



Austin City Council MINUTES

REGULAR MEETING
SEPTEMBER 25, 1997

Mayor Watson called to order the meeting of the Council, noting the presence of all of the Council.

1. Approval of Minutes for Meetings of September 3, 4, 8, 10, 11, 15, 16 and 17, 1997.
Approved on Councilmember Slusher's motion, Councilmember Spelman's second, 6-0 vote, Mayor Pro Tem Garcia off dais.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Robert Thomas, to discuss the Rosewood Recreation Center.
3. Mr. Gus Pena, to discuss public safety, youth and senior citizen issues.
4. Mr. John McMillan, to discuss the City of Austin and Capital Metro appointing a committee to study Dallas' rail-transit system.
5. Mr. Sabino Renteria
6. Mr. Richard Troxell, to discuss Austin's homeless citizens.
7. Mr. John Nyfeler, to revisit R/UDAT.
8. Mr. Charles "Nook" Byrd, to discuss young, gifted and atoned.
9. Ms. Jenniffer Muhammad, to discuss young, gifted and atoned.
10. Ms. Danette Muhammad, to discuss young, gifted and atoned.
11. Ms. Dorothy Turner, to discuss youth programs.

READING OF CONSENT AGENDA

READING OF DISCUSSION AGENDA

CITIZEN COMMUNICATIONS: CONSENT AGENDA

ACTION ON CONSENT AGENDA

ITEMS CONTINUED FROM PREVIOUS MEETINGS

12. 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 for the Parks and Recreation Department.) Best proposal of two. No M/WBE Subcontracting opportunities were identified. [Recommended by Arts Commission; to be reconsidered by Parks Board on September 23, 1997]
Resolution No. 970925-12 approved on Councilmember Goodman's motion, Mayor Pro Tem Garcia's second, 7-0 vote.
13. 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.
Direct the Human Resources Department to send this out for rebid on Councilmember Spelman's motion, Councilmember Goodman's second, 7-0 vote.

Finance and Administrative Services

14. Approve a resolution authorizing the execution of a contract with MCAFEE SOFTWARE, INC., Dallas, Texas, to purchase a three year license and maintenance agreement for anti-virus computer software to protect the City's computer data, in an amount not to exceed \$68,850. (Funding was included in the 1996-97 amended operating budget of the Information Systems Office.) Sole source. No M/WBE Subcontracting opportunities were identified.
Resolution No. 970925-14 approved
15. Approve an ordinance authorizing acceptance of \$35,000 in grant funding from the State of Texas, Alternative Fuels Council to provide additional conversion of new vehicles purchased by the City of Austin. Amend Ordinance 960910-G, the 1996-97 operating budget, amending the Special Revenue Fund by appropriating \$35,000 in grant funds. (A City match in the amount of \$35,000 is required and was included in the 1996-97 Vehicle Acquisition Fund.)
Ordinance No. 970925-A approved
16. Approve a resolution to approve a contract with CENTRON DPL, Eden Prairie, Minnesota, for the purchase and installation of five IBM ethernet controllers for the Information Systems Department, in an amount not to exceed \$72,200. (Funding is available in the 1996-97 Operating Budget of the Information Systems Department.) Single bid. No M/WBE Subcontracting opportunities were identified.
Resolution No. 970925-16 approved

17. Approve a resolution to approve a contract with the STATE DEPARTMENT OF INFORMATION RESOURCES, for the purchase of maintenance support for Novell products from Novell, Inc., in an amount not to exceed \$60,938.60. (Funding is available in the 1996-97 Operating budgets of various departments.) No M/WBE Subcontracting opportunities were identified.
Resolution No. 970925-17 approved
18. Approve a resolution to execute an Interlocal Agreement between the City of Austin and the University of Texas at Austin to administer computer based training to City of Austin employees, in an amount not to exceed \$40,000, with two twelve month extension options in an amount not to exceed \$40,000 per extension, for a total contract amount not to exceed \$120,000. (Funding was included in the 1997-98 Operating Budget of the Finance and Administrative Services.)
Resolution No. 970925-18 approved
19. Approve a resolution to negotiate and execute a twelve month contract with MIS TECHNOLOGIES, Tulsa, Oklahoma, to provide temporary computer personnel services for the Police Department, in an amount not to exceed \$156,000, with the option to extend for one six month period in an amount not to exceed \$78,000, for a total contract amount not to exceed \$234,000. (Funding in the amount of \$13,000 was included in the 1996-97 Operating Budget for the Information Systems Department; funding for the remaining 11 months of the original contract period and a six month extension option will be contingent upon available funding in future budgets.) Best proposal of four. No M/WBE Subcontracting opportunities were identified. **(Related to Item 20)**
Resolution No. 970925-19 approved

Items 14-19 approved on Councilmember Goodman's motion, Councilmember Spelman's second, 7-0 vote.

Police

20. Approve a resolution to ratify a contract with MIS TECHNOLOGIES, Tulsa, Oklahoma, to provide temporary computer personnel services for the Police Department, in the amount of \$69,131. (Funding is available in the 1996-97 Operating Budget for the Police Department.) No M/WBE Subcontracting opportunities were identified. **(Related to Item 19)**
Resolution No. 970925-20 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 6-0 vote, Councilmember Griffith off the dais.
21. Approve execution of a contract with MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC., 3307 Northland Drive, Suite 235, Austin, TX, 78731 for the purchase various types of two-way radio equipment in the amount of \$179,005. (Funding in the amount of \$39,519 for the new Walking Beat radios was included in the 1996-97 Operating Budget of the Police Department; funding in the amount of \$139,486 for the replacement radios and new mobile data terminals was included in the 1996-97 Operating Budget of the Police Department.) Sole Source. No M/WBE Subcontracting opportunities were identified.

Resolution No. 970925-21 approved on Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.

Library

22. Approve an ordinance authorizing acceptance of an additional \$10,589 in grant funds from the Texas State Library to provide library reference services for nonresidents through the Austin Public Library, Major Urban Resource Library System; amend Ordinance 960910-G, the 1996-97 operating budget, amending the Library Special Revenue Fund by appropriating an additional \$10,589, for a total grant amount of \$75,589. (A City match is not required.)
Ordinance No. 970925-B approved
23. Approve an ordinance authorizing acceptance of an additional \$64,021 in grant funds from the Texas State Library to provide cooperative library services through the Austin Public Library, Central Texas Library System; amend ordinance 960910-G, the 1996-97 operating budget, amending the Library Special Revenue Fund by appropriating an additional \$64,021, for a total grant amount of \$525,021. (A City match is not required.)
Ordinance NO. 970925-C approved
24. Approve an ordinance authorizing acceptance of an additional \$2,930 in grant funds from the Texas State Library to provide interlibrary loan services through the Austin Public Library, Central Texas Library System; amend Ordinance 960910-G, the 1996-97 operating budget, amending the Library Special Revenue Fund by appropriating an additional \$2,930, for a total grant amount of \$183,930. (A City match is not required.)
Ordinance No. 970925-D approved

Telecommunications and Regulatory Affairs

25. Approve an ordinance authorizing a license agreement with QWEST COMMUNICATIONS CORPORATION for placement of underground fiber optic cable in a designated area of the City, with an annual usage fee in the amount of \$33,500. (Funding is available in Franchise Fee Revenue for 1997-98.)
Ordinance No. 970925-E approved

Items 22-25 approved on Councilmember Goodman's motion, Councilmember Spelman's second, 7-0 vote.

Health and Human Services

26. Approve a resolution authorizing negotiation and execution of a contract with The Housing Authority of the City of Austin to administer a Tenant Based Rental Assistance program for eligible homeless families and individuals, in an amount not to exceed \$300,000. [Funding was included in the 1996-97 Special Revenue Fund for the Neighborhood Housing and Community Development Office, HOME Investment Partnership Program (Home Year 5)].
Postponed

27. Amend Ordinance No. 960910-G, the 1996-97 Operating Budget, amending the Health and Human Services Department Special Revenue Fund for the Texas Department of Protective and Regulatory Services Southeast Austin Community Youth Development grant program by authorizing the increase of one-half (.5) FTE for a total of three grant funded position FTEs in the Health and Human Services Department Special Revenue Fund and amend the Parks and Recreation Department Special Revenue Fund by adding one grant funded FTE, for a program total of four grant funded FTEs. (Funding included in the 1996-97 Special Revenue Fund for the Health and Human Services Department.)
Ordinance No. 970925-F approved on Councilmember Goodman's motion, Councilmember Spelman's second, 7-0 vote.

Public Works

28. Approve a resolution authorizing execution of a construction contract with CHEROKEE CONSTRUCTION, INC., (MBE/MN), Austin, Texas, for reconstruction, overlay, and utility adjustments on Manor Road from Pershing Avenue to Northeast Drive , in the amount of \$1,247,834.85. (Funding in the amount of \$1,222,834.85 was included in the 1996-97 Amended Capital budget of the Public Works and Transportation Department; \$7,500 is included in the 1996-97 Amended operating budget of the Drainage Utility; \$17,500 is included in the 1996-97 Amended Capital budget of the Water and Wastewater Utility. Low bid of three. 70.75% MBE Prime participation. 3.60% MBE, 6.73% WBE Subcontractor participation.
Resolution No. 970925-28 approved on Councilmember Lewis' motion, Mayor Pro Tem Garcia's second, 7-0 vote.
29. Approve an ordinance to amend the Austin City Code by modifying the Basic Traffic Ordinance, Section 16-4-4(D), Speed Limits, for the extension of a 20 mph reduced speed school zone on East St. Johns Avenue, for the protection of students attending Webb Middle School. (Funding in the amount of \$4,000 is available in the 1997-98 Operating Budget of the Child Safety Fund.)
Ordinance No. 970925-G approved
30. Approve a ten-year lease, with the right to cancel by the City on 120 day notice, with the AUSTIN CHILDREN'S MUSEUM, Austin, Texas, for the use of 40-assigned parking spaces located in the City-owned lot bordered by Lavaca, East Second, Colorado and Cesar Chavez Streets, for the new location of the Austin Children's Museum. (No fiscal impact.)
Resolution No. 970925-30 approved

Neighborhood Housing and Community Development

31. Set a public hearing concerning the declaration of an area east of IH-35 including East 11th and 12th Street commercial corridors as a slum area, a blighted area, or both, and the designation of the area as appropriate for an urban renewal project. (Suggested date and time: October 16, 1997 at 5:00 p.m.)
Resolution No. 970925-31 approved

Items 29-31 approved on Councilmember Goodman's motion, Councilmember Spelman's second, 7-0 vote.

Human Resources

32. Approve a resolution authorizing negotiation and execution of a twelve month contract with TEXAS LEGAL PROTECTION PLAN, INC., Austin, Texas, to provide a pre-paid legal services plan for City employees, in an amount not to exceed \$177,000 with two twelve month extension options in an amount not to exceed \$177,000 per extension, for a total contract amount not to exceed \$531,000. (Funding in the amount of \$132,750 was included in the 1997-98 Employee Benefits Fund. Funding for the remaining three months and the extension options is contingent upon available funding in future budgets.) Best proposal of two. No M/WBE Subcontracting opportunities were identified.
Postponed for three weeks on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.

33. Approve a resolution authorizing negotiation and execution of two twelve month contracts with UNITED DENTAL CARE OF TEXAS, Dallas, Texas, to provide a managed care dental maintenance organization (DMO) dental plan for City retirees, in an amount not to exceed \$77,500 with two twelve month extension options in an amount not to exceed \$85,000 for the first extension option and \$94,000 for the second extension option, for a total contract amount not to exceed \$256,500; with DELTA DENTAL INSURANCE COMPANY, Irving, Texas, to provide an indemnity dental plan for City retirees, in an amount not to exceed \$173,000 with two twelve month extension options in an amount not to exceed \$191,000 for the first extension option and \$209,000 for the second extension option, for a total contract amount not to exceed \$573,000. (Funding in the amount of \$58,125 for the first contract and \$129,750 for the second contract was included in the 1997-98 Employee Benefits Fund. Funding for the remaining three months and the extension options is contingent upon available funding in future budgets.) Best proposal of five. No M/WBE Subcontracting opportunities were identified.
Resolution No. 970925-33 approved on Councilmember Goodman's motion, Councilmember Spelman's second, 7-0 vote.

Development Review and Inspection

34. Approve second/third readings of an ordinance to amend Section 13-2-260 of the City Code regarding home occupations. (No fiscal impact.) [Related to Item 59]
Ordinance No. 970925-K with amendment approved on Councilmember Goodman's motion, Councilmember Spelman's second, 6-1 vote, Councilmember Slusher voting NO.

Amend Provision 9 home-occupation may not be advertised by any signs on the premise, not accepted

Amend Provision 3 to insure that ADA requirements are met, if required, accepted as friendly

amendment

35. C14-97-0045 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 9731 North IH-35 Service Road NB, from "SF-2", Single Family Residence (standard lot) to "CS-CO", General Commercial Services-Conditional Overlay District zoning with conditions. First reading on September 4, 1997; Vote 5-0, Griffith and Spelman off the dais. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: Estate of Roy M. McNair (J.D. Baskin); Agent: Prossner & Associates (Kurt Prossner). City Staff: Susan Villarreal, 499-6319.
Ordinance No. 970925-H approved
36. C14-97-0004 - Amend Ordinance No.970424-II, by revising the legal description of the property locally known as 4103 Marathon Blvd. to include an additional 0.0344 acres of land previously notified for in the original rezoning case. Applicant: Douglas L. and Sarah Keene. Agent: LOC Consultants (Kirstan Wertheimer). City Staff: Gregory Guernsey, 499-2387.
Ordinance No. 970925-I approved on emergency passage

Fire

37. Approve a resolution authorizing application and acceptance of \$119,000 in grant funds from the U.S. Department of Justice, Bureau of Justice Assistance, to develop and pilot a model training program for conducting large-scale decontamination operations in the field or at hospitals. (A City match is not required.)
Resolution No. 970925-37 approved

City Clerk

38. Amend Ordinance No. 970917-A, the 1997-98 Operating Budget by appropriating \$200,000 from the General Fund Contingency Reserve; increasing the transfer from the General Fund to the Support Services Fund, and increasing appropriations for the City Clerk's Office for expenditures associated with the November 4, 1997 election.
Ordinance No. 970925-J approved
- Items 35-38 approved on Councilmember Goodman's motion, Councilmember Spelman's second, 7-0 vote.**
39. Approve an ordinance ordering a municipal election for November 4, 1997 for the purpose of City Charter amendments and authorize entering into an agreement with Travis County for conducting the election. (Fiscal impact is \$200,000; to be funded by the Amended 1997-98 Amended Operating Budget.)
Approve Ordinance No. 970925-L approved on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.
40. Consideration and possible action on proposed charter amendments for submission to the

voters at an election on the November 4, 1997 election on the following subjects: Campaign finance; authorizing the City Council to change the number, terms, and method of election of the City Council; the purchasing procedures of the City; the approvals necessary for the withdrawal of funds from City depositories; the organization of City departments.

Item 40 and 47 taken together

Approve an election approved for only campaign finance charter amendment on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.

Friendly amendment offered to change ballot language to read fundraising instead of contributions and expenditures by Councilmember Spelman, Not Accepted, Offered as a Substitute motion by Councilmember Spelman, Not Seconded.

Motion to postpone for one week by Councilmember Spelman, seconded by Councilmember Griffith, 2-5 vote, Mayor Watson, Mayor Pro Tem Garcia, Councilmembers Goodman, Lewis and Slusher voting NO.

Friendly amendment to original motion was to read "to regulate political fundraising and expenditures in city elections" by Mayor Pro Tem Garcia and accepted by Councilmember Lewis.

Management Services

41. Approve a resolution to reschedule the City Council neighborhood meeting to be held at South Austin Senior Center, from October 23, 1997 to December 4, 1997.
Resolution No. 970925-41 approved on Councilmember Goodman's motion, Councilmember Spelman's second, 7-0 vote.

ITEMS FROM COUNCIL

42. Approve an ordinance renaming Hillside Theater in Zilker Park to the Beverly S. Sheffield Zilker Hillside Theater. (Fiscal impact for signs is \$600.) [Recommended by Parks Board.] (Councilmembers Beverly Griffith, Jackie Goodman and Mayor Pro Tem Gus Garcia)
Ordinance No. 970925-N approved on Councilmember Griffith's motion, Mayor Watson's, Mayor Pro Tem Garcia's, and Councilmembers Goodman's, Lewis', Slusher's and Spelman's second, 7-0 vote.
43. Approve the City of Austin's co-sponsorship with the Travis County Veteran's Day Parade Committee, of the Annual Capital City Veteran's Day Parade to be held on November 11, 1997. (Mayor Pro Tem Gus Garcia and Councilmember Willie Lewis)
Resolution No. 970925-43 approved on Councilmember Goodman's motion, Councilmember Spelman's second, 7-0 vote.
44. Approve an ordinance creating a consumer/taxpayer advocate position to work in the office of

the City Auditor and to advise the City Council on issues, including utility rates affecting Austin consumers. (Councilmembers Beverly Griffith, William Spelman and Jackie Goodman)
Postponed one week

45. Report on Complete Financial and operational information for the 1997 Austin Aqua Festival and the status of debt owed to the City. (Mayor Pro Tem Gus Garcia and Councilmember Jackie Goodman)
Postponed for one week

Items 43-45 approved on Councilmember Goodman's motion, Councilmember Spelman's second, 7-0 vote.

46. Adopt a resolution addressing recent changes in federal welfare and immigration law laws. (Mayor Pro Tem Gus Garcia and Councilmember Jackie Goodman)
Resolution No. 970925-46 approved on Councilmember Lewis' motion, Mayor Pro Tem Garcia's second, 7-0 vote.
47. Consideration and possible action on a proposed charter amendment for submission to the voters at an election on November 4, 1997 election on the following subject: placing restrictions on the extension of city services outside the city limits. (Councilmember William Spelman, Beverly Griffith and Willie Lewis)
Taken with item 40.

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

48. 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 zoning. 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. (continued from 8/21/97 & 9/4/97)
Recessed public hearing from 7:50 p.m. until 7:55 p.m.

Approved first reading only with "SF2" density limited to 450 lots with a five (5) year build out with no more than 150 lots first year on Councilmember Goodman's motion, WITHDRAWN

Approve on first reading on "SF2" on Councilmember Spelman's motion, Councilmember Griffith's second, WITHDRAWN

Deny zoning on Councilmember Griffith's motion, Councilmember Spelman's second, WITHDRAWN

Postponed for three weeks and have Mayor Watson and Councilmember Goodman meet with neighborhood and applicant and try to reach an agreement to continue on Councilmember

Griffith's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

49. C14-97-0019 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 704 North Bluff Drive from "SF-3", Family Residence to "GR", Community Commercial and "NO", Neighborhood Office. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial zoning for Tract 1, "NO-CO", Neighborhood Office-Conditional Overlay zoning for Tract 2, and "RR", Rural Residence zoning for Tract 3, with conditions. Applicant: W.D. & Mildred Wilson; Agent: Edith Mullins Livingston. City Staff: Antonio Gonzalez, 499-2243.
First Reading approved
50. C14-97-0075 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 8000 to 8017 Exchange Drive, 9005 to 9023 Tuscany Way, & 8506 to 8513 Creekway Cove from "W/LO-CO", Warehouse/Limited Office-Conditional Overlay & "LI-CO", Limited Industrial Services-Conditional Overlay to "W/LO", Warehouse/Limited Office, & "LI", Limited Industrial Services. Planning Commission Recommendation: To Grant "W/LO", Warehouse/Limited Office zoning for Tract 1, "LI", Limited Industrial Services zoning for Tracts 2 & 4, and "LI-CO", Limited Industrial Services-Conditional Overlay zoning for Tract 3, with conditions. Applicant: MV Walnut Creek Ltd. (Stephen Pyhrr); Agent: Doucet & Associates (Donald Jones). City Staff: Don Perryman, 499-2786.
First Reading approved
51. C14-97-0076 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 8023 & 8027 Exchange Drive from "LI-CO", Limited Industrial Services-Conditional Overlay to "LI", Limited Industrial Services. Planning Commission Recommendation: To Grant "LI", Limited Industrial Services zoning with conditions. Applicant: MV Walnut Creek Ltd. (Stephen Pyhrr); Agent: Doucet & Associates (Donald Jones). City Staff: Don Perryman, 499-2786.
First Reading approved
52. C14-97-0077 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 8024, 8028 & 8034 Exchange Drive, 8401, 8404 & 8405 Market Place Drive from "LI-CO", Limited Industrial Services-Conditional Overlay to "LI", Limited Industrial Services. Planning Commission Recommendation: To Grant "LI", Limited Industrial Services zoning with conditions. Applicant: MV Walnut Creek Ltd. (Stephen Pyhrr); Agent: Doucet & Associates (Donald Jones). City Staff: Don Perryman, 499-2786.
First Reading approved
53. C14-97-0078 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 13776 N. U.S. Hwy. 183 from "GR", Community Commercial to "CS-1", Commercial Liquor Sales. Planning Commission Recommendation: To Grant "CS-1-CO", Commercial Liquor Sales-Conditional Overlay zoning with conditions. Applicant: Buttercup Liquors (John Saad); Agent: Austin Permit Services, Inc. (Melissa Whaley). City Staff: Craig Alter, 499-2769.
Ordinance No.970925-M approved

54. C14-97-0080 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 1412 West Oltorf Street from "SF-3", Family Residence to "CS", General Commercial Services. Planning Commission Recommendation: To Grant "CS-CO, General Commercial Services-Conditional Overlay zoning with conditions. Applicant: Catherine Brownlee (T.U. Byrant); Agent: J.W.S. Co. (Joe Straub). City Staff: Susan Villarreal, 499-6319.

First Reading approved

55. C14r-87-071(DE) - Public hearing to amend Chapter 13-2 of the Austin City Code by deleting a portion of a previously approved zoning site plan and by rezoning for property locally known as 12300 to 12336 N. MoPac SB Expressway from "GR", Community Commercial to "GR-CO", Community Commercial-Conditional Overlay zoning. Planning Commission Recommendation: To Grant the partial deletion of the previously approved zoning site plan and "GR-CO" Community Commercial-Conditional Overlay zoning with conditions. Applicant: North Central Harken; Agent: Bury & Pittman (Tim Moltz). City Staff: Dave Lambert, 499-2830.

Postponed for one week on request

Items 49-55 approved on Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

PUBLIC HEARINGS

56. 6:00 P.M. - Public hearing on proposed changes to the General Service Demand Tariff and Solar Explorer Rider tariffs of the Electric Utility Department.
Closed public hearing on Councilmember Griffith's motion, Councilmember Slusher's second, 6-0 vote, Mayor Pro Tem Garcia off the dais.

ACTION ON PUBLIC HEARINGS

57. Amend Ordinance 97-0306-P prescribing rates and changes for sales and services by the Electric Utility Department by amending the General Service-Demand Tariff and Solar Explorer Rider. (No fiscal impact.) [Recommended by Electric Utility Commission]
Ordinance No. 970925-O approved on Councilmember Spelman's motion, Councilmember Goodman's second, 6-0 vote, Mayor Pro Tem Garcia off the dais.

EXECUTIVE SESSION (No Public Discussion on These Items)

The City Council will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda.

The City Council may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Land Acquisition - Section 551.072

58. Discuss the purchase of 15.739 acres of land located in the Covered Bridge Subdivision, for the Oakhill Regional Stormwater Detention Facility.

Private Consultation with Attorney - Section 551.071

59. Discuss federal laws and legal issues regarding proposed amendments to Section 13-2-260 of the City Code concerning home occupations. **(Related to Item 34)**
60. Discuss Austinites for a Little Less Corruption!, et al. v. City of Austin, et al., Cause No. A 97-CA-120 SS, in the United States District Court for the Western District of Texas-Austin Division.
61. Discuss Gutierrez, et al. v. Mobil Oil Corporation, et al., Cause No. 92-04889, in the District Courts of Travis County, Texas.
62. Discuss legal issues regarding proposed Charter Amendments.

ACTION ON EXECUTIVE SESSION ITEMS

63. Approve the purchase of 15.739 acres of land located in the Covered Bridge Subdivision, from William D. Schultz, for the Oakhill Regional Stormwater Detention Facility.
Approved
64. Approve execution of an amendment to the contract with Exploration Technologies, Inc., in an amount not to exceed \$30,200.00, for a total contract amount not to exceed \$373,075.00, for consulting services in Gutierrez, et al. v. Mobil Oil Corporation, et al., Cause No. 92-04889, in the District Courts of Travis County, Texas.
Approved

Items 63 and 64 approved on Councilmember Goodman's motion, Councilmember Spelman's second, 7-0 vote.

ADJOURN at 8:50 p.m. on Councilmember Slusher's motion, Councilmember Lewis' second, 6-0 vote, Mayor Pro Tem Garcia off the dais.

Approved on this the 2nd day of October, 1997 on, Councilmember Goodman's motion, Mayor Pro Tem Garcia's second, 6-0 vote, Councilmember Griffith off the dais.