



**Austin City Council
MINUTES**

**REGULAR MEETING
THURSDAY, NOVEMBER 6, 1997**

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

1. Approval of Minutes for Special Called Meetings of October 27 and October 29, and Regular Meetings of October 29 and 30, 1997.
Postponed to November 20, 1997

CITIZEN COMMUNICATIONS: GENERAL

2. John McMillan, to discuss City of Austin sponsorship of an annual Statewide Pecan-Pie Bakeoff Contest.
3. Pat Valls-Trelles, to discuss the animal shelter and budget process.
4. James Collins, to discuss the Town Lake Animal Shelter.

READING OF CONSENT AGENDA

READING OF DISCUSSION AGENDA

CITIZEN COMMUNICATIONS: CONSENT AGENDA

ACTION ON CONSENT AGENDA

ITEMS CONTINUED FROM PREVIOUS MEETINGS

5. Approve a resolution authorizing negotiation and execution of an amendment to the contract with Anderson Community Development Corporation (ACDC) for the acquisition of land and development of an additional 48 low income rental housing units in the SCIP II project area, in an amount not to exceed \$2,411,814, for a total amount not to exceed \$5,941,814. (Funding in the amount of \$1,499,914 is available in the 1997-98 Operating Budget of the Neighborhood Housing and Community Development Office (HOME Year 6; \$920,000 is available from 23rd Year CDBG HIP.)

Postponed

Library

6. Approve a resolution authorizing execution of a construction contract with JORDAN-WHITFIELD, INC., Austin, Texas, for construction of the Ralph W. Yarborough Branch Library, located at 2200 Hancock Drive, in the amount of \$1,334,700. (Funding in the amount of \$1,192,450 was included in the 1996-97 Capital budget of the Library Department; \$142,250 was included in the 1997-98 Capital budget of the Public Works and Transportation Department.) Low bid of six. 6.32% MBE, 15.56% WBE Subcontractor participation.

Resolution No. 971106-6 approved

Health and Human Services

7. Approve an ordinance authorizing acceptance of an additional \$20,030 in grant funds from the Texas Department of Human Services, Title IV-A (94-95) At-Risk Child Care program; amend Ordinance 970917-A, the 1997-98 operating budget, by appropriating an additional \$20,030 in grant funds for the Health and Human Services Department Special Revenue Fund, for a total grant amount of \$240,335. (A City match is not required.)

Ordinance No. 971106-A approved

8. Approve a resolution authorizing execution of a twelve month supply agreement with GENERAL MEDICAL CORPORATION, Austin, Texas, for the purchase of medical/laboratory supplies for the Austin/Travis County Health and Human Services clinics, in an amount not to exceed \$334,307 with two twelve month extension options in an amount not to exceed \$334,307 per extension, for a total contract amount not to exceed \$1,002,921. (Funding in the amount of \$36,216 was included in the 1997-98 General Fund budget; \$30,645 was included in the Travis County Reimbursed Fund, and \$211,728 was included in the Federally Qualified Health Center Fund (FQHC), for the Health and Human Services Department. Funding for the remaining two months of the original contract and the extension options is contingent upon available funding in future budgets.) Sole bid. No M/WBE Subcontracting opportunities were identified.

Resolution No. 971106-8 approved

Telecommunications and Regulatory Affairs

9. Approve first reading of an ordinance amending the existing license agreement with Waller Creek Communications, Inc. (\$7,250 anticipated franchise fee revenue was included in the 1997-98 budget.) [Recommended by Council Committee for Telecommunications Infrastructure]

Approved first reading only

Finance and Administrative Services

10. Approve a resolution authorizing execution of a twelve month supply agreement with TEX-CON OIL COMPANY, Austin, Texas, for the purchase of lubricating oils, fluids, and greases used in the maintenance of City vehicles and equipment, in an amount not to exceed \$100,000 with two twelve month extension options in an amount not to exceed \$100,000 per extension, for a total contract amount not to exceed \$300,000. (Funding in the amount of \$91,667 was included in the 1997-98 operating budget the Financial and Administrative Services Department. Funding for the remaining month of the contract and the extension options is contingent upon available funding in future budgets.) Low bid of five meeting specifications. No M/WBE Subcontracting opportunities were identified.

Resolution No. 971105-10 approved

11. Approve amendment #1 to increase the twelve month contract with the following vendors: MICRO MEDIA SOLUTIONS, INC., (MBE/MH), Austin, Texas; COMPUTER SOLUTIONS, (WBE/FR), Austin, Texas; DELL COMPUTERS, Round Rock, Texas; INACOM INFORMATION SYSTEMS, Austin, Texas for the purchase of notebook computers, desktop computers, servers and three year on site warranty and service, in the amount of \$3,334,642, for a total amount to all contractors not to exceed \$6,334,642 with three twelve month extension options in an amount not to exceed \$3,000,000 per extension, for total contract amounts not to exceed \$15,334,642. (Funding in the amount of \$2,594,160 was included in the 1997-98 approved Capital budget of various City departments; \$496,676 was included in the 1997-98 approved Capital budget of the Electric Utility Department. Funding for the extension options is contingent upon available funding in future budgets. Best proposals of three. Micro Media: 20% Prime MBE Participation; Computer Solutions: 40% WBE Prime Participation. No M/WBE Subcontracting opportunities were identified for all contracts.

Resolution No. 971106-11 approved

12. Approve a resolution authorizing execution of a contract with HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS COOPERATIVE PURCHASING PROGRAM (H-GAC), Houston, Texas, for purchase of one hundred eight police patrol sedans, two full-size pickups and two passenger vans, in the amount of \$2,325,761.83. (Funding in the amount of \$1,780,184.10 was included in the 1997-98 Vehicle Acquisition Fund; \$503,596.63 was included in the 1997-98 operating budget of the Police department; \$41,981.10 was included in the 1997-98 operating budget of the Parks and Recreation department.)

Resolution No. 971106-12 approved

Planning, Environmental and Conservation Services

13. Approve a resolution authorizing the issuance of a Letter of Intent and a rebate to the JEFFERSON AT WALKERS BLUFF APARTMENT COMPLEX, located at 12100 Metric Boulevard, for the installation of energy efficient gas combination

furnaces, in the amount of \$47,875. Energy improvements qualifying for this rebate will save an estimated 919 thousand cubic feet of gas. (Funding was included in the 1997-98 operating budget of the Energy Conservation Rebates and Incentives Funds.) [Recommended by Resource Management Commission]

Resolution No. 971106-13

Items 6 through 13 approved on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.

14. Set two public hearings to consider a strategic partnership agreement (SPA) with Tanglewood Forest MUD and to consider Limited Purpose (LP) annexation of Tanglewood Forest MUD with full purpose annexation effective December 31, 1997. (Suggested dates and times: November 20, 1997 at 7:30 p.m. and November 25, 1997 at 7:30 p.m. at Kocurek Elementary, 9800 Curlew Drive)

Pulled

15. Set a public hearing on annexation of the territory consisting of 4,661.248 acres, more or less, comprising the area known as the Southwest Travis County Water District. C. (Suggested date and time: November 17, 1997 at 7:00 p.m.)

SEE CORRECTION AT END OF AGENDA

16. Set a public hearing on the proposed changes to water, wastewater, and drainage rates relating to the City's annexation of certain areas. [Suggested date and time: December 18, 1997 at 6:00 p.m.]

Pulled

17. Approve first reading of an ordinance annexing the US 183 East Area (C7a-97-004) for full purposes.

SEE CORRECTION AT END OF AGENDA

Development Review and Inspection

18. C14-97-0048 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 4326 James Casey Street, from "LO", Limited Office to "LR-CO", Neighborhood Commercial-Conditional Overlay, zoning with conditions. First reading on August 14, 1997; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: Eileen Dodds (Robert Dodds). City Staff: Joe Arriaga, 499-2308.

Ordinance No. 971106-C approved

ITEMS FROM COUNCIL

19. Approve an ordinance repealing Section 2-4-10 of the City Code to delete term limits for boards and commissions. (Councilmember Jackie Goodman)

Ordinance No. 971106-D approved

Items 15 through 19 approved on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.

20. Approve a resolution directing the City Manager to begin efforts to facilitate building a new downtown multi-family residential neighborhood by initiating a study to determine the feasibility of developing the Electric Utility property known as the "pole yard" located between Bowie Street and West Avenue north of 3rd Street for residential uses; and developing a public private cooperative effort between the City of Austin Post Properties, Inc., and Lamar Sixth Austin Inc. to jump start the development of a mixed use urban core neighborhood, with a goal of beginning construction within six months, and that the City Manager report to Council within 60 days with the completed feasibility study and a plan, including proposed agreements, to achieve the foregoing goals of the Council. (Councilmembers Daryl Slusher and Willie Lewis, and Mayor Kirk Watson)

SEE CORRECTION AT END OF AGENDA

21. Approve a resolution directing the City Manager to initiate efforts to build a downtown neighborhood by developing a letter of intent outlining a public-private cooperative effort between the City of Austin, Third & Colorado, LLC, Amli Residential Properties Trust and Bonner Carrington Corporation for the redevelopment of Blocks 4 and 20 into a mixed use residential project, to be brought back to Council within 30 days with a goal of beginning construction within 6 months. (Councilmember Willie Lewis, Mayor Pro Tem Gus Garcia, and Mayor Kirk Watson)

Resolution No. 971106-21 approved with friendly amendment by Councilmember Griffith to have information to be brought back and shall include an MAI appraisal of the value of the land restricted to the proposed use and market return on, Councilmember Lewis' motion, Mayor Pro Tem Garcia's second, 7-0 vote.

22. Approve a resolution directing the City Manager to initiate discussions with the public institutions and private interests that share responsibility for and the potential benefits from Waller Creek. The City Manager shall report back to the City Council within 60 days with a proposed public-private cooperative effort agreement, a time line for critical action steps with a goal of securing financing and having plans and specifications ready for construction within six months, and a recommended financing plan with at least two alternative options. (Councilmembers Jackie Goodman, Willie Lewis, and Beverly Griffith)

Resolution No. 971106-22 approved on Councilmember Goodman's motion, Councilmember Griffith's second, 7-0 vote.

23. Approve a resolution requesting that the Design Commission prepare draft design guidelines for the city's downtown region within 60 days and that these guidelines should exemplify ideals such as pedestrian and bicycle mobility and urban core

vitality expressed through past Council actions, previous planning studies and recommendations and community consensus building exercises such as the Citizens Planning Committee, the Heritage Society, and R/UDAT. (Mayor Pro Tem Gus Garcia, Councilmember Jackie Goodman and Mayor Kirk Watson)

Resolution No. 971106-23 approved on Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

24. Approve a resolution creating a downtown development advisory group to advise the Council on specific projects as well as long term policy decisions regarding City-owned assets in the downtown area; and that this group will include nine representatives, with one each from the Citizen's Planning Committee, the Downtown Austin Alliance, the Urban Land Institute, the Heritage Society, the Austin Neighborhoods Council, and the Downtown Commission, and three consensus appointments; and that this board begin work within two weeks and come to Council with an initial report within 60 days. (Councilmember William Spelman, Mayor Pro Tem Gus Garcia and Mayor Kirk Watson)

Resolution No. 971106-24 approved on Councilmember Spelman's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

25. Approve a resolution directing the City Manager to develop a community values based downtown master plan. (Councilmember Beverly Griffith)

SEE CORRECTION AT END OF AGENDA

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

26. C14-97-0055 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 8010 South Congress Avenue from "DR", Development Reserve to "CS", General Commercial Services. Planning Commission Recommendation: To Deny "CS", General Commercial Services District zoning. Applicant: Don Valk; Agent: Mike Killebrew. City Staff: Craig Alter, 499-2769. (continued from 9/4/97 & 10/2/97)

Postponed to December 11, 1997, applicant's request

27. C814-97-0001 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as North FM 620 Road and North U. S. Hwy. 183 from "I-RR", Interim Rural Residence to "PUD", Planned Unit Development. Planning Commission Recommendation: To Grant "PUD", Planned Unit Development District zoning with conditions. Applicant: Texas General Land Office (Bob Hewgley); Agent: Carter & Burgess (Hank Smith). City Staff: David Wahlgren, 499-6455. (continued from 10/30/97)

Postponed to November 20, 1997

Items 26 and 27 approved postponement on Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.

28. C14-97-0074 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 7605 Cameron Road from "RR", Rural Residence and "SF-5", Urban Family Residence to "GR", Community Commercial. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial-Conditional Overlay District zoning for Tract 1, and "LO-CO", Limited Office-Conditional Overlay District zoning for Tract 2 with conditions. Tract 3 is to remain "RR", Rural Residence District zoning. Applicant: Caribbean Capital, Inc. (Michael Caton). City Staff: Susan Villarreal, 499-6319.

Approved Planning Commission recommendation, first reading only

29. C14-97-0085 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as East St. Elmo Road @ Meinardus Drive from "SF-3", Family Residence to "GR", Community Commercial. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial-Conditional Overlay District zoning with conditions. Applicant: Frank M. Covert; Agent: Consort, Inc. (Ben Turner). City Staff: Deborah Reyes, 499-6369.

Ordinance No. 971106-E approved Planning Commission recommendation

Items 28 and 29 approved on Councilmember Lewis' motion, Mayor Pro Tem Garcia's second, 7-0 vote.

30. C14-97-0097 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 5401 to 5527 East Martin Luther King Blvd., 1928 to 1960 Webberville Road, and 4600 to 4722 Tannehill Lane from "SF-3", Family Residence to "MF-2", Multifamily Residence (low density). Planning Commission Recommendation: To Grant "MF-2-CO", Multifamily Residence (low density)-Conditional Overlay District zoning with conditions. Applicant: T. Warren Investments, Inc. (Thomas G. Warren); Agent: CFX, Inc. (J. Carroll Faulkner). City Staff: Ivan Naranjo, 499-2724.

Public hearing recessed

Approved Planning commission recommendation, first reading only, NOTE: applicant to work with neighborhood regarding appropriate setback and buffering, on Councilmember Lewis' motion, councilmember Spelman's second 7-0 vote.

31. C14-97-0109 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 7200 N. Mopac Expressway NB from "LO", Limited Office to "GR", Community Commercial. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial-Conditional Overlay District zoning with conditions. Applicant: Plaza 7000; Agent: Kucera Co./3410 Far West (Gerald Kucera). City Staff: Don Perryman, 499-2786.

Ordinance No. 971106-F approved Planning Commission recommendation subject to RR zoning for area in floodplain.

32. C14-97-0115 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 4404 West William Cannon Drive from "LR", Neighborhood Commercial to "GR", Community Commercial. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial-Conditional Overlay District zoning with conditions. Applicant: William Cannon/Brush Country (Louis R. Williams); Agent: Richard Crank. City Staff: Deborah Reyes, 499-6369.

Approved Planning commission recommendation subject to limiting building height as follows: 1) 40' for office use, and 2) 30' for retail and commercial uses, first reading only

33. C14-97-0118 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 11719 Bell Avenue from "SF-2", Single Family Residence (standard lot) to "SF-3", Family Residence. Planning Commission Recommendation: To Grant "SF-3", Family Residence District zoning. Applicant: Gary & Felicia Lowe; Agent: Holt Planners (David B. Holt). City Staff: Craig Alter, 499-2769.

Ordinance No. 971106-G approved Planning Commission recommendation.

Items 31 through 33 approved on Councilmember Lewis' motion, Mayor Pro Tem Garcia's second, 7-0 vote.

PUBLIC HEARINGS

34. 6:15 P.M. - Public hearing on the annexation of territory consisting of 4,661,248 acres, more or less, comprising the area known as the Southwest Travis County Water District.

SEE CORRECTION AT END OF AGENDA

35. 6:30 P.M. - Public hearing on the annexation of Thompson Lane, Carson Creek and IH-35 South.

Motion to close public hearing on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 6-0 vote, Councilmember Goodman off the dais.

36. 7:00 P.M. - Public hearing for city residents to comment on the city's proposed annexations. (Councilmembers Daryl Slusher, Jackie Goodman and William Spelman)

Motion to close public hearing on Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 6-0 vote, Councilmember Goodman off the dais.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held at 12:10 p.m. to 1:32 p.m.

Executive session held at 2:30 p.m. to 5:30 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

- 37. Discuss legal issues relating to annexation.
- 38. Discuss IBC Partners Ltd. et. al. v. City of Austin, CA 97-05393, Travis County District Court.
- 39. Discuss LS Ranch Limited, and Circle C Land Corp., vs. City of Austin, CA 97-1048 in the 207th Judicial District Court of Hays County, Texas.
- 40. Discuss Quick v. City of Austin; CA No. 96-1154, Texas Supreme Court.

Real Estate - Section 551.072

- 41. Discuss the purchase of the Quickie Pickie at 2730 Rosewood Avenue, Lot 2 OTL 60, DIV. B, Rosewood Terrace, Travis County, Texas.

ACTION ON EXECUTIVE SESSION ITEMS

- 42. Authorize increases in contract amounts with outside counsel with Hilgers & Watkins, Pamela S. Baron, and Raymey & Flock, for legal services in Quick v. City of Austin, No. 96-1154, Texas Supreme Court.

Approved in an amount not to exceed \$20,000 on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.

- 43. Approve the purchase of the Quickie Pickie at 2730 Rosewood Avenue, Lot 2 OTL 60, DIV. B, Rosewood Terrace, Travis County, Texas.

Pulled from agenda

- 44. APPOINTMENTS

Travis Central Appraisal District Board of Directors
REV. KRISTOFFERLANDS.

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

ADDENDUM

November 6, 1997

CORRECTIONS

The following items should read as follows:

15. Set a public hearing on annexation of the territory consisting of 4,661.248 acres, more or less, comprising the area formerly known as the Southwest Travis County Water District.

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

17. Should read: Approve first reading of an ordinance annexing a tract of land known as U.S. 183 East, Case No. C7a-97-004, which includes Springwoods Municipal Utility District, and other areas generally located between North Austin Municipal Utility District on the east, McNeil Road on the south, U.S. Highway 183 on the west, and Pond Springs Road, Anderson Mill Road, and North Austin MUD on the north, all of which are in Williamson and Travis County, Texas.

Approved first reading only, on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

20. Approve a resolution directing the City Manager to begin efforts to facilitate building a new downtown multi-family residential neighborhood...should read: Councilmembers Daryl Slusher, William Spelman and Mayor Kirk Watson.

Resolution No. 971106-20 approved with friendly amendment by Councilmember Griffith to have information to be brought back and shall include an MAI appraisal of the value of the land restricted to the proposed use and market return on Councilmember Slusher's motion, Councilmember Lewis' second, 7-0 vote.

Friendly amendment accepted by maker and seconder.

25. Approve a resolution directing the City Manager to develop a community values based downtown master plan, should read: Councilmembers Beverly Griffith, William Spelman and Mayor Kirk Watson.

Resolution No. 971106-25 approved on Councilmember Griffith's motion, Councilmember Spelman's second, 7-0 vote.

34. Public hearing: 6:15 - Public hearing on the annexation of territory consisting of 4,661.248 acres, more or less, comprising the area formerly known as the Southwest Travis County Water District.

Motion to close public hearing on Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 7-0 vote.

Public hearing reopened

Motion to close public hearing on Councilmember Slusher's motion, Councilmember Lewis' second, 7-0 vote.

ADJOURNED at 12:30 a.m. on Councilmember Slusher's motion, Councilmember Griffith's second, 6-0 vote, Councilmember Goodman off the dais.

Approved on this the 20th day of November 1997 on Councilmember Spelman's motion, Councilmember Lewis' second, 7-0 with Mayor Pro Tem Garcia abstaining on Special Called meeting of November 12, 1997.