



Austin City Council MINUTES

REGULAR MEETING
SEPTEMBER 11, 1997

1. Approval of Minutes for Regular Meetings of September 3 & 4, 1997.
Postponed to September 25, 1997.

CITIZEN COMMUNICATIONS: GENERAL

2. Ms. Patty David, to discuss the Austin Music Network.
3. Ms. Jennifer McPhail, to discuss funding for curb cuts.
4. Mr. Richard Troxell, to discuss homelessness in Austin.
5. Mr. Gus Pena, to discuss the City budget, public safety, youth and senior citizen issues.
6. Mr. John McMillan, to discuss the purpose of establishing a "Fragrant Plants Appreciation Day" once a year.
7. Mr. David Blakely, to discuss lean beef.
8. Mr. Dale Johnson, to discuss the budget.
Absent
9. Mr. Patrick Goetz, to discuss the budget.
Absent

READING OF CONSENT AGENDA

READING OF DISCUSSION AGENDA

CITIZEN COMMUNICATIONS: CONSENT AGENDA

ACTION ON CONSENT AGENDA

2:00 P.M. - BOND SALE

10. Approve an ordinance authorizing the issuance of approximately \$125,865,000 City of Austin, Texas, Combined Utility Systems Revenue Refunding Bonds, Series 1998A, including approval and authorization of a Purchase Contract, Deposit Agreement, Paying Agent/Registrar

Agreement, and Official Statement pertaining thereto. (\$7,222,632.50 is the debt service requirement in 1997-98 and will be provided in the 1997-98 Proposed Budget of the Utility Revenue Bond Redemption Fund.)

Ordinance No. 970911-I approved

11. Approve a resolution authorizing the redemption of certain outstanding Combined Utility Systems Revenue Bonds of the City of Austin. (Associated costs will be provided from the proceeds of the related issuance of Combined Utility Systems Revenue Refunding Bonds, Series 1998A.)

Resolution 970911-11 approved

Items 10 and 11 approved on, Councilmember Goodman's motion, Councilmember Spelman's second, 7-0 vote.

12. Approve an ordinance canvassing returns and declaring the results of an election held in the City on May 3, 1997, and authorizing the issuance of \$29,295,000 City of Austin, Texas, Public Improvement Bonds, Series, 1997, and declaring an emergency. (\$2,244,378 debt service requirement for the proposed bond sale is provided in the 1997-98 Proposed Budget of the General Obligation Debt Service Fund.)

Ordinance No. 970911-J approved

13. Approve an ordinance authorizing the issuance of \$13,975,000 City of Austin, Texas, Public Property Finance Contractual Obligations, Series 1997 and declaring an emergency. (\$1,311,108 debt service requirement for the proposed contractual obligation sale is provided in the 1997-98 Proposed Budget of the General Obligation Debt Service Fund.)

Ordinance No. 970911-K approved

14. Approve an ordinance authorizing the issuance of \$2,120,000 City of Austin, Texas, Certificates of Obligation, Series 1997. (\$180,855 debt service requirement for the proposed certificate of obligation sale is provided in the 1997-98 Proposed Budget of the General Obligation Debt Service Fund.)

Ordinance No. 970911-L approved

15. Approve a resolution authorizing the execution of a paying agent/registrar agreement, with Bank One, Texas, NA, Austin, with respect to the \$29,295,000 City of Austin, Texas, Public Improvement Bonds, Series 1997. (\$350 annual administration fee for paying agent/registrar services is available in the 1997-98 Proposed Budget of the General Obligation Debt Service Fund.)

Resolution No. 970911-15 approved

16. Approve a resolution authorizing the execution of a paying agent/registrar agreement with Bank One, Texas, NA, Austin, with respect to the \$2,120,000 City of Austin, Texas, Certificates of Obligation, Series 1997. (\$350 annual administration fee for paying agent/registrar services is available in the 1997-98 Proposed Budget of the General Obligation Debt Service Fund.)

Resolution No. 970911-16 approved

17. Approve a resolution authorizing the execution of a paying agent/registrar agreement, with Bank One, Texas, NA, Austin, with respect to the \$13,975,000 City of Austin, Texas, Public Property Finance, Contractual Obligations, Series 1997. (\$350 annual administration fee for paying agent/registrar services is available in the 1997-98 Proposed Budget of the General Obligation Debt Service Fund.)
Resolution No. 970911-17 approved

Items 12 through 17 approved on, Councilmember Spelman's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

18. Approve a resolution granting permission to the Bear Creek Oaks Property Owners Association to incorporate the Town of Bear Creek, and initiating an interlocal agreement on development regulation and protection of the Barton Springs Edwards Aquifer. (Councilmembers Daryl Slusher, Jackie Goodman and William Spelman)
Resolution No. 970911-18 approved with revisions on, Councilmember Slusher's motion, Councilmember Spelman's second, 7-0 vote.

Finance and Administrative Services

19. Approve second reading of an ordinance amending the terms of the existing telecommunications service franchise with American Communications Services, Inc. (\$5,000 in Franchise Fee Revenue 1996-97 was included in the 1996-97 Adopted Budget.)
[Recommended by Council Committee for Telecommunications Infrastructure]
Approved second reading only

City Clerk

20. Approve an ordinance permitting the Council to waive the residence requirement of Section 2-4-1 of the City Code with regard to members of the Electric Utility Commission. (No fiscal impact.)
Ordinance No. 970911-A approved
21. Approve a resolution authorizing staggered terms for board members of the Travis Central Appraisal District. (No fiscal impact.)
Resolution No. 970911-21 approved

Human Resources

22. Approve a resolution authorizing negotiation and execution of a twelve month agreement with BOOTH RESEARCH GROUP, INC., Parker, Colorado, to develop job task analyses, essential functions, and develop and validate written promotional examinations for firefighters, in an amount not to exceed \$45,000. (Funding in the amount of \$15,000 was included in the 1996-97 operating budget of the Human Resources Department; \$15,000 was included in the 1996-97

operating budget of the Austin Fire Department. Funding for the remaining \$15,000 is contingent upon approval of the 1997-98 budget.) Best proposal of three. No M/WBE Subcontracting opportunities were identified.

Resolution 970911-22 approved, approval of this item also included making the MALDEF report part of the record and to have staff address the feasibility of hiring a labor economist.

Items 19 through 22 approved on, Councilmember Goodman's motion, Councilmember Lewis' second, 7-0 vote.

23. Approve a resolution authorizing negotiation and execution of a twelve month contract with WILLIS-ROLLINSON, INC., Dallas, Texas, for administration of the City's Workers' Compensation Program, in an amount not to exceed \$994,470 with two twelve month extension options in an amount not to exceed \$1,055,304 for the first option and \$1,120,144 for the second option, for a total contract amount not to exceed \$3,169,918. (Funding is contingent upon approval of the proposed 1997-98 Workers' Compensation Fund for the Human Resources Department. Funding for the extension options is contingent upon available funding in future budgets.) Best proposal of eight. 4.41% MBE, 12.28% WBE Subcontractor participation.
Postponed for two weeks

Information Systems

24. Approve a resolution authorizing ratification of an emergency contract with CO COM CABLING SYSTEMS, (WBE/FR), Round Rock, Texas, for the emergency purchase of materials and services for restoration of telephone and data communications to City facilities that were disrupted due to the destruction of fiber optic telecommunication cable, in the total amount of \$41,293.70. (Funding is available in the 1996-97 operating budget of the Information Systems Office.) Low bid of three. 100% Prime WBE participation. No M/WBE Subcontracting opportunities were identified.
Resolution No. 970911-24 approved

Health and Human Services

25. Approve an ordinance authorizing acceptance of an additional \$6,366 in grant funds from the Texas Department of Health Housing Opportunities for Persons with AIDS (HOPWA-TDH) grant program; amend Ordinance 960910-G, the 1996-97 operating budget, by appropriating an additional \$5,750 in grant funds for the Health and Human Services Department Special Revenue Fund, for a total grant amount of \$15,750; and extend the grant performance period by seven months to January 31, 1998. (A City match is not required.)
Ordinance No. 970911-B approved
26. Approve a resolution authorizing execution of Change Order #3 to the construction contract with AUS-TEX PLUMBING-HEATING-AIR CONDITIONING, INC., Pflugerville, Texas, to replace failing plumbing lines exposed during renovations of the Rebekah Baines Johnson Health Center Building, located at 21 Waller Street, in the amount of \$17,298.94, for a total contract amount of \$1,235,521.44. (Funding was included in the 1994-95 Approved Capital budget of

the Health and Human Services Department.) No M/WBE Subcontracting opportunities were identified.

Resolution No. 970926-26 approved

27. Approve a resolution authorizing negotiation and execution of a contract with SOUTHWESTERN BELL CORPORATION, Austin, Texas, for the purchase and installation of networking hardware and software to upgrade the existing PBX at the Rebecca Baines Johnson (RBJ) facility to allow for the connection of the Town Lake Animal Center as an additional remote site, in an amount not to exceed \$60,542.61. (Funding in the amount of \$23,978 is available in the 1996-97 operating budget of the Health and Human Services Department; \$36,564.61 is available in the Special Revenue Fund for the Health and Human Services Department.) Sole source. No M/WBE Subcontracting opportunities were identified.

Resolution No. 970911-27 approved

Library

28. Approve a resolution authorizing execution of a contract with CULTURAL SURROUNDINGS, Dallas, Texas, for purchase of furniture for the Southeast Austin Community Branch Library, located at 5803 Nuckols Crossing Road, in the amount of \$54,569. (Funding was included in the 1996-97 Capital budget of the Library Department.) Low bid of four meeting specifications. No M/WBE Subcontracting opportunities were identified.

Resolution No. 970911-28 approved

29. Approve a resolution authorizing a sixteen month lease agreement with JIM MCCULLICK, Austin, Texas, for 6,520 square feet of space located at 2210 Hancock Drive for the North Loop Branch Library, in the amount of \$101,190.40. (Funding in the amount of \$6,324.40 was included in the 1996-97 operating budget of the Library Department. Funding for the remaining fifteen months of the original contract and the extension options is contingent upon available funding in future budgets.)

Resolution No. 970911-29 approved

30. Approve a resolution authorizing execution of a twelve month service agreement with FONTENOT ENTERPRISES, LTD., Austin, Texas, to provide janitorial services at the following north branch libraries: Howson, North Village, Old Quarry, North Loop, University Hills, Windsor Village, Little Walnut, Spicewood Springs, and Millwood, in an amount not to exceed \$38,481.89 with two twelve month extension options in an amount not to exceed \$38,481.89 per extension, for a total contract amount not to exceed \$115,445.67. (Funding is contingent upon approval of the 1997-98 budget for the Library Department.) Low bid of four. No M/WBE Subcontracting opportunities were identified.

Resolution No. 970911-30 approved

Items 24 through 30 approved on, Councilmember Goodman's motion, Councilmember Lewis' second, 7-0 vote.

Public Works

31. Approve an ordinance amending the Austin City Code by modifying the Basic Traffic Ordinance, Section 16-4-5 (C), Speed Limits, to adjust the existing speed zone on Montopolis Drive from 35 mph to 45 mph, from East Ben White Boulevard to Burleson Road. (Funding in the amount of \$500 for signs is available in the 1996-97 operating budget of the Public Works and Transportation Department.)
Ordinance No. 970911-O approved on, Councilmember Slusher's motion, Councilmember Spelman's second, 7-0 vote.
32. Approve a resolution authorizing execution of a twelve month supply agreement with TECHLINE, INC., Austin, Texas, for the purchase of miscellaneous electrical wire and cable used in the maintenance, repair and installation of street signal equipment, in an amount not to exceed \$46,024 with two twelve month extension options in an amount not to exceed \$46,024 per extension, for a total contract amount not to exceed \$138,072. (Funding was included in the 1997-98 Proposed operating budget of the Public Works and Transportation Department. Funding for the extension options is contingent upon available funding in future budgets.) Low bid of nine meeting specifications. No M/WBE Subcontracting opportunities were identified.
Resolution No. 970911-32 approved

Planning, Environmental and Conservation Services

33. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement with the UNIVERSITY OF TEXAS SCHOOL OF ARCHITECTURE AND PLANNING for organizing and co-hosting a Sustainable Seminar Series as part of an educational campaign to raise community awareness and interest in sustainable development, in an amount not to exceed \$10,000. (Funding was included in the 1996-97 operating budget of the Planning, Environmental and Conservation Services Department.)
Resolution No. 970911-33 approved

Planning, Environmental and Conservation Services

34. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement with the UNIVERSITY OF TEXAS SCHOOL OF ARCHITECTURE AND PLANNING for public forum management and coordination services for developing sustainability indicators, in an amount not to exceed \$10,000. (Funding was included in the 1996-97 operating budget of the Planning, Environmental and Conservation Services Department.)
Resolution No. 970911-34 approved

Water and Wastewater Utility

35. Approve a resolution authorizing execution of a twelve month supply agreement with BOS SAND COMPANY, Frankfort, Illinois, for the purchase of filter media support gravel used in the water treatment process, in an amount not to exceed \$59,357 with two twelve month extension options in an amount not to exceed \$59,357 per extension, for a total contract amount not to exceed \$178,071. (Funding is contingent upon approval of the 1997-98 Operating Budget for

the Water and Wastewater Department; funding for the extension options is contingent upon available funding in future budgets.) Low bid of three. No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)

Resolution No. 970911-35 approved

36. Approve a resolution authorizing execution of a contract with ARIES INDUSTRIES, INC., Sussex, Wisconsin, for the purchase of two pan and tilt cameras and transport system used to determine damage in wastewater lines, in the amount of \$39,300. (Funding was included in the 1996-97 operating budget of the Water and Wastewater Utility.) Low bid of four meeting specifications. No M/WBE Subcontracting opportunities were identified. [Recommended by Water and Wastewater Commission]

Resolution No. 970911-36 approved

Drainage Utility

37. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement with the AUSTIN INDEPENDENT SCHOOL DISTRICT (AISD) to provide transportation services to students participating in Earth Camp during the 1997-98 school year, in the amount of \$7,500. (Funding was included in the 1997-98 proposed operating budget of the Drainage Utility.)

Resolution No. 970911-37 approved

Emergency Medical Services

38. Approve a resolution authorizing negotiation and execution of a contract with EMS DATA SYSTEMS, INC., Phoenix, Arizona, for the purchase of an optically scanned data collection analysis and reporting system for the Emergency Medical Services Department, in an amount not to exceed \$58,645. (Funding is available in the 1996-97 operating budget of the Emergency Medical Services Department.) Single bid. No M/WBE Subcontracting opportunities were identified.

Resolution No. 970911-38 approved

Fire

39. Approve a resolution authorizing execution of a twelve month supply agreement with FECHHEIMER BROTHERS COMPANY, Cincinnati, Ohio, for the purchase of flame-resistant shirts and trousers, in an amount not to exceed \$187,862.27 with two twelve month extension options in an amount not to exceed \$187,862.27 per extension, for a total contract amount not to exceed \$563,586.81. (Funding in the amount of \$15,656 was included in the 1996-97 operating budget of the Fire Department. Funding for the remaining eleven months and the extension options is contingent upon available funding in future budgets.) Low bid of eight meeting specifications. No M/WBE Subcontracting opportunities were identified.

Resolution No. 970911-39 approved

40. Approve a resolution authorizing execution of a twelve month supply agreement with CASCO

INDUSTRIES, INC., Pasadena, Texas, for the purchase of intercom system components for emergency response vehicles, in the amount of \$150,000 with one twelve month extension option in an amount not to exceed \$94,856, for a total contract amount not to exceed \$244,856. (Funding is available in the 1996-97 operating budget of the Austin Fire Department.) Low bid of four meeting specifications. No M/WBE Subcontracting opportunities were identified.

Resolution No. 970911-40 approved

Police

41. Approve an ordinance authorizing acceptance of \$56,485 in grant funding from the State of Texas, Governor's Office, Criminal Justice Division to increase investigation and recovery of stolen property; amend Ordinance 960910-G, the 1996-97 operating budget, amending the Special Revenue Fund, by appropriating \$56,485 in grant funds and adding two Police civilian positions. (Grant funding offered by this program decreases over the next five years, with first year funding at 100%, and each succeeding year's funding reduced by 20%. A City match in the amount of \$5,563 is required in the first year and is available in the 1997-98 proposed operating budget of the Police Department.)

Ordinance No. 970911-C approved

42. Approve an ordinance authorizing acceptance of an additional \$27,000 in grant funding from the Texas Department of Transportation, Texas Automobile Theft Prevention Authority, to establish within the Austin Police Department the Auto Theft Interdiction Project; amend Ordinance 960910-G, the 1996-97 operating budget, transferring \$423,000 and one civilian full time equivalent (FTE) from the Health and Human Services Department Special Revenue Fund and appropriating an additional \$27,000 and one civilian full time equivalent (FTE) position to the Austin Police Department Special Revenue Fund; amend Ordinance 960910-G, the Austin Police Department Operating budget, adding three sworn positions for this program. (An in-kind match in the amount of \$27,970 is required and included in the 1996-97 operating budget of the Police Department; an in-kind match of \$307,672 is required and included in the 1997-98 operating budget of the Police Department. Funding for the continued operation of this program is contingent upon available funding in future budgets.)

Ordinance No. 970911-D approved

43. Approve an ordinance amending the agreement with AUSTIN DMO, INC., (ADMO), dba DOWNTOWN AUSTIN ALLIANCE, for the administration and operation of the Austin Downtown Rangers Program, increasing the amount of the agreement by \$48,198, for a total amount not to exceed \$264,308; amend Ordinance 960910-G, the 1996-97 operating budget, by appropriating an additional \$29,308 in grant funds for the Police Department Special Revenue Fund, for a total grant amount of \$264,308. (Funding is provided by the Austin Downtown Maintenance Organization (ADMO), subject to the City's funding of ADMO and engagement of ADMO to provide Public Improvement District services for the downtown area. The 1996-97 approved budget includes an appropriation for the estimated grant amount; because the final grant award was for less, the appropriation is amended to increase by \$29,308, which is less than the amount of the supplemental award.)

Ordinance No. 970911-E approved

44. Approve an ordinance authorizing acceptance of \$246,561 in supplemental grant funds from the U.S. Department of Justice, Office of Community Oriented Policing Services, COPS MORE 1995 Program, for the Austin Police Department to continue funding the salary cost for eight civilian full time equivalents; amend Ordinance 960910-G, the 1996-97 operating budget, by appropriating an additional \$223,505 in grant funds for the Police Department Special Revenue Fund, for a 1996-97 grant amount of \$481,594 and a total grant budget of \$1,114,683; and extend the grant period to June 30, 1998.

Ordinance No. 970911-F approved

45. Approve a resolution authorizing an amendment to the Interlocal Agreement between the City of Austin and Travis County to create a 24 hour Family Violence Protection Team to serve victims of domestic violence, to allow Travis County employees to remain in the Travis County Attorney's office while performing duties related to the goals of the grant program. (No fiscal impact.)

Resolution No. 970911-45 approved

Items 32 through 45 approved on, Councilmember Goodman's motion, Councilmember Lewis' second, 7-0 vote.

Parks and Recreation

46. Approve a resolution authorizing negotiation and execution of a contract with LIVE OAK THEATER, Austin, Texas, for the lease, renovation and operation of the State Theater as a performing arts facility, in an amount not to exceed \$1,914,230. (Funding was included in the 1991-92 Capital budget of the Parks and Recreation Department.) Best proposal of two. No M/WBE Subcontracting opportunities were identified. [Recommended by Arts Commission; Not recommended by Parks Board]

Postponed two weeks to September 25, 1997 on, Councilmember Griffith's motion, Councilmember Spelman's second, 6-1 vote, Mayor Watson voting "NO".

ITEMS FROM COUNCIL

47. Approve a resolution expressing the City of Austin's support in the municipality's right to protect its right-of-ways and asking that such rights be the guiding consideration in the interim study conducted pursuant to SB 1937. (Mayor Pro Tem Gus Garcia and Councilmember Goodman)

Resolution No. 970911-47 approved

48. Approve appointment of William Spelman to the Council Committee for Telecommunications Infrastructure. (Mayor Kirk Watson)

Approved

49. Approve an ordinance authorizing the use of the public right-of-way for banner signs for the

Semicon Convention in October. (Councilmember Jackie Goodman and Councilmember Willie Lewis)

Ordinance No. 970911-G approved

50. Set a public hearing to approve a request by Pure Entertainment Inc., (Greg Cooper), for "The Cue Lounge" located at 409A Colorado Street., to waive Section 8-3-4 of the City Code (minimum separation distance) between the lounge which intends to sell alcoholic beverages and the American Institute of Learning. (Suggested date and time: October 16, 1997 at 6:00 p.m.) [Councilmembers Jackie Goodman]
Approved

ITEMS FROM COUNCIL

51. Approve appointment of Mayor Kirk Watson to the Balcones Conservation Plan (BCP) Coordinating Committee. (Mayor Pro Tem Gus Garcia)
Approved

Items 47 through 51 approved on, Councilmember Goodman's motion, Councilmember Lewis' second, 7-0 vote.

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

52. C14r-85-366 - Public hearing to amend Chapter 13-2 of the Austin City Code by amending a restrictive covenant for property locally known as U.S. Highway 183 and Lakeline Boulevard, existing zoning "GR", General Community Commercial and "CS" General Commercial Services. Planning Commission Recommendation: To Amend the restrictive covenant as requested. Applicant: Parkline 183 Venture; Agent: Bury & Pittman (Greg Strmiska, P.E.). City Staff: David Wahlgren, 499-6455.
Approved on, Councilmember Spelman's motion, Mayor Pro Tem Garcia's second, 7-0 vote.
53. C14-97-0053 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 3808 Spicewood Springs Road from "LR", Neighborhood Commercial to "GR", Community Commercial. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial-Conditional Overlay zoning with conditions. Applicant: Triumph Coffee (Trien & Nancy Bui); Agent: Jobel, Ent. Inc. (J. Loiacono). City Staff: Joe Arriaga, 499-2308.
Withdrawn by the applicant
54. C14-97-0056 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 406-414 Comal Street from "LI", Limited Industrial Services to "P", Public District. Planning Commission Recommendation: To Grant "P", Public District zoning. Applicant: Plaza Saltillo; Agent: Capital Metro. City Staff: Susan Villarreal, 499-6319.
Ordinance No. 970911-P approved
55. C14-97-0071 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 8400 to 8450 U.S. Hwy. 290 East from "DR", Development Reserve, "I-RR",

Interim Rural Residence and "GR-CO", Community Commercial-Conditional Overlay to "CS", General Commercial Services. Planning Commission Recommendation: To Grant "CS-CO", General Commercial Services-Conditional Overlay zoning with conditions. Applicant: D & R Assoc., Inc. (Jill Shaw) & Stevenson Property & Living (Charles Stevenson); Agent: Jim Bennett. City Staff: Antonio Gonzalez, 499-2243.

Ordinance No. 970911-Q approved

Items 54 and 55 approved on, Councilmember Spelman's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

56. C14-97-0072 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 1807 E. William Cannon Drive from "GR", Community Commercial to "CS", General Commercial Services. Planning Commission Recommendation: To Grant "CS-CO", General Commercial Services-Conditional Overlay zoning with conditions. Applicant: South Creek; Agent: Russell Moore (B.J. Cornelius). City Staff: Susan Villarreal, 499-6319.

Ordinance No. 970911-R approved on, Councilmember Spelman's motion, Mayor Pro Tem Garcia's second, 6-1 vote, Councilmember Goodman voting "NO".

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held at 12:15 p.m. to 1:30 p.m.

Executive session held at 5:10 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.

Private Consultation with Attorney - Section 551.071

57. Discuss AT & T Communications of the Southwest, Inc. v. City of Austin, Cause No. A-97-CA-532SS, in the United States District Court for the Western District of Texas.
58. Discuss City of Austin v. Southwest Travis County Water District, Cause No. 96-13123, in the 126th Judicial District Court of Travis County, Texas.
59. Discuss Ruth Bullock, et al v. City of Austin, et al., Cause No. 97-03081, in the 353rd Judicial District Court of Travis County, Texas.
60. Discuss Quick v. City of Austin, No. 96-1154, Texas Supreme Court
61. Discuss state and federal laws and legal issues relating to annexation.

62. Discuss 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.

ACTION ON EXECUTIVE SESSION ITEMS

63. Approve execution of an amendment to the professional services contract with Denton, McKamie & Navarro for legal services in Ruth Bullock, et al. v. City of Austin, et al., Cause No. 97-03081, in the 353rd Judicial District Court of Travis County, Texas.

Approved in the amount of \$40,000 on, Councilmember Goodman's motion, Councilmember Lewis' second, 7-0 vote.

64. Authorize 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 the amount not to exceed \$185,000. (Funding in the amount of \$58,000 is available in the 1996-97 Operating Budget of the Capital Project Management Fund of the Department of Public Works and Transportation; Funding in the amount of \$127,000 is available in the 1991-92 Capital Budget of the Water and Wastewater Utility.) [Recommended by Water and Wastewater Commission]

Approved

65. **APPOINTMENTS**

Airport Advisory Board - **BRAD ELLIS.**

Animal Advisory Commission - **WILLIAM BONNER, BABETTE ELLIS.**

Electric Utility Commission - **TERESA REEL.**

Environmental Board - **DAVID NINO.**

Ethics Review Commission - **JESUS VASQUEZ.**

Library Commission - **THALIA SNYDER.**

Music Commission - **RACHEL CRUZ.**

Parks & Recreation Board - **JOHN WERST.**

Planning Commission - **ART NAVARRO.**

Robert Mueller Municipal Airport (RMMA) Advisory Group - **STACY DUKES-RHONE, CHARLES WHITFORD.**

Solid Waste Advisory Commission - **PATRICIA ADAMS, OSCAR CARRILLO, FRED RICHARDSON.**

Approved

ADDENDUM

September 11, 1997

Police

66. Amend Ordinance No. 970424-D, which establishes the classifications and positions in the classified service of the Austin Police Department; creating and eliminating certain classified positions. (Grant funding is available in the 1996-97 Police Department Special Revenue Fund, and full salary reimbursement from this grant funding will be included in the 1997-98 proposed Operating Budget for the Police Department.) [Related to Item 42]
Ordinance No. 970911-H approved

ITEM FROM COUNCIL

67. Approve a resolution affirming the importance of ethnic, gender and racial diversity at all staffing levels of the Austin Police Department (Mayor Pro Tem Gus Garcia and Councilmembers Willie Lewis and Daryl Slusher.)
Resolution No. 970911-67 approved

Items 64 through 67 approved on, Councilmember Goodman's motion, Councilmember Lewis' second, 7-0 vote

ADJOURNED at 8:45 p.m.

Approved this the 25th day of September, 1997, on Councilmember Slusher's motion, Councilmember Spelman's second, 6-0 vote, Mayor Pro Tem Garcia off the dais.