



# Austin City Council MINUTES

REGULAR MEETING  
THURSDAY, AUGUST 21, 1997

Mayor Watson called the meeting to order, noting the absence of Councilmember Spelman.

1. Approval of Minutes for Special Called Meeting of August 12, 1997 and Regular Meetings of August 13 and 14, 1997.  
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 5-0 vote, Councilmember Lewis off the dais, Councilmember Spelman absent.

## CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Robert Thomas, to discuss the Rosewood Recreation Center.
3. Mr. John McMillan, to request additional public table-tennis facilities and a staff of employees who can translate from Oriental languages into English.
4. Mr. Gavino Fernandez, to discuss Brackenridge Hospital's denial of services to citizens of Monterey Mexico.
5. Ms. Joni Hughes, to discuss discipline v. rape.
6. L. Smith, to discuss city project and unfairness to the contractor by City project manager.
7. Mr. Gus Pena, to discuss the city budget, and the City's efforts to privatize the Health clinics and the taxpayers concerns.
8. Ms. Dorothy Turner, to discuss single-member districts.
9. Ms. Velma Roberts, to discuss single-member districts.
10. Mr. Ray Hendricks, to discuss St. John's Neighborhood.

## READING OF CONSENT AGENDA

## READING OF DISCUSSION AGENDA

## CITIZEN COMMUNICATIONS: CONSENT AGENDA

## ACTION ON CONSENT AGENDA

## 2:00 P.M. - GENERAL OBLIGATION BONDS

11. Approve an ordinance authorizing the issuance of approximately \$87,475,000 City of Austin, Texas, Public Improvement Refunding Bonds, Series 1997, including approval and authorization of a Purchase Contract, Escrow Agreement, Paying Agent/Registrar Agreement and Official Statement pertaining thereto. (\$5,337,636.67 is the estimate debt service requirement in 1997-98 and will be provided in the 1997-98 proposed budget of the General Obligation Debt Service Fund.) [Reviewed by Audit and Finance Committee]  
**Pulled from agenda**

#### ITEMS CONTINUED FROM PREVIOUS MEETINGS

12. Approve a resolution authorizing an amendment to the Interlocal Cooperation Agreement with Travis County for Public Animal Shelter Services, extending the term of the Agreement through September 30, 1997, with an automatic annual renewal commencing October 1, 1997, for a period not to exceed five years, for a total amount of \$139,941, to be paid by the County to the City. (Revenue was included in the 1996-97 operating budget of the Austin/Travis County Health and Human Services Department. Funding for each Agreement renewal is contingent upon available funding and approval in future budgets.) [To be reviewed by Animal Advisory Commission on August 19, 1997]  
**Resolution No. 970821-12 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Spelman absent.**
13. Approve a resolution authorizing negotiation and execution of a twelve month service agreement with LABORATORY CORPORATION OF AMERICA, INC., San Antonio, Texas, to provide contract laboratory services for patients serviced by the Health and Human Services Department, in an amount not to exceed \$557,656 with two twelve month extension options, in an amount not to exceed \$585,539 for the first extension and \$614,816 for the second extension for a total contract amount not to exceed \$1,758,011. (Funding for the original contract period and extension options will be contingent upon approval of the 1997-98 budget and available funding in future budgets.) Best proposal of two. No M/WBE Subcontracting opportunities were identified.  
**Approved with direction to City Manager to retain four lab techs on a permanent basis on, Councilmember Griffith's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Spelman absent.**

#### Aviation

14. Approve a resolution authorizing negotiation and execution of a concession agreement with LONE STAR ENERGY COMPANY, Dallas, Texas, to provide installation and operation of a compressed natural gas (CNG) fueling station near 4503 Airport Boulevard at Wilshire Boulevard on the property of Robert Mueller Municipal Airport, in an amount not to exceed \$265,000. Term of the agreement is for the period of time until Austin-Bergstrom International Airport (ABIA) opens or Robert Mueller Municipal Airport closes, whichever occurs first. Net proceeds from the concession will be shared equally between the City of Austin and the Contractor. (Funding was included in the 1996-97 amended Capital budget of the Aviation Department. City's estimated net revenue of \$4,700 per year after deduction of all operating expenses will be budgeted in future years.) Single proposal. No M/WBE Subcontracting

opportunities were identified. [Recommended by Airport Advisory Board]  
Resolution No. 970821-14 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Spelman absent.

15. Approve a resolution executing a contract with WEATHER EXPERTS, INC., Spring, Texas, to provide meteorological weather observation services twenty-four hours per day, year round at Robert Mueller Municipal Airport in an amount not to exceed \$160,224.47, with two twelve month extension options, in an amount not to exceed \$160,224.47 per extension, for a total contract amount not to exceed \$480,673.41. (Funding is available in the proposed 1997-98 Operating Budget for the Department of Aviation.) Low bid of two. No M/WBE Subcontracting opportunities were identified. (Not recommended by Airport Advisory Board)  
Resolution No. 970821-15 approved on, Councilmember Slusher's motion, Mayor Pro Tem Garcia's second, 6-0 vote, Councilmember Spelman absent.
16. Approve a resolution authorizing implementation of new parking fees at Robert Mueller Municipal Airport (RMMA), along with Valet Parking, a new service for the customers at RMMA. (Estimated revenue over the term of the contract is \$1,200,000. This revenue is not included in the proposed 1997-98 Operating Budget for the Department of Aviation.) [Recommended by Airport Advisory Board]  
Resolution No. 970821-16 approved on, Councilmember Goodman's motion, Councilmember Slusher's second, 5-0 vote, Mayor Pro Tem Garcia off the dais, Councilmember Spelman absent.
17. Approve a resolution to award revenue producing contracts to the following seven rental car agencies: Avis Rent A Car, Advantage Rent A Car, Alamo Rent A Car, Budget Rent A Car, Dollar Rent A Car (DBE), The Hertz Corporation, and National Rent A Car, to operate rental car concessions and construct related vehicle maintenance and storage facilities at Austin-Bergstrom International Airport. (Estimated annual revenue is \$5 million over the ten year term of the leases.) Seven bids submitted. (Recommended by Airport Advisory Board)  
Resolution No. 970821-17 approved

### Drainage Utility

18. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement with TEXAS NATURAL RESOURCES CONSERVATION COMMISSION (TNRCC) to reimburse the City of Austin up to \$40,000 for a streambank stabilization demonstration/training project on East Bouldin Creek in Gillis Park. [Texas Natural Resources Conservation Commission (TNRCC) administers Section 319 of the Clean Water Act under authority of the Environmental Protection Agency. TNRCC is allocating \$40,000 from its 319 grant fund for this project.]  
Resolution No. 970821-18 approved
19. Approve a resolution authorizing execution of Change Order #1 to the contract with TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED, Austin, Texas, for vegetation control in creeks and detention/sedimentation ponds, and hauling of excessive vegetation and debris from work performed by City crews, in the amount of \$193,750, for a total contract amount not to exceed \$968,750. (Funding is available in the 1996-97 operating budget of the Drainage

Utility.)

**Resolution No. 970821-19 approved**

20. Approve a resolution authorizing execution of a construction contract with EDWARD R. COLEMAN CONSTRUCTION COMPANY, Austin, Texas, for the East-West Bouldin Drainage Improvements, Alpine Water Quality Pond Retrofit, located between Alpine Road and Pickle Road west of South Congress, in the amount of \$222,527.84. (Funding was included in the 1996-97 Approved Capital budget of the Drainage Utility.) Low bid of six. 24.4% MBE, 11.4% WBE Subcontractor participation.

**Resolution No. 970821-20 approved**

### Solid Waste Services

21. Approve a resolution authorizing execution of Change Order #2 to the construction contract with TREMUR CONSULTING CONTRACTORS, INC., Del Valle, Texas, for additions to the staff parking area at the Todd Lane Service Center, in the amount of \$68,667.45, for a total contract amount not to exceed \$1,024,127.66. (Funding was included in the 1995-96 Amended Capital budget of the Solid Waste Services department.) 9.25% MBE, 12.12% WBE Subcontractor participation.

**Resolution No. 970821-21 approved**

### Finance and Administrative Services

22. Approve a resolution authorizing the appointment of Kirk Watson, William Spelman, and Willie C. Lewis to the Board of Directors of Austin-Berstrom International Airport (ABIA) Development Corporation to replace former Mayor Bruce Todd and Councilmembers Ronney Reynolds, and Eric Mitchell.

**Resolution No. 970821-22 approved**

23. Approve a resolution authorizing the appointment of Kirk Watson, William Spelman, and Willie C. Lewis to terms expiring on June 14, 2000, and Daryl Slusher and Beverly Griffith to terms expiring on June 14, 1999 on the Board of Directors of The Austin Industrial Development Corporation. (Related to Items 53-54)

**Resolution No. 970821-23 approved**

24. Approve a resolution authorizing execution of a twelve month supply agreement with MILE-HIT FIRE EQUIPMENT, INC., Round Rock, Texas, for the purchase of captive repair parts for the City's fleet of Seagrave fire trucks, in an amount not to exceed \$75,000 with two twelve month extension options in an amount not to exceed \$75,000 per extension, for a total contract amount not to exceed \$225,000. (Funding in the amount of \$6,250 was included in the 1996-97 operating budget of the Austin Fire department. Funding for the remaining eleven month and the extension options is contingent upon available funding in future budgets.) Low bid of two. No M/WBE Subcontracting opportunities were identified.

**Resolution No. 970821-24 approved**

### Finance and Administrative Services

25. Approve a resolution authorizing execution of a contract with MCCOMBS FLEET SERVICES, Austin, Texas, for the purchase of two light duty truck cab and chassis to include the transfer and mounting of City-owned Emergency Medical Services bodies, in an amount not to exceed \$66,096. (Funding was included in the 1996-97 Vehicle Acquisition Fund.) Low bid of four. No M/WBE Subcontracting opportunities were identified.  
**Resolution No. 970821-25 approved**
26. Approve a resolution authorizing execution of a twelve month supply agreement with LONGHORN INTERNATIONAL EQUIPMENT, INC., Austin, Texas, for the purchase of brake parts for the City's fleet of heavy duty trucks, in an amount not to exceed \$70,000 with two twelve month extension options in an amount not to exceed \$70,000 per extension, for a total contract amount not to exceed \$210,000. (Funding in the amount of \$5,833.00 was included in the 1996-97 operating budgets of various departments. Funding for the remaining eleven months and the extension options is contingent upon available funding in future budgets.) Low bid of five. No M/WBE Subcontracting opportunities were identified.  
**Resolution No. 970821-26 approved**
27. Approve a resolution authorizing execution of a twelve month supply agreement with GRAY'S WHOLESALE TIRE DISTRIBUTORS, INC., Fort Worth, Texas, for the purchase of tires and various tubes for the City's fleet of vehicles, in an amount not to exceed \$655,000 with two twelve month extension options in an amount not to exceed \$655,000 per extension, for a total contract amount not to exceed \$1,965,000. (Funding in the amount of \$54,583.00 was included in the 1996-97 operating budgets of various departments. Funding for the remaining eleven months and the extension options is contingent upon available funding in future budgets.) Low bid of two. No M/WBE Subcontracting opportunities were identified.  
**Resolution No. 970821-27 approved**
28. Approve a resolution authorizing and directing publication of an official notice of intention to issue certificates of obligation. (No fiscal impact.)  
**Resolution No. 970821-28 approved**

### **Cable and Regulatory Affairs**

29. Approve first reading of an ordinance amending the term of the existing telecommunications service franchise with American Communications Services, Inc. (\$5,000 in Franchise Fee Revenue for 1996-97 was included in the 1996-97 Adopted budget.) [Recommended by Telecommunications and Infrastructure Subcommittee]  
**Approve first reading only**

### **Public Works**

30. Approve an ordinance amending the Austin City Code by modifying the Basic Traffic Ordinance, Section 16-4-5 (B) to establish the speed limit on Spicewood Springs Road as 40 mph from U.S. Highway 183 to Heathrow Drive. (Funding in the amount of \$800 for traffic signs is available in the 1996-97 operating budget of the Public Works and Transportation Department.)

**Ordinance No. 970821-A approved**

31. Approve a resolution authorizing execution of a construction contract with ROSS CONSTRUCTION, INC., Austin, Texas, for reconstruction, overlay, and utility adjustments on Woodward Street from Ben White to IH 35, in the amount of \$393,506.70. (Funding in the amount of \$392,006.70 is included in the 1996-97 approved Capital budget of the Public Works and Transportation department; \$500 was included in the 1991-92 approved Capital budget of the Wastewater Utility; \$1,000 is included in the 1993-94 approved Capital budget of the Water Utility.) Low bid of four. 0% MBE, 33.04% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)  
**Resolution No. 970821-31 approved**

**Items 17 through 31 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Spelman absent.**

32. Approve a resolution authorizing negotiation and execution of a Settlement Agreement with Mr. and Mrs. John T. Anderson for the restoration of property to pre-existing conditions on their property located at 2605 Woodmont Avenue, in an amount not to exceed \$165,000. (Funding in the amount of \$38,000 is available in the 1996-97 operating budget of the Capital Project Management Fund of the Public Works and Transportation Department; \$127,000 was included in the 1991-92 Capital budget of the Water and Wastewater Utility.) [Recommended by Water and Wastewater Commission]  
**Postponed**

33. Approve a resolution authorizing negotiation and execution of two professional service agreement with the following firms: FUGRO-MCCLELLAND (SOUTHWEST), INC., Austin, Texas; and TRINITY ENGINEERING TESTING CORPORATION, Austin, Texas, to provide professional engineering soils and materials testing services for streets, buildings, water and wastewater projects, City facilities, and subdivisions for a period of approximately two years, or until available funding is expended, each agreement in an amount not to exceed \$950,000, with a total amount not to exceed \$950,000. (Funding is available in the Capital and/or operating budgets of the Public Works and Transportation department, Water and Wastewater Utility and various departments requiring services.) Best qualification statements of four. Fugro-McClelland, Inc.: 15.25% MBE, 5.0% WBE Subconsultant participation. Trinity Engineering Testing Corporation: 15.25% MBE, 5.0% WBE Subconsultant participation. (Recommended by Water and Wastewater Commission)  
**Resolution No. 970821-33 approved**

**Planning, Environmental & Conservation Services**

34. Approve an ordinance annexing the Boggy Creek Annexation Area (Regency Village) for full purposes. (No fiscal impact.) [Related to Item 64]  
**Ordinance No. 970821-B approved**

**Items 33 and 34 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Spelman absent.**

**Planning Environmental and Conservation Services**

35. Approve a resolution authorizing negotiation and execution of Memorandums of Understanding with two pilot planning areas selected by City Council to participate in the Citizens Planning Implementation Committee's Pilot Neighborhood Planning Project. (The fiscal impact will depend on the memorandum of agreement as finally approved by the neighborhoods and City staff.) [Recommended by Planning Commission]  
Resolution No. 970821-35 approved with Councilmember Goodman's motion that Dawson, East Cesar Chavez/Pueblito with amended boundaries as shown on the handout received, be the first two pilot neighborhoods addressed by the neighborhood planning staff and that staff proceed to negotiate memoranda of understanding. Also, that Chestnut be designated as a pilot neighborhood in Health and Human Services and at the conclusion of six months Chestnut roll into the land use planning process of the neighborhood planning program, Mayor Pro Tem Garcia's second, 6-0 vote, Councilmember Spelman absent.

Friendly amendment by Councilmember Lewis to identify alternates, in the event that memoranda cannot be negotiated, be remanded to the Planning Commission for reconsideration, Mayor Pro Tem Garcia's second, 6-0 vote, Councilmember Spelman absent.

Friendly amendment accepted by maker and seconder.

36. Approve a resolution authorizing execution of a construction contract with TEXAS INDUSTRIAL MECHANICAL, INC., Austin, Texas, for the installation of energy conservation measures at the Austin Convention Center located at 500 East Cesar Chavez Street, in the amount of \$291,320. (Funding in the amount of \$243,716 was included in the 1994-95 Capital budget of the Planning, Environmental & Conservation Services Department; \$47,604 was included in the 1991-92 Capital budget of the Austin Convention Center department.) Single bid meeting specifications. No M/WBE Subcontracting opportunities were identified. (Recommended by Resource Management Commission)  
Resolution No. 970821-36 approved

### Fire

37. Approve a resolution authorizing official notice to Travis County Emergency Service Districts 4 and 8 and to Travis County Rural Fire Prevention District Number 11 of full purpose annexations by the City of Austin between January 1, 1997 and August 31, 1997. (No fiscal impact.)  
Resolution No. 970821-37 approved

### Health and Human Services

38. Approve a resolution authorizing an Interlocal Agreement with the University of Texas, School of Social Work, for the operation of a field internship program to provide case management and parenting support to at risk families, in the amount of \$41,995 for the period September 1, 1997 through May 31, 1998. (Funding was included in the 1995-96 Special Revenue Fund for the Health and Human Services Department, Title IV-A At-Risk Child Care grant program.)  
Resolution No. 970821-38 approved

## Water and Wastewater Utility

39. Approve a resolution authorizing execution of a twelve month supply agreement with KPRO, INC., Abilene, Texas, for the purchase of miscellaneous hardware (nuts, bolts, and screws) for the Water and Wastewater Utility, in an amount not to exceed \$129,772 with two twelve month extension options in an amount not to exceed \$129,772 per extension option, for a total contract amount not to exceed \$389,316. (Funding in the amount of \$21,629 was included in the 1996-97 operating budget of the Water and Wastewater Utility. Funding for the remaining ten months and the extension options is contingent upon available funding in future budgets.) Low bid three. No M/WBE Subcontracting opportunities were identified. [Recommended by Water and Wastewater Commission]  
**Resolution No. 970821-39 approved**
40. Approve a resolution authorizing execution of a contract with VERMEER EQUIPMENT OF TEXAS, INC., Austin, Texas, for the purchase of one heavy duty truck cab and chassis with a mounted hydraulic crane, in an amount not to exceed \$142,747. (Funding was included in the 1995-96 Capital budget of the Water and Wastewater Utility.) Low bid of three. No M/WBE Subcontracting opportunities were identified. [Recommended by Water and Wastewater Commission]  
**Resolution No. 970821-40 approved**
41. Approve a resolution authorizing execution of a twelve month supply agreement with MOODY BROTHERS, INC., (WBE/FR), Houston, Texas, for the purchase of replacement parts for Wallace & Tiernan chlorination equipment for the Water and Wastewater Utility, in an amount not to exceed \$50,000 with two twelve month extension options in an amount not to exceed \$50,000 per extension, for a total contract amount not to exceed \$150,000. (Funding in the amount of \$4,167 was included in the 1996-97 operating budget of the Water and Wastewater Utility. Funding for the remaining eleven months and the extension options is contingent upon available funding in future budgets.) Single bid. No M/WBE Subcontracting opportunities were identified. [Recommended by Water and Wastewater Commission]  
**Resolution No. 970821-41 approved**
42. Approve a resolution approving negotiation and execution of a contract with WILTEL TELECOMMUNICATIONS SYTEMS, Austin, Texas, for the purchase and installation of a new Northern Telecom Telephone System, including a one year warranty, for the Water and Wastewater Utility Waller Creek Center, located at 425 E. 10th Street, in the amount of \$510,413.09. (Funding in the amount of \$352,676.09 was included in the 1996-97 Operating Budget for the Water and Wastewater Utility. \$157,737 was included in the 1995-96 Capital Budget of the Water and Wastewater Utility.) Low bid of three. 4.4% MBE, 4.7% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)  
**Resolution No. 970821-42 approved**

## Infrastructure Support Services

43. Amend Ordinance No. 960910-G, the 1996-97 Operating Budget for the Infrastructure Support

Services Fund by decreasing budgeted expenditures for wiring costs by \$200,000 and increasing transfers out to the Capital Budget by \$200,000; Amend Ordinance No. 960910A, the 1996-97 Capital Budget of the Financial and Administrative Services Department by increasing transfers in from the Infrastructure Support Services Fund by \$200,000 and increasing appropriations to a new One Texas Center Communications project in the Financial and Administrative Services Department by \$200,000 for wiring costs. (Funding was included in the 1996-97 Operating Budget of the Infrastructure Support Services Fund.) [Recommended by Planning Commission]  
**Ordinance No. 970821-C approved**

### Development Review and Inspection

45. C14-97-0021 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as South Congress at Eberhart Lane, from "SF-3", Family Residence to "MF-2-CO", Multifamily Residence (low density)-Conditional Overlay zoning, with conditions. First reading on July 17, 1997; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: R.S. Shawell and Alfred Constanzo; Agent: Crocker Consulting (Sarah Crocker). City Staff: Joe Arriaga, 499-2308.  
**Ordinance No. 970821-D approved**

### Neighborhood Housing and Community Development

46. Approve a resolution authorizing negotiation and execution of a contract with the Austin Housing Finance Corporation for the administration of the City's Capital Recovery Fee Exemption Program through September 30, 1998, and approve the Program Guidelines. (No fiscal impact. All costs for administration of the program are included in the 1996-97 budget of the Austin Housing Finance Corporation.) [Related to Item 52]  
**Resolution No. 970821-46 approved**

### ITEMS FROM COUNCIL

47. Approve an ordinance repealing Ordinance 970612-H and renaming a portion of West 26th Street from Guadalupe Street to Manor Road, and all of East 26th Street for Dean Keeton. (Funding in the amount of \$1,300 for fabrication and installation of new signs is available in the 1996-97 operating budget of the Public Works and Transportation Department.) [Mayor Kirk Watson]  
**Ordinance No. 970821-47 approved**

**Items 36 through 47 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Spelman absent.**

48. Approve the appointment of two members of the Austin City Council to the Capital Metropolitan Transportation Authority Board per Section 451.502(b)(2) of the Transportation Code. (Mayor Pro Tem Gus Garcia)  
**Approved Councilmembers Beverly Griffith and Daryl Slusher appointed as members of the Capital Metropolitan Transportation Authority Board on, Mayor Pro Tem Garcia's motion,**

Councilmember Goodman's second, 6-0 vote, Councilmember Spelman absent.

49. Approve the appointment of five members of the Council to serve on the Local Government Approval Committee for Capital Metro fares and other charges. (Mayor Kirk Watson)  
**Approved Mayor Kirk Watson, Mayor Pro Tem Gus Garcia, Councilmembers Jackie Goodman, Willie C. Lewis and William Spelman as members of the Council of Local Government Approval Committee on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 6-0 vote, Councilmember Spelman absent.**
50. Approve a resolution executing a loan guarantee agreement pursuant to Section 456.065 of the Transportation Code with the Texas Department of Transportation to guarantee the repayment of the City's share of any unpaid balance in the event of default on the TxDOT loan to Amtrak to provide rail service to municipalities in Texas. (Mayor Kirk Watson)  
**Resolution No. 970821-50 approved**
51. Approve appointments to the City Council's Audit and Finance Committee. (Mayor Kirk Watson)  
**Resolution No. 970821-51 approved**

**Items 50 and 51 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Spelman absent.**

#### **3:30 P.M. - BOARD OF DIRECTOR'S MEETING OF AUSTIN HOUSING FINANCE CORPORATION**

The Mayor will recess the City Council meeting. A Board meeting of the Austin Housing Finance Corporation (AHFC) will be conducted. Following adjournment of the AHFC Board meeting, the City Council will be reconvened. Item 52 is the AHFC item to be considered by the Austin Housing Finance Corporation's Board of Directors.

52. Approve a resolution authorizing negotiation and execution of a contract with the City of Austin for the administration of the City's Capital Recovery Fee Exemption Program by the Austin Housing Finance Corporation through September 30, 1998, and approve the Program Guidelines. (Administration expenses are included in the 1996-97 Austin Housing Finance Corporation Budget.) **[Related to Item 46]**

#### **4:00 P.M. - BOARD OF DIRECTOR'S MEETING OF THE AUSTIN INDUSTRIAL DEVELOPMENT CORPORATION**

The Mayor will recess the City Council meeting. A Board meeting of the Austin Industrial Development Corporation will be conducted. Following adjournment of the Austin Industrial Development Corporation Board meeting, the City Council will be reconvened. Items 53-54 are the AIDC items to be considered by Austin Industrial Development Corporation's Board of Director's.

53. Approve a resolution to elect officers of the Corporation.
54. Approve a resolution authorizing a change of User on the Austin Industrial Development Corporation Industrial Development Revenue Bond, Series 1983 (Scarborough Building Partnership) from Scarborough Building Partnership to Scarborough Partners LTD and

execution of documents related thereto.

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

55. C14-96-0151 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 6400 to 6508 North MoPac Expressway from "LO", Limited Office to "CS", General Commercial Services. Planning Commission Recommendation: To Deny "CS", General Commercial Services zoning. Applicant: Mopac Investors Joint Venture (Matt Gaskins). Agent: Mathias Company (Richard Mathias). City Staff: Greg Guernsey, 499-2387. (continued from 6/26/97 applicant's request) Note: A valid petition has been filed in opposition to this rezoning request.

**Withdrawn by applicant; a rezoning cannot be requested on the property for the next 12-18 months that is CS or more intensive.**

56. C14-97-0051 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 11509 North Lamar Boulevard from "LO", Limited Office to "LR", Neighborhood Commercial. Planning Commission Recommendation: To Deny "LR", Neighborhood Commercial zoning. Applicant: Esmail M. Rowshan; Agent: SBR, Inc. (Christina Eaton). City Staff: David Wahlgren, 499-6455.

**Motion to deny LR on, Councilmember Goodman's motion, Councilmember Griffith's second, 6-0 vote, Councilmember Spelman absent.**

57. C14-97-0057 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 9185 Research Boulevard from "CS-1", Commercial Liquor Sales to "CS-1", Commercial Liquor Sales. Planning Commission Recommendation: To Grant "CS-1-CO", Commercial Liquor Sales-Conditional Overlay zoning with conditions. Applicant: Capital Metro Transportation Authorities. City Staff: Joe Arriaga, 499-2308.

**Ordinance No. 970821-E approved Planning Commission recommendation**

58. C14-97-0062 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as Felix Avenue & Grove Boulevard from "MF-2", Multifamily Residence (low density), and "SF-6", Townhouse and Condominium Residence to "P", Public District. Planning Commission Recommendation: To Grant "P", Public District zoning. Applicant: Trust for Public Land (Ted Siff); Agent: C.O.A.- Park Planning & Design (Butch Smith). City Staff: Craig Alter, 499-2769.

**Approved Planning Commission recommendation, first reading only**

**NOTE: Montopolis area study results to be presented to Council on September 3, 1997; second/third readings September 4, 1997.**

59. C14-97-0063 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as South Pleasant Valley Road & Grove Boulevard from "MF-2", Multifamily Residence (low density), "SF-3", Family Residence, "GO-MU", General Office-Mixed Use Combining District, "LR", Neighborhood Commercial, "RR", Rural Residence and "P", Public District to "P", Public District. Planning Commission Recommendation: To Grant "P", Public District zoning. Applicant: Trust for Public Land (Ted Siff); Agent: C.O.A.- Park Planning & Design (Butch Smith). City Staff: Craig Alter, 499-2769.

**Approved Planning Commission recommendation, first reading only**

**NOTE: Montopolis area study results to be presented to Council on September 3, 1997; second/third readings September 4, 1997.**

60. C14-97-0064 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as North Capital of Texas Highway & Lakewood Drive from "SF-2", Single Family Residence (standard lot) to "LO", Limited Office. Planning Commission Recommendation: To Grant "LO-CO", Limited Office-Conditional Overlay zoning with conditions. Applicant: Magellan Health Services, Inc. (Susan Clark); Agent: Ray Wilkerson Companies, Inc. (Jim Spence). City Staff: Joe Arriaga, 499-2308.  
**Ordinance No. 970821-F approved Planning Commission recommendation**

61. C14-97-0066 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 2211-2605 Toulouse Drive, 9300-9505 Castlewood Drive, 9300-9307 Mosswood Circle, 2401-2607 Crownspoint Drive (one side only), 8908-9201 Collingwood Drive, 9102-9307 Heatherwood Drive, 9003-9203 Comburg Drive (one side only), 2302-2501 Lancaster Drive, 2302-2500 Vassal Drive, 2210-2607 Comburg Castle Way, 8906-9510 Queenswood Drive, 8600-8904 Oakledge Drive (one side only), 2310-2409 Shelby Oak, 2304-2409 Sheri Oak Lane, 2304-2409 Rustic Oak Lane, 2102-2401 Monarch Drive, 2402,2403,2405 Castle Dale Drive, 2500,2502,2503 Barkwood Drive, 9403-9503 Ramblewood Drive (one side only), 2503-2605 Barkwood Drive, and 2305-2409 Davis Lane (one side only) from "SF-2", Single Family Residence (standard lot) to "SF-1", Single Family Residence (large lot). Planning Commission Recommendation: To Grant "SF-1", Single Family Residence (large lot) zoning. Applicant: C.O.A.- Development Review & Inspections Department. City Staff: Craig Alter, 499-2769.  
**Ordinance No. 970821-G approved Planning Commission recommendation**

62. C14-97-0067 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 11652 Jollyville Road from "LO", Limited Office & "SF-2", Single Family Residence (standard lot) to "LO", Limited Office. Planning Commission Recommendation: To Grant "LO", Limited Office zoning. Applicant: Alliance Credit (Peter Kehle); Agent: Land Strategies (Paul Linehan). City Staff: Joe Arriaga, 499-2308.  
**Ordinance No. 970821-H approved Planning Commission recommendation**

63. C14-97-0068 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 716 Montopolis Drive from "SF-3", Family Residence to "GO", General Office. Planning Commission Recommendation: To Grant "GO-CO", General Office-Conditional Overlay zoning with conditions. Applicant: Seventh Day Adventist (Rafael Canizales); Agent: Roel Bazan, AIA Architect. City Staff: Susan Villarreal, 499-6319.  
**Approved Planning recommendation, first reading only**

**NOTE: Second/third readings on September 4, 1997, Montopolis area study presentation to Council on September 3, 1997.**

64. C14-97-0079 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 7703 Bluff Springs Road, from "I-RR", Interim Rural Residence to

"MH", Mobile Home Residence and "P", Public District. Planning Commission Recommendation: This request is forwarded to Council without a recommendation. Applicant: Regency Village at Onion Creek (Kathleen Godwin); Agent: Bury & Pittman, Inc. (Jim Gallegos). City Staff: Joe Arriaga, 499-2308. **(Related to Item 34)**  
Postponed two weeks to September 4, 1997

Items 57 through 64 approved on, Councilmember Lewis' motion, Councilmember Goodman's second, 5-0 vote, Councilmember Griffith off the dais, Councilmember Spelman absent.

## PUBLIC HEARINGS

65. 6:00 P.M. - Public hearing on an ordinance amending City Code Section 13-8-3, the Local Amendments to the 1994 Uniform Building Code, by adding a new chapter providing requirements for straw bale construction. (No fiscal impact.)  
Motion to close public hearing on, Councilmember Goodman's motion, Councilmember Slusher's second, 6-0 vote, Councilmember Spelman absent.
66. 6:30 P.M.- Public hearing to amend Chapter 13-2 of the City Code by: amending the definition of home occupation found in Section 13-2-1; and the limitations on home occupations found in Section 13-2-260. (No fiscal impact.)  
Motion to close public hearing on, Councilmember Griffith's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Spelman absent.

## ACTION ON PUBLIC HEARINGS

67. Approve an ordinance amending City Code Section 13-8-3, the Local Amendments to the 1994 Uniform Building Code, by adding a new chapter providing requirements for straw bale construction. (No fiscal impact.) [Recommended by Building and Fire Code Board]  
Ordinance No. 970821-I approved on, Councilmember Goodman's motion, Councilmember Slusher's second, 6-0 vote, Councilmember Spelman absent.
68. Approve an ordinance amending Chapter 13-2 of the City Code by amending the definition of home occupation found in Section 13-2-1; and the limitations on home occupations found in Section 13-2-260. (No fiscal impact.) [Recommended by Planning Commission]  
Approved with modifications, (listed below) first reading only, second/third readings on September 4, 1997, (or check with Councilmembers about preferred date)
1. A home occupation which is limited to office type uses may include no more than one employee who does not reside in the dwelling unit;
  2. Off street parking must be provided for any employee who does not reside in the dwelling unit;
  3. LDC Section 13-2-260(10)(r) is changed from "automotive repair services" to "Businesses that involve the repair of any type of internal combustion engine including automotive or equipment repair services".
  4. Staff should examine LDC Sections 13-2-260(10)(a), animal breeding and (g), lodging house residential, to resolve potential conflicts with reasonable uses of these type in

residential zoning districts.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held at 12:10 p.m. to 1:05 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.

Staff Briefing - Section 551.075

69. Staff briefing on status of airline negotiations, discussions with the FAA on the closure of Robert Mueller Municipal Airport and General Aviation.

70. APPOINTMENTS

Charter Revision Committee - 9  
Postponed to September 4, 1997

ADJOURNED at 8:05 p.m.

Approved on this the 4<sup>th</sup> day of September, 1997, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 6-0 vote, Councilmember Spelman temporarily absent.