



Austin City Council MINUTES

REGULAR MEETING
THURSDAY, FEBRUARY 12, 1998

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

1. Approval of Minutes for Regular Meetings of February 4 & 5, 1998
Motion to approve the minutes of February 4, 1998, minutes for February 5, 1998 postponed on Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 6-0 vote, Councilmember Spelman off the dais.

CITIZEN COMMUNICATIONS: GENERAL

2. Steven Ried, to discuss pay issue.
Absent
3. Bonnie Harvey, to discuss pay issue - Marshal's office.
Absent
4. Gus Pena, to discuss health clinics and City of Austin obligation to its residents and taxpayers.
Absent
5. John McMillan, to discuss the City of Austin improving its street light system and making it stormproof.
6. Paul Robbins
7. Velma Roberts
8. Dorothy Turner

READING OF CONSENT AGENDA

READING OF DISCUSSION AGENDA

CITIZEN COMMUNICATIONS: CONSENT AGENDA

ACTION ON CONSENT AGENDA

Motion to approve staff briefing on item 70 on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 6-0 vote, Councilmember Spelman off the dais.

2:00 P.M. - BONDS

9. Approve an ordinance authorizing the issuance of approximately \$21,050,000 City of Austin, Texas, Rental Car Special Facility Revenue Bonds, Taxable Series 1998, including the approval of other documents related to the issuance of the bonds. (\$368,375 debt service requirement for the proposed bond sale will be provided through Capitalized Interest from the bond sale.)
Ordinance No. 980212-A approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

10. Approve a resolution authorizing Amendment #4 to the contract with the CAPITAL CITY CHAMBER OF COMMERCE, Austin, Texas, for tourism and convention sales to African American markets, in the amount of \$44,910, for a total contract amount of \$784,211. (Funding was included in the 1997-98 operating budget of the Tourism and Promotion Fund.)
Resolution No. 980212-10 approved on Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.
11. Approve a resolution authorizing execution of a contract between the Austin Rosewood Community Development Corporation and David Newton, Austin, Texas, for a sculptural fountain memorializing victims of youth violence entitled, "Free and Clear," for the rotunda of the Central City Entertainment Center, in an amount not to exceed \$70,000. (Funding is available in the 1997-98 amended Capital budget of the Parks and Recreation Department.) Best proposal of eighteen. (Recommended by Arts Commission, and the Arts in Public Places Panel.)
Resolution No. 980212-11 approved on Councilmember Lewis' motion, Councilmember Griffith's second, 6-1 vote, Councilmember Goodman voting "NO".
12. Approve a resolution authorizing a construction contract between the Austin Rosewood Community Development Corporation and DESCON CONSTRUCTION, Universal City, Texas, for the interior and exterior construction package for the Central City Entertainment City project, in the amount of \$4,700,000, plus \$250,000 to be used as a contingency fund for change orders, for a total contract amount of \$4,950,000. (Funding is available in the 1997-98 Amended Capital budget of Parks and Recreation.) Low bid of three. 22.5% MBE, 0.93% WBE Subcontractor participation.
Resolution No. 980212-12 approved on Councilmember Lewis' motion, Mayor Pro Tem Garcia's second, 7-0 vote.
13. Approve a resolution authorizing a construction contract between the Austin Rosewood Community Development Corporation and O'NEAL CONSTRUCTION OF TEXAS, INC., Austin, Texas, for the interior and exterior construction package for the Central City

Entertainment Center project, in the amount of \$4,860,000, plus \$250,000 to be used as a contingency fund for change orders, for a total contract amount of \$5,110,000. (Funding is included in the 1997-98 Amended Capital Budget of Parks and Recreation Department.)
29.1% MBE, .87% WBE Subcontractor participation.

Pulled off agenda

Health and Human Services

14. Approve an ordinance authorizing acceptance of \$5,736 in additional grant funds from the Texas Department of Health, Bureau of Nutrition Services, for the Women, Infants, and Children (WIC) Lactation Center grant 1997-98; amend Ordinance 970917-A, the 1997-98 operating budget, amending the Special Revenue Fund by appropriating an additional \$5,736 in grant funds for the Health and Human Services Department's Special Revenue Fund, for a total grant amount of \$107,736, and adding 1.0 grant reimbursed full-time equivalent (FTE) position. (A City match is not required.)
Ordinance No. 980212-B approved
15. Approve an ordinance authorizing acceptance of an additional \$9,251 in grant funds from the Texas Department of Health Sexually Transmitted Disease Control program 1996-97; amend Ordinance 970917-A, the 1997-98 operating budget, by appropriating an additional \$8,552 in grant funds for the Health and Human Services Department Special Revenue Fund, for a total grant amount of \$148,552. (A City match is not required.)
Ordinance No. 980212-C approved
16. Approve a resolution authorizing execution of an amendment to the contract with AIDS Services of Austin for Rental Assistance/Emergency Assistance Services to persons with HIV, in an amount not to exceed \$65,021, for a total contract amount of \$711,931. (Funding was included in the 1996-97 Special Revenue Fund for the Health and Human Services Department, Ryan White Title I Supplemental grant program, amended in 1997-98.)
Resolution No. 980212-16 approved
17. Approve a resolution authorizing execution of an Interlocal Agreement with the University of Texas to facilitate a medical records improvement process at the Health and Human Services Department Health Clinics, in an amount not to exceed \$3,000. (Funding was included in the 1997-98 operating budget for the Federally Qualified Health Centers (FQHC) in the Health and Human Services Department.)
Resolution No. 980212-17 approved
18. Approve a resolution authorizing application for a grant renewal for the fifth year of a five year program for the Juvenile Offender Employment Project, in the amount of \$12,682 from the Office of the Governor, Criminal Justice Division. (A City match in the amount of \$36,615 is required and available in the 1997-98 operating budget of the Health and Human Services Department. An additional match in the amount of \$36,615 is contingent upon available funding in future budgets.)
Resolution No. 980212-18 approved

19. Approve a resolution authorizing execution of Ryan White Title III Early Intervention Grant program contracts for HIV-related services with AIDS SERVICES OF AUSTIN, in an amount not to exceed \$99,531; AUSTIN/TRAVIS COUNTY MHMR CARE PROGRAM, in an amount not to exceed \$73,810; and COMMUNITY ACTION, INC., in an amount not to exceed \$65,627, for a total amount of \$238,968. (Funding was included in the 1997-98 Special Revenue fund for the Health and Human Services Department, Ryan White Title III Early Intervention Grant program.)
Resolution No. 980212-19 approved

20. Approve a resolution authorizing execution of an amendment to the contracts with: CHILD, INC., Austin, Texas; FOUNDATION FOR TEXAS CHILDREN, Austin, Texas; and LITTLE LAMBS CHILD CARE CENTER, Austin, Texas to extend the contracts for one additional twelve month period for the provision of child care services for teen parents, in amounts not to exceed \$48,487, \$43,537, and \$47,895 respectively, for total contract amounts not to exceed \$80,726, \$72,475, and \$79,729 respectively. (Funding in the amount of 4139,919 is available through the 23rd year United States Department of Housing and Urban Development, Community Development Block Grant (CDBG) special revenue fund.) No M/WBE Subcontracting opportunities were identified. [Recommended by Community Development Commission]
Resolution No. 980212-20 approved

Public Works

21. Approve a resolution authorizing negotiation and execution of a professional services agreement with MAXIM TECHNOLOGIES, INC., Austin, Texas, and ENVIRONMENTAL TECHNOLOGIES, INC., Austin, Texas, for a rotation list to provide asbestos related consultant services for the city asbestos management program, in an amount not to exceed \$250,000 per agreement, for a total amount not to exceed \$250,000 (estimated amount approximately \$125,000 per firm). [Funding was included in the 1997-98 Amended Capital budget of the Public Works and Transportation Department.] Best qualification statements of six. Maxim Technologies, Inc.: 8.6% MBE, 18.2% WBE Subconsultant participation. Environmental Technologies, Inc.: 8.6% MBE, 18.2% WBE/FR with a Prime Participation of: 71.2% Subconsultant participation.
Resolution No. 980212-21 approved

Parks and Recreation

22. Approve a resolution authorizing execution of a contract award with PRISM DEVELOPMENT (MBE/MH), Austin, Texas, for renovation of the Shipe Park Play Area as per Americans with Disability Act and Consumer Product Safety Commission guidelines, in an amount not to exceed \$88,500. (Funding was included in the 1997-98 amended Capital budget of the Parks and Recreation Department.) Low bid of six. 59.3% MBE Prime participation. 59.3%; 0% MBE, 2.8% WBE Subcontractor participation.
Resolution No. 980212-22 approved

Emergency Medical Services

23. Amend Ordinance 970915-A, the 1997-98 Capital budget of the Financial Services Department, by transferring \$185,000 from the 1998 CIP Contingency Project to the Emergency Medical Services Department and amend the 1997-98 Capital budget of the Emergency Medical Services Department by increasing transfers in by \$185,000 for the Emergency Medical Services Station #12, 5309 Riverside Drive was recommended by the Planning Commission, project. (To be reviewed by Planning Commission February 10, 1998)
Ordinance No. 980212-D approved
24. Approve a resolution authorizing execution of a construction contract with RODRIGUEZ BARR, INC., (MBE/FH), Austin, Texas, for construction of an addition to the Emergency Medical Services #12 truck bay located at 5309 East Riverside Drive, in the amount of \$202,621. (Funding was included in the 1997-98 Amended Capital budget of the Emergency Medical Services Department.) Low bid of eight. 31.03% MBE Prime participation. 2.05% MBE, 9.84% WBE Subcontractor participation.
Resolution No. 980212-24 approved

Police

25. Approve a resolution authorizing application and acceptance of second year funding of a five year grant to increase investigation and recovery of stolen property by the Austin Police Department, in the amount of \$45,188 from the State of Texas, Governor's Office, Criminal Justice Division. (A City match in the amount of \$10,669 is required and will be included in the proposed 1998-99 operating budget of the Police Department.)
Resolution No. 980212-25 approved
26. Approve a resolution authorizing application and acceptance of fourth year funding of a five year grant for the Police Department's Emergency Outreach to Children in Violent Households Program, in the amount of \$17,184 from the State of Texas, Governor's Office, Criminal Justice Division. (A City match in the amount of \$33,377 is required and will be included in the 1998-99 operating budget of the Police Department.)
Resolution No. 980212-26 approved
27. Approve a resolution authorizing execution of a contract with MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC., Austin, Texas, for the purchase of various types of two-way radio equipment used in daily operations, in the amount of \$201,157. (Funding in the amount of \$193,625 was included in the 1997-98 operating budget of the Police Department. Funding in the amount of \$7,532 is available in the 1997-98 Special Revenue Fund of the Police Department.) Sole source. No M/WBE Subcontracting opportunities were identified.
Resolution No. 980212-27 approved

Items 14 through 27 approved on Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.

28. Ratify the Meet and Confer contract for Austin Police Officers; amend Ordinance No. 970917-a, the 1997-98 Operating Budget, by appropriating \$587,056 from the General Fund Contingency Reserve, transferring \$3,350,000 from the Wage and Benefit Adjustment of the General Fund; and increasing appropriations and expenditures of the Austin Police Department by \$3,937,056 in order to implement the terms of the Meet and confer contract. (For FY 1997-98, \$3,350,000 is available in the Wage and Benefit Adjustment of the General Fund, \$587,056 is available in the General Fund Contingency Reserve, and \$400,000 is available from anticipated budget savings in the approved 1997-98 Operating Budget of the Police Department; an addition of \$4,677,858 will be included in the proposed 1998-99 Operating Budget of the Police Department; an addition of \$5,005,722 will be included in the proposed 1999-00 Operating Budget of the Police Department. Funding in fiscal years 1998-99 through 1999-2000 is subject to appropriation by City Council.)

Ordinance No. 980212-I approved

29. Amend Ordinance No. 980114-a, by establishing the classifications and positions in the classified service of the Austin Police Department; creating and eliminating certain classified positions. (Funding is included as part of the budget amendment to the approved 1997-98 Operating Budget of the Police Department for approval of the Meet and Confer Contract.)

Ordinance No. 980212-J approved

30. Approve an ordinance authorizing assignment pay for police officers who perform certain functions. (Funding in the amount of \$124,000 is included in the approved 1997-98 Operating Budget of the Police Department.)

Ordinance No. 980212-K approved

Items 28 through 30 approved on Councilmember Spelman's motion, Councilmember Goodman's second, 7-0 vote.

Fire

31. Amend Ordinance 970915-A, the 1997-98 Capital budget of the Fire Department, in the amount of \$11,250,000 to create a new project, "Annexation-related Fire Stations". (Funding is available from future debt issuance.) [To be reviewed by Planning Commission February 10, 1998] Recommended by the Planning Commission.

Ordinance No. 980212-E approved

32. Approve a resolution authorizing the City's official intent to reimburse eligible costs associated with the design and construction of three Fire Stations, in the amount of \$11,250,000 and amend the 1997-98 two-year proposed debt sale to include the debt issuance. (Up to \$11,250,000 may be funded through the issuance of Certificates of Obligation to be sold in September, 1998 or within the required time constraints.)

Resolution No. 980212-32 approved

Items 31 and 32 approved on Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.

33. Approve a resolution authorizing negotiation and execution of a professional services agreement with WHITE, DOLCE & BARR ARCHITECTS & PLANNERS, INC., Austin, Texas, to provide architectural design and construction phase services for the Fire/Emergency Medical Services Station at Four Points, to be located in the vicinity of the intersection of RM 620 and RM 2222, in an amount not to exceed \$156,000. (Funding was included in the 1997-98 amended Capital budget of the Fire Department.) 31% MBE, 10% WBE Subconsultant participation.

Resolution No. 980212-33 approved

34. Approve a resolution authorizing negotiation and execution of a professional services agreement with WHITE, DOLCE & BARR ARCHITECTS & PLANNERS, INC., Austin, Texas, to provide architectural design and construction phase services for a Fire/EMS Station on Anderson Mill Road, located between Nene and Swan Drive, in an amount not to exceed \$156,000. (Funding was included in the 1997-98 Amended Capital Budget of the Fire Department.) 31% MBE, 10% WBE Subcontractor participation.

Resolution No. 980212-34 approved

Items 33 and 34 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 6-0 vote, Councilmember Griffith off the dais.

35. Approve a resolution authorizing negotiation and execution of a professional services agreement with WHITE, DOLCE & BARR, ARCHITECTS & PLANNERS, INC., Austin, Texas, to provide architectural design and construction phase services for Fire Station #40, located in the vicinity of the newly annexed U.S. 183 East and U.S. 183 West areas, in an amount not to exceed \$148,000. (Funding is included in the 1997-98 Amended Capital Budget of the Fire Department.) 26% MBE, 10% WBE Subcontractor participation.

Postponed so that an RFP could be sent out, on Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 7-0 vote.

Watershed Protection

36. Approve a resolution authorizing execution of a construction contract with AUSTIN FILTER SYSTEMS, INC., Austin, Texas, for repair of the Waller Creek Retainer Wall, (Phase II) located south of East 6th Street along the east bank of Waller Creek, in the amount of \$294,416. (Funding is available in the 1995-96 Amended Capital budget and 1997-98 approved Capital Budget of the Watershed Protection Department.) Single bid. 14% MBE, 5.1% WBE Subcontractor participation. (Reviewed by Historic Landmark Commission)

Resolution No. 980212-36 approved

37. Amend Ordinance 970915-A, the 1997-98 Capital budget of the Watershed Protection Department, by appropriating \$500,000 for capital improvement program management

services in annexed areas and creating a project known as Drainage Improvements in Annexed Areas. (Funding to be reimbursed from the proceeds of long term debt issuance.) [Reviewed by Environmental Board; To be reviewed by Planning Commission February 10, 1998] Recommended by the Planning Commission
Ordinance No. 980212-F approved

38. Approve a resolution authorizing the City's official intent to reimburse eligible costs associated with the Watershed Protection Department's negotiation for capital project program management consultant services in newly annexed areas, in the amount of \$500,000 and amend the 1997-98 two-year proposed debt sale to include the debt issuance. (Funding to be funded through the issuance of long term debt to be sold in September, 1998.)
Resolution No. 980212-38 approved

Items 36 through 38 approved on Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.

Water and Wastewater Utility

39. Approve a resolution authorizing negotiation and execution of a professional services agreement with MALCOLM PIRNIE, INC., Austin, Texas, for program management consultant services for the water, wastewater and drainage service to annexed areas, in an amount not to exceed \$2,600,000. (Funding in the amount of \$2,100,000 is available in the 1991-92 and 1997-98 Capital budgets of the Water and Wastewater Utility; \$500,000 is available in the 1997-98 Amended Capital budget of the Watershed Protection Department.) Best qualification statement of three. 21.7% MBE, 26.4% WBE Subconsultant participation. [Recommended by Water and Wastewater Commission]
Motion to select Parsons-Brinkerhoff on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second,

Motion withdrawn by maker.

Motion to postpone for two weeks on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 6-0 vote, Councilmember Griffith off the dais.

40. Approve a resolution authorizing negotiation and execution of professional services agreements with the following firms: HDR ENGINEERING, INC., Austin, Texas; THONHOFF CONSULTING ENGINEERS, INC., Austin, Texas; BAKER-AICKLEN & ASSOCIATES, INC., Austin, Texas; RUST ENVIRONMENT & INFRASTRUCTURE, INC., Austin, Texas; MARTINEZ, WRIGHT AND MENDEZ, INC., (MBE/MH), Austin, Texas; RAYMOND CHAN & ASSOCIATES, INC., (MBE/MA), Austin, Texas; CH2M HILL, Austin, Texas; HEJL, LEE & ASSOCIATES, INC., (MBE/MA), Austin, Texas; ALAN PLUMMER ASSOCIATES, INC., Austin, Texas; KURKJIAN ENGINEERING CORPORATION, (MBE/FH), Austin, Texas, to provide professional engineering services for planning, design and construction management of water and wastewater improvements in areas annexed in 1997, each agreement in an amount not to exceed \$2,500,000 with a total amount of the agreements not to exceed

\$2,500,000 (estimated amount approximately \$250,000 per firm). (Funding is available in the 1991-92 and 1997-98 Capital budget of the Water and Wastewater Utility.) Best qualification statements of twenty-nine. Thonhoff Consulting Engineers, Inc.: 8.6% MBE, 18.2% WBE Subconsultant participation. Baker-Aicklen & Associates, Inc.: 8.6% MBE, 18.2% WBE Subconsultant participation. Rust Environment & Infrastructure, Inc.: 8.6% MBE, 18.2% WBE Subconsultant participation. Martinez, Wright & Mendez, Inc.: 79.8% MBE Prime participation, 0% MBE, 18.2% WBE Subconsultant participation. Raymond Chan & Associates, Inc.: MBE Prime participation cannot be determined due to scope of work; 8.6% MBE, 18.2% WBE Subconsultant participation. CH2M Hill: 8.6% MBE, 18.2% WBE Subconsultant participation. Hejl, Lee & Associates, Inc.: 70% MBE Prime participation. 0% MBE, 18.2% WBE Subconsultant participation. Alan Plummer Associates, Inc.: 8.6% MBE, 18.2% WBE Subconsultant participation. Kurkjian Engineering, Corp.: 60% MBE Prime participation. 10% MBE, 10% WBE Subconsultant participation. (Recommended by Water and Wastewater Commission)

Approved substitute motion by Mayor Pro Tem to add three alternate firms with an amount not to exceed \$192,00 per firm.

41. Approve a resolution authorizing intent to participate in the Brushy Creek Regional System, and to facilitate the sizing and construction of a wastewater interceptor (Contract 6) for Austin's future use. (Reviewed by Water and Wastewater Commission.)
Resolution No. 980212-41 approved

Finance and Administrative Services

42. Approve a resolution authorizing the selection of the following underwriting team: Merrill Lynch, New York, New York; Morgan Stanley, Austin, Texas; Paine Webber, New York, New York; Salomon Smith Barney, Austin, Texas; Dain Rauscher, Dallas, Texas; Legg Mason, Houston, Texas; Apex Securities, (MBE/MB) Houston, Texas; Estrada Hinojosa, (MBE/MH), Dallas, Texas; and Siebert, Brandford, Shank, (WBE/FR), Houston, Texas; to provide underwriting services for negotiated/refunding transactions over the next two years. The team will be utilized as market and economic conditions necessitate. (Payment for underwriters will be made from proceeds of each bond sale.) Best proposals of thirty-two. No M/WBE Subcontracting opportunities were identified. [Recommended by Audit and Finance Committee]
Resolution No. 980212-42 approved

Aviation

43. Amend Ordinance No. 970917-A, the approved 1997-98 Operating Budget of the Aviation Department by increasing the transfers out of the Airport Operating Fund, increasing the transfers in to the Mueller Disposition Fund and increasing the appropriations to the Mueller Airport Disposition Fund by \$100,000, and decrease the budgeted ending balance to provide funding for a supplemental amendment to a Professional Services Agreement with Geomatrix Consultants for design modification and increased scope of work for RMMA for environmental assessment Phase 2 services geared to meet the requirements of the Texas Natural

Resource Conservation Commission's Voluntary Cleanup Program. (Recommended by Airport Advisory Board)
Ordinance No. 980212-G approved

44. Approve a resolution authorizing a supplemental amendment to a Professional Services Agreement with GEOMATRIX CONSULTANTS, Austin, Texas, for design modifications and increased scope of work for Robert Mueller Airport contract awarded for Environmental Assessment Phasell services, geared to meet the requirements of the Texas Natural Resource Conservation Commission's Voluntary Cleanup Program, in the amount of \$347,018, for a total of \$847,018. (Funding was included in the 1997-98 Operating Budget for Aviation to implement environmental cleanup projects recommended by Phase II and to conduct follow-up activities recommended by the voluntary clean-up program.) 15% MBE, 15% WBE Subcontractor participation. (Recommended by Airport Advisory Board.)
Resolution No. 980212-44 approved

Development Review and Inspection

45. Set a public hearing to deny or grant one or both of the appeals of the Planning Commission's decision to approve a Conditional Use Permit with conditions for the Dell Jewish Community Center. The proposed site for the center is located at Hart Lane and Far West Boulevard. The appeals are made by Richard Suttle, agent for the Dell Jewish Community Center, and the following individuals from the adjacent neighborhoods: Allen Tannenbaum, Larry Lay, John E. Martin, Ramon Burstyn, James Jack and Karen Baur. (No fiscal impact.) [Suggested date and time: March 12, 1998 at 6:00 p.m.]
Approved

ITEMS FROM COUNCIL

46. Approve an ordinance waiving the residence requirements of Section 2-4-1 of the City Code for the appointment of Dr. Allen Johnson to the Information Management & Technology Commission. (No fiscal impact.) [Councilmember Daryl Slusher]
Ordinance No. 980212-H approved

Items 40 through 46 approved on Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.

47. Approve a resolution directing the City Manager to develop and present a plan on February 26, 1998 which addresses development incentives infrastructure needs associated with the proposed Dell Campus, located within the Desired Development Zone on Parmer Lane. The plan shall include, but not be limited to, infrastructure related to transportation, drainage, water and wastewater, and power supply. (Mayor Kirk Watson, Mayor Pro Tem Gus Garcia and Councilmember Daryl Slusher).
Resolution No. 980212-47 approved on Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 7-0 vote.

48. Approve a resolution directing the City Manager to develop criteria for operation and funding of the Austin Music Network. (Mayor Pro Tem Gus Garcia and Councilmembers Daryl Slusher and Jackie Goodman)
Approved on Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.
49. Approve a resolution recommending a preferred route for State Highway 130 in the Austin vicinity to the Texas Department of Transportation. (Councilmember Willie Lewis and Mayor Pro Tem Gus Garcia)
Resolution No. 980212-49 approved Revision #3 on Councilmember Lewis' motion, Mayor Pro Tem Garcia's second, 7-0 vote.

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

The Mayor will recess the City Council meeting. A Board meeting of the Austin Housing Finance Corporation (AHFC) will be conducted. Following adjournment of the AHFC Board meeting, the City Council will be reconvened. Item 50 is the AHFC item to be considered by the Austin Housing Finance Corporation's Board of directors.

50. Approve a resolution to authorize the sale of 900 E. 11th, Ben's BBQ, and the vacant lots located at 901 Juniper and 903 Juniper to Ben's Long Branch BBB, in the amount of \$49,244. (All closing costs will be paid by the purchaser.)

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

51. C14-97-0083 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 6610 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 (CRT Prossner). City Staff: Don Perryman, 499-2786. (continued from 10/30/97, 12/4/97, 12/18/97, 2/5/98)
Note: a valid petition has been filed in opposition to this rezoning request.
Motion to close public hearing on Councilmember Griffith's motion, Councilmember Spelman's second, 5-0 vote, Councilmembers Goodman and Lewis off the dais.

Motion to approve first reading only on Councilmember Griffith's motion, Councilmember Spelman's second, 5-1 vote, Councilmember Goodman voting "NO", Councilmember Lewis off the dais.

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

Motion to approve first reading only with requirements of zoning LR-CO per Planning

Commission recommendation, and limited to 1,000 trips per day on Councilmember Lewis' motion, Councilmember Spelman's second, 6-1 vote, Councilmember Goodman voting "NO".

52. C14-97-0119 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as Bonaventure Drive from "DR", Development Reserve to "LO", Limited Office. Planning Commission Recommendation: To Grant "LO-CO", Limited Office-Conditional; Overlay zoning with conditions. Applicant: Robert B. and Nina Thurmond (Bob Thurmond); Agent: Realtex Ventures (Jim Mills). City Staff: Don Perryman, 499-2786. (continued from 11/20/97, 2/5/98)

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

Motion to deny zoning on Councilmember Spelman, Councilmember Slusher's second, 5-0 vote, Mayor Watson and Councilmember Lewis off the dais.

53. 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", Mobile Home Residence District zoning. 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, 12/18/97 & 1/22/98) Note: A valid petition has been filed in opposition to this rezoning request.

Motion to postpone for two months to April 9, 1998 on Councilmember Spelman's motion, Councilmember Slusher's second, 6-0 vote, Councilmember Griffith voting "YES" for the record.

54. C14-97-0127 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as Frontier Valley Drive and East Riverside Drive from "SF-3", Family Residence to "MH", Mobile Home Residence. Planning Commission Recommendation: To Grant "MH-CO", Mobile Home Residence-Conditional Overlay zoning with conditions. Applicant: Hetherly Investment (C.W. Hetherly, Sr.); Agent: Dick Lillie and Associates (Richard Lillie). City Staff: Ivan Naranjo, 499-2724. (continued from 12/11/97, 1/15/98 & 1/22/98)

Motion to postpone on applicant's request, on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

55. C14-97-0141 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 200 to 706 East Parmer Lane, 12900-13508 Harris Ridge Boulevard, 915 and 917-1015 Howard Lane East (formerly E. Dessau Road) from "GR", Community Commercial, "DR", Development Reserve, "SF-2", Single Family Residence (standard lot), and "MF-2", Multifamily Residence (low density) to "LI", Limited Industrial Services. Planning Commission Recommendation: To Grant "LI-PDA", Limited Industrial Services-Planned Development Area District zoning with conditions. Applicant: Ridge Investors, Ltd. (Darren B. Casey); Agent: Liverman Company (Robert J. Liverman). City Staff: Craig Alter, 499-2769.

Approved first reading only

56. C14-97-0168 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 509-617 E. Howard Lane, from "DR", Development Reserve to "LI", Limited Industrial Services. Planning Commission Recommendation: To Grant "LI-PDA", Limited Industrial Services-Planned Development Area District zoning with conditions. Applicant: Dr. & Mrs. Herbert O. Muecke; Agent: Liverman Company (Robert J. Liverman), and Gottesman Company (Sanford Gottesman). City Staff: Craig Alter, 499-2769.

Approved first reading only

57. C14-97-0169 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 701-913 E. Howard Lane, from "DR", Development Reserve to "LI", Limited Industrial Services. Planning Commission Recommendation: To Grant "LI-PDA", Limited Industrial Services-Planned Development Area District zoning with conditions. Applicant: McAdams Properties, Ltd.; Agent: Liverman Company (Robert Liverman) and Gottesman Company (Sanford L. Gottesman). City Staff: Craig Alter, 499-2769.

Approved first reading only

58. C14-97-0170 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 111 to 507 E. Howard Lane, from "DR", Development Reserve to "LI", Limited Industrial Services. Planning Commission Recommendation: To Grant "LI-PDA", Limited Industrial Services-Planned Development Area District zoning with conditions. Applicant: Martha & Ralph Vertrees, Alan David Vertrees, Marianne Vertrees or Louis E. Law; Agent: Liverman Company (Robert Liverman) and Gottesman Company (Sanford Gottesman). City Staff: Craig Alter, 499-2769.

Approved first reading only

Motion to close public hearing on items 55 through 58 on Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 7-0 vote.

Motion to approve Planning Commission recommendation on first reading, subject to neighborhood agreement, on Councilmember Goodman's motion, Mayor Pro Tem Garcia's second.

Substitute motion to act on first reading February 26 and third reading on March 5 on Councilmember Griffith's motion, Councilmember Spelman's second, 2-5 vote, Mayor Watson, Mayor Pro Tem Garcia, Councilmembers Slusher, Goodman and Lewis voting "NO".

Friendly amendment to exclude site development standards proposed by applicant on Councilmember Spelman's motion

Amendment rejected by maker

Main motion to approve on first reading only including proposed site development standards, approved on Councilmember Goodman's motion, Mayor Pro Tem Garcia's second, 6-1 vote,

Councilmember Griffith voting "NO".

59. C14H-97-0008 (NORTHCLIFFE-NORWOOD HOUSE) - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 1012 Edgecliff Terrace from "P", Public District to "P-H", Public District-Historic. Planning Commission Recommendation: To Grant "P-H", Public District-Historic District zoning. Applicant: City of Austin. Agent: Development Review and Inspections Department. City Staff: George Zapalac, 499-2725.
Approved staff recommendation, first reading only on Councilmember Spelman's motion, Councilmember Slusher's second, 6-0 vote, Mayor Pro Tem Garcia off the dais.
60. C14H-97-0009 (NORTHCLIFFE-NORWOOD HOUSE) - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 1009 Edgecliff Terrace from "P-H", Public District-Historic to "P", Public District. Planning Commission Recommendation: To Grant "P", Public District zoning. Applicant: City of Austin, Agent: Development Review and Inspections Department. City Staff: George Zapalac, 499-2725.
Ordinance No. 980212-L approved
61. C14-97-0165 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 1608 East Anderson Lane 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: Texas Pharmaceutical Association (Paul F. Davis); Agent: Larson/Burns (R. Brad Burns). City Staff: Deborah Reyes, 499-6380.
Ordinance No. 980212-M approved
62. C14-97-0166 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 11301 Taylor Draper Lane from "SF-2", Single Family Residence (standard lot) to "MF-3", Multifamily Residence (medium density). Planning Commission Recommendation: To Grant "MF-2", Multifamily Residence (low density) District zoning with conditions. Applicant: Tom McKay. City Staff: Craig Alter, 499-2769.
Approved first reading only

Items 60 through 62 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

PUBLIC HEARINGS

63. 6:00 P.M. - Public hearing to zone all territory annexed effective December 31, 1997 with the exception of territory included in the Village of Western Oaks Municipal Utility District Land Use Plan, Southland Oaks Municipal Utility District Land Use Plan; Carson Creek Section Four Subdivision, Travis County, Texas; Phase 7, Section 1, and Davenport Ranch Subdivision, Travis County, Texas. (This action will result in foregone revenues estimated at \$110,000. These revenues were not included in the estimated revenues for the 1997-98 budget.)

Postponed to March 26, 1998

64. 6:30 P.M. - Public hearing to authorize fee increases proposed by current Solid Waste contractors serving newly annexed residents in the former Southland Oaks Municipal Utility District and the Circle C Municipal Utility Districts.
Motion to close public hearing on Councilmember Spelman's motion, Mayor Pro Tem Garcia's second, 6-0 vote, Councilmember Goodman off the dais.

ACTION ON PUBLIC HEARINGS

65. Approve an ordinance zoning all territory annexed effective December 31, 1997 with the exception of territory included in the Village of Western Oaks Municipal Utility District Land Use Plan, Southland Oaks Municipal Utility District Land Use Plan; Carson Creek Section Four Subdivision, Travis County, Texas; Phase 7, Section 1, and Davenport Ranch Subdivision, Travis County, Texas. (This action will result in foregone revenues estimated at \$110,000. These revenues were not included in the estimated revenues for the 1997-98 budget.)

Postponed to March 26, 1998

66. Approve a resolution authorizing negotiation and execution of amendments to private hauler contracts in the former Southland Oaks MUD and Circle C MUDs to permit the private haulers to continue to serve residents, collect the Solid Waste Service fees quarterly in advance, and increase the amount residents are charged by an additional \$.50 in the former Southland Oaks Municipal Utility District and by \$.60 in the former Circle C Municipal Utility Districts for services. (No fiscal impact.)

Resolution No. 980212-66 approved on Councilmember Spelman's motion, Mayor Pro Tem Garcia's second, 6-0 vote, Councilmember Goodman off the dais.

67. Amend Ordinance No. 970917-C, the 1997-98 Fee Ordinance, amending the Solid Waste Services residential garbage rates for the former Southland Oaks MUD and the former Circle C MUDs. (No fiscal impact.)

Ordinance No. 980212-N approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman'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 1:25 p.m.

Executive session held at 2:12 p.m. to 3:40 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

68. Discuss legal issues relating to annexation.
69. Discuss City of Austin v. Horse Thief Hollow Ranch, Ltd., et al., Cause No. 9800248, Travis County District Court.

Section 551.075 - Staff Briefing

70. Staff briefing to discuss implementation of Meet and Confer contracts for Austin Police Department. Section 551.075.
71. APPOINTMENTS

Board of Adjustment - PHYLLIS WAELDER (CONSENSUS)
Construction Advisory Committee - SUSANNE LITZ (REAPPOINTMENT, COUNCILMEMBER GOODMAN)
Design Commission - GIRARD KINNEY (CONSENSUS), PHILLIP REED (CONSENSUS)
Downtown Commission - LESLIE POOL (REAPPOINTMENT-CONSENSUS), ELAINE CARTER (CONSENSUS), CLOVIS BEN HEIMSATH (CONSENSUS)
Electrical Board - GORDON BYRAM (REAPPOINTMENT- COUNCILMEMBER GOODMAN)
EMS Quality Assurance Team - DR. ANNIE CARTER PENA (COUNCILMEMBER SPELMAN)
Human Rights Commission - TRACEY WHITLEY (COUNCILMEMBER SPELMAN), ELIZABETH HANSHAW-ROSS (REAPPOINTMENT, CONSENSUS)
Library Commission - DARRELL J. GLASCO (MAYOR WATSON), THALIA SNYDER (REAPPOINTMENT-COUNCILMEMBER GOODMAN)
Mechanical, Plumbing & Solar Board - THOMAS ALEXANDER (REAPPOINTMENT-CONSENSUS), MICHAEL PRATHER (REAPPOINTMENT-CONSENSUS), MICHAEL NAIL (REAPPOINTMENT-CONSENSUS)
Parks & Recreation Board - MIKE LIBRIK (COUNCILMEMBER GOODMAN)
Urban Forestry Board - ROBERTO GARCIA (COUNCILMEMBER SPELMAN), PAUL WROTENBERY (CONSENSUS)
Urban Transportation Commission - STEVE ORTMANN (CONSENSUS)
Water & Wastewater Commission - JAMES HALEY (MAYOR WATSON)
Approved on Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.

ADJOURNED at 8:30 p.m. on Councilmember Griffith's motion, Councilmember Lewis' second, 6-0 vote, Councilmember Goodman off the dais.

Approved on this the 5th day of March, 1998, minutes for January 22, 1998, February 12, 1998 approved, minutes for February 5, 1998 previously approved on February 26, 1998, minutes for February 26 postponed to March 12, 1998, on Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 5-0 vote, Councilmember Lewis off the dais, Councilmember Goodman absent.

