



**Austin City Council
MINUTES**

**REGULAR MEETING
THURSDAY, OCTOBER 28, 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, convened in a regular meeting on Thursday, October 28, 1999 at City Council Chambers, 307 West Second Street, for the following purposes:

Mayor Watson called the meeting to order at 10:00 a.m. Mayor Pro Tem Goodman and Council Member Lewis were absent.

BRIEFINGS

1. Capital Metro Mobility Plan
A presentation was given by Karen Rae, General Manager of Capital Metro.

MINUTES

8. Approval of minutes for regular meeting of October 7, 1999 and special meetings of September 13 and 14, 1999.
The minutes were approved on Council Member Spelman's motion, Council Member Griffith's second by a 4-0 vote. Council Member Garcia was off the dais. Mayor Pro Tem Goodman and Lewis were absent
87. Approve a resolution supporting the Capital Metro Mobility Plan. (Council Member Gus Garcia)
Resolution No. 991028-87 was approved on Council Member Garcia's motion, Council Member Slusher's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

CONSENT AGENDA

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 Garcia's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent

19. Approve an ordinance granting a non-exclusive municipal consent agreement to NEXTLINK TEXAS, INC. to provide telecommunications services. (Second reading) (Facilities will be under construction and will not be operational. No anticipated revenue for Fiscal Year 1999-2000 projected at this time. Revenue may result from fees to be negotiated in subsequent years.)

Ordinance No. 991028-19 was approved.

20. Approve a resolution amending to the City of Austin's Investment Policy. (Recommended by Investment Committee)

Resolution No. 991028-20 was approved.

21. Approve a resolution authorizing the negotiation and execution of a twelve-month contract with the COLORADO RIVER WATCH FOUNDATION, INC., Austin, Texas, to conduct a Water Quality Monitoring and Training Program for area middle school and high school students in an amount not to exceed \$105,000, with two twelve-month extension options in an amount not to exceed \$105,000 per option period for a total contract amount of \$315,000. (Funding in an amount of \$45,000 was included in the Approved 1999-2000 Operating Budget for the Water & Wastewater Utility and \$60,000 was included in the Approved 1999-2000 Operating Budget for the Watershed Protection. Funding for the extension options is contingent upon available funding in future budgets.) Sole proposal. No MBE/WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 991028-21 was approved.

22. Approve a resolution authorizing execution of a twelve-month supply agreement with G & K SERVICES, INC., Austin, Texas, for floor mat rental in an amount not to exceed \$58,877.40 with two twelve-month extension options in an amount not to exceed \$58,877.40 per extension for a total contract amount not to exceed \$176,632.20. (Funding in an amount of \$53,970.59 was included in the 1999-2000 Approved Operating Budget of the following departments: Finance and Administrative Services, Building Services Division \$23,253.71; Parks and Recreation Department \$9,682.53; Water and Wastewater \$1,984.34, \$1,985.34, \$694.98, \$4,806.71, Electric Utility Department \$2,126.41, \$2,336.62, \$1,598.74, Austin Police Department \$3,484.91; Aviation Department \$2,016.30. Funding for the remaining one month of the original contract period and extension options is contingent upon available funding in future budgets.) Low bid of three. No MBE/WBE subcontracting participation.

Resolution No. 991028-22 was approved.

23. Approve a resolution authorizing execution of a twelve-month service agreement with EMERALD INVESTIGATION AND SECURITY AGENCY, INC., Austin, Texas, for security guard services for the Municipal Court and the Health and Human Services Departments, in an amount not to exceed \$513,049.68, with two twelve-month extension options in an amount not to exceed \$513,049.68 per extension for a total contract amount not to exceed \$1,539,149.04. (Funding in an amount of \$166,109 was included in the 1999-

2000 Operating Budget for Municipal Court Building Security Fund and \$325,349.64 was included in the 1999-2000 Operating Budget for Health and Human Service Department. Funding for the balance of the contract and the extension options is contingent upon available funding in future budgets.) Low bid of five meeting specifications. No MBE/WBE subcontracting participation.

Resolution No. 991028-23 was approved.

24. Approve a resolution authorizing execution of a construction contract with SOUTHWEST CONSTRUCTORS, INC., Austin, Texas, for renovation of the Blackstock Health Center for the HIV Services Clinic, located at 4614 North IH-35, in the amount of \$809,088. (Funding in an amount of \$600,000 was included in the 1997-1998 Amended Capital Budget of the Health and Human Services Department; and \$10,000 was included in the 1999-2000 Approved Capital Budget of Financial and Administrative Services. \$199,088 is available in the 1999-2000 Approved Operating Budget of the Health and Human Services Disproportionate Share Fund.) Low bid of five. 24.35% MBE; .84% WBE subcontracting participation.

Resolution No. 991028-24 was approved.

25. Approve a resolution authorizing execution of a construction contract with RYAN-O EXCAVATING, INC., Austin, Texas, for street reconstruction and utility adjustments on 15th Street from Lamar Boulevard to I.H. 35, in the amount of \$4,882,125 plus \$230,000 contingency and a potential early completion bonus of up to \$50,000, for a total amount not to exceed \$5,162,125. (Funding in an amount of \$933,555 was included in the 1998-99 Amended Capital Budget of the Department Public Works & Transportation; \$1,426,773 was included in the 1999-2000 Approved Capital Budget of the Department of Public Works & Transportation; \$333,343 was included in the 1998-99 Amended Capital Budget of the Watershed Protection Department; \$258,000 was included in the 1999-2000 Approved Capital Budget of the Watershed Protection Department; \$448,753 was included in the 1995-96 Amended Capital Budget of the Water & Wastewater Utility; \$1,761,701 was included in the 1999-2000 Amended Capital Budget of the Water & Wastewater Utility.) Low bid of five. 32.28% DBE participation (Recommended by Water and Wastewater Commission.)

Resolution No. 991028-25 was approved.

26. Approve a resolution authorizing execution of a construction contract with MUNIZ CONCRETE & CONTRACTING, INC (MBE/MH), Austin, Texas, for drainage improvements on Rue Street, White Horse Trail, West Anderson Lane, Hartford Lane and Stamford Lane, in the amount of \$174,349.50. (Funding was included in the 1998-1999 Amended Capital Budget of the Watershed Protection Department.) Low bid of six. 91.6% MBE Prime; 0% MBE; 8.4% WBE subcontracting participation. (Recommended by Environmental Board)

Resolution No. 991028-26 was approved.

27. Approve a resolution authorizing negotiation and execution of an amendment to the professional services agreement with RAYMOND CHAN & ASSOCIATES, INC. (MBE/MA), Austin, Texas, for Phase 2 design and Phase 3 construction management engineering services for the Crystal Brook Flood Control Project, in the amount of \$1,124,600 plus \$112,460 contingency, for a total contract amount not to exceed \$1,401,233. (Funding

in an amount of \$1,237,060 is included in the 1998-99 Amended Capital Budget of the Watershed Protection Department.) 60.3% MBE Prime; 5.3% MBE; 29.4% WBE subcontracting participation. (Environmental Board Review – 10/20/99)

This item has been postponed to December 2, 1999 at the request of staff.

28. Approve a resolution authorizing ratification of Change Order #2 to the construction contract with AUSTIN FILTER SYSTEMS, INC., Austin, Texas, for installation of a gabion soil-reinforcement system, for the streambank and hike-and-bike trail erosion repair project on Shoal Creek near 26th Street, in the amount of \$103,744. (Funding is included in the 1999-2000 Approved Capital Budget of the Watershed Protection Department.) No MBE/WBE subcontracting participation.

Resolution No. 991028-28 was approved.

Item 29 was pulled for discussion.

30. Approve a resolution authorizing execution of a construction contract with KIVA, INC., Austin, Texas, for construction of Lamplight Village Water Meter Replacements, in the amount of \$163,360. (Funding is available in the 1997-98 Amended Capital Budget of the Water and Wastewater Utility.) Low bid of three. 24% MBE; 49.77% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 991028-30 was approved.

31. Approve a resolution authorizing the City Manager to negotiate and execute a contract with Shady Hollow Estates Water Supply Corporation for the provision of an interconnection and emergency water supply for the Estates of Shady Hollow located in an area in the southwest part of Travis County on the southern end of Brodie Lane on the Travis/Hays County Line. (Recommended by Water and Wastewater Commission)

Resolution No. 991028-31 was approved.

Item 32 was pulled for discussion.

33. Approve a resolution authorizing execution of a twelve-month supply agreement with POLYDYNE, INC., Toledo, Ohio, for the purchase of liquid emulsion cationic polymer (bulk), for the Water and Wastewater Utility in an amount not to exceed \$170,000 with four twelve-month extension options in an amount not to exceed \$170,000 per extension option for a total contract amount not to exceed \$850,000. (Funding in an amount of \$170,000 was included in the 1999-2000 Approved Operating Budget for the Water and Wastewater Utility. Funding for the extension options is contingent upon available funding in future budgets.) Low bid of four. No MBE/WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 991028-33 was approved.

34. Approve a resolution authorizing execution of a twelve-month supply agreement with DXI INDUSTRIES INC., Houston, Texas, for the purchase of liquid chlorine, for the Water and Wastewater Utility in an amount not to exceed \$491,016 with two twelve-month extension options in an amount not to exceed \$491,016 per extension option for a total contract amount not to exceed \$1,473,048. (Funding in an amount of \$491,016 was included in the 1999-

2000 Approved Operating Budget for the Water and Wastewater Utility. Funding for the extension options is contingent upon available funding in future budgets.) Low bid of three. No MBE/WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 991028-34 was approved.

Items 35 through 38 were pulled for discussion.

39. Approve a resolution authorizing execution of a twelve month service agreement with ANA-LAB CORPORATION, Kilgore, Texas, for chemical analytical services for laboratory testing for the Water and Wastewater Utility, in an amount not to exceed \$125,000, with two twelve-month extension options in an amount not to exceed \$125,000 per extension option for a total contract amount not to exceed \$375,000. (Funding is available in the 1999-2000 Approved Operating Budget for the Water and Wastewater Utility.) Best response of two. No MBE/WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 991028-39 was approved.

40. Approve a resolution authorizing negotiation and execution of a professional services agreement with CAMP DRESSER & MCKEE, INC., Austin, Texas, for engineering services for the Water Reclamation Initiative - Central - Phase IB, in an amount not to exceed \$705,000. (Funding is available in the 1998-99 Amended Capital Budget of the Water and Wastewater Utility.) 31% MBE; 28% WBE subcontracting participation. Best of thirteen proposals received. (Recommended by Water and Wastewater Commission.)

Resolution No. 991028-40 was approved.

41. Approve execution of a construction contract with CROUCH INDUSTRIES, L.L.C., P.O. Austin, Texas, for construction of the Lift Station Telemetry expansion project, in the amount of \$835,787 plus an additional amount for five new sites, with contingency in the

amount of \$98,213, for a total amount not to exceed \$934,000. (Funding is available in the 1999-2000 Amended Capital Budget for the Water and Wastewater Utility.) Low bid of four. No MBE/WBE subcontracting participation. (Recommended by Water and Wastewater Commission.)

Resolution No. 991028-41 was approved.

42. Amend Ordinance No. 990913-2, the 1999-2000 Capital Budget by increasing appropriations to the Water and Wastewater Utility by \$4,487,545 and creating a new water project know as "Circle C Water Reimbursement" and a new wastewater project known as "Circle C Wastewater Reimbursement" and transferring and appropriating \$5,347,282 to the Watershed Protection Department's "Drainage Developer Reimbursements in Annexed Areas" project account. (Funding in an amount of \$2,771,804 for Water Utility and \$1,715,741 for Wastewater Utility to be funded by the issuance of commercial paper. \$5,347,282 for

Watershed Protection to be funded by Municipal Utility District (MUD) cash balances.
(Related to Item No. 43)

Ordinance No. 991028-42 was approved.

43. Approve a resolution declaring official intent to reimburse acquisition and construction costs in the amount of \$4,487,545 to be paid for developer reimbursements related to 1997 municipal district annexations. (Funding in an amount of \$2,771,804 for the Water Utility and \$1,715,741 for the Wastewater Utility to be funded by the issuance of commercial paper.)
(Related to Item No. 42)

Resolution No. 991028-43 was approved.

Items 44 through 50 were pulled for discussion.

Item 51 was reconsidered later in the meeting.

52. Approve a resolution authorizing execution of a construction contract with TEXAS INDUSTRIAL MECHANICAL, INC. (MBE/MH), Austin, Texas, for HVAC replacement at the Pan American Recreation Center, located at 2100 E. 3rd Street, in the amount of \$77,750. (Funding was included in the 1997-98 Amended Capital Budget of Parks and Recreation Department.) Low bid of two. 71.47% MBE Prime; 0% MBE; 1.29% WBE subcontracting participation.

Resolution No. 991028-52 was approved.

53. Approve a resolution authorizing execution of the construction contract with SOUTHWEST CONSTRUCTORS, INC., Austin, Texas, for the upgrade of electrical and ventilation systems in the mechanical room of the Givens Pool, in the amount not to exceed \$186,863. (Funding was included in the 1999-2000 Approved Capital Budget of the Parks and Recreation Department.) Sole bid. 0% MBE; 44.46% WBE subcontracting participation.

Resolution No. 991028-53 was approved.

54. Approve a resolution authorizing execution of a contract with MUNIZ CONCRETE AND CONTRACTING, INC. (MBE/MH), Austin, Texas, for construction of Oakview/Ramsey Play Area Renovation, in the amount of \$98,970. (Funding was included in the 1999-2000 Approved Capital Budget of the Parks and Recreation Department.) Low bid of six. 72.36% MBE Prime; 0% MBE; 8.4% WBE subcontracting participation.

Resolution No. 991028-54 was approved.

55. Approve a resolution authorizing negotiation of a contract with the Center for Mexican American Cultural Arts Inc. for the lease and operation of the Mexican American Cultural Center at 600 River Street for a period of fifty years.

Resolution No. 991028-55 was approved.

Item 56 was pulled for discussion.

57. Approve a resolution authorizing execution of a contract with MEE INDUSTRIES, INC., Monrovia, CA, to provide and install Inlet Air Cooling Systems for the Gas Turbines at Decker Power Plant in the amount of \$662,350. (Funding was included in the 1999-2000

Approved Capital Budget of for the Electric Utility Department.) Low bid of five. No MBE/WBE subcontracting participation. (Recommended by Electric Utility Commission)

Resolution No. 991028-57 was approved.

58. Approve a resolution authorizing execution of twelve-month supply agreements with POWER REPS INC., Austin, Texas, in an amount not to exceed of \$43,190; PREFERRED SALES AGENCY, LTD., Carthage, Texas, in an amount not to exceed \$136,620; USCO POWER EQUIPMENT CORP., Birmingham, Alabama, in an amount not to exceed \$440,110; FRED OBERLENDER & ASSOCIATES, INC., Austin, Texas, in an amount not to exceed \$48,704 for approximately 75 center and vertical break air switches for a total contract amount of \$668,624 with three twelve-month extension options for approximately 32 center and vertical break air switches for each extension period in an amount not to exceed \$43,190, \$60,678, \$72,176 and \$48,704 respectively per extension for a total contract amount not to exceed \$1,342,868. (Funding in an amount of \$668,624 was included in the Approved 1999-2000 Capital Budget for the Electric Utility Department.) Low bid of five meeting specifications. No MBE/WBE subcontracting participation. (Recommended by Electric Utility Commission)
- Resolution No. 991028-58 was approved.**

59. Approve a resolution authorizing execution of the first twelve-month service agreement extension with RED SIMPSON, INC., Austin, Texas, to provide overhead transmission and distribution construction and maintenance services, in an amount not to exceed \$6,400,000 with three twelve-month extension options remaining in an amount not to exceed \$6,400,000 per extension for a total contract amount not to exceed \$32,000,000. (Funding in an amount of \$1,010,240 is included in the Approved 1999-2000 Operating Budget of the Electric Utility Department. \$4,856,427 is included in the 1999-2000 Capital Budget of the Electric Utility Department. Funding for the balance of the contract period and the extension options is contingent upon available funding in future budgets.) 24.53% MBE; 32.4% WBE subcontracting participation. (Recommended by Electric Utility Commission)
- Resolution No. 991028-59 was approved.**

60. Approve a resolution authorizing negotiation and execution of a professional services agreement with SARGENT & LUNDY, LLC, Chicago, Illinois, for engineering services for Electric Generating Capacity Additions, with an initial annual amount of \$4,000,000, and four \$2,000,000 extension option for a maximum total amount of \$12,000,000. (Funding in an amount of \$4,000,000 is available in the Approved Fiscal Year 1999-2000 Capital Budget for the Electric Utility Department.. Funding for the extension option is contingent upon available funding in future years' budget.) Best of four qualifications. 27.3% MBE; 18.2% WBE subcontracting participation. (Recommended by Electric Utility Commission)
- Resolution No. 991028-60 was approved.**

61. Approve a resolution authorizing execution of a twelve-month supply agreement with COMMERCIAL BODY CORPORATION, San Antonio, Texas, for the lease of truck-mounted aerial devices to be used by the Electric Utility Department, in an amount not to exceed \$100,000 with two twelve-month extension options in an amount not to exceed \$300,000. (Funding in an amount of \$91,667 was included in the 1999-2000 Approved Capital Budget of Electric Utility Department. Funding for the remaining one month of the original contract period and extension options is contingent upon available funding in future

budgets.) Sole bid meeting specifications. No MBE/WBE subcontracting participation. (Recommended by Electric Utility Commission)

Resolution No. 991028-61 was approved.

62. Approve a resolution authorizing the negotiation and execution of an agreement between the City of Austin and Legal Aid of Central Texas to provide legal services for the Austin-Travis County Family Violence Protection Team, utilizing grant funding in an amount not to exceed \$71,590. (Funding is available from the U.S. Department of Justice, Office of Justice Programs, Violence Against Women Grants Office as a part of a \$750,000 grant award received by the City of Austin for the grant period July 1, 1999 through December 31, 2000.)

Resolution No. 991028-62 was approved.

63. Approve a resolution authorizing the negotiation and execution of an agreement between the City of Austin and the Women's Advocacy Project to provide legal services for the Austin-Travis County Family Violence Protection Team, utilizing grant funding in an amount not to exceed \$55,990. (Funding is available from the U.S. Department of Justice, Office of Justice Programs, Violence Against Women Grants Office as a part of a \$750,000 grant award received by the City of Austin for the grant period July 1, 1999 through December 31, 2000.)

Resolution No. 991028-63 was approved.

64. Approve a resolution authorizing an Interlocal agreement between the City of Austin and the Housing Authority of the City of Austin (HACA) for the assignment of one police officer to coordinate problem solving efforts and the assignment of off-duty police officers providing security for HACA properties, in an amount not to exceed \$55,000. (The Housing Authority will provide the Austin Police Department \$55,000 from grant funding it receives for this purpose. This reimbursement is included in the Approved Fiscal Year 2000 Operating Budget for the Austin Police Department.)

Resolution No. 991028-64 was approved.

65. Approve a resolution authorizing an Interlocal Agreement between the City of Austin and Travis County to provide legal and counseling services for the Austin-Travis County Family Violence Protection Team, utilizing grant funding in an amount not to exceed \$201,250. (Funding is available from the U.S. Department of Justice, Office of Justice Programs, Violence Against Women Grants Office as a part of a \$750,000 grant award received by the City of Austin for the grant period July 1, 1999 through December 31, 2000.)

Resolution No. 991028-65 was approved.

66. Approve a resolution authorizing the negotiation and execution of an agreement between the City of Austin and SafePlace to provide coordination and counseling, safety planning and referrals for family violence cases for the Austin-Travis County Family Violence Protection Team, utilizing grant funding in an amount not to exceed \$135,420. (Funding is available from the U.S. Department of Justice, Office of Justice Programs, Violence Against Women Grants Office as a part of a \$750,000 grant award received by the City of Austin for the grant period July 1, 1999 through December 31, 2000.)

Resolution No. 991028-66 was approved.

67. Approve a resolution authorizing an amendment to the contract with TEXAS DEPARTMENT

OF INFORMATION RESOURCES, Austin, Texas, to extend the Interlocal Agreement for a period of twelve months for the purchase of network communications equipment for Phase V of the Greater Austin Area Telecommunications Network (GAATN) in an amount of \$1,200,000 for a revised total contract amount not to exceed \$7,301,569. (Funding in an amount of \$1,200,000 was included in the 1999-2000 Capital Budget for Telecommunications.

Resolution No. 991028-67 was approved.

68. Approve an ordinance repealing the existing Telecommunications Ordinance, Chapter 18-8 of the City Code; adopt a new Chapter 18-8, describing the use of public rights-of-way by non-certified telecommunications providers and the compensation for that use.

Ordinance No. 991028-68 was approved.

69. Approve an ordinance implementing the requirements of Chapter 283 of the Local Government Code, including the base amount of compensation received from certificated telecommunications providers for use of public rights-of-way. (\$12,950,000 is estimated revenue for the 1999-2000 Fiscal Year, \$1,050,000 higher than included in the 1999-2000 Approved Budget.)

Ordinance No. 991028-69 was approved.

70. Approve a resolution authorizing execution of a twelve-month rental agreement with HOLT COMPANY OF TEXAS, Austin, Texas, for the rental of two self-loading scrapers in an amount not to exceed \$156,000 with two twelve-month extension options in an amount not to exceed \$156,000 each for a total amount not to exceed \$468,000. (Funding in an amount of \$143,000 was included in the 1999-2000 Approved Operating Budget of the Solid Waste Services Department, Landfill Activity. Funding for remaining one month of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid of two. No MBE/WBE subcontracting participation.

Resolution No. 991028-70 was approved.

71. Approve a resolution authorizing execution of a twelve-month service agreement with THREE POINT APPLICANCE, Austin, Texas, to provide recycling services and manage the Material Diversion Center at the City of Austin Landfill, 10108 FM 812 in an amount not to exceed \$48,216 with two twelve-month extension options in an amount not to exceed \$48,216 per extension for a total contract amount not to exceed \$144,648. (Funding in an amount of \$44,198 was included in the 1999-2000 Approved Operating Budget of the Solid Waste Services Department, Diversion Center Activity. Funding for extension options will be contingent upon available funding in future budgets.) Low bid of three. No MBE/WBE subcontracting participation.

Resolution No. 991028-71 was approved.

72. Amend Ordinance 990722-32 (reimbursement or waiver of development fees) by waiving or reimbursing water tap permit, connection and wastewater inspection fees for Post Apartment Homes, L.P., located in the area bounded by Bowie Street, Shoal Creek, West Avenue, and West 3rd Street, omitted from July 22, 1999 Council action. (Reimbursement or waiver of water and wastewater meter "tap" fees included in total reimbursement.)

Ordinance No. 991028-72 was approved.

73. Amend Ordinance 990914-1, the 1999-2000 Operating Budget by increasing the transfer from the Hospital Fund to the Federally Qualified Health Center Fund by \$578,128, reducing the Hospital Fund ending balance by \$578,128 and increasing the appropriation in the Health and Human Services Department, Federally Qualified Health Center Fund by \$578,128. (This budget amendment will transfer \$578,128 from the Approved 1999-2000 Hospital Fund ending balance to the Federally Qualified Health Center Fund and appropriate \$578,128 for an increase in the contract with Goggio & Associates, Inc. for management services for the Health and Human Services Department's Federally Qualified Health Center Clinics. (Related to Item No. 74)

This item has been postponed to November 4, 1999 at the request of staff.

74. Approve amendment No. 2 to the contract with GOGGIO & ASSOCIATES, INC., San Francisco, CA., to increase funding for the current contract year to provide management services for the Health Department's Federally Qualified Health Center (FQHC) Clinics, in an amount not to exceed \$578,128, for a total second year funding of \$928,128, and a total contract amount of \$1,945,188. (Funding in an amount of \$578,128 is available in the 1999-2000 Amended Operating Budget of the Federally Qualified Health Center. (Related to Item No. 73)

This item has been postponed to November 4, 1999 at the request of staff.

75. Approve a resolution authorizing execution of two twenty-four month service agreements with MASTEC OF NORTH AMERICA-AUSTIN DIVISION, AUSTIN, TEXAS, in an amount not to exceed \$3,684,119.83 and AUSTIN TRAFFIC SIGNAL CONSTRUCTION COMPANY (MBE/MA), ROUND ROCK, TEXAS, in an amount not to exceed \$2,492,971.64 for pull box and conduit installation services. (Funding in an amount of \$6,177,091.47 was included in the 1999-2000 Approved Capital Budget of the Department of Public Works and Transportation.) Low bid per zone of two. 74.27% MBE/MA Prime; 100% Non MBE/WBE Prime; No MBE/WBE subcontracting participation.

Resolution No. 991028-75 was approved.

76. Approve a resolution authorizing execution of two twelve-month service agreements with MASTEC OF NORTH AMERICA-AUSTIN DIVISION, Austin, Texas, in an amount not to exceed \$307,661.45 and AUSTIN TRAFFIC SIGNAL CONSTRUCTION COMPANY, (MBE/MA), Round Rock, Texas, in an amount not to exceed \$309,181.21 for CCTV pole foundation installation services. (Funding in an amount of \$616,842.66 was included in the 1999-2000 Approved Capital Budget of the Department of Public Works and Transportation.) Split award by zone/two bids. 100% MBE Prime; 100% Non MBE/WBE Prime; No MBE/WBE subcontracting participation.

Resolution No. 991028-76 was approved.

Item 77 was pulled for discussion.

78. 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 by Council 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, 7/1/99, 7/20/99 and 8/26/99) Note: A valid petition has been filed in opposition to this rezoning request.

This item was postponed to January 13, 2000 at the request of staff.

79. C14-99-0036 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code zoning property locally known as 9407-9413 Anderson Mill Road, 13352-13390 Pond Springs Road and 13357 North U. S. Highway 183 from GR-CO, Community Commercial-Conditional Overlay Combining District and I-RR, Interim Rural Residential District to MF-2, Multi-Family Residence District for Tract 1, and from GR-CO, Community Commercial-Conditional Overlay Combining District to GR-MU, Community Commercial-Mixed Use Combining District for Tracts 2 and 3, with conditions. First reading on July 22, 1999; Vote 7-0. Conditions met as follows: The conditions imposed by Council on first ordinance reading have been met. Applicant: Mitchell and Rose Wong Agent: Graves, Dougherty, Hearon & Moody (David Herndon). City Staff: David Wahlgren, 499-6455.
Ordinance No. 991028-79 was approved.

Item 80 was reconsidered.

81. Approve a ordinance authorizing the reimbursement of all street closure fees paid by ClubCastLive.Com for its event to raise awareness of early breast cancer detection. (Council Member Daryl Slusher and Mayor Pro Tem Jackie Goodman)
Ordinance No. 991028-81 was approved.

Item 82 was pulled for discussion.

83. Approve the City of Austin's co-sponsorship with the Travis County Veteran's Day Parade Committee of the Annual Capital City Veteran's Day Parade to be held on November 11, 1999. (Council Member Gus Garcia and Council Member Willie Lewis)
Resolution No. 991028-83 was approved.
84. Approve a resolution supporting the Parks and Recreation Department's application for a Community Outdoor Recreation Grant with the Texas Parks and Wildlife Department. (Council Member Gus Garcia and Council Member Beverly Griffith)
Resolution No. 991028-84 was approved.
85. Approve a resolution waiving a street closure fee for the Historic Landmark Celebration for Matthews Elementary School on November 5, 1999. (Council Member William Spelman and Mayor Kirk Watson)
Resolution No. 991028-85 was approved.

DISCUSSION ITEMS

35. Approve a resolution authorizing execution of a construction contract with CYPRESS CONSTRUCTION CO., Johnson City, Texas, for wastewater improvements along Pond Springs Road and San Felipe Boulevard, for the US 183 East Annexed Area known as the Pond Springs Service to Annexed Area No. 2 Phase D Wastewater Lines E and F project, in

the amount of \$177,494. (Funding is included in the 1999-2000 Amended Capital Budget of the Water & Wastewater Utility.) Low bid of seven. 24.34% MBE; 13.86% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 991028-35 was approved on Council Member Garcia's motion, Council Member Griffith's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

36. Approve a resolution authorizing execution of a construction contract with KEYSTONE CONSTRUCTION INC., Austin, Texas, for a lift station at 9000 Spring Lake Drive for the Balcones Village Service to Annexed Area No. 6 Phase D Spring Lake Drive Lift Station Project, in the amount of \$2,062,206, plus \$206,220 contingency, for a total amount not to exceed \$2,268,426. (Funding in an amount of \$2,268,426 is included in the 1999-2000 Amended Capital Budget of the Water & Wastewater Utility.) .97% MBE; 1.38% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 991028-36 was approved on Council Member Garcia's motion, Council Member Griffith's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

37. Approve a resolution authorizing negotiation and execution of an amendment to the professional services agreement with DANNENBAUM ENGINEERING CORPORATION, Austin, Texas, for additional Phase II design and Phase III construction engineering services for the U.S. 183 at R.M. 620 Area Water and Wastewater Service Improvements project, in the amount of \$270,460 for a total agreement amount not to exceed \$1,947,194. (Funding in an amount of \$270,460 is included in the 1999-2000 Amended Capital Budget of the Water & Wastewater Utility.) 0% MBE; 2.64% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 991028-37 was approved on Council Member Garcia's motion, Council Member Griffith's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

38. Approve a resolution authorizing execution of a construction contract with SCHROEDER CONSTRUCTION CO., Austin, Texas, for water and wastewater improvements located on Davis Lane, Cameron Loop, Drew Lane and Robert Morrison Drive, known as the Southwest Area Service to Annexed Area #17 Water and Wastewater Improvements, in the amount of \$370,482.10. (Funding in an amount of \$370,482.10 is included in the 1999-2000 Amended Capital Budget of the Water & Wastewater Utility.) Low bid of eight. 5.2% MBE; 16% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 991028-38 was approved on Council Member Garcia's motion, Council Member Griffith's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

44. Amend Ordinance No. 990913-2, the 1999-2000 Capital Budget for the Watershed Protection Department by transferring and appropriating \$685,000 from the Fiscal Year 2000 CIP Contingency Account to the project Drainage Improvements in Annexed Areas, and the 1999-2000 Capital Budget for the Water and Wastewater Department by appropriating \$4,135,000 to the 1998 Water Improvements Prop. 8 Account. (Funding in an amount of \$685,000 is available in the 1999-2000 CIP Contingency Account and \$4,135,000 to be reimbursed from

the issuance of long term debt. (Planning Commission Review 10/26/99 and Environmental Board Review 10/20/99) (Related to Items No. 45, 46, 47 and 48) (Recommended by Planning Commission)

Ordinance No. 991028-44 was approved on Council Member Garcia's motion, Council Member Griffith's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

45. Approve a resolution declaring official intent to reimburse \$4,135,000 in acquisition and construction costs to be paid out of Water CIP Fund 4220 for Water Reclamation Initiative activities. (Funding in an amount \$4,135,000 to be reimbursed from the proceeds of future debt issuance. (Related to Items No. 44, 46, 47 and 48)

Resolution No. 991028-45 was approved on Council Member Garcia's motion, Council Member Griffith's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

46. Approve a resolution authorizing execution of a construction contract with CYPRESS CONSTRUCTION COMPANY, Johnson City, Texas, for wastewater, reuse water, and water improvements in the vicinity of Balcones Club Drive, known as the Balcones Village Service to Annexed Area #6 Phase C Wastewater, Water, and Reuse Water Line Improvements Project, in the amount of \$1,906,640.55, plus \$190,664.06 to be used as a contingency fund, for a total amount not to exceed \$2,097,304.61. (Funding in an amount of \$2,026,381.61 is included in the 1999-2000 Amended Capital Budget of the Water & Wastewater Utility; \$70,923 is included in the 1995-96 Amended Capital Budget of the Water & Wastewater Utility.) Low bid of five. 26.02% MBE; 9.18% WBE subcontracting participation. (Recommended by Water and Wastewater Commission) (Related to Items No. 44, 45, 47 and 48)

Resolution No. 991028-46 was approved on Council Member Garcia's motion, Council Member Griffith's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

47. Approve a resolution authorizing execution of a construction contract with CASH CONSTRUCTION INC., Pflugerville, Texas, for wastewater, water, reuse water, and stormwater improvements in the vicinity of Anderson Mill Road, Brookwood Road, Spring Lake Drive, and Spicewood Parkway, known as the Balcones Village Service to Annexed Area #6 Phase A, E, and G Wastewater, Water Line, Reuse Water, and Stormwater Improvements Project, in the amount of \$6,235,534, plus \$623,553.40 contingency fund, for a total amount not to exceed \$6,859,087.40. (Funding in an amount of \$6,336,523.60 was included in the 1999-2000 Amended Capital Budget of the Water & Wastewater Utility; \$522,563.80 is included in the 1999-2000 Amended Capital Budget of the Watershed Protection Department. 24.05% MBE; 8.5% WBE subcontracting participation. (Recommended by Water and Wastewater Commission) (Related to Items No. 44, 45, 46 and 48)

Resolution No. 991028-47 was approved on Council Member Garcia's motion, Council Member Griffith's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

48. Approve a resolution authorizing execution of a construction contract with CASH CONSTRUCTION INC., Pflugerville, Texas, for wastewater, water, reuse water, and stormwater improvements in the vicinity of Balcones Club Drive, Crest Ridge Circle and Spring Lake Drive, known as the Balcones Village Service to Annexed Area #6 Phase B and F Wastewater, Water Line, Reuse Water, and Stormwater Improvements Project, in the amount of \$5,797,014.66, plus \$579,701.47 contingency, for a total amount not to exceed \$6,376,716.13. (Funding in an amount of \$5,886,977.47 is included in the 1999-2000 Amended Capital Budget of the Water & Wastewater Utility; \$489,738.66 is included in the 1999-2000 Amended Capital Budget of the Watershed Protection Department.) Sole Bid. 24.12% MBE; 8.5% WBE subcontracting participation. (Recommended by Water and Wastewater Commission.) (Related to Items No. 44-47)

Resolution No. 991028-48 was approved on Council Member Garcia's motion, Council Member Griffith's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

49. Approve a resolution authorizing execution of a construction contract with CASH CONSTRUCTION INC., Pflugerville, Texas, for water and wastewater improvements at RM620 and Zimmerman Lane, known as the Zimmerman Lane Service to Annexed Area #14 Water and Wastewater Improvements, in the amount of \$985,420.20, plus \$98,542.02 contingency, for a total amount not to exceed \$1,083,962.22. (Funding is included in the 1999-2000 Amended Capital Budget of the Water & Wastewater Utility.) Low bid of seven. 25.15% MBE; 8.6% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 991028-49 was approved on Council Member Garcia's motion, Council Member Griffith's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

29. Approve a resolution authorizing the City Manager to negotiate and execute an interim agreement to purchase water from the City of Round Rock to sell to Northridge Acres Water Supply Corporation for a limited time period and negotiate and execute a long-term wholesale water supply agreement with to Northridge Acres Water Supply Corporation. (This will be a revenue producing item, estimated revenues are approximately \$13,800 annually.) (Recommended by Water and Wastewater Commission)

Resolution No. 991028-29 was approved on Council Member Garcia's motion, Council Member Spelman's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

56. Approve a resolution authorizing execution of a contract with GENERAL ELECTRIC INTERNATIONAL, Carrollton, Texas, for the purchase of a combustion turbine generator in the amount of \$36,300,000. (Funding was included in the Approved 1999-2000 Capital Budget for the Electric Utility Department.) Sole bid. No MBE/WBE subcontracting participation. (Recommended by Electric Utility Commission)

Resolution No. 991028-56 was approved on Council Member Spelman's motion, Council Member Slusher's second, by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

77. Approve a resolution authorizing payment of legal fees and associated expenses in the amount of \$288,040.44 to AKIN, GUMP, STRAUSS, HAUR & FELD, L.L.P. for legal services in connection with a water supply agreement with the Lower Colorado River

Authority. (Funding was included in the FY 1998-99 and 1999-2000 Approved Operating Budgets for the Water and Wastewater Utility.)

Resolution No. 991028-77 were approved on Council Member Spelman's motion, Council Member Griffith's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

EXECUTIVE SESSION (No Public Discussion on These Items)

A motion to recess the Council meeting at 11:17 a.m. and go into Executive Session was approved on Council Member Spelman's motion, Council Member Griffith's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

The City Council announced it would go into Executive Session, 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.

Private Consultation with Attorney - Section 551.071

2. Discuss legal issues related to Chapter 245 of the Local Government Code.
3. Discuss *City of Austin v. L.S. Ranch Ltd., et al.*, Cause No. 039800542-CV, in the Third Court of Appeals (Austin, Texas). (This litigation concerns development regulations applicable in the Barton Springs Zone.)
4. 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.)
5. Discuss *City of Austin, Texas v. Hoechst Celanese Corporation, et al.*, Cause No. 98-000093, in the Travis County District Court.
6. Receive legal advice regarding the City's Minority-Owned and Women-Owned Business Enterprise Procurement Program.

The motion was made to include the addendum in Executive Session on Council Member Griffith's motion, Mayor Watson's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

ADDENDUM

Real Property - Section 551.072

116. Discuss acquisition of real property for use by the Solid Waste Services Department.

Executive session ended at 1:40 p.m.

LIVE MUSIC: New Horizon Music Program Band

INVOCATION – Father Bud Roland, St. Louis Catholic Church

Mayor Watson called the meeting to order at 2:14 p.m.

88. Approve an ordinance authorizing the issuance of \$40,000,000 City of Austin, Texas, Town Lake Park Community Events Center Venue Project Bonds, Series 1999, including the approval of other documents related to the issuance of the bonds. (\$1,170,000 estimated first year debt service was included in the 1999-2000 Operating Budget of the Town Lake Park Venue Project Bond Redemption Fund.)

Ordinance No. 991028-88 was approved on Council Member Garcia's motion, Council Member Spelman's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

CITIZEN COMMUNICATIONS: GENERAL

9. Dr. Mark Bernstein – Circus Ordinance
10. Rev. Ira L. Lewis – White Officers/Non-White Victims
11. Robin R. Harven – Millennium Youth Entertainment Center
12. Vickie Clark – Sidewalk Variance - **Absent**
13. Hamid Zarafshani – Sidewalk Variance - **Absent**
14. Gus Peña – City Health Clinics; Citizens, Taxpayers want accountability from Mayor and Council - **Absent**
15. Dorothy Turner – Killer Police Officers
16. Jim Walker – Mueller Airport Redevelopment
17. Robert L. Thomas – Revision and employment at the Rosewood Recreation Center
18. Carol Blodgett – Reconsideration of Coliseum to be Placed on Council Agenda - **Absent**

DISCUSSION AGENDA

32. Approve a resolution authorizing negotiation and execution of a contract with DMG-MAXIMUS, INC., Rockville, MD, to conduct a fleet utilization study in an amount not to exceed \$49,832. (Funding was included in the 1999-2000 Approved Operating Budget of the Water and Wastewater Utility Department.) Best of three proposals. No MBE/WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 991028-32 was approved on Council Member Spelman's motion, Council Member Garcia's second by a 4-0 vote. Mayor Watson was off the dais. Mayor Pro Tem Goodman and Council Member Lewis were absent.

A friendly amendment was made by Council Member Slusher to have a full report on savings achieved, through this contract, brought back to Council.

51. Approve a resolution increasing the authorized expenditure amount under a construction contract with J.C. EVANS CONSTRUCTION COMPANY, Austin, Texas, for the Terminal Access Roadways Construction at Austin-Bergstrom International Airport by \$54,399.59, for a revised not-to-exceed total amount of \$11,757,088.98. (Funding in an amount of \$54,399.59 is included in the 1998-99 Amended Capital Budget for Aviation.) 4% MBE; 12% WBE subcontracting participation. (Recommended by Airport Advisory Board)

Resolution No. 991028-51 was approved on the consent agenda.

This item was reconsidered on Council Member Griffith's motion, Council Member Slusher's second by a 4-0 vote. Mayor Watson was off the dais. Mayor Pro Tem Goodman and Council Member Lewis were absent.

Resolution No. 991028-51 was approved on Council Member Garcia's motion, Council Member Spelman's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

50. Approve a resolution authorizing the execution of a one-year revenue generating contract with SOUTH POINT AUTO PLAZA, Austin, Texas, for an auto/boat display located at Austin-Bergstrom International Airport in an estimated revenue amount of \$78,504, with the option to extend for two additional twelve-month periods in an estimated revenue amount of \$78,504 for each option for an estimated total contract revenue amount of \$235,512. (An amount of \$60,000 Advertising Revenue is included in the 1999-2000 Approved Operating Budget for the Department of Aviation (DOA). Revenue over the life of the contract is estimated at \$235,512. Revenue from this source will be budgeted in future years.) Best of two bids. No MBE/WBE subcontracting participation. (Recommended by Airport Advisory Board)

This item was pulled from the agenda by the City Manager.

7. Consider settlement proposal in *City of Austin, Texas v. Hoechst Celanese Corporation, et al.*, Cause No. 98-000093, in the Travis County District Court.

Resolution No. 991028-7 was approved stating that The City of Austin will receive \$550,000 from Hoechst Celanese Corporation, and approved on Council Member Garcia's motion, Council Member Spelman's second, by a 4-0 vote. Council Member Slusher was off the dais. Mayor Pro Tem Goodman and Council Member Lewis were absent.

115. APPOINTMENTS

Board of Adjustment

**Barbara Aybar (reappointment)
Laurie Virkstis**

**Consensus
Consensus**

Bond Oversight Committee

Dr. Floyd Davis (reappointment)

Consensus

Dave Sullivan (reappointment)	Consensus
Chip Wolfe (reappointment)	Consensus
Jim Haley (reappointment)	Consensus
Dr. Scott Swearingen	Consensus

Building and Fire Code Board of Appeals

Richard Huffman (reappointment)	Consensus
Alan Shuman (reappointment)	Consensus
Child Care Council	
Jon Kyle Holder	Consensus

Commission on Immigrant Affairs

Veronica A. Lee	Consensus
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Community Development Commission

Alicia Olvera Garcia	Council Member Garcia
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Design Commission

Juan Cotera (reappointment)	Council Member Garcia
Robert Dickson, Jr. (reappointment)	Consensus
Eleanor McKinney (reappointment)	Consensus

Electrical Board

John Kinkel (Citizen Representative)	Council Member Griffith
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Thomas Walden (reappointment) (Electric Engineer Representative)	Council Member Slusher
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Ethics Review Commission

Jesus Vasquez (confirmation)	Council Member Garcia
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Robert Mueller Municipal Airport Advisory Group

Al Dodson (Neighborhood Representative)	Consensus
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Stacy C. Dukes-Rhone (Business & Industry Representative)	Consensus
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Frank Fuentes **Consensus**
(Neighborhood Representative)

Rick Krivoniak **Consensus**
(Neighborhood Representative)

Mike Librik **Consensus**
(Parks Board Representative)

Susan G. Morrison **Consensus**
(Building & Industry Representative)

Jim Robertson **Consensus**
(Urban Design Experience Representative)

Gwendolyn Webb **Consensus**
(Planning Commission Representative)

Charles Whitford **Consensus**
(Investment & Real Estate Representative)

Travis Central Appraisal District Board of Directors

Rev. Kristoffer Lands (reappointment) **Consensus**

Blanca Zamora-Garcia (reappointment) **Consensus**

Telecommunications Commission

Lydia Marie Torres **Council Member Garcia**

Urban Forestry Board

Karen Lee **Council Member Garcia**

The appointments to the Board and Commissions were approved on Council Member Garcia's motion, Council Member Spelman's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

86. Approve a resolution directing the City Manager to post on the November 18th Council agenda all items necessary to increase the percentage of money collected from the Hotel/Motel Tax for arts and music and to fund the Austin Music Network from the FY 1999-2000 Hotel/Motel Tax and to post the Austin Music Network contract amendments. (Council Member Slusher, Council Member Gus Garcia and Council Member Beverly Griffith)

Resolution No. 991028-86 was approved on Council Member Slusher's motion, Council Member Griffith's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

82. Approve a resolution directing the City Manager to develop non-regulatory efforts to encourage environmental protection and to help route growth to the Desired Development Zone. (Council Member William Spelman and Council Member Gus Garcia and Council Member Daryl Slusher)

Resolution No. 991028-82 was approved on Council Member Slusher's motion, Council Member Spelman's second, by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

A motion to recess the Council meeting at 3:25 p.m. and go into Executive Session was approved on Council Member Spelman's motion, on Council Member Slusher's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

Items 2, 3, 4 and 116 were considered at this time.

Executive Session ended at 5:10 p.m.

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 Garcia's motion, Council Member Spelman's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

Item 89 was pulled for discussion.

90. C14-99-0018 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property located at IH-35 Northbound at Yager Lane from GR-CO, Community Commercial-Conditional Overlay Combining District zoning to GR, Community Commercial District zoning. Planning Commission Recommendation: To Grant GR, Community Commercial District zoning with conditions. Applicant: Quentin Corp. (Kenneth P. Brown); Agent: Reagan & Juarez, LLP (Paul Juarez). City Staff: Clark Patterson, 499-2464.

Ordinance No. 991028-90 was approved.

91. C14-99-0066 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property located at Dessau Road & East Yager Lane from SF-2, Single-Family Residence Standard Lot District and DR, Development Reserve District to MF-3, Multifamily Residence Medium Density District zoning. Planning Commission Recommendation: To Grant MF-3-CO, Multifamily Residence Medium Density-Conditional Overlay Combining District zoning with conditions. Applicant: High Pointe Fellowship (Charles Bullock); Agent: The Faust Group (Bill Faust). City Staff: Clark Patterson, 499-2464.

First reading of this ordinance was approved.

92. C14-99-0071 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1900 East Anderson Lane from IP, Industrial Park District zoning to GR, Community Commercial District zoning. Planning Commission Recommendation: To Grant GR, Community Commercial District zoning with conditions. Applicant: WCBP-71-J-

V (Kenny Dryden); Agent: Reagan & Juarez, LLP (Paul M. Juarez). City Staff: Katie Larsen, 499-3072.

First reading of this ordinance was approved.

93. C14-99-0133 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 6507 Jester Boulevard from LR, Neighborhood Commercial District zoning to GR, Community Commercial District zoning. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions. Applicant: Jester Village 1-5, LP (Jim Beard); Agent: Lopez-Phelps, Vaughn & Associates, Inc. (Amelia Lopez-Phelps). City Staff: Katie Larsen, 499-3072.

Ordinance No. 991028-93 was approved.

Item 94 was pulled for discussion.

95. C14-99-0139 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property located at the southeast side of the intersection Decker Lane and of Decker Lake Road from LO, Limited Office District zoning to GR, Community Commercial District zoning. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions. Applicant: Decker Lane Joint Venture (Kenny D. Dryden); Agent: Faust Group (Bill Faust). City Staff: Katie Larsen, 499-3072.

Ordinance No. 991028-95 was approved.

96. C14-99-0143 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 9700-9927 Corley Drive from SF-2, Single-Family Residence Standard Lot District, SF-4A, Single Family Small Lot Residence District, SF-1, Single-Family Residence Large Lot District, and RR, Rural Residence District zoning to P, Public District zoning. Planning Commission Recommendation: To Grant P, Public District zoning. Applicant: City of Austin (Michael J. Heitz); Agent: Watershed Protection Department (Glen Taffinder). City Staff: Katie Larsen, 499-3072.

Ordinance No. 991028-96 was approved.

97. C14-99-2011 - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as Patton Ranch Road and U.S. Highway 290 West from I-RR, Interim-Rural Residence District to RR, Rural Residence District zoning. Planning Commission Recommendation: To Grant RR, Rural Residence District zoning. Applicant: City of Austin, Agent: Development Review and Inspection Department. Owner: Motorola, Inc.; City Staff: Adam Smith, 499-2755.

Ordinance No. 991028-97 was approved.

98. C14-99-2014 - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as West William Cannon Drive from "I-RR", Interim-Rural Residence District to RR, Rural Residence District zoning. Planning Commission Recommendation: To Grant RR, Rural Residence District zoning. Applicant: City of Austin, Agent: Development Review and Inspection Department. Owner: Stratus Properties Operating Company (John Baker); City Staff: Adam Smith, 499-2755.

Ordinance No. 991028-98 was approved.

99. C14-99-2015 - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 6000 Wier Hills Road from I-RR, Interim-Rural Residence District to RR, Rural Residence District zoning. Planning Commission Recommendation: To Grant RR, Rural Residence District zoning. Applicant: City of Austin, Agent: Development Review and Inspection Department. Owner: Doyle R. Johnson. City Staff: Adam Smith, 499-2755.

Ordinance No. 991028-99 was approved.

100. C14-99-2023 - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as Wier Hills Road from I-RR, Interim-Rural Residence District to RR, Rural Residence District zoning. Planning Commission Recommendation: To Grant RR, Rural Residence District zoning. Applicant: City of Austin; Agent: Development Review and Inspection. Owner: Stratus Properties Operating Company. Adam Smith, 499-2755.

Ordinance No. 991028-100 was approved.

101. C14-99-2027 - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 12722 Cloud Mountain Crossing from I-RR, Interim-Rural Residence District to RR, Rural Residence District zoning. Planning Commission Recommendation: To Grant RR, Rural Residence District zoning. Applicant: City of Austin; Agent: Development Review and Inspection. Owner: Pulte Homes of Texas, LP. City Staff: Katie Larsen, 499-3072.

Ordinance No. 991028-101 was approved.

102. C14-99-2028 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1625 Parmer Lane from DR, Development Reserve District zoning to GR, Community Commercial District zoning. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions. Applicant: Our Savior Lutheran Church (Keith Gravesmill); Agent: Consort, Inc. (Steve King). City Staff: Katie Larsen, 499-3072.

This item was pulled off the agenda.

103. C14H-99-0004 – Buratti-Moreno Bldg., Part I – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1001-1003 East 6th Street from CS-1, Commercial-Liquor Sales District zoning to CS-1-H, Commercial-Liquor Sales-Historic District zoning. Applicant: City of Austin; Agent: Development Review and Inspection Department; Property Owner: Davey Lewis & John Michael Buratti; City Staff: Barbara Stocklin, 499-2414.

This item was postponed to November 18, 1999 at the request of staff.

104. C14H-99-0014 – Buratti-Moreno Bldg., Part II – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property known as 1005 E. 6th Street from CS-1, Commercial-Liquor Sales to CS-1-H, Commercial-Liquor-Historic District zoning. Planning Commission Recommendation: To grant to CS-1-H, Commercial-Liquor-Historic District zoning. Applicant: City of Austin. Agent: Development Review and Inspection Department. City Staff: Barbara Stocklin, 499-2414.

This item was postponed to November 18, 1999 at the request of staff.

105. C14H-99-2005 - Evans-Morris-Hiesler House - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property known as 1000-1002 East Cesar Chavez Street from CS, General Commercial Services District to CS-H, General Commercial Services-Historic District zoning. Planning Commission Recommendation: To grant to CS-H, General Commercial Services-Historic District zoning. Applicant: Sergio Lozano. Agent: Angela Fiedler. City Staff: Barbara Stocklin, 499-2414.

Ordinance No. 991028-105 was approved.

106. C14H-99-0007 - Smoot Addition - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property known as 615, 701 and 703 Pressler Street from SF-3-H, Family Residence-Historic to SF-3, Family Residence District zoning. Planning Commission Recommendation: To grant to SF-3, Family Residence District zoning. Applicant: Heritage Society of Austin. Agent: Richard Suttle. City Staff: Barbara Stocklin, 499-2414. Note: A valid petition has been filed in opposition to this rezoning request.

This item was postponed to November 18, 1999 at the request of staff.

107. C14R-84-518(DE) – Parmer Lane Partners Tract - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning and deleting a portion of a previously approved zoning site plan for property locally known as 12613-12925 IH-35 North at Parmer Lane. Existing zoning CS, General Commercial Services. Planning Commission Recommendation: To Grant the request to delete a portion of a previously approved zoning site plan. Applicant: Bury & Pittman, Inc. Consultant for Parmer Lane Partners, L.P. City Staff: Christopher Johnson, 499-2769

Ordinance No. 991028-107 was approved.

108. C14R-84-519(DE) – Parmer Lane Partners Tract - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning and deleting a portion of a previously approved zoning site plan for property locally known as 12613-12925 IH-35 North at Parmer Lane. Existing zoning CS, General Commercial Services. Planning Commission Recommendation: To Grant the request to delete a portion of a previously approved zoning site plan. Applicant: Bury & Pittman, Inc. Consultant for Parmer Lane Partners, L.P. City Staff: Christopher Johnson, 499-2769

Ordinance No. 991028-108 was approved.

109. C14R-84-520(DE2) – Parmer Lane Partners Tract - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning and deleting a portion of a previously approved zoning site plan for property locally known as 12613-12925 IH-35 North at Parmer Lane. Existing zoning CS, General Commercial Services. Planning Commission Recommendation: To Grant the request to delete a portion of a previously approved zoning site plan. Applicant: Bury & Pittman, Inc. Consultant for Parmer Lane Partners, L.P. City Staff: Christopher Johnson, Phone: 499-2769

Ordinance No. 991028-109 was approved.

110. C14R-84-522(DE) – Parmer Lane Partners Tract - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning and deleting a portion of a previously approved zoning site plan for property locally known as 12613-12925 IH-35 North at Parmer Lane. Existing

zoning CS, General Commercial Services. Planning Commission Recommendation: To Grant the request to delete a portion of a previously approved zoning site plan. Applicant: Bury & Pittman, Inc. Consultant for Parmer Lane Partners, L.P. City Staff: Christopher Johnson, 499-2769

Ordinance No. 991028-110 was approved.

DISCUSSION ZONING ITEMS

89. C14-84-022 - Public hearing to amend Chapter 25-2 of the Austin City Code by amending a restrictive covenant for the property located at the terminus of Guarita Court. Existing Zoning: Planning Commission Recommendation: To Grant the restrictive covenant amendment with conditions. Applicant: Lincoln Property Company (Mike Crockett); Agent: Garrett Associates, Inc. (Michael Simons-Smith). City Staff: David Walgreen, 499-6455.

Resolution No. 991028-89 was approved on Council Member Spelman's motion, Council Member Slusher's second, by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

94. C14-99-0136 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10101-10123 Middle Fiskville Road from LO, Limited Office District zoning to CS, General Commercial Services District zoning. Planning Commission Recommendation: To Deny request for CS, General Commercial Services District zoning. Applicant: Wayne Angell, Troy Cooley & David Bertelson; Agent: Troy Cooley. City Staff: Katie Larsen, 499-3072.

The public hearing was closed on Council Member Slusher's motion, Council Member Garcia's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

The motion was made to approve the Planning Commission's recommendation to deny the request on Council Member Spelman's motion, Council Member Slusher's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

6:00 P.M. PUBLIC HEARINGS

111. Conduct a public hearing regarding the adoption of a new Chapter 12-2 Food and Food Handlers, of the City Code.

The public hearing was closed on Council Member Garcia's motion, Council Member Slusher's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

113. Approve an ordinance repealing Chapter 12-2, Food and Food Handlers, of the City Code and Adopting a New Chapter 12-2 Food and Food Handlers; Creating Offenses and Providing Penalties. (Substituted Chapter 12-2 Ordinance attached)

Ordinance No. 991028-113 was approved on Council Member Slusher's motion, Council Member Spelman's second on a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

80. C14-99-0054 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code rezoning property locally known as 1608 Century Street from LI, Limited Industrial Service District to CS-CO, General Commercial Services-Conditional Overlay Combining District zoning with conditions. First reading on July 29, 1999; Vote 7-0. Conditions met as follows: Conditional Overlay incorporates conditions imposed by Council on first ordinance reading. Applicant: Three Points Partnership (Paul Radnitz); Agent: Jim Bennett. City Staff: David Wahlgren, 499-6455.

Ordinance No. 991028-80 was approved as part of the consent agenda.

A motion was made to reconsider item 80 on Council Member Griffith's motion, Council Member Garcia's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis was absent.

This item was postponed to November 18, 1999 on Council Member Griffith's motion, Council Member Garcia's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis was absent.

112. Conduct a public hearing on a proposed street name change for a portion of 18th Street (East and West) changing it to BOB BULLOCK WAY (from the west right-of-way line of Trinity Street in a westerly direction to the east right-of-way line of West Avenue), in honor of former Lieutenant Governor Bob Bullock.

No action was taken on this item.

114. Consider a proposed street name change for a portion of 18th Street (East and West) changing it to BOB BULLOCK WAY (from the west right-of-way line of Trinity Street in a westerly direction to the east right-of-way line of West Avenue), in honor of former Lieutenant Governor Bob Bullock.

No action was taken on this item.

ADJOURNED at 6:31 p.m. on Council Member Griffith's motion, Council Member Garcia's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Lewis were absent.

The minutes for the Regular Meetings of September 30, 1999 and October 28, 1999, were approved on this the 4th day of November, 1999 on Council Member Spelman's motion, Council Member Garcia's second by a 4-0 vote. Mayor Pro Tem Goodman and Council Member Lewis abstained. Mayor Watson was absent.