



**Austin City Council
MINUTES**

**REGULAR MEETING
THURSDAY, NOVEMBER 18, 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, November 18, 1999, in the City Council Chambers, at 307 West Second Street, for the following purposes:

Mayor Watson called the meeting to order at 9:37 a.m. Mayor Pro Tem Goodman, Council Members Griffith and Lewis were temporarily off the dais.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session was held at 9:39 a.m. on Council Member Garcia's motion, Council Member Spelman's second by a 4-0 vote. Mayor Pro Tem Goodman, Council Members Griffith and Lewis were off the dais.

The City Council went 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.

5. 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.)
 6. 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.)
 8. Discuss legal issues related to Chapter 245 of the Local Government Code.
- Executive Session ended at 11:36 p.m.**

BRIEFINGS

1. Staff briefing on a proposal concerning development of certain land in southwest Travis County and northern Hays County (including Circle C West, Spillar Ranch, Pfluger Ranch, and other properties) and settlement of related litigation.
The presentation was given by Casey Dobson, Attorney at Law, Scott, Douglass & McConnico, L.L.P.

Executive session was held at 12:57 p.m. on Mayor Pro Tem Goodman's motion, Council Member Spelman's second by a 6-0 vote. Council Member Slusher was off the dais.

3. Consider the appointment and compensation of municipal court substitute judges, associate judges, and the community court judge for the 2000-2001 judicial term.

LIVE MUSIC: Karen Mal and Chris Irwin

INVOCATION – Rev. Tammy Brown, Covenant Presbyterian Church

Mayor Watson called the meeting back to order at 2:30 p.m.

MINUTES

11. Approval of minutes for regular meeting of November 4, 1999
The minutes were approved on Council Member Garcia's motion, Council Member Lewis' second by a 5-0 vote. Mayor Pro Tem Goodman and Council Members Spelman.

CITIZEN COMMUNICATIONS: GENERAL

12. Ernest Samudio – Proposed Ordinance to ban Animal Acts
13. Aubrey Edwards – Proposed Ordinance to ban Animal Acts
14. Dr. Mark Bernstein – Ethics of travelling Animal Acts
15. Lorene Moore – Ban on Exotic Animal Acts - **Absent**
16. Jason Neugent – Circus Ordinance
17. Karen Medicus - Animals
18. Mary Roe Aleshire – Discuss Building a memorial Chapel for all those who died at Mt. Carmel in 1993; www.rebuildthechurch.com
19. Paul Robbins
20. Sharon Blythe
21. Rolando Piña – Consider South Austin Neighborhood Planning Team Galindo Elementary Neighborhood Association

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 Garcia's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.

22. Amend Section 16-4-32, Speed Limits, of the Austin City Code by adding Davis Lane from S. Mopac Expressway to Clairmont Drive, to the list of streets having a maximum speed limit of 35 miles per hour. (Funding in an amount of \$400 for installation of speed limit signs is available in the 1999-2000 Operating Budget of the Department of Public Works and Transportation.)

Ordinance No. 991118-22 was approved.

23. Amend Section 16-4-15, Speed Limits, of the Austin City Code by adding Lantana Way from 40 feet south to Davis Lane to 20 feet north of Taylor Crest Drive to the list of streets that have a maximum speed limit of 20 miles per hour, for the protection of students attending Joe Dan Mills Elementary School. (Funding in an amount of \$200 for the relocation of existing signs and markings is available in the 1999-2000 Operating Budget of the Child Safety Fund for the Department of Public Works and Transportation.)

Ordinance No. 991118-23 was approved.

24. Approve a resolution authorizing execution of a twelve-month service agreement with FUGRO-BRE, INC., Austin, Texas, to provide pavement management system data collection and data editing for the Street and Bridge Division, in an amount not to exceed \$115,464, with two twelve-month extension options in the amount not to exceed \$115,464 per extension, for a total contract amount not to exceed \$346,392. (Funding in an amount of \$96,220 was included in the 1999-2000 Approved Operating Budget of the Department of Public Works and Transportation. Funding for the remaining two months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid of three. No subcontracting opportunities were identified. Low bid of three. No MBE/WBE subcontracting participation.

Resolution No. 991118-24 was approved.

25. Approve a resolution authorizing execution of a twelve-month supply agreement with SHERWIN-WILLIAMS PAINT CO., Austin, Texas, for the purchase of traffic marking paint in an amount not to exceed \$162,586, with two twelve-month extension options in an amount not to exceed \$162,586 per extension for a total contract amount not to exceed \$487,758. (Funding in an amount of \$135,488.30 was included in the 1999-2000 Approved Operating Budget of the Department of Public Works and Transportation. Funding for the remaining two months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid of two meeting specifications. No MBE/WBE subcontracting participation.

Resolution No. 991118-25 was approved.

26. Approve a request from Edward J. Maurer for the vacation of a portion of right-of-way located at 907 Mariposa. (\$3,028 in revenue will be deposited in the Public Works and Transportation Capital Project Management Fund.) (Planning Commission 8/17/99)

Ordinance No. 991118-26 was approved.

27. Approve a resolution authorizing negotiation and execution of a professional services agreement with the following six engineering firms: RAYMOND CHAN & ASSOCIATES, INC. (MBE/MA), Austin, Texas; ENVIRONMENTAL SCIENCE & ENGINEERING, INC., Austin, Texas; THE ARIZPE GROUP, INC. (MBE/MH), Austin, Texas; PBS&J, Austin, Texas; SYLVA ENGINEERING CORPORATION (MBE/MH), Austin, Texas; and KLOTZ ASSOCIATES, INC., Austin, Texas, for a civil engineering services rotation list for Transportation Systems Management Roadway Improvements, for a period of approximately two years, each agreement in an amount not to exceed \$1,500,000 with a total amount of the six agreements not to exceed \$1,500,000 (estimated approximately \$250,000 per firm). (Funding in an amount of \$1,500,000 is included in the 1999-2000 Approved Capital Budget of the Department of Public Works & Transportation.) RAYMOND CHAN & ASSOCIATES, INC. (MBE/MA) 70% MBE Prime, 7% MBE, 18.2% WBE Subcontracting participation; ENVIRONMENTAL SCIENCE & ENGINEERING, INC., 8.7% MBE, 18.2% WBE Subcontracting participation; THE ARIZPE GROUP, INC. (MBE/MH) MBE Prime, subcontracting participation unknown; PBS&J, 8.7% MBE, 18.2% WBE Subcontracting participation; SYLVA ENGINEERING CORPORATION (MBE/MH), 54% Prime, 7% MBE, 19% WBE Subcontracting participation; KLOTZ ASSOCIATES, INC., 8.7% MBE, 18.2% WBE Subcontracting participation.

Resolution No. 991118-27 was approved.

28. Approve a resolution authorizing execution of a construction contract with CAPITAL EXCAVATION COMPANY, Austin, Texas, for the extension of South First Street from FM 1626 to Slaughter Creek, in the amount of \$5,592,511.71 plus \$279,625.59 to be used as a contingency fund, for a total amount not to exceed \$5,872,137.30. (Funding in an amount of \$5,787,637 is included in the 1999-2000 Capital Budget of the Public Works and Transportation Department and \$84,499.80 is included in the 1999-2000 Capital Budget of the Water and Wastewater Utility.) Low bid of two. 9.06% MBE, 2.08% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 991118-28 was approved.

Item 29 was pulled for discussion.

30. Authorize execution of contract amendments for the Fayette Power Project (FPP) Spot Coal Purchasing Program with ARCH COAL SALES COMPANY, INC. (successor of Arco Coal Co.), St. Louis, Missouri; PEABODY COAL SALES COMPANY, St. Louis, Missouri; RAG AMERICAN COAL SALES COMPANY (successor of Cyprus-Amax Coal Corp.), Englewood, CO.; KENNECOTT ENERGY COMPANY, Englewood, CO.; AVISTA ENERGY INC. (successor of Vitol Gas & Electric), Evansville, IN; TRITON COAL COMPANY LLC, Littleton, CO; ENRON CAPITAL & TRADE RESOURCES CORP., Houston, Texas; and SOUTHERN COMPANY ENERGY MARKETING LP, Atlanta, GA, and approve execution of eight new contracts with MIDAMERICAN ENERGY COMPANY, Davenport, IA; AQUILA ENERGY MARKETING CORPORATION, Kansas City, MO; PG&E ENERGY TRADING, Bethesda, MD; DUKE ENERGY MERCHANTS LLC, Houston, Texas; AMERICAN ELECTRIC POWER SERVICE CORPORATION, Lancaster, Ohio; DTE COAL SERVICES, Lakewood, CO; NORTHERN STATES POWER COMPANY, Minneapolis, Minnesota; and RELIANT ENERGY, Houston, Texas, with expenditures over three years in an amount not to exceed \$16,486,440 including calendar

years 2000, 2001 and 2002. (\$16,486,440.00. Funds will be provided through the Utility Fuel Charge revenue.) (Recommended by Electric Utility Commission)

Resolution No. 991118-30 was approved.

31. Approve a resolution authorizing execution of a twelve-month supply agreement with POWER REPS, INC., Austin, Texas, for the purchase of circuit switchers in an amount not to exceed \$579,700 with three twelve-month extension options not to exceed \$579,700 per extension for a total contract amount of \$2,318,800. (Funding in an amount of \$579,700 is available in the Approved 1999-2000 Capital Budget of the Electric Utility Department.) Sole Bid. No MBE/WBE subcontracting participation. (Recommended by Electric Utility Commission)

Resolution No. 991118-31 was approved.

32. Approve a resolution authorizing execution of a twelve-month supply agreement with S & C ELECTRIC COMPANY, Chicago, Illinois, for 25KA circuit switchers in an amount not to exceed \$460,538 with three twelve-month extension options in an amount not to exceed \$460,538 for each period for a total contract amount of \$1,842,152. (Funding in an amount of \$460,538 is available in the approved 1999-2000 Capital Budget for the Electric Utility Department.) Low bid of two. No MBE/WBE subcontracting participation. (Recommended by Electric Utility Commission)

Resolution No. 991118-32 was approved.

33. Approve a resolution authorizing execution of a contract with POWER SUPPLY, INC., Austin, Texas, for the purchase of transmission line conductor in the amount of \$185,782.32. (Funding is available in the Approved 1999-2000 Capital Budget of the Electric Utility Department.) Low bid of six. No MBE/WBE subcontracting participation. (Recommended by Electric Utility Commission)

Resolution No. 991118-33 was approved.

34. Approve a resolution authorizing execution of a twelve-month supply agreement with VALMONT INDUSTRIES, c/o Preferred Sales Agency, Carthage, Texas, for the purchase of galvanized structural steel in an amount not to exceed \$788,925 with four twelve-month extension options not to exceed \$788,925 per extension for a total contract amount of

\$3,944,625. (Funding in an amount of \$788,925 is available in the Approved 1999-2000 Capital Budget of the Electric Utility Department.) Sole Bid. No MBE/WBE subcontracting participation. (Recommended by Electric Utility Commission)

Resolution No. 991118-34 was approved.

35. Approve a resolution authorizing negotiation and execution of an agreement with the STATE GENERAL SERVICES COMMISSION (1) to lease 18,106 square feet of space in the state parking garage located one block west of the Hobby Building (Parking Garage N), at an initial monthly rate of \$7,544.17 for a term of 99 years (\$90,530 total yearly lease amount), for the purpose of housing a district cooling plant to serve downtown customers, including Computer Sciences Corporation; and (2) to pay a one-time payment of up to \$85,000 for the relocation of State shop personnel. (Funding in an amount of \$85,000 is available in the 1999-2000

Approved Operating Budget of the Electric Utility Department. Funding for the remaining term of the agreement is contingent upon approval of future budgets.) (Recommended by Electric Utility Commission)

This item was postponed to December 2, 1999.

36. Approve a resolution authorizing the City Manager to negotiate and execute an interlocal agreement with the Anderson Mill Municipal Utility District for Temporary Out-of-District Water and Wastewater Service to the 34.39 acre tract commonly known as the Parke at Anderson Mill Subdivision. (This will be a revenue generating activity, estimated additional annual revenue of approximately \$46,170 in wholesale revenue from Anderson Mill.) (Recommended by Water and Wastewater Commission)

Resolution No. 991118-36 was approved.

37. Approve a resolution authorizing negotiation and execution of a professional services agreement with ROY F. WESTON, INC., to develop the Northeast Service Area Wastewater Master Plan, in an amount not to exceed \$250,000. (Funding is available in the 1999-2000 Amended Capital Budget of the Water and Wastewater Utility.) (Recommended by Water and Wastewater Commission) (9.0% MBE 18.2% WBE)

Resolution No. 991118-37 was approved.

Items 38 and 39 were pulled for discussion.

40. Approve a resolution authorizing negotiation and execution of a twelve-month contract with REPRODUCTIVE SERVICES, Austin, Texas, to provide women's health services in an amount not to exceed \$251,044 with four twelve-month extension options in an amount not to exceed \$263,596 for the first extension, \$276,776 for the second extension, \$290,615 for the third extension, and \$305,146 for the fourth extension, for a total contract amount not to exceed \$1,387,177. (Funding in an amount of \$198,743 is included in the Approved Fiscal Year 1999-2000 General Fund Operating Budget for the Health and Human Services Department. Funding for the extension for the final two and a half months and the extension options is contingent upon available funding in future budgets.) Sole Bid. No MBE/WBE subcontracting participation.

Resolution No. 991118-40 was approved.

41. Amend Ordinance No. 990914-1, the 1999-2000 Operating Budget for the Health and Human Services Departments' Special Revenue Fund appropriating \$90,375 pass-through grant funding by entering into a subcontract provided by the Daughters of Charity Health Systems of Austin dba Seton Healthcare Network (Seton), for a total subcontract amount of \$90,375. (Funding is available from Daughters of Charity Health Systems of Austin dba Seton Healthcare Network (Seton). The contract period is October 1, 1999-September 30, 2000. No match is required.)

Ordinance No. 991118-41 was approved.

Items 42 through 44 were pulled for discussion.

45. Authorize negotiation and execution of an amendment to the existing professional services agreement with WILBUR SMITH ASSOCIATES, Houston, Texas, to expand the scope of the Downtown Austin Comprehensive Parking Study Project to include a separate evaluation of Travis County-owned buildings and parking facilities within the Study area, in the amount not to exceed \$19,973 for a total amount not to exceed \$157,101 (Funding in an amount of \$19,973 is available in the 1999-2000 Amended Operating Budget of the Department of Planning, Environmental & Conservation Services.) (Related to items no. 46 and 47)

Resolution No. 991118-45 was approved.

46. Approve a resolution authorizing execution of an Interlocal Agreement with the TRAVIS COUNTY for participation in the Downtown Austin Comprehensive Parking Study, in the amount of \$19,973. (Funding is available in the 1999-2000 Amended Budget of the Planning, Environmental & Conservation Services Department.) (Related to items no. 45 and 47)

Resolution No. 991118-46 was approved.

47. Amend Ordinance No. 990914-1, the 1999-2000 Approved Operating Budget of the Planning, Environmental and Conservation Services Department by: 1. increasing budgeted revenues by \$ 19,973 for a total revenue of \$1,338,317 for payments by Travis County for its share of the downtown parking study; 2. increasing budgeted operating expenditures by \$19,973 for a total of \$4,882,557, related to expanded scope of the downtown parking study to address Travis County concerns. (Funding in an amount of \$19,973 is available from Travis County for expanded scope of the Comprehensive Downtown Parking Study.) (Related to items no. 45 and 46)

Ordinance No. 991118-47 was approved.

48. Amend Ordinance 981105-1 (vacation of right-of-way along a portion of the aerial space over Bowie Street between Fifth Street and Sixth Street) to set a new date for LAMAR-SIXTH-AUSTIN, INC.'s payment deadline for right-of-way vacation to April, 2000. (Approving the extension does not have a fiscal impact.)

Ordinance No. 991118-48 was approved.

49. Approve a resolution authorizing execution of a nine-month contract with HITACHI DATA SYSTEMS CORPORATION, for the hardware maintenance on 7690 DASD Controllers and 7693 DASD Disk Drives in an amount not to exceed \$50,049 with two twelve-month extension options not to exceed \$66,732 for each year for a total amount not to exceed \$183,513. (Funding in an amount of \$50,049 was included in the 1999-2000 Approved Operating Budget for the Information System Office, therefore there is no unanticipated fiscal impact. Funding for the two twelve-month extension options is contingent upon available funding in future budgets.) Sole Source. No subcontracting opportunities were identified.

Resolution No. 991118-49 was approved.

50. Approve a resolution authorizing execution of a three-year contract with SOFTWARES INCORPORATED, Dallas, Texas, for the purchase of Software License and maintenance for repair, recovery and maintenance of system catalogues for a total amount of exceed \$95,742. (Funding in an amount of \$31,914 is included in the 1999-2000 Approved Operating Budget for the Information Systems Office. Funding for the remaining two years are contingent upon

approval of future budgets.) Sole Source. No subcontracting opportunities were identified.
Resolution No. 991118-50 was approved.

51. Approve a resolution authorizing execution of a twelve month contract with IBM CORPORATION, Austin, Texas, for premium support service for software products used on the Information Systems Office (ISO) mainframe computer in an amount not to exceed \$59,184 with three twelve-month extension options in amounts not to exceed \$59,184 for each year for a total contract amount not to exceed \$236,736. (Funding in an amount of \$59,184 is included in the 1999-2000 Approved Operating Budget for the for the Information Systems Office. Funding for the extension options is contingent upon available funding in future budgets.) Sole Source. No subcontracting opportunities were identified.

Resolution No. 991118-51 was approved.

52. Approve a resolution authorizing execution of a twelve-month contract with the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES, Austin, Texas, for maintenance of hardware and software for the City's Vax/Alpha mini-computers and software server networks in an estimated amount of \$297,738.12, with four twelve-month extension options in an estimated amount of \$297,738.12 per extension option for a total contract amount not to exceed \$1,488,690.60. (Funding in an amount of \$29,511.84 was included in the 1999-2000 Approved Operating Budget for the Information Systems Department; \$96,096.36 was included in the Approved 1999-2000 Operating Budget for the Water & Wastewater Department, \$85,317.36 was included in the 1999-2000 Approved Operating Budget for Austin Energy; and \$86,812.56 was included in the 1999-2000 Approved Operating Budget for Infrastructure Support Services 1999-2000 Operating Budget. Funding for the four twelve-month extension options is contingent upon available funding in future budgets.) No subcontracting opportunities were identified.

Resolution No. 991118-52 was approved.

53. Approve a resolution authorizing execution of a twelve-month contract with STORAGE TECHNOLOGY CORPORATION, Houston, Texas, to provide hardware maintenance for StorageTek cartridge tape system and printer in an amount not to exceed \$43,890.24 with four twelve-month extension options in an amount not to exceed \$43,890.24 for each option period for a total amount not to exceed \$219,451.20. (Funding in the amount of \$43,890.24 is included in the 1999-2000 Approved Operating Budget of the Support Services Fund, for the Financial and Administrative Services Department, in the Information Systems Office, Systems and Operation Activity. Funding for the four twelve-month extension options is contingent upon available funding in future budgets.) Low bid of two. No MBE/WBE Subcontracting participation.

Resolution No. 991118-53 was approved.

54. Approve a resolution authorizing execution of a twelve-month service agreement with OVERHEAD DOOR CO. OF AUSTIN, INC., Austin, Texas, for overhead door maintenance and repair in an amount not to exceed \$49,084.50 with two twelve-month extension options in an amount not to exceed \$49,084.50 per extension for a total contract amount not to exceed \$147,253.50. (Funding in an amount of \$40,903.75 was included in the 1999-2000 Approved Operating Budget of the Finance and Administrative Services Department, Building Services Division. Funding for the remaining two months of the original contract

period and extension options is contingent upon available funding in future budgets.) Low bid of two. No MBE/WBE subcontracting participation.

Resolution No. 991118-54 was approved.

55. Approve a resolution authorizing a five-year license agreement with four five-year renewal options with AT&T WIRELESS SERVICES for site located at 2631 S. Capital of Texas Highway. (\$4,000 Unanticipated General Fund Revenue for Fiscal Year 1999-2000)

Resolution No. 991118-55 was approved.

56. Approve an ordinance granting a non-exclusive municipal consent agreement to NEXTLINK TEXAS, INC., to provide telecommunications services (third reading). (Facilities will be under construction during first and second quarter. Some segments will become operational at that time and customers will be connected. No projection for revenue for Fiscal Year 1999-2000 (first and second quarters). Revenue may result from fees during Fiscal Year 1999-2000 (third and fourth quarters) but provider cannot project at this time. (Recommended by Telecommunications Commission)

Ordinance No. 991118-56 was approved.

57. Approve a resolution authorizing execution of a twelve-month supply agreement with KENT DATACOMM, INC., Austin, Texas, for the purchase of CISCO Systems networking products in an amount not to exceed \$1,190,000, with four twelve-month extension options in an amount not to exceed \$1,190,000 per extension option for a total contract amount not to exceed \$5,950,000. (Funding in an amount of \$75,000 was included in the Approved Operating Budget of the Municipal Court. \$60,000 was included in the 1999-2000 Approved Operating Budget of the Austin Convention Center. \$110,000 was included in the 1999-2000 Approved Operating Budget of the Support Services Fund for the Financial Services and Administrative Services Department. \$445,000 was included in the 1999-2000 Approved Capital Budget for Telecommunications. \$250,000 was included in the 1997-1998 Amended Capital Budget for Telecommunications. \$250,000 was included in the 1999-2000 Amended Capital Budget for the Water and Wastewater Utility. Funding for the remaining extension options is contingent upon available funding in future budgets.) Low bid of four. No MBE/WBE subcontracting participation.

Resolution No. 991118-57 was approved.

58. Approve a resolution authorizing execution of a twelve-month service agreement with GRAEBEL SAN ANTONIO/AUSTIN MOVERS, San Antonio, Texas, for moving services in an amount not to exceed \$56,400 with two twelve-month extension options in an amount not to exceed \$56,400 per extension for a total contract amount not to exceed \$169,200. (Funding in an amount of \$41,666 was included in the 1999-2000 Approved Operating Budget of the Finance and Administrative Services, Building Services Division and \$4,665 was included in the 1999-2000 Approved Operating Budget for the Finance and Administrative Services, Materials Management Division. Funding for the remaining two months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bid of six. No MBE/WBE subcontracting participation.

Resolution No. 991118-58 was approved.

Items 59 through 61 were pulled for discussion.

62. Amend Ordinance No. 990914-1, the 1999-2000 Support Services Fund Operating Budget by increasing the authorized Full Time Equivalents in Finance and Administrative Services by 2.0 for the assumption of the Service Level Agreement for the Greater Austin Area Telecommunication Network (GAATN) (Related to item no. 63)

This item was postponed indefinitely

63. Approve a resolution authorizing a Service Level Agreement with the Greater Austin Area Telecommunications Network (GAATN) for the City to be the Network Manager for the management of the GAATN, in accordance with Section 2, Part A of the Interlocal Agreement for the GAATN dated June 10, 1993, as amended. (Related to item no. 62)

This item was postponed indefinitely

64. Approve a resolution authorizing the use of \$300,000 in the Austin Convention Center Department project for implementation of the CASH FLOW ENHANCEMENT PROGRAM utilized as a revolving working capital loan fund by small businesses awarded construction contracts for the Austin Convention Center Project. (Funding is available in the 1997-1998 Amended Capital Budget of the Austin Convention Center Department.)

Resolution No. 991118-64 was approved.

65. Approve a resolution authorizing the City Manager to accept grants from the Federal Aviation Administration (FAA) in an amount not to exceed \$20,000,000 in FAA Airport Improvement Program (AIP), Noise Program, and/or Military Airports Program (MAP) funding for the Austin-Bergstrom International Airport for the fiscal year ending September 30, 2000. (FAA grant reimbursement will apply to projects approved by City Council in 1993/1994, 1994/1995, and 1999/2000 Capital Budget. Grant funds will be placed in the New Airport Construction Fund and the ABIA Improvements Funds.) (Airport Advisory Board Review 11/16/99)

Resolution No. 991118-65 was approved.

66. Approve a resolution authorizing negotiation and execution of an amendment to the existing professional services agreement with TURNER COLLIE and BRADEN, INC., Houston, Texas, for construction phase services for Taxiway H Construction for Austin-Bergstrom International Airport (ABIA) in the amount of \$250,000 for a total contract amount of \$2,399,000. (Funding in an amount of \$250,000 is included in the approved 1999-00 Capital Budget for Aviation.) (Recommended by Airport Advisory Board)

Resolution No. 991118-66 was approved.

67. Approve a resolution authorizing negotiation and execution of an amendment to the existing professional services agreement with MARTINEZ, WRIGHT AND MENDEZ, INC., for additional general aviation apron and hangar design and construction phase services under Contract No. A6000D, Fixed Base Operator Facilities Design for Austin-Bergstrom International Airport (ABIA) in the amount of \$500,000 for a total contract amount of \$900,000. (Funding in an amount of \$500,000 is included in the Approved 1999-2000 Capital Budget for Aviation.) (Recommended by Airport Advisory Board)

Resolution No. 991118-67 was approved.

Item 68 was pulled for discussion.

69. Set a public hearing to receive citizen comments on the proposed amendment to the City of Austin's Citizen Participation Plan. (Suggested Date and Time: December 9, 1999 at 6:00 p.m.)

Resolution No. 991118-69 was approved.

70. Approve a resolution authorizing execution of a construction contract with ROBERT JENTSCH CONSTRUCTION, INC., Austin, Texas, for an erosion control project along East Bouldin Creek at West Annie Street, in the amount of \$64,737. (Funding is included in the 1996-1997 Amended Capital Budget of the Watershed Protection Department.) Low bid of five. 12.01% MBE; 5.72% WBE subcontracting participation.

Resolution No. 991118-70 was approved.

71. Set a public hearing to consider placing a stormwater detention facility in a portion of the Balcones Canyonland Preserve (Hanks Tract), in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife code. (Suggested Date and Time: December 16, 1999 at 6:00 p.m.) (Recommended by Parks and Recreation Board)

Resolution No. 991118-71 was approved.

72. Approve a resolution authorizing negotiation and execution of a contract with the TRUST FOR PUBLIC LAND to purchase approximately 67.636 acres in fee simple for the Greenways and Destination Parks, as authorized by the November 1998 Bond Proposition 2, in an amount not to exceed \$700,000. (Funding was included in the 1999-2000 Capital Budget of the Parks and Recreation Department.)

Resolution No. 991118-72 was approved.

73. Approve a resolution authorizing a twelve-month service agreement with AMAZING SCAPES, Austin, Texas, and RED & WHITE GREENERY, Georgetown, Texas, for grounds maintenance services in the amount not to exceed \$145,118.42 and \$69,536.35, respectively, with the option to extend for two twelve-month periods in an amount not to exceed \$145,118.42 and \$69,536.35, respectively, per extension for a total contract amount not to exceed \$435,355.26 and \$208,609.05, respectively. (Funding in an amount of \$178,878.98 was included in the 1999-2000 Operating Budget of the Parks and Recreation Department in the Park Maintenance Activity. Funding for the remaining two months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid of six. No MBE/WBE subcontracting participation.

Resolution No. 991118-73 was approved.

74. Approve a resolution authorizing a twelve-month service agreement with WMI OF TEXAS, Austin, Texas, for the lease and maintenance service of portable toilets in the amount not to exceed \$58,566 with the option to extend for two twelve-month periods in an amount not to exceed \$58,566 per extension for a total contract amount not to exceed \$175,698. (Funding in an amount of \$48,805 was included in the 1999-2000 Operating Budget of the Parks and Recreation Department in various activities. Funding for the remaining two months of the

original contract period and extension options will be contingent upon available funding in future budgets.) Low bid of four. No MBE/WBE subcontracting participation.

Resolution No. 991118-74 was approved.

Items 75 and 76 were pulled for discussion.

Item 77 was pulled for time certain at 6:30 p.m.

78. C14-99-0093 – Approve second/third readings of an ordinance amending Chapter 25-2 by rezoning property locally known as 5800 Cameron Road from SF-3, Family Residence District zoning to LR-CO, Neighborhood Commercial-Conditional Overlay District zoning with conditions. First reading on August 19, 1999; Vote: 7-0. Conditions met as follows: Conditional overlay incorporates the conditions imposed by Council at first reading. Applicant: United Christian Church of Austin (Carol M. Kolsti); Agent: Guaranty Federal Bank (Stephen L. Crawford). City Staff: Clark Patterson, 499-2464.

Ordinance No. 991118-78 was approved.

Item 79 was pulled for discussion.

80. C14-99-2026 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code rezoning property locally known as 8034-8100 Spicewood Springs Road from I-RR, Interim- Rural Residence district to RR-CO, Rural Residential-Conditional Overlay Combining District zoning with conditions. First reading on November 4, 1999; Vote 7-0. Conditions met as follows: Conditional Overlay incorporates conditions imposed by Council on first ordinance reading. Applicant: City of Austin; Agent: Development Review and Inspection Department. Property Owner: High Vista Limited and City of Austin. City Staff: Katie Larsen, 499-3072.

Ordinance No. 991118-80 was approved.

81. Set a public hearing on an appeal by Jack Day with Chandler Signs, Inc. and Ron Webster with Advantage Rent-A-Car of the Sign Review Board's decision to deny a sign variance request for the property located at 8606 Research Blvd. File C16-99-014. (Suggested date and time: December 16, 1999, at 6:00 p.m.)

Resolution No. 991118-81 was approved.

82. Amend Ordinance No. 990520-09 relating to the Police Oversight Focus Group to extend the existence of the group and to extend the deadline to March 15, 2000 for its report to council. (Council Member William Spelman, Mayor Pro-Tem Jackie Goodman, and Mayor Kirk Watson)

Ordinance No. 991118-82 was approved.

83. Approve a resolution directing the City Manager to allow a representative from Water and Wastewater Department to visit our Sister City of Saltillo to conduct a workshop/training on the use of Water and Wastewater equipment. (Council Member Gus Garcia)

Resolution No. 991118-83 was approved.

84. Direct the City Manager to make recommendations outlining next steps for decommissioning the Seaholm Power Plant and soliciting proposals for reuse of the Plant. (Council Member Beverly Griffith and Mayor Kirk Watson)
Resolution No. 991118-84 was approved.
85. Appoint and set compensation for the Municipal Court associate judges and substitute judges and for the community court judge for the 2000-2001 judicial term. (Mayor Kirk Watson, Mayor Pro Tem Jackie Goodman, Council Member Gus Garcia)
This item was postponed to December 2, 1999.
86. Discuss a selection process for the Municipal Court presiding judge. (Mayor Kirk Watson, Mayor Pro Tem Jackie Goodman, Council Member Gus Garcia)
This item was postponed to December 2, 1999.
87. Approve a resolution recognizing success, dedication, and commitment of the Community Mentor-Protege Initiative Program. (Council Member Willie Lewis)
Resolution No. 991118-87 was approved.

Item 88 and 89 were set for 3:30 p.m.

Items 90 through 112 were the Zoning Items.

113. Conduct a public hearing amending Article IV of Chapter 25-12 of the City Code to adopt Section 300-11(a) of the National Electrical Code, 1996 edition regarding electrical installations in fire rated ceiling assemblies. (Recommended by Electrical Board)
This item was postponed to December 2, 1999.
114. Conduct a public hearing amending Section 25-12-113 of the City Code (Electrical Code) regarding reciprocal licenses. (Recommended by Electrical Board)
This item was postponed to December 2, 1999.
115. Approve an ordinance amending Article IV of Chapter 25-12 of the City Code to adopt Section 300-11(a) of the National Electrical Code, 1996 edition regarding electrical installations in fire rated ceiling assemblies.
This item was postponed to December 2, 1999.

116. **APPOINTMENTS**

Arts Commission

Eduardo E. Benavides

Council Member Griffith

DISCUSSION AGENDA

29. Approve a resolution authorizing fee simple acquisition of Lot 1, Block D, Harris Ridge, Phase 3, Section 3, Travis County, Texas, owned by PARMER RIDGE, LTD, located in the vicinity of Harris Glenn Drive, Porterfield Drive and Bradbury Lane, for the Harris Ridge Fire

Station Project, in the amount of \$1,000,000. (Funding is included in the 1999-2000 Approved Capital Budget of the Austin Fire Department.)

Resolution No. 991118-29 was approved on Mayor Pro Tem Goodman's motion, Council Member Garcia's second by a 5-0-1 vote. Council Member Lewis voted no. Council Member Griffith abstained.

3:30 P.M. - Bond Sales

88. Conduct a public hearing with respect to the issuance of ABIA Development Corporation of Airport Facilities Revenue Bonds (Aero Austin, LP Project) Series 1999, in an amount not to exceed \$6,000,000. (No fiscal impact on the City. The bonds are not debts to the City and are the sole obligation of the corporation. The bonds are repaid from revenue generated by the facilities constructed.)

The public hearing was closed on Council Member Spelman's motion, Council Member Garcia's second by a 6-0 vote. Council Member Slusher was off the dais.

The Mayor recessed the City Council meeting at 3:33 p.m. on Council Member Spelman's motion, Council Member Garcia's second by a 7-0 vote.

A Board meeting of the Austin Housing Finance Corporation (AHFC) was convened. Item 89 was the AHFC item considered by the Austin Housing Finance Corporation's Board of Directors.

89. Approve the issuance of Austin Housing Finance Corporation Multifamily Housing Revenue Bonds (Princeton and Stony Creek project) Series 1999 A & B, in an amount not to exceed an aggregate principal amount of \$10,500,000; the form and substance of a trust indenture, a loan agreement, a regulatory agreement with respect to the project; and other matters in connection with the transaction requested by the San Antonio Alternative Housing Corporation, a 501 (c) (3) Texas non profit Corporation, to finance the acquisition and rehabilitation of the Princeton Apartments located at 4411 Airport Boulevard and the Stony Creek Apartments located at 4911 Manchaca Road, and rescind the previous approval of this item on October 7, 1999. (All fees are to be paid by requester or out of the bond proceeds. The Austin Housing Finance Corporation (AHFC) will receive a financing fee of .5 percent of the amount of the bonds from bond proceeds at closing. The financing fee revenue will not exceed \$52,500.

Resolution No. 991118-89 was approved on Board Member Garcia's motion, Board Member Spelman's second by a 6-0 vote. Board Member Slusher was off the dais.

The AHFC Board Meeting was adjourned at 3:37 p.m. on Board Member Garcia's motion, Board Member Spelman's second by a 6-0 vote. Board Member Slusher was off the dais.

Mayor Watson called the Council meeting back to order.

38. Approve a resolution authorizing the City Manager to negotiate and execute an interlocal agreement with the Springwoods Municipal Utility District for Temporary Out-of-District Water and Wastewater Service to the 39.425 acre Hunter Chase Estates Subdivision. (This will be a revenue generating activity, estimated additional annual revenue of approximately

\$21,622 in wholesale water to Springwood MUD.) (Recommended by Water and Wastewater Commission)

Resolution No. 991118-38 was approved on Council Member Lewis', Council Member Spelman's second by a 6-0 vote. Council Member Garcia was off the dais.

39. Approve a resolution authorizing negotiation and execution of a ten-month contract with COMMUNITIES IN SCHOOLS-CENTRAL TEXAS, INC., Austin, Texas, to provide for the administration and service delivery of the Strategic Intervention for High Risk Youth (SIHRY) program, in an amount not to exceed \$158,880, with two twelve-month extension options in an amount not to exceed \$192,080 per extension for a total contract amount not to exceed \$543,040. (Funding in an amount of \$158,880 was included in the 1999-2000

Approved Operating Budget of the Health and Human Services Department. Funding for the extension options is contingent upon available funding in future budgets.) Sole Response. No MBE/WBE subcontracting opportunities were identified.

Resolution No. 991118-39 was approved on Council Member Spelman's motion to authorize a one year grant subject to bringing back whatever extensions Council wants or to go through a different process for fiscal year 2000. Mayor Watson made the second and it passed by a 7-0 vote.

42. Set a public hearing on the Austin Downtown Public Improvement District (PID) 2000 assessments. The proposed 2000 assessment rate at \$0.10/\$100 valuation is estimated to produce \$1,111,649 at a 99% collection rate. (Suggested Date and Time: December 9, 1999)
Resolution No. 991118-42 was approved on Council Member Garcia's motion, Mayor Watson's second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

43. Approve assessment rate and proposed 2000 assessment roll for the Austin Downtown Public Improvement District (PID). (The 2000 assessment rate of \$0.10/\$100 valuation is estimated to produce \$1,111,649 at a 99% collection rate.)
Ordinance No. 991118-43 was approved on Council Member Garcia's motion, Mayor Watson's second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

44. Approve the Downtown Austin Alliance Service Plan and Budget for 2000-2001. (The Downtown Austin Alliance submitted a 2000-2001 budget for the PID in the amount of \$1,200,753. This will be funded through \$1,111,649 in 2000 assessments (at 99% collection rate), \$39,104 from interest accrued in the PID Account; and \$150,000 City of Austin annual contribution (\$75,000 Austin Convention Center Fund, and \$75,000 in the Water & Wastewater Utility Fund). Appropriation of the \$1,300,753 in the Planning, Environmental & Conservation Services Special Revenue Fund will require City Council authorization, and possible adjustment, after the assessment roll hearing on December 9, 1999. (Related to items no. 42 and 43)

Resolution No. 991118-44 was approved on Council Member Garcia's motion, Mayor Watson's second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

Executive session was held at 4:09 p.m. on Council Member Spelman's motion, Council Member Garcia's second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

Personnel Matters - Section 551.074

2. Consider the compensation and benefits package paid to the City Manager.

Private Consultation with Attorney - Section 551.071

4. Discuss *Daniel R. Gonzales and Mark Gonzales v. City of Austin Police Department, Eric De Los Santos, and Sue Orten*, Cause No. 99-03298, in the Travis County District Court.
7. Discuss legal issues related to the November 1, 1999, Notice of Intent to Sue for Violations of the Clean Water Act and Endangered Species Act delivered to the City of Austin by the Save Our Springs Alliance.

Executive Session ended at 5:21 p.m.

ACTION ON THE FOLLOWING:

10. Consider a settlement proposal in *Daniel R. Gonzales and Mark Gonzales v. City of Austin Police Department, Eric De Los Santos, and Sue Orten*, Cause No. 99-03298, in the Travis County District Court.

This item was approved in the amount of \$150,000 on Mayor Pro Tem Goodman's motion, Council Member Spelman's second by a 6-0 vote. Council Member Garcia was off the dais.

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 Lewis' motion, Council Member Spelman's second by a 6-0 vote. Council Member Garcia was off the dais.

90. C14-99-0027 – Pac Ten – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 13820-14012 FM 620 North, 13912-14016 & 13801-14017 Tom Kemp Lane, 9220-9238 Parmer Lane, 13642-13816 FM 620 North, 13800-13814 & 13900-13910 Tom Kemp Lane (Lake Creek) from I-RR, Interim Rural Residence District, DR, Development Reserve District, SF-2, Single Family Residence (Standard Lot) District and GR-CO", Community Commercial-Conditional Overlay Combining District to GR Community Commercial District. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions for Tract 1, and GO-CO General Office-Conditional Overlay Combining District zoning with conditions for Tract 2. Applicant: PAR 620 Ltd. (Gary Brown), GH-620 Limited (Gary Hills Trustee) and David Bruce Smith; Agents: Graves, Dougherty, Hearon & Moody (David Herndon) and Pac Ten Partners (Gary Brown). City Staff: David Wahlgren, 499-6455. (continued from 5/13/99 and 7/15/99)

This item was postponed to December 9, 1999 at the request of the applicant.

91. C14-98-0248 – Pac Ten – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 11300-11314 Pecan Park Boulevard from MF-3, Multifamily Residence (Medium Density) District to GR, Community Commercial District zoning. Planning Commission Recommendation: To Grant GR, Community Commercial District zoning. Applicant: TS-SD II, LTD (Gary Brown); Agent: Graves, Dougherty, Hearon & Moody (David Herndon and Pac Ten Partners (Gary Brown). City Staff: David Wahlgren, 499-6455. (continued from 5/13/99, 5/20/99, 6/3/99, 7/22/99 and 9/9/99))
This item was postponed to December 9, 1999 at the request of the applicant.
92. C14-98-0251 – Pac Ten – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 13608-13640 and 13820-14012 FM 620 North, 13912-14016 and 13801-14017 Tom Kemp Lane, 9220-9238 Parmer Lane from I-RR, Interim-Rural Residence District, SF-2, Single Family Residence (Standard Lot) District to MF-3, Multifamily Residence (Medium Density) District. Planning Commission Recommendation: To Grant MF-3, Multifamily Residence (Medium Density) District zoning with conditions. Applicant: PAR 620 Ltd. (Gary Brown), GH-620 Limited (Gary Hills Trustee) and David Bruce Smith; Agent: Graves, Dougherty, Hearon & Moody (David Herndon) and Pac Ten Partners (Gary Brown). City Staff: David Wahlgren, 499-6455. (continued from 5/13/99, 5/20/99, 6/3/99, 7/22/99 and 9/9/99)
This item was postponed to December 9, 1999 at the request of the applicant.
93. C14-98-0255 – Pac Ten – Public hearing to amend Title 25 of the Austin City Code by zoning property locally known as 10101-10125 Lake Creek Parkway and 12905-13037 Hymeadow Drive from I-RR, Interim-Rural Residence and SF-2, Single Family Residence (Standard Lot) District to LO, Limited Office District. Planning Commission Recommendation: To Grant LO, Limited Office District zoning for Tract 1, NO-CO, Neighborhood Office-Conditional Overlay Combining District zoning with conditions for Tract 2 and RR, Rural Residence District zoning for any area located in the 100 year flood plain. Applicant: Christianna Ltd. (Gary Brown); Agents: Graves, Dougherty, Hearon & Moody (David Herndon) and Pac Ten Partners (Gary Brown). City Staff: David Wahlgren, 499-6455. (continued from 7/22/99 and 9/9/99)
This item was postponed to December 9, 1999 at the request of the applicant.
94. C14-98-0266 – Pac Ten – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 14003-14007 U. S. Highway 183 North from DR, Development Reserve District zoning to GR, Community Commercial district zoning. Planning Commission Recommendation: To Grant GR, Community Commercial District zoning with conditions. Applicant: Wolf Family Trust (Thomas J. Wolf, Jr.); Agent: Graves, Dougherty, Hearon and Moody (David Herndon) and Pac Ten Partners (Gary Brown). City Staff: David Wahlgren, 499-6455. (continued from 7/22/99 and 9/9/99)
This item was postponed to December 2, 1999 at the request of the applicant.
95. 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 postponed to December 2, 1999 at the request of the applicant.

96. C14-99-2032 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1402 West 6th Street from SF-3, Family Residence District to CS, General Commercial Services District zoning. Planning Commission Recommendation: To grant LO-MU, Limited Office-Mixed Use District zoning with conditions. Applicant: Tracy L. Firsching. City Staff: Katie Larsen, 499-3072.

Ordinance No. 991118-96 was approved.

97. C14-99-2044 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property located generally along east side of Mopac Expressway (Loop 1) South from Capital of Texas Highway (Loop 360) South to U.S. Highway 290 West and State Highway 71 West from I-RR, Interim-Rural Residence District zoning to P, Public District zoning. Planning Commission Recommendation: To Grant P, Public District zoning. Applicant: City of Austin; Agent: Parks and Recreation Department (Sarah E. Campbell). City Staff: Adam Smith, 499-2755.

First reading of this ordinance was approved.

98. C14-99-2048 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 3001 South Congress Avenue from GO-MU, General Office-Mixed Use district zoning to CS-1, Commercial-Liquor Sales District zoning. Planning Commission Recommendation: To Grant CS-1, Commercial-Liquor Sales District zoning. Applicant: St. Edwards University (David Dickson); Agent: Dick Lillie & Associates (Dick Lillie). City Staff: Adam Smith, 499-2755.

Ordinance No. 991118-98 was approved.

Item 99 was pulled for discussion.

100. C14-99-2050 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1316 South Congress Avenue from CS, General Commercial Services district zoning to CS-1, Commercial-Liquor Sales district zoning. Planning Commission Recommendation: To Grant CS-1, Commercial-Liquor Sales district zoning. Applicant: Luce, Inc. (Elizabeth Lambert); Agent: Urban Design Group (Norma Pena Raven). City Staff: Adam Smith, 499-2755.

First reading of this ordinance was approved.

101. C14-99-2056 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property located Northwest of Alberta Ridge Trail & Phantom Canyon Drive from I-RR, Interim-Rural Residence District zoning 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. Property Owner: Tomen Parke Associates, Ltd. City Staff: Katie Larsen, 499-3072.

Ordinance No. 991118-101 was approved.

102. C14-99-2057 - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 8047 Exchange Drive from I-RR, Interim-Rural Residence District zoning 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. Property Owner: Applicant: United States Postal Service. City Staff: Katie Larsen, 499-3072.

Ordinance No. 991118-102 was approved.

Item 103 was pulled for discussion.

104. C14-99-2088 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 4001 Island Knoll Drive from LA, Lake Austin residence district zoning to SF-1, Single-Family Residence (Large Lot) District zoning. Planning Commission Recommendation: To Grant SF-1-CO, Single-Family Residence (Large Lot)-Conditional Overlay Combining District zoning with conditions. Applicant: City of Austin; Agent, Development Review and Inspection Department. Owner: Michael H. and Barbara Neufeld. City Staff: Ellen Meadows, 499-2339.

First reading of this ordinance was approved.

105. C14-99-2092 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 2701 Island Ledge Cove from LA, Lake Austin residence district zoning to SF-1, Single-Family Residence (Large Lot) District zoning. Planning Commission Recommendation: To Grant SF-1-CO, Single-Family Residence (Large Lot)-Conditional Overlay Combining District zoning with conditions. Applicant: City of Austin, Agent: Development Review and Inspection Department. Property Owner: Owner: Howard & Jane Parker. City Staff: Ellen Meadows, 499-2339.

First reading of this ordinance was approved.

Items 106 through 108 were pulled for discussion.

109. C14H-99-0013 – Maverick-Miller House – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 910 Poplar Street from MF-4, Multifamily Residence (Moderate-High Density) District zoning to MF-4-H, Multifamily Residence-Historic (Moderate-High Density) District zoning. Planning Commission Recommendation: To Grant MF-4-H, Multifamily Residence-Historic (Moderate-High Density) District zoning. Applicant: Chase Bank of Texas, Independent Executor (David C. Wallace) (Estate of Emily M. Wells, deceased); Agent: Peter Flagg Maxson. City Staff: Barbara Stocklin, 499-2414.

First reading of this ordinance was approved.

111. C14H-99-2003 – Castleman-Bull House – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 308 East 7th Street from CBD, Central Business District zoning to CBD-H, Central Business District-Historic district zoning. Planning Commission Recommendation: To Grant CBD-H, Central Business District-Historic district zoning. Applicant: City of Austin; Agent: Development Review and

Inspection Department. Property Owner: St. David's Episcopal Church. City Staff: Barbara Stocklin, 499-2414.

This item was postponed to December 16, 1999.

112. C814-84-028.04 – Vista Ridge PUD - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 750 feet North of the intersection of Ladera Norte & Valburn Drive from PUD, Planned Unit Development district zoning to PUD, Planned Unit Development district zoning. 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: Jerry Rusthoven, 499-2741. Note: A valid petition has been filed in opposition to this rezoning request. (continued from 7/29/99 and 8/26/99)

This item was postponed to December 9, 1999.

DISCUSSION ZONING ITEMS

99. C14-99-2049 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 5537 Loyola Lane from SF-3, Family Residence District zoning to LI, Limited Industrial Service district zoning. Planning Commission Recommendation: To Grant LI-CO, Limited Industrial Service-Conditional Overlay Combining District zoning with conditions. Applicant: God's Power in Christian Fellowship (Elijah Holland, Jr.); Agent: Public Perceptions (Heyden Walker or Ed Lee). City Staff: Katie Larsen, 499-3072.

The public hearing was closed on Council Member Spelman's motion, Mayor Watson's second by a 6-0 vote. Council Member Garcia was off the dais.

The motion was to adopt first reading of this ordinance with an LI zoning was approved on Council Member Spelman's motion, Council Member Slusher's second by a 5-0 vote. Council Members Garcia and Lewis were off the dais.

103. C14-99-2058 - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 2305-2715 Ferguson Lane from I-RR, Interim-Rural Residence District zoning 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. Property Owner: ABGN Corporation. City Staff: Katie Larsen, 499-3072.

This item was postponed for 60 days on Mayor Pro Tem Goodman's motion, Council Member Slusher's second by a 5-0 vote. Council Members Garcia and Lewis were off the dais.

110. C14H-99-2002 – Collins-Wright Building – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 402 East Sixth Street from CBD, Central Business District zoning to CBD-H, Central Business District-Historic district zoning. Planning Commission Recommendation: To Grant CBD-H, Central Business District-Historic district zoning. Applicant: 402 East Sixth Ventures, Inc. (David DeSilva). City Staff: Barbara Stocklin, 499-2414.

First reading of the ordinance was approved subject to Building and Fire Code violations being corrected on Council Member Spelman's motion, Mayor Watson's second by a 4-0 vote. Council Members Garcia, Lewis and Slusher off the dais.

77. C14-99-0069 - Gotham Condominium - Approve second/third readings of an ordinance amending Chapter 25-2 by rezoning property locally known as 200-210 South Congress Avenue from LI, Limited Industrial Service District zoning to LI-PDA, Limited Industrial Service-Planned Development Area Combining District zoning with conditions. First reading on September 30, 1999; Vote: 5-2, Slusher and Griffith nay. Conditions met as follows: Ordinance incorporates the conditions imposed by Council at first reading. Applicant: HIXO, Inc. (Michael Hicks, President): Agent: Crocker Consultants (Sarah Crocker). City Staff: Susan Villarreal, 499-6319.

This item was postponed to December 9, 1999 on Council Member Spelman's motion, Mayor Watson's second by a 5-0 vote. Council Members Garcia and Lewis were off the dais.

79. C14-99-0129 - Southpark Meadows - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 9600 IH-35 Southbound Service Road from I-RR, Interim Rural Residence District to LO-CO, Limited Office-Conditional Overlay Combining District zoning with conditions for Tracts 1, 2a and 3, and CS-1-CO, Commercial Liquor Sales-Conditional Overlay Combining District zoning with conditions for Tract 2. First reading on October 7, 1999; Vote: 7-0. Conditions met as follows: Conditional overlay incorporates the conditions imposed by Council on first ordinance reading. Applicant: Theriot Family Partnership/Universal Concerts: Agent: Richard Suttle. City Staff: Joe Arriaga, 499-2308.

A motion was made to reopen the public hearing on Council Member Spelman's motion, Council Member Slusher's second by a 5-0 vote. Council Member Garcia and Lewis were off the dais.

The public hearing was closed on Council Member Slusher's motion, Council Member Spelman's second by a 6-0 vote. Council Member Garcia was off the dais.

A substitute motion to approve second reading of the ordinance and begin a Code change failed on Council Member Griffith's motion, Council Member Lewis' second by a 3-4 vote. Mayor Watson, Council Members Garcia, Slusher and Spelman voted no.

Ordinance No. 991118-79 was approved with direction to initiate Code amendment to allow alcoholic beverage consumption without the requirement of CS-1 district zoning on Council Member Spelman's motion, Mayor Watson's second by a 7-0 vote.

A motion was made to continue the Council meeting past 10:00 p.m. on Council Member Spelman's motion, Council Member Slusher's second by a 7-0 vote.

107. C14H-99-0014 - Buratti-Moreno Building, Part II - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1005 E. 6th Street (lots 17 - 18) from CS-1, Commercial-Liquor Sales District zoning to CS-1-H, Commercial-Liquor-Historic District zoning. Planning Commission Recommendation: To deny CS-1-H, Commercial-Liquor-Historic District zoning. Applicant: City of Austin. Agent: Development Review and Inspection Department. City Staff: Barbara Stocklin, 499-2414. (continued from October 28, 1999) Note: A valid petition has been filed in opposition to this rezoning request.

The public hearing was closed on Council Member Garcia's motion, Council Member Slusher's second by a 7-0 vote.

Ordinance No. 991118-107 reflecting the Planning Commission's recommendation to deny CS-1-H, Commercial-Liquor-Historic District zoning was approved on Council Member Garcia's motion, Mayor Watson's second by a 7-0 vote.

106. C14H-99-0004 - Buratti-Moreno Building, Part I - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1001-1003 E. 6th Street (lots 19 - 22) from CS-1, Commercial-Liquor Sales District zoning to CS-1-H, Commercial-Liquor-Historic District zoning. Planning Commission Recommendation: To grant CS-1-H for a portion of tract with conditions. Applicant: City of Austin. Agent: Development Review and Inspection Department. City Staff: Barbara Stocklin, 499-2414. (continued from October 28, 1999) Note: A valid petition has been filed in opposition to this rezoning request.

The public hearing was closed on Council Member Garcia's motion, Council Member Slusher's second by a 7-0 vote.

A motion was deny the Historic Designation failed on Council Member Garcia's motion, Mayor Watson's second by a 3-4 vote. Mayor Pro Tem Goodman, Council Members Griffith, Lewis and Spelman voted no.

A motion to approve the Planning Commission's recommendation on first reading of the ordinance failed because there was a valid petition filed and this required a minimum 6 to 1 vote for Council approval on Council Member Spelman's motion, Council Member Griffith's second by a 5-2 vote. Mayor Watson and Council Member Garcia voted no. The motion fails

76. 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. (continued from 10/28/99)

A motion was made to reopen the public hearing on Council Member Slusher's motion, Council Member Lewis' second by a 6-0 vote. Council Member Garcia was off the dais.

The public hearing was closed on Council Member Lewis' motion, Council Member Griffith's second by a 7-0 vote.

A motion to deny the zoning request failed because there was a valid petition filed and this required a minimum 6 to 1 vote for Council approval on Council Member Lewis' motion, Council Member Griffith's second on a 5-2 vote. Council Members Griffith and Lewis voted no.

A motion to approve the Planning Commission's recommendation failed because there was a valid petition filed and this required a minimum 6 to 1 vote for Council approval on Council Member Spelman's motion, Council Member Garcia's second by a 5-2 vote. Council Member Griffith and Lewis voted no. The motion failed.

A motion was made to reconsider on Mayor Pro Tem Goodman's motion, Mayor Watson's second by a 7-0 vote.

A motion to approve the Planning Commission's recommendation failed because there was a valid petition filed and this required a minimum 6 to 1 vote for Council approval on Council member Spelman's motion, Council Member Garcia's second by a 5-2 vote. Council Member Griffith and Lewis voted no. The motion failed.

59. Amend Ordinance No. 990914-1, the 1999-2000 Operating Budget for the Cultural Arts Fund, by increasing the revenue by \$144,810 and transferring \$144,810 to the Support Services Fund for the Austin Music Network and amending the Support Services Fund accordingly. (Funding in the amount of \$144,810 will come from the Cultural Arts Fund; \$105,190 from the General Fund; and some \$100,000 advertising revenue is expected to come from the Aviation Fund for assistance in increasing the live music venues at the Airport from two nights to five nights per week.) (Related to items no. 60 and 61)

Ordinance No. 991118-59 was approved on Council Member Lewis' motion, Council Member Spelman's second by a 7-0 vote.

61. Amend Section 5-3-6(A) of the Austin City Code to re-allocate a portion of the Hotel Occupancy Tax revenues as follows: provide an additional 5/7 percent of the hotel occupancy collected to the Cultural Arts Fund, and reduce the allocation to the Tourism/Promotion Fund by 5/7 percent. (Related to items no. 59 and 60)

Ordinance No. 991118-61 was approved on Council Member Lewis' motion, Council Member Spelman's second by a 7-0 vote.

60. Approve Amendment No. 2 to a thirty-six month music network management contract with Music Management Group, L.L.C., to increase the second year funding by \$350,000, for a total second year funding of \$350,000, with a total contract amount of \$1,150,000. (Funding is included in the 1999-2000 Approved Operating Budget of the Support Services Fund for the Financial and Administrative Services Department.) (Related to items no. 59 and 61)

A motion was to deny was made by Council Member Lewis. The motion died for lack of a second.

Resolution No. 991118-60 was approved on Mayor Pro Tem Goodman's motion, Mayor Watson's second by a 6-1 vote. Council Member Lewis voted no.

68. Approve a resolution authorizing negotiation and execution of an amendment to a professional services agreement with AIRPORT AND AVIATION PROFESSIONALS, INC., Naples, Florida, Contract No. M2045M, to provide financial consulting services to the Department of Aviation in an amount not-to-exceed \$75,000.00, for an amended total contract amount of \$163,000. (Funding in an amount of \$75,000 is included in the 1999-2000 Approved Capital

Budget for Aviation.) Sole Source. No MBE/WBE subcontracting opportunities were identified. (Airport Advisory Board Review 11/16/99)

This item was postponed on Council Member Lewis' motion, Council Member Garcia's second by a 7-0 vote.

75. C14-98-0158 – Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code zoning property locally known as 7100-7104 McNeil Drive from I-RR, Interim-Rural Residence district, to SF-6-CO, Townhouse and Condominium Residence-Conditional Overlay District zoning with conditions. First reading on April 8, 1999; Vote 7-0. Applicant: D.I.I., Inc. (Frank Greenberg); City Staff: Tammie Williamson, 499-6455.

This item was postponed to December 2, 1999 on Mayor Pro Tem Goodman's motion, Council Member Griffith's second by a 7-0 vote.

108. C14H-99-0007 - Lots 12, 13 and 14 of Pressler Street - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 615, 701 and 703 Pressler Street from SF-3-H, Family Residence District-Historic Zoning to SF-3 Family Residence District zoning. Planning Commission Recommendation: To grant SF-3, Family Residence District zoning for lots 12 and 13, and SF-3, Family Residence District zoning with conditions for lot 14. Applicant: Heritage Society of Austin. Agent: Richard Suttle Jr. City Staff: Barbara Stocklin, 499-2414. (continued from October 28, 1999) Note: A valid petition has been filed in opposition to this rezoning request.

Ordinance No. 991118-108 approving the Planning Commission's recommendation of SF-2 zoning for lots 12 and 13 D SF-2 (instead of SF-3) for the remaining portion of the tract was approved on Council Member Spelman's motion, Council Member Slusher's second by a 6-1 vote. Mayor Pro Tem Goodman voted no.

9. Consider a compensation and benefits package for the City Manager.
No action was taken on this item.

ADJOURNED at 12:15 a.m. on Mayor Pro Tem Goodman's motion, Council Member Griffith's second by a 7-0 vote.

The minutes for the Special Called Meeting of November 8, 1999 and the minutes for the Regular Meeting of November 18, 1999 and the correction to item #50, November 4, 1999 were approved on this the 2nd day of December, 1999 on Council Member Garcia's motion, Mayor Pro Tem Goodman 's second by a 6-0 vote. Council Member Lewis was absent.

