85-178(DE), from "CS", General Commercial Services and "GR", Community Commercial to "CS", General Commercial Services and "GR", Community Commercial, zoning with conditions. First reading on January 16, 1997; Vote 6-0, Todd absent. Conditions met as follows: Restrictive Covenant and ordinance incorporates the condition imposed by Council at first reading. City Staff: George Adams, 499-2146.

Ordinance No. 970508-A approved on, Mayor Pro Tem Garcia's motion, Councilmember

Goodman's second, 7-0 vote.

30. Approve second reading of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as Josh Ridge Boulevard and Harrisglenn Drive, Case No. C14-94-0168, from "I-RR", Interim Rural Residence to "MF-2-CO", Multifamily Residence (low density)-Conditional Overlay District zoning for Tract 2B, and "SF-2", Single Family Residence (standard lot) District zoning for Tract 2A, with conditions. First reading on July 11, 1997; Vote 7-0. City Staff: Don Perryman, 499-2786.
Postponed to May 15, 1997, legal staff request.
31. Approve second/third reading of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 2109 Manana Street, Case No. C14-96-0156, from "LA", Lake Austin Residence to "SF-2" Single Family Residence (Standard Lot) zoning, as request by applicant. First reading on March 6, 1997; Vote 7-0. Conditions met as follows: Ordinance incorporates action taken by Council at first reading. City Staff: Susan Villarreal, 499-6319.
Ordinance No. 970508-B approved
32. Approve second reading of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 2906 Medical Arts Street, Case No. C14-96-0093, from "LO", Limited Office to LR-CO", Neighborhood Commercial-Conditional Overlay, zoning subject to conditions. First reading on October 3, 1996; Vote 5-0, Goodman and Todd Absent. City Staff: Susan Villarreal, 499-6319.
Approved second reading only

ITEMS FROM COUNCIL

33. Chapter 2-2 of the City Code relating to rules for City Council meetings, to allow routine purchases for enterprise funds to be placed on the Thursday agenda. (Councilmember Daryl Slusher)
Ordinance No. 970508-F approved
- Items 31 through 33 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.**
34. Approve a resolution directing the City Manager to develop within existing resources, the funding necessary to provide for APD walking beats in the following areas: 11/12th Street Springdale/Webberville, Loyola/Manor and South Congress, until September 30, 1997, and to give the walking beat program proper priority during submittal of the 1997-98 budget to Council. (Councilmembers Ronney Reynolds and Eric Mitchell)
Amended motion to instruct City Manager to develop funding within existing Police Department budget on, Councilmember Slusher's motion, Councilmember Goodman's second, 4-3 vote, Mayor Todd, Councilmember Mitchell and Reynolds voting "NO".
- Motion to approve, and change the date on the resolution to May 22, 1997 on, Councilmember Reynolds' motion, Councilmember Mitchell's second, 4-3 vote, Mayor Todd, councilmembers Mitchell and Reynolds voting "NO".**

35. Direct the City Manager to conduct a study assessing the possibility that the Blackstock Family Health Center become a FQHC Center and report back to Council within 60 days. (Mayor Pro Tem Gus Garcia)

Approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-0 vote, Councilmember Mitchell and Reynolds off the dais.

36. Approve a resolution inviting city boards and commission to propose performance measures for city government, and direct the City Manager to provide staff support to those efforts. (Councilmembers Daryl Slusher and Beverly Griffith)

Approved on, Councilmember Griffith's motion, Councilmember Slusher's second, 4-3 vote, Mayor Todd, Councilmember Mitchell and Reynolds off the dais.

Substitute motion for Council to determine performance measures for boards and commissions, on Councilmember Reynolds' motion, Councilmember Mitchell's second, 3-4 vote, Mayor Pro Tem Garcia, Councilmembers Goodman, Griffith and Slusher voting "NO".

Motion fails

37. Staff briefing on SCIP II, SCIP III, Austin Revitalization Authority, and Central City Entertainment Center. (Councilmember Eric Mitchell) **[6:45 p.m. - Time Certain]**
Staff briefing held and public comments, no action taken

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

38. C14-96-0160 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally know 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: To forwarded request to Council without a recommendation. City Staff: Joe Arraiga, 499-2308. (continued from 4-24-97)

Motion to open Public hearing on, Councilmember Slusher's motion, Councilmember Griffith's second, 4-2-1 vote, Mayor Todd and Councilmember Mitchell voting "NO", Councilmember Reynolds "ABSTAINING".

Motion to approve first and second reading on, Councilmember Mitchell's motion, Councilmember Reynolds' second, 6-1 vote, Councilmember Slusher voting "NO".

39. C14-96-0157 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 1617-1619 East 6th Street, from "LI", Limited Industrial Services to "CS", General Commercial Services zoning. Planning Commission Recommendation: To Grant "CS", General Commercial Services District zoning with conditions. City Staff: Susan Villarreal, 499-6319.

Ordinance No. 970508-C approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-0-2 vote, Councilmember Mitchell and Reynolds "ABSTAINING".

PUBLIC HEARINGS

40. 6:00 P.M. -
- a. Hearing on a variance request to construct an addition to an existing home at 4813 Creek Bend Drive in the 25-year floodplain of Williamson Creek.
 - b. 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.
 - c. Public hearing on a variance request to construct an addition to the existing manufactured home at 6808 Thatch Lane located in the 25-year floodplain of Onion Creek.
 - d. Public hearing on a variance request to construct a new home at 4502 Craigwood Drive in the 25-year floodplain of a tributary to Walnut Creek.
 - e. 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.

Motion to close public hearing on, Councilmember Griffith's motion, Councilmember Slusher's second,

41. 6:30 P.M. -
- Public hearing on a 0.074 acre permanent public utility use of dedicated parkland known as Walsh Boat Landing for the construction of the Tarrytown Wastewater Rehabilitation project in accordance with Section 26.001 et seq. of the Texas Parks and Wildlife Code.

No vote taken

Motion to close public hearing on, Councilmember Mitchell's motion, Councilmember Griffith's second, 5-0 vote, Mayor Todd and Councilmember Reynolds off the dais.

42. 7:00 P.M. -
- Public hearing to amend Ordinance 960910-B, Fee Ordinance, to increase the Central Business District Commercial Garbage Collection Fees.

Motion to close public hearing on, Councilmember Griffith's motion, Councilmember

Goodman's second, 5-0 vote, Mayor Todd and Councilmember Reynolds off the dais.

43. 7:30 P.M. - Public hearing for annexation of Regency Village. (Councilmember Jackie Goodman and Mayor Pro Tem Gus Garcia)
Motion to close public hearing
No vote taken

ACTION ON PUBLIC HEARINGS

44. Variance request to construct an addition to an existing home at 4813 Creek Bend Drive in the 25-year floodplain of Williamson Creek.
Denied - No motion
45. Variance request to place manufactured homes 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.
Denied - No motion
46. Variance request to construct an addition to the existing manufactured home at 6808 Thatch Lane in the 25-year floodplain of Onion Creek.
Denied - No motion
47. Variance request to construct a new home at 4502 Craigwood Drive in the 25-year floodplain of a tributary to Walnut Creek.
Denied - No motion
48. 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.
Denied - No motion
49. Approve a 0.074 acre permanent public utility use of dedicated parkland known as Walsh Boat Landing for the construction of the Tarrytown Wastewater Rehabilitation project in accordance with Section 26.001 et seq. of the Texas Parks and Wildlife Code. (Recommended by Parks Board)
Motion to approve on, Councilmember Mitchell's motion, Councilmember Griffith's second, 5-0 vote, Mayor Todd and Councilmember Reynolds off the dais.
50. Approve an ordinance to amend Ordinance 960910-B, Fee Ordinance, by increasing Central Business District Commercial Garbage Collection fees from \$5.30/cubic yard/pickup day to \$8.25/cubic yard/pickup day; and amend Ordinance 960910-G, the operating budget, by increasing revenue by \$35,752 and increasing expenses by \$38,909 for the Solid Waste Services Fund. (Related to Items 42 & 51)
Ordinance No. 970508-D approved
51. Approve execution of a twelve month service agreement with LONGHORN DISPOSAL

COMPANY, Austin, Texas, for the collection of garbage in the Central Business District, in an amount not to exceed \$288,920 with four twelve month extension options in an amount not to exceed \$288,920 each, for a total contract amount not to exceed \$1,444,600. (Funding in the amount of \$96,307 was included in the 1996-97 operating budget of the Solid Waste Services Department. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) Low bid of two. No M/WBE Subcontracting opportunities were identified. (Related to Items 42 & 50)

Approved

Items 50 and 51 approved on, Councilmember Griffith's motion, Councilmember Goodman's second, 5-0 vote, Mayor Todd and Councilmember Reynolds off the dais.

EXECUTIVE SESSION (No Public Discussion on These Items)

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.

Land Acquisition - Section 551.072

52. Discuss acquisition of property for EMS Station in the Windsor Park neighborhood. (Councilmember Eric Mitchell)

Advice of Counsel - Section 551.071

53. Discuss legal issues concerning the FEMA flood insurance program and floodplain variance requests.

Pending Litigation - Section 551.071

54. Discuss Gusdorf, Martin Thompson and Charles Wood v. The City of Austin; Cause No. 95-03722; Travis County, Texas.
55. Discuss W.W. Deerfield Ltd. v. City of Austin; Cause No. 96-13413, Travis County District Court.

56. APPOINTMENTS

Electric Utility Commission - HECTOR LUIS ORTIZ.

Renaissance Market Commission - JANIS MORGAN.

Approved on Mayor Pro Tem Garcia's motion, Councilmember Mitchell's second, 5-0 vote, Councilmember Goodman "ABSTAINING", Councilmember Reynolds off the dais.

ADDENDUM

MAY 8, 1997

Development Review and Inspection

57. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 1704 to 1710 Lovingood Drive, Case No. C14-96-0064, from SF-3, Family Residence, to LO-CO, Limited Office-Conditional Overlay, zoning, with the provisions of the overlay as follows: (1) Prohibit vehicular access to East 18th Street or Lovingood Drive; (2) Limit development to generate less than 2,000 vehicle trips per day; THOMAS HENDERSON, by Gigi Edwards. First reading on April 24, 1997; Vote 6-1, Mitchell voting nay. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council.

Approved second reading only

ITEMS FROM COUNCIL

58. Direct the City Manager to initiate the rezoning of property located on the south side of the 1500 block of East 5th Street, being bounded on the north by E. 5th Street, on the west by Onion Street, on the east by Comal Street, and on the south by an alley, and generally known as the "Plaza Saltillo" site from "LI", Limited Industrial Services to "P" Public. (Mayor Pro Tem Gus Garcia)

Approved

Items 57 and 58 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second 7-0 vote.

ADJOURNED at 9:30 p.m.

Approved on this the 15th day of May, 1997 on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 6-0 vote, Councilmember Griffith temporarily absent.