



# Austin City Council MINUTES

NOTICE OF MEETING  
REGULAR MEETING  
THURSDAY, JULY 23, 1998

Mayor Watson called the meeting to order, noting the temporary absence of Councilmembers Griffith and Spelman.

1. Approval of Minutes for Regular Meetings of July 15 & 16, 1998.  
Approved on Councilmember Goodman's motion, Councilmember Spelman's second, Mayor Watson and Councilmember Griffith off the dais.

## CITIZEN COMMUNICATIONS: GENERAL

2. Greg Ericson, to discuss open government.  
**Absent**
3. Robert L. Thomas, to discuss Rosewood Recreation Center.
4. Robert Donley, to discuss neighborhood.
5. Gavino Fernando, protect East Austin Que Viva El Concilio  
**Absent**
6. Gus Pena, to discuss budgetary process, health clinics and City issues.
7. Nathaniel Booken, to discuss Kreig Field.
8. David Belluomini
9. Susanne Bungum, to discuss outdoor diving facility being built in Austin.
10. Pat Valls-Trelles, to discuss tick infestation at Town Lake Animal Center; danger to human health.  
**Absent**
11. Matt Scoggin, to discuss an outdoor diving well to be built next to Deep Eddy and the positive effect on Austin youth.  
**Absent**

## 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 Service Extension Request No. 1830 for wastewater service submitted by Jitendra Budwal for the Budwal single-family tract, which is, located outside the city limits of Austin. (No fiscal impact.)  
**Resolution 980723-12 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.**

2:00 P.M. – REVENUE BONDS

13. Approve an Ordinance authorizing the issuance of \$10,000,000 City of Austin, Texas, Subordinate Lien Revenue Bonds, Series 1998B, for the design and construction of three priority reclaimed water projects. (\$207,500 is the estimated debt service requirement in 1998-99 and will be provided in the 1998-99 Proposed Budget of the Utility Revenue Bond Redemption Fund.) [Reviewed by Water and Wastewater Commission] **(Related to Items 14 & 15)**  
**Ordinance No. 980723-A approved on Councilmember Slusher's motion, Councilmember Griffith's second, 7-0 vote.**

Water and Wastewater

14. Amend Ordinance 970915-A, the 1997-98 Capital budget, by increasing appropriations by \$10,000,000 for the Water and Wastewater Utility's capital budget for the design and construction of three priority reclaimed water projects to be funded by a 20 year Texas Water Development Board loan. [The annual principal and interest payments on the 20-year loan (subordinate lien bonds) will be paid from the future annual operating revenues of the Wastewater Utility. It is estimated that the annual debt service payments will range between \$207,500 to \$802,025 over the 20-year period, an estimated annual average of \$750,782.] (Recommended by Water and Wastewater Commission and Planning Commission) **[Related to Items 13 & 15]**  
**Ordinance No. 980723-B approved**
15. Approve a resolution authorizing modification of the Professional Services Agreement with GSG, INC., (MBE/MA), Austin, Texas, for additional Phase I (preliminary engineering) services associated with the Water Reclamation Initiative, in the amount of \$157,445 and for Phase II (engineering design) services in an amount not to exceed \$678,400, for a total increase of \$835,845 and a total agreement not to exceed \$1,135,845. (Funding is included in the 1995-96 and 1997-98 Amended Capital budgets of the Water and Wastewater Utility.) 46.57% MBE Prime participation. 7.17% MBE, 33.94% WBE Subconsultant participation. [Recommended by Water and Wastewater Commission] **(Related to Items 13 & 14)**  
**Resolution No. 980723-15 approved**

**Items 14 and 15 approved on Councilmember Slusher's motion, Mayor Pro Tem Garcia's second, 7-0 vote.**

Motion to reconsider items 14 and 15 by Councilmember Spelman's motion, Councilmember Slusher's second, 7-0 vote.

Approved on Councilmember Slusher's motion, Councilmember Spelman's second, 7-0 vote.

16. Approve a resolution authorizing the establishment of an escrow account with Travis County pursuant to the Howard Lane Interlocal Cooperation Agreement with Travis County for Segment 1 of the Howard Lane Transmission Main east of IH-35, in the amount of \$2,150,000. (Funding is included in the 1997-98 Amended Capital budget of the Water and Wastewater Utility.) [Recommended by Water and Wastewater Commission]  
**Resolution No. 980723-16 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.**
  
17. Approve a resolution authorizing specific conditions to develop interlocal agreements with the Cities of Rollingwood and West Lake Hills for the provision of wholesale wastewater service. (Projected capital costs to the City for projects dependent on wholesale wastewater service agreements with Rollingwood and West Lake Hills are \$2,930,000 if the agreements are consistent with Option 3. There are no projected City capital costs associated with Option that would not be present without the agreements. Options 3 and 4 are concepts concerning how wastewater service would be extended and the nature of the facilities that would be built. Funding has been proposed for inclusion in the September 26, 1998 bond election.) [Recommended by Environmental Board; not recommended by Resource Management Commission; Reviewed by Water and Wastewater Commission; not recommended by Parks Board and Planning Commission]  
**Pulled off agenda**

#### Finance and Administrative Services

18. Approve a resolution authorizing execution of an agreement with SUR TEJAS CORPORATION, San Antonio, Texas, for traffic signal maintenance services for 200 intersections, in an amount not to exceed \$40,000. (Funding was included in the 1997-98 Operating budget of the Public Works and Transportation Department.) Low bid of two. No M/WBE Subcontracting opportunities were identified.  
**Resolution No. 980723-18 approved**
  
19. Approve a resolution authorizing execution of a three-year supply agreement with JERRY D. DREHER, DISTR., Dallas, Texas, for the purchase of parking meter housings units for the Public Works and Transportation Department, in an amount not to exceed \$505,730. (Funding in the amount of \$332,900 was included in the 1997-98 Operating budget of the Public Works and Transportation Department. Funding in the amount of \$172,830 for the remaining balance of the contract is contingent upon available funding in future budgets.) Low bid of three. No M/WBE Subcontracting opportunities were identified.  
**Resolution No. 980723-19 approved**

20. Approve a resolution authorizing execution of a twelve month supply agreement with 3M COMPANY, Saint Paul, Minnesota, for the purchase of flat-surface reflective sheeting for traffic signs used by the Public Works and Transportation Department, in an amount not to exceed \$423,192 with two twelve month extension options in an amount not to exceed \$423,192 per extension, for a total contract amount not to exceed \$1,269,575. (Funding in the amount of \$70,532 was included in the 1997-98 operating budget of the Public Works and Transportation Department. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) Single bid. No M/WBE Subcontracting opportunities were identified.

**Resolution No. 980723-20 approved**

21. Approve a resolution authorizing execution of a contract with AUSTIN BUSINESS FURNITURE, Austin, Texas, for the purchase of furniture for the Ralph Yarborough Library, in the amount of \$55,713. (Funding was included in the 1996-97 Amended Capital budget of the Library Department.) Low bid of four meeting specifications. No M/WBE Subcontracting opportunities were identified.

**Resolution No. 980723-21 approved**

22. Approve a resolution authorizing execution of a contract with MCBRIDE & ASSOCIATES. INC., Albuquerque, New Mexico, to upgrade the IBM midframe computer system for the City's human resources/payroll system, in the amount of \$42,279. (Funding was included in the 1997-98 Operating budget of the in the Finance and Administrative Services Department for the Controller's Office.) Low bid of six. No M/WBE Subcontracting opportunities were identified.

**Resolution No. 980723-22 approved**

23. 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 fire truck in the amount of \$517,339.81, one replacement SWAT truck in the amount of \$63,383.97, two additional track loaders used to move soil, rock and debris by the Watershed Protection Department in the amount of \$101,144.43 each, one additional rubber tire loader in the amount of \$95,652.12 and one additional catch basin cleaner truck in the amount of \$193,491.49, for a total contract amount of \$1,072,156.25. (Funding in the amount of \$63,383.97 was included in the 1997-98 Vehicle Acquisition Fund. \$517,339 is available in the 1997-98 Amended Capital budget of the Fire Department, and \$491,432.47 is available in the 1997-98 Amended Capital budget of the Watershed Protection Department.)

**Resolution No. 980723-23 approved**

**Items 18 through 23 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.**

24. Approve an ordinance authorizing amendments to the City's Financial Policies. (No fiscal impact.) **Postponed to August 5, 1998 on Councilmember Slusher's motion, Mayor Pro Tem Garcia's second, 7-0 vote.**

25. Approve a resolution authorizing execution of a contract with COMPLETE COMMUNICATION SERVICES INC., dba CO COM CABLING SYSTEMS (WBE/FR), Pflugerville, Texas, for the purchase, installation and connection of fiber optic cable to extend the Greater Austin Area Telecommunications Network to Austin-Bergstrom International Airport, in an amount not to exceed \$576,000. (Funding in the amount of \$476,000 was included in the 1998-99 Telecommunications Amended Capital budget; \$100,000 was included in the 1998-99 Capital budget of the Aviation Department.) Sole source. 100% WBE Prime participation.  
**Postponed**

## Police

26. Approve a resolution authorizing a twenty-two month extension to the contract with SOUTHWESTERN BELL TELEPHON COMPANY, Austin, Texas, for the lease of high-speed data circuits for the Police Department, in an amount not to exceed \$128,494. (Funding in the amount of \$23,364 was included in the 1998-99 Operating budget of the Police Department. Funding for the remaining of the contract is contingent upon available funding in future budgets.) Sole Source. No M/WBE Subcontracting opportunities were identified.  
**Resolution No. 980723-26 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.**
27. Amend Ordinance 970915-A, the 1997-98 Police Department Capital budget, by increasing transfers in from the Federal Asset Forfeiture Fund and appropriating \$103,190 to provide additional funding for the replacement of the bullet trap at the Police Training Academy; amend Ordinance 970917-A, the 1997-98 Operating budget, amending the Federal Asset Forfeiture Fund, by increasing the transfers to the Capital budget of the Police Department by \$103,190 and decreasing expenditures by \$103,190. (To be reviewed by Planning Commission on July 21, 1998) **[Related to Item 28]**  
**Postponed**
28. Approve a resolution authorizing negotiation and execution of a contract with SUPER TRAP BULLET CONTAINMENT SYSTEMS, dba SUPER TRAP, Temecula, California, for the purchase and installation of a replacement outdoor bullet trap system to be used in training of Police personnel, in an amount not to exceed \$288,758. (Funding was included in the 1997-98 Amended Capital budget of the Police Department.) Best proposal of four. No M/WBE Subcontracting opportunities were identified. **(Related to Item 27)**  
**Postponed**
29. Approve a resolution-authorizing acceptance of \$79,978 in ninth year grant funding from the State of Texas, Governor's Office, Criminal Justice Division, and Victims of Crime Act Fund, to continue the program "Enhancing Existing Victim Assistance Program". (An in-kind match in the amount of \$32,240 is required and available in the 1997-98 Operating budget and proposed in the 1998-99 Operating budget of the Police Department, Victim Services Program, and volunteer participation. Funding for continued operation is contingent upon available funding in future budgets.)  
**Resolution No. 980723-29 approved**

30. Approve a resolution authorizing acceptance of \$79,986 in second year grant funding from the State of Texas, Governor's Office, Criminal Justice Division, Victims of Crime Act Fund, to continue to implementation of a grant program to provide outreach services to victims of family violence and stalking. (An in-kind match in the amount of \$37,229 is required and available in the 1997-98 Operating budget and proposed 1998-99 Operating budget of the Police Department, Victim Services Program, and volunteer participation. Funding for continued operation is contingent upon available funding in future budgets.)  
**Resolution No. 980723-30 approved**
31. Amend Ordinance 970917-A, the 1997-98 Operating Budget, amending the Police Department Special Revenue Fund, by increasing funding in the 1996 Local Law Enforcement Block Grant Program by \$32,500 (generated through program income from interest earned on this grant funding) and increasing grant expenditures by the same amount. (Funding is available through program income from interest earned on federal grant funds from the U.S. Department of Justice, Bureau of Justice Assistance, 1996 Local Law Enforcement Block Grant Program, for the grant period October 1, 1996 to September 30, 1998. The grant program requires funding be deposited in an interest bearing account specifically designated for this program.)  
**Ordinance No. 980723-C approved**
32. Approve a resolution authorizing application for and acceptance of \$990,847 in grant funding from the U.S. Department of Justice, Bureau of Justice Assistance, Local Law Enforcement Block Grant Program, to purchase police equipment and computer technology. (A cash match of \$110,094 is required and will be met by adding two full-time equivalent computer support positions in the proposed 1998-99 Operating Budget for the Police Department.)  
**Resolution No. 980723-32 approved**

### Health and Human Services

33. Approve a resolution authorizing execution of an amendment to the contract with AIDS SERVICES OF AUSTIN, for dental care services for HIV clients, in an amount not to exceed \$47,926, for a total contract amount of \$147,457. (Funding was included in the 1997-98 Special Revenue Fund of the Health and Human Services Department, Ryan White Title III Early Intervention Grant program.)  
**Resolution No. 980723-33 approved**
34. Amend Ordinance 960910-G, the 1997-98 Operating Budget, amending the Special Revenue Fund of the Health and Human Services Department by accepting the \$65,501 in additional funds from grantor, Texas Department of Protective and Regulatory Services and appropriating \$65,501 in grant funds for enhancement of summer programs.  
**Ordinance No. 980723-O approved**

### Law

35. Approve a resolution authorizing the filing of eminent domain proceedings for a waterline easement containing 76,203 square feet of land, out of the Lucas Munos Survey No. 55, in the City of Austin,

Travis County, Texas, owned by 290 Jones Investments, Inc., for the U.S. 290 East Waterline Rehabilitation Project (Harris Branch), in the amount of \$8,573. (Funding was included in the 1997-98 amended Capital budget of the Water and Wastewater Utility.) [Recommended by Water and Wastewater Commission]

**Resolution No. 980723-35 approved**

### Public Works

36. Amend the Austin City Code by modifying the Basic Traffic Ordinance; Section 16-4-4 (D), Speed Limits, for installation of a reduced speed school zone on Lantana Way for the protection of students attending Joe Dan Mills Elementary School. (Funding in the amount of \$200 for sign installation is available in the 1997-98 Operating budget of the Child Safety Fund.)

**Ordinance No. 980723-E approved**

37. Amend the Austin City Code by modifying the Basic Traffic Ordinance; Section 16-4-4 (D), Speed Limits, for installation of a reduced speed school zone on Davis Lane for the protection of students attending Joe Dan Mills Elementary School. (Funding in the amount of \$8,600 for sign installation is available in the 1997-98 Operating budget of the Child Safety Fund.)

**Ordinance No. 980723-F approved**

38. Amend the Austin City Code by modifying the Basic Traffic Ordinance; Section 16-4-4 (D), Speed Limits, for installations of a reduced speed school zone on Furness Drive for the protection of students attending Bernice Hart Elementary School. (Funding in the amount of \$8,600 for sign installation is available in the 1997-98 Operating budget of the Child Safety Fund.)

**Ordinance No. 980723-G approved**

### Public Works

39. Amend the Austin City Code by modifying the Basic Traffic Ordinance; Section 16-4-4 (D), Speed Limits, for installation of a reduced speed school zone on Colony Creek Drive for the protection of students attending Wooldridge Elementary School. (Funding in the amount of \$200 for sign installation is available in the 1997-98 Operating budget of the Child Safety Fund.)

**Ordinance No. 980723-H approved**

40. Approve a resolution authorizing execution of a construction contract with METRO PAVING COMPANY, INC., (MBE/MH), Del Valle, Texas, for construction of approximately fifty-four speed humps on various streets throughout the city, in the amount of \$134,382.50. (Funding was included in the 1997-98 Operating budget of the Public Works and Transportation Department.) Low bid of two. 38.74% MBE Prime participation. 0% MBE, 28.50% WBE Subcontractor participation.

**Ordinance No. 980723-40 approved**

41. Amend Ordinance 970915-A, the 1997-98 Capital budget of the Public Works and Transportation Department, by appropriating \$126,000 to the 1996 Build Austin Pedestrian/Bicycle Safety and Access Bicycle Program and by creating a new account 1998 Build Austin Pedestrian/Bicycle

Safety and Access Bicycle Program and appropriating \$118,750 to the new account. (Funding in the amount of \$244,750 is available in the 1996 and 1998 Build Greater Austin Program 4.)

**Ordinance No. 980723-I approved**

42. Approve a resolution authorizing acceptance of Federal Surface Transportation Program Category 4C grant funds and Texas Department of Transportation (TxDOT) funds in the amount of \$60,000 to conduct congestion monitoring and analysis; amend the 1997-98 Public Works and Transportation Special Revenue Fund by appropriating an additional \$12,000 to conduct a project approved by the Austin Transportation Study Policy Advisory Committee; authorize execution of contract between the City and TxDOT for this project. (Funding in the amount of \$48,000 was approved in the 1997-98 Special Revenue Fund budget.)

**Ordinance No. 980723-J approved**

43. Approve a resolution authorizing negotiation and execution of an amendment to the professional services agreement with RODRIGUEZ ENGINEERING CONSULTING (MBE/MH), Austin, Texas, for additional professional engineering asphalt/concrete testing services for streets, buildings, water and wastewater projects, drainage projects, parking lots, other city facilities and subdivisions, in the amount of \$350,000, for a total contract amount not to exceed \$1,239,000. (Funding is available in the various Capital budgets of the user departments.) 85% MBE Prime participation. 10% MBE, 5% WBE Subconsultant participation.

**Resolution No. 980723-43 approved**

44. Approve a resolution authorizing execution of a contract with SALAS & MORALES, INC., (MBE/MH), Austin, Texas, for sidewalk and drainage improvements at the intersection of Jollyville Road and Oak Knoll Drive, in the amount of \$53,515. (Funding in the amount of \$49,125 was included in the 1997-98 Amended Capital budget and \$4,390 was included in the 1995-96 Amended Capital budget of the Public Works and Transportation Department.) Low bid of three. 81% MBE Prime participation. 11% MBE, 1.0% WBE Subcontractor participation.

**Resolution No. 980723-44 approved**

### **Management Services**

45. Approve a resolution to cancel the City Council meetings of July 29 and 30, 1998, and reinstate the meetings of August 26 and 27, 1998.

**Resolution No. 980723-45 approved**

### **Parks and Recreation**

46. Reset the public hearing on a variance request by the Parks and Recreation Department to construct a parking lot for Red Bud Isle in the 25-year floodplain. (Suggested date and time: August 13, 1998 at 6:30 p.m.)

**Resolution No. 980723-46 approved**



47. Approve a resolution authorizing negotiation and execution of a lease with the Center for Mexican American Culture Arts, Inc., for the Mexican American Cultural Center, located at 600 River Street for a period of one year.  
**Resolution No. 980723-47 approved**
48. Approve an ordinance expressing the City of Austin's official intent to reimburse up to \$616,920 in eligible costs associated with the acquisition of approximately 4.13 acres located at 2500 Columbus Drive. **(Related to Items 49 & 78)**  
**Resolution No. 980723-48 approved**
49. Amend Ordinance No. 970915-a, the 1997-98 Capital Budget of the Parks and Recreation Department by (1) declaring "Land Acquisition Zone 2 projects within Proposition 13 of the 1982 Bond Election complete and transferring the remaining available balances (\$698,214) to Proposition 13's "Land Acquisition-City Wide" project; (b) declaring all projects within Proposition 24 of the 1984 Bond Election complete and transferring the remaining available balances (\$67,374) to Proposition 24's "Excess Funds" project; and (c) declaring certain projects within Proposition 25 of the 1984 Bond Election "Old Bakery Renovations," "Mt. Bonnell," "Patterson Park," "Ortega School Park," "Nature Preserves Management," Rebekah Baines Johnson Park," and "Sanchez School Park" complete and transferring the remaining balances (\$162,213) to Proposition 25's Zilker Park Renovation Project. (Transfers a total of \$927,800 between project accounts within Proposition 13 of the 1982 Bond Election, Proposition 24 of the 1984 Bond Election and Proposition 25 of the 1984 Bond Election) **[Related to Items 48 & 78]**  
**Ordinance No. 980723-K approved**

#### Infrastructure Support Services

50. Set a public hearing to receive public comment on the proposed rate and fee increases for the Water and Wastewater Utility and the Comprehensive Drainage Fee of the Watershed Protection Department as part of the 1998-99 Proposed budget. (Suggested date and time: August 27, 1998 at 6:00 p.m.)  
**Resolution No. 980723-50 approved**

#### Development Review and Inspection

51. Set a public hearing to amend the City Code by: 1) repealing the definition of "small plant nursery", adding the definition of "plant nursery", and amending the definition of "agricultural sales and services" found in City Code Section 13-2-3; 2) deleting "small plant nursery" and adding "plant nursery" to City Code Section 13-2-221, Tables of Use Regulation; and 3) adding a new section 13-2-274 "Plant Nurseries" to the Supplemental Use Regulations. (Suggested date and time: August 20, 1998 at 6:00 P.M.)  
**Resolution No. 980723-51 approved**
52. C14-98-0005 - Approve third reading of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 2305 Rio Grande Street from "MF-4", Multi-Family

Residence (Moderate-High Density) to "GR-MU-CO", General Office-Mixed Use-Conditional Overlay District zoning with conditions. First reading on May 14, 1998; Vote 5-0, Spelman and Garcia off the dais. Second reading on July 16, 1998; Vote 7-0. Applicant: 2305 Rio Grande Joint Venture (Bill Roland, Manager); Agent: Bill Roland. City Staff: Don Perryman, 499-2786.

**Ordinance No. 980723-L approved**

53. C14-96-0160 - Amend Ordinance No. 970515-H by: 1) deleting the unnumbered page of Exhibit "A" that incorrectly reflects the zoning designation for Tracts 15 and 18; 2) correcting page 2, Exhibit "B" that reflects zoning designation for Tract 18. Applicant: City of Austin. Agent: Development Review and Inspection Department; City Staff: Joe Arriaga, 499-2308.

**Ordinance No. 980723-M approved**

54. C14-97-0148 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 13401-13471 North U.S. Hwy. 183, from "I-RR", Interim Rural Residential to "GR-CO", Community Commercial-Conditional Overlay District zoning. First reading on June 25, 1998; Vote 6-0 (Spelman absent). Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: Mitchel Wong; Agent: CFX, Inc. City Staff: David Wahlgren, 499-6455.

**Ordinance No. 980723-N approved**

**Items 29 through 54 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.**

55. C14-98-0023 - Approve second reading of an ordinance amending Chapter 13-2 of the Austin City Code by zoning property locally known as Winnebago and Caven from "SF-2", Single Family Residence to "LI-CO: Light Industrial-Conditional Overlay District zoning for Tract 1 and "RR", Rural Residence District zoning for Tract 2, with conditions. First reading on June 25, 1998; Vote 6-0, Spelman absent. Applicant: Airport Techno Park (Mike Voticky); Agent: Crocker Consulting (Sarah Crocker) City Staff: Joe Arriaga, 499-2308.

**Approved second reading only on Councilmember Goodman's motion, Councilmember Griffith's second, 7-0 vote.**

56. C14-98-0034 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code zoning property locally known as 5401 to 5515 East Riverside Drive from "IP", Industrial Park, to "LO", Limited Office District zoning with conditions. First reading on May 21, 1998 (Vote 7-0). Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: City of Austin; Agent: Development Review and Inspection Department; Owner: CERA Foundation (Robert Fontana); City Staff: Joe Arriaga, 499-2308.

**Ordinance No. 980723-D approved on Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.**

57. C14-98-0037 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by zoning property locally known as 2106 Bergman Avenue from "SF-3", Family Residence to "P", Public District zoning. First reading on July 9, 1998; Vote 7-0. Conditions met as follows: No conditions to be met. Applicant: City of Austin Parks and Recreation Department

(Stuart Strong); Agent: Morales & Associates (Ponciano Morales III). City Staff: Ivan Naranjo, 499-2724. Note: A valid petition has been filed in opposition to this rezoning request. **(Related to Item 58)**

**Ordinance No. 980723-P approved**

58. Approve a resolution limiting the construction of the parking lot on the property located at 2106 Bergman Avenue to a maximum of twenty-eight parking spaces, prohibit the removal of trees on the property, and to require the use of grasscrete or other pervious pavers to construct the parking lot. **(Related to Item 57)**

**Resolution No. 980723-58 approved**

**Items 57 and 58 approved on Councilmember Slusher's motion, Councilmember Spelman's second, 6-1 vote, Councilmember Goodman voting "NO".**

**Recessed for AHFC at 4:47 p.m. on Councilmember Goodman's motion, Councilmember Lewis' second, 7-0 vote**

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

**President Watson called the meeting of the AHFC to order, noting the presence of all Boardmembers.**

The Mayor will recess the City Council meeting. A Board meeting of the Austin Housing Finance Corporation (AHFC) will be conducted. Following adjournment of the AHFC Board meeting, the City Council will be reconvened. Item 59 is the AHFC item to be considered by the Austin Housing Finance Corporation's Board of Directors.

59. Approve a resolution authorizing negotiation and execution of a contract with the Guadalupe Neighborhood Development Corporation (GNDC) for the development of affordable housing for low and moderate income families at eight sites in the Guadalupe neighborhood, in an amount not to exceed \$235,528. (Funding is available in the amended 1997-98 Austin Housing Finance Corporation budget.)

**Resolution No. 980723-59 approved on Boardmember Garcia's motion, Boardmember Lewis' second, 7-0 vote.**

**Adjourned AHFC meeting at 4:54 p.m. on Boardmember Garcia's motion, Boardmember Slusher's second, 7-0 vote.**

**ITEMS FROM COUNCIL**

60. Direct the City Manager to analyze installing left turn lane signals on Congress Avenue. (Councilmembers Daryl Slusher and Willie Lewis)

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

61. Approve an ordinance waiving a portion of a parkland dedication fee requirement on an infill residential project known as the Village at Kinney Court. (Councilmember Daryl Slusher and Mayor Pro Tem Gus Garcia)  
Ordinance No. 980723-R approved on Councilmember Lewis' motion, Councilmember Slusher's second, with friendly amendment by Councilmember Slusher to add Part 1 Findings; section (B); "This ordinance does not constitute an approval of that schematic design" and section (G); delete the words " as depicted in Exhibit A", 6-1 vote, Councilmember Griffith voting "NO".

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

62. C14-83-098 - Public hearing to amend Chapter 13-2 of the Austin City Code by amending a restrictive covenant for the property locally known as 3501 West William Cannon Drive. Planning Commission Recommendation: To deny request to amend the restrictive covenant. Applicant: Bannockburn Baptist Church (Herb Ingram); Agent: Garrett/Associates Engineering (Michael Simmons-Smith). City Staff: Joe Arriaga, 499-2308. (Continued from 6/25/98)  
**Postponed to August 6, 1998 on Councilmember Spelman's motion, Councilmember Lewis' second, 7-0 vote.**
63. C14-98-0028 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 2515 Quarry Road from "SF-3", Family Residence to "SF-5", Urban Family Residence. Planning Commission Recommendation: To deny "SF-5", Urban Family Residence District zoning. Applicant: Steve Buerlein. City Staff: Don Perryman, 499-2786. (Continued from 6/25/98)  
**Postponed to August 13, 1998 on Councilmember Slusher's motion, Councilmember Spelman's second, 6-0 vote, Mayor Watson off the dais.**
64. C14-98-0050 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as Southeast of Boulder Lane Extension from "LR", Neighborhood Commercial; "GR", Community Commercial; "SF-6", Townhouse & Condominium Residence; "MF-2", Multi-Family Residence (low density) to "MF-2", Multi-Family Residence (low density) and GO, General Office. Planning Commission Recommendation: To Grant "MF-2", Multi-Family Residence (low density) and "GO," General Office District zoning. Applicant: Canyon Creek Option, Ltd. (Fred Eppright), Agent: Land Strategies, Inc. (Paul Linehan). City Staff: David Wahlgren, 499-6455.  
**Ordinance No. 980723-Q approved**
65. C14-98-0067 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as Harris Ridge Blvd. & East Parmer Lane from "GR", Community Commercial; "MF-3", Multi-Family Residence (medium density); "SF-6", Townhouse & Condominium Residence; "LI", Limited Industrial Service; "LR", Neighborhood Commercial to "GR", Community Commercial; "MF-2", Multi-Family residence (low density); "RR", Rural Residence District; "LR", Neighborhood Commercial; "P", Public District. Planning Commission Recommendation: To grant "GR", Community Commercial; "MF-2", Multi-Family residence (low density); "RR", Rural Residence District; "LR", Neighborhood Commercial; "P", Public District zoning with conditions.

Applicant: The Gottesman Company (Sandy Gottesman); Agent: The Liverman Company (Bob Liverman). City Staff: David Wahlgren, 499-6455.

**Postponed to August 6, 1998 applicant's request**

66. C14R-85-337 - Public hearing to terminate a restrictive covenant for property locally known as Southeast corner of Boulder Lane extension & Lot 1, Block A of Section 9 Canyon Creek Apartments. Planning Commission Recommendation: To Grant the termination of the restrictive covenant. Applicant: Canyon Creek Option, Ltd.; Agent: Paul M. Juarez. City Staff: David Wahlgren, 499-6455.

**Approved**

**Items 64 through 66 approved on Councilmember Spelman's motion, Councilmember Lewis' second, 7-0 vote.**

**Motion to suspend rules beyond 10:00 p.m. on Councilmember Spelman's motion, Councilmember Griffith's second, 4-0 vote, Mayor Pro Tem Garcia, Councilmembers Slusher and Lewis off the dais.**

#### PUBLIC HEARINGS

67. **6:00 P.M.** - Public hearing to receive public comment on the September 26, 1998 Bond Election. **Motion to close public hearing by Councilmember Slusher's motion, Councilmember Griffith's second, 7-0 vote.**

#### EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held at 12:24 p.m. to 3:23 p.m.

Executive session held at 5:04 to 6:22 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 – 551.071

68. Discuss Ira and Charmaine Bedford, et al. v. The City of Austin, et al., Cause No. A-97-CV-094-SS, United States District Court for Western District of Texas. (Cedar Avenue)
69. Discuss W.W. Deerfield, Ltd. v. City of Austin, Cause No. 96-13413, in the Travis County District Court, (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.)

70. Discuss Gordon Dunaway and Eli J. Garza vs. City of Austin, Cause No. 97-12434, in the 261st Judicial District Court of Travis County.
71. Discuss Janice Bailey, et al. v. The City of Austin, No. 03-97-00789-CV, Texas Court of Appeals, Third District, at Austin. (Proposition 22)
72. Discuss John Goode d/b/a Mr. Bones BBQ v. City of Austin, No. A-98CA144SS, United States District Court for Western District of Texas.

#### **Real Property – Section 551.072**

73. Discuss acquisition of real property for administrative facilities for the Solid Waste Services Department.
74. Discuss the real property acquisition of the Knights of Columbus Building for park and recreational purposes.
75. Discuss acquisition of property for expansion of the Convention Center.

#### **ACTION ON THE FOLLOWING**

76. Authorize fee simple acquisition of 9,582 square feet of land and improvements legally described as Lot 2, The Railyard; Austin, Travis County, Texas, locally known as 519 East 4<sup>th</sup> Street from SW States Management & Louis Shanks of Texas, Inc., for the expansion of the Convention Center.

**Item voted on in a previous meeting.**

77. Authorize the filing of eminent domain proceedings in the event negotiations are unsuccessful for the fee simple acquisition of 9,582 square feet of land and improvements legally described as Lot 2, The Railyard, Austin, Travis County, Texas, locally known as 519 East 4<sup>th</sup> Street owned by SW States Management & Louis Shanks of Texas, Inc., for the expansion of the Convention Center.

**Approved**

78. Authorize the negotiation and execution of a contract for the acquisition of approximately 4.13 acres from Knights of Columbus State Headquarters Corp. for park and recreational purposes. (Related to Items 48 & 49)

**Approved in an amount not to exceed \$1.55 million.**

**Items 77 and 78 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.**

79. **APPOINTMENTS**

Solid Waste Operations Task Force –

No action taken

Recessed for 10 minutes at 7:05 p.m.

## ADDENDUM

JULY 23, 1998

81. Discussion and possible action on a package of initiatives designed to promote community reconciliation.  
Resolution No. 980723-81 approved on Councilmember Slusher's motion, Councilmember Lewis' second, 7-0 vote.

Recessed at 7:53 p.m. for five minutes.

NOTE: The above items will be considered under their respective category, but follow the last number on the Austin, Texas, City Council Agenda for July 23, 1998.

ADJOURNED at 11:55 p.m. on Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 7-0 vote.

Approved on this the 6<sup>th</sup> day of August, 1998 on Councilmember Lewis' motion, Mayor Pro Tem Garcia's second, 5-0 vote, Councilmembers Griffith and Spelman temporarily absent.