



Austin City Council MINUTES

REGULAR MEETING
THURSDAY, NOVEMBER 19, 1998

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

1. Approval of Minutes for Regular Meetings of November 4 & 5, 1998.
Approved on Councilmember Griffith's motion, Councilmember Slusher's second, 4-0 vote, Mayor Pro Tem Goodman, Councilmembers Garcia and Spelman off the dais.

CITIZEN COMMUNICATIONS: GENERAL

2. Richard R. Troxell, homeless issues in Austin and in the Nation.
3. Gus Pena, to discuss City issues and health clinics.
4. Richard Knowlton, to discuss public safety levels in a growing Austin.
Absent
5. Robert Thomas, to discuss Rosewood Recreation Center.
6. Diana Castaneda, to discuss police discrimination policy and procedure.
7. Mark Harris

READING OF CONSENT AGENDA

READING OF DISCUSSION AGENDA

CITIZEN COMMUNICATIONS: CONSENT AGENDA

ACTION ON CONSENT AGENDA

ITEMS CONTINUED FROM PREVIOUS MEETINGS

7. Approve a resolution authorizing execution of amendment #2 to increase the twelve month contracts with the following vendors: MICRO MEDIA SOLUTIONS, INC., (MBE/MH), Austin, Texas; COMPUTER SOLUTIONS, (WBE/FR), Austin, Texas; DELL COMPUTER, Round Rock, Texas;

INACOM INFORMATION SYSTEMS, Austin, Texas, for the purchase of notebook computers, desktop computers, servers and three year on-site warranty and service, in the amount of \$4,533,133, for a total amount not to exceed \$7,533,133. The total for all five contracts in extension option is an amount not to exceed \$7,533,133 with two twelve-month extension options remaining in an amount not to exceed \$3,000,000 per extension, for a total of all five contracts not to exceed \$19,867,775. (Funding was included in the 1998-99 Operating budget of various City departments; \$375,800 was included in the 1998-99 Capital budget of General Government – Support Service Year 2000.) No M/WBE Subcontracting opportunities were identified. (To be reviewed by Council Committee for Telecommunications Infrastructure on November 17, 1998.) No recommendation.
Postponed two weeks

Human Resources

8. Approve appointment of City Clerk and establish appropriate compensation.
Action taken on November 18, 1998

Fire

9. Approve an ordinance authorizing acceptance of \$150,000 in grant funds from the U.S. Department of Justice, Office for State and Local Domestic Preparedness Support to improve local first response capabilities for terrorist incidents; amend Ordinance 980915-A, the 1998-99 Operating Budget of the Fire Department, amending the Special Revenue Fund by appropriating \$150,000 in grant funds for the Fire Department Special Revenue Fund. (A City match is not required.)
Ordinance No. 981119-M approved on Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.

Telecommunications and Regulatory Affairs

10. Approve first reading of an ordinance authorizing a license agreement with GTE GLOBAL NETWORKS, INC., for placement of underground fiber optic cable in a designated area of the City. (\$740 in unanticipated franchise fee revenue for 1998-99.) [Recommended by Telecommunications Commission and Council Committee for Telecommunications Infrastructure]
Approved first reading only on Councilmember Lewis' motion, Councilmember Slusher's second, 7-0 vote.

Finance and Administrative Services

11. Approve an ordinance consenting to the transfer of control of CSW/ICG CHOICECOM, L.P. (No fiscal impact.) [Recommended by Council Committee for Telecommunications Infrastructure]
Ordinance No. 981119-A approved on Councilmember Lewis' motion Councilmember Spelman's second, 7-0 vote.

12. Approve a resolution authorizing execution of a contract with HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS COOPERATIVE PURCHASING PROGRAM, Houston, Texas, for the purchase of seventy-one replacement and eighteen additional police patrol sedans, eighteen replacement and eighteen additional mid-size sedans and two replacement passenger vans, in the amount of \$2,423,260.89 (Funding in the amount of \$1,784,964.29 was included in the 1998-99 Vehicle Acquisition Fund; \$638,296.60 was included in the 1998-99 Operating budget of the Police Department.)
Resolution No. 981119-12 approved on Councilmember Lewis' motion, Councilmember Griffith's second, 7-0 vote.
13. Approve a resolution authorizing execution of a contract with MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC., for the purchase of two-way radio equipment for the Police Department, in an amount not to exceed \$232,792. (Funding was included in the 1998-99 Operating Budget of the Police Department.) Sole Source. No M/WBE Subcontracting opportunities were identified.
Resolution No. 981119-13 approved on Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.
14. Approve a resolution authorizing execution of a 12 month service agreement with GRAFFITI CONTROL SYSTEMS, North Hollywood, California, for graffiti removal services, in an amount not to exceed \$100,000, with two 12 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 \$83,333.33 was included in the 1998-99 Operating Budget of the Finance and Administrative Services Department, Building Services Division; funding for the final two months 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. 981119-14 approved on Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.

Convention Center

15. Amend Ordinance No. 980915-B, the 1998-99 Capital Budget of the Convention Center Department, by reallocating \$140,000 from the "ADA Modifications" account to a new account, "Parking Garage Improvements." (Recommended by Planning Commission)
Ordinance No. 981119-B approved on Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.
16. Approve a resolution authorizing execution of a construction contract with AMERICAN RESTORATION, INC., Dallas, Texas, for renovation of the Austin Convention Center's parking garage façade, in the amount of \$132,598. (Funding is included in the 1998-99 Amended Capital Budget of the Austin Convention Center.) Single bid. No M/WBE Subcontracting opportunities were identified.
Resolution No. 981119-16 approved on Councilmember Lewis' motion, Councilmember Spelmans' second, 7-0 vote.

Health and Human Services

17. Approve a resolution authorizing negotiation and execution of a professional services agreement with JESSEN, INC., ARCHITECTS & PLANNERS (MBE/MH), Austin, Texas, for architectural and engineering design, and construction phase services for the renovation of the Blackstock Clinic, located at 4614 North IH-35, in an amount not to exceed \$66,000. (Funding was included in the 1997-98 Capital budget of the Health and Human Services Department.) Best qualification statement of four. Prime Participation: 75%; 0% MBE, 25% WBE Subconsultant participation.
Resolution No. 981119-17 approved

18. Approve the Memorandum of Understanding between between the City of Austin, Travis County and the FQHC Board, designating the management contractor as program director of the Federally Qualified Health Center. (No fiscal impact.)
Resolution No. 981119-18 approved

Watershed Protection

19. Approve a resolution authorizing fee simple acquisition of Lot 12, Block B, University Hills, Auburn Circle Subdivision, locally known as 6614 Auburnhill Drive, Austin, Texas, from Cherlyn McKinney, for the Little Walnut Erosion Control Phase VIII Auburndale Project, in the amount of \$102,300 plus \$28,700 in relocation benefits, for a total amount of \$131,000. (Funding was included in the 1998-99 Capital budget of the Watershed Protection Utility.)
Resolution No. 981119-19 approved

20. Approve a resolution authorizing fee simple acquisition of Lot 16, Block B, University Hills, Auburn Circle Subdivision, locally known as 6606 Auburnhill Drive, Austin, Texas, from Bernadine Hightower Chapel for the Little Walnut Erosion Control Phase VIII Auburndale Project, in the amount of \$99,000 plus \$28,700 in relocation benefits, for a total amount of \$127,700. (Funding is included in the 1998-99 Capital budget of the Watershed Protection Department.)
Resolution No. 981119-20 approved

Planning, Environmental and Conservation Services

21. Approve an ordinance pursuant to Section 43.145 of the Local Government Code, discontinuing from the City's limited purpose jurisdiction approximately 62 acres of land in the West Travis County Municipal Utility District #5 near Lake Austin, east of Bohl's Hollow, west of the Baldwin Tract, and approximately one mile north of the 11,500 block of RM 2244. (No fiscal impact.)
Ordinance No. 981119-C approved

Items 17 through 21 approved on Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.

22. Approve an ordinance authorizing the assessment rate and proposed 1999 assessment roll for the Austin Downtown Public Improvement District (PID). (The assessment rate of \$0.10/\$100 valuation is estimated to produce \$909,048 at a 99% collection rate.)
Ordinance No. 981119-N approved
23. Set a public hearing on the Austin Downtown Public Improvement District (PID) 1999 assessments. (The proposed 1999 assessment rate at \$0.10/\$100 valuation is estimated to produce \$909,048 at a 99% collection rate.) [Suggested date and time: December 10, 1998 at 7:30 P.M.]
Resolution No. 981119-23 approved
24. Approve a resolution authorizing the Austin Downtown Public Improvement District (PID) Service Plan and Budget for 1999-2000. (The Downtown Austin Alliance submitted a 1999-2000 budget for the PID in the amount of \$1,076,540. This will be funded through \$909,048 in 1999 Assessments (at 99% collection rate); \$38,401 from interest accrued in the PID Account; \$30,633 from prior year unappropriated collections; \$137,734 City of Austin Annual Contribution (\$68,867 in the Austin Convention Center Fund, and \$68,867 in the Water and Wastewater Utility Fund), and \$25,000 from the Capital Metro Annual Contribution. Appropriation of the \$1,076,540 in the Planning, Environmental and Conservation Services Special Revenue Fund will require City Council authorization, and possible adjustment, after the assessment roll hearing on December 10, 1998.)
Resolution No. 981119-24 approved

Items 22 through 24 approved on Councilmember Slusher's motion, Councilmember Griffith's second, 7-0 vote.

25. Approve a resolution authorizing execution of Amendment #4 of a contract providing consultant services on downtown development with KEYSER MARSTON ASSOCIATES, INC., San Francisco, California, for a twelve month contract period, in an amount not to exceed \$100,000, for a total contract amount of \$492,000. (Funding was included in the 1998-99 Operating Budget of the Planning, Environmental and Conservation Services Department.) No M/WBE Subcontracting opportunities were identified.
Resolution No. 981119-25 approved

Small and Minority Business Resources

26. Approve a resolution authorizing execution of amendment #2 to the contract with TEXAS CENTER FOR WOMEN'S BUSINESS ENTERPRISE, Austin, Texas, to extend the contract for one additional twelve month period for the provision of a support network and technical assistance needed to succeed in competitive markets to women and minority-owned business enterprises, in an amount not to exceed \$111,000, for a total contract amount not to exceed \$230,000. (Funding was included in the 1998-99 Operating budget of the Small and Minority Business Resources.) No M/WBE Subcontracting opportunities were identified.
Resolution No. 981119-26 approved

Items 25 and 26 approved on Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.

Police

27. Approve a resolution authorizing negotiation and execution of a professional services agreement with BARNES ARCHITECTS – REBANKS ARCHITECTS JOINT VENTURE, Austin, Texas, to provide consulting and architectural services for a facilities needs assessment study, master planning, conceptual design and cost estimating for the Police Department, in an amount not to exceed \$85,000. (Funding is available in the 1998-99 Operating budget of the Police Department.) Best qualification statement of six. 10% MBE, 21% WBE Subconsultant participation.
Postponed two weeks on Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.
28. Amend Ordinance 980915-A, the 1998-99 Operating budget, by transferring \$125,000 from the General Fund Contingency Reserve to the Police Department and increasing funding and expenditures by this same amount, for the purpose of funding the reclassifications of twenty Police Officer positions to the Detective classifications. **(Related to Item 29)**
Ordinance No. 981119-F approved
29. Amend Ordinance 980914-B, by establishing the classifications and positions in the classified service of the Police Department. **(Related to Item 28)**
Ordinance No. 981119-G approved

Items 28 and 29 approved on Councilmember Spelman's motion, Councilmember Slusher's second, 7-0 vote.

30. Approve a resolution authorizing execution of a contract through the STATE OF TEXAS COOPERATIVE PURCHASING PROGRAM, with CUSTOM SIGNALS, INC., Lenexa, Kansas, for the purchase of 35 video/audio mobile law enforcement recording systems including cameras, accessories and two year warranty for the Austin Police Department, in the amount of \$170,800. (Funding in the amount of \$146,400 was included in the 1998-99 Operating Budget of the Austin Police Department; \$24,400 is included in the 1997 Local Law Enforcement Block Grant.)
Resolution No. 981119-30 approved

Law

31. Approve ratification of an amendment to the professional services contract with Hilgers & Watkins, to increase the amount of attorney fees by up to \$3,700, for a total contract amount not to exceed \$48,700, for legal services in Jerry J. Quick, et al v. City of Austin, et al., Cause No. 96-1154, in the Supreme Court of Texas. (Funding was included in the 1998-99 Operation Budget of the Law Department.)
Approved

Development Review

32. C14-98-0044 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code zoning property locally known as 9400 Lampasas Trail, from "I-RR", Interim-Rural Residence district to "RR-CO", Rural Residence-Overlay District zoning with conditions. First reading on September 10, 1998; Vote 6-0, Watson Absent. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council on first reading. Applicant: City of Austin; Agent: Development Review and Inspection Department. City Staff: David Wahlgren, 499-6455. (Continued from 10/1/98 and 11/5/98)
Ordinance No. 981119-D approved

Items 30 through 32 approved on Councilmember Spelman's motion, Councilmember Slusher's second, 7-0 vote.

33. C14-98-0029 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code zoning property locally known as 7800 North capital of Texas Highway from "SF-2" Single Family Residence (Standard Lot) district to "LO-CO", Limited Office-Conditional Overlay district zoning with conditions. First reading on October 22, 1998; Vote: 4-1, Slusher nay, Garcia and Watson off dais. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council on first reading. Applicant: Carpenter & Associated, Inc. (Ron Reue). Agent: Urban Design Group (Norma Pena Raven). City Staff: Don Perryman, 499-2786. (Continued from 11/5/98)
Postponed two weeks by Council, staff to provide an update on what is proposed and difference between trips for a hotel and office...why is hotel not proposed: Revise with comments to clarify service extension for wastewater; comments are not clear that there are two options: 6" or 8" pipes at different locations on Councilmember Slusher's motion, Councilmember Garcia's second, 7-0 vote.
34. C14-98-0081 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code zoning property locally known as 13043 U.S. Highway 183, from "GR" Community Commercial district and "I-RR", Interim Rural Residence district to "GR", Community Commercial district zoning with conditions. First reading on October 22, 1998; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council on first reading. Applicant: Sun NLF, Ltd. (Stephen E. Rennecker), Agent: Richard Crank. City Staff: David Wahlgren, 499-6455.
Ordinance No. 981119-E approved on Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.
35. C14-98-0091 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by zoning property locally known as Old Bee Caves Road and Weir Hills Road, from "I-RR", Interim-Rural Residence, to "MH-CO", Mobile Home-Conditional Overlay district zoning with conditions. First reading on October 1, 1998; vote 5-2, Griffith and Spelman nay. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council on first reading. Applicant: Travis Star Corporation (Mac Spellman); Agent: A.R. Thrower Design (Ron Thrower). City Staff: Susan Villarreal, 499-6319.
Approved MH-CO per Planning Commission recommendation (applicant should explore density reduction prior to third reading and address wide load mobile homes) second reading only on

Councilmember Garcia's motion, Councilmember Slusher's second, 6-1 vote, Councilmember Goodman voting "NO".

36. Set a public hearing to establish interim development controls on certain automotive related and other uses for property along portions of South Congress Avenue, South First Street, and Oltorf Street. [Suggested date and time: December 3, 1998 at 7:30 P.M.]
Resolution No. 981119-36 approved on Mayor Pro Tem Goodman's motion, Councilmember Spelman's second, 7-0 vote.

ITEMS FROM COUNCIL

37. Approve a resolution directing the City Manager to evaluate the feasibility of waiving and/or reimbursing certain development and capital recovery fees for an Eastside YMCA and report back to Council. (Councilmembers Gus Garcia, Willie Lewis and William Spelman)
Resolution No. 981119-37 approved
38. Approve a provision for conservation easements as an amendment to the Balcones Canyonlands Conservation Plan. (Mayor Pro Tem Jackie Goodman)
Resolution No. 981119-38 approved

Items 37 and 38 approved on Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.

39. Approve a resolution establishing an Implementation Team and an Advisory Committee for the Downtown Austin Community Court Project and establishing a process to designate a Municipal Court judge to work with the Implementation Team. (Mayor Kirk Watson, and Councilmembers William Spelman and Gus Garcia)
Resolution No. 981119-39 approved with amendment to add one member from the Travis County Bar Association on Councilmember Spelman's motion, Councilmember Griffith's second, 7-0 vote.

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

40. C14-80-199 - Public hearing to amend Chapter 13-2 of the Austin City Code by amending a restrictive covenant for the property locally known as 5315 Ed Bluestein. Existing zoning: LI, Limited Industrial, zoning. Planning Commission Recommendation: To Approve the Restrictive Covenant Amendment. Applicant: YMCA (Larry Smith); Agent: Griffin Engineering Group, Inc. (Gregory Griffin). City Staff: Susan Villarreal, 499-6319. (Continue from 11/5/98)
Approved on Councilmember Garcia's motion, Councilmember Spelman's second, 7-0 vote.
41. 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. (continued from 10/22/98)

Recessed public hearing at 6:30 p.m. on Councilmember Lewis' motion, Councilmember Slusher's second, 7-0 vote.

Recessed public hearing at 6:50 p.m. on Councilmember Slusher's motion, Mayor Pro Tem Goodman's second, 6-0 vote, Councilmember Spelman off the dais.

Recessed public hearing at 7:30 p.m. on Councilmember Slusher's motion, Councilmember Griffith's second, 6-0 vote, Councilmember Garcia off the dais.

Recessed public hearing at 7:45 p.m. on Councilmember Spelman's motion, Councilmember Slusher's second, 4-0 vote, Mayor Pro Tem Goodman and, Councilmembers Garcia and Lewis off the dais.

Recessed public hearing at 9:25 p.m. on Councilmember Slusher's motion, Councilmember Lewis' second, 4-0 vote, Mayor Pro Tem Goodman, Councilmembers Garcia and Spelman off the dais.

Suspend rules and allow 15 minutes for each side on Councilmember Garcia's motion, Councilmember Slusher's second, 6-0 vote, Councilmember Spelman off the dais.

Closed public hearing on Councilmember Slusher's motion, Councilmember Spelman's second, 7-0 vote.

Approved PUD per Planning Commission recommendation with dedication of preserve to the City; (questions for second and third readings: detention-How will runoff be handled? i.e. what is the difference in runoff currently; pre-development versus post-development; analysis of land over the recharge zone; sensitive land, mitigation, transfers elsewhere, first reading only on Councilmember Garcia's motion, Mayor Pro Tem Goodman's second, 7-0 vote.

42. 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-CO", Neighborhood Commercial-Conditional Overlay 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, 10/22/98)

(Note: Public hearing is closed.)

Approved CS-CO limited to the footprint; custom manufacturing as the only CS use; LR site development regardless. Rollback from CS-CO-to LR if use ceases for more than 90 days first reading only on Councilmember Spelman's motion, Councilmember Slusher's second, 7-0 vote.

43. C14-78-0026 - Public hearing to amend Chapter 13-2 of the Austin City Code by amending a restrictive covenant for the property locally known as 1901 Kramer Lane. Existing zoning: "LI",

Limited Industrial Services district zoning. Planning Commission Recommendation: To approve the Restrictive Covenant Amendment. Applicant: Kramer 35 HP, Ltd.; Agent: Griffin Engineering (Greg Griffin). City Staff: Don Perryman, 499-2786.

Approved

44. C14-98-0107 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as 6109 W. William Cannon Drive, from "LR", Neighborhood Commercial to "GR", Community Commercial. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial-Conditional Overlay district zoning with conditions. Applicant: Benchmark Land Development (David C. Mahn); Agent: GSG, Inc. (Alan D. Rhames). City Staff: Joe Arriaga, 499-2308.

Postponed to December 3, 1998 applicants request

45. C14-98-0112 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as 8811 FM 969 Road, from "DR", Development Reserve, to "CS-CO", General Commercial Services-Conditional Overlay district zoning. Planning Commission Recommendation: To grant "CS-CO", General Commercial Services-Conditional Overlay district zoning with conditions. Applicant: Jesse Hollins; Agent: Holt Planners (David Holt). City Staff: Susan Villarreal, 499-6319.

Ordinance No. 981119-H approved

46. C14-98-0114 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as East Parmer Lane and Dessau Road from "DR", Development Reserve to "LR", Neighborhood Commercial zoning. Planning Commission Recommendation: To Grant "LR-CO", Neighborhood Commercial-Conditional Overlay district zoning with conditions. Applicant: Copperfield IV Venture (Jason Hart). City Staff: Don Perryman, 499-2786.

Ordinance No. 981119-I approved

Items 43 through 46 approved on Councilmember Garcia's motion, Councilmember Spelman's second, 7-0 vote.

47. C14-98-0127 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as U.S. Hwy 183 & McNeil Drive from "I-RR", Interim Rural Residence, and "I-SF-2", Interim Single Family Residence (standard lot) to "GR-CO" Community Commercial-Conditional Overlay district zoning with conditions. Applicant: John Greenwood; Agent: Garrett & Associates (Michael Simmons-Smith). City Staff: Antonio Gonzalez, 499-2243.

Ordinance No. 981119-K approved on Mayor Pro Tem Goodman's motion, Councilmember Lewis' second, 7-0 vote.

48. C14-98-0140 - Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as Manchaca Road and Dittmar Road, from "LR-CO", Neighborhood Commercial-Conditional Overlay to "SF-3", Family Residence. Planning Commission Recommendation: To Grant "SF-3-CO", Family Residence-Conditional Overlay district zoning with conditions. Applicant: Laurelwood Development (Steve Fain); Agent: Centex Homes (Vera Massaro). City Staff: Joe Arriaga, 499-2308.

Ordinance No. 981119-J approved SF-3-CO with deleted condition that prohibited duplex uses. The applicant will limit development to single family lots at the time of subdivision, on Mayor Pro Tem Goodman's motion, Councilmember Spelman's second, 7-0 vote.

PUBLIC HEARINGS

49. 6:00 P.M. - Public hearing to 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. Note: This matter concerns development regulations applicable 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.] .) [Councilmember William Spelman, Mayor Kirk Watson and Mayor Pro Tem Jackie Goodman)

Recessed public hearing at 8:15 p.m. on Councilmember Griffith's motion, Councilmember Spelman's second, 5-0 vote, Mayor Watson and Councilmember Lewis off the dais.

Closed public hearing on Councilmember Griffith's motion, Councilmember Slusher's second, 7-0 vote.

Ordinance No. 981119- approved on Councilmember Spelman's motion, Mayor Watson's second, 2-5 vote, Mayor Pro Tem Goodman, Councilmembers Garcia, Griffith, Lewis and Slusher voting "NO".

50. 6:30 P.M. - Public hearing for full purpose annexation of the following areas: C7a-98-001 Pond Springs Multi-family Area (approximately 22 acres at the southeast corner of Pond Springs Road and Hunters Chase Drive); C7a-98-002 RM 620 ROW (approximately 54 acres of RM 620 right-of-way extending from approximately 2000 feet north of the intersection of Wilson Parke Blvd. and RM 620 to the intersection of RM 620 and Anderson Mill Road); C7a-98-003 Parke Phase C (approximately 31 acres northwest of the intersection of Woodbay Parke Dr and Wilson Parke Blvd); C7a-98-004 Aiken Tract (approximately 41 acres north of the Bowie High School site on Slaughter Lane) ; C7a-98-005 Lonestar/Gannaway Tract (approximately 27 acres approximately 155 feet west of the intersection of Salida Dr and Sawmill Dr); C7a-98-006 Brodie Springs Area (approximately 92 acres at the northeast corner of the intersection of Brodie Ln and Squirrel Hollow); C7a-98-007 Wild Basin (COA)/Loop 360 right-of-way (approximately 359 acres approximately 2800 feet north of the intersection of Loop 360 and Wild Basin Dr); C7a-98-008 Pond Springs Commercial Area (Approximately 28 acres at the northeast corner of the intersection of Pond Springs Rd and Shady Oaks Dr and approximately 2 acres at the southeast corner of the intersection of Pond Springs Rd and Shady Oaks Dr); and C7a-98-009 Howard Lane Industrial Tract (approximately 60 acres at northwest corner of the intersection of W. Howard Ln and McNeil-Merril Town Rd).

Closed public hearing on Councilmember Slusher's motion, Councilmember Garcia's second, 6-0 vote, Councilmember Spelman off the dais.

51. 6:45 P.M. - Public hearing for the limited purpose annexation of the following area: C7L-98-003 Galloway Tract (approximately 19 acres on the south side of Elroy Rd approximately 1800 feet from the intersection of Elroy Rd and Ross Rd).
Closed public hearing on Councilmember Garcia's motion, Mayor Pro Tem Goodman's second, 6-0 vote, Councilmember Spelman off the dais.

Recessed public hearing at 7:00 p.m. on Councilmember Slusher's motion, Councilmember Griffith's second, 6-0 vote, Councilmember Spelman off the dais.

52. 7:00 P.M. - Public hearing to consider a Strategic Partnership Agreement with Anderson Mill Municipal Utility District and to consider Limited Purpose annexation of the following commercial tracts: C7L-98-004 Lake Creek Parkway Commercial area (approximately 33 acres on the west side of US 183 at the intersection of US 183 and Lake Creek Parkway); C7L-98-005 Woodland Hills Village Commercial Area (approximately one acre on the west side of US 183 at the intersection of US 183 and Woodland Hills Drive); C7L-98-006 Millwright Parkway Commercial Area (approximately one acre at the northwest corner of the intersection of Millwright Parkway and Anderson Mill Road); C7L-98-007 Pecan Creek Parkway Commercial Area (approximately six acres at the northeast corner of the intersection of Pecan Creek Parkway and Anderson Mill Road); and to consider Full Purpose annexation of the following area: C7a-98-011 Hymeadow Drive Commercial Area (approximately 14 acres on the east side of US 183 at the intersection of US 183 and Hymeadow Drive).
Motion to close public hearing on Councilmember Slusher's motion, Councilmember Griffith's second, 6-0 vote, Councilmember Spelman off the dais.

53. 7:30 P.M. - Public hearing for the full purpose annexation of the following area: C7a-98-010 Harris Branch area (approximately 2141 acres at the intersection of Bluegoose Road and Harris Branch Parkway).
Closed public hearing on Councilmember Lewis' motion, Councilmember Spelman's second, 6-0 vote, Councilmember Garcia off the dais.

ACTION ON THE FOLLOWING

54. Approve an ordinance adopting a Strategic Partnership Agreement with Anderson Mill Utility District pursuant to Section 43.0751 of; the Local Government Code. (No fiscal impact.)
Ordinance No. 981119-L approved on Councilmember Slusher's motion, Councilmember Lewis' second, 7-0 vote.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held at 12:30 p.m. to 1:50 p.m.

Recessed for executive session held at 2:47 p.m. to 3:50 p.m. on item #66.

Recessed for executive session at 5:07 p.m. to 5:51 p.m. on items #'s 61 and 63.

Recessed for executive session at 12:30 a.m. to 1:45 p.m. on item #66.

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

Real Property – Section 551.072

55. Discuss proposed groundlease of the Poleyard property to Post Properties and Block 4 to AMLI.

Private Consultation with Attorney – Section 551.071

56. Discuss John Mount, et al. v. City of Austin, Cause No. 95-14287, pending in the 261st Judicial District Court of Travis County.
57. Discuss Brown, Arthur, et al. v. City of Austin Police Department, Cause No. 95-12194, in the Travis County District Court.
58. Discuss Christopher Whiteneck v. Alan Schwettman, Individually and City of Austin, Texas, Cause No. 97-13700, in the Travis County District Court.
59. Discuss Hidden Oaks Limited vs. City of Austin, Cause No. 95-CA-834SS, in the United States District Court and
60. Discuss Tideland Limited Partnership v. The City of Austin, Cause No. 97-59241, U.S. Bankruptcy Court.
61. Discuss Gordon Dunaway and Eli J. Garza vs. City of Austin, Cause No. 97-12434, in the District Court of Travis County, Texas. (This litigation concerns development regulations applicable in the Barton Springs Zone.)
62. 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.)
63. Discuss rezoning of property in the vicinity of South Mopac and William Cannon, also known as the Forum PUD. (This item concerns development regulation applicable in the Barton Springs Zone.)

64. Discuss Cause No. 98-00248, City of Austin, Texas v. Horse Thief Hollow Ranch, Ltd., et al., in the 345th Judicial District Court of Travis County, Texas.
65. Discuss legal issues regarding anticipated legislation issues in the Texas 76th Legislative Session that affects the City of Austin.
66. Discuss acquisition/lease of property in the downtown area for city offices.

ACTION ON THE FOLLOWING

67. Approve appointment of City Clerk and establish appropriate compensation.
Action taken on November 18, 1998
68. Approve settlement of Christopher Whiteneck v. Alan Schwettman, Individually and City of Austin, Texas, Cause No. 97-13700, in the Travis County District Court.
Approved in an amount not to exceed \$155,000 on Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.
69. Approve expert consulting contract for \$66,000 to Holford Group, expert witness, in Hidden Oaks Limited vs. City of Austin, Cause No. 95-CA-834-SS, in the United States District Court.
No action taken.
70. Approve expert consulting contract for \$54,000 to Fredericks and Hornsby, expert witness, in Hidden Oaks Limited vs. City of Austin, Cause No. 95-CA-834-SS, in the United States District Court.
No action taken.
71. Approve settlement of Gordon Dunaway and Eli J. Garza vs. City of Austin, Cause No. 97-12434, in the District Court of Travis County, Texas. (This litigation concerns development regulations applicable in the Barton Springs Zone.)
No action taken.
72. Adopt a resolution to release approximately 720 acres of Austin's Extra Territorial Jurisdiction (ETJ) to the City of Jonestown. (No fiscal impact.)
Resolution No. 981119-72 approved on Councilmember Garcia's motion, Councilmember Slusher's second, 7-0 vote.
73. Approve negotiation and execution of lobbying and other professional services contracts with the following firms for the 76th Legislative Session of the State of Texas: CARL S. RICHIE of Mayor Day Caldwell & Keeton, Austin, Texas; NEAL T. JONES AND WILLIAM MILLER, Hillco Partnership, Austin, Texas; CLIFF JOHNSON AND REGGIE BASHUR, Austin, Texas; KAREN JOHNSON, Austin, Texas; CARL A. PARKER and FROY SALINAS; Austin, Texas; HUGO BERLANGA, Austin, Texas, in the amount of \$604,000, with second year contracts in the amount of \$534,000, for a total amount not to exceed \$1,138,000. (Funding in the amount of \$304,000 was included in the FY 1998-99 Operating Budget of the Management services Department; \$300,000 was included in the FY 1998-99 Strategic Planning Investment Fund; funding in the amount of \$534,000 for the second year of five contracts: Neal T. Jones and William Miller; Cliff Johnson and Reggie Bashur; Karen Johnson;

Carl A. Parker and Froy Salinas; and Hugo Berlanga will be contingent upon available funding in FY1999-2000.)

No action taken.

74. Approve an ordinance enacting a site-specific amendment to the S.O.S. Ordinance and authorize execution of a final settlement agreement in connection with City of Austin v. Club Resorts, Inc., Cause No. 98-00248, Travis County District Court and authorize the City Manager to execute the approved settlement agreement. (This litigation concerns development regulations applicable in the Barton Springs Zone.)

75. APPOINTMENTS

Arts Commission – BRUCE WILLENZIK (REAPPOINTMENT-COUNCILMEMBER SLUSHER)

Child Care Council – JIMMIE JONES (COUNCILMEMBER LEWIS); DEBRA KEITH-THOMPSON (CONSENSUS)

Commission on Immigrant Affairs – FRANCISCO CHAVEZ (CONSENSUS); BARBARA HINES (CONSENSUS); JENNIFER KIM (CONSENSUS); MARIA LOYA (CONSENSUS); ARNOLDO MEDINA, JR. (CONSENSUS); SISTER ANE NGUYEN (CONSENSUS); SNEHAL PETEL (CONSENSUS); LUS PLASCENCIA (CONSENSUS); SIMONE TALMA (CONSENSUS)

Commission for women – RUTH PARSHALL (REAPPOINTMENT-MAYOR PRO TEM GOODMAN)

Design Commission – EDGAR FARRERA (REAPPOINTMENT-MAYOR WATSON)

Downtown Commission – ELAINE CARTER (CONSENSUS); STAN HAAS (REAPPOINTMENT-R/JDT REPRESENTATIVE-CONSENSUS); PERRY LORENZ (REAPPOINTMENT-DESIGN COMMISSION REPRESENTATIVE-CONSENSUS); JEAN MATHER (REAPPOINTMENT-PLANNING COMMISSION REPRESENTATIVE-CONSENSUS); BILL MULLANE (REAPPOINTMENT-CHAMBER OF COMMERCE REPRESENTATIVE-CONSENSUS); TERESA RABAGO (REAPPOINTMENT-HISTORIC LANDMARK COMMISSION REPRESENTATIVE-CONSENSUS); MICHAEL ZAKES (REAPPOINTMENT-URBAN TRANSPORTATION COMMISSION REPRESENTATIVE-CONSENSUS)

EMS Transition Team – DINAH DINWIDDIE (TRAVIS COUNTY EMS DIRECTOR-CONSENSUS); BETTY DUNKERLEY (CITY OF AUSTIN FINANCIAL DIRECTOR-CONSENSUS); DAVE EATON (ENGINEER W/EMS STATION DESIGN-CONSENSUS); SUE EDWARDS (CITY OF AUSTIN EMS DIRECTOR-CONSENSUS); MIKE HOWE (INCORPORATED CITIES REPRESENTATIVE); DR. DONALD PATRICK (EMS QUALITY ASSURANCE TEAM REPRESENTATIVE; CONSENSUS); DR. EDWARD RACHT (EMS MEDICAL DIRECTOR-CONSENSUS); CHRISTIAN SMITH (TRAVIS COUNTY FINANCIAL DIRECTOR-CONSENSUS); ED STROUT (EMS EMPLOYEE ASSOCIATION REPRESENTATIVE-CONSENSUS)

Ethics Review Commission – SAMUEL LOUGHLIN (NOMINATION-MAYOR WATSON)

Human Rights Commission – RICH BAILEY (REAPPOINTMENT-MAYOR WATSON); SAMMIE GLASCO (REAPPOINTMENT-COUNCILMEMBER LEWIS); JAMES HILL (REAPPOINTMENT-CONSENSUS)

Resource Management Commission – AI T. CAI (COUNCILMEMBER GARCIA); MICHAEL KUHN (MAYOR PRO TEM GOODMAN)

Solid Waste Advisory Commission – SCOTT PASTERNAK (COUNCILMEMBER LEWIS); FRED RICHARDSON (REAPPOINTMENT-CONSENSUS)

Travis Central Appraisal District – ELEANOR POWELL (REAPPOINTMENT-CONSENSUS)

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

ADDENDUM

November 19, 1998

76. Approve settlement in Hidden Oaks Limited Partnership v. City of Austin, Cause No. 95-CA-834SS, in the United States District Court.
No action taken.
77. Approve settlement in Tideland Limited Partnership v. City of Austin, Cause No. 97-59241, United States Bankruptcy Court in the Northern District of California.
No action taken.

ADJOURNED at 1:45 a.m. on Councilmember Slusher's motion, Councilmember Lewis' second, 5-0 vote, Mayor Pro Tem Goodman and Councilmember Griffith absent.

Approved on this the 3rd day of December 1998 on Councilmember Garcia's motion, Councilmember Spelman's second, 6-0 vote, Councilmember Lewis absent.