



# Austin City Council MINUTES

MAY 22, 1997  
THURSDAY, COUNCIL MEETING

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

1. Approval of Minutes for Regular Meetings of May 14 & May 15, 1997 Minutes for the Regular Meeting of May 14, 1997 approved on, Councilmember Goodman's motion, Councilmember Slusher's second, 6-0 vote, Mayor Todd off the dais, Minutes of the Regular Meeting of May 15, 1997 postponed to June 5, 1997.

## CITIZENS COMMUNICATION: GENERAL

2. Mr. Richard Knowlton, to discuss women in the Fire Service Conference.
3. Mr. Richard Troxell, to discuss homelessness - a citizens response.
4. Mr. John McMillan, to discuss "the City of Austin should impose major restrictions on billboard advertising in Austin including a complete ban on alcohol related billboard advertising anywhere in town."
5. Mr. Jimmy Castro, to discuss the Children's Miracle Network Telethon.
6. Ms. Portia Watson, to present a community thank you to one of the Councilmembers.
7. Mr. Ray Hendricks, to discuss City financial support being withdrawn from a neighborhood center in St. Johns.
8. Mr. Jose Quintero, to discuss East Austin representation and Greater East Austin Neighborhood Association.
9. Ms. Barbara Terrell, to discuss "my relationship with APD."

## READING OF CONSENT AGENDA

## READING OF DISCUSSION AGENDA

## CITIZENS COMMUNICATION: CONSENT AGENDA

## ACTION ON CONSENT AGENDA

## 2:00 P.M. - BOND FINANCING

10. Approve an ordinance authorizing the issuance of \$18,400,000 City of Austin, Texas, Tax Notes, Series 1997, including approval and authorization of a Purchase Contract, Paying Agent/Registrar Agreement, and Official Statement pertaining thereto. (Funding in the amount of \$406,484 is the estimated debt service requirement in 1996-97 and will be provided through a transfer into the General Obligation Debt Service Fund.)  
**Ordinance No. 970522-A approved**
11. Approve a resolution authorizing a contract with GOLDMAN SACHS AND LEHMAN BROTHERS to act as commercial paper remarketing agents for the Combined Utility Systems Tax Exempt Commercial Paper Program. (\$33,000 is the estimated remarketing fee for the remainder of 1996-97 and is budgeted in the 1996-97 budget of the Electric, Water and Wastewater Utilities.) (Recommended by Audit and Finance Committee)  
**Approved**

Items 10 and 11 approved on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 7-0 vote.

## Utility Customer Service

12. Approve an ordinance amending sections 18-4 and 18-4-155 of the City Code relating to interest rates paid on customer utility deposits, repealing Part 4 of Ordinance 970306-P, and repealing Ordinance 890914-F.  
**Ordinance No. 970522-C approved**

## Fire

13. Approve a resolution authorizing an Interlocal Agreement between the City of Austin and the City of Dallas for the lease of an aerial ladder for a period of six months, in the amount of \$1.00. (Funding is available in the amended 1996-97 operating budget of the Fire Department.)  
**Approved**
14. Amend Ordinance 960910-G, the 1996-97 Operating budget of the Fire Department, to increase the number of civilian FTE's in the Fire Department by 1, from 107 (including fifty cadet training positions) to 108, to fund a safety/fitness specialist position as part of the Meet and Confer contract implementation. (Funding in the amount of \$18,734 is available in the 1996-97 operating budget of the Fire Department.)  
**Ordinance No. 970522-D approved**

## Finance and Administrative Services

15. Approve second reading of an ordinance granting a municipal consent agreement for telecommunications services to Lone Star Net, Inc. (Recommended by Council Committee for Telecommunications Infrastructure)  
**Approved second reading only**

16. Approve a resolution authorizing negotiation and execution of a twelve month Agreement with RHI CONSULTING, INC., Austin, Texas, to provide mainframe programming and consulting services for the City's utility billing system, in an amount not to exceed \$217,800 with options to extend in one month increments for up to twelve additional months in an amount not to exceed \$18,150 per month, for a total contract amount not to exceed \$435,600. (Funding was included in the 1995-96 Capital budget of the Finance and Administrative Services Department.) Best proposal of seven. No M/WBE Subcontracting opportunities were identified.

**Approved**

17. Approve a resolution authorizing execution of a contract with RIVER CITY RENTAL, Austin, Texas, for the purchase of one fork-lift to be used by the Police Department at the abandoned vehicle pound, and one rubber tire front end loader to be used by the Drainage Utility for or truck loading projects, in the amount of \$79,990, for a total contract amount of \$156,980. (Funding in the amount of \$76,990 was included in the 1996-97 Vehicle Acquisition Fund and \$79,990 was included in the 1996-97 Capital budget of the Drainage Utility Department.) Low bid of seven. No M/WBE Subcontracting opportunities were identified.

**Approved**

**Items 12 through 17 approved on, Councilmember Griffith's motion, Councilmember Goodman's second, 7-0 vote.**

18. Amend Ordinance 950817-B to extend the initial delivery date of the \$28,000,000 City of Austin, Texas Airport system Variable Rate Revenue Notes, Series A to December 4, 1997. Ordinance No. 970522-B approved on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 7-0 vote.

#### Planning, Environmental & Conservation Services

19. Approve an ordinance authorizing the Fourth Amendment to Agreement Concerning Creation and Operation of Northtown Municipal Utility District (MUD) by amending the Land Plan to change the use of 15.6 acres in Dessau Industrial Park from retail to industrial use and modifying the street layout within the tract. (No fiscal impact.) [Recommended by Planning Commission]

**Item to be sent to Environmental Board, postponed to June 5, 1997, on Councilmember Slusher's motion, Councilmember Griffith's second, 6-0 vote, Councilmember Goodman off the dais.**

20. Approve an ordinance adjusting the corporate boundary between the City of Austin and the City of Westlake Hills in accordance with provisions of Section 43.031 of the Texas Local Government Code. (No fiscal impact.)

**Ordinance No. 970522-E approved**

21. Approve an ordinance authorizing acceptance of a grant in the amount of \$1,000,000 from the U.S. FISH AND WILDLIFE SERVICE through the TEXAS PARKS AND WILDLIFE DEPARTMENT for land acquisition costs related to the purchase of the 942-acre Ivanhoe tract for the Balcones Canyonlands Preserve; amend Ordinance 960910-G, the 1996-97 operating

budget, by increasing budget revenue and expenditures by \$1,000,000 in the Planning, Environmental and Conservation Services Department's Special Revenue Fund. (The City's match is the balance of property purchase price in the amount of \$3.5 million.)  
[Recommended by Environmental Board]

**Ordinance No. 970522-F approved**

**Items 20 and 21 approved on, Councilmember Griffith's motion, Councilmember Goodman's second, 7-0 vote.**

22. Approve a resolution authorizing Out-of-District Water and Wastewater Service by Northtown Municipal Utility District (MUD) to approximately 19.88 acres owned by the Harken Partnership in an amount not to exceed 65 Living Unit Equivalents. (The City will receive approximately \$10,000-\$83,000 in additional wholesale water and wastewater revenues each year from Northtown Municipal Utility District depending on the buildout and usage within the subject tract. The estimated revenue was not included in the 1996-97 budget.)  
[Recommended by Water and Wastewater Commission and Planning Commission]  
**Postponed two weeks to June 5, 1997 on, Councilmember Slusher's motion, Councilmember Griffith's second, 6-0 vote, Councilmember Goodman off the dais.**

#### **Public Works**

23. Approve an ordinance amending the Austin City Code by modifying the Basic Traffic Ordinance, Sections 16-4-5 (E) and (G), to modify existing speed limits on the main lanes of U.S. Highway 290 East. (The Texas Department of Transportation will fund the installation cost of new speed limit signs.)  
**Ordinance No. 970522-G approved**
24. Amend Ordinance 960910-A, the 1996-97 Capital budget of the Public Works and Transportation Department, by appropriating \$1,602,020 to create a new project account entitled "FY 97 Urban Street Program". (Funding is available from the Texas Department of Transportation; a City match in the amount of \$400,495 is required and was included in the 1996-97 Approved Capital budgets of the Public Works and Transportation Department.)  
Recommended by Planning Commission) **[Related to Item 25]**  
**Ordinance No. 970522-H approved**
25. Approve a resolution authorizing execution of an Interlocal Agreement with the TEXAS DEPARTMENT OF TRANSPORTATION to utilize Urban Street Program funding to construct the Martin Luther King Boulevard and the Manor Road Rehabilitation, Overlay, and Utility Improvements Projects, in the amount of \$2,002,515. (Funding in the amount of \$1,602,020 (80%) will be reimbursed by the State and is available from the Urban Street Program. The City match in the amount of \$400,495 was included in the 1996-97 Amended Capital budget of the Public Works and Transportation Department.) **[Related to Item 24]**  
**Approved**
26. Approve a resolution authorizing the execution of contracts with the TEXAS DEPARTMENT OF TRANSPORTATION for bicycle projects approved by the Austin Transportation Study Policy Advisory Committee, in the amount of \$921,145. (Funding in the amount of \$686,252

is available from the ISTE A Federal Surface Transportation Program 4C grant. A City match in the amount of \$234,893 is required and was included in the 1996-97 Amended Capital budget of the Public Works and Transportation Department.)

**Approved**

27. Approve a resolution authorizing negotiation and execution of Amendments to the professional engineering contract with TRINITY ENGINEERING TESTING CORPORATION, Austin, Texas, and with FUGRO MCCLELLAND (SOUTHWEST), INC., Austin, Texas, for additional professional engineering soil testing services for streets, buildings, water and wastewater projects, various City facilities and subdivisions in the amount of \$100,000 per amendment, for total contract amounts of \$450,000 each. (Funding was included in the Capital budgets of the Public Works and Transportation Department, Water and Wastewater Utility, and various City departments requiring services.) Subconsultant participation: Trinity Engineering Testing Corporation: 10% MBE, 5% WBE; Fugro McClelland (Southwest), Inc.: 10% MBE, 5% WBE.

**Approved**

28. Approve a resolution authorizing negotiation and execution of general civil engineering service rotation list agreements with: THONHOFF CONSULTING ENGINEERS, INC., Austin, Texas; KURKJIAN ENGINEERING CORPORATION (MBE/FH), Austin, Texas; MARTINEZ, WRIGHT AND MENDEZ, INC., (MBE/MH), Austin, Texas; RUST LICHLITER/JAMESON, Austin, Texas; ESPEY HUSTON & ASSOCIATES, INC., Austin, Texas; GEBHARD-SARMA GROUP, INC., (MBE/MA), Austin, Texas for a variety of small City projects for an estimated period of two years or until financial authorization is expended, in the amount of \$750,000 (estimated amount of \$125,000 per firm). (Funding is available in the Capital budgets of the various departments requiring services.) Best qualification statements of twenty-two. M/WBE Subconsultant participation: Thonhoff Consulting Engineers, Inc.: 9% MBE, 20% WBE; Kurkjian Engineering Corporation: 87% WBE Prime participation, 8.6% MBE, 1.8% WBE; Martinez, Wright and Mendez, Inc.: 76.8% MBE Prime participation, 5% MBE, 18.2% WBE; Rust Lichliter/Jameson: 8.6% MBE, 20% WBE; Espey, Huston & Associates, Inc.: 8.6% MBE, 18.2% WBE; Gebhard-Sarma Group, Inc.: 73% MBE Prime participation, 0% MBE, 18.2% WBE.

**Approved**

29. Approve a resolution authorizing execution of a twelve month Price Agreement with NAZTEC, INC., Sugar Land, Texas, for the purchase of solar powered school zone flasher units, in an amount not to exceed \$45,200. (Funding was included in the 1996-97 operating budget of the Public Works and Transportation Department. Funding for the remainder of the contract is contingent upon available funding in future budgets.) Low bid of four. No M/WBE Subcontracting opportunities were identified.

**Approved**

Items 23 through 29 approved on, Councilmember Griffith's motion, Councilmember Goodman's second, 7-0 vote.

### Water and Wastewater

30. Approve an amendment to Ordinance 960910-D to set initial wastewater rates and charges for temporary pass-through wastewater service for the City of Cedar Park. (No fiscal impact.) [Recommended by Water and Wastewater Commission]  
**Ordinance No. 970522-M approved**
31. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement with the City of Cedar Park for the conveyance of certain shares of assets of the Brushy Creek Regional Wastewater System and to provide temporary pass-through wastewater service for the City of Cedar Park. (The City of Cedar Park will pay the Water and Wastewater Utility \$1.95 million plus interest between June, 1997 and December, 1999 for utility improvements in the Brushy Creek Regional Wastewater System.) [Recommended by Water and Wastewater Commission]  
**Approved**

Items 30 and 31 approved on, Mayor Pro Tem Garcia's motion, Councilmember Mitchell's second, 6-0 vote, Councilmember Goodman off the dais.

### Health and Human Services

32. Approve a resolution authorizing execution of an amendment to the contract with CARITAS OF AUSTIN, Austin, Texas, to provide homeless prevention assistance to at risk families and individuals, in an amount not to exceed \$10,310, for a total contract amount of \$43,310. (Funding was included in the 1996-97 Special Revenue Fund of the Health and Human Services Department, 1996-98 Emergency Shelter Grant program.)  
**Approved**

### Parks and Recreation

33. Approve a resolution authorizing negotiation and execution of an amended Interlocal Agreement between the City and Austin Community College to share the cost of resurfacing tennis courts at Austin Recreation Center, in the estimated amount of \$12,400. (Funding in an amount not to exceed \$5,500 is available from Austin Community College. The City's portion in the amount of \$6,900 was included in the 1996-97 operating budget of the Parks and Recreation Department.) [Recommended by Parks Board]  
**Approved**
- Items 32 and 33 approved on, Councilmember Griffith's motion, Councilmember Goodman's second, 7-0 vote.
34. Approve a resolution authorizing the negotiation and execution of an Agreement to allocate a maximum of 270 residential units from property known as the Colorado River Park to S.K. Properties, L.P. (It is anticipated that a donation of \$125,000 will be included in the 1997-98 proposed Capital budget of the Parks and Recreation Department.) [Recommended by Parks Board]  
**Postponed indefinitely**

35. Approve a resolution to execute a contract with L-H BUILDERS, Austin, Texas, for the purchase of a design package and materials for a metal shelter for a basketball court at Alamo Recreation Center, in the amount of \$40,700. [Funding was included in the 1996-97 Operating Budget Special Revenue Fund of Neighborhood Housing and Community Development (CDBG Reprogramming Funds.)] Low bid of two. No M/WBE Subcontracting opportunities were identified.  
**Approved**

#### Human Resources

36. Approve a resolution authorizing the confirmation of the appointments of Fred L. Daughtry and Jeffrey M. Shapiro to the Civil Service Commission. (No fiscal impact.)  
**Approved**

**Items 35 and 36 approved on, Councilmember Griffith's motion, Councilmember Goodman's second, 7-0 vote.**

#### Development Review and Inspection

37. 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. (continued from 5-8-97 & 5-15-97)  
**Postponed indefinitely**
38. Approve third readings 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 District to "LR \_CO", Neighborhood Commercial-Conditional Overlay District zoning with conditions. First reading on October 3, 1996; Vote 5-0, Goodman & Todd absent. Second reading on May 8, 1997; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at second reading. City Staff: Susan Villarreal, 499-6319.  
**Ordinance No. 970522-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 3341 Paisano Trail, Case No. C14-96-0143, from "SF-4A", Single Family Residence (Small Lot) and "RR", Rural Residence to "GO-CO", General Office-Conditional Overlay zoning on Tract 1, and "RR", Rural Residence District zoning on Tract 2, with conditions. First reading on April 3, 1997; Vote 7-0. Conditions met as follows: Street deed, restrictive covenant and conditional overlay incorporates conditions imposed by Council at first reading. City Staff: Greg Guernsey, 499-2387.  
**Ordinance No. 970522-J approved**

**Items 38 and 39 approved on, Councilmember Griffith's motion, Councilmember Goodman's second, 7-0 vote.**

## ITEMS FROM COUNCIL

40. Approve a street closure for Ramsey Avenue, between 44th and 45th Street, on May 31, 1997, from 4:00 p.m. to 9:00 p.m. (Councilmember Jackie Goodman)  
**Ordinance No. 970522-K approved**
41. Approve an ordinance waiving certain financial disclosure requirements for members of the Environmental Justice Task Force and the Floodplain Task Force, (Councilmember Jackie Goodman)  
**Ordinance No. 970522-L approved**

**Items 40 and 41 approved on, Councilmember Griffith's motion, Councilmember Goodman's second, 7-0 vote.**

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

42. C14-96-0026 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 5101 Balcones Drive from "SF-3", Family Residence to "NO", Neighborhood Office zoning. Planning Commission Recommendation: To Deny "NO", Neighborhood Office zoning. City Staff: Susan Villarreal, 499-6319.  
**Motion to deny zoning request on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-0-1 vote, Councilmember Reynolds "ABSTAINING", Councilmember Mitchell off dais.**
43. C14-96-0149 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 4712 Bolm Road from "LI", Limited Industrial Services to "LI", Limited Industrial Services zoning. Planning Commission Recommendation: To Grant "LO", Limited Office, zoning. City Staff: Susan Villarreal, 499-6319.  
**Public comments held and left open, postponed to July 10, 1997 on, Councilmember Goodman's motion, Councilmember Slusher's second, 5-0 vote, Mayor Todd and Councilmember Mitchell absent.**
44. C14-96-0150 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 2416 East 6th Street from "LI", Limited Industrial Services to "LI", Limited Industrial Services zoning. Planning Commission Recommendation: To Grant "LI-CO", Limited Industrial Services-Conditional Overlay zoning with conditions. City Staff: Susan Villarreal, 499-6319.  
**Public comments held and left open, postponed to July 10, 1997 on, Councilmember Goodman's motion, Councilmember Slusher's second, 5-0 vote, Mayor Todd and Councilmember Mitchell absent.**
45. C14-97-0006 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 11412 FM 2222 from "SF-2", Single Family Residence (standard lot) to "GR", Community Commercial zoning. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial-Conditional Overlay zoning with conditions. City Staff: David Wahlgren, 499-6455.  
**Postponed for two weeks to June 5, 1997.**



46. C14-97-0014 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally know as 7000 Block of East U.S. Hwy. 290, from "GR", Community Commercial and "CS", Commercial Services to "CS", Commercial Services zoning. Planning Commission Recommendation: To Grant "CS-CO", Commercial Services-Conditional Overlay zoning with conditions. City Staff: Joe Arriaga, 499-2308.  
Ordinance No. 970522-N approved on, Councilmember Goodman's motion, Councilmember Reynolds' second, 5-0-1 vote, Mayor Pro Tem Garcia "ABSTAINING", Councilmember Mitchell off the dais.
47. C14-97-0015 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 7000 Block of U.S. Highway 290 East, from "GR", Community Commercial to "CS", Commercial Services zoning. Planning Commission Recommendation: To Grant "CS-CO", Commercial Services-Conditional Overlay zoning with conditions. City Staff: Joe Arriaga, 499-2308.  
Ordinance No. 970522-O approved on, Councilmember Goodman's motion, Councilmember Reynolds' second, 5-0-1 vote, Mayor Pro Tem Garcia "ABSTAINING", Councilmember Mitchell off the dais.
48. C14-97-0018 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 4818 East Ben White Boulevard, from "GR", Community Commercial and "SF-2", Single Family Residence (standard lot) to "GR", Community Commercial zoning. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial-Conditional Overlay zoning with conditions. City Staff: Craig Alter, 499-2769.  
Ordinance No. 970522-P approved on, Councilmember Goodman's motion, Councilmember Reynolds' second, 6-0 vote, Councilmember Mitchell absent.
49. C14-97-0027 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 620 West Slaughter Lane, from "GR-CO", Community Commercial-Conditional Overlay to "CS", Commercial Services zoning. Planning Commission Recommendation: To Grant "CS-CO", Commercial Services-Conditional Overlay zoning with conditions. City Staff: Joe Arriaga, 499-2308.  
Postponed to June 5, 1997 on, Councilmember Goodman's motion, Councilmember Reynolds' second, 5-0 vote, Mayor Todd and Councilmember Mitchell absent.

#### EXECUTIVE SESSION (No Public Discussion on These Items)

Executive Session held at 12:15 p.m. to 1:20 p.m.

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.

#### Real Estate - Section 551.072

50. Discuss possible acquisition of real property adjacent to One Texas Center tract.

### Private Consultation with Attorney - Section 551.071

51. Discuss City of Austin v. Southwest Travis County Water District, CA 96-13123, Travis County District Court.
52. Discuss intervention in the Federal Energy Regulatory Commission application of PG&E Corporation and Valero Energy Corporation for approval of Merger. (Docket No. EC 97-22-00)

### ACTION ON EXECUTIVE SESSION ITEMS

53. Approve a resolution authorizing execution of an agreement with the law firm of Spiegel & McDiarmid, Washington, D.C. to provide legal counsel and representation in regulatory proceedings involving the proposed merger of PG&E Corporation and Valero Energy Corporation and any related proceedings that may arise regarding the natural gas transportation contract between Valero Energy Corporation and the City of Austin, in the amount of \$150,000. (Funding is available in the 1996-97 Operating Budget for the Electric Utility Department.)  
**Approved**

54. APPOINTMENTS

Central City Entertainment Advisory Board - **JAMES A. BARNES**.  
**Approved**

### **ADDENDUM MAY 22, 1997**

55. Approve a resolution recognizing the Indigent Care Work Team's need to review all key findings of any health care consultants retained by the City Manager or City Auditor prior to developing recommendations. (Councilmember Daryl Slusher)  
**Approved**
56. Approve an ordinance amending the Council meeting rules to revise the schedule and format for public hearings on the 1997-98 City budget. (Councilmembers Daryl Slusher and Beverly Griffith)  
**Approved**

Items 53 through 56 approved on, Councilmember Griffith's motion, Councilmember Goodman's second, 7-0 vote.

57. Approve a resolution directing the City Manager to schedule public hearings on the City budget for June 18, 19, 23 and 24, 1997. (Councilmembers Daryl Slusher and Beverly Griffith)  
Approved for public hearing on the following dates: June 17th and 18th and June 25th and 26th on, Councilmember Slusher's motion, Councilmember Griffith's second, 7-0 vote.

ADJOURNED at 8:15 p.m. on, Councilmember Reynolds' motion, Councilmember Slusher's second,

5-0 vote, Mayor Todd and Councilmember Mitchell absent.

Approved on this the 5<sup>th</sup> day of June, 1997 on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Mitchell off the dais.