



# Austin City Council MINUTES

SPECIAL CALLED MEETING  
AUGUST 9, 1995

Mayor Pro Tem Garcia called the meeting to order, Mayor Todd and Councilmember Shea temporarily absent, Councilmember Nofziger absent.

## PREVIEW OF ITEMS FOR NEXT COUNCIL MEETING

1. Review of Proposed Agenda Items from City Manager for August 24, 1995.
2. Review of Proposed Agenda Items from Council for August 24, 1995.

## ITEMS CONTINUED FROM PREVIOUS MEETINGS

3. Approve third reading of an ordinance amending the City Code to add Chapter 18-7, establishing and regulating the use by third parties of City-owned Utility Infrastructure, and establishing a penalty for violation of this ordinance.  
Ordinance No. 950809-A approved, on Mayor Pro Tem Garcia's motion, Councilmember Shea's second, 5-0-1 vote, Councilmember Mitchell abstaining, Councilmember Nofziger absent.

## RESOLUTIONS

4. Rescind a construction contract award of July 13, 1995 and approve a construction contract award to THE BARR COMPANY (WBE/FH), Austin, Texas, for interior improvements in the John Henry Faulk Library located at 800 Guadalupe Street, in the amount of \$722,400. (Funding in the amount of \$58,665 is included in the 1992-93 Capital Budget of the Library Department; \$292,481 is included in the 1994-95 Amended Capital Budget of the Library Department; \$339,471 is included in the 1994-95 Capital Budget of the Environmental & Conservation Services Department; \$31,783 is included in the 1994-95 Capital Budget of the Public Works Department.) Low bid of four (4). 12.58% MBE, 2.40% WBE Subcontractor participation.  
Motion fails on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, a 3-0-2 vote, Councilmember Reynolds' and Shea abstaining, Councilmember Mitchell out of room, but noting for the record abstaining on this item, Councilmember Nofziger absent.

5. Approve a revenue generating contract with Southwestern Bell Telephone Company for the joint use of utility poles for a term of sixty-six (66) months commencing July 1, 1995, and approve an agreement settling all rental and related claims of the City and Southwestern Bell against each other concerning use of each other's utility poles prior to the effective date of the proposed contract. (Revenue upon execution of the contract and settlement agreement is estimated at \$517,000. Estimated annual contract revenue is \$254,000. This revenue was not included in the 1995-96 proposed budget. Future revenue will be included in future years' budget.)  
**Approved, on Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-0 vote, Councilmember Mitchell temporarily absent, Councilmember Nofziger absent.**

#### ITEMS FROM COUNCIL

6. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 6012 Southwest Parkway, Case No. C14-95-0056, from "LR", Neighborhood Commercial and "LO", Limited Office to "MF-2-CO", Multifamily Residence (low density)-Conditional Overlay for Tract 1 and "RR", Rural Residence for Tract 2, with the provisions of the overlay as follows: (1) dedication of 35 feet of right-of-way from the existing centerline of Foster Ranch Road; (2) limit development to generate less than 2,000 vehicle trips per day for the site; and (3) prohibit access to Foster Ranch Road until the road is upgraded to a collector street (with 40' of pavement) to the north property line of this site. Further subject to: (1) limited to 220 units for entire site; (2) Pest Management Program; (3) Greenbuilder techniques; and (4) Xeriscape landscaping, CAPITAL COMMERCIAL INVESTMENT (Doug P. Agarwal), by Minter, Joseph & Thornhill (Kenneth W. Brown). First reading on July 13, 1995; Vote 7-0. Conditions met as follows: conditional overlay incorporates conditions imposed by Council. (Councilmembers Eric Mitchell and Ronney Reynolds)  
**Ordinance No. 950809-B approved, subject to condition #3, (Greenbuilder techniques) and #4 (Xeriscape Landscaping) to go into a restrictive covenant and #1 (Unit Limitation) to be included in ordinance, on Councilmember Mitchell's motion, Councilmember Reynolds second, 6-0 vote, Councilmember Nofziger absent.**

#### BRIEFINGS AND DISCUSSIONS

7. DISCUSSION OF 1995-96 PROPOSED OPERATING AND CAPITAL BUDGETS:
  - \*Water and Wastewater
  - \*Electric Utility
  - \*Convention Center
  - \*Austin Convention and Visitors Bureau**Presentation given by Randy Goss, Maria Alicia Garcia, David Anders, Waynell Burkett, John Moore, Joe Malaski, David Kaspar, Robert Hodge, Larry Anderson, Jose Gonzales, Karen Jordan, Betty Baker and Sherry Yang.**
8. FINANCIAL POLICIES  
**Presentation by Betty Dunkerly, and Dorinda Pulliam.**
9. CAPITAL BUDGET  
**Presentation by Betty Dunkerly.**

10. DISCUSS BOND SALE  
Presentation by Betty Dunkerly.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held at 1:55 p.m. to 3:00 p.m. on item 11.

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.

Advice of Counsel - Sec. 551.071

11. Receive legal advice on issuance of certificates of obligation if a petition opposing issuance is received by the City.
12. Status of memorandum of understanding between City of Austin and Austin Sports Development, Inc., Professional Sports Inc., and Austin Stadium Development Inc. (City Council deliberation is not permitted under Section 551.075)

ADJOURNED: at 4:15 p.m., on Mayor Pro Tem Garcia's motion, Councilmember Reynolds' second, 5-0 vote, Councilmembers Mitchell and Nofziger absent.

Approved on this the 17<sup>th</sup> day of August, 1995, with changes of Worksession to Special Called Meeting, on Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Shea off the dais.