



Austin City Council MINUTES

REGULAR MEETING
THURSDAY, OCTOBER 8, 1998

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

1. Approval of Minutes for Regular Meetings of September 30, 1998 and October 1, 1998.
Postponed

CITIZEN COMMUNICATIONS: GENERAL

2. Gavino Fernandez, Jr. SMART – INITATIVE (Send Minorities Across River Tomorrow!)
3. Richard Knowlton, City of Austin Employee input.
4. Paul Robbins
5. Charles Waits, to discuss environmental matters and acknowledge Gus Garcia.
6. Gus Pena, to discuss City issues, health clinic, and Goggio Consultant budget.
7. John McMillan, to discuss the establishment of a multi-block alcohol-free zone in town.
Absent

READING OF CONSENT AGENDA

READING OF DISCUSSION AGENDA

CITIZEN COMMUNICATIONS: CONSENT AGENDA

ACTION ON CONSENT AGENDA

2:00 P.M. – BONDS

8. Approve the redemption of certain outstanding City of Austin, Texas, Combined Utility Systems Revenue Bonds and other matters related thereto. (Associated costs will be provided from the proceeds of the related issuance of Subordinate Lien Revenue Refunding Bonds, Series 1998 and 1998A.

Resolution No. 981008-8 approved

9. Approve an ordinance authorizing the issuance of approximately \$213,365,000 City of Austin Texas, Subordinate Lien Revenue Refunding Bonds, Series 1998 and 1998A, including approval and authorization of a Purchase Contract, Escrow Agreement, Paying Agent/Registrar Agreement, and Official Statement and other matters related thereto. (\$9,415,547.78 is the estimated debt service requirement in FY 1998-99 and is provided in the 1998-99 Approved Budget of the Utility Revenue Bond Redemption Fund.)

Ordinance No. 981008-D approved

Items 8 and 9 approved on Councilmember Garcia's motion, Councilmember Spelman's second, 7-0 vote.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

10. Approve a resolution authorizing execution of a contract with ANCHOR FENCE, New Braunfels, Texas, for the purchase and installation of a chain link fence at the Balcones Canyonlands Preserve, in an amount not to exceed \$97,762.70. (Funding was included in the 1997-98 Capital budget of the Parks and Recreation Department.) Low bid of three. No M/WBE Subcontracting opportunities were identified.

Resolution No. 981008-10 approved on Councilmember Lewis' motion, Mayor Pro Tem Goodman's second, 7-0 vote.

11. Approve a resolution authorizing execution of a construction contract with BRAUN AND BUTLER CONSTRUCTION, INC., Austin, Texas, for construction of the Fire/EMS Station located at 10111 Anderson Mill Road, in the amount of \$1,610,000. (Funding is available in the 1997-98 Amended Capital budget of the Fire Department.) Low bid of four. 11.85% MBE, 5.37% WBE Subcontractor participation.

Postponed to October 22, 1998 on Councilmember Lewis' motion, Councilmember Garcia's second,

Substitute motion to approve item on Councilmember Slusher's motion, Councilmember Spelman's second,

Friendly amendment by Mayor Pro Tem Goodman to go to the Attorney General in the future for guidelines.

Friendly amendment accepted by maker and seconder.

Vote on substitute motion 5-0 vote, Councilmembers Garcia and Lewis voting "NO".

12. Approve second/third readings of an ordinance granting fee waivers for Austin Habitat for Humanity's development of 24 single-family lots for low income housing in Montopolis (Mary Vice

Estates), in the amount of \$93,817.63. (Councilmember Gus Garcia, Mayor Pro Tem Jackie Goodman and Councilmember Willie Lewis)

Ordinance No. 981008-E approved on Councilmember Garcia's motion, Councilmember Slusher's second, 7-0 vote.

Aviation

13. Approve a resolution authorizing execution of a contract with SALAS & MORALES, INC., (DBE/MH), Austin, Texas, for installation of an irrigation system along the Terminal Access Road and parking lot landscaped areas at Austin-Bergstrom International Airport, in the amount of \$260,517.50 plus a contingency fund of \$26,051.50 for a total amount not to exceed \$286,569. (Funding is included in the 1998-99 Capital budget of the Aviation Department.) Low bid of four. 94.4% DBE Prime participation; 5.6% MBE, 0% WBE. [Recommended by Airport Advisory Board]
Resolution No. 981008-13 approved

Law

14. Approve a resolution authorizing the filing of eminent domain proceedings to acquire the fee simple acquisition of Lot 1, 400 Jessie Street Subdivision, a subdivision in Travis County, Texas, according to the map or plat of record in Volume 88, Page 147, Plat Records of Travis County, Texas from Carla Ann Blumberg, as Trustee of the Carla Ann Blumberg Special Trust for the Toomey Road Traffic Management Expansion Project. (Appraised value is \$130,000. Funding is available in the 1998-99 operating budget of the Public Works and Transportation Department.)
Resolution No. 981008-14 approved

City Clerk

15. Approve a resolution authorizing the appointment of an Acting Associate City Clerk. (No fiscal impact.)
Resolution No. 981008-15 approved

Parks and Recreation

16. Approve a resolution authorizing execution of a nine year lease with TFC TEXTRON FINANCIAL CORPORATION, Providence Rhode Island; and a maintenance agreement with WATSON DISTRIBUTING COMPANY, INC., Houston, Texas, to provide golf course maintenance equipment for the five golf courses within the Parks and Recreation Department, in an amount not to exceed \$494,230.32 and \$180,000 respectively for the first three year period with the lease price adjusted at the end of the third and sixth years based upon a percentage discount to the manufacturer's retail price for the equipment, the U.S. Treasury's three year note and the CPI, up to an estimated amount of \$83,419.05 per adjustment for an estimated total amount of \$2,189,529 for the nine year lease agreement. (Funding in the amount of \$224,743.44 is included in the 1998-99 Operating budget of the Parks and Recreation Department's Golf Enterprise Fund. Funding for the remaining

ninety-six months is contingent upon available funding in future budgets.) Low bids of three. No M/WBE Subcontracting opportunities were identified.

Resolution No. 981008-16 approved

17. Approve a resolution authorizing execution of a contract with MUNIZ CONCRETE & CONTRACTING, INC., (MBE/MH), Austin, Texas, for construction of Barton Hills School Park Play Area Renovation, in the amount of \$144,246. (Funding was included in the 1997-98 Capital budget of the Parks and Recreation Department.) Low bid of two. 91.6% MBE Prime participation. 0% MBE, 8.4% WBE Subcontractor participation.
Resolution No. 981008-17 approved

Items 13 through 17 approved on Councilmember Lewis' motion, Mayor Pro Tem Goodman's second, 7-0 vote.

Health and Human Services

18. Approve a resolution authorizing negotiation and execution of a twelve month contract with AUSTIN REGIONAL INDEPENDENT ASSOCIATES, Austin, Texas, to coordinate and provide managed care medical services for enrollees in the City's Medical Assistance Program (MAP), in an amount not to exceed \$1,292,240 with four twelve month extension options in an amount not to exceed \$1,693,523 for year two, \$2,166,756 for year three, \$2,275,094 for year four, and \$2,388,849 for year five, for a total contract amount not to exceed \$9,816,462. (Funding in the amount of \$1,079,651 is included in the 1998-99 operating budget of the Health and Human Services Department's Medical Assistance Program (MAP) for the coordination and provision of managed care medical services to MAP enrollees through a private health care network for the first ten months of the contract. The remaining two months of year one and the extension options is contingent upon available funding in future budgets.) Single proposal. No M/WBE Subcontracting opportunities were identified.
Postponed to October 22, 1998
19. Approve a resolution authorizing the interim appointment of Napoleon Mayorga, M.D., as the Health Authority for Austin/Travis County Health and Human Services Department. (No fiscal impact.)
Resolution No. 981008-19 approved

Planning, Environmental and Conservation Services

20. Set public hearings for full purpose annexation of the following areas: C7a-98-001 Pond Springs Multi-family Area; C7a-98-002 FM 620 ROW; C7a-98-003 Parke Phase C; C7a-98-004 Aiken Tract; C7a-98-005 Lonestar/Gannaway Tract; C7a-98-006 Brodie Springs Area; C7a-98-007 Wild Basin (COA)/Loop 360 Right of Way; C7a-98-008 Pond Springs Commercial Area; C7a-98-009 Howard Lane Industrial Tract. (Suggested dates and times: November 5, 1998 at 7:00 P.M. and November 19, 1998 at 6:30 P.M.)
Resolution No. 981008-20 approved

21. Set public hearings for the consensual limited purpose annexation of the Galloway Tract. (Suggested dates and times: November 5, 1998 at 7:15 P.M. and November 19, 1998 at 6:45 P.M.)
Resolution No. 981008-21 approved
22. Set public hearing to consider a Strategic Partnership Agreement with Anderson Mill Municipal Utility District and to consider Limited Purpose annexation of certain commercial tracts and Full Purpose annexation of certain commercial tracts in Anderson Mill MUD. (Suggested dates and times: November 5, 1998 at 7:30 P.M. and November 19, 1998 at 7:00 P.M.)
Resolution No. 981008-22 approved

Infrastructure Support Services

23. Set a public hearing on the proposed street name change from RAYMOND STREET to WALLINGFORD BEND DRIVE, from the intersection of Shirley Avenue and Raymond Street westerly to the end of the right-of-way, the intersection of Raymond Street and North Lamar Boulevard. (\$415 processing fee and \$300 street sign costs have been paid by requester.) [Suggested date and time: November 5, 1998 at 6:00 p.m.]
Resolution No. 981008-23 approved

Public Works

24. Approve a resolution authorizing fee simple acquisition of 3.289 acres of right-of-way out of a portion of seven tracts totaling 326.97 acres of land located on East William Cannon Drive from FC PROPERTIES ONE, LTD., a Texas Limited Partnership, for the East William Cannon Drive road construction project, Pleasant Valley Road to Scenic Loop (McKinney Falls Parkway), in the amount of \$46,601. (Funding was included in the 1991-92 Amended Capital budget of the Public Works and Transportation Department.)
Resolution No. 981008-24

Items 19 through 24 approved on Councilmember Lewis' motion, Mayor Pro Tem Goodman's second, 7-0 vote.

Convention Center

25. Approve a resolution authorizing negotiation and execution of a professional services agreement with PAGE SOUTHERLAND PAGE, Austin, Texas, to provide architectural and engineering design, and construction phase services for the expansion of the Austin Convention Center, located at 500 East Cesar Chavez Street, in an amount not to exceed \$3,975,000. (Funding is available in the 1997-98 Capital budget of the Convention Center Department.) Best qualification statement of five. 12.23% MBE, 19.45% WBE Subconsultant participation.
Resolution No. 981008-25 approved on Councilmember Spelman's motion, Mayor Pro Tem Goodman's second, 7-0 vote.

Development Review and Inspection

26. Set a public hearing on a variance request to allow replacement of manufactured homes at 5101 Johnny Morris Road in the 25-year floodplain. (Suggested date and time: October 22, 1998 at 6:00 P.M.)
Resolution No. 981008-26 approved

27. Set a public hearing on a variance request to construct a roof over an existing patio and to screen in the existing patio at Frank and Angie's Restaurant located at 508 West Avenue in the 25-year floodplain. (Suggested date and time: October 22, 1998 at 6:15 P.M.)
Resolution No. 981008-27 approved

Finance and Administrative Services

28. Approve a resolution authorizing execution of a twelve month supply agreement with HUTTON COMMUNICATIONS, Carrollton, Texas, for the purchase of radio antennas and repair/replacement parts used in the City's microwave network by the Public Safety and Emergency Service Departments, in an amount not to exceed \$50,000 with three twelve month extension options in an amount not to exceed \$50,000 per extension, for a total contract amount not to exceed \$200,000. (Funding was included in the 1998-99 operating budget of the Radio Communications Division of the Financial and Administrative Services Department. Funding for the extension options is contingent upon available funding in future budgets.) Low responsive bid of two. No M/WBE Subcontracting opportunities were identified.
Resolution No. 981008-28 approved

Items 26 through 28 approved on Councilmember Lewis' motion, Mayor Pro Tem Goodman's second, 7-0 vote.

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

The Mayor will recess the City Council meeting. A Board meeting of the Austin Housing Finance Corporation (AHFC) will be conducted. Following adjournment of the AHFC Board meeting, the City Council will be reconvened. Items 29-30 is the AHFC item to be considered by the Austin Housing Finance Corporation's Board of Directors.

29. Approve a resolution accepting the resignation of Gus Garcia as Vice-President and election of Vice-President to fill the vacancy on the Board.

30. Approve a resolution authorizing the issuance of Austin Housing Finance Corporation Multifamily Housing Revenue Bonds (Rutland Place I & II project) Series 1998 A & B, in an amount not to exceed an aggregate principal amount of \$13,270,000, the form and substance of a trust indenture, a loan agreement, a regulatory agreement with respect to the project, and other matters in connection with the transaction, requested by the San Antonio Alternative Housing Corporation, a 501©3 Texas non-profit Corporation, to finance the acquisition and rehabilitation of the Rutland Place I and II Apartments located at 1647-1711 Rutland Drive. (All fees are to be paid by requester or out of the bond proceeds. The Austin Housing Finance Corporation will receive a

financing fee of .5% of the amount of the bonds from bond proceeds at closing. The financing fee revenue will not exceed \$66,350 and will increase the 1998-99 sources of funds for AHFC.)

3:45 P.M. – BOARD OF DIRECTOR'S MEETING OF THE ABIA DEVELOPMENT CORPORATION

The Mayor will recess the City Council meeting. A Board meeting of the ABIA Development Corporation will be conducted. Following adjournment of the ABIA Board meeting, the City Council will be reconvened. Items 31-32 are the ABIA items to be considered by the ABIA Development Corporation's Board of Directors.

31. Approve a resolution accepting the resignation of Gus Garcia as Vice-President and election of Vice-President to fill the vacancy on the Board.
32. Approve a resolution authorizing the issuance of Airport Facilities Revenue Bonds (Austin Bellyport Development L.L.C. Project) Tax-exempt Series 1998A in the amount of \$8,200,000 and Taxable Series 1998B in the amount of \$250,000, and approving documents. **(Related to Item 33)**

Finance and Administrative Services

33. Approve a resolution authorizing the issuance by ABIA Development Corporation of Airport Facilities Revenue Bonds, (Austin Bellyport Development L.L.C. Project) Tax-exempt Series 1998A in the amount of \$8,200,000, and Taxable Series 1998B in an amount not to exceed \$250,000. **(Related to Item 32)**
Postponed to October 22, 1998 on Councilmember Spelman's motion, Councilmember Lewis' second, 7-0 vote.

Development Review and Inspection

34. To set a public hearing on a request to waive the minimum separation/distance requirement of City Code Section 8-3-4, between a one day outdoor street festival (Guadalupe Street Fair), which intends to sell alcoholic beverages at the 2100, 2200 and 2300 Blocks of Guadalupe Street, 400 Block of West 22nd Street and 400 Block of West 23rd Street, and area churches and public schools. File #SP-98-0371(AW). (Suggested date and time: November 5, 1998 at 5:30 p.m.)
Resolution No. 981008-34 approved
35. C14-98-0023 - Approve third reading of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as Winnebago Lane and Caven Road, from "SF-2", Single Family Residence to "LI-CO", Limited Industrial Services-Conditional Overlay District zoning with conditions. First reading on June 25, 1998; Vote: 6-0, Slusher absent. Second reading on July 23, 1998; Vote: 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council on second reading. Applicant: Airport Techno Park LP; Agent: Crocker Consultants (Sarah Crocker). City Staff: Joe Arriaga, 499-2308.
Ordinance No. 981008-A approved

36. C14-98-0040 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 2110 West Slaughter Lane from "I-SF-2", Interim-Single Family Residence, and "I-RR", Interim-Rural Residence to "GR-CO", Community Commercial-Conditional Overlay District zoning for Tract 1 and "CS-1-CO", Commercial-Liquor Sales-Conditional Overlay District zoning for Tract 2, with conditions. First reading on June 25, 1998; Vote: 6-0, Slusher absent. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council on first reading. Applicant: H.E.B. Grocery Company; Agent: Bury and Pittman (Jim Knight). City Staff: Joe Arriaga, 499-2308
Ordinance No. 981008-B approved
37. C14-98-0071 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 4525 South IH-35 from "SF-3", Family Residence to "GR-CO", Community Commercial-Conditional Overlay District zoning with conditions. First reading on August 13, 1998; Vote: 6-0; Garcia absent. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council on first reading. Applicant: Frank Covert; Agent: Longaro and Clark (Alex Clark). City Staff: Joe Arriaga, 499-2308.
Ordinance No. 981008-C approved

ITEMS FROM COUNCIL

38. Direct the City Manager to consider the feasibility of establishing a non-federal trust fund dedicated to increasing and maintaining reasonably priced housing in the City of Austin, including basic criteria and parameters. (Councilmember Willie Lewis and Mayor Kirk Watson)
Resolution No. 981008-38 approved
39. Approve a resolution authorizing \$125,000 of Community Development Block Grant funds to support equipment and other needs for the East Communities Branch YMCA, as recommended in the 1998-1999 Consolidated Plan, Public Facilities Category. (Councilmembers Willie Lewis, William Spelman and Gus Garcia)
Resolution No. 981008-39 approved

Items 34 through 39 approved on Councilmember Lewis' motion, Mayor Pro Tem Goodman's second, 7-0 vote.

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

40. C14-98-0029 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 7800 North Capital of Texas Highway from "SF-2", Single Family Residence (Standard Lot) to "LO", Limited Office. Planning Commission Recommendation: To grant "LO-CO", Limited Office-Conditional Overlay District zoning with conditions. Applicant: Carpenter & Associated, Inc. (Ron Reue). Agent: Urban Design Group (Norma Pena Raven). City Staff: Don Perryman, 499-2786.
Approved on Councilmember Spelman's motion, Councilmember Griffith's second, 6-0 vote, Mayor Pro Tem Goodman off the dais.

Friendly amendment to pull item off consent, accepted.

Postponed to October 22, 1998 on Councilmember Slusher's motion, Councilmember Lewis' second, 7-0 vote.

41. C14-98-0076 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as 1205 Wells Branch parkway from "I-RR", Interim-Rural Residence district to "LI", Limited Industrial Services district. Planning Commission Recommendation: To Grant "W/LO-CO", Warehouse/Limited Office-Conditional Overlay District zoning with conditions. Applicant: David Campbell. City Staff: David Wahlgren, 499-6455. (continued from 8/13/98 and 9/3/98)
Approved applicant recommendation with a 40' height building, first reading only on Councilmember Lewis' motion, Councilmember Goodman's second, 6-0 vote, Councilmember Garcia off the dais.

42. C14-98-0078 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 2009 & 2011 Fort View Road and 2024 & 2026 West Ben White Blvd., from "SF-3", Family Residence to "CS", General Commercial Services. Planning Commission Recommendation: To Deny "CS", General Commercial Services District zoning. Applicant: Maria Garcia, Tauhlee Watts & John Gustafson; Agent: J. B. Goodwin Company (Mike Jones). City Staff: Susan Villarreal, 499-6319. Note: A valid petition has been filed in opposition to this rezoning request.
Postponed to November 5, 1998

43. C14-98-0079 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 1518 West Koenig Lane from LR, Neighborhood Commercial to CS, General Commercial Services. Planning Commission Recommendation: To Deny CS, Commercial Services District zoning. Applicant: Plaques Plus (Nanci MacFarlane); Agent: Loomis & Moore, Inc. (Bruce Melton). City Staff: Antonio Gonzalez, 499-2243
Postponed to October 22, 1998

44. C14-98-0086 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 13584 Pond Springs Road (400' south of the intersection of Pond Springs Road and U.S. Hwy. 183) from "I-SF-2", Interim Single Family Residence (standard lot) & "I-RR", Interim Rural Residence to "GR", Community Commercial. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial-Conditional Overlay District zoning with conditions. Applicant: Noel and Sophie Holland. City Staff: David Wahlgren, 499-6455.
Ordinance No. 981008-F approved

Items 42 through 44 approved on Councilmember Spelman's motion, Councilmember Griffith's second, 6-0 vote, Mayor Pro Tem Goodman off the dais.

45. C14-98-0088 - Public hearing to amend Chapter 13-2 of the Austin City Code zoning property locally known as La Crosse Ave. west at Escarpment Blvd. from "I-SF-4A", Interim Single Family Residence, to "SF-4-CO", Single Family Residence - Conditional Overlay District zoning with conditions. Applicant: Polan Interests (Craig Polan), Agent: Jim Bennett. City Staff: Joe Arriaga, 499-2308.

Ordinance No. 981008-K approved on Councilmember Spelman's motion, Councilmember Slusher's second, 6-0 vote, Mayor Pro Tem Goodman off the dais.

46. C14-98-0092 - Public hearing to amend Chapter 13-2 of the Austin City Code zoning property locally known as 6100 Burleson Rd. from "SF-2", Single Family Residence (standard lot), to "LI-CO", Limited Industrial - Conditional Overlay zoning with conditions. Applicant: Jim Reid; Agent: Land Answers (Jim Whitliff). City Staff: Joe Arriaga, 499-2308.
Ordinance No. 981008-G approved
47. C14-98-0093 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 7212 to 7304 McNeil Drive from "I-RR", Interim Rural Residence to "LI", Limited Industrial Services. Planning Commission Recommendation: To Grant "LI-CO", Limited Industrial Services-Conditional Overlay zoning with conditions. Applicant: Carl Galant; Agent: Jim Bennett. City Staff: David Wahlgren, 499-6455.
Ordinance No. 981008-H approved
48. C14-98-0094 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 7208 McNeil Drive from "I-RR", Interim Rural Residence to "LI", Limited Industrial Services. Planning Commission Recommendation: To Grant "LI-CO", Limited Industrial Services-Conditional Overlay District zoning with conditions. Applicant: Robert E. Williams; Agent: Jim Bennett. City Staff: David Wahlgren, 499-6455.
Ordinance No. 981008-I approved
49. C14-98-0096 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as South side of Boardwalk Drive (200' east of the intersection Boardwalk Drive and U.S. Hwy. 183) from "I-SF-2", Interim Single Family Residence (standard lot) to "CS", General Commercial Services. Planning Commission Recommendation: To Grant "CS-CO", Commercial Services-Conditional Overlay District zoning with conditions. Applicant: Allen Rundell; Agent: Site Specifics (John Hussey). City Staff: David Wahlgren, 499-6455.
Approved first reading only
50. C14-98-0097 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as South side of Boardwalk Drive (600' east of the intersection Boardwalk Drive and U.S. Hwy. 183) from "I-SF-2", Interim Single Family Residence (standard lot) to "CS", General Commercial Services. Planning Commission Recommendation: To Grant "CS-CO", General Commercial Services-Conditional Overlay zoning with conditions. Applicant: Allen Rundell; Agent: Site Specifics (John Hussey). City Staff: David Wahlgren, 499-6455.
Approved first reading only
51. C14-98-0098 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as South side of the intersection of Boardwalk Drive and Roxie Drive from "I-SF-2", Interim Single Family Residence (standard lot) to "CS", General Commercial Services. Planning Commission Recommendation: To Grant "CS-CO", General Commercial Services-Conditional Overlay District zoning with conditions. Applicant: Allen Rundell; Agent: Site Specifics (John Hussey). City Staff: David Wahlgren, 499-6455.
Approved first reading only

52. C14-98-0099 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as North side of Roxie Drive (600' north of the intersection of Roxie Drive and U.S. Hwy. 183) from "I-SF-2", Interim Single Family Residence (standard lot) to "CS", General Commercial Services. Planning Commission Recommendation: To Grant "CS-CO", Commercial Services-Conditional Overlay District zoning with conditions. Applicant: Allen Rundell; Agent: Site Specifics (John Hussey). City Staff: David Wahlgren, 499-6455.
Approved first reading only
53. C14-98-0101 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 1105-1107 Clermont Avenue from "CS", Commercial Services to "CS-MU", General Commercial Services-Mixed Use Combining District. Planning Commission Recommendation: No Recommendation. Applicant: Guadalupe Neighborhood Development Corp.; Agent: City of Austin, Development Review and Inspection Department. City Staff: Susan Villarreal, 499-6319. . Note: A valid petition has been filed in opposition to this rezoning request
Postponed indefinitely by applicant
54. C14-98-0102 - Public hearing to amend Chapter 13-2 of the Austin City Code zoning property locally known as 6701 Circle S Road from "SF-2", Single Family Residence, to "P", Public District zoning. Applicant: City of Austin - Library Department (John Gillum); Agent: City of Austin - Public Works (Cynthia Jordan) City Staff: Joe Arriaga, 499-2308.
Approved first reading only

Items 46 through 54 approved on Councilmember Spelman's motion, Councilmember Griffith's second, 6-0 vote, Mayor Pro Tem Goodman off the dais.

55. C14-98-0137 - Public hearing to amend Chapter 13-2 of the Austin City Code zoning property locally known as 1200 Willow Street from "SF-3", Family Residence, to "LO", Limited Office. Planning Commission Recommendation: To Grant "LO-CO", Limited Office-Conditional Overlay District zoning with conditions. Applicant: El Buen Pastor Early Childhood Development Center; Agent: Linda M. Ruiz. City Staff: Susan Villarreal, 499-6319.
Ordinance No. 981008-L approved on Councilmember Garcia's motion, Councilmember Slusher's second, 7-0 vote.
56. C814-95-0001 - Public hearing to amend Chapter 13-2 of the Austin City Code zoning property locally known as 901 W. Ben White Blvd. from "LO", Limited Office and "SF-3" Family Residence to "PUD" Planned Unit Development. Planning Commission Recommendation: To Grant "PUD" Planned Unit Development District zoning with conditions. Applicant: Columbia/St. David's Health Care System, L.P. (Malcolm Belisle) Agent: Griffin Engineering Group (Greg Griffin) City Staff: Joe Arriaga, 499-2308.
Ordinance No. 981008-J approved
57. C14-88-0077 - Public hearing to amend Chapter 13-2 of the Austin City Code by amending a restrictive covenant for the property locally known as North I-H 35 Service Road (South Bound) at Parmer Lane. Existing zoning: "CH-CO", Commercial Highway-Conditional Overlay, "GR-CO", Community Commercial-Conditional Overlay, and "LO", Limited Office. planning Commission Recommendation: To Approve the Restrictive Covenant Amendment. Applicant: Park Central Venture, L.L.C.; Agent: Jim Nias. City Staff: Don Perryman, 499-2786. (continued from 10/1/98)

Approved

Items 56 and 57 approved on Councilmember Spelman's motion, Councilmember Griffith's second, 6-0 vote, Mayor Pro Tem Goodman off the dais.

PUBLIC HEARINGS

58. 6:30 P.M. – Public hearing on a request to waive the minimum separation/distance requirement of City Code Section 8-3-4, between a gas station/convenience store which intends to sell alcoholic beverages at 5933 Westminster Drive (at Gaston Place), and a public school (Harris Elementary School) and a church (Trinity Presbyterian Church). File #SP-98-0315 (AW).

Postponed to October 22, 1998 at 7:30 p.m.

ACTION ON PUBLIC HEARINGS

59. Approve a request to waive the minimum separation/distance requirement of City Code Section 8-3-4, between a gas station/convenience store which intends to sell alcoholic beverages at 5933 Westminster Drive (at Gaston Place), and a public school (Harris Elementary School) and a church (Trinity Presbyterian Church). File #SP-98-0315 (AW).

No action taken, postponed to October 22, 1998 at 7:30 p.m.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held at 12:15 p.m. to 1:30 p.m.

Executive session held at 3:37 p.m. to 4:15 p.m. on item 68.

Executive session held at 6:31 p.m. to 8:53 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

60. Discuss L.S. Ranch, Ltd., et al v. City of Austin, CA No. 97-13994, Travis County District Court.
61. Discuss legal issues regarding City of Austin v. Club Resorts, Inc., CA. No. 98-00248, Travis County District Court.

62. Discuss Bradley A. Conner v. City of Austin, Cause No. 97-09065, in the Travis County District Court.
63. Discuss Village of Bee Cave, et al. v. Travis County Water Control and Imp. District No. 14, Cause No. 960683, 201st District Court of Travis County, Texas; Travis County Water Control and Imp. District No. 14 v. Texas Natural Resource Conservation Commission, et al., Cause No. 97-12332, 345th District Court, Travis County, Texas; and Request of Travis County Water Control and Imp. District No. 14 for Cease and Desist Order against Village of Bee Cave and Lower Colorado River Authority, filed with Texas Natural Resource Conservation Commission (currently undocketed).
64. Discuss Gordon Dunaway and Eli J. Garza vs. City of Austin, Cause No. 97-12434, in the 261st Judicial District Court of Travis County, Texas. (This litigation concerns development regulations applicable in the Barton Springs Zone.)
65. Discuss legal issues regarding Moore's Crossing M.U.D. consent agreement and proposed bond issue.

ACTION ON THE FOLLOWING

66. Approve execution of an amendment to the contract with Nancy Ebe and Associates to increase the amount of attorney fees by \$70,000, for a total contract amount not to exceed \$100,000, for legal services in Bradley A. Conner v. City of Austin, Cause No. 97-09065, in the Travis County District Court.
Approved in an amount not to exceed \$140,000 on Councilmember Lewis' motion, Mayor Pro Tem Goodman's second, 7-0 vote.
67. Approve settlement of Gordon Dunaway and Eli J. Garza vs. City of Austin, Cause No. 97-12434, in the 261st Judicial District Court of Travis County, Texas. (This litigation concerns development regulations applicable in the Barton Springs Zone.)
No action taken

68. APPOINTMENTS

Arts Commission - PAT ORMAN (REAPPOINTMENT-MAYOR PRO TEM GOODMAN), LESLIE POOL (REAPPOINTMENT-COUNCILMEMBER GRIFFITH), DEANNA RODRIGUEZ-MAYOR WATSON)

Building and Fire Code Board of Appeals – PHILIP HAUGHT (REAPPOINTMENT-CONSENSUS)

Charter Revision Committee - GLORIA MORENO (CONSENSUS)

Community Development Commission – SHAMA GHAMKAR (PUBLIC OFFICIAL REPRESENTATIVE-COUNCILMEMBER SPELMAN), CRISTINA DE LA FUENTE-VALDEZ (URBAN RENEWAL BOARD MEMBER-MAYOR KIRK WATSON), AMELIA LOPEZ-PHELP (URBAN RENEWAL BOARD MEMBER-MAYOR KIRK WATSON)

Design Commission - PAULA FRACASSO (REAPPOINTMENT-COUNCILMEMBER GRIFFITH, PERRY LORENZ (REAPPOINTMENT-COUNCILMEMBER SLUSHER), JANA MCCANN (REAPPOINTMENT-COUNCILMEMBER SPELMAN)

Environmental Board - ROBERT BOTTO (REAPPOINTMENT-CONSENSUS)

Ethics Review Commission - KAREN HASCHKE (REAPPOINTMENT-LEAGUE OF WOMEN VOTERS REPRESENTATIVE-CONSENSUS)
Impact Fee Advisory Committee - RICHARD KALLERMAN (REAPPOINTMENT-CONSENSUS)
Mechanical, Plumbing & Solar Board – THOMAS COMBS (REAPPOINTMENT-LICENSED AIR CONDITIONER REPRESENTATIVE-CONSENSUS)
MHMR Board of Trustees - ROBERT CHAPA (REAPPOINTMENT-CONSENSUS), ANTOINETTE INGLIS (CONSENSUS)
Music Commission – HAROLD MCMILLAN (COUNCILMEMBER LEWIS)
Resource Management Commission – MICHELLE LAVIGNE (COUNCILMEMBER SPELMAN)
Solicitation Board – PATRICIA JACKSON (REAPPOINTMENT-CONSENSUS)
Solid Waste Advisory Commission – JERRY ACUNA (COUNCILMEMBER GARCIA)
Telecommunications Commission – DEBORAH HILL (REAPPOINTMENT-MAYOR PRO TEM GOODMAN)
Urban Renewal Board – CRISTINA DE LA FUENTE-VALDEZ (MAYOR WATSON), AMELIA LOPEZ-PHELP (MAYOR WATSON)
Item approved as posted with the exception of the reappointment of Pat Orman to the Arts Commission on Councilmember Spelman's motion, Mayor Pro Tem Goodman's second, 7-0 vote.

Motion to reappoint Pat Orman to the Arts Commission by Mayor Pro Tem Goodman, Councilmember Griffith's second, 5-1-1 vote, Councilmember Garcia voting "NO", Councilmember Lewis "ABSTAINING".

ADJOURNED at 8:55 p.m. on Councilmember Lewis' motion, Mayor Pro Tem Goodman's second, 4-0 vote, Councilmembers Garcia, Griffith and Spelman off the dais.

ADDENDUM
October 8, 1998

Health

69. Approve a resolution authorizing the establishment of an Austin/Travis County Health & Human Services Department staff Transition Team to address issues regarding the reorganization proposed by Travis County, Health and Human Services Department programs, including private sewage facilities, solid waste enforcement and human services.
Resolution No. 981008-69 approved with an amendment to try to keep city employees on Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 7-0 vote.

ITEMS FROM COUNCIL

70. Approve a resolution consenting to the issuance of Revenue Bonds by the Tarrant County Health Facilities Development Corporation for the acquisition and renovation of health care facilities in

various cities in Texas, including Austin, Texas. (Councilmembers Daryl Slusher and William Spelman)

Resolution No. 981008-70 approved on Councilmember Lewis' motion, Mayor Pro Tem Goodman's second, 7-0 vote.

Approved on this the 22nd day of October, 1998 on Councilmember Garcia's motion, Mayor Pro Tem Goodman's second, 5-0 vote, Councilmembers Slusher and Spelman off the dais.