



# Austin City Council MINUTES

THURSDAY, OCTOBER 22, 1998

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

1. Approval of Minutes for Regular Meetings of October 7 & 8, 1998.  
Approved on Councilmember Garcia's motion, Mayor Pro Tem Goodman's second, 5-0 vote, Councilmembers Spelman and Slusher off the dais.

## CITIZEN COMMUNICATIONS: GENERAL

2. Gus Pena, to discuss City issues.
3. Dave R. Shroeder, need to buy a gross of dosimeters plus a Geiger counter for each fire station and police station.
4. Charles Waits, to discuss new conference elimination.
5. Robert L. Thomas, to discuss parks and the Rosewood Recreation Center.
6. Richard Knowlton
7. Mary Aleshire, to announce Human Rights International Conference on October 16-18 at U.T. Austin, Sid Richardson Hall, sponsored by Amnesty International.

### **Absent**

8. Joseph Chalko-Bush, to discuss ADA.
9. Jimmy Castro, to discuss the Bond Election.
10. Michael Bonds, APD and Ronnie Earle need to answer questions.
11. Dr. Doudou Faye, to discuss asthma as related to roach infestation and how to manage it.

## ITEMS CONTINUED FROM PREVIOUS MEETINGS

12. Approve a resolution authorizing execution of a construction contract with AUSTIN FILTER SYSTEMS, Austin, Texas, for construction of seven erosion control projects at the following tributaries to Little Walnut Creek: Quail Valley Boulevard at Quail Ridge Drive; Mearns Meadow Boulevard at Quail Valley Road; Mearns Meadow Boulevard at Mountain Quail Drive; Stonebridge Drive at Parkfield Drive; Collinfield Drive at the creek; Thurmond Street at the creek; and Aberdeen Way at Rundberg Lane, in the amount of \$495,594.09, plus \$74,339.11 to be used as a contingency fund for change orders, for a total contract amount not to exceed \$569,933.20. (Funding was included in the 1996 Capital budget of

the Watershed Protection Department.) Second low bid of three. 13.8% MBE, 18.5% WBE Subcontractor participation. [Recommended by Environmental Board]  
Resolution No. 981022-12 approved

### Planning, Environmental and Conservation Services

- 13a. Approve a resolution authorizing negotiation and execution of Memorandums of Understanding and Work Plans with representatives of neighborhood planning areas: Chestnut; North Austin Civic Association; Old West Austin; Montopolis; East Cesar Chavez; Onion Creek; Hyde Park; MLK/183; and METSA (MLK, Ed Bluestein, Tannehill, Springdale and Airport), to begin the second round of the Neighborhood Planning Program. (Fiscal impact will depend on the memorandum of agreement as finally approved by the neighborhoods and City staff. Although fiscal impact is unknown, it is anticipated that the only City resources required will be existing staff assigned to this program.) [Recommended by Planning Commission]  
Resolution No. 981022-13a approved on Councilmember Spelman's motion, Councilmember Garcia's second, 7-0 vote.
- 13b. Approve a resolution authorizing an amendment to the First Amended and Restated Agreement concerning creation and operation of the Senna Hills Municipal Utility district. (No fiscal impact.) [Recommended by Parks Board and Planning Commission]  
Postponed to November 5, 1998 on Councilmember Slusher's motion, Councilmember Garcia's second, 5-0 vote, Mayor Pro Tem Goodman and Councilmember Spelman off the dais.

### Finance and Administrative Services

14. Approve a resolution authorizing execution of a twelve month supply agreement with MCCAIN TRAFFIC SUPPLY, Vista California, for the purchase of traffic signal heads in an amount not to exceed \$57,707.10 with two twelve month extension options in an amount not to exceed \$57,707.10 per extension, for a total contract amount not to exceed \$173,121.30. (Funding in the amount of \$52,898.23 was included in various operating and capital budgets 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.) Low bid of four. No M/WBE Subcontracting opportunities were identified.  
Resolution No. 981022-14 approved
15. Approve a resolution authorizing execution of a twelve month supply agreement with LEIF JOHNSON FORD TRUCK CITY, Buda, Texas, for the purchase of captive repair parts for the City's fleet of Ford heavy trucks, in an amount not to exceed \$100,000 with two twelve month extension options in an amount not to exceed \$100,000 per extension, for a total contract amount not to exceed \$300,000. (Funding in the amount of \$91,666.66 was included in the 1998-99 operating budget of Fleet Services Division. 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. 981022-15 approved
16. Approve a resolution authorizing execution of a twelve month supply agreement with LEIF JOHNSON FORD, Austin, Texas, for the purchase of captive repair parts for the City's fleet of Ford Sedans and light trucks, in an amount not to exceed \$200,000, with two twelve month extension options in an

amount not to exceed \$200,000 per extension, for a total contract amount not to exceed \$600,000. (Funding was included in the 1998-99 Operating Budgets of various departments. 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. 981022-16 approved**

**Items 14 through 16 approved on Councilmember Spelman's motion, Councilmember Garcia's second, 7-0 vote.**

17. Approve a resolution authorizing execution of a contract through the State of Texas Cooperative Purchasing Program with ROCAL, INC., Frankfort, Ohio, for the purchase of high grade sheeting yield signs for the Public Works and Transportation/Traffic Signals and Control Division, in the amount of \$47,220. (Funding was included in the 1998-99 Operating budget of the Public Works and Transportation Department.)

**Pulled**

18. Approve a resolution authorizing execution of a contract with PARROT COMMUNICATIONS, INC., Sherman, Texas, for the purchase and installation of voice and data cable distribution systems for the Police Department Training Academy and the Central Police Substation, in the amount of \$44,810. (Funding was included in the 1996- 97 Local Law Enforcement Block Grant for the Police Department.) Low bid of three. No M/WBE Subcontracting opportunities were identified.

**Resolution No. 981022-18 approved**

19. Approve a resolution authorizing execution of a contract with LUCENT TECHNOLOGIES, Austin, Texas, to upgrade Municipal Court's Convergent Map V7.0 system to Year 2000 Compliant, in the amount of \$45,995. (Funding is available in the 1998-99 Operating Budget of Municipal Court.) Sole Source. No M/WBE Subcontracting opportunities were identified.

**Resolution No. 981022-19 approved**

20. Approve a resolution authorizing execution of a contract with KNOGO NORTH AMERICA, Hauppauge, New York, for the purchase and installation of library collection security systems for 19 branch libraries, in an amount not to exceed \$335,200. (Funding in the amount of \$328,425 was included in the 1996-97 Capital Budget of the Library Department; \$66,775 was included in the 1998-99 Operating Budget of the Library Department.) Single bid. No M/WBE Subcontracting opportunities were identified.

**Resolution No. 981022-20 approved**

21. Approve a resolution authorizing modification #5 of a contract with BLUE CROSS BLUE SHIELD OF TEXAS, Austin, Texas, to cover increased medical payments for City retirees, in the amount of \$65,000, for a total amount of \$1,577,000 per year, for a total amended contract of \$3,694,000. (Funding is available in the 1998-99 Operating Budget for the Employee Benefits Fund.)

**Resolution No. 981022-21 approved**

22. Approve a resolution authorizing amendment of a contract with Public Employees Benefits Services Corporation (PEBSCO) to permit the purchase of fiduciary liability insurance coverage for the City of Austin Deferred Compensation Committee and the reimbursement by PEBSCO for the cost of the coverage. (The \$48,000 estimated cost of the coverage would be reimbursed by the City's Deferred Compensation Plan administrator, PEBSCO).

Resolution No. 981022-22 approved

Items 18 through 22 approved on Councilmember Spelman's motion, Councilmember Garcia's second, 7-0 vote.

23. Approve a resolution authorizing amendments to the City of Austin's Investment Policy. (No fiscal impact.)  
Pulled pending review by the Audit and Finance Subcommittee

#### Parks and Recreation

24. Approve an ordinance authorizing the acceptance of \$226 in additional grant funds from the Texas Commission on the Arts and amend Ordinance 980915-A, the 1998-99 Operating Budget Special Revenue Fund of the Parks and Recreation Department, by appropriating an additional \$226, for a total Texas Commission on the Arts Block Grant amount of \$158,226.  
Ordinance No. 981022-A approved on Councilmember Spelman's motion, Councilmember Garcia's second, 7-0 vote.
25. Approve a resolution authorizing execution of a contract with GARCIA GENERAL CONTRACTORS, INC., (MBE/MH), Austin, Texas, for renovation and construction of Pillow School Park Play Area, in the amount of \$90,600. (Funding was included in the 1990-91 and 1998-99 Capital budget of the Parks and Recreation Department.) Low bid of three. 70.9% MBE Prime participation. 5.8% MBE, 0% WBE Subcontractor participation.  
Resolution No. 981022-25 approved on Councilmember Lewis' motion, Councilmember Garcia's second, 7-0 vote.

#### Health and Human Services

26. Approve a resolution authorizing execution of a construction contract with GRINNELL FIRE PROTECTION SYSTEMS COMPANY, Austin, Texas, for the installation of a fire alarm system at the Rebekah Baines Johnson Health Center, located at 15 Waller Street, in the amount of \$64,859. (Funding was included in the 1996-97 Capital budget of the Health and Human Services Department.) Sole source. No M/WBE Subcontracting opportunities were identified.  
Resolution No. 981022-26 approved on Councilmember Lewis' motion, Councilmember Garcia's second, 6-0 vote, Councilmember Spelman off the dais.

#### Public Works

27. Approve a resolution authorizing negotiation and execution of an amendment to the Professional Services Agreement with FREESE AND NICHOLS, INC., Austin, Texas, for additional design services for the Loyola Lane Street Improvement Project, in the amount of \$84,911, for a total contract amount not to exceed \$568,079.17. (Funding in the amount of \$80,380 is available in the 1991-92 Amended Capital budget of the Public Works and Transportation Department. \$4,531 is available in the 1997-98 Amended Capital Budget of the Water and Wastewater Utility.) 11.0% MBE, 33.0% WBE Subconsultant participation.  
Resolution No. 981022-27 approved on Councilmember Lewis' motion, Councilmember Slusher's second, 5-0 vote, Mayor Pro Tem Goodman and Councilmember Spelman off the dais.

28. Approve a resolution authorizing acceptance and execution of an amendment to the contract with TEXAS DEPARTMENT OF TRANSPORTATION utilizing Federal Surface Transportation Program funding to conduct a traffic signal synchronization project approved by Austin Transportation Study (ATS) Policy Advisory Committee, in the amount of \$157,000, for a total contract amount not to exceed \$267,000. (Funding in the amount of \$157,000 is included in the 1997-98 Amended Capital budget of the Public Works and Transportation Department.)  
**Resolution No. 981022-28 approved**

### Library

29. Approve a resolution authorizing execution of a construction contract with BRAUN & BUTLER CONSTRUCTION, INC., Austin, Texas, for accessibility improvements necessary to comply with the Americans with Disabilities Act at the following library facilities: John Henry Faulk Central Library located at 800 Guadalupe Street; Oak Springs Branch Library, located at 3101 Oak Springs Drive; Old Quarry Branch, located at 7051 Village Center Drive; and Zaragoza Technical Support Services Warehouse, located at 651 North Pleasant Valley Road, in the amount of \$887,000. (Funding in the amount of \$701,210 is available in the 1998-99 Capital budget of the Public Works and Transportation Department; \$185,790 is available in the 1998-99 Capital budget of the Financial Services Department.) Low bid of three. 25.58% MBE, 14.10% WBE Subcontractor participation.  
**Resolution No. 981022-29 approved**
30. Approve a resolution authorizing negotiation and execution of a one year lease renewal with MICHAEL KUHN, Austin, Texas, for 30,442 square feet of office and warehouse space located at 211 East Alpine Street for the Library Records Center, in the amount of \$144,256.08. (Funding is available in the 1998-99 Operating budget of the Library Department.)  
**Resolution No. 981022-30 approved**

### Watershed Protection

31. Approve a resolution authorizing execution of a construction contract with AUSTIN FILTER SYSTEMS, INC., Austin, Texas, for construction of streambank-erosion repair as well as hike and bike trail repair on Shoal Creek near 26th Street, in the amount of \$330,754. (Funding was included in the 1998-99 Capital Budget of the Watershed Protection Department.) Low bid of four. 6% MBE, 27.2% WBE Subcontractor participation. (Recommended by Environmental Board)  
**Resolution No. 981022-31 approved**

Items 30 and 31 approved on Councilmember Spelman's motion, Councilmember Garcia's second, 6-0 vote, Councilmember Slusher off the dais.

### Cable and Regulatory Affairs

32. Approve first reading of an ordinance granting a franchise to LyncStar Integrated Communications LLC to provide cable services. (Revenue of \$5,100 in unanticipated 1998-99 Franchise Fee revenue; \$1,785 in unanticipated 1998-99 Access Fund Revenue.)

**Pulled off agenda**

### Convention Center

33. Approve a resolution authorizing negotiation and execution of a professional services agreement with METCALF & EDDY, INC., Austin, Texas, for professional engineering services for the relocation of a 66-inch water transmission main and miscellaneous water and wastewater lines as part of the Austin Convention Center expansion project, in an amount not to exceed \$285,000. (Funding is available in the 1997-98 Amended Capital Budget of the Austin Convention Center Department.) Best qualification statement of 14. 9.0% MBE, 20.0% WBE Subcontractor participation.  
**Resolution No. 981022-33 approved on Councilmember Spelman's motion, Councilmember Garcia's second, 6-0 vote, Councilmember Slusher off the dais.**
34. Approve a resolution authorizing negotiation and execution of a professional services agreement with GILBANE BUILDING COMPANY, Austin, Texas, to provide project management services for the Austin Convention Center expansion project, in an amount not to exceed \$2,226,000. (Funding is available in the 1997-98 Amended Capital Budget of the Austin Convention Center Department.) Best qualification statement of three. 8.6% MBE, 18.2% WBE Subcontractor participation.  
**Motion to send back for interviews on Councilmember Garcia's motion, Councilmember Lewis' second, 7-0 vote.**

### Solid Waste

35. Approve a resolution authorizing execution of a contract with LUCENT TECHNOLOGIES, Austin, Texas, for the purchase and installation of a ProLogix PBX telephone system for Solid Waste Services South Transfer Station, in an amount not to exceed \$63,010.25. (Funding is included in the 1998-99 Approved Capital budget of the Solid Waste Services Department.) Sole source. No M/WBE Subcontracting opportunities were identified.  
**Resolution No. 981022-35 approved on Councilmember Spelman's motion, Councilmember Garcia's second, 7-0 vote.**
36. Approve a Commercial and Multi-family Recycling Ordinance. [Recommended by Solid Waste Advisory Commission] **(Related to Items 37-38)**  
**Ordinance No. 981022-P approved**
37. Amend Ordinance No. 980917-C, the 1998-99 Fee Ordinance, increasing the Refuse Collection Service License Fee from \$3.00 per month per container to \$4.00 per month per container, effective December 1, 1998. (Estimated revenue for FY 1998-99 is \$107,500.) [Recommended by Solid Waste Advisory Commission] **(Related to Items 36 & 38)**  
**Ordinance No. 981022-Q approved**
38. Amend Ordinance 980915-A, the 1998-99 Operating Budget by increasing budgeted revenue to the General Fund from the Refuse Collection License Fee by \$107,500 and increasing the transfer from the General Fund to the Solid Waste Services Fund by \$107,500; amend the 1998-99 operating budget of Solid Waste Services by increasing the transfer from the General Fund and expenditures

\$107,500 to implement the Commercial and Multi-Family Recycling Ordinance. [Recommended by Solid Waste Advisory Commission] (Related to Items 36-37)  
Ordinance No. 981022-R approved

Items 36 through 38 approved on Mayor Pro Tem Goodman's motion, Councilmember Spelman's second, 7-0 vote.

39. Approve a resolution authorizing execution of a five year revenue contract with DONOHUE RECYCLING, INC., Houston, Texas, for the processing and sale of commingled residential paper, in an estimated minimum guaranteed amount of \$2,315,250 with five additional five year extension options in the amount of \$2,315,250 per extension for a total amount of \$13,891,500. (\$2,315,250 including \$308,700 in estimated revenue for the remainder of FY 1998-99. Revenue will be placed in the Operating Budget of the Solid Waste Department.)  
Resolution No. 981022-39 approved on Councilmember Spelman's motion, Councilmember Garcia's second, 7-0 vote.

### Housing

40. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement with UNIVERSITY OF TEXAS, Austin, Texas, for the purpose of conducting a Housing Policy Research Project in an amount not to exceed \$38,983 with two twelve month extension options in an amount not to exceed \$38,983 per extension, for a total contract amount not to exceed \$116,949. (Funding was included in the 1998-99 budget. Funding for the extension options is contingent upon available funding in future budgets.)  
Resolution No. 981022-40 approved on Councilmember Garcia's motion, Mayor Pro Tem Goodman's second, 6-0-1 vote, Councilmember Spelman "ABSTAINING".
41. Approve a resolution authorizing negotiation and execution of a contract with the Hispanic Contractors Association for implementation of the Small Minority Business Assistance (SMBA) Program. [Funding was included in the 1997-98 Neighborhood Housing and Community Development Office (22nd Year CDBG funds: Small Minority Business Assistance Program.)]  
Resolution No. 981022-41
42. Set a public hearing to receive comments on approving the proposed Urban Renewal Plan for the Central East Austin 11th & 12th Street areas. (Suggested date and time: November 4, 1998 at 3:30 p.m.)  
Resolution No. 981022-42 approved

Items 41 and 42 approved on Councilmember Spelman's motion, Councilmember Garcia'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 43-46 are the AHFC items to be considered by the Austin Housing Finance Corporation's Board of Directors.

43. Approve a resolution to appoint Joe Canales, Paul Hilgers, Martin Gonzalez, and Melinda Ruby as Directors of the Austin Inner City Redevelopment Corporation. (No fiscal impact.)
44. Approve a resolution authorizing an amendment to the Funds Management Agreement, entered into with the City of Austin in connection with the Austin Housing Finance Corporation (AHFC) Housing Assistance Fund.
45. Approve a resolution to adopt the Multi-family Residential Development Rules and Regulations to govern Multi-family projects financed with Austin Housing Finance Corporation (AHFC) Bond Issues.
46. Approve 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(c)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 (AHFC) 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.)

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**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. Item 47 is the ABIA item to be considered by the ABIA Development Corporation's Board of Directors.

47. Conduct a public hearing and 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 \$8,500,000 and Taxable Series 1998B in the amount of \$300,000, and approving documents. [Related to Item 48]  
 Closed public hearing on Councilmember Garcia's motion, Councilmember Slusher's second, 7-0 vote.

**Finance and Administrative Services**

48. 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 \$8,500,000, and Taxable Series 1998B in an amount not to exceed \$300,000. [Related to Item 47]  
 Resolution No. 981022-48 approved on Councilmember Garcia's motion, Councilmember Spelman's second, 7-0 vote.

**Development Review and Inspection**



49. C14-98-0073 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 401 East Parmer Lane, from "GR", Community Commercial, "LI", Limited Industrial Services, "GO", General Office to "LI-PDA", Limited Industrial Services-Planned Development Area District zoning with conditions. First reading on September 3, 1998; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by council at first reading. Applicant: Dell Facilities Management (Kip Thompson); Agent: Armbrust, Brown & Davis (Richard Suttle). City Staff: David Wahlgren, 499-6455.  
**Ordinance No. 981022-B approved**
  
50. C14-98-0102 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 6701 Circle S Road from "SF-2" Single family residence (Standard Lot) to "P" Public District zoning with conditions. First reading on October 8, 1998; Vote 7-0. Conditions met as follows: A resolution has been prepared which incorporates conditions imposed by council at first reading. Applicant: City of Austin - Library Department (John Gillum); Agent: Public Works and Transportation Services Department (Cynthia Jordan). City Staff: Joe Arriaga, 499-2308. (Related to Item 51)  
**Ordinance No. 981022-C approved**
  
51. Approve a resolution limiting parking on the property at 6701 Circle S Road to library patrons and employees only, and prohibiting parking on a regular basis by other City of Austin departments or their employees in the course of City business. (Related to Item 50)  
**Resolution No. 981022-51 approved**
  
52. Set a public hearing on a request to waive the minimum separation/distance requirement of City Code Section 8-3-4, between a general restaurant (Chili's), which intends to sell alcoholic beverages at the 4420 North Lamar Blvd. (@ 45th Street), and area public schools. File #SP-98-0369 (AW). (Suggested date and time: December 3, 1998 at 6:30 p.m.)  
**Resolution No. 981022-52 approved**

Items 49 through 52 approved on Councilmember Spelman's motion, Councilmember Garcia's second, 7-0 vote.

#### ITEMS FROM COUNCIL

53. Amend Section 2-4-426 of the City code by reducing membership of the Resource Management Commission from 11 to 9 members. (Councilmembers Daryl Slusher and William Spelman)  
**Ordinance No. 981022-S approved on Councilmember Spelman's motion, Councilmember Garcia's second, 7-0 vote.**
  
54. Amend Ordinance 980625-L to extend the term of the Solid Waste Task Force through February 5, 1999. (Mayor Kirk Watson)  
**Ordinance No. 981022-D approved on Councilmember Spelman's motion, Councilmember Garcia's second, 7-0 vote.**
  
55. Approve a resolution affirming the City Council's commitment to community sustainability and supporting improvements to living and working environments and appointing a task force to promote increased participation in the City's Green Building Program by residential, multi-family, and

commercial builders and developers. (Councilmember Gus Garcia and Mayor Pro Tem Jackie Goodman)

Resolution No. 981022-55 approved on Councilmember Spelman's motion, Councilmember Garcia's second, 7-0 vote.

56. Approve a resolution directing the City Manager to initiate the process of preparing a conversion ordinance to convert the zoning for all property within the city of Austin currently carrying an interim zoning designation to permanent zoning. (Mayor Pro Tem Jackie Goodman and Councilmember William Spelman)

Resolution No. 981022-56 approved on Councilmember Spelman's motion, Councilmember Garcia's second, 7-0 vote.

57. Consider and approve an ordinance establishing new expiration dates for Site Plans #SP-98-0207C, Western Oaks Apartments, located at 5555 La Cresada Drive; #SP-98-0268C, Village of Western Oaks Section 25 Condominiums, located at 5525 Davis Lane; and #SP-98-0278C, Village of Western Oaks Section 31 Townhomes, located at 8701 Escarpment Blvd., and extending the time for consideration of the appeal of the Planning Commission's decision regarding those site plans. (Councilmember William Spelman, Mayor Kirk Watson and Mayor Pro Tem Jackie Goodman)  
[Related to Items 58-60]

Postponed

58. Set a public hearing to consider an appeal of the Planning Commission's decision to approve a site plan for the Village of Western Oaks Apartments located at 5555 La Cresada Drive. [Applicant: Lumberman's Investment] (Suggested date and time: November 19, 1998 at 5:30 p.m.)  
[Councilmember William Spelman, Mayor Kirk Watson and Mayor Pro Tem Jackie Goodman]  
[Related to Items 57, 59-60]

Postponed

59. Set a public hearing to consider an appeal of the Planning Commission's decision to approve a site plan for the Village of Western Oaks Section 25 Condominiums located at 5525 Davis Lane. [Applicant: Lumberman's Investment] (Suggested date and time: November 19, 1998 at 5:30 p.m.)  
[Councilmember William Spelman, Mayor Kirk Watson and Mayor Pro Tem Jackie Goodman]  
[Related to Items 57-58 & 60]

Postponed

60. Set a public hearing to consider an appeal of the Planning Commission's decision to approve a site plan for the Village of Western Oaks Section 31 Townhomes located at 8701 Escarpment Blvd. [Applicant: Lumberman's Investment] (Suggested date and time: November 19, 1998 at 5:30 p.m.)  
[Councilmember William Spelman, Mayor Kirk Watson and Mayor Pro Tem Jackie Goodman]  
[Related to Items 57-59]

Postponed

Items 57 through 60 postponed to November 5, 1998

61. Approve an ordinance establishing the Commission on Immigrant Affairs. (Councilmembers Gus Garcia and Willie Lewis)

**Ordinance No. 981022-E approved**

62. Set a public hearing on the proposed relocation of the Up to Me chemical dependency treatment center to 2915 Webberville Road. (Suggested date and time: November 5 at 5:00 P.M.) [Councilmember Willie Lewis] (Related to Item 63)  
**Resolution No. 981022-62 approved**
63. Approve a resolution requesting that certain state agencies and political subdivisions of the state provide the City of Austin with notice in each instance where the agency or political subdivision proposes to construct or operate a correctional or rehabilitation facility within 1,000 feet of a residential area and other certain areas within the incorporated limits of the City of Austin. (Councilmember Willie Lewis) (Related to Item 62)  
**Resolution No. 981022-63 approved**
64. Approve an ordinance creating a Citizens' Bond Oversight Committee. (Councilmember William Spelman, Mayor Kirk Watson and Councilmember Beverly Griffith)  
**Ordinance No. 981022-F approved**
65. Approve a resolution directing the City Manager to review the feasibility of a Musicians Loan Program and make a recommendation to the City Council regarding this program within 45 days. (Mayor Pro Tem Jackie Goodman)  
**Resolution No. 981022-65 approved**

**Items 61 through 65 approved on Councilmember Spelman's motion, Councilmember Garcia's second, 7-0 vote.**

66. Approve a resolution to consider establishing the Villas at Mia Tia as a pilot project utilizing rainwater harvesting as impervious cover mitigation. (Councilmembers Daryl Slusher and William Spelman)  
**Postponed to November 5, 1998**
67. Approve an ordinance amending Sections 2-4-51(A) and 2-4-145(A) of the City Code, removing the term limits for members of the Arts Commission and the Commission for Women. (Mayor Pro Tem Jackie Goodman)  
**Ordinance No. 981022-G approved on Councilmember Spelman's motion, Councilmember Garcia's second, 7-0 vote.**

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

68. C14-98-0029 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning 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. (continued from 10/8/98)  
**Approved first reading only on Councilmember Spelman's motion, Councilmember Griffith's second, 4-1 vote, Councilmember Slusher voting "NO", Mayor Watson and Councilmember Garcia off the dais.**

69. C14-98-0079 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning 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. (continued from 10/8/98)  
**Closed public hearing on Councilmember Garcia's motion, Councilmember Lewis' second, 4-0 vote, Mayor Watson, Councilmember Griffith and Slusher off the dais.**

**Approved first reading, CS-CO with conditions on Councilmember Spelman's motion, Councilmember Garcia's second, 3-3 vote, Mayor Pro Tem Goodman, Councilmembers Griffith and Lewis voting "NO", Mayor Watson off of the dais.**

**Motion to deny by Councilmember Griffith, Mayor Pro Tem Goodman's second, 3-3 vote Councilmembers Garcia, Slusher and Spelman voting "NO", Mayor Watson off the dais.**

**Postponed to November 19, 1998**

70. C14-98-0060 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 6514 McNeil Road from "I-RR", Interim Rural Residence to "CS-CO", General Commercial Services-Conditional Overlay. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial-Conditional Overlay District zoning with conditions. Applicant: ADCO Advertising Specialties, Inc.; Agent: Carlton Bernhard. City Staff: David Wahlgren, 499-6455.  
**Closed public hearing on Councilmember Lewis' motion, Councilmember Spelman's second, 4-0 vote, Mayor Watson, Councilmembers Garcia and Griffith off the dais.**

**Approved CS-CO subject to 1) prohibited uses per exhibit "A"; 2) GR development standards; and 3) limited to 2,000 vehicle trips per day first reading only on Councilmember Lewis' motion, Councilmember Spelman's second, 5-0 vote, Mayor Watson and Councilmember Griffith off the dais.**

71. C14-98-0081 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 13043 North U.S. Highway 183 from "GR", Community Commercial, "I-RR", Interim Rural Residence to "GR", Community Commercial. Planning Commission Recommendation: To Grant "GR", Community Commercial District zoning. Applicant: SUN NLF, LTD.; Agent: Richard Crank. City Staff: David Wahlgren, 499-6455.

**Approved Planning Commission recommendation to grant GR, Community Commercial District zoning first reading only**

72. C14-98-0087 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 9718 Manchaca Road from "I-SF-2", Interim-Single Family Residence (standard lot) to "GR", Community Commercial. Planning Commission Recommendation: To Grant "GR", Community Commercial. Applicant: Charles I. Toubin. City Staff: Joe Arriaga, 499-2308.  
**Ordinance No. 981022-H approved**

73. C14-98-0089 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as 5315 Ed Bluestein Blvd. from "LO", Limited Office and "LI", Limited Industrial Services to "GR", Community Commercial. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial-Conditional Overlay District zoning with conditions. Applicant: YMCA

(Larry E. Smith); Agent: Griffin Engineering Group, Inc. (Greg Griffin). City Staff: Susan Villarreal, 499-6319.

**Ordinance No. 981022-I approved**

74. C14-98-0119 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as the terminus of Grand Oak Drive from "I-SF-2", Interim Single Family Residence (standard lot) to "P", Public District. Planning Commission Recommendation: To Grant "P", Public District zoning. Applicant: City of Austin. Agent: Development Review and Inspection Department; City Staff: David Wahlgren, 499-6455.

**Ordinance No. 981022-J approved**

75. C14-98-0120 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as the area northeast of the intersection of Rustic Drive and Spicewood Springs Rd. from "I-SF-2", Interim Single Family Residence (standard lot), "I-RR", Interim Rural Residence to "P", Public District. Planning Commission Recommendation: To Grant "P", Public District zoning. Applicant: City of Austin. Agent: Development Review and Inspection Department; Agent: City Staff: David Wahlgren, 499-6455.

**Ordinance No. 981022-K approved**

76. C14-98-0121 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as the area northwest of the intersection of Scotland Well Drive and Spicewood Springs Rd. from "I-RR", Interim Rural Residence to "P", Public District. Planning Commission Recommendation: To Grant "P", Public District zoning. Applicant: City of Austin. Agent: Development Review and Inspection Department. City Staff: David Wahlgren, 499-6455.

**Ordinance No. 981022-L approved**

77. C14-98-0122 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as the terminus of Middlebie Lane from "I-RR", Interim Rural Residence to "P", Public District. Planning Commission Recommendation: To Grant "P", Public District zoning. Applicant: City of Austin. Agent: Development Review and Inspection Department. City Staff: David Wahlgren, 499-6455.

**Ordinance No. 981022-M approved**

78. C14-98-0123 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as Northeast of the intersection of Scotland Well Drive and Spicewood Springs Rd. from "I-RR", Interim Rural Residence to "P", Public District. Planning Commission Recommendation: To Grant "P", Public District zoning. Applicant: City of Austin; Agent: Development Review and Inspection Department. City Staff: David Wahlgren, 499-6455.

**Ordinance No. 981022-N approved**

79. C14-98-0130 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as 704 and 706 Blackson Avenue from "SF-3", Family Residence to "GR", Community Commercial. Planning Commission Recommendation: To Grant "GR", Community Commercial District zoning with conditions. Applicant: Longhorn Mobile Glass (Charles E. Willet); Agent: Paul Juarez. City Staff: Don Perryman, 499-2786.

**Ordinance No. 981022-O approved**

80. C14-98-0136 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as 2200 Park Bend Drive from "MF-2", Multi-Family Residence (low density) to "GO-CO", General Office-Conditional Overlay District. Planning Commission Recommendation: To Grant "GO-CO", General Office-Conditional Overlay District zoning with conditions. Applicant: DIL/SAHP Corporation; Agent: Minter, Joseph & Thornhill (Michele C. Hausmann). City Staff: Don Perryman, 499-2786.

**Postponed to December 10, 1998**

81. C814-98-0001 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as South MoPac and West William Cannon from "SF-2", Single Family Residence (Standard lot), "GR-CO", Community Commercial-Conditional Overlay and "CS", General Commercial Services to "PUD", Planned Unit Development, the PUD proposal affects property in the Barton Springs Zone and proposes to modify the application of Chapter 13-7, Article I, Division 5 (Save Our Springs Initiative) to the property. Planning Commission Recommendation: To Grant "PUD", Planned Unit Development District zoning with conditions. Applicant: T. U. Bryant (Catherine Brownlee); Agent: Minter, Joseph & Thornhill (John M. Joseph). City Staff: Joe Arriaga, 499-2308.

**Postponed to November 19, 1998 applicant's request**

**Items 71 through 81 approved on Councilmember Garcia's motion, Councilmember Spelman's second, 7-0 vote.**

82. C814-81-005 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known Candle Ridge Drive and Far West Blvd. to amend an existing Planned Unit Development. Planning Commission Recommendation : To Grant the amendment to the Planned Unit Development District zoning with conditions. Applicant: Meadow Mountain IV Homeowners Association (Rebecca Waddell). Agent: George Fanguy and Simon Bedoya. City Staff: Don Perryman, 499-2786.

**Motion to approve by Councilmember Slusher, Councilmember Lewis' second,**

**Motion and second withdrawn.**

**Approve first reading only on Mayor Pro Tem Goodman's motion, Councilmember Spelman's second, 5-1 vote, Councilmember Lewis voting "NO", Councilmember Slusher off the dais.**

## PUBLIC HEARINGS

83. 6:00 P.M. – Public hearing on a variance request to allow replacement of manufactured homes at 5101 Johnny Morris Road in the 25-year floodplain.

**Closed Public hearing on Councilmember Garcia's motion, Councilmember Griffith's second, 7-0 vote.**

84. 6:15 P.M. – Public hearing on a variance request to construct a roof over an existing patio and screen-in the existing patio at Frank and Angie's Restaurant located at 508 West Avenue in the 25-year floodplain.

**Closes public hearing on Councilmember Spelman's motion, Councilmember Lewis' second, 6-0 vote, Councilmember Slusher off the dais.**

85. 6:30 P.M.– Public hearing on proposed amendments to the 1998-99 Community Development Program and the Consolidated Plan to reprogram \$445,000 in CDBG funds.  
Closed public hearing on Councilmember Garcia's motion, Mayor Pro Tem Goodman's second, 6-0 vote, Councilmember Slusher off the dais.

86. 7:00 P.M. – Public hearing on an appeal by Ms. Susan Littleton of the Planning Commission's decision to approve a Conditional Use Permit for the Slick Willie's Family Billiard Hall located at 1509 South Lamar Boulevard. File #SPC-97-0415C.

Withdrawn

87. 7:30 P.M.- Public hearing on a request to waive the minimum separation distance requirement of City Code Section 8-3-4, between the Westminster Convenience Store, at 5933 Westminster Drive which intends to sell alcoholic beverages, and a public school (Harris Elementary School). File #SP-98-0315(AW). Applicant: M & M Equities; Agent: Holt Planners (David Holt).

Withdrawn

#### ACTION ON PUBLIC HEARINGS

88. Action on a variance request to allow replacement of manufactured homes at 5101 Johnny Morris Road in the 25-year floodplain. (Staff recommends denial of the variance request.)

**Motion to deny request on Councilmember Garcia's motion, Councilmember Griffith's second, 6-1 vote, Councilmember Lewis voting "NO".**

89. Action on a variance request to construct a roof over an existing patio and screen-in the existing patio at Frank and Angie's Restaurant located at 508 West Avenue in the 25-year floodplain. (Staff recommends approval of the variance request to construct a roof over an existing patio, but recommends denial of the request for a screened porch.)

**Ordinance No. 981022-T approved on Councilmember Lewis' motion, Councilmember Garcia's second, 6-0 vote, Councilmember Slusher off the dais.**

90. Action on an appeal by Ms. Susan Littleton of the Planning Commission's decision to approve a Conditional Use Permit for the Slick Willie's Family Billiard Hall located at 1509 South Lamar Boulevard. File #SPC-97-0415C.

Withdrawn

91. Action on a request to waive the minimum separation distance requirement of City Code Section 8-3-4, between the Westminster Convenience Store at 5933 Westminster Drive which intends to sell alcoholic beverages, and a public school (Harris Elementary School). File #SP-98-0315(AW). Applicant: M & M Equities; Agent: Holt Planners (David Holt). [Staff recommends denial.]

Withdrawn

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

Executive session held at 12:25 p.m. to 3:00 p.m.

Executive session held at 8:34 p.m. to 10:52 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

92. Discuss legal issues regarding City of Austin v. Club Resorts Inc., CA No. 98-00248, Travis County District Court. (This litigation concerns development regulations applicable in the Barton Springs Zone.)
93. Discuss Marta Cotera v. State of Texas et al., Civil Action No. A-98-CA-346JN, in the United States District Court for Western District of Texas, Austin Division.
94. Discuss L.S. Ranch, Ltd., et al. v. City of Austin, CA No. 97-13994, Hays County District Court.
95. 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.)
96. Discuss Christopher Whiteneck v. Alan Schwettman, Individually and City of Austin, Cause No. 97-13700, in the Travis County District Court.

#### Real Property – Section 551.072

97. Discuss real property acquisition with Proposition Two Barton Springs Clean Drinking Water funds.

#### ACTION ON THE FOLLOWING

98. Consider settlement proposal in City of Austin v. Club Resorts, Inc., CA No. 98-00248, Travis County District Court. (This litigation concerns development regulations applicable in the Barton Springs Zone.)  
**Approved on Councilmember Garcia's motion, Councilmember Spelmans' second, 7-0 vote.**
99. Consider settlement proposal in Gordon Dunaway and Eli J. Garza v. 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**
100. APPOINTMENTS

Arts Commission—2

Charter Revision Committee—1

Solid Waste Operations Task Force—1 Solid Waste Industry Representative

**No action taken**



**ADDENDUM**

October 22, 1998

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**ITEMS FROM COUNCIL**

101. Rescind the selection of Page Southerland Page to provide architectural and engineering design, and construction phase services for the expansion of the Austin Convention Center and authorize negotiation and execution of a professional services agreement with LMN ARCHITECTS, Seattle, Washington, to provide architectural and engineering design, and construction phase services for the expansion of the Austin Convention Center in an amount not to exceed \$3,975,000. (Funding was included in the 1997-98 Capital Budget of the Austin Convention Center.) Second best qualification of five. 12.23% MBE, 19.45% WBE Subcontractor participation.

Motion to pull from agenda on Councilmember Lewis' motion, Councilmember Spelman's second, 6-0 vote, Councilmember Griffith off the dais.

ADJOURNED at 11:58 p.m. on Councilmember Garcia's motion, Councilmember Slusher's second, 7-0 vote.

Approved on this the 5<sup>th</sup> day of November, 1998 on Councilmember Garcia's motion, Councilmember Slusher's second, 7-0 vote.