



# Austin City Council MINUTES

**REGULAR MEETING  
THURSDAY, JULY 29, 1999**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed.

**THE CITY COUNCIL OF AUSTIN, TEXAS, WILL CONVENED AT 9:20 A.M., ON THURSDAY, JULY 29, 1999, AT CITY COUNCIL CHAMBERS, 307 WEST SECOND STREET, FOR THE FOLLOWING PURPOSES:**

## **BRIEFINGS**

5. Council Budget Initiatives
6. Goggio and Associates report on FQHC change initiatives.  
**Presentation made by David Lurie, Director of Health and Human Services, John Kuenning, Goggio, Kaye Music, Goggio, John Mayo, FQHC Chair, Mary Ann Dwight, Consultant, Mike Abkowitz, Chief Financial Officer, Karen Tejcka, Goggio and Ann Goggio.**

## **PREVIEW OF ITEMS FOR NEXT COUNCIL MEETING**

1. Review of Proposed Agenda Items from the City Manager for August 5, 1999.
2. Review of Proposed Agenda Items from Council for August 5, 1999.
3. Discuss and identify consent and discussion agenda items for the July 29, 1999 Council meeting agenda. (Agenda for July 29, 1999 is attached and incorporated by reference.)
4. Set Time Certain, if necessary, for agenda items on the July 29, 1999 Agenda.

## **CONSENT AGENDA**

**All of the following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Spelman's motion, Council Member Goodman's second by a 7-0 vote.**

21. Electric Utility Commission - Teresa Reel, Chair .

**This item was deleted from the agenda.**

**Item 22 was pulled for discussion.**

23. Approve a resolution authorizing execution of two twelve-month price agreements with SOUTHWESTERN BELL TELEPHONE, Austin, Texas, for Nortel Voice Equipment and service and LUCENT TECHNOLOGIES, Austin, Texas, for Lucent Voice Equipment and services for the Information Systems Office in an amount not to exceed \$2,415,000 each and \$2,415,000 combined, with four twelve-month extension options in an amount not to exceed \$2,415,000 per extension option for a total amount not to exceed \$12,075,000. (Funding in an amount of \$365,000 was included in the 1998-1999 Approved Operating Budget for the Health and Human Services Department; \$50,000 was included in the 1998-1999 Approved Operating Budget for the Water and Wastewater Utility. \$2,000,000 was included in the 1998-99 Approved Capital Budget of Telecommunications. Funding for the remaining option periods will be contingent upon available funding in future budgets.) Sole bidders. No MBE/WBE Subcontracting opportunities were identified.

**Resolution No. 990729-23 was approved.**

24. Amend Ordinance No. 980915-A, the 1998-99 Operating Budget Special Revenue Fund of the Neighborhood Housing and Community Development Office (NHCDO) by appropriating \$2,600,000 for the following two HUD entitlement grants: \$1,100,000 for the Community Development Block Grant (CDBG) 25<sup>th</sup> year; and, \$1,500,000 for the CDBG 26<sup>th</sup> year. (Future funding is anticipated for the following two HUD entitlement grants: \$1,100,000 for the CDBG 25<sup>th</sup> year; and, \$1,500,000 for the CDBG 26<sup>th</sup> year.

**Ordinance No. 990729-24 was approved.**

25. Approve a resolution authorizing the negotiation and execution of a contract with a secular, private not-for-profit subsidiary corporation of THE SALVATION ARMY, Austin, Texas, for a 50 year lease and seven-year management agreement of a homeless shelter in the total lease amount of \$3,900,000. (Funding in an amount of \$500,000 was included in the 1996-97 Operating Budget Special Revenue Fund of the Neighborhood Housing and Community Development Office (NHCDO) (CDBG 22<sup>nd</sup> Year Homeless Facilities). \$3,100,000 was included in the 1998-99 Amended Operating Budget Special Revenue Fund of the NHCDO (CDBG 24<sup>th</sup> Year Homeless Facilities, CDBG 25<sup>th</sup> Year Homeless Facilities, CDBG 26<sup>th</sup> Year Homeless Facilities). \$300,000 was included in the 1998-99 Amended Capital Budget of the Health and Human Services Department (HHSD) Best of two proposals received. The MBE/WBE Ordinance is not applicable to leases.

**Resolution No. 990729-25 was approved.**

26. Declare official intent to reimburse \$2,600,000 to costs associated with a 50 year lease for a homeless shelter, and amend the two-year GO debt schedule. (\$2,600,000 to be reimbursed from the proceeds of future debt.)

**Resolution No. 990729-26 was approved.**

27. Approve a resolution authorizing the execution of an Interlocal Agreement between the City of Austin and Travis County to provide uniform standards and procedures for the assignment of addressees in the unincorporated areas within Travis County by the Austin Police Department, as part of maintaining the Emergency 911 System, in an amount not to exceed \$64,587. (Travis County will provide funding (as part of its funding from the Capital Area Planning Council) to the Austin Police Department to reimburse salary costs of APD employees who assign addresses to residences, businesses, parcels of land in rural Travis County and related supplies. The Approved FY 1998-99 Operating Budget for the Austin Police Department includes a reimbursement from Travis County for \$52,000.)

**Resolution No. 990729-27 was approved.**

28. Approve an ordinance authorizing the acceptance of \$422,723 in the sixth year grant funding from the Texas Department of Transportation, Texas Automobile Theft Prevention Authority, to continue the Auto Theft Interdiction Project in the Austin Police Department; Amend Ordinance No. 980915-A, the 1998-99 Operating Budget, amending the Austin Police Department Special Revenue Fund, by increasing grant funding and grant expenditures by \$84,723. (Grant funding is available from the Texas Department of Transportation, Texas Automobile Theft Prevention Authority, for the grant period September 1, 1999-August 3, 2000. A cash or in-kind match is not required.)

**Ordinance No. 990729-28 was approved.**

**Items 29 through 31 were set for time certain at 6:30 p.m.**

**Items 32 through 34 were pulled for discussion.**

35. Amend Ordinance No. 980915-A, the 1998-99 Operating Budget of the Parks and Recreation Department by appropriating \$417,000 for the purpose of funding the increased salaries and incentives for lifeguards at 47 City of Austin pool sites and decrease the General Fund Unreserved Ending Balance by \$417,000. (Funding in an amount of \$417,000 from the 1998-99 General Fund Ending Fund Balance)

**Ordinance No. 990729-35 was approved.**

36. Approve a resolution authorizing negotiation and execution of a professional services agreement with LAW ENGINEERING AND ENVIRONMENTAL SERVICES, INC., Austin, Texas, for engineering services to conduct Phases I and II environmental site assessments in an amount not to exceed \$75,000. (Funding is available in the FY 98-99 Operating Budget for Solid Waste Services) Best of seventeen statements. 8.6% MBE, 18.20% WBE Subcontracting participation. (Recommended by Solid Waste Advisory Commission)

**Resolution No. 990729-36 was approved.**

**Items 37 and 38 were pulled for discussion.**

39. Approve Amendment No. Three to the 1999 CAN Interlocal Cooperation Agreement for the Human Services Program between the City of Austin and Travis County to modify two (2)

existing contracts and add one (1) new contract for relocation of homeless services and day labor services for a net additional cost of \$49,389, for a total revised cost to the City not to exceed \$6,104,855.

**This item was postponed to August 5, 1999.**

40. Approve a resolution authorizing the filing of eminent domain proceedings to acquire a temporary workspace easement containing 1,339 square feet, being a portion of Lot 40, Block 1, Bancroft Woods, in the City of Austin, Travis County, Texas, owned by Bancroft Woods Ltd, for the Indian Oaks Annexation Project. (Funding in an amount of \$100 was included in the 1998-99 Amended Capital Budget of the Water and Wastewater Department.)

**Resolution No. 990729-40 was approved.**

41. Approve a resolution authorizing execution of three twelve-month supply agreements with POWER SUPPLY, INC., Austin, Texas, in an amount not to exceed \$67,000; HI-VOLT SALES, New Braunfels, Texas, in an amount not to exceed \$514,860; and GENERAL ELECTRIC SUPPLY COMPANY, Austin, Texas, in an amount not to exceed \$249,109; for the purchase of approximately 34 network distribution transformers with four twelve-month extension options in an amount not to exceed \$67,000, \$514,860, and \$249,109 respectively per extension, for total contract amounts not to exceed \$335,000; \$2,574,300, and \$1,245,545 respectively. (Funding in an amount of \$138,495 is included in the Amended 1998-99 Operating Budget of the Electric Utility Department. Funding for the final ten months of the original contract period and the extension options is contingent upon available funding in future budgets.) Low bid of three. No Subcontracting opportunities were identified.

**Resolution No. 990729-41 was approved.**

42. Approve a resolution authorizing execution of two twelve-month supply agreements with GENERAL ELECTRIC SUPPLY COMPANY, Austin, Texas and POWER SUPPLY, INC., Austin, Texas, for the purchase of network protectors, in an amount not to exceed \$762,244 and \$105,240 respectively, with four twelve-month extension options in an amount not to exceed \$381,122 and \$52,620 respectively per extension for a total contract amount not to exceed \$2,286,732 and \$315,720 respectively. (Funding in an amount of \$144,580 was included in the Approved 1998-99 Capital Budget for the Electric Utility Department. Funding for the final ten months of the contract and the extension options are contingent upon available funding in future budgets.) Low bid of three. No MBE/WBE Subcontracting participation. (Recommended by Electric Utility Commission)

**Resolution No. 990729-42 was approved.**

43. Approve a resolution authorizing an increase to the contract amount with ASCOM TRINDEL CORPORATION, Norcross, Georgia, for construction change orders for the completion of the Parking Revenue Control System Project at Austin-Bergstrom International Airport, in the amount of \$275,000 for a revised not-to exceed total amount of \$2,292,103. (Funding in the amount of \$275,000 is included in the 1998-99 Approved Capital Budget for Aviation.) 14% MBE, 0% WBE Subcontracting participation. (Recommended by Airport Advisory Board)

**Resolution No. 990729-43 was approved.**

44. Approve a resolution authorizing the execution of a contract with F & S CONSTRUCTION COMPANY, INC., San Antonio, Texas, for Parking Structure Landscape – East Construction

Project at Austin-Bergstrom International Airport, in the amount of \$335,782.87 plus a contingency fund of \$33,578.13 for a total amount of \$369,361. (Funding in an amount of \$369,361 is included in the 1998-1999 Amended Capital Budget for Aviation.) Low bid of three. 20.3% MBE, 14% WBE Subcontracting participation. (Recommended by Airport Advisory Board)

**Resolution No. 990729-44 was approved.**

**Items 45-46 were pulled for discussion.**

47. Set a public hearing to receive public comment on the proposed rate and fee increases for the Water and Wastewater Utility, the Solid Waste Services Department, and the Comprehensive Drainage Fee of the Watershed Protection Department, as part of the 1999-2000 Proposed Budget. (Suggested Date and Time: September 2, 1999 at 6:00 p.m.)

**Resolution No. 990729-47 was approved.**

**Item 48 was pulled for discussion.**

49. Approve an Ordinance authorizing the creation of the Downtown Austin Community Court and the creation of the organizational structure under which the court will operate.

**Ordinance No. 990729-49 was approved.**

**Item 50 was pulled for discussion.**

51. Approve a resolution authorizing a twelve-month Interlocal agreement with Travis County for the provision of grant match dollars to the Texas Association of Minority Business Enterprise (TAMBE) in an amount not to exceed \$50,000. In return for the match dollars, TAMBE will be responsible for the provision of technical assistance to small, minority and women owned businesses to create jobs for low and moderate-income persons. (Funding in an amount of \$50,000 was included in the 1998-99 Operating Budget Special Revenue Fund of the Neighborhood Housing and Community Development (NHCD) Office's CDBG 24<sup>th</sup> year allocation.)

**Resolution No. 990729-51 was approved.**

**Item 52 was pulled for discussion.**

**Item 53 and 54 were for the Austin Housing Finance Corporation meeting scheduled for 3:30 p.m.**

**Items 55 through 68 were zoning items set for 4:00 p.m. hearing.**

69. Approve an ordinance waiving certain fees and requirements of Chapter 15-11 for the Lance Armstrong Parade (Mayor Kirk Watson and Council Member William Spelman)

**Resolution No. 990729-69 was approved.**

70. Initiate the process to rename 18<sup>th</sup> Street to Robert Bullock Boulevard. (Mayor Kirk Watson and Council Member Gus Garcia)

**Resolution No. 990729-70 was approved.**

**Items 71 and 72 were pulled for discussion.**

**Items 73 and 74 were set for public hearing at 6:00 p.m.**

### **DISCUSSION ITEMS**

52. C14H-99-0001 – Allen/Williams House - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1206 San Antonio Street from “GO”, General Office district to “GO-H”, General Office-Historic district zoning. First reading: May 13, 1999; Vote: 6-0-1 (Goodman abstained). Conditions met as follows: No conditions were imposed on first ordinance reading. Applicant: City of Austin; Agent: Development Review and Inspection Department; City Staff: Barbara Stocklin, 499-2414. (continued from 6/3/99 and 7/1/99) Note: A valid petition has been filed in opposition to this rezoning request.

**This item was postponed to August 26, 1999 at the request of the owner on Council Member Garcia’s motion, Mayor Watson’s second by a 7-0 vote.**

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

The City Council announced it would 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 and to receive advice from Legal Counsel regarding any other item on this agenda.

**Executive session was held at 12:24 p.m.**

### **Private Consultation with Attorney - Section 551.071**

7. Discuss legal issues concerning a claim from Morganti Group, Inc. for unreimbursed costs incurred on the Austin-Bergstrom International Airport construction project.
8. Discuss *Sean Mannix, et al, v. Eco Resources, Inc., et al.*, Cause No. 98-550-C26, in the Williamson County District Court, and related litigation.
9. Discuss *FM Properties Operating Co. v. City of Austin*, Cause No. 98-0685, in the Supreme Court of Texas. (This litigation concerns development regulations applicable in the Barton Springs Zone.)
10. Discuss *L.S. Ranch, Ltd., et.al., v. City of Austin*, Cause No. 97-1048, Hays County District Court. . (This litigation concerns development regulations applicable in the Barton Springs Zone.)
11. Discuss legal issues concerning Chapter 245 of the Texas Local Government Code.
12. Discuss legal issues concerning the agreement with Anderson Development Corporation.
13. Discuss legal issues concerning the northern boundary line of the Sand Beach Reserve tract on the North side of Town Lake at Lamar Boulevard.

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

14. Discuss real property acquisition of the Greenways and Destination Parks for Proposition 2 of the November 1998 bond election.

**Executive session ended at 1:45 p.m.**

**LIVE MUSIC:** Paul Quinn

**INVOCATION** – Reverend Michael Insley – First Cumberland Presbyterian Church

15. Approval of Minutes for Regular Meetings of July 22, 1999  
**This item was postponed to August 5, 1999.**

**CITIZEN COMMUNICATIONS: GENERAL**

16. Robert L. Thomas – Discuss Termination and Employment at the Rosewood Recreation Center
18. Gavino Fernandez – Holly Power Plant – ¡Ya Basta!
19. John K. McMillan – The City of Austin should require that all new apartment complexes and condominium buildings with more than 15 units must offer a party room/meeting room.
20. Gus Peña – 1. To discuss health and dental clinics – don't close any clinics; 2. To discuss Goggio Consultants Strategy Management Plan & Budget; 3. To discuss City Budget
75. Jim Coddington – The proposed homeless shelter.

**DISCUSSION AGENDA**

45. Approve a resolution authorizing the settlement of a claim in the amount of \$180,425.00 asserted by MORGANTI GROUP, INC., Houston, Texas, for unreimbursed costs incurred on Austin-Bergstrom International Airport Passenger Terminal Facility Project. (\$180,425.00 is included in the 1998-99 approved Capital Budget for Aviation.)  
**Resolution No. 990729-45 was approved on Council Member Slusher's motion, Council Member Garcia's second by a 7-0 vote.**
50. Adopt amendments to Chapter 15-12 of the Austin City Code relating to construction coordination and permits for excavations in streets and rights-of-way. (Fee and fine structures are provided under separate ordinance.)  
**This item was postponed to August 19, 1999 on Council Member Garcia's motion, Council Member Spelman's second by a 7-0 vote.**
46. Approve a resolution ratifying an amendment to a construction contract with M.W. BUILDERS, INC., Temple, Texas, for the Parking Structure Construction Project at Austin-Bergstrom International Airport (ABIA), in the amount of \$500,000 for a revised not-to exceed total amount of \$28,681,500. (Funding in the amount of \$ 500,000 is included in the 1998-99 Amended Capital Budget for Aviation.) .27% MBE, 0% WBE Subcontracting participation. (Recommended by Airport Advisory Board)

**Resolution No. 990729-46 was approved on Council Member Spelman's motion, Mayor Watson's second by a 7-0 vote.**

71. Approve an ordinance waiving certain fees and requirements of Chapter 15-11 for the Fiesta de Independencia Celebration at Plaza Saltillo. (Council Member Gus Garcia and Mayor Pro Tem Jackie Goodman)

**Ordinance No. 990729-71 was approved on Council Member Garcia's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.**

32. Approve a resolution authorizing amendment of the contract with the Austin Convention and Visitors' Bureau (ACVB) by increasing ACVB's 1998-99 budget for marketing the Convention Center Expansion and increasing the contract payment from the City of Austin by \$265,000, for a total contract amount of \$3,943,954. (Funding in an amount of \$265,000 is available in the 1998-99 Operating Budget for the Tourism and Promotion Fund.)

**Resolution No. 990729-32 was approved on Council Member Garcia's motion, Mayor Watson's second by a 4-3 vote. Council Members who voted no are: Mayor Pro Tem Goodman, Council Members Griffith and Lewis.**

33. Approve a resolution authorizing amendments to the City's contract with Austin Convention and Visitors' Bureau (ACVB), to add minority marketing duties to ACVB's responsibilities and increase the total maximum payment to ACVB from 1.25 to 1.50 cents per dollar of available hotel tax revenue.

**Resolution No. 990729-33 was approved on Council Member Garcia's motion, Council Member Slusher's second by a 7-0 vote.**

34. Approve Austin Convention and Visitors' Bureau's (ACVB) 1999-2000 Marketing Plan and proposed budget in an amount of \$5,595,716, and set the contract payment from the City of Austin at \$5,133,733 for the fiscal year beginning October 1, 1999 and ending September 30, 2000. (Funding in an amount of \$5,133,733 is available contingent upon approval of the 1999-00 proposed operating budget for the Tourism and Promotion Fund.)

**This item was postponed to August 19, 1999 on Council Member Slusher's motion, Council Member Spelman's second by a 7-0 vote.**

**The motion to recess the Council meeting at 3:30 p.m. was approved on Council Member Slusher's motion, Council Member's second by a 7-0 vote.**

#### **BOARD OF DIRECTOR'S MEETING OF AUSTIN HOUSING FINANCE CORPORATION**

A Board meeting of the Austin Housing Finance Corporation (AHFC) was conducted at 3:30 p.m. Items 53 and 54 were considered by the Austin Housing Finance Corporation's Board of Directors.

53. Conduct a public hearing for the purpose of receiving public input on the issuance of up to \$10,500,000 of 501 (c) 3 multi-family non recourse bonds to finance the acquisition and rehabilitation of the Stony Creek Apartments at 4911 Manchaca Road and the Princeton Apartments at 4411 Airport Boulevard, to be owned and operated by a to-be-formed single



purpose Texas non-profit corporation affiliated with San Antonio Alternative Housing Corporation.

**This item was postponed to September 5, 1999.**

54. Approve an Inducement Resolution on the issuance of up to \$10,500,000 of 501 (c) 3 multi-family non-recourse bonds to finance the acquisition and rehabilitation of the Stony Creek Apartments at 4911 Manchaca Rd. and the Princeton Apartments at 4411 Airport Boulevard, to be owned and operated by a newly formed single purpose Texas non-profit corporation affiliated with San Antonio Alternative Housing Corporation. (Paid from requestor and bond funds.)

**Resolution No. 990729-54 was approved on Board Member Slusher's motion, Board Member Spelman's second by a 6-0 vote. Council Member Griffith was off the dais.**

**The AHFC Board meeting was adjourned at 4:48 p.m. on Board Member Lewis' motion, Board Member Slusher's second by a 6-0 vote. Board Member Griffith was off the dais.**

**The City Council meeting was reconvened.**

38. Approve a resolution authorizing execution of amendment No.1 with ECKERD HEALTH SERVICES (EHS), Pittsburgh, Pennsylvania, for the provision of pharmacy services and pharmacy management for enrollees of the City of Austin and Travis County Medical Assistance Programs (MAP) in an amount not to exceed \$603,825, with increases to the four twelve-month extension options in amounts not to exceed \$312,853; \$356,652; \$406,584; and \$463,505 respectively, for a total contract amount not to exceed \$18,152,098. (Funding is available in the 1998-99 Amended Budget for the Health and Human Services Department's City of Austin Medical Assistance Program. Funding for the extension options increases will be contingent upon available funding in future budgets.)

**Resolution No. 990729-38 was approved on Council Member Lewis' motion, Council Member Spelman's second by a 6-0 vote. Council Member Griffith was off the dais.**

48. Approve a resolution authorizing execution of a construction contract with A & R DEMOLITION, Del Valle, Texas, for deconstruction/demolition and revegetation of properties on Lakeside Drive, Auburnhill, Auburndale, and Trafalgar Drive along Little Walnut and Fort Branch Creeks, in the amount of \$250,000. (Funding in an amount of \$16,000 was included in the 1992-93 and \$234,000 was included in the 1998-99 Amended Capital Budget of the Watershed Protection Department.) Low bid of four. 0% MBE, 18.58% WBE Subcontracting participation. (To be reviewed by Environmental Board – 7/21/99)

**Resolution No. 990729-48 was approved on Council Member Garcia's motion, Council Member Slusher's second by a 7-0 vote.**

### CONSENT ZONING ITEMS

**ALL OF THE FOLLOWING ZONING ITEMS WERE ACTED ON BY ONE MOTION. NO SEPARATE DISCUSSION OR ACTION OCCURRED ON ANY OF THE ITEMS. THE PUBLIC HEARINGS WERE CLOSED AND THE CONSENT ITEMS WERE**

**APPROVED ON COUNCIL MEMBER SPELMAN'S MOTION, COUNCIL MEMBER GARCIA'S SECOND BY A 6-0 VOTE. COUNCIL MEMBER LEWIS WAS OFF THE DAIS.**

55. C14-98-0156 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as Johnny Morris Road and Loyola Lane from “LI-CO”, Limited Industrial Service-Conditional Overlay Combining district, “W/LO-CO”, Warehouse/Limited Office-Conditional Overlay Combining district and “SF-3”, Family Residence district to “MH”, Mobile Home Residence district. Planning Commission Recommendation: To Grant “MH”, Mobile Home Residence district zoning. Applicant: Drs. Carey & Georgia Leggett (Georgia Leggett); Agent: Republic Commercial Properties (Doug Hodge). City Staff: Susan Villarreal, 499-6319. Note: A valid petition has been filed in opposition to this rezoning request. (Continued from 3/11/99, 4/8/99, 6/3/99, 7/1/99 and 7/22/99)

**First reading of this ordinance was approved. Later in the meeting this item was reconsidered and a friendly amendment added.**

56. C14-98-0132 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as Smith Road & Ed Bluestein Blvd. From “SF-2”, Single Family Residence (Standard Lot) district to “LI”, Limited Industrial Service district zoning. Planning Commission Recommendation: To Deny “LI”, Limited Industrial Service district zoning. Applicant: McCandless Bluestein Venture (Mark Ritter); Agent: Armbrust, Brown & Davis, LLP (David B. Armbrust). City Staff: Antonio Gonzalez, 499-2243. (continued from 7/1/99)  
**This item was postponed to August 5, 1999 at the request of the neighborhood.**

61. C14-99-0062 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 2003 Wheless Lane from “GR”, Community Commercial district, “CS-1”, Commercial-Liquor Sales district, and “CS-1-CO”, Commercial-Liquor Sales-Conditional Overlay Combining district zoning with conditions to “CS”, General Commercial Services district zoning. Planning Commission Recommendation: To Grant “CS-CO”, General Commercial Services-Conditional Overlay Combining district zoning with conditions for the existing building footprint, “GR”, Community Commercial district zoning for the remainder of the tract. Applicant: Sandefur's Five Star Investors, Inc. (Mike Sandefur); Agent: Land Answers (Jim Wittliff or Phyllis Marucci). City Staff: Clark Patterson, 499-2464.

**First reading of this ordinance was approved.**

62. C14-99-0087 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1900-2012 Woodward Street from “LO”, Limited Office district to “MF-1”, Multifamily Residence (Limited Density) district zoning. Planning Commission Recommendation: To grant “MF-1”, Multifamily Residence (Limited Density) district zoning. Applicant: David E. Hood; Agent: LRI IV, LTD (Robert Voelker). City Staff: Cecilia Williams, 499-2251.

**This item was postponed to August 5, 1999 at the request of the neighborhood.**

63. C14-99-0089 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 8024 North I-35 Service Road Southbound from “LO”, Limited Office district to “CS”, General Commercial Services district zoning. Planning Commission Recommendation: To Grant “CS-CO” General Commercial Services-Conditional Overlay

Combining district zoning with conditions. Applicant: Austin Lodging Group (Praven Bhakta); Agent: Ralph Harris Surveyor (Thomas B. Watts). City Staff: Clark Patterson, 499-2464.

**First reading of this ordinance was approved.**

64. C14-99-0094 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 124 Cumberland Road from “CS”, General Commercial Services district to “MF-3”, Multifamily Residence (Medium Density) district zoning. Planning Commission Recommendation: To Grant “MF-3”, Multifamily Residence (Medium Density) district zoning. Applicant: Tom H. Davis; Agent: Judith Clarkson. City Staff: Clark Patterson, 499-2464.

**First reading of this ordinance was approved.**

65. C14-99-0095 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 6901 McNeil Drive from “SF-3”, Family Residence district to “CS”, General Commercial Services district zoning. Planning Commission Recommendation: To Grant “CS-CO”, General Commercial Services-Conditional Overlay Combining district zoning with conditions. Applicant: H. A. Barker; Agent: Philip Stovall, Broker. City Staff: David Wahlgren, 499-6454.

**Ordinance 990729-65 was approved.**

66. C14-99-0098 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 110, 112 and 114 Mildred Street and 2271 & 2209 East 2<sup>nd</sup> Street from “SF-3”, Family Residence district to “GO”, General Office district zoning. Planning Commission Recommendation: To grant “LO-CO”, Limited Office-Conditional Overlay Combining district zoning with conditions. Applicant: Catholic Diocese of Austin (Bishop John McCarthy); Agent: Garcia Design, Inc. (Roberto C. Garcia). City Staff: Cecilia Williams, 499-2251.

**Ordinance 990729-66 was approved.**

67. C14-99-0099 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 12110-12120 Jekel Circle & 12100-12102 Pecan Street from “SF-3”, Family Residence district to “LI”, Limited Industrial Service district zoning. Planning Commission Recommendation: To Grant “LI-CO”, Limited Industrial-Conditional Overlay Combining district zoning with conditions. Applicant: Ivey Reeves Hamm, Jr.; Agent: Eastern Marketing, Inc. (R.J. Collins). City Staff: David Wahlgren, 499-6454.

**Ordinance 990729-67 was approved.**

68. C14-84-028.04 – Vista Ridge PUD - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property located approximately 750 feet north of the intersection of Ladera Norte and Valburn Drive from “PUD”, Planned Unit Development district to “PUD”, Planned Unit Development district zoning in order to allow a change to a previously approved land use. Planning Commission Recommendation: To Grant “PUD”, Planned Unit Development district zoning. Applicant: Austin Two Tracts, L.P. (Mike Pruitt); Agent: Turner Collie & Braden, Inc. (Keith Young). City Staff: Don Perryman, 499-2786.

**This item was postponed to August 26, 1999 at the request of the applicant.**

## **DISCUSSION ZONING ITEMS**

59. C14-99-0007 – Barton Creek Wilderness Park - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 23 tracts of land, being a total of 1,252,333 acres more or less, located West of Loop 360, north of Loop 1 (MoPac Expressway South) from “DR”, Development Reserve, “I-RR”, Interim-Rural Residence, “RR”, Rural Residence, “PUD”, Planned Unit Development, “SF-2”, Single Family Residence (Standard Lot) and “LO”, Limited Office district zonings to “P”, Public district zoning. Planning Commission Recommendation: To Grant “P”, Public district zoning. Applicant: City of Austin, Parks and Recreation Department (Sarah Campbell). Agent: Development Review and Inspection Department. City Staff: Susan Villarreal, 499-6319.

**A motion was made to close the public hearing on Council Member Garcia’s motion, Council Member Slusher’s second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member were off the dais.**

**Council approved the Planning Commission’s recommendation on the zoning only on first reading on Council Member Garcia’s motion, Council Member Lewis’ second by a 7-0 vote. Council Member Slusher made a friendly amendment that when this item comes back for the second and third readings that ordinances be drafted that would control boom boxes and barbecue pits that have impact on wilderness areas and trails. This was accepted by the maker of the motion and Council Member Lewis.**

22. Approve a resolution authorizing nominating projects for funding through the Statewide Transportation Enhancement Program of the Texas Department of Transportation, and certifying the availability of matching funds for proposed projects. (Matching funds are subject to inclusion in future Capital Budgets of the Departments of Public Works and Transportation, Parks and Recreation Department, and Austin Energy. Availability of matching funds has been established in the 1999-2000 Five-Year Capital Improvements Program Plan with exceptions noted by asterisks on the attached exhibit.)

(6/21/99 - Urban Transportation Commission endorsed submittal of project applications.)

**This item was postponed to August 5, 1999 on Council Member Garcia’s motion, Council Member Griffith’s second by a 5-0 vote. Council Members Lewis and Slusher were off the dais.**

57. C14-98-0205 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1160-1168 Navasota Street from “CS”, General Commercial Services district to “SF-3”, Family Residence district zoning. Planning Commission Recommendation: To Grant “SF-3-CO”, Family Residence-Conditional Overlay Combining district zoning with conditions. Applicant: Anderson Community Development Corp. (Ray Dell Galloway); Applicant: LDC (Lauretta Dowd). City Staff: Susan Villarreal, 499-6319. (continued from 5/6/99, 7/1/99 and 7/15/99)

**A motion was made to close the public hearing and postpone indefinitely on Council Member Lewis’ motion, Council Member Slusher’s second by a 7-0 vote.**

58. C14-98-0206 – Public hearing to amend Title 25-2 of the Austin City Code by rezoning property locally known as 1190-1192 Navasota Street from “SF-3”, Family Residence district to “SF-6”, Townhouse and Condominium Residence district zoning. Planning Commission Recommendation: To Grant “SF-6-CO”, Townhouse and Condominium Residence-Conditional Overlay Combining district zoning with conditions. Applicant: Anderson

Community Development Corp. (Ray Dell Galloway); Agent: LDC (Lauretta Dowd). City Staff: Susan Villarreal, 499-6319.. (continued from 5/6/99, 7/1/99 and 7/15/99)

**A motion was made to close the public hearing and postpone indefinitely on Council Member Lewis' motion, Council Member Slusher's second by a 7-0 vote.**

### **PUBLIC HEARINGS**

73. Conduct a public hearing amending the City's Comprehensive Plan, Austin Metropolitan Area Transportation Plan (AMATP) element, to add a new segment of Greenlawn Blvd. west of IH 35.

**A motion was made to close the public hearing and postpone indefinitely on Council Member Spelman's motion, Council Member Slusher's second by a 7-0 vote.**

### **ACTION ON PUBLIC HEARINGS**

74. Approve an ordinance amending the City's Comprehensive Plan, Austin Metropolitan Area Transportation Plan (AMATP) element, to add a new segment of Greenlawn Blvd. west of IH 35.

**Ordinance No. 990729-74 was approved on Council Member Spelman's motion, Council Member Slusher's second on a 7-0 vote.**

72. Approve an ordinance regarding City employees serving on the board of the First Workers' Corporation. (Council Member Gus Garcia and Mayor Kirk Watson)

**Ordinance No. 990729-72 was approved on Council Member Garcia's motion, Council Member Spelman's second on a 6-0 vote. Council Member Lewis voted no.**

**The motion to reconsider item 55 was approved on Council Member Slusher's motion, Council Member Griffith's second by a 5-0 vote. Council Members Garcia and Spelman were off the dais.**

55. C14-98-0156 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as Johnny Morris Road and Loyola Lane from “LI-CO”, Limited Industrial Service-Conditional Overlay Combining district, “W/LO-CO”, Warehouse/Limited Office-Conditional Overlay Combining district and “SF-3”, Family Residence district to “MH”, Mobile Home Residence district. Planning Commission Recommendation: To Grant “MH”, Mobile Home Residence district zoning. Applicant: Drs. Carey & Georgia Leggett (Georgia Leggett); Agent: Republic Commercial Properties (Doug Hodge). City Staff: Susan Villarreal, 499-6319. Note: A valid petition has been filed in opposition to this rezoning request. (Continued from 3/11/99, 4/8/99, 6/3/99, 7/1/99 and 7/22/99)

**The first reading of the ordinance was approved on Council Member Slusher's motion, Mayor Pro Tem Goodman's second by a 7-0 vote. Council Member Slusher added a friendly amendment that when the second and third readings are considered, a buffer zone be added and the density issue be discussed with the developer. Mayor Pro Tem accepted this friendly amendment.**

**The motion to suspend the rules and allow five groups (Coalition of real estate—Town Lake group; Users of the facility—Junior League of Austin; neighborhood associations;**

**parks; and performing arts) plus two people who do not feel represented by one of these groups the opportunity to speak five minutes each was approved on a 7-0 vote. This suspension applied to items 29-31.**

29. Amend Ordinance 980915-A, the 1998-99 Operating Budget of the Convention Center Operating Reserve Fund by increasing Transfers Out to the Capital Budget by \$3,400,000 and reducing the ending balance by the same amount. Amend Ordinance 980915-B, the 1998-99 Capital Budget of the Convention Center by increasing Transfers In from the Convention Center Reserve, creating a new project known as "Town Lake Park Community Events Center Parkland Development" and appropriating \$3,400,000. (Funding is available in the 1998-99 Operating Budget ending balance of the Convention Center Operating Reserve Fund) (Recommended by Planning Commission)

**Ordinance No. 990729-29 was approved on Council Member Garcia's motion, Council Member Griffith's second on a 6-0 vote. Mayor Pro Tem Goodman was off the dais.**

30. Approve a resolution adopting a conceptual Master Plan for Town Lake Park and the Community Events Center/Parking Garage and direct the City Manager to initiate Land Development Code amendments to accommodate the project. [This plan is advisory and does not legally obligate the Council to implement any particular recommendation. An estimate of the fiscal impact to implement all of the park development recommendations in the plan is \$21,947,000 (not including the Community Events Center and parking garage.) The plan also includes recommendations for three additional related streetscape improvement projects estimated to cost \$6,000,000. The Community Events Center and parking garage cost is \$46,885,000. Funding source: Town Lake Park Community Events Center Venue Project.]

**Resolution No. 990729-30 was approved on Council Member Griffith's motion, Council Member Garcia's second on a 7-0 vote.**

31. Approve a resolution authorizing negotiation and execution of an amendment to the existing professional services agreement with the Joint Venture of BARNES ARCHITECTS INC., ALAN Y. TANIGUCHI ARCHITECT & ASSOCIATES INC., CENTERBROOK ARCHITECTS AND PLANNERS, Austin, Texas, for additional services associated with increasing the size of the building for the Town Lake Park Community Events Center, in an amount not to exceed \$1,850,000 for a total contract amount of \$5,250,000. (Funding in an amount of \$1,850,000 was included in the 1998-99 Amended Capital Budget for the Convention Center Department.) 11.10% MBE, 18.9% WBE Subcontracting participation.

**Resolution No. 990729-31 was approved on Council Member Garcia's motion, Council Member Lewis' second on a 6-0 vote. Council Member Griffith recused herself on this item.**

59. C14-99-0054 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1608 Century Street from "LI", Limited Industrial Service district to "CS", General Commercial Services district. Planning Commission Recommendation: To Deny "CS-CO", General Commercial Services-Conditional Overlay Combining district zoning with conditions. Applicant: Three Points Partnership (Paul Radnitz); Agent: Jim Bennett. City Staff: David Wahlgren, 499-6455. (continued from 7-1-99)

**The public hearing was closed on Council Member Slusher's motion, Mayor Pro Tem Goodman's second second by a 7-0 vote.**

**The first reading of the ordinance was approved on Mayor Pro Tem Goodman's motion, Council Member Garcia's second by a 7-0 vote. Mayor Pro Tem made the following friendly amendments: that signs be restricted to a low profile sign and to prohibit neon and flashing signs; that the right of way be dedicated as recommended by staff; and the traffic be limited. The amendment was accepted by Council Member Garcia.**

37. Amend Ordinance No. 980915-A, the 1998-99 General Fund Operating Budget for the Health and Human Services Department, by reducing the appropriation for Managed Care by \$713,313; increasing the appropriation for Hospital Contracted Services by \$409,243; and, increasing the appropriation for Health and Human Services by \$304,070. (This budget amendment request will transfer funds in the Approved 1998-99 Health and Human Services Department's General Fund Medical Assistance Program operating budget from the Managed Care Network to Hospital Contracted Services and to Network Pharmacy Services in the Health and Human Services appropriation.)

**Ordinance 990729-37 was approved on Council Member Garcia's motion, Council Member Spelman's second on a 6-0 vote. Council Member Griffith was off the dais.**

15. Approve execution of an amendment to the professional services contract with Scott, Douglas & McConnico to increase the amount of attorney fees by up to \$61,000, for a total contract amount not to exceed \$100,000, for legal services Sean Mannix, et al, v. Eco Resources, Inc., et al., Cause No. 98-550-C26, in the Williamson County District Court, and related litigation.

**No action was taken on this item.**

**ADJOURNED at 7:30 p.m. on Council Member Slusher's motion, Council Member Spelman's second by a 7-0 vote.**

**The minutes for the Regular Meeting of July 29, 1999 were approved on this the 5<sup>th</sup> day of August, 1999 on Council Member Garcia's motion, Mayor Pro Tem Goodman's second by a 4-0 vote. Council Members Lewis, Slusher and Spelman were off the dais.**