



Austin City Council MINUTES

REGULAR MEETING
THURSDAY
MARCH 12, 1998

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

1. Approval of Minutes for Regular Meetings of January 14, 15, February 26, and March 5, 1998. Approved on Councilmember Lewis' motion, Mayor Pro Tem Garcia's second, 6-0 vote, Councilmember Goodman off the dais.

CITIZEN COMMUNICATIONS: GENERAL

2. Richard Knowlton, to discuss firefighter redeployments-city safety issues.
3. Greg Ericson, to discuss Texas Best Seminars Exposing Corruption.
Absent
4. Kevin MacDonnell, to discuss Travis County E.S.D. #4, Harris Branch Station.
5. Keith Kinnard, to discuss Harris Branch fire station.
6. Gus Pena, to discuss health clinics and City of Austin community issues.
Absent
7. Don Smith, to discuss emergency services.
8. Cynthia Martinez, to discuss Push-Up Foundation.
Absent
9. Marie Gonzales, to discuss Push-Up Foundation.
Absent
10. Sherrie Kidd, to discuss Push-Up Foundation.
Absent
11. Mary Rivers, to discuss Push-Up Foundation.
Absent

READING OF CONSENT AGENDA

READING OF DISCUSSION AGENDA

CITIZEN COMMUNICATIONS: CONSENT AGENDA

ACTION ON CONSENT AGENDA

ITEMS CONTINUED FROM PREVIOUS MEETING

12. Approve a resolution adopting Parks and Recreation Department's Master Plan entitled "Long Range Plan for Land and Facilities" to comply with Texas Parks and Wildlife Department grant requirements. (No fiscal impact.) [Recommended by Parks Board]
Resolution No. 980312-12 approved on Councilmember Spelman's motion, Councilmember Goodman's second, 7-0 vote.

13. Approve an ordinance setting out conditions for development of 84 acres of land located off of Loop 360 South, Known as the H. E Brodie tract and amending Chapter 13-7, Article I, Division 5, of the City Code, the Save Our springs Initiative. (Councilmembers Daryl Slusher and Beverly Griffith)
Approved on first reading only with request for staff from Councilmember Lewis to have amount of the fees to be waived and the amount or some range of purchase price that they negotiate if the negotiations are completed prior to the next Council meeting, second and third readings on March 26, 1998 on Councilmember Slusher's motion, Councilmember Griffith's second, 7-0 vote.

Public Works

14. Approve a resolution authorizing execution of a construction contract with BAY MAINTENANCE COMPANY, INC., Horseshoe Bay, Texas, for reconstruction, overlay, and utility adjustments on 12th Street between San Bernard Street and Airport Boulevard, in the amount of \$929,519.05. (Funding in the amount of \$900,581.08 is included in the 1996-97 amended Capital budget of the Public Works and Transportation Department; \$28,937.97 is included in the 1991-92 and 1993-94 amended Capital budget of the Water and Wastewater Utility.) Low bid of four. 0% MBE, 33.73% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)
Resolution No. 980312-14 approved on Councilmember Slusher's motion, Councilmember Spelman's second, 7-0 vote.

15. Approve a resolution authorizing execution of a twelve month supply agreement with CENTEX MATERIALS, INC., Austin, Texas, for the purchase of ready mix concrete and mortar mixes used in street maintenance and construction activities, in an amount not to exceed \$146,475 with two twelve month extension options in an amount not to exceed \$146,475 per extension, for a total contract amount not to exceed \$439,425. (Funding in the amount of \$85,443.75 was included in the 1997-98 operating budget of the Transportation Fund. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) Low bid of three. No M/WBE Subcontracting opportunities were identified.
Resolution No. 980312-15 approved on Councilmember Spelman's motion, Councilmember Goodman's second, 7-0 vote.

16. Approve a resolution authorizing execution of a contract with AUSTIN BRIDGE AND ROAD, Austin, Texas, for reconstruction, overlay, and utility adjustments on West 38th Street from Guadalupe Street to Lamar Boulevard, on Rockwood Lane from Foster Lane to Steck Avenue, and on Robert T. Martinez, Jr. Street from 6th Street to 7th Street, in the amount of \$1,019,769.50. (Funding in the amount of \$990,069.50 was included in the 1997-98 amended Capital budget of the Public Works and Transportation Department; \$4,200 is included in the 1997-98 operating budget of the Watershed Protection Department; \$25,500 is included in the 1997-98 Capital budget of the Water and Wastewater Utility.) Low bid of five. 25.60% MBE, 6.43% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)

Resolution No. 980312-16 approved

17. Approve a resolution authorizing execution of a construction contract with AUSTIN BRIDGE AND ROAD, Austin, Texas, for reconstruction, overlay, and utility adjustments on Anderson Lane between Shoal Creek Boulevard and Lamar Boulevard, in the amount of \$3,304,048.25 plus a contingency fund in the amount of \$330,000 for change orders, with a potential bonus of \$60,000, for a total contract amount not to exceed \$3,694,048.20. (Funding in the amount of \$3,518,246.80 is included in the 1996-97 and 1997-98 amended Capital budgets of the Public Works and Transportation department; \$174,076.40 is included in the 1991-92 and 1993-94 amended Capital budgets of the Water and Wastewater Utility; and \$1,725 was included in the 1997-98 operating budget of the Watershed Protection Department.) Low bid of three. 21.85% MBE, 11.69% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)

Resolution No. 980312-17 approved

Items 16 and 17 approved on Councilmember Slusher's motion, Councilmember Spelman's second, 7-0 vote.

18. Approve a resolution authorizing negotiation and execution of professional services agreements with the following engineering firms: FUGRO-MCCLELLAND (SOUTHWEST), INC., Austin, Texas; TERRA-MAR, INC., (MBE/MN), Austin, Texas; TRINITY ENGINEERING TESTING CORPORATION, Austin, Texas; HBC ENGINEERING, INC., Austin, Texas; RABA-KISTNER-BRYTEST CONSULTANTS, INC., Austin, Texas; JACK H. HOLT, Ph.D. & ASSOCIATES, INC., (WBE/FR), Austin, Texas; MAXIM TECHNOLOGIES, INC., Austin, Texas; INTEGRATED TESTING AND ENGINEERING COMPANY OF AUSTIN (MBE/MA), Austin, Texas, to provide professional geotechnical engineering services for street, drainage, building, electric, water, wastewater, solid waste, and park projects for a period of approximately two years, each agreement in an amount not to exceed \$1,500,000 with the total amount of the eight agreements not to exceed \$1,500,000 (estimated amount approximately \$187,500 per firm). (Funding is available in the budgets of individual Capital Improvement Program projects requiring geotechnical engineering investigations.) Best qualification statements of eight. FUGRO-MCCLELLAND (SOUTHWEST), INC: 8.6% MBE, 18.2% WBE Subconsultant participation. TERRA-MAR, INC.: 75% MBE Prime participation. 0% MBE, 25% WBE Subconsultant participation. TRINITY ENGINEERING TESTING CORPORATION: No M/WBE Subconsultant opportunities were identified. HBC

ENGINEERING, INC.: 8.6% MBE, 18.2% WBE Subconsultant participation. RABA-KISTNER-BRYTEST CONSULTANTS, INC.: 8.6% MBE, 18.2% WBE Subconsultant participation. JACK H. HOLT, Ph.D. & ASSOCIATES, INC.: 100% WBE Prime participation. No M/WBE Subconsultant opportunities were identified. MAXIM TECHNOLOGIES, INC.: 25% MBE, 20% WBE Subconsultant participation. INTEGRATED TESTING AND ENGINEERING COMPANY OF AUSTIN: 100% MBE Prime participation. No M/WBE Subconsultant opportunities were identified. (Recommended by Water and Wastewater Commission)

Resolution No. 980312-18 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

Health and Human Services

19. Approve a resolution authorizing negotiation and execution of one twelve month contract with PROJECT TRANSITIONS for housing assistance services for HIV clients through the U.S. Department of Housing and Urban Development (HUD) Housing Opportunities for Persons with AIDS (HOPWA) grant program, in an amount not to exceed \$145,000 from March 1, 1988 to February 28, 1999. (Funding is included in the Austin/Travis County Health and Human Services Department 1997-98 Special Revenue Fund.)
Resolution No. 980312-19 approved

Water and Wastewater

20. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement with Travis County for upgrading the proposed water and wastewater utilities necessary to provide service for the Gardener-Betts Juvenile Justice Center as part of the South Congress (Loop 275) Water and Wastewater Relocation Project, from Oltorf to Ben White Boulevard, in an amount not to exceed \$8,000. (Funding was included in the 1991-92 Capital budget of the Water and Wastewater Utility.) [Recommended by Water and Wastewater Commission]
Resolution No. 980312-20 approved
21. Approve a resolution authorizing execution of a construction contract with CHEROKEE CONSTRUCTION, INC., (MBE/MN), Austin, Texas, for construction of the Balcones Lift Station Wastewater Relief Main (Phases I and III-A), in the amount of \$855,647.45. (Funding was included in the 1991-92 and 1993-94 Capital budgets of the Water and Wastewater Utility.) Low bid of four. 71.58% MBE Prime participation. 0% MBE, 8.42% WBE Subcontractor participation. [Recommended by Water and Wastewater Commission]
Resolution No. 980312-21 approved

Watershed Protection

22. Approve a resolution authorizing execution of a construction contract with SALAS & MORALES, INC., (MBE/MH), Austin, Texas, for water line replacement, wastewater rehabilitation, and channel improvements on the Tannehill Branch of Boggy Creek at Martin Luther King, Jr. Boulevard, in the amount of \$138,161. (Funding in the amount of \$86,611 is

included in the 1996-97 amended Capital budget of the Watershed Protection Department; \$51,550 is included in the 1991-92 amended Capital budget of the Water and Wastewater Utility.) Low bid of six. 89.14% MBE Prime participation. 0% MBE, 10.86% WBE Subcontractor participation. [Recommended by Water and Wastewater Commission]
Resolution No. 980312-22 approved

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

Planning, Environmental, and Conservation Services

23. Approve a resolution authorizing an amendment to the contract with the Downtown Austin Alliance (DAA, formerly the Austin DMO, Inc.) for the Austin Downtown Public Improvement District to increase the annual contract in an amount not to exceed \$930,225 in 1998-99 and extend the term of the contract for an additional five years. (Funding in the amount of \$739,521 is available from 1998 assessments (at a 96% collection rate); \$36,717 from interest accrued in the Public Improvement District account; \$28,987 from unappropriated collections; \$100,000 City Annual Contribution (\$50,000 from Austin Convention Center Fund, and \$50,000 from the Water and Wastewater Utility Fund); and \$25,000 from Capital Metro Annual Contribution, and possible adjustment, and after the assessment roll hearing on December 11, 1997.)
Postponed for two weeks to March 26, 1998 on Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 5-0 vote, Councilmembers Goodman and Lewis off the dais.

Municipal Court

24. Approve a resolution authorizing an amendment to the service agreement with SILVIA KENIG, INC., Austin, Texas, for Spanish language interpreter services for the Municipal Court in the amount of \$15,000, for a total amount of \$145,774 with two extension options in an amount not to exceed \$52,364 per extension, for a total contract amount not to exceed \$437,322. (Funding in the amount of \$75,739 is available in the 1997-98 operating budget of the Municipal Court. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) No M/WBE Subcontracting opportunities were identified.
Resolution No. 980312-24 approved on Councilmember Spelman's motion, Councilmember Goodman's second, 7-0 vote.

Parks and Recreation

25. Approve a resolution authorizing revisions to Parks and Recreation Department's policy for parks concessions. (No fiscal impact.) [Recommended by Parks Board and Environmental Board]
Resolution No. 980312-25 approved

26. Amend Ordinance 970917-C, the 1997-98 fee ordinance, by establishing permit fees of \$50 per day for single day, temporary concession permits, and \$10 per day for performing artists in City-owned parks. (Estimated annual revenue is \$600.) [Recommended by Parks Board and Environmental Board]
Ordinance No. 980312-A approved

Emergency Medical Services

27. Approve an ordinance authorizing amendments to Section 6-3-82 of the City Code to delete the prohibition against sirens and emergency lights on non-emergency medical transfer vehicles, and to require that the holder of a non-emergency transfer franchise obtain prior approval from EMS Department before using such sirens or lights. (No fiscal impact.)
Ordinance No. 980312-B approved

Items 25 through 27 approved on Councilmember Spelman's motion, Councilmember Goodman's second, 7-0 vote.

City Clerk

28. Approve an ordinance ordering an election for May 2, 1998 on the question of increasing the hotel occupancy tax to pay for bonds issued to expand the Convention Center including the construction of tunnel improvements along Waller Creek and on propositions authorizing revenue bonds for acquisition of real property interests in the Barton Springs contributing and recharge zones to provide for the conservation and maintain the safety and quality of a part of the city's water supply and certificates of obligation for acquisition of land and design of Drainage Utility projects to provide erosion, flood, and water quality control in the Walnut Creek Watershed; authorizing the election to be held jointly with other political subdivisions; and other related election requirements. (Fiscal impact is \$334,625. Funding in the amount of \$175,000 is available from Interlocal Agreements with Austin Community College, Austin Independent School District, and Barton Springs/Edwards Aquifer Conservation District; \$49,484 is available in the 1997-98 Approved Water and Wastewater Operating Budget; \$7,502 is available in the 1997-98 approved Office of the City Clerk Operating Budget. A budget amendment will be required to appropriate the funds from the Interlocal agreement (\$175,000) and to appropriate expenditures for the Convention Center (\$102,639.)
Ordinance No. 980312-H approved on Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 6-0 vote, Councilmember Lewis off the dais.

Motion to reconsider on Mayor Pro Tem Garcia's motion, Mayor Watson's second, 6-0 vote, Councilmember Lewis off the dais.

Motion to approve with ordinance number stated above on Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 6-0 vote, Councilmember Lewis off the dais.

Development Review and Inspection

29. C14-97-0166 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 11301 Taylor Draper Lane, from "SF-2", Single Family Residence (standard lot) to "MF-2", Multifamily Residence (low density) with conditions. First reading on February 12, 1998; Vote 7-0. Conditions met as follows: Street deed has been executed. Applicant: Tom McKay. City Staff: Craig Alter, 499-2769.
Ordinance No. 980312-C approved

30. C14-96-0129 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 9704 Middle Fiskville Road, from "SF-2", Single Family Residence (standard lot) to "CS", General Commercial Services District zoning with conditions. First reading on March 20, 1997; Vote 7-0. Conditions met as follows: Street deed has been executed. Applicant: Saeed and Ezat Karimi. City Staff: Gregory Guernsey, 499-2387.
Ordinance No. 980312-D approved

Items 29 and 30 approved on Councilmember Spelman's motion, Councilmember Goodman's second, 7-0 vote.

31. C14-97-0079 - Approve third reading of an ordinance amending Chapter 13-2 of the Austin City Code by zoning property locally known as 7703 Bluff Springs Road, from "I-RR", Interim Rural Residence District to "MHCO" Mobile Home Residence-Conditional Overlay District zoning with conditions. First reading on November 20, 1997; Vote 4-2-1, Watson and Garcia voting "No" - Goodman abstained. Second reading on February 5, 1998; Vote 4-2, Griffith and Lewis voting "No" - Spelman off the dais. Applicant: Regency Village at Onion Creek (Kathleen Godwin); Agent: Bury & Pittman, Inc., (Jim Gallegos). City Staff: Joe Arriaga, 499-2308.

Motion to suspend rules to let each side speak for 15 minutes on Mayor Pro Tem Garcia's motion, Mayor Watson's second, 7-0 vote.

Motion to approve item as posted by Councilmember Goodman's motion, Councilmember Spelman's second,

Substitute motion to zone SF-2, with a minimum lot size of 8,000 square feet on Councilmember Griffith's motion, Councilmember Lewis' second, 2-5 vote, Mayor Watson, Mayor Pro Tem Garcia, Councilmembers Goodman, Slusher and Spelman voting "NO".

Substitute motion fails.

Ordinance No. 980312-G approved on main motion MH-CO only on Councilmember Goodman's motion, Councilmember Spelman's second, 6-0 vote, Councilmember Lewis off the dais.

32. Set a public hearing on an ordinance amending the Austin-Bergstrom International Airport

Compatible Land Use Zoning Ordinance to amend: The Table of Compatible Land Use Restrictions. (Suggested date and time: April 9, 1998 at 6:30 p.m.)

Approved

33. Set a public hearing on an ordinance amending Chapter 13-2 of the City Code to add Section 13-2-645, relating to setbacks for certain properties in a "RR" Rural Residence, "SF-1" Single Family Residence (Large Lot), "SF-2" Single Family Residence (Standard Lot), "SF-3" Family Residence, "SF-4A" Single Family Residence (Small Lot), "SF-4B" Single Family Residence (Condominium Site), "SF-5" Urban Family Residence, or "SF-6" Townhouse and Condominium Residence Zoning District.

Approved

Items 32 and 33 approved on Councilmember Spelman's motion, Councilmember Goodman's second, 7-0 vote.

ITEMS FROM COUNCIL

34. Adopt an ordinance revising membership requirements of the Central City Entertainment Center Board. (Mayor Pro Tem Garcia and Councilmember Willie Lewis)
Ordinance No. 980312-E approved on Councilmember Lewis' motion, Mayor Pro Tem Garcia's second, 7-0 vote.
35. Approve a resolution directing the Parks and Recreation Department to meet with the Old Enfield Neighborhood representatives and Eeyore's Birthday Party event organizers to coordinate this year's Eeyore's Birthday Party to be held at Pease Park on April 25, 1998; and approve the appointment of a working group representing various interests to discuss future Eeyore's birthday party events. (Councilmember Jackie Goodman)
Resolution No. 980312-35 approved as amended on Councilmember Goodman's motion, Councilmember Spelman's second, 4-2 vote, Mayor Pro Tem Garcia and Councilmember Griffith voting "NO", Mayor Watson off the dais.
36. Approve a resolution directing the City Manager to commit appropriate staff and funding resources to facilitate development of the South Congress Improvement Project and to seek support for that project through partnership commitments from other affected public agencies. (Councilmembers Jackie Goodman, Daryl Slusher, and Beverly Griffith)
Resolution No. 980312-36 approved on Councilmember Spelman's motion, Councilmember Goodman's second, 7-0 vote.
37. Approve a resolution directing the City Manager to negotiate a long-term lease of Palmer Auditorium with the Greater Austin Performance Arts Center, Inc. subject to appropriate covenants, restrictions and conditions. (Mayor Kirk Watson and Councilmembers William Spelman and Jackie Goodman)
Motion to approve with amendments by Mayor Pro Tem Garcia on Councilmember Goodman's motion, Mayor Pro Tem Garcia's second,

Friendly amendment by Councilmember Slusher that on page 2 item 3, that GAPAC demonstrate by May 31, 2000 adequate private funding and raise in full an amount to be determined by Council to pay for at least a portion of the cost for reconstructing or building a municipal facility to serve as a multipurpose center and then add that would at a minimum provide a comparable price location for uses such as those currently using Palmer Auditorium.

Friendly amendment accepted by maker and seconder.

Motion withdrawn

Motion to postpone for two weeks to March 26, 1998 on Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 4-3 vote, Mayor Watson, Councilmembers Goodman and Spelman voting "NO".

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

- 38 C14-97-0143 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 1001 Land Creek Cove from "SF-2", Single Family Residence (standard lot) to "LO", Limited Office. Planning Commission Recommendation: To Grant "LO-CO", Limited Office-Conditional Overlay District zoning with conditions. Applicant: Marion Wilson; Agent: Migrant Clinicians (Karen Mountain). City Staff: Ivan Naranjo, 499-2724.
Motion to close public hearing on Councilmember Goodman's motion, Councilmember Spelman's second, 7-0 vote.

Ordinance No. 980312-F approved on Councilmember Goodman's motion, Councilmember Spelman's second, 7-0 vote.

PUBLIC HEARINGS

39. 6:00 P.M. - Public hearing on the appeals of the Planning Commission's decision to approve a Conditional Use Permit with conditions for the proposed Dell Jewish Community Center, to be 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.)
Motion to modify process of public speakers to allow 40 minutes on each side on, Councilmember Spelman's motion, Councilmember Slusher's second, 6-0 vote, Councilmember Lewis off the dais.
Motion to close public hearing on Councilmember Griffith's motion, Mayor Pro Tem Garcia's second, 6-0 vote, Councilmember Lewis off the dais.

ACTION ON PUBLIC HEARINGS

40. Deny or grant the appeals of the Planning Commission's decision to approve a Conditional Use Permit with conditions for the proposed Dell Jewish Community Center, to be 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.
Motion to deny appeal on Councilmember Goodman's motion, Councilmember Spelman's second.

Motion withdrawn

Motion to table item for two weeks to March 26, 1998 with no additional testimony on Councilmember Spelman's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Lewis off the dais.

EXECUTIVE SESSION (No Public Discussion on These Items)

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

Private Consultation with Attorney - Section 551.071

41. Discuss legal issues relating to annexation.
42. Discuss L. S. Ranch, Ltd., and Circle C Land Corp. v. The City of Austin, Texas, Cause No. 97-1048, 207th Judicial District Court of Hays County, Texas.
43. Discuss IBC Partners, Ltd., et al. v. City of Austin, et al., Cause No. 97-05393, 53rd Judicial District of Travis County, Texas.
44. Discuss LULAC of Texas, et al. v. City of Austin, Texas, Cause No. A 97CA-908SS, United States District Court for the Western District of Texas.
45. Discuss The City of Austin, Texas v. Horse Thief Hollow Ranch, Ltd., et al., Cause No. 98-00248, 345th Judicial District Court of Travis County, Texas.
46. Discuss Roque Lira, III and Melissa Lira, Individually and As Next Friends of Roque Lira, IV, Their Minor Son vs. City of Austin, et al., Cause No. 93-07752, in the Travis County District Court, Texas.

47. Discuss W.W. Deerfield, Ltd. v. City of Austin, Cause No. 96-13413, Travis County District Court, Texas (litigation concerning application of land use and development regulations to a tract of land in the area subject to the SOS Save Our Springs Initiative Ordinance and the Court's ruling construing the Texas Open Meetings Act.)
48. Discuss Quick et al. vs. City of Austin, No. 96-1154, Texas Supreme Court

Real Property - Section 551.072

49. Discuss the acquisition of a water line easement and a temporary working space easement for the Ullrich Medium Service Transmission Main Project

Staff Briefing - Section 551.075

50. Staff briefing regarding clinical support services at Brackenridge Hospital.
51. Receive information from staff regarding selection and compensation of Municipal Court Judges.

Personnel Matters - Section 551.074

52. Discuss and evaluate candidates for Municipal Court Judge and appropriate compensation.

ACTION ON EXECUTIVE SESSION ITEMS

53. Approve appointment of Municipal Court Judges and establish their compensation.

Approved the appointment of the following Municipal Court Judges:

Celia Castro
Elizabeth Earle
Carrie Key
Evelyn McKee
Ronald Myerson
Mitchell Solomon
John Vasquez
Charles Wood

Penny Wilkov to serve as Presiding Judge. Sue Berkel, Jo Clifton and Beverly Landers are appointed as Relief Judges.

Compensation and benefits for the Judges shall be as follows:

A. Salary

Presiding Judge, \$2693 per pay period
Associate Judge, \$2308 per pay period
Relief Judge \$28.84 per hour

Benefits for Presiding and Associate Judges:

1. Participation in Employees Retirement System, with 7% City contribution;
2. Choice of medical and dental plans currently offered to City employees, with a City subsidy equivalent to that provided City employees;
3. \$20,000 group term life insurance;
4. Additional group term life insurance available for purchase;
5. Long term disability insurance available for purchase;
6. Eight hours sick leave accrual per month;
7. Eight hours vacation leave accrual per month;
8. Paid holidays as designated by the City Council on Councilmember Spelman's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

54. Approve the purchase of a water line easement (0.272 of an acre) and a temporary working space easement (0.147 and 0.021 of an acre) located in the YMCA Town Lake Subdivision, locally known as 1100 West Cesar Chives, from the Young Men's Christian Association of Austin, for the Ullrich Medium Service Transmission Main Project.
No action taken, will be brought back to Council.

55. Consider settlement proposal in Roque Lira, III and Melissa Lira, Individually and As Next Friends of Roque Lira, IV, Their Minor Son vs. City of Austin, et al., Cause No. 93-07752, in the Travis County District Court, Texas.
Motion to approve an amount not to exceed \$75,000 on Councilmember Slusher's motion, Councilmember Lewis' second, 6-0 vote, Mayor Watson off the dais.

56. APPOINTMENTS

Austin Community Education Consortium - DIANA NARANJO (MEXICAN AMERICAN BUSINESS REPRESENTATIVE, CONSENSUS)

Central City Entertainment Advisory Board - JAMES BARNES (CONSENSUS), VERONICA BRISENO (CONSENSUS), MICHAEL BRYANT (CONSENSUS), GWENDOLYN FOSTER (CONSENSUS), SUSAN MANNAS (CONSENSUS), TRINA ROBERTSON, CHARLES HENRY (NEIGHBORHOOD REPRESENTATIVE, CONSENSUS)

Child Care Council - DR. TIMY BARANOFF (REAPPOINTMENT, CONSENSUS), DR. JOAN BURNHAM (REAPPOINTMENT, COUNCILMEMBER GOODMAN), DR. LILA CARL (REAPPOINTMENT, CONSENSUS), YVETTE NAVA (REAPPOINTMENT, MAYOR PRO TEM GARCIA)

City of Austin Commission for Women - GLORIA CANTU (REAPPOINTMENT, MAYOR PRO TEM GARCIA)

Community Development Commission - ELVIA CASTRO (REAPPOINTMENT, MAYOR PR TEM GARCIA), HORACE CARRINGTON (REAPPOINTMENT, ROSEWOOD BLACKLAND NEIGHBORHOOD REPRESENTATIVE, CONSENSUS), KEVIN COLE (REAPPOINTMENT, MAYOR WATSON), CHRISTOPHER WILSON (REAPPOINTMENT, URBAN RENEWAL BOARD, MAYOR WATSON)

Downtown Commission - DANNY CROOKS (MUSIC COMMISSION REPRESENTATIVE, CONSENSUS), BEATRICE FINCHER (REAPPOINTMENT, WOMEN'S CHAMBER OF

COMMERCE REPRESENTATIVE, CONSENSUS), LINDA JOHNSTON (OLE' MEXICO REPRESENTATIVE, CONSENSUS)

Environmental Board - DONALD CARL MONEY (MAYOR WATSON)

Library Commission - ROLAND ORTIZ (MAYOR PRO TEM GARCIA)

MBE/WBE Advisory Committee - ERNEST PERALES (HISPANIC CHAMBER OF COMMERCE REPRESENTATIVE, CONSENSUS)

Solid Waste Advisory Commission - ALAN J. BORJORQUEZ (MAYOR PRO TEM GARCIA)

Urban Renewal Board - KEVIN COLE (REAPPOINTMENT, MAYOR WATSON), CHRISTOPHER WILSON (REAPPOINTMENT, MAYOR WATSON)

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

ADDENDUM

March 12, 1998

EXECUTIVE SESSION (No Public Discussion on These Items)

Private Consultation with Attorney - Section 551.071

57. Discuss The Summit at West Rim, Ltd., et al. v. The City of Austin, et al., Cause No. A97-CA-875-SS, United States District Court for Western District of Texas.

ACTION ON THE FOLLOWING

58. Consider settlement proposal in The Summit at West Rim, Ltd., et al. v. The City of Austin, et al., Cause No. 97-CA-875-SS, United States District Court for Western District of Texas.
Approve in an amount not to exceed \$275,000 on Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 6-0-1 vote, Councilmember Goodman "ABSTAINING".

Recessed at 2:26 p.m. to 3:00 p.m.

Motion to suspend rules to meet past 10:00 p.m. on Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 5-0 vote, Councilmembers Goodman and Lewis off the dais.

ADJOURNED at 1:00 a.m. on Councilmember Slusher's motion, Councilmember Spelman's second, 6-0 vote.

Approved on this the 26th day of March, 1998 on Councilmember Spelman's motion, Mayor Pro Tem Garcia's second, 4-0 vote, Councilmembers Goodman, Griffith and Lewis off the dais.