



Austin City Council MINUTES

REGULAR MEETING
THURSDAY, DECEMBER 18, 1997

Mayor Watson called the meeting to order, noting the presence of all Councilmembers.
Mayor Watson left at 2:08 p.m.

1. Approval of Minutes for Regular Meetings of November 19 & 20, December 3, 4, 10 & 11, and Special Called Meetings of November 17 & 18, 1997.
Approved on Councilmember Goodman's motion, Councilmember Slusher's second, 6-0 vote, Mayor Watson absent.

CITIZEN COMMUNICATIONS: GENERAL

2. Robert Thomas, to discuss the Rosewood Recreation Center.
3. Dick Kallerman, to discuss Sidewalk Task Force Report.
4. Santa Claus (Jerry Hendrix) to discuss Christmas tree recycling.
5. Eric Nelson, to discuss development and preservation of our unique municipal fabric.
6. Leonard Lyons, to discuss RFP Evaluation Process.
Absent
7. Cecilia Wood, to discuss the no camping ordinance.
Absent
8. David Blakely, to discuss lean beef.
9. Barbara Epstein, to discuss permitting/zoning process.

READING OF CONSENT AGENDA

READING OF DISCUSSION AGENDA

CITIZEN COMMUNICATIONS: CONSENT AGENDA

ACTION ON CONSENT AGENDA

2:00 P.M. - SURETY BONDS

10. Approve an ordinance authorizing the purchase of a surety bond for the Airport System Prior Lien Bond Reserve Fund from MBIA, the transfer of funds from the Airport System Prior Lien Bond Reserve Fund to the Construction Fund, and authorize negotiating terms of the surety bond purchase and to take such other actions as may be necessary in connection with such purchase. (\$500,000 approximate cost of surety bond will be funded from proceeds of the airport reserve fund.)
Ordinance No. 971218-I approved on all three readings on Councilmember Goodman's motion, 6-0 vote, Mayor Watson absent.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

11. Approve the creation and appointments to a Citizens Bond Committee for the 1998 Bond Election. (No fiscal impact.)
Approved Resolution 971218-11 for creation and appointed Mary Arnold, Clare Barry, Sinclair Black, Martha Cotera, Sheryl Nelson Cole, Barbara Epstein, Stella Fabian, George Nalle, Mark Nibbelink, Joe Parker as Chairman, Ricardo Romo, Barbara Selgestad, Bill Stotsbury, Eleanor Thompson, Barbara Wilson, and Chip Wolfe on Councilmember Spelman's motion, Councilmember Lewis' second, 6-0 vote, Mayor Watson absent.
12. Approve the City Council meeting schedule for 1998. (No fiscal impact.) **Approved on Councilmember Slusher's motion, Councilmember Spelman's second, 6-0 vote, Mayor Watson absent.**

Planning, Environmental and Conservation Services

13. Amend Ordinance 970917-A, the 1997-98 Operating Budget of the Strategic Planning Investment Fund, by appropriating \$950,000 for strategic planning initiatives. (Funding was included in the 1997-98 operating budget of the Strategic Planning Investment Fund.)
Ordinance No. 971218-N approved
14. Approve a resolution authorizing an amendment to a contract with KEYSER MARSTON ASSOCIATES, INC., San Francisco, California, to increase the scope of work for additional development services for the downtown area, for an additional twelve month period, in an amount not to exceed \$100,000, for a total contract amount of \$292,000. (Funding in the amount of \$75,000 was included in the 1997-98 operating budget of the Strategic Planning and Investment Fund of the Planning, Environmental and Conservation Services Department. Funding for the remaining three months of the contract is contingent upon available funding in future budgets.) No MWBE Subcontracting opportunities were identified.
Resolution No. 971218-14 approved with amendment to include the Downtown and Design Commissions
15. Approve a resolution authorizing negotiation and execution of an agreement with the Heritage

Society for the purpose of serving as an independent planning resource and advisory body to the City Council in maintaining a community value based vision for downtown Austin, which consolidates, synthesizes, clarifies and advances prior and current planning efforts, in an amount not to exceed \$90,000. (Funding was included in the 1997-98 operating budget of the Strategic Planning and Investment Fund of the Planning, Environmental and Conservation Services Department.) Sole source. No M/WBE Subcontracting opportunities were identified.
Resolution No. 971218-15 approved

Items 13 - 15 approved on Councilmember Goodman's motion, Councilmember Slusher's second, 6-0 vote, Mayor Watson absent.

16. Approve a resolution authorizing release of approximately 2,700 acres, more or less, of the City's extra-territorial jurisdiction (ETJ) to the City of Round Rock. (No fiscal impact.)
Resolution No. 971218-16 approved

Fire

17. Approve a resolution giving official notice to Travis County Emergency Service Districts Number 2,3,4,5,6,9 and 11, to Williamson County Emergency Services District Number 1, and to Travis County Rural Fire Prevention District Number 11 of full purpose annexations by the City since September 1, 1997. (Funding in the amount of \$84,169 is available from the Strategic Planning Implementation Fund.)
Resolution No. 971218-17 approved
18. Approve a resolution authorizing an Interlocal Agreement with Travis County Emergency Services District Number 4 to implement provisions of the Annexation Service Plan for fire and emergency medical services for the U.S. 183 West Annexation, for a term of one year with a single one year extension option. (Funding in the amount of \$80,797 is available in the Strategic Planning Implementation Fund.)
Resolution No. 971218-18 approved

Health and Human Services

19. Approve a resolution authorizing negotiation and execution of a contract with AIDS SERVICES OF AUSTIN for rental and/or emergency housing services under the U.S. Department of Housing and Urban Development (HUD) Housing Opportunities for Persons with AIDS (HOPWA) grant program from the period of January 1, 1998 through February 28, 1999, in an amount not to exceed \$537,880. (Funding was included in the 1997-98 Special Revenue Fund for the Health and Human Services Department Housing Opportunities for Persons With AIDS (HOPWA) HUD 1998-2000 grant program.)
Resolution No. 971218-19 approved
20. Approve an ordinance authorizing acceptance of an additional \$10,000 in grant funds from the Texas Department of Health for the 1996-97 Immunization Action Plan grant; amend Ordinance 970917-A, the 1997-98 Operating budget, by appropriating an additional \$10,000

in grant funds for the Health and Human Services Department Special Revenue Fund, for a total grant amount of \$131,082. (A City match is not required.)

Ordinance No. 971218-J approved

Items 16-20 approved on Councilmember Spelman's motion, Councilmember Lewis' second, 6-0 vote, Mayor Watson absent.

21. Approve a resolution authorizing a renewal and amendment of the 1997 Interlocal Cooperation Agreement between the City of Austin, Travis County, and the Austin Travis County Mental Health Mental Retardation Center for the period January 1, 1998 through December 31, 1998, in an amount not to exceed \$1,125,147. (Funding in the amount of \$1,031,385 was included in the 1997-98 operating budget of the Health and Human Services Department, Social Services Contracts fund. Funding for the remaining one month of the contract is contingent upon available funding in future budgets.) [Reviewed by Community Action Network Resource Council]

Resolution No. 971218-21 approved on Councilmember Lewis' motion, Councilmember Slusher's second, 5-0 vote, Mayor Watson absent, Councilmember Spelman off the dais.

Parks and Recreation

22. Approve a resolution authorizing a Park Improvement and Use Agreement between the City and the Austin Independent School District (AISD) regarding access for Mary Moore Searight Metropolitan Park. (No fiscal impact. All improvements will be funded by Austin Independent School District.) [Recommended by Parks Board]

Resolution No. 971218-22 approved on Councilmember Spelman's motion, Councilmember Lewis' second, 6-0 vote, Mayor Watson absent.

23. Approve a resolution authorizing execution of a four (4) year supply agreement with EZ GO TEXTRON, Austin, Texas, for the lease purchase of seventy 4-wheeled electric golf carts for Morris Williams Golf Course, in an amount not to exceed \$230,596.80. (Funding in the amount of \$43,236.90 was included in the 1997-98 amended Operating Budget of the Golf Enterprise Fund. Funding for the remaining thirty-nine months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid of four. No M/WBE Subcontracting opportunities were identified.

Postponed to January 22, 1998 on Councilmember Lewis' motion, Councilmember Slusher's second, 6-0 vote, Mayor Watson absent.

Public Works and Transportation

24. Approve a resolution authorizing execution of a contract between the City and the Texas Department of Transportation for sidewalk projects approved by the Austin Transportation Study (ATS) Policy Advisory Committee at the following locations: 51st Street (from IH 35 to Waterbrook), Lamar Boulevard (from south of Riverside Drive to Treadwell Street), Cameron Road (from Athletic Drive to Coronado Hills), Martin Luther King, Jr. Boulevard (from Springdale Road to US 183), South 1st Street (from Ramble Lane to Heartwood Drive), and

Lake Austin Boulevard (from Exposition Boulevard to Deep Eddy), in the amount of \$997,215.97. (Funding in the amount of \$904,520.29 was included in the 1997-98 Amended Capital budget of the Public Works and Transportation Department; \$92,695.68 was included in the 1997-98 operating budget of the Public Works and Transportation Child Safety Fund.)

Resolution No. 971218-24 approved

25. Approve a resolution authorizing execution of a contract with STM EQUIPMENT, INC., Arlington, Texas, for the purchase of four tow-behind material spreaders, in the amount of \$39,800. (Funding was included in the 1997-98 Operating Budget of the Department of Public Works and Transportation, Transportation Fund.) Single bid. No M/WBE Subcontracting opportunities were identified.

Resolution No. 971218-25 approved

Finance and Administrative Services

26. Approve a resolution authorizing execution of an Interlocal Agreement between the AUSTIN INDEPENDENT SCHOOL DISTRICT (AISD), and the Police Department's Radio Communications Division to provide radio maintenance and repair services to the AISD police radio system for an estimated annual revenue amount of \$10,000. (Revenue from this source will be budgeted in future years.)

Resolution No. 971218-26 approved

Items 24-26 approved on Councilmember Spelman's motion, Councilmember Lewis' second, 6-0 vote, Mayor Watson absent.

27. Approve a resolution authorizing execution of a one year contract with RETRIEVER SALES POINT SYSTEMS, INC., Conroe, Texas, to provide bank card acceptance capabilities at the following City departments: Convention Center, Health and Human Services, Municipal Court, Parks and Recreation, Utility Customer Service, Water and Wastewater, Emergency Medical Services, and Infrastructure Support Services, in an amount not to exceed \$225,618 with two twelve month extension options in an amount not to exceed \$225,618 per extension, for a total estimated amount not to exceed \$676,854. (Funding in the amount of \$169,213.50 was included in the 1997-98 operating budget of the user departments. Funding for the remaining three months and the extension options is contingent upon available funding in future budgets.) Low responsive bid of five. No M/WBE Subcontracting opportunities were identified.

PULLED from the agenda due to a bid protest

28. Approve a resolution authorizing execution of a contract with ENTECH SALES AND SERVICE, INC., Austin, Texas, for the purchase and installation of an energy management system for the South Austin Neighborhood Center, in the amount of \$57,736. (Funding was included in the 1997-98 Capital Budget of Finance and Administrative Services Department.) Sole Source. No M/WBE Subcontracting opportunities were identified.

Resolution No. 971218-28 approved

Human Resources

29. Approve a resolution authorizing negotiation and execution of a twelve month contract to TOWERS PERRIN, Austin, Texas, for actuarial and consulting services for the City's Benefit Program, in an amount not to exceed \$270,000 with two twelve month extension options in an amount not to exceed \$270,000 per extension, for a total contract amount not to exceed \$810,000. (Funding in the amount of \$202,500 was included in the 1997-98 Employee Benefits Fund of the Human Resources Department. Funding in the amount of \$67,500 for the remaining three months of the contract and the extension options is contingent upon available funding in future budgets.) Best proposal of five. 3% MBE, 7.2% WBE Subcontractor participation

Resolution No. 971218-29 approved

30. Approve a resolution authorizing negotiation and execution of a twelve month contract with JOHN L. WORTHAM AND SON, L.L.P., Houston, Texas, to provide insurance broker services for the procurement of Excess Liability insurance through Associated Electric and Gas Insurance Services Limited, in an amount not to exceed \$292,419 with three twelve month extension options in amounts not to exceed \$292,419, for a total contract amount not to exceed \$1,169,676. (Funding was included in the 1997-98 budget of the Electric Utility Department. Funding for the extension options is contingent upon available funding in future budgets.) Best proposal of three. No M/WBE Subcontracting opportunities were identified. [Recommended by Electric Utility Commission]

Resolution No. 971218-30 approved

Items 28 - 30 approved on Councilmember Spelman's motion, Councilmember Lewis' second, 6-0 vote, Mayor Watson absent.

31. Confirm the appointment of Gary G. Warren as the new Fire Chief.
Approved by Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

Police

32. Approve a resolution authorizing negotiation and execution of a twelve month contract with MOTOROLA, INC., Austin, Texas, for the maintenance and support of the Motorola Radio Communications System, including Mobile Data Terminals installed in Police and other emergency vehicles, in an amount not to exceed \$148,392 with one twelve month extension option in an amount not to exceed \$148,392, for a total amount not to exceed \$296,784. (Funding in the amount of \$123,660 was included in the 1997-98 operating budget of the Police Department. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) Sole source. No M/WBE Subcontracting opportunities were identified.

Resolution No. 971218-32 approved

33. Approve a resolution authorizing execution of an Interlocal Agreement with the City of Hutto, Hutto, Texas, to provide maintenance of mobile data terminals under the existing contract with

Motorola, Inc. (No fiscal impact. The City of Hutto will reimburse the costs.)
Resolution No. 971218-33 approved

34. Approve a resolution authorizing execution of an Interlocal Agreement with the City of Mustang Ridge, Buda, Texas, to provide maintenance of mobile data terminals under the existing contract with Motorola, Inc. (No fiscal impact. The City of Mustang Ridge will reimburse all costs.)
Resolution No. 971218-34 approved

Neighborhood Housing and Community Development

35. Approve a resolution to examine the applicability of a model adaptability and accessibility standard for the City to examine whether and how the City can require housing projects in non-compliance with Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Architectural Barriers Act of 1968, and the Fair Housing Act to cure its legal non-compliance, and to report back prior to April 10, 1998. (No fiscal impact.)
Resolution No. 971218-35 approved

EMS

36. Amend Ordinance 970917-A, the 1997-98 Operating Budget of the Emergency Medical Services Department by recognizing revenues and increasing budgeted revenues by \$37,889, appropriating like amount, increasing expenditures. (Funding is available from donations that EMS has received since 1991.)
Ordinance No. 971218-K approved

Development Review and Inspection

37. C14-97-0059 - Approve third reading of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 13900 North FM 620, from "DR", Development Reserve to "GR-CO", Community Commercial-Conditional Overlay zoning with conditions. First reading on September 4, 1997; Vote 5-0, Griffith and Spelman off the dais. Second reading on December 11, 1997; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at second reading. Applicant: Pohl, Brown & Associates (William B. Pohl); Agent: Early Services, Inc. (Tim Early). City Staff: David Wahlgren, 499-6455.
Postponed until January 15, 1998
38. Set a public hearing on an ordinance to amend the Austin City Code renaming certain departments and changing references to and duties of those departments, and amend Chapter 14-3 to conform to changes in administration of the chapter. (No fiscal impact.)
[Suggested date and time: January 8, 1998 at 7:00 p.m.]
Approved

Items 32 - 38 approved on Councilmember Spelman's motion, Councilmember Lewis' second,

6-0 vote, Mayor Watson absent.

Planning, Environmental and Conservation Services

39. Adopt an ordinance amending the Fourth Supplement to the Revised Agreement Concerning Springwoods Municipal Utility District regarding assets, obligations, and activities during a deferral period leading to annexation by the City of Austin. (No Fiscal impact.)
Ordinance No. 971218-A approved on all three (3) readings on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.

40. Approve second/third readings of an ordinance annexing for full purposes the CIRCLE C ANNEXATION AREA, Case No. C7a-97-018, known as the Circle C Annexation Area, which includes the Circle C Municipal Utility District No. 1, Circle C Municipal Utility District No. 2, Circle C Municipal Utility District No. 3, Circle C Municipal Utility District No. 4, and areas generally known as the Hielscher Tract, the Southwest Commercial Tract, Circle C West Tract, and a piece of the Spillar Ranch. It is generally bounded on the east by Brodie Lane, on the west by FM 1826, on the south by the Hays County line and on the north by the Village of Western Oaks MUD and the existing City of Austin city limits, and is a 4,661 acre tract formerly known as the Southwest Travis County Water District.
Ordinance No. 971218-B with amendment approved on second and third readings on Councilmember Slusher's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

Friendly amendment by Mayor Pro Tem Garcia to annex this territory at noon on Friday, December 19, 1997, by approving this as an emergency.

41. Approve third reading of an ordinance annexing for full purposes the US 183 East Area, Case No. C7a-97-004, known as US 183 East, 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, US Hwy. 183 on the west, and Pond Springs Road, Anderson Mill Road, and North Austin MUD on the north.
Ordinance No. 971218-C excluding Springwoods MUD and Jolly Oaks approved on Councilmember Goodman motion, Mayor Pro Tem Garcia's second, 7-0 vote.

42. Approve an ordinance adopting a Strategic Partnership Agreement (SPA) which provides for limited purpose annexation, with conversion to full purpose annexation, of the Tanglewood Forest Municipal Utility District and conversion of the Tanglewood Forest Municipal Utility District to a limited district.
Ordinance No. 971218-D approved on all three (3) readings on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

43. Approve an ordinance annexing the Tanglewood Forest Municipal Utility District for full purposes annexation subject to the provisions of Ordinance No. 971218-D.
Ordinance No. 971218-E approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

44. Approve a resolution authorizing execution of the Fourth Modification Agreement to Agreement Concerning Water Supply and Sewer Capacity for the Creation and Operation of Tanglewood Forest Municipal Utility District; clarify provisions of the Consent Agreement regarding the City's collection of a special water and sewer rate after full purpose annexation of the MUD.
Resolution No. 971218-44 approved on Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.
45. Approve an ordinance authorizing the establishment of the special water and sewer rate for Tanglewood Municipal Utility District in accordance with the Fourth Modification Agreement to Agreement Concerning Water Supply and Sewer Capacity for the Creation and Operation of Tanglewood Forest Municipal Utility District. (See related item)
Ordinance No. 971218-F approved on all three (3) readings on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.
46. Approve an ordinance annexing for full purposes the SOUTHWESTERN ANNEXATION AREA, Case No. C7a-97-012, which includes the Southland Oaks Municipal Utility District and adjacent land currently in the City's limited purpose jurisdiction and the Bowles Subdivision, and Tanglewood Forest Municipal Utility District and intervening land extending between Tanglewood Forest Municipal Utility District and the southern portion of Southland Oaks Municipal Utility District.
Ordinance No. 971218-G approved on all three (3) readings excluding Tanglewood Forest MUD on Councilmember Spelman's motion, Councilmember Slusher's second, 7-0 vote.
47. Approve an ordinance establishing a special water and wastewater rate after annexation (monthly post-annexation surcharge) in the amount of \$25.21 per water meter in addition to the regular water and wastewater rates for all customers within the former Southland Oaks Municipal Utility District (MUD).
Ordinance No. 971218-H approved on all three (3) readings on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.

BOARD OF DIRECTOR'S MEETING OF AUSTIN INDUSTRIAL DEVELOPMENT CORPORATION

The Mayor will recess the City Council meeting. A Board meeting of the Austin Industrial Development Corporation (AIDC) will be conducted. Following adjournment of the AIDC Board meeting, the City Council will be reconvened. Items 48-49 are the AIDC items to be considered by the Austin Industrial Development Corporation's Board of Directors.

48. Approve a resolution to elect officers of the Corporation.
49. 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. (Costs of Bond Counsel will be paid by the Purchaser.)

ITEMS FROM COUNCIL

50. Approve a resolution extending the life of the Environmental Justice Task Force. (Councilmember Jackie Goodman)
Resolution No. 971218-50 to extend until June 1, 1998 approved
51. Approve a resolution extending the term of the Floodplain Task Force for 60 days. (Councilmember Daryl Slusher and Councilmembers Jackie Goodman and Beverly Griffith)
Resolution No. 971218-51 approved
52. Approve a resolution directing the City Manager to evaluate the feasibility of a pilot program to provide initial mediation for land use cases on a discretionary basis. (Councilmember Daryl Slusher, Mayor Kirk Watson and Councilmember Jackie Goodman)
Resolution No. 971218-52 approved
53. Approve a resolution directing the City Manager to develop a procedure for expediting development review for projects under old regulations when applications are submitted to convert them to compliance with the current regulations. (Councilmember Daryl Slusher, Mayor Kirk Watson and Councilmember Beverly Griffith)
Resolution No. 971218-53 approved
54. Approve a resolution to appoint Joe Canales as the Interim Municipal Court Clerk. (Mayor Kirk Watson, Mayor Pro Tem Garcia And Councilmember Jackie Goodman)
Resolution No. 971218-54 approved
55. Approve a resolution directing the City Manager to prepare the necessary document to apply for the Ford Foundation Award for innovations in government using the Austin Free-Net activity. (Mayor Pro Tem Gus Garcia And Councilmember William Spelman)
Resolution No. 971218-55 approved
56. Approve an ordinance to permit Jim Butler to serve on the Information Management & Technology Commission. (Councilmember Daryl Slusher)
Ordinance No. 971218-L approved
57. Discussion and approval of the process used for selecting the Municipal Court Clerk and Municipal Court Judges. (Mayor Kirk Watson, Mayor Pro-Tem Gus Garcia, Councilmember Jackie Goodman)
Approved Mayor Watson, Mayor Pro Tem Garcia and Councilmember Spelman as a Committee
58. Amend Ordinance No. 970917-C, the 1997-98 Fee Ordinance by increasing the Renaissance Market Vendor License Fee by \$50 effective October 1, 1997 to be used for Renaissance Market-Related Expenditures. (Councilmember Jackie Goodman)
Ordinance No. 971218-M approved

Items 50 - 58 approved on Councilmember Spelman's motion, Councilmember Lewis' second, 6-0 vote, Mayor Watson absent.

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

59. C14H-97-0002 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as 708-714 Colorado Street from "CBD-CURE", Central Business District-Central Urban Renewal District to "CBD-CURE-H", Central Business District-Central Urban Renewal District-Historic. Planning Commission Recommendation: To Grant "CBD-CURE-H", Central Business District-Central Urban Renewal District-Historic zoning. Applicant: The Canile Company, L.L.C.; Agent: The Loft Development Company (James D. McBride). City Staff: George Zapalac, 499-2725.

Ordinance No. 971218-O approved with staff recommendations

60. C14-86-106/107 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning and deleting a portion of a previously approved zoning site plan for property locally known as 5417 South Mopac Expressway. Existing zoning: "GR", Community Commercial. Planning Commission Recommendation: To Grant the request to delete a portion of a previously approved site plan. Applicant: Walmart (Angela Beehler). City Staff: Deborah Reyes, 499-6369.

Ordinance No. 971218-P approved

61. C14-97-0083 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 6619 River Place Blvd. from "DR", Development Reserve to "GR", Community Commercial. Planning Commission Recommendation: To Grant "LR-CO", Neighborhood Commercial-Conditional Overlay District zoning with conditions. Applicant: Four Points Development (John Sanford); Agent: Prossner & Associates (Kurt Prossner). City Staff: Don Perryman, 499-2786. (continued from 10/30/97, 12/4/97) Note: a valid petition has been filed in opposition to this rezoning request.

Postponed to February 5, 1998.

Items 59 - 61 approved on Councilmember Lewis' motion, Councilmember Goodman's second, 6-0 vote, Mayor Watson absent.

62. C14-97-0091 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 2108 to 2110 Thrasher Lane and 6505 to 6601 E. Riverside Drive from "MF-2", Multifamily Residence (low density), "LR", Neighborhood Commercial, and "SF-3", Family Residence to "MH", Mobile Home Residence. Planning Commission Recommendation: To Grant "MH-CO", Mobile Home Residence-Conditional Overlay District, zoning with conditions. Applicant: Aus-Tex Parts & Service LLC (Don H. Dempsey); Agent: Jim Bennett. City Staff: Ivan Naranjo, 499-2724. (continued from 10/30/97, 12/11/97) Note: a valid petition has been filed in opposition to this rezoning request.

Postponed to January 22, 1998 on Councilmember Slusher's motion, Councilmember Lewis' second, 6-0 vote, Mayor Watson absent.

PUBLIC HEARINGS

63. 6:30 P.M. - Public hearing to amend Ordinance No. 970917-C, establishing a brush processing fee.
Close public hearing on Councilmember Lewis' motion, Councilmember Slusher's second, 6-0 vote, Mayor Watson absent.

ACTION ON PUBLIC HEARINGS

64. Amend Ordinance 970917-A, the 1997-98 Operating Budget of the Solid Waste Services Department, by increasing expenditures by \$446,169; budgeted revenue by \$325,000; decreasing budgeted ending balance by \$121,169 for a budgeted ending balance of \$3,449,546; and amend Ordinance 970917-C, the 1997-98 Fee Ordinance, by adding a new \$4.50/cubic yard Brush Processing fee. ((The \$121,169 difference between the increased expenditures and increased revenue will be funded from Solid Waste Service ending balance.)
Ordinance No. 971218-Q approved
65. Amend Ordinance 970915-A, the 1997-98 Capital budget of the Solid Waste Services Department, increasing appropriations by \$630,000 to provide for heavy equipment and construction needs for the Brush Processing Center. (Funding in the amount of \$250,000 in contractual obligations and \$380,000 in certificates of obligations will be sold in 1998-1999.) [Recommended unanimously by Planning Commission on December 16, 1997 and was not reviewed by the Solid Waste Commission.]
Ordinance NO. 971218-R approved
66. Approve a resolution expressing official intent to reimburse \$630,000 in expenditures made to purchase equipment and construction services for the establishment of a Brush Processing Center as obligations to finance the purchase are issued, and amend the two year bond sale by adding the sale of \$250,000 in contractual obligations and \$380,000 in certificates of obligation. (No fiscal impact.)
Resolution No. 971218-66 approved

Items 64 - 66 approved on Councilmember Lewis' motion, Councilmember Griffith's second, 6-0 vote, Mayor Watson absent.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive Session held from 12:15 p.m. to 1:25 p.m.

Executive Session held from 4:03 p.m. to 4:51 p.m. on Item 68, 69, 70 and 72. Approve consideration of City Council deliberation under Section 551.075 for Item 67 for staff briefing on Councilmember Griffith's motion, Councilmember Lewis' second, 6-0 vote, Mayor Watson absent.

Executive Session held from 5:40 p.m. to 7:20 p.m.

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

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

Staff Briefing - section 551.075

67. Staff briefing on status of implementation of Meet and Confer legislation for Austin Police Department. (City Council deliberation is not permitted under Section 551.075)

Private Consultation with Attorney - Section 551.071

68. Discuss legal issues relating to campaign finance provisions in the Austin City Charter.
69. Discuss legal issues relating to cable franchises.
70. Discuss IBC Partners Ltd. et al. v. City of Austin, CA 97-05393, Travis County District Court
71. Discuss legal issues relating to annexation.
72. Discuss L.S. Ranch, Ltd. et al. v. City of Austin, CA 97-1048, 207th Judicial District Court, Hays County
73. **APPOINTMENTS**
Federally Qualified Health Center Board - **David Campos** (South Austin Clinic User); **Carlos Contreras** (At-Large Attorney); **Vernon Jones** (At-Large Pharmacist); **Glenda Parks** (At-Large Health Care Professional); and **William Kuykendall** (At-Large Member).
Approved on Councilmember Spelman's motion, Councilmember Lewis' second, 6-0 vote, Mayor Watson absent.

RECESSED from 2:08 p.m. until 2:37 p.m. on Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 7-0 vote.

RECESSED from 3:34 p.m. until 3:42 p.m. on Councilmember Griffith's motion, Councilmember Slusher's second, 6-0 vote, Mayor Watson absent.

RECESSED from 4:03 p.m. until 4:51 p.m. for Executive Session on Councilmember Slusher's motion, Councilmember Lewis' second, 6-0 vote, Mayor Watson absent.

RECESSED from 5:40 p.m. until 7:20 p.m. for Executive Session on Councilmember Slusher's motion, Councilmember Spelman's second, 6-0 vote, Mayor Watson absent.

ADJOURN at 7:29 p.m. on Councilmember Slusher's motion, Councilmember Goodman's second, 6-0 vote, Mayor Watson absent.

Approved on this the 15th day of January, 1998, on Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-0 vote, Councilmember Lewis and Spelman off the dais.