



Austin City Council MINUTES

REGULAR MEETING
THURSDAY, MAY 21, 1998

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

1. Approval of Minutes for Meetings of April 22 & 30, May 12, 13 & 14, 1998.
Approved the Minutes for Regular Meeting of April 30, 1998, Special Called Meeting of May 12, 1998, Worksession of May 13, 1998 and Regular Meeting of May 14, 1998, Special Called Meeting of April 22, 1998 postponed on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 5-0 vote, Councilmembers Goodman and Spelman off the dais.

CITIZEN COMMUNICATIONS: GENERAL

2. Jennifer L. Gale, recall '98: Implementation.
Absent
3. Gus Pena, to discuss Health clinics and the budget process.
4. Phil Arnold, concern over City land acquisitions.
5. Charlotte Wilson, TLAC
6. E. J. White, TLAC
7. Margaret Riede, Animal Shelter
8. Pamela Schlumpberger, Town Lake Animal Shelter
9. Mike Murillo, Special Charitable Event ? Austin Tug-of-Honor

READING OF CONSENT AGENDA

READING OF DISCUSSION AGENDA

CITIZEN COMMUNICATIONS: CONSENT AGENDA

ACTION ON CONSENT AGENDA

ITEMS CONTINUED FROM PREVIOUS MEETINGS

10. Approve a resolution authorizing the City Manager to send Water and Wastewater representatives to assist our Sister City Saltillo as per their request. (Mayor Pro Tem Gus Garcia, Councilmember Beverly Griffith, and Mayor Kirk Watson)
Resolution No. 980521-10 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

Aviation

11. Approve a resolution authorizing the acceptance of a Deed Without Warranty for 58.146 acres of land out of the Santiago Del Valle Ten League Grant, Abstract No. 24, Travis County, Texas from the Air Force Base Conversion Agency for the Austin-Bergstrom International Airport. (No fiscal impact.)
Resolution No. 980521-11 approved on Councilmember Lewis' motion, Councilmember Slusher's second, 7-0 vote.

Housing

12. Approve a resolution rescinding a portion of an award of a \$300,000 grant of Community Development Block Grant (CDBG) funds to Austin Revitalization Authority (ARA) for the restoration of Shorty's Bar located at 1101 East 11th Street and authorize ARA to utilize the remaining funds for acquisition and restoration of historic properties within the East 11th and 12th Streets redevelopment area. (\$294,235.22 is available in the 1996-97 operating budget Special Revenue fund of the Neighborhood Housing and Community Development Office, 21st Year Community Development Block Grant East 11th and 12th Street Redevelopment Program.)
Resolution No. 980521-12 approved on Councilmember Lewis' motion, Councilmember Griffith's second, 7-0 vote.
13. Approve a resolution authorizing negotiation and execution of a twelve month service agreement with THE BUCK GROUP, Helotes, Texas, to provide housing accessibility compliance monitoring services, in an amount not to exceed \$60,000 with four twelve month extension options in an amount not to exceed \$60,000 per extension, for a total contract not to exceed \$300,000. (Funding is available from the 1997-98 Community Development Block Grant Administration Budget of the Neighborhood Housing and Community Development Office. Funding for the extension options is contingent upon available funding in future budgets.) Best proposal of six. No M/WBE Subcontracting opportunities were identified.
Postponed

Public Works

14. Approve an ordinance amending the Austin City Code by modifying the Basic Traffic Ordinance, Section 16-4-4 (D), Speed Limits, for the installation of a 20 mph Reduced Speed School Zone on Corpus Christi Drive, for the protection of students attending Jollyville Elementary School. (Funding in the amount of \$9,500 for the installation of signs, markings, and flashing beacon is available in the 1997-98 operating budget of the Child Safety Fund.)
Ordinance No. 980521-A approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

15. Amend Ordinance 970915-A, the 1997-98 Capital Budget of the Public Works and Transportation Department, creating a new project U.S. Highway 183 North/FM 620-City Limits and appropriating \$2,000,000 for cost participation with the Texas Department of Transportation for land acquisition. (Funding to be reimbursed from proceeds of long-term debt issuance.)
SEE ITEM 17 FOR ACTION TAKEN

16. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement with the TEXAS DEPARTMENT OF TRANSPORTATION for land acquisition cost participation for U.S. Highway 183 North/FM 620 to the City Limits, in the amount of \$2,000,000. (Funding to be reimbursed from proceeds of long-term debt issuance.)
SEE ITEM 17 FOR ACTION TAKEN

17. Approve a resolution authorizing official intent to reimburse eligible costs related to cost participation with the TEXAS DEPARTMENT OF TRANSPORTATION for land acquisition for U.S. Highway 183 North/FM 620 to the City Limits, in the amount of \$2,000,000. (Funding is available through the issuance of long-term debt to be sold in September, 1998.)
Motion to table items 15, 16 and 17 until consideration of bonds is taken on Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 7-0 vote.

18. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement with AUSTIN INDEPENDENT SCHOOL DISTRICT for the construction of Rutherford Lane from 300 feet west of Furness Drive to Cameron Road, in the amount of \$1,099,000. (Funding is available in the 1991-92 Capital budget of the Public Works and Transportation Department.)
Resolution No. 980521-18 approved on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.

19. Amend Ordinance 970917-A, amending the 1997-98 operating budget of the Public Works and Transportation Capital Projects Management Fund by: 1) decreasing the budgeted beginning balance by \$408,677 to recognize the audited beginning balance of (\$55,632); 2) increasing budgeted revenue from CIP projects charges by \$65,894; 3) increasing budgeted Real Estate revenue by \$306,000; 4) increasing budgeted expenditures by \$65,894; 5) authorizing three additional full-time equivalent employees, related to additional workload associated with Water

and Wastewater Treatment Plant inspections; 6) increasing budgeted expenditures by \$151,668 related to additional work associated with special projects; and 7) decreasing the budgeted ending balance by \$254,345 to reflect the change in beginning balance as well as review and expenditure charges. (\$65,894 is available from revenues associated with providing inspection services on Water and Wastewater CIP projects; \$151,668 is available from revenue from land sales of city-owned property processed by the Real Estate Services Division.)

Ordinance No. 980521-B approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

20. Approve a resolution authorizing execution of a contract with EAGLE TRAFFIC CONTROL SYSTEMS, INC., Austin, Texas, to purchase twenty traffic controller units to upgrade the computerized traffic signal system, in an amount not to exceed \$77,900 with an option to purchase an additional twenty units within six months in an amount not to exceed \$77,900, for a total contract amount not to exceed \$155,800. (Funding was included in the 1996-97 Capital budget of the Public Works and Transportation Department. Funding for the extension options is contingent upon available funding in future budgets.) Low bid of three. No M/WBE Subcontracting opportunities were identified.

Resolution No. 980521-20 approved on Councilmember Slusher's motion, Councilmember Spelman's second, 7-0 vote.

21. Approve a resolution authorizing execution of a construction contract with AUSTIN FILTER SYSTEMS, INC., Austin, Texas, for construction of curb ramps and sidewalks within the Montopolis Neighborhood, in the amount of \$94,265. (Funding is available in the 1996-97 Amended Capital budget of the Public Works and Transportation Department.) Low bid of seven. 15.05% MBE, 7.62% WBE Subcontractor participation.

Resolution No. 980521-21 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

22. Approve a resolution authorizing execution of a construction contract with CYPRESS CONSTRUCTION COMPANY, Johnson City, Texas, for concrete traffic barrier improvements on the Longhorn Dam Bridge located on South Pleasant Valley Road, in the amount of \$103,290. (Funding in the amount of \$89,932 was included in the 1991-92 Amended Capital budget and \$13,358 was included in the 1997-98 Amended Capital budget of the Public Works and Transportation Department.) Low bid of three. 24% MBE, 11.3% WBE Subcontractor participation.

Resolution No. 980521-22 approved on Councilmember Lewis' motion, Mayor Pro Tem Garcia's second, 7-0 vote.

23. Approve a resolution authorizing execution of a construction contract with CYPRESS CONSTRUCTION COMPANY, Johnson City, Texas, for construction of sidewalks and pedestrian ramps on Rutherford Lane from Furness Drive to Grayledge Drive, in the amount of \$61,954. (Funding was included in the 1991-92 Capital budget of the Public Works and Transportation Department.) Low bid of four. 24.4% MBE, 8.9% WBE Subcontractor participation.

Resolution No. 980521-23 approved

24. Approve a resolution authorizing the filing of eminent domain proceedings in the event negotiations are unsuccessful for the fee simple acquisition of 0.704 acres of land out of Lot 1, Parmer North Section One, a subdivision in Travis County, Texas, owned by State Street Bank and Trust Company of Connecticut, NA, as Trustee of the DCC Facilities 1997 Trust for the Howard Lane Project. (Amount based on the approved appraised value and available in the 1997-98 Amended Capital Budget of the Public Works and Transportation Department.)

Resolution No. 980521-24 approved

25. Approve a resolution authorizing the filing of eminent domain proceedings in the event negotiations are unsuccessful for the fee simple acquisition of 0.346 acres of land, out of the L. C. Cunningham Survey No. 68 in Travis County, Texas, owned by Robertson-Finley Operating Company for the Howard Lane Project. (Amount based on the approved appraised value and available in the 1997-98 Amended Capital Budget of the Public Works and Transportation Department.)

Resolution No. 980521-24 approved

26. Approve a resolution authorizing the filing of eminent domain proceedings in the event negotiations are unsuccessful for the fee simple acquisition of 0.390 acres of land out of the L. C. Cunningham Survey No. 68 in Travis County, Texas, owned by Pfluger Family Limited Partnership for the Howard Lane Project. (Amount based on the approved appraised value and available in the 1997-98 Amended Capital Budget of the Public Works and Transportation Department.)

Resolution No. 980521-26 approved

27. Approve a resolution authorizing the filing of eminent domain proceedings in the event negotiations are unsuccessful for the fee simple acquisition of 0.393 acres of land out of Lot 2; 0.061 acres of land out of Lot 3; 0.061 acres of land out of Lot 4; and 0.064 acres of land out of Lot 5 of Route Subdivision, a subdivision in Travis County, Texas, owned by Howard Route Center, Ltd. for the Howard Lane Project. (Amount based on the approved appraised value and available in the 1997-98 Amended Capital Budget of the Public Works and Transportation Department.)

Resolution No. 980521-27 approved

28. Approve a resolution authorizing the filing of eminent domain proceedings in the event negotiations are unsuccessful for the fee simple acquisition of 0.084 acres of land out of Lot 1, of Route Subdivision, a subdivision in Travis County, Texas, owned by MLR Joint Venture for the Howard Lane Project. (Amount based on the approved appraised value and available in the 1997-98 Amended Capital Budget of the Public Works and Transportation Department.)

Resolution No. 980521-28 approved

29. Approve a resolution authorizing the filing of eminent domain proceedings in the event negotiations are unsuccessful for the fee simple acquisition of 1.270 acres of land out of the L. C. Cunningham Survey No. 68 in Travis County, Texas, owned by SVW Harris Ridge Limited

Partnership for the Howard Lane Project. (Amount based on the approved appraised value and available in the 1997-98 Amended Capital Budget of the Public Works and Transportation Department.)

Resolution No. 980521-29 approved

30. Approve a resolution authorizing the filing of eminent domain proceedings in the event negotiations are unsuccessful for the fee simple acquisition of 2.392 acres of land out of the L. C. Cunningham Survey No. 68 in Travis County, Texas, owned by Dessau Partnership, LTD for the Howard Lane Project. (Amount based on the approved appraised value and available in the 1997-98 Amended Capital Budget of the Public Works and Transportation Department.)

Resolution No. 980521-30 approved

31. Approve a resolution authorizing the filing of eminent domain proceedings in the event negotiations are unsuccessful for the fee simple acquisition of 1.757 acres of land out of the L. C. Cunningham Survey No. 68 in Travis County, Texas, owned by Centerline Partners, L.P. for the Howard Lane Project. (Amount based on the approved appraised value and available in the 1997-98 Amended Capital Budget of the Public Works and Transportation Department.)

Resolution No. 980521-31 approved

Watershed Protection

32. Approve a resolution authorizing negotiation and execution of an amendment to an Interlocal Agreement with the TEXAS NATURAL RESOURCES CONSERVATION COMMISSION (TNRCC) to allow the inclusion of stormwater, sediment and erosion control training and field investigation seminars. (No fiscal impact.)

Resolution No. 980521-32 approved

33. Approve a resolution authorizing negotiation and execution of professional services agreements to provide general watershed protection engineering rotation list services for a variety of water quality, erosion control, flood control and related projects for an undetermined period with the following eight engineering firms: (1) RAYMOND CHAN & ASSOCIATES, INC., (MBE/MA), Austin, Texas; (2) ESPEY, HUSTON & ASSOCIATES, INC., Austin, Texas; (3) R. J. BRANDES COMPANY, Austin, Texas; (4) KLOTZ ASSOCIATES, INC., Austin, Texas; (5) ALAN PLUMMER ASSOCIATES, INC., Austin, Texas; (6) LOOMIS & MOORE, INC., Austin, Texas; (7) BAKER-AICKLEN & ASSOCIATES, INC., Austin, Texas; (8) DANNENBAUM ENGINEERING CORPORATION, Austin, Texas, in an amount not to exceed \$2,000,000 each, for a total amount to all firms not to exceed \$2,000,000 (estimated amount approximately \$250,000 per firm). (Funding is included in the Watershed Protection Department operating and capital budgets.) Best qualification statements of twenty-five. M/WBE participation cannot be determined at this time due to nature and scope of work.

Resolution No. 980521-33 approved

Parks and Recreation

34. Approve an ordinance authorizing acceptance of \$9,488 in additional grant funding from National Senior Citizens Education and Research, Inc.; amend Ordinance 970917-A, amending the 1997-98 Operating Budget Special Revenue Fund of the Parks and Recreation Department, by appropriating an additional \$9,488, for a total Senior Aides Title 1997-98 grant amount of \$300,133. (A City match is not required.)

Ordinance No. 980521-C approved

35. Approve a resolution authorizing execution of a contract with MANLEY CONSTRUCTION , Pflugerville, Texas, for construction of Garrison District Park Playground Renovation located at 6001 Manchaca Road, in the amount of \$116,415. (Funding is included in the 1997-98 Amended Capital budget of the Parks and Recreation Department.) Low bid of three. 2.6% MBE, 3.8% WBE Subcontractor participation.

Resolution No. 980521-35 approved

Library

36. Approve a resolution authorizing execution of a twelve month service agreement with NEWSBANK, INC., Chester, Vermont, to provide two annual internet database subscriptions for each of the twenty-one Public Library locations, in an amount not to exceed \$48,400 with two twelve month extension options in an amount not to exceed \$48,400 per extension, for a total contract amount not to exceed \$145,200. (Funding is available in the 1996-97 Special Revenue Fund of the Library Department.) Funding for the extension options is contingent upon available funding in future budgets.) Sole source. No M/WBE Subcontracting opportunities were identified.

Resolution No. 980521-36 approved

37. Approve a resolution authorizing execution of a twelve month service agreement with MAJESTIKLEEN, (MBE/MA), Austin, Texas, to provide janitorial services for the following south branch libraries: Carver, Manchaca, Will Hampton, Pleasant Hill, Oak Springs, and Southeast Austin, in an amount not to exceed \$45,300 with two twelve month extension options in an amount not to exceed \$45,300 per extension, for a total contract amount not to exceed \$135,900. (Funding in the amount of \$15,100 was included in the 1997-98 operating budget of the Library Department.) Low responsive bid of six. 100% MBE Prime participation. No M/WBE Subcontracting opportunities were identified.

Resolution No. 980521-37 approved

Finance and Administrative Services

38. Approve a resolution authorizing execution of twelve month service agreements with VIKING FENCE COMPANY, INC., Austin, Texas, and ALLIED FENCE COMPANY, Round Rock, Texas, to provide fencing services for City owned facilities, in amounts not to exceed \$50,000

and \$25,000 respectively with two twelve month extension options in amounts not to exceed \$50,000 and \$25,000 respectively per extension, for total contract amounts not to exceed \$150,000 and \$75,000 respectively. (Funding in the amount of \$25,000 is available in the 1997-98 operating budget of the Building Services Division of the Finance and Administrative Services Department. Funding for the remaining eight months and the extension options is contingent upon available funding in future budgets.) Low bids of three. No M/WBE Subcontracting opportunities were identified.

Resolution No. 980521-38 approved

39. Amend Ordinance 970917-A, the 1997-98 operating budget, by appropriating \$42,000 from the General Fund Contingency Reserve and increasing the appropriation of Eastside Story by \$42,000 to provide twenty-five certified teachers for the Austin Eastside Story Technology/Math/Science Summer Camp.

Ordinance No. 980521-D approved

Items 23 through 39 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

40. Approve a resolution authorizing execution of a contract with HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS Cooperative Purchasing Program, Houston, Texas, for the purchase of one aerial tower truck to be used at Austin-Bergstrom International Airport, in the amount of \$136,363.56. (Funding was included in the 1997-98 operating budget of the Aviation Department.)

Pulled

41. Approve a resolution authorizing execution of a contract with HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS Cooperative Purchasing Program, Houston, Texas, for purchase of fifteen various types of light duty trucks, sedans, vans and utility vehicles used in daily operations of Austin-Bergstrom International Airport , in the amount of \$469,930.22. (Funding in the amount of \$427,559.72 was included in the 1997-98 Capital budget and \$42,370.50 is included in the 1997-98 operating budget of the Aviation Department.)

Resolution No. 980521-41 approved

42. Approve a resolution authorizing execution of a twelve month service agreement with ACE RENT A CAR, Austin, Texas, to provide vehicle rental services for the Police Department, in an amount not to exceed \$43,140 with two twelve month extension options in an amount not to exceed \$43,140 per extension, for a total contract amount not to exceed \$129,420. (Funding in the amount of \$14,380 is available in the 1997-98 operating budget of the Police Department. Funding for the remaining eight months of the contract and the extension options is contingent upon available funding in future budgets.) Low bid of two. No M/WBE Subcontracting opportunities were identified.

Resolution No. 980521-42 approved

Information Systems

43. Approve a resolution authorizing two Interlocal Agreements with the State of Texas Department of Information Resources, Austin, Texas, for Disaster Recovery services in an amount not to exceed \$147,864 with four twelve month extension options in amounts not to exceed \$156,735.84, \$166,139.99, \$176,108.39, and \$186,674.89 respectively per extension option, for a total amount not to exceed \$833,523.11 and one for related consultant services, in an amount not to exceed \$15,000 for the twelve month term. (Funding in the amount of \$23,553.20 was included in the 1997-98 operating budget of the Information System Office; \$40,734.80 was included in the operating budget of the Police Department. Funding for the remaining eight months and the extension options is contingent upon available funding in future budgets.)

Resolution No. 980521-43 approved

Emergency Medical Services

44. Approve third reading of an ordinance granting non-emergency medical transport franchise for Guardian Services, Inc. (No fiscal impact.) [Recommended by Emergency Medical Services Quality Assurance Team and Urban Transportation Commission]

Ordinance No. 980521-E approved

Human Resources

45. Approve a resolution authorizing modification to the first and second contract extensions with PROVIDENT LIFE AND ACCIDENT INSURANCE COMPANY, Dallas, Texas, to cover increased stop-loss premiums for the City's self-funded medical plan, in the amount of \$104,000 each for a total amount of \$540,000 per year, for a total amended contract amount of \$1,516,000. (Funding in the amount of \$78,000 is available in the 1997-98 operating budget of the Employee Benefits Fund. Funding for the remaining three months and the extension options is contingent upon available funding in future budgets.) No M/WBE Subcontracting opportunities were identified.

Resolution No. 980521-45 approved

46. Approve a resolution authorizing modification to the first and second contract extensions with STANDARD INSURANCE COMPANY, Houston, Texas, to cover increased costs for short and long term disability, in the amount of \$262,000 per extension, for a total amount for each extension of \$1,496,000, for a total amended contract amount of \$4,226,000. (Funding in the amount of \$196,500 is available in the 1997-98 operating budget of the Employee Benefits Fund. Funding for the remaining three months and the extension options is contingent upon available funding in future budgets.) No M/WBE Subcontracting opportunities were identified.

Resolution No. 980521-46 approved

47. Approve a resolution authorizing modification to the first and second contract extensions with BLUE CROSS BLUE SHIELD OF TEXAS, Austin, Texas, to cover increased medical payments for City retirees, in the amount of \$972,000, for a total increased amount of \$1,512,000 per year, for a total amended contract amount of \$3,564,000 for the remaining two

extension periods. (Funding in the amount of \$729,000 is available in the 1997-98 operating budget of the Employee Benefits Fund. Funding for the remaining three months and the extension options is contingent upon available funding in future budgets.) No M/WBE Subcontracting opportunities were identified.

Resolution No. 980521-47 approved

48. Approve a resolution authorizing modification to the contract with PCA HEALTH PLAN OF TEXAS, Austin, Texas, to cover increased 1998 medical coverage payments for employees and retirees, in the amount of \$1,229,000, for a total 1998 contract year amount of \$10,175,000 and for a total amended contract amount of \$27,867,000. (Funding in the amount of \$921,750 is available in the 1997-98 operating budget of the Employee Benefits Fund. Funding for the remaining three months is contingent upon available funding in future budgets.) No M/WBE Subcontracting opportunities were identified.

Resolution No. 980521-48 approved

49. Approve a resolution authorizing modification to the first and second contract extensions with AETNA LIFE INSURANCE COMPANY, Houston, Texas, to cover 1998 increased costs for basic, supplemental and dependent life insurance, in the amount of \$140,000, for a total amount of \$1,031,000 per year, for a total amended contract amount of \$2,953,000. (Funding in the amount of \$105,000 is available in the 1997-98 operating budget of the Employee Benefits Fund. Funding for the remaining three months and the extension options is contingent upon available funding in future budgets.) No M/WBE Subcontracting opportunities were identified.

Resolution No. 980521-49 approved

Fire

50. Approve an ordinance amending the 1997-98 operating budget by increasing the General Fund revenue by \$62,798 to accept revenue from an Interlocal Agreement to provide fire services to the City of Sunset Valley and amending the 1997-98 operating budget of the Fire Department by allocating \$35,737 to add one full-time equivalent and a vehicle to provide fire protection services to Sunset Valley.

Ordinance No. 980521-F approved

51. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement with the City of Sunset Valley for the Fire Department to provide Fire Protection Services to Sunset Valley for a period of four months and automatically renewing for three years with one additional three year extension option. (Anticipated revenue for 1997-98 is \$62,798. The first full year funding for 1998-99 revenue will total \$188,395.)

Resolution No. 980521-51 approved

ITEMS FROM COUNCIL

52. Approve the new fee schedule, as revised by the Balcones Canyonland Conservation Plan Coordinating Committee, for participation in the Habitat Plan. (Mayor Kirk Watson)
Approved
53. Approve a resolution creating a Council Committee on DBE, MBE and WBE issues, to review all pertinent aspects of this issue, including, but not limited to, Chapter 5-7 of the Austin City Code: Minority-Owned and Women-Owned Business Enterprise Procurement Program. (Mayor Pro Tem Gus Garcia and Councilmembers Willie Lewis and William Spelman)
Resolution No. 980521-53 approved
54. Direct the City Manager to develop a 60-90 day schedule for a public input process so that the Council may best implement the Town Lake Comprehensive Plan, portions of the plan, or other actions consistent with the goals of the plan and vitalizing downtown. The public input process shall include roundtable discussions and/or public hearings on the following topics: a) Park Interests; b) Cultural/Arts (special events, performing arts, visual arts, Mexican-American Cultural Center, Seaholm, etc.); c) South Central Neighborhoods; d) Parking (including Capital Metro, Lyric Opera, Coliseum, Palmer); e) Potential Financing Mechanisms. (Mayor Kirk Watson, Mayor Pro Tem Gus Garcia and Councilmember Beverly Griffith)
Approved
55. Approve a resolution directing the City Manager to negotiate and execute an agreement with organizers of the "Walter Hyatt Bench Project" for the donation to the City of a stone monument dedicated to his memory. (Mayor Kirk Watson and Councilmember Jackie Goodman)
Resolution No. 980521-55 approved

Items 41 through 55 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

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

56. C14-98-0027 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 11320 FM 2222 Road, from "I-SF-2", Interim Single Family Residence (standard lot) to "GR", Community Commercial. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial-Conditional Overlay District zoning with conditions. Applicant: Joel H. & Elena Smith, Agent: Amelia Lopez-Phelps. City Staff: David Wahlgren, 499-6455. (continued from 5/14/98)
Postponed two weeks to June 4, 1998; applicant's second request. (Revise staff report to indicate existing impervious cover)
57. C14-98-0033 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning

property locally known as 7409 South Congress Avenue from "SF-2", Single Family Residence (Standard Lot) to "CS-CO", General Commercial Services - Conditional Overlay District zoning with conditions. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial - Conditional Overlay District zoning with conditions. Applicant: M.D. Thomson; Agent: Jim Bennett. City Staff: Joe Arriaga, 499-2308.

Postponed to June 25, 1998; applicant's first request; applicant agreed not to sell cars between 5-22-98 and 6-25-98. (Add to staff report: Has this lot been in continuous use as a car sales site since 1978?)

58. C14-98-0034 - Public hearing to amend Chapter 13-2 of the Austin City Code rezoning property locally known as 5401 to 5515 East Riverside Drive from "IP", Industrial Park, to "LO" Limited Office zoning. Planning Commission Recommendation: to Grant "LO" Limited Office District zoning with conditions. Applicant: City of Austin; Agent: Development Review and Inspection Department; City Staff: Joe Arriaga, 499-2308.

Approved Planning Commission recommendation, first reading only

59. C14r-86-106/C14-86-107(DE1) - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning and deleting a portion of a previously approved zoning site plan for property locally known as 5017 U.S. Highway 290 West, at South MoPac Expressway. Existing zoning: "GR", Community Commercial. Planning Commission Recommendation: To Grant the request to delete a portion of a previously approved zoning site plan. Applicant: Amelia Lopez-Phelps, Consultant, for Wal-Mart and Prime Co. City Staff: Don Gipson, 499-2673.

Ordinance No. 980521-H approved Planning Commission recommendation on emergency passage

Items 56 through 59 approved on Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.

PUBLIC HEARINGS

60. 6:00 P.M. - Public hearing on an appeal of the Planning Commission's decision to deny a Conditional Use Permit (CUP) for King Billiard. The site is located at 8319 Research Boulevard. File #SPC-97-0374A. The appeal is being made by John Hur, applicant for King Billiard. (Mayor Pro Tem Gus Garcia and Councilmember William Spelman)

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

61. 6:30 P.M. - Public hearing on proposed amendments to the 1997-98 Community Development Program and the Consolidated Plan to reprogram \$1,976,968 in CDBG funds, as required by the Citizen Participation Plan, federal regulations governing HUD grants, and Chapter 373 of the Texas Local Government Code.

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

62. 6:45 P.M. - Public hearing on limited purpose annexation of Del Valle.
Motion to close public hearing on Councilmember Slusher's motion, Councilmember Spelman's second, 7-0 vote.

ACTION ON PUBLIC HEARINGS

63. Approve or deny an appeal Public hearing on an appeal of the Planning Commission's decision to deny a Conditional Use Permit (CUP) for King Billiard. The site is located at 8319 Research Boulevard. File #SPC-97-0374A. The appeal is being made by John Hur, applicant for King Billiard. (Mayor Pro Tem Gus Garcia and Councilmember William Spelman)
Motion to approve appeal and to stop serving alcoholic beverages at midnight on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held at 12:15 p.m. to 1:35 p.m.

Executive session held at 3:20 p.m. to 4:30 p.m.

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

Real Property ? Section 551.072

64. Discuss fee simple acquisition of Lot 3, Block C, River Valley Estates, Del Valle, Texas, for the expansion of the South Austin Regional Wastewater Treatment Plant.
65. Discuss fee simple acquisition of Lot 20, Block A, River Valley Estates, Del Valle, Texas, for the expansion of the South Austin Regional Wastewater Treatment Plant.
66. Discuss fee simple acquisition of Lot 10, Block A, River Valley Estates, Del Valle, Texas, for the expansion of the South Austin Regional Wastewater Treatment Plant.

Private Consultation with Attorney - 551.071

67. Discuss legal issues regarding Chapter 5-7 of the City Code, Minority-Owned and Women-Owned Business Enterprise Procurement Program.

ACTION ON EXECUTIVE SESSION ITEMS

68. Approve a resolution authorizing fee simple acquisition of Lot 3, Block C, River Valley Estates, locally known as 13205 Coachman Lane, Del Valle, Texas, from Jim R. Wood and Mary Wood for the expansion of the South Austin Regional Wastewater Treatment Plant.

Resolution No. 980521-68 approved in an amount not to exceed \$141,450

69. Approve a resolution authorizing fee simple acquisition of Lot 20, Block A, River Valley Estates, locally known as 13409 Three Island Road, Del Valle, Texas, from William Mack Pruitt and Emily W. Pruitt for the expansion of the South Austin Regional Wastewater Treatment Plant.

Resolution No. 980521-69 approved in an amount not to exceed \$150,700

70. Approve a resolution authorizing fee simple acquisition of Lot 10, Block A, River Valley Estates, locally known as 13101 Three Island Road, Del Valle, Texas, from Kieran Garvey and Kyong Garvey for the expansion of the South Austin Regional Wastewater Treatment Plant.

Resolution No. 980521-60 approved in an amount not to exceed \$158,700

Items 68 through 70 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

ADJOURNED at 7:15 p.m. on Councilmember Griffith's motion, Councilmember Goodman's second, 7-0 vote.

Approved on this the 4th day of June, 1998 on Councilmember Spelman's motion, Councilmember Lewis' second, 5-0 vote, Councilmember Goodman off the dais, Mayor Watson absent. Minutes for April 22, 1998 postponed.