



# Austin City Council MINUTES

REGULAR MEETING  
THURSDAY, APRIL 16, 1998

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

1. Approval of Minutes for Regular Meetings of March 25 & 26, 1998 and April 8 & 9, 1998  
Minutes for March 26, 1998, April 8, 1998 and April 9, 1998 approved, minutes for March 25, 1998 postponed on Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 6-0 vote, Councilmember Lewis off the dais.

## CITIZEN COMMUNICATIONS: GENERAL

2. Greg Ericson, to discuss Texas Best Seminars.
3. Charles Nook Burg
4. Velma Roberts
5. Donnetta Mohammad
6. Gus Pena, to discuss community concerns, City issues, and health clinics.
7. Troy Joseph  
**Absent**
8. Horace Willis
9. Willis Earls  
**Absent**
10. Marita Heydon
11. Patrece Robinson

## READING OF CONSENT AGENDA

## READING OF DISCUSSION AGENDA

## CITIZEN COMMUNICATIONS: CONSENT AGENDA

## ACTION ON CONSENT AGENDA

## ITEMS CONTINUED FROM PREVIOUS MEETINGS

12. Approve a resolution authorizing 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 98% 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.)  
**Resolution No. 980416-12 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.**
  
13. Approve negotiation and execution of a twelve month contract with GOGGIO & ASSOCIATES, INC., San Francisco, California, to serve as interim project director and assist in implementation of the audit recommendations for the Health Department's Federally Qualified Health Center (FQHC) Clinics, in an amount not to exceed \$628,060, with two twelve month extension options in an amount not to exceed \$350,000 per extension, for a total contract amount not to exceed \$1,328,060. (Funding will be included in the 1997-98 Amended Operating budget of the Federally Qualified Health Center. Funding for the extension options is contingent upon available funding in future budgets.) Best proposal of seven. No M/WBE Subcontracting opportunities were identified. [Continued from April 9, 1998] (Recommended by Federally Qualified Health Center Board)  
**Approved**
  
14. Amend Ordinance 970917-A, the 1997-98 Operating budget of the Health and Human Services Department, by: 1) increasing revenue in the Health and Human Services Department Disproportionate Share Fund in the amount of \$911,465; 2) transferring \$628,060 from the Health and Human Services Department Disproportionate Share Fund to the Federally Qualified Health Center Fund; and increasing operating expenditures in the Federally Qualified Health Center Fund by \$628,060 to fund the first year of a management services contract for the Health and Human Services Department's primary care clinic system. (\$911,465 in additional revenue is anticipated in the Medicaid Disproportionate Share Fund due to an increase above the previously anticipated level in the State's Dispro payment to Brackenridge Hospital. Of this additional revenue, \$628,000 will be transferred to and appropriated from the Federally Qualified Health Center Fund.) [Continued from April 9, 1998]  
**Ordinance No. 980416-C approved**
  
15. Approve a resolution authorizing a Memorandum of Understanding among the City of Austin, Travis County, and the Federally Qualified Health Clinic (FQHC) Board, designating the proposed clinic management contractor as interim project director of the Federally Qualified Health Centers. [Continued from April 9, 1998]  
**Resolution No. 980416-15 approved**

16. Approve a resolution that sets forth policy guidelines to further define the scope for the proposed management team and to reaffirm the Council's commitment to provide health care for Austin's indigent and working poor. (Councilmembers William Spelman and Beverly Griffith)  
**Resolution No. 980416-16 approved**

Items 13 through 16 approved with friendly amendment on item 15: Under Exhibit B: Coordinating Committee members, add Ann Kitchen, community Medicaid/managed care expert, and Marianne Dwight, community FQHC expert and on item 16: Under "Be it further resolved," add 6. The coordinating Committee shall include, in addition to those named in the draft Memorandum of Understanding, Ann Kitchen, community Medicaid/managed care expert, and Marianne Dwight, community FQHC expert, on Councilmember Spelman's motion, Councilmember Slusher's second, 6-0 vote, Councilmember Griffith off the dais.

For the record Councilmember Griffith voting "YES" on items 13, 14, 15 and 16.

**Annexation (Items 17-26)**

17. Amend Ordinance 970917-A, 1997-98 Operating Budget of the Solid Waste Services Department, by increasing budgeted revenue by \$122,000 and budgeted expenditures by \$285,300 and decreasing the budgeted ending balance by \$163,300 to \$3,286,246, and authorizing an additional two full-time equivalents (FTEs) related to additional work associated with annexation, and four full-time equivalents related to the Brush Processing Center. [Continued from April 9, 1998]  
**Ordinance No. 980416-D approved**
18. Amend Ordinance No. 970917-A , the 1997-98 Operating Budget of the General Fund by: Increasing budgeted revenue to recognize annexation related revenue of \$5,378,041 from the following sources: Property tax (\$2,282,015), MUD Cash balances (\$3,000,958), and Interest income (\$95,068); Increasing budgeted expenditures by \$3,370,659 and Full-Time Equivalents (FTEs) as follows: Development Review and Inspection (\$47,694) and 4.0 FTEs, Police (\$1,556,353) and 19.0 non-sworn FTEs, Fire (\$289,428) and increasing sworn FTEs by 34.0 from 877 to 911 and increasing cadets by 10 FTEs, Emergency Medical Services (EMS) (\$619,273) and 13.0 FTEs, Public Works and Transportation (\$181,802) and 3.0 FTEs, Health and Human Services (\$191,384) and 4.0 FTEs, Parks and Recreation (\$484,725) and 5.0 FTEs; Increasing budgeted transfers by \$2,007,382 as follows: Capital Improvement Programs (\$1,739,069), Planning, Environmental and Conservation Fund (\$23,000), Support Services Fund (\$32,804) and Vehicle Acquisition Fund (\$212,509); and amending the related funds accordingly. (\$5,378,041 from annexation revenue.) [Continued from April 9, 1998]  
**Ordinance No. 980416-E approved**
19. Amend Ordinance 970917-A, the 1997-98 Operating budget of the Child Safety Fund by: 1) increasing the budgeted beginning balance by \$22,395 to reflect the audited ending balance for 1996-97; 2) increasing budgeted expenditures by \$22,395, related to additional workload associated with annexations. [Continued from April 9, 1998]  
**Ordinance No. 980416-F approved**

20. Amend Ordinance 970917-A, the 1997-98 Operating budget of the Transportation Fund by: 1) increasing Transportation Fee revenues by \$331,260; 2) increasing budgeted expenditures by \$331,260; 3) authorizing 11 additional full-time equivalent employees (FTEs), related to additional workload associated with annexations. [Continued from April 9, 1998]  
**Ordinance No. 980416-G approved**
21. Amend Ordinance 970915-A, the 1997-98 Capital budget of the Watershed Protection Department by appropriating: 1) \$610,000 for capital equipment and creating a new project known as Capital Equipment Additions for annexed areas; and 2) \$100,000 for drainage system evaluation capital facility needs assessments related to annexation. [Continued from April 9, 1998]  
**Ordinance No. 980416-H approved**
22. Amend Ordinance 970917-A, the 1997-98 Operating budget of the Watershed Protection Department by: 1) appropriating Municipal Utility Districts cash balances of \$439,041; 2) increasing Drainage Fee revenues by \$405,232; 3) increasing budgeted expenditures of the Stormwater Management Division by \$438,612; 4) increasing budgeted expenditures of the Environmental Resources Division by \$26,167; 5) increasing the budgeted ending balance by \$379,494; and 6) authorizing 10 additional full time equivalent employees (FTEs), related to additional contractual obligations and workload associated with annexations. [Continued from April 9, 1998]  
**Ordinance No. 980416-I approved**
23. Amend Ordinance 970915-A, the 1997-98 Capital Improvement Budget of the Parks Department by creating two new projects and by appropriating \$160,000 to the Southland Oaks Parks Improvements and \$650,000 to the Tanglewood Park Project to be funded by available Municipal Utility District cash of the Southland Oaks MUD and tax receipts of the Northwest Travis County MUD #1 as part of the annexation plan effective on January 1, 1998. [Continued from April 9, 1998]  
**Ordinance No. 980416-J approved**
24. Amend Ordinance 970915-C to create thirty-four additional firefighter positions. (Funding in the amount of \$439,428 is available from annexation revenues. [Continued from April 9, 1998]  
**Ordinance No. 980416-K approved**
25. Amend Ordinance 970917-A, amending the General Obligation Debt Service Fund, increasing budgeted revenue to recognize annexation related revenue for debt service associated with the drainage portion of bonded indebtedness from annexed Municipal Utility District by \$545,764, and increasing debt service requirements by \$545,764. (Funding is available from property tax collections in the recently annexed areas.) [Continued from April 9, 1998]  
**Ordinance No. 980416-L approved**
26. Amend Ordinance No. 970917-A, the 1997-98 Operating Budget, by transferring \$700,000 from the General Fund Contingency Reserve, transferring \$700,000 to the Support Services Fund and increasing the appropriation for the Law Department by \$700,000 to fund costs associated with outside counsel fees. [Continued from April 9, 1998]  
**Ordinance No. 980416-M approved**

## Water and Wastewater

27. Amend Ordinance 970915-A, the 1997-98 Capital Improvements Budget, by increasing appropriations for the Water and Wastewater Utility's capital budget by \$23,500,000 to provide capital improvements in the areas included in the annexation plan effective January 1, 1998. (Total appropriation increase for Water Utility's Capital Improvements Fund 3960 in the amount of \$6,000,000 and appropriation increase for Wastewater Utility's Capital Improvement Fund 4570 in the amount of \$20,000,000 to be funded by commercial paper and subsequently converted to revenue bonds.) [Recommended by Water and Wastewater Commission]  
**Ordinance No. 980416-N approved**
28. Amend Ordinance 970917-A, the 1997-98 Operating Budget, by increasing the budgeted beginning balance of the Water and Wastewater Utility by \$5,403,571 to recognize the audited beginning balance of \$44,609,126, increasing the budgeted revenues by \$1,464,804 and the budgeted requirements by \$4,846,641 to reflect the effect of annexations, authorize the addition of eleven new full time equivalent positions (FTEs), and increase the budgeted ending balance by \$2,021,734, for total budgeted ending balance of \$21,432,153. [Recommended by Water and Wastewater Commission]  
**Ordinance No. 980416-O approved**

Items 17 through 28 approved on Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 6-0 vote, Councilmember Griffith off the dais.

For the record Councilmember Griffith voting "YES" on items 17 through 28.

29. Approve a resolution authorizing execution of a contract with DATASTREAM, INC., Greenville, South Carolina, for the purchase of the MCS-II Plant Maintenance Management System software upgrade with Year 2000 solution for the Water and Wastewater Utility, in the amount of \$67,250. (Funding was included in the 1997-98 Amended Capital budget of the Water and Wastewater Utility.) Sole source. No M/WBE Subcontracting opportunities were identified. [Recommended by Water and Wastewater Commission]  
**Resolution No. 980416-29 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.**

## Police

30. Approve a resolution authorizing negotiation and execution of a three year lease renewal with GLENN AND BRITTA M. HERZOG for horse stable facilities located at 8011 Boyce Lane for use by the Police Department's Mounted Patrol, in the amount of \$1,500 for the first two months and \$1,904.41 for each month thereafter, for a total amount of \$67,749.94. (Funding in the amount of \$8,713.23 is available in the 1997-98 operating budget of the Police Department. Funding for the remainder of the lease is contingent upon available funding in future budgets.)  
**Resolution No. 980416-30 approved**

31. Approve amendment of a service agreement with BOOTH RESEARCH GROUP, INC., 12689 Antelope Trail, Parker, CO 80138, to add development and administration of assessment centers for the ranks of Police Lieutenant and Police Commander in an amount not to exceed \$29,500 for a total contract amount not to exceed \$59,500. Reference RFP MO973000184/Contract No. S970392. (Funding in the amount of \$29,500 is available in the 1997-98 Police Department Operating Budget.) No M/WBE Subcontracting opportunities were identified.  
**Approved**

### Library

32. Approve a resolution authorizing execution of Change Order #8 to the construction contract with JORDAN-WHITFIELD, INC., Austin, Texas, for replacement of the existing canopy columns and footings as part of the renovation of the Ralph W. Yarborough Branch Library located at 2200 Hancock Drive increasing the contract in the amount of \$6,738, for a total contract amount not to exceed \$1,379,974. (Funding was included in the 1996-97 Capital budget of the Library Department.) No M/WBE Subcontracting opportunities were identified.  
**Resolution No. 980416-32 approved**

### Information Systems

33. Amend Ordinance 970915-A, by amending the 1997-98 Capital budget of the Information System Office, increasing the appropriations by \$65,129 for the 9-1-1 RDMT Project, Mobile Data Communications and Automatic Vehicle Location Systems Initiative. (Funding is available from various local governmental agencies in accordance with the Interlocal Agreement between the City of Austin and those participating entities in the regional 9-1-1 RDMT Coalition.) [Recommended by Planning Commission and Council Telecommunications Infrastructure Subcommittee]  
**Ordinance No. 980416-A approved**
34. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement between the City and the following governmental entities: Travis County, City of Pflugerville, Austin Independent School District, City of West Lake Hills, Capital Metropolitan Transportation Authority, and the Texas Department of Transportation for Phase II of an integrated regional emergency communication system to include Mobile Data Communications and Automatic Vehicle Location systems for the Austin-Travis County area, in the amount of \$177,872. (Funding in the amount of \$112,743 was included in the 1997-98 Amended Capital budget of the Information Systems Office; \$65, 129 is available from the participating governmental entities.) [Recommended by Council Telecommunications Infrastructure Subcommittee]  
**Resolution No. 980416-34 approved**
35. Approve a resolution authorizing negotiation and execution of Amendment #4 to the Professional Services Agreement with RCC CONSULTANTS, INC., Houston, Texas, to provide Phase II detail system design, FCC licensing, Request for Proposal (RFP) preparation and evaluation for a Mobile Data Communications and Automatic Vehicle Location System, in an amount not to exceed \$177,872, for a total agreement amount not to exceed \$681,239. (Funding was included in the 1997-98 amended Capital Budget of the Information Systems Office.) [Recommended by Planning

Commission and Council Telecommunications Infrastructure Subcommittee] 10% MBE, 4% WBE Subconsultant participation.

**Resolution No. 980416-35 approved**

36. Amend Ordinance 970915-A, the 1997-98 Capital Budget of the Information Systems Office, by increasing the appropriations by \$57,300 for the 9-1-1 RDMT Regional Emergency Communications and Transportation Management Center Initiative. (Funding is available from Travis County, Capital Metropolitan Transit Authority and the Texas Department of Transportation.)  
**Ordinance No. 980416-B approved**

37. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement between the City and the following governmental entities: Travis County, Capital Metropolitan Transit Authority and the Texas Department of Transportation for a professional services agreement for Phase I of an integrated regional emergency communications and transportation management center for the Austin and Travis County area, in the amount of \$300,000. (Funding in the amount of \$242,700 was included in the 1996-97 Capital budget of the Information Systems Office; \$57,000 is available from the participating governmental entities.) [Recommended by Council Telecommunications Infrastructure Subcommittee]

**Resolution No. 980416-37 approved**

38. Approve a resolution authorizing negotiation and execution of a Professional Services Agreement with the RONALD VEGEMAST ENGINEERING, INC., Minneapolis, Minnesota, to provide a Phase I Comprehensive needs analysis for a Regional Emergency Communications and Transportation Management Center, in an amount not to exceed \$280,000. (Funding was included in the 1997-98 Amended Capital budget of the Information Systems Office.) Best qualification statement of eight. 8.6% MBE, 18.2% WBE Subconsultant participation. [Recommended by Council Telecommunications Infrastructure Subcommittee]

**Resolution No. 980416-38 approved**

39. Approve a resolution authorizing negotiation and execution of a four month contract with STAFFWARE, INC., Austin, Texas, to assess and analyze the Year 2000 compliance status on the Police Department's mainframe applications and to propose solutions to meet the City's Year 2000 deadline and standards, in an amount not to exceed \$166,000 with an options to remediate the code to be fully year 2000 compliant in an amount not to exceed \$550,000, for a total contract not to exceed \$716,000. (Funding was included in the 1997-98 Capital budget of the Information Systems Office.) Best proposal of seven. 15% MBE, 15% WBE Subcontractor participation.

**Resolution No. 980416-39 approved**

#### Planning, Environmental and Conservation Services

40. Approve a resolution authorizing execution of a twelve month supply agreement with DEUTCHMAN PLUMBING, Austin, Texas, for the purchase of ultra-low flow toilets for City water customers for the Ultra Low Flow Outreach Program, in an amount not to exceed \$494,000 with three twelve month extension options in an amount not to exceed \$494,000 per extension, for a total contract amount not to exceed \$1,976,000. (Funding in the amount of \$247,000 was included

in the 1997-98 operating budget of the Rebate and Incentive Fund for the Planning, Environmental and Conservation Services Department.) Single bid. No M/WBE Subcontracting opportunities were identified.

**Resolution No. 980416-40 approved**

41. Set a public hearing for the limited purpose annexation of the Del Valle area. (Suggested dates and times: May 12, 1998 at 7:00 p.m. at South Rural Community Center, Located at 3518 FM 973 South.)  
**Approved**

#### Finance and Administrative Services

42. Approve a resolution authorizing ratification of a contract with HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS Cooperative Purchasing Program, Houston, Texas, for purchase of ten police sedans, in the amount of \$212,509.30. (Funding is available in the 1997-98 Vehicle Acquisition Fund.)  
**Resolution No. 980416-42 approved**

#### Human Resources

43. Approve a resolution authorizing an amendment to the Personnel Policies to establish the Serious Injury Supplement (SIS), in the estimated amount of \$117,000. (Funding is available in the 1997-98 operating budgets of various City departments.)  
**Resolution No. 980416-43 approved**

#### Emergency Medical Services

44. Set a public hearing regarding the application submitted to the Emergency Medical Services Department by American Medical Response of Texas, Inc., for non-emergency medical transfer franchise under Chapter 6-3 of the City Code. (Suggested date and time: May 7, 1998 at 6:00 p.m.)  
**Approved**

Items 30 through 44 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

#### Development Review

45. Approve an ordinance establishing specific development regulations to authorize platting and building extensions to Hillside Terrace and Ruxton Lane and eleven lots on approximately 2.5 acres of land in the Circle C North subdivision, establishing Interim SF-2 zoning for the 2.5 acres, and superseding all inconsistent city regulations including without limitation the SOS "Save Our Springs" water quality regulations, in recognition of the health, safety, and convenience needs of children and families of children who will attend Dan Mills Elementary School.  
**Ordinance No. 980416-P approved emergency passage**



46. C14-97-0158 (Tracts 1-36, 40, 43 and 44) - Approve third reading of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as approx. 3300' along the west side of Mopac expressway south (Loop 1), approx. 200' north from its intersection of Slaughter Lane West; and approx. 1000' along the South Side of Convict Hill Road, west from its intersection with Beckett Road, previously known as Village of Western Oaks Municipal Utility District, from "I-RR", Interim Rural Residence and "I-SF-2", Interim Single Family Residence (standard lot) to "RR-CO", Rural Residence-Conditional Overlay District; "SF-2", Single Family Residence (standard lot) District; "SF-4A", Single Family Residence (small lot) District; "SF-6-CO", Townhouse and Condominium Residence-Conditional Overlay District; "MF-1-CO", Multifamily Residence (limited density)-Conditional Overlay District; "LO-CO" Limited Office-Conditional Overlay District; "LR-CO", Neighborhood Commercial-Conditional Overlay District; "GR-CO", Community Commercial-Conditional Overlay District; and "P-CO", Public-Conditional Overlay District zoning with conditions. First reading on March 26, 1998; Vote 6-0 with Spelman off the dais. Second reading on April 9, 1998; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at second reading. Applicant: City of Austin. Agent: Development Review and Inspection Department. City Staff: Greg Guernsey, 499-2387.  
**Ordinance No. 980416-Q approved**
47. C14-97-0158 (Tracts 37, 38, 39, 41 and 42) ? Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as approx. 3300' along the west side of Mopac expressway south (Loop 1), approx. 200' north from its intersection of Slaughter Lane West; and approx. 1000' along the South Side of Convict Hill Road, west from its intersection with Beckett Road, previously known as Village of Western Oaks Municipal Utility District, from "I-RR", Interim Rural Residence and "I-SF-2", Interim Single Family Residence (standard lot) to "SF-2", Single Family Residence (standard lot) District; "SF-6-CO", Townhouse and Condominium Residence-Conditional Overlay District; "P-CO" Public-Conditional Overlay District zoning with conditions. First reading on April 9, 1998; Vote 6-0 with Spelman off the dais. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: City of Austin. Agent: Development Review and Inspection Department. City Staff: Greg Guernsey, 499-2387.  
**Ordinance No. 980416-R approved**

Items 45 through 47 approved on Councilmember Spelman's motion, Councilmember Lewis' second, 7-0 vote.

#### ITEMS FROM COUNCIL

48. Approve the creation of a Joint City/County Subcommittee to review matters of mutual interest and approve appointment of two Councilmembers to serve on the subcommittee. (Councilmember Jackie Goodman)  
**Approved on Councilmember Goodman's motion, Councilmember Griffith's second, 7-0 vote.**
49. Approve a resolution directing the City Manager to convene a community design workshop on

Lamar Bridge pedestrian/bicycle improvements, to present the workshop results to council for approval, and to order engineering of the approved design. (Councilmembers Daryl Slusher and Beverly Griffith, Mayor Pro Tem Gus Garcia)

**Resolution No. 980416-49 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.**

50. Direct the City Manager to analyze and present a plan to allocate appropriate police resources for the enforcement of public order and public nuisance misdemeanor violations in the downtown and Guadalupe Street area. (Mayor Kirk Watson and Councilmember Willie Lewis)

**Approved**

51. Approve a resolution supporting the Self-Sufficiency and Responsibility Stakeholder's Oversight Committee in providing guidance to the Coordinating Council regarding the development and operation of the proposed Shelter and Resource Center for the Homeless. (Mayor Kirk Watson and Councilmember Beverly Griffith)

**Resolution No. 980416-51 approved**

52. Direct the City Manager to analyze the feasibility of the implementation and operation of a Community Court System and provide recommendations within 45 days. (Councilmembers Beverly Griffith, Daryl Slusher and Willie Lewis)

**Approved**

**Items 50 through 52 approved on Councilmember Lewis' motion, Councilmember Slusher's second, 7-0 vote.**

53. Direct the City Manager to evaluate the Day Labor Task Force Report and develop a recommendation for an implementation plan within 45 days. (Mayor Kirk Watson and Councilmembers Beverly Griffith and Daryl Slusher)

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

54. Direct the City Manager to analyze and develop alternatives for zoning overlays in the Central Business District and explore the possibility of offering incentives to appropriate businesses and other uses to locate in the vicinity of proposed services for the homeless to encourage development and reduce negative impact on businesses or property values (Mayor Kirk Watson and Councilmember Beverly Griffith and Daryl Slusher)

**Approved**

55. Direct the City Manager to review issues regarding the sentencing of individuals for repeat convictions of numerous Class C misdemeanor offenses and an enhancement of the penalty for habitual offenders and develop a program of proposed amendments to state law for the 1999 legislative session. (Mayor Kirk Watson and Councilmembers Beverly Griffith and Daryl Slusher)

**Approved with a friendly amendment by Councilmember Spelman to add:**

**Whereas, the Center for Criminal Justice at the University of Texas report addressing public order**

offenses in Austin Recommends increased enforcement through the Municipal Court's use of more severe sentences that are actually carries out, and

Whereas, other cities have successfully modified criminal sanctions in order to provide a lever to encourage habitual public order offenders to enroll in treatment programs and take advantage of social service programs, not therefore

Add to be it resolved:

Be it further resolved that the City Manager is directed to study the experience of other cities that have applied similar statutes and to begin immediately to review the capacity of the social service network to meet the increased demand resulting from the application of such a statute.

Items 54 and 55 approved on Councilmember Griffith's motion, Councilmember Slusher's second,

Friendly amendment on item 55 accepted by maker and seconder, 7-0 vote.

56. Approve a resolution supporting the further development and implementation of the proposed Homeless Self-Sufficiency and Responsibility Plan. (Mayor Kirk Watson and Councilmembers Beverly Griffith and Willie Lewis)  
Resolution No. 980416-56 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

#### PUBLIC HEARINGS

57. 6:00 P.M. - Public hearing on an ordinance granting a non-emergency medical transport franchise for Guardian Services, Inc. (Recommended by the Quality Assurance Team and the Urban Transportation Commission)  
Motion to close public hearing on Councilmember Spelman's motion, Councilmember Slusher's second, 6-0 vote, Councilmember Griffith off the dais.
58. 7:00 P.M. - Public hearing on an ordinance to amend the Land Development Code to define and establish regulations for adult health clubs, adult physical fitness studios and adult spas.  
Motion to close public hearing on Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 5-0 vote, Councilmember Goodman and Griffith off the dais.

#### ACTION ON PUBLIC HEARINGS

59. Approve first reading of an ordinance granting a non-emergency medical transport franchise for Guardian Services, Inc. (Recommended by Quality Assurance Team and Urban Transportation Commission)  
Approved first reading only on Councilmember Slusher's motion, Councilmember Spelman's second, 6-0 vote, Councilmember Griffith off the dais.

60. Approve an ordinance to amend the Land Development Code to define and establish regulations for adult health clubs, adult physical fitness studios and adult spas. (No fiscal impact.)  
[Recommended by Planning Commission]  
**Motion to deny item as posted on Councilmember Spelman's motion, Councilmember Lewis' second, 6-0 vote, Councilmember Griffith off the dais.**

For the record Councilmember Griffith voting "YES" to deny item as posted.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held at 12:15 p.m. to 1:37 p.m.

Executive session held at 5:05 p.m. to 6:25 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

61. Discuss issues relating to annexation.

Real Estate ? Section 551.072

62. Discuss negotiations with the airlines for lease agreements at Austin Bergstrom-International Airport.

**ADDENDUM**

**April 6, 1998**

**LAW DEPARTMENT**

63. Approve consent to the issuance of revenue bonds by Danforth Health Facilities Corporation, a health facilities development corporation created by the City of Texas City to purchase, improve, and renovate a health care facility in the City of Austin.  
**Approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 6-0 vote, Councilmember Lewis voting "NO".**

**ITEM FROM COUNCIL**

64. Approve a resolution opposing dissolution of the Barton Springs Edwards Aquifer Conservation

District. (Councilmember Daryl Slusher, Mayor Kirk Watson, and Mayor Pro Tem Gus Garcia)  
Approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 6-0 vote,  
Councilmember Lewis voting "NO".

NOTE: The above items will be considered under their respective category, but follow the last  
number on the Austin, Texas, City Council Agenda for April 16, 1998.

ADJOURNED at 7:48 p.m.

Approved on this the 7<sup>th</sup> day of May, 1998, minutes for Worksession of March 25, 1998, April 15, 1998;  
April 29, 1998; and Regular Meeting of April 16, 1998. Minutes for Regular Meeting of April 30, 1998 and  
Special Called Meeting April 22, 1998, postponed on Councilmember Spelman's motion, Councilmember  
Slusher's second, 6-0 vote, Mayor Watson absent.