



Austin City Council MINUTES

**REGULAR MEETING
THURSDAY, JULY 1, 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.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session was held at 12:28 p.m.

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

Real Property – Section 551.072

132. Discussion of real property acquisition for the Barton Springs Clean Water Project (May 2, 1998 Election, Proposition Two)

A motion was made to hold a briefing on Council Member Griffith's motion, Council Member Garcia's second by a 5-0 vote. Mayor Pro Tem Goodman was off the dais. Council Member Spelman was absent.

Executive session ended at 1:28 p.m.

LIVE MUSIC: Ray Wylie Hubbard

INVOCATION: Pastor Steve Snow - Austin First Seventh Day Adventist Church

THE CITY COUNCIL OF AUSTIN, TEXAS, CONVENED IN A REGULAR MEETING AT 2:00 P.M. ON THURSDAY, JULY 1, 1999, AT CITY COUNCIL CHAMBERS, 307 WEST SECOND STREET, FOR THE FOLLOWING PURPOSES:

Mayor Watson called the meeting to order at 2:15 p.m.

40. Approve an ordinance authorizing the issuance of approximately \$25,000,000 City of Austin, Texas, Convention Center/Waller Creek Venue Project Bonds, Series 1999B, including the approval of other documents related to the issuance of the bonds. (\$134,412.00 estimated FY98-99 debt service requirement for the proposed bond sale will be provided by the previously imposed 2% Hotel Occupancy Tax.)

Ordinance No. 990701-40 was approved on Council Member Garcia's motion, Council Member Lewis' second by a 6-0 vote. Council Member Spelman was absent. The following was added to the motion by Council Member Griffith: The City Manager is directed to use his best efforts to see that all the necessary easements or rights of way are in place, within one year, to assure that there is continuous access to the Hike and Bike Trail that will be located adjacent to Waller Creek from 15th Street to Town Lake.

41. Authorize the issuance of approximately \$85,000,000 City of Austin, Texas, Hotel Occupancy Tax Subordinate Lien Revenue Bonds, Series 1999, including the approval of other documents related to the issuance of the bonds. (\$457,001.00 estimated FY98-99 debt service requirement for the proposed bond sale will be provided by the previously imposed 4.5% Hotel Occupancy Tax.)

Ordinance No. 990701-41 was approved on Council Member Garcia's motion, Council Member Lewis' second by a 6-0 vote. Council Member Spelman was absent.

42. Authorize the issuance of approximately \$6,445,000 City of Austin, Texas, Hotel Occupancy Tax Revenue Taxable Refunding Bonds, Series 1999, including the approval of other documents related to the issuance of the bonds. (\$940,259.00 estimated FY99-00 debt service requirement for the proposed bond sale will be provided by the Pledged Hotel Occupancy Tax Revenues.)

Ordinance No. 990701-42 was approved on Council Member Garcia's motion, Council Member Lewis' second by a 6-0 vote. Council Member Spelman was absent.

43. Authorize the issuance of approximately \$25,000,000 City of Austin, Texas, Convention Center/Waller Creek Venue Project Bonds, Series 1999A, including the approval of other documents related to the issuance of the bonds. (\$1,144,792.00 estimated FY99-00 debt service requirement for the proposed bond sale will be provided by the previously imposed 2% Hotel Occupancy Tax.)

Ordinance No. 990701-43 was approved on Council Member Garcia's motion, Council Member Lewis' second by a 6-0 vote. Council Member Spelman was absent.

1. Approval of Minutes for Regular Meetings of June 3, 1999

The minutes for the Regular Meeting of June 3, 1999 were approved on Council Member Garcia's motion, Council Member Lewis' second by a 6-0 vote. Council Member Spelman was absent.

CITIZEN COMMUNICATIONS: GENERAL

2. Richard Troxell – Homelessness in Austin
3. Paul Robbins
4. Robert L. Thomas – To discuss Termination and Employment at the Rosewood Recreation Center
5. John K. McMillan – Why Our City needs the new Austin Fragrant Flora Club
6. Gus Pena – Discuss City Budget and City Health Clinics
7. Johnette Langford – Human Rights Family Preservation
Absent

CONSENT AGENDA

ALL OF THE FOLLOWING ITEMS WERE ACTED ON BY ONE MOTION. NO SEPARATE DISCUSSION OR ACTION OCCURRED ON ANY OF THE ITEMS. THE CONSENT ITEMS WERE APPROVED ON COUNCIL MEMBER GARCIA'S MOTION, COUNCIL MEMBER GRIFFITH'S SECOND BY A 6-0 VOTE. COUNCIL MEMBER SPELMAN WAS ABSENT.

Item 8 was pulled for discussion.

9. Approve a resolution authorizing execution of a twelve month service agreement with BWI-SCHULENBURG, INC., Schulenburg, Texas, for the application of various granular fertilizers for the City golf courses for a total amount of \$89,106 with the option to extend for two additional twelve month periods in an amount not to exceed \$89,106 per extension for a total contract amount not to exceed \$267,318. (Funding in an amount of \$29,702 was included in the 1998-99 Approved Golf Enterprise Fund of the Parks and Recreation Department. Funding for the remaining eight months of the original contract period an extension options will be contingent upon available funding in future budgets.) Low bid of two. No MBE/WBE subcontracting participation.

Resolution No. 990701-9 was approved.

10. Approve a resolution authorizing execution of a contract with MUNIZ CONCRETE AND CONTRACTING, INC., (MBE/MH), Austin, Texas, for construction of Reed Park Play Area Renovation, in the amount of \$63,666. (Funding was included in the 1998-99 Amended Capital Budget and the 1998-1999 Amended Operating Budget of the Parks and Recreation Department.) Low bid of five. MUNIZ CONCRETE AND CONTRACTING, INC., (MBE/MH) Prime. 8.13% WBE Subcontracting participation.

Resolution No. 990701-10 was approved.

11. Approve a resolution authorizing execution of a contract with LUCENT TECHNOLOGIES, Austin, Texas for the purchase and installation of Lucent Technologies DEFINITY Expansion Port Node (EPN) remote module telephone system for the Parks and Recreation Department Headquarter's Building for a total contract amount of \$86,183.15. (Funding is available in the Capital Budget of Telecommunications.) Low bid of three. No MBE/WBE subcontracting participation.

Resolution No. 990701-11 was approved.

Item 12 was pulled for discussion.

13. Approve a resolution authorizing execution of a contract with BAGLEY'S FLOOR SERVICES, LTD., San Antonio, Texas, for the purchase and installation of carpet at the Waller Creek Center for a total contract amount of \$39,640. (Funding was included in the 1998-99 Approved Operating Budget for the Water and Wastewater Utility.) Low bid of three. No MBE/WBE subcontracting participation. (Recommended by the Water and Wastewater Commission.)

Resolution No. 990701-13 was approved.

14. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement between the City of Austin and Anderson Mill Municipal Utility District setting forth terms and conditions for temporary out-of-district water and wastewater service to Volente Subdivision. (This agreement will allow for an approximate \$3,022 yearly income in water revenues from Anderson Mill MUD.) [Recommended by Water and Wastewater Commission]

Resolution No. 990701-14 was approved.

15. Approve a resolution authorizing execution of a construction contract with HEYL CONSTRUCTION, LTD., Leander, Texas, for construction of water transmission main improvements within a 130 acre Planned Development Area and Industrial District located near the intersection of Parmer Lane and Anderson Mill Road for the Motorola North Water Transmission Main Project, in the amount of \$555,278. (Funding is included in the 1995-96 Amended Capital Budget of the Water and Wastewater Utility.) Low bid of five. 23.22% MBE, 8.45% WBE Subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 990701-15 was approved.

16. Approve an ordinance authorizing extension of the date of the wastewater capital recovery fee exemption for recently annexed property (Section 25-9-345 (B)(4)(b) of the Land Development Code) until December 31, 1999 for the single-family residence at 12404 Bluestone Circle. (Recommended by Water and Wastewater Commission)

Ordinance No. 990701-16 was approved.

17. Approve a resolution authorizing issuance by Northwest Austin Municipal Utility District 1 of Unlimited Tax Bonds, Series 1999, in an amount not to exceed \$1,900,000; approving the terms, conditions and covenants of the Bond Order and Preliminary Official Statement. (No fiscal impact to the City. The City is not obligated for payment on District bonds unless the District is dissolved.) [Recommended by Water and Wastewater Commission]

Resolution No. 990701-17 was approved.

18. Approve a resolution authorizing execution of a construction contract with INSITUFORM TECHNOLOGIES, INC., Chesterfield, Missouri, for the rehabilitation of the Bowie St. 30" Wastewater main, for a total contract amount not to exceed \$227,405.50. (Funding is available in the 1998-99 Amended Capital Budget of the Water and Wastewater Utility.)

Low bid of two. 4.4% MBE, .88% WBE Subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 990701-18 was approved.

19. Approve a resolution authorizing negotiation and execution of an amendment to the professional services agreement with BARNES ARCHITECTS, Austin Texas 78703, for additional design, bid and construction phase services for access road improvements for the proposed North Service Center located at 10414 McKalla Place, in an amount not to exceed \$130,966, for a total agreement amount not to exceed \$1,718,695. (Funding in the amount of \$130,966 is included in the 1998-99 Amended Capital Budget of the Water and Wastewater Utility Department.) 82.5% MBE, 7.5% WBE Subconsultants participation.

Resolution No. 990701-19 was approved. Council Member Griffith recused herself from this item.

Item 20 was pulled for discussion.

21. Approve a resolution authorizing execution of a twelve month supply agreement with VWR SCIENTIFIC PRODUCTS, Suwanne, Georgia, for the purchase of laboratory expendable supplies, for the Water and Wastewater Utility in an amount not to exceed \$150,000 with two twelve-month extension options in an amount not to exceed \$150,000 per extension option for a total contract amount not to exceed \$450,000. (Funding in the amount of \$37,500 was included in the Fiscal Year 1998-99 Approved Operating Budget for the Water and Wastewater Utility. Funding for the remaining nine months of the original contract period and 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. 990701-21 was approved.

22. Approve a resolution ratifying Amendment No. 1 to extend the contract period by two months and increase the current supply agreement with CYTEC INDUSTRIES, INC., West Paterson, New Jersey, for the purchase of an additional 540,000 lbs. of liquid emulsion cationic polymer for the Water and Wastewater Utility in an amount not to exceed \$513,000 for a total revised contract amount not to exceed \$934,648. (Funding in the amount of \$293,142 was included in the Fiscal Year 1998-99 Approved Operating Budget

for the Water and Wastewater Utility. Funding for the remaining three months of the contract period is contingent upon available funding in the future budgets.) No Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)

Resolution No. 990701-22 was approved.

23. Approve an ordinance authorizing acceptance of \$8,421 in grant funds from the Texas Department of Health, Housing Opportunities for Persons With AIDS (HOPWA-TDH) grant program. Amend Ordinance 980915-A, the 1998-99 Operating Budget, by appropriating \$8,421 in grant funds for the Health and Human Services Department's Special Revenue Fund for a total grant amount of \$23,421. (Funding is available from the Texas Department of Health, Housing Opportunities for Persons With AIDS (HOPWA-TDH 99-00) grant

program. The grant period is February 1, 1999 through January 1, 2000. No match is required.)

Ordinance No. 990701-23 was approved.

24. Approve a resolution authorizing an Interlocal Cooperation Agreement between the City of Austin and Austin Independent School District for Community Change for Youth Development Program to enhance Community Education in the 78702 zip code. This is effective from June 1, 1999 through September 30, 1999, for an amount not to exceed \$16,718. (Funding is available from the 1998-1999 Community Change for Youth Development Grant. Grant period is January 1, 1999 to December 31, 1999.)

Resolution No. 990701-24 was approved.

25. Amend Ordinance 980915-A, the 1998-99 Approved Operating Budget of the Health and Human Services Department's Special Revenue Fund by adding one grant funded full-time equivalent position (1.0 FTE) to the Ryan White Title III Early Intervention grant program for a total of six and one-half grant funded positions (6.5 FTEs) (Funding in an amount of \$52,772 is available in the 1998-99 Approved Operating Budget of the Health and Human Services Department's Special Revenue Fund, Ryan White Title III Early Intervention grant program. Grant period is January 1, 1999 through December 31, 1999. Total grant amount is \$597,805. A grant match is not required.)

Ordinance No. 990701-25 was approved.

26. Amend Ordinance 980915-A, the 1998-1999 Operating Budget of the Health and Human Services Department Special Revenue Fund by appropriating \$22,381 in grant funds from the Texas Department of Health, Bureau of Children's Health, for a total grant amount of \$135,381. (Funding in an amount of \$22,381 is available from the Texas Department of Health, Bureau of Children's Health. The grant period is September 1, 1998 to August 1, 1999.)

Ordinance No. 990701-26 was approved.

27. Approve the First Amendment to the Interlocal Cooperation Agreement Between the City of Austin and the Austin Independent School District for the Southeast Austin Community Youth Development Program in an amount not to exceed \$11,821, for a total of \$205,633 authorizes two twelve-month renewal options not to exceed \$205,633 per extension, for a three-year total amount not to exceed \$616,899 (Funding in an amount of \$11, 821 is available in the Special Revenue Fund for the Health and Human Services Department from the Texas Department of Protective and Regulatory Services Southeast Austin Community Youth Development grant. Term of the Interlocal runs concurrent with the grant term, or from September 1 through August 31 for each year referenced in this action.)

(Approved by the Community Steering Committee)

This item was pulled from the agenda.

28. Approve a resolution ratifying a construction contract with B.J. ELECTRIC COMPANY, Pflugerville, Texas, for installation of an emergency generator at the Rebekah Baines Johnson (RBJ) Building located at 1500 Waller Street, in the amount of \$237,289. (Funding was included in the 1996-97 Capital Budget of the Health and Human Services Department.) Low bid of three. No MBE/WBE subcontracting participation.

Resolution No. 990701-28 was approved.

29. Approve a resolution authorizing execution of a twelve month supply agreement with J-V TRUCKING, Austin, Texas for purchase of topsoil and sandy loam in an amount not to exceed \$175,750 with two twelve-month extension options in an amount not to exceed \$175,750 per extension for a total contract amount not to exceed \$527,250. (Funding in the amount of \$164,500 for Watershed Protection Department and \$11,250 for the Department of Public Works and Transportation. \$41,125 is available in the 1998-99 Approved Operating Budget of the Watershed Protection Department and \$2,813 was included in the 1998-99 Approved Operating Budget of the Department of Public Works and Transportation. Funding for the remaining nine months of the original contract period and extension options is contingent upon available funding in future budgets.)

Resolution No. 990701-29 was approved.

Item 30 was pulled for discussion.

31. Approve third reading of an ordinance authorizing a seven-year license agreement with a three-year renewal option with LEVEL 3 COMMUNICATIONS, L.L.C. for placement of underground fiber optic cable in public rights-of-way over a designated route of the City. (\$29,325 Unanticipated Franchise Fee Revenue for the General Fund for 1998-99.)

Ordinance No. 990701-31 was approved.

32. Approve third reading of an ordinance authorizing a license agreement with ENRON COMMUNICATIONS, INC., for placement of underground fiber optic cable in public rights-of-way. (\$64,448 Unanticipated Franchise Fee Revenue for the General Fund for 1998-99.)

Ordinance No. 990701-32 was approved.

33. Approve third reading of an ordinance granting a seven-year franchise agreement with a five-year renewal option to Bluebonnet Electric Cooperative, Inc. (\$31,250 in unanticipated revenue for the Fiscal Year 1998-99 General Fund)

Ordinance No. 990701-33 was approved.

34. Approve third reading of an ordinance granting a non-exclusive municipal consent agreement to TELEPORT COMMUNICATIONS HOUSTON INC., to provide telecommunications services. (Facilities will be under construction and will not be operational in Fiscal Year 1998-99. Revenue may result from fees to be negotiated in subsequent years.) [Recommended by Telecommunications Commission]

Ordinance No. 990701-34 was approved.

35. Approve a resolution ratifying an amendment to the professional services agreement with FREESE AND NICHOLS, INC., Austin, Texas, for additional design services for the Loyola Lane Street Improvement Project, in the amount of \$96,230 for a total contract amount not to exceed \$664,309.17. (Funding in the amount of \$58,030 was included in the 1991-92 Amended Capital Budget of the Department of Public Works and Transportation; \$38,200 was included in the 1995-96 Amended Capital Budget of the Water Utility.) 11% MBE, 33% WBE Subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 990701-35 was approved.

36. Approve a resolution ratifying a construction contract with RYAN-O EXCAVATING, P.O. Box 727, Lockhart, Tx 78644, for street and utility improvements on Manchaca Road between Ben White Boulevard and Stassney Lane, for the Manchaca Road Street Reconstruction, Overlay and Utility Adjustment Project, in the amount of \$1,740,163 plus \$87,008 to be used as a contingency fund, for a total amount not to exceed \$1,827,171. (Funding in an amount of \$1,368,455 was included in the 1998-99 Amended Capital Budget of the Department of Public Works & Transportation; \$9,000 was included in the 1995-96 Amended Capital Budget of the Wastewater Utility; \$447,716 was included in the 1996-95 Amended Capital Budget of the Water Utility. \$2,000 is available in the 1998-99 Operating Budget of the Watershed Protection Department.) Low bid of five. 9.48% MBE, 22.7% WBE Subcontracting participation. (Recommended by Water and Wastewater Commission)
Resolution No. 990701-36 was approved.
37. Approve a resolution ratifying Change Order 5 to the construction contract with TECOM UST SYSTEMS, INC., Austin, Texas, for the addition and deletion of work required to complete the Vehicle Fuel Facilities Reconstruction Projects at Kramer Lane and Koenig Lane Service Centers and at EMS Station 5, increasing the contract in the amount of \$42,834.29, for a total contract amount not to exceed \$684,105.19. (Funding in an amount of \$42,834.29 is available in the 1998-99 Capital Budget of the Fleet Services Division of Financial and Administrative Services.) .25% MBE, 0% WBE Subcontracting participation.
Resolution No. 990701-37 was approved.
38. Approve a resolution ratifying professional service agreements with the following five firms: COBB, FENDLEY & ASSOCIATES, INC., Houston, Texas; TBE GROUP, INC., Austin, Texas; SO-DEEP, INC., San Antonio, Texas; SURVEYING AND MAPPING, INC., (MBE/MB), Austin, Texas, and GEOTRACK, INC., Baytown, Texas; to provide subsurface utility engineering (SUE) rotation list services for various City of Austin Capital Improvement Projects for an estimated period of three years or until financial authorization is expended, each agreement not to exceed \$2,500,000 with a total of the five agreements not to exceed \$2,500,000 (estimated approximately \$500,000 per firm.) [Funding for these services is available in the Capital Budgets and/or operating budgets of the various departments for which services are needed.] COBB, FENDLEY & ASSOCIATES, INC.: 9% MBE, 18.20% WBE; TBE GROUP, INC.: MBE 8.7% WBE; 18.2%; SO-DEEP, INC.: 10% MBE, 16.9% WBE; SURVEYING AND MAPPING, INC., (MBE/MB); 80% Prime, No WBE Subcontracting participation; GEOTRACK, INC. No MBE/WBE subcontracting participation.
Resolution No. 990701-38 was approved.

39. Approve a resolution ratifying Change Order 3 to the construction contract with BRAUN & BUTLER CONSTRUCTION, INC., Austin, Texas, for electrical and HVAC changes at the Zaragoza Technical Support Services Warehouse, and for moving and storing furnishings at the Oak Springs Branch Library, as part of the Four Library Department Facilities Access Improvements Project, increasing the contract in the amount of \$7,636.50, for a total contract not to exceed \$932,200.50. (Funding in the amount of \$1,788.50 is available in the 1998-99 Operating Budget of the Library Department. \$5,848.00 is available in the 1998-99 Capital Budget of the Department of Public Works & Transportation.) 23.64% MBE; 61.52% WBE; subcontracting participation.

Resolution No. 990701-39 was approved.

Items 40 through 43 were pulled for discussion.

44. Approve a resolution ratifying a contract with F & W ELECTRICAL CONTRACTORS, Floresville, Texas for Precision Approach Path Indicator Infrastructure Construction at Austin-Bergstrom International Airport, in the amount of \$160,012.75 plus a contingency fund of \$ 32,002.55 for a total contract amount not to exceed \$192,015.30. (Funding in an amount of \$192,015.30 is included in the 1998-99 Amended Capital Budget for Aviation.) Low bid of five. 9.69% MBE; No WBE Subcontracting participation. (Recommended by Airport Advisory Board)

Resolution No. 990701-44 was approved.

Items 45 through 46 were pulled for discussion.

47. Approve a resolution honoring former Council Member Robert Mueller by naming the major conference room at Austin-Bergstrom International Airport the Robert Mueller Conference Room.

Resolution No. 990701-47 was approved.

48. Approve a resolution authorizing execution of an Amendment to increase the contract amount for AUSTIN BRIDGE AND ROAD, Austin, Texas for construction change orders for the Fixed Base Operator Apron at Austin-Bergstrom International Airport (ABIA), in the amount of \$800,000 for a revised not-to-exceed total amount of \$6,722,873. (Funding in the amount of \$800,000 is included in the 1998-99 Amended Capital Budget for Aviation.) Sole bidder. 22.23% MBE, 11.49% WBE Subcontracting participation. (Recommended by Airport Advisory Board)

Resolution No. 990701-48 was approved.

49. Approve a resolution to ratify a contract with RUIZ PROTECTIVE SERVICES, INC., Dallas, Texas, to provide security guard services twenty-four hours per day at Austin-Bergstrom International Airport for a ten week period in an amount not to exceed \$202,098.70 with six one-week extension options in an amount not to exceed \$20,209.87 per extension for a total contract amount not to exceed \$323,357.92. (Funding in the amount of \$323,357.92 is included in the 1998-99 amended Capital Budget for Aviation.) Low bid of four. (Recommended by Airport Advisory Board)

Resolution No. 990701-49 was approved.

Items 50 through 52 were pulled for discussion.

53. Approve a resolution ratifying the execution of an Amendment to increase the contract amount for NEC BUSINESS COMMUNICATION SYSTEMS (WEST), INC., Irving, Texas, for construction change orders for the Telecommunications Services system (U2170C) for Austin-Bergstrom International Airport, in the amount not to exceed of \$750,000 for a revised not to exceed total amount of \$8,957,050. (Funding in the amount of \$750,000 is included in the 1998-1999 Capital Budget for Aviation.) One responsive proposal received. No MBE/WBE subcontracting participation. (Recommended by Airport Advisory Board)

Resolution No. 990701-53 was approved.

Item 54 was pulled for discussion.

55. Approve a resolution authorizing a supplemental amendment to a Professional Services Agreement with GEOMATRIX CONSULTANTS, Austin, Texas, for the final phase of professional services for the environmental remediation of Robert Mueller Municipal Airport, (RMMA), awarded for Environmental Assessment services, geared to meet the requirements of the Texas Natural Resources Conservation Commission (TNRCC) Voluntary Cleanup Program, in the amount of \$735,000 for a total of \$1,582,018. (Funding in the amount of \$735,000 is included in the 1998-99 Operating Budget for Aviation to implement environmental cleanup recommended by the Phase II assessment and to conduct follow-up activities related to the voluntary cleanup program.) 19.33% MBE; 12.79% WBE Subcontracting participation. (Recommended by Airport Advisory Board)

Resolution No. 990701-55 was approved.

56. Approve a resolution authorizing execution of a twelve month supply agreement with RAINBOW MATERIALS, (MBE-MH), Austin, Texas for purchase of ready mix concrete and mortar mixes in an amount not to exceed \$173,637.50 with two twelve-month extension options in an amount not to exceed \$173,637.50 per extension for a total contract amount not to exceed \$520,912,50. (Funding in the amount of \$43,410 was included in the 1998-99 Approved Operating Budget of the Department of Public Works & Transportation, Transportation Fund. (Funding for the remaining nine 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. 990701-56 was approved.

57. Approve an ordinance authorizing the vacation of a portion of the right-of-way at the 1100-1200 Block of Wheatley Avenue at the request of RANDALL JONES ENGINEERING on behalf of St. Johns Housing Partnership, LP (\$3,000 in revenue will be receipted to the General Fund.)

Ordinance No. 990701-57 was approved. Council Member Lewis recused himself from this item and was off the dais.

58. Approve a resolution authorizing negotiation and execution of an amendment to the professional services agreement with CHIANG, PATEL AND YERBY, INC., Austin, Texas, for Phase II design and bid document preparation for the William Cannon Bridge over Onion Creek and roadway transitions, in the amount of \$42,852 for a total agreement amount not to

exceed \$67,852. (Funding in the amount of \$41,852 is available in the 1998-99 Amended Capital Budget of the Department of Public Works and Transportation.) No MBE/WBE subcontracting participation.

Resolution No. 990701-58 was approved.

59. Approve ratification of Change Order 3 to the construction contract with SCR CONSTRUCTION, INC., Richmond, Texas, for the addition of vehicular railings needed for the Emmett Shelton Bridge Repair and Modification Project, increasing the contract in the amount of \$55,744 for a total contract amount not to exceed \$923,972. (Funding in the amount of \$55,744 is included in the 1998-99 Amended Capital Budget of the Department of Public Works and Transportation.) No MBE/WBE subcontracting participation.

Resolution No. 990701-59 was approved.

60. Approve a resolution authorizing execution of a contract with EASTERN ELECTRIC APPARATUS REPAIR CO., INC., Houston, Texas, for the repair of the Holly 2 exciter in an amount of \$57,306. (Funding was included in the 1998-99 Approved Operating Budget for the Electric Utility Department.) Low bid of three. No MBE/WBE Subcontracting participation. (Recommended by Electric Utility Commission)

Resolution No. 990701-60 was approved.

61. Approve a resolution authorizing negotiation and execution of a professional services agreement with DUKE ENGINEERING AND SERVICES, INC., Austin, Texas, for engineering services for Electric Power Delivery Systems, in an annual amount of \$2,500,000, with two one-year extension option in the maximum total annual amount of \$2,500,000, for a total authorization amount of \$7,500,000. (Funding in the amount of \$2,500,000 is available in the 1998-99 Approved Operating Budget of the Austin Energy Department. Funding for the extension option is contingent upon available funding in future years' budget.) Best of four RFQs. 12.6% MBE; 18.5% WBE Subcontracting participation. (Recommended by Electric Utility Commission)

Resolution No. 990701-61 was approved.

62. Approve a resolution authorizing the issuance of a Letter of Intent and a rebate in the amount of \$67,044 to the JPI DEVELOPMENT for the installation of high-efficient air conditioners at the Jefferson Hill Country Apartments Complex. Energy improvements qualifying for this rebate will save an estimated 262 kilowatts at a program cost of \$256 per kilowatt saved. The comparable cost from a gas turbine is \$1,329 per KW, including fuel, operation, and maintenance. Each high efficient air conditioning will save the residents between \$70 and \$135 per cooling season in energy costs. (Funding in the amount of \$67,044 is available in the 1998-99 Approved Operating budget of the Conservation Rebates and Incentive Budget of the Electric Utility Department.) [Recommended by Electric Utility Commission and Resource Management Commission]

Resolution No. 990701-62 was approved.

63. Approve a resolution authorizing the issuance of a Letter of Intent and a rebate in the amount of \$86,000 to AMLI RESIDENTIAL CONSTRUCTION for the installation of high-efficient heat pumps at the AMLI at Monterey Oaks Apartments Complex. Energy improvements qualifying for this rebate will save an estimated 264 kilowatts at a program cost of \$326 per

kilowatt saved. The comparable cost from a gas turbine is \$1,329 per KW, including fuel, operation, and maintenance. Each high efficient heat pump will save the residents between \$70 and \$135 per cooling season in energy costs. (Funding in the amount of \$86,000 is available in the 1998-99 Approved Operating budget of the Conservation Rebates and Incentive Budget of the Electric Utility Department.) [Recommended by Electric Utility Commission and Resource Management Commission]

Resolution No. 990701-63 was approved.

64. Approve an ordinance authorizing changing the street name for the entire length of Ridgeline to RIDGELINE DRIVE, from the intersection of Ridgeline and Mesa Drive in a westerly direction to the intersection of Ridgeline and Ridgeline North. (The processing fees are waived due to City of Austin/E911 initiation. Street sign costs do not need to be funded because Ridgeline is a private street. The street sign currently reads Ridgeline Drive.)

Ordinance No. 990701-64 was approved.

65. Approve a resolution authorizing execution of a contract with LONGHORN INTERNATIONAL TRUCKS, LTD, for purchase of one truck cab and chassis with a mounted brush chipper body in the amount of \$54,277. (Funding was included in the 1998-99 Amended Capital Budget of the Solid Waste Department.) Low bid of two. No MBE/WBE subcontracting participation. (Recommended by Solid Waste Advisory Commission)

Resolution No. 990701-65 was approved.

66. Approve a resolution authorizing execution of a contract with LONGHORN INTERNATIONAL TRUCKS, LTD, for purchase of one refuse collection truck with a 60 month, 72,000 mile extended engine warranty in the amount of \$82,971. (Funding was included in the 1998-99 Approved Operating Budget of the Solid Waste Department.) Low bid of two. No MBE/WBE subcontracting participation. (Recommended by Solid Waste Advisory Commission)

Resolution No. 990701-66 was approved.

67. Approve a resolution authorizing execution of a contract with ALL WEATHER EQUIPMENT CO., Georgetown, Texas, for purchase of one mini truck loader with an attachable brush cutter for the Watershed Protection Department in the amount of \$70,980. (Funding was included in the 1998-99 Amended Capital Budget of the Watershed Protection Department.) Single Bid. No MBE/WBE subcontracting participation.

Resolution No. 990701-67 was approved.

Item 68 was pulled for discussion.

69. Approve a resolution authorizing fee simple acquisition of Lot 1, Block K, Onion Creek Forest, Section 2, locally known as 5501 Thornhill Drive, Austin, Texas, from HERIBERTO AND MARIA LEAL for the Onion Creek Flood Control Project, in the amount of \$51,700 plus \$10,800 in relocation benefits, for a total amount not to exceed \$62,500. (Funding is included in the 1998-99 Amended Capital Budget of the Watershed Protection Department.)

Resolution No. 990701-69 was approved.

70. Approve an ordinance authorizing the acceptance of \$79,978 in tenth year grant funding from the State of Texas, Governor's Office, Criminal Justice Division, Victims of Crime Act (VOCA) Fund, to continue the grant program "Enhancing Existing Victim Assistance Program"; amend Ordinance 980915-A, the 1998-99 Operating Budget, amending the Austin Police Department Special Revenue Fund, by adding one full-time equivalent (FTE) victim counselor. (Grant funding is available from the Victims of Crime Act (VOCA) Fund through the State of Texas, Governor's Office, Criminal Justice Division, for the grant period July 1, 1999–June 30, 2000. An in-kind match of \$32,240 is required and will be met by existing salary funding approved in the FY 1998-99 Operating Budget and proposed in the FY 1999-00 Operating Budget for the Austin Police Department, Victim Services Program, and volunteer participation.)

Ordinance No. 990701-70 was approved.

71. Approve a resolution authorizing the acceptance of \$79,986 in third year grant funding from the State of Texas, Governor's Office, Criminal Justice Division, Victims of Crime Act (VOCA) Fund, to continue implementation of a grant program to improve services to victims of family violence and stalking. \$79,986. (Grant funding is available from the Victims of Crime Act (VOCA) Fund through the State of Texas, Governor's Office, Criminal Justice Division, for the grant period July 1, 1999–June 30, 2000. An in-kind match of \$37,229 is required and will be met by existing salary funding approved in the FY 1998-99 Operating Budget and proposed in the FY 1999-00 Operating Budget for the Austin Police Department, Victim Services Program, and volunteer participation. Funding for the continued operation of this program is contingent upon available funding in future budgets.)

Resolution No. 990701-71 was approved.

72. Approve a resolution authorizing the acceptance of \$79,986 in third year grant funding from the State of Texas, Governor's Office, Criminal Justice Division, Violence Against Women Act (VAWA) Fund, to continue implementation of a grant program to provide outreach to female victims of family violence and stalking. (Grant funding is available from the Violence Against Women Act (VAWA) Fund through the State of Texas, Governor's Office, Criminal Justice Division, for the grant period December 1, 1999 – November 30, 2000. An in-kind match of \$39,567 is required and will be met by funding proposed in the FY1990-00 Operating Budget for the Austin Police Department. This amount represents an existing salary approved in the 1998-99 Operating Budget for the Austin Police Department, Victim Services Program. Because the grant period is in FY 00, no budget action is requested at this time. The grant funding, expenditures and in-kind match will be included in the Proposed FY 00 Operating Budget and Special Revenue Fund for the Austin Police Department. Funding for the continued operation of this program is contingent upon available funding in future budgets.)

Resolution No. 990701-72 was approved.

73. Approve a resolution authorizing the acceptance of \$79,986 in second year grant funding from the State of Texas, Governor's Office, Criminal Justice Division, Violence Against women Act (VAWA) Fund, to provide assistance to female victims of domestic violence and affected family members. (Grant funding is available from the Violence Against Women Act (VAWA) Fund through the State of Texas, Governor's Office, Criminal Justice Division, for the grant period June 1, 1999 – May 31, 2000. An in-kind match of \$31,103 is required and represents

an existing salary approved in the 1998-99 Operating Budget for the Austin Police Department and proposed in the FY 1999-00 Operating Budget for the Austin Police Department, Victim Services Program. Funding for the continued operation of this program is contingent upon available funding in future budgets.)

Resolution No. 990701-73 was approved.

74. Approve an ordinance authorizing the acceptance of \$79,986 in first year grant funding from the State of Texas, Governor's Office, Criminal Justice Division, Victims Of Crime Act (VOCA) Fund, for the Austin Police Department to enhance Emergency Intake within Victim Services; amend Ordinance 980915-A, the 1998-99 Operating Budget, amending the Austin Police Department Special Revenue Fund, by increasing funding and expenditures by \$79,986 and adding two full-time equivalent (FTE) victim counselors. (Grant funding is available from the Victims of Crime Act (VOCA) Fund through the State of Texas, Governor's Office, Criminal Justice Division, for the grant period July 1, 1999 – June 30, 2000. An in-kind match of \$34,424 is required and represents existing salary costs approved in the 1998-99 Operating Budget and proposed in the FY 1999-00 Operating Budget for the Austin Police Department, Victim Services Program. Funding for the continued operation of this program is contingent upon available funding in future budgets.)

Ordinance No. 990701-74 was approved.

Item 75 was pulled for discussion.

76. Approve a resolution ratifying a contract with L & E MOBILE COMPUTER & MOUNTS, Woodlands, Texas, for the purchase of semi-ruggedized laptops for the Austin Police Department in the amount of \$212,907.36. (Funding in the amount of \$76,325.28 is included in the Advanced Community Policing Grant Program. Funding in the amount of \$136,582.08 is included in 1998 Local Law Enforcement Block Grant Program.) Low bid of fourteen. No subcontracting opportunities were identified.

Resolution No. 990701-76 was approved.

Item 77 was pulled for discussion.

78. Approve second reading an ordinance authorizing to annex, for limited purposes (planning, zoning, health and safety), the approximately 588 acre Balfour tract located on the north side of Bee Cave Road approximately .5 miles west of the intersection of Bee Cave Road and Senna Hills Drive. (The limited purpose annexation of undeveloped land has no fiscal impact.)

The second reading of this ordinance was approved.

79. Set a public hearing to amend the Austin Tomorrow Comprehensive Plan by adopting the Chestnut Neighborhood Plan for the area bounded by Martin Luther King Jr. Blvd., Chicon Street, East 12th Street and Miriam Street. (There is no fiscal impact associated with adopting the Plan. An estimate of the fiscal impact to implement all of the recommendations in the plan is \$2,074,048. This plan is advisory and does not legally obligate the City Council to implement any particular recommendation.) [Planning Commission voted to recommend the plan] Suggested Date and Time: July 15, 1999 at 6:00 p.m.

Resolution No. 990701-79 was approved.

80. Approve a resolution authorizing amendments to the City's 1998/99 Community Development Program and federal Annual Consolidated Plan to reprogram \$1,762,894 in CDBG funds and pre-award \$2,600,000 from anticipated CDBG allocations. (CDBG funds in the amount of \$1,762,894 are available from the allocation of current and prior year's funds. \$1,000,000 will be made available in the FY 1999/2000 Consolidated Plan allocation for CDBG funds. \$1,500,000 will be made available in the FY 2000/2001 CDBG allocation.)

Resolution No. 990701-80 was approved.

81. Approve a resolution ratifying Change Order 2 to the construction of BRAUN AND BUTLER CONSTRUCTION, INC., Austin, Texas, for additional labor and materials for the vehicle exhaust system in the apparatus room of the Fire/EMS Station located at 10111 Anderson Mill Road, increasing the contract in the amount of \$34,241 for a total contract amount not to exceed \$1,652,083.78. (Funding in the amount of \$34,241 is available in the 1997-98 Amended Capital Budget of the Austin Fire Department.) No MBE/WBE subcontracting participation.

Resolution No. 990701-81 was approved.

82. Approve a resolution authorizing execution of Change Order 2 to the construction of BRAUN AND BUTLER CONSTRUCTION, INC., Austin, Texas, for additional labor and materials to expand the scope of the project due to the need for cave mitigation and a vehicle exhaust system in the apparatus room as part of the Fire/EMS Station at Four Points, increasing the contract in the amount of \$142,868.90 for a total contract amount not to exceed \$1,925,233. (Funding in the amount of \$142,868.90 is available in the 1997-98 Amended Capital Budget of the Austin Fire Department.)

Resolution No. 990701-82 was approved.

83. Approve a resolution authorizing the negotiation and execution of a sixty month lease of approximately 11,331 square feet of office space, to be used by the SMBR One Stop Shop Small Business Assistance Center at 500 Chicon Street, Austin, Texas, 78702, from 500 CHICON, LTD, Austin, Texas, in an amount not to exceed \$906,480. (Funding in the amount of \$15,108 was included in the FY 1998-99 Community Development Block Grant (CDBG) funds. Funding for the remainder of the agreement will be provided by CDBG dollars. Funding for the remaining contract period is contingent upon future grant awards.)

This item was pulled from the agenda.

Item 84 was pulled for discussion.

85. C14-98-0150 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code zoning property locally known as Southeast of the intersection of Wells Branch Parkway and Heatherwild Boulevard from "I-RR" Interim – Rural Residential district to "MF-2" Multifamily Residence, (Low Density)-district zoning on Tract 1 and "GR", Community Commercial- district zoning on Tract 2, with conditions. First reading on May 20, 1999; Vote 7-0. Conditions met as follows: No conditions were imposed by Council on first ordinance reading. Applicant: Wellspoint Real Estate Investments (Karen L. Burks) Agent: Land Strategies, Inc. (Paul W. Linehan). City Staff: David Wahlgren, 499-6455.

Ordinance No. 990701-85 was approved.

86. C14-98-0209 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 805 Woodward Street, from “MF-3-CO” Multi-Family Residence (Medium Density) – Conditional Overlay Combining district, to LI-PDA, Limited Industrial Service-Planned Development Area Combining district zoning. First reading on May 6, 1999; Vote: 6-0 (Watson-off the dais). Conditions met as follows: No conditions were imposed by Council at first ordinance reading. Applicant: Sachem, Inc. (Ben Turner; Agent: Consort, Inc. (Ben Turner). City Staff: Susan Villarreal, 499-6319.

Ordinance No. 990701-86 was approved.

Items 87 through 91 were pulled for discussion.

92. C14-99-0041 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3563 Far West Blvd. From “GR”, Community Commercial to “CS-1-CO”, Commercial-Liquor Sales-Conditional Overlay Combining district, with conditions. First reading on May 20, 1999; Vote (7-0). Conditions met as follows: Conditional overlay incorporates conditions imposed by Council on first reading. Applicant: Far West & Woodhollow, Ltd. (James T. Ross); Agent: Jim Bennett. City Staff, Ellen Meadows, 499-2339.

Ordinance No. 990701-92 was approved.

93. C14-99-0001 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 44-48 Rainey Street from “LO”, Limited Office district to “DMU-CO”, Downtown Mixed Use-Conditional Overlay Combining district zoning with conditions. First reading: June 3, 1999; Vote 7-0. Conditions met as follows: Conditional Overlay incorporates conditions imposed by Council at first ordinance reading. Applicant: TD-II, LLC (Gordon Dunway); Agent: Crocker Consultants (Sarah Crocker). City Staff: Ellen Meadows, 499-2339. Note: A valid petition has been filed in opposition to this rezoning request.

Ordinance No. 990701-93 was approved.

See action on item 94 later in these minutes.

95. C14-99-0044 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 2435 Oak Crest Avenue, from MF-2, Multifamily Residence (Low Density) and SF-3, Family Residence, to LO-CO, Limited Office-Conditional Overlay Combining district zoning with conditions. First reading on June 3, 1999; Vote: 7-0. Conditions met as follows: Conditional Overlay incorporates conditions imposed by Council at first ordinance reading. Applicant: Monsignor Donald Fruge; Agent: Minter, Joseph & Thornhill. City Staff: Susan Villarreal, 499-6319.

Ordinance No. 990701-95 was approved.

96. Set a public hearing to consider an ordinance-amending Chapter 25-2 of the City Code relating to the use and site development regulations for a “Software Development” use. Case No.: C20-99-006. City Staff: Greg Guernsey, 499-2387. (Suggested Date and Time: July 15, 1999 at 6:00 p.m.)

Resolution No. 990701-96 was approved.

97. Set a public hearing to consider an ordinance-amending Chapter 25-2 relating to the use and site development regulations for the Waterfront Overlay (WO) District and creating a new subdistrict for the new City Hall area. Case No.: C20-99-014. City Staff: Greg Guernsey, 499-2387. (Suggested Date and Time: July 15, 1999 at 6:00 p.m.)

Resolution No. 990701-97 was approved.

Item 98 was pulled for discussion.

99. Approve a resolution dissolving the Mexican American Cultural Center Task Force (As Recommended by the MACC Task Force). (Council Member Gus Garcia)

Resolution No. 990701-99 was approved.

100. Approve an ordinance adding a new section 16-1-20 to the City Code regarding solicitations between occupants of motor vehicles and pedestrians and creating an offense for said solicitation. (Council Members Gus Garcia, Daryl Slusher and William Spelman)

This item was pulled from the agenda.

101. An Ordinance repealing Ordinance No. 990520-50 and abolishing the One-Stop Labor Center Advisory Board (Council Members Gus Garcia, Daryl Slusher and Mayor Pro-Tem Jackie Goodman)

Ordinance No. 990701-101 was approved.

102. Approve a resolution directing the City Manager to form a transition team to assist with the transition of the Day Labor Program from the old site to the new site. (Council Member Garcia, Council Member Daryl Slusher and Mayor Kirk Watson)

Resolution No. 990701-102 was approved.

ADDENDUM

APPOINTMENTS

- | | |
|-----------------------------------|-----------|
| 138. Board of ARTS Center Stage | |
| MACHREE GARRETT GIBSON | CONSENSUS |
| JOSEPH TURNER MCMILLAN, JR., Ed.D | CONSENSUS |
| ROY G. PERRY | CONSENSUS |
| ANTHONY "LUCKY" TOMBLIN | CONSENSUS |
| BARBARA W. WHITE, Ph.D. | CONSENSUS |

Planning Commission

RAY VRDHULA

REAPPOINTMENT

GARCIA

DISCUSSION AGENDA

8. Direct the City Manager to initiate an amendment to the Land Development Code for the preservation of landmark edifices that do not currently technically conform to historic designation criteria. (Mayor Pro-Tem Jackie Goodman)
This item approved the initiation of an amendment to the land development code to provide, through a neighborhood plan or traditional character overlay (within a specific boundary) for the maintenance of the established character given to an area by landmark edifices that do not technically conform to current criteria on Mayor Pro Tem Goodman's motion, Council Member Lewis' second by a 6-0 vote. Council Member Spelman was absent.
12. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement with the AUSTIN INDEPENDENT SCHOOL DISTRICT for design, construction, operation, and maintenance of the St. John's Neighborhood Multipurpose Center/J.J. Pickle Elementary School on a site located between Blessing Avenue, Wheatley Avenue, Providence Avenue and Blackson Avenue. (The City of Austin will obligate \$7,600,000 for land acquisition, design, construction and related services for the St. John's Multi-Purpose Center. \$7,000,000 was included in the 1998-99 Amended Capital Budget of the Parks and Recreation Department. \$600,000 will be requested as part of the 1999-2000 Capital Budget of the Health and Human Services Department. Upon completion, the operations and maintenance of the facility will be contingent upon funding availability in future Operating Budgets.) (Related to Item 98)
Resolution No. 990701-12 was amended by Council Member Garcia to add to the Interlocal Agreement the following wording, "AISD agrees to create an Advisory Committee made up of representatives from the various minority and women trade organizations, AISD, BLGY, DSMBR, and Public Works to address project specific issues related to the St. John's Neighborhood Multi-purpose Center/J.J. Pickle Elementary School. A friendly amendment was made by Council Member Slusher to negotiate the agreement and bring the execution back to Council for approval. The amended motion was approved on Council Member Garcia's motion, Council Member Slusher's second on a 5-0 vote. Council Member Lewis was off the dais. Council Member Spelman was absent.
98. Approve a resolution authorizing negotiation and execution of an agreement with the AUSTIN INDEPENDENT SCHOOL DISTRICT establishing site development standards for the St. Johns Neighborhood Municipal Facility/J.J. Pickle Elementary School Development. (Related to Item 12)
Resolution No. 990701-98 was approved on Council Member Garcia's motion, Council Member Slusher's second by a 5-0 vote. Council Member Lewis was off the dais. Council Member Spelman was absent.

20. Approve a resolution authorizing negotiation and execution of an amendment to the existing professional services agreement with TURNER COLLIE & BRADEN, INC., Austin, Texas, for Phase II engineering services for the South Austin Regional Wastewater Treatment Plant Expansion and Improvements Project, in an amount not to exceed \$13,600,000 for a total agreement of \$15,129,521. (Funding in the amount of \$6,000,000 is included in the 1995-96 Amended Capital Budget and \$7,600,000 is included in the 1998-99 Amended Capital Budget of the Water & Wastewater Utility.) 10.4% MBE, 31.1% WBE Subcontracting participation. (Recommended by Water and Wastewater Commission)
Resolution No. 990701-20 was approved on Council Member Slusher's motion, Council Member Garcia's second by a 5-0 vote. Mayor Pro Tem Goodman was off the dais. Council Member Spelman was absent.
30. Approve a resolution authorizing execution of a twelve-month contract with TEXAS CLOSED CAPTIONING, Austin, Texas, for closed captioning of City Council meetings in an amount not to exceed \$48,500 with two twelve-month extension options in an amount not to exceed \$48,500 per extension for a total contract amount not to exceed \$145,500 (Funding in the amount of \$12,125 was included in the 1998-99 Approved Operating Budget of the Finance and Administrative Services Department. Funding for the remaining nine months of the original contract period and extension options will be contingent upon available funding in future budgets.) Sole Bid. No MBE/WBE subcontracting participation.
This item was postponed for two weeks on Mayor Pro Tem Goodman's motion, Council Member Griffith's second by a 6-0 vote. Council Member Spelman was absent.
45. Approve a resolution ratifying an amendment to a construction contract with RGM CONSTRUCTORS, L.P., Pflugerville, Texas for the Golf Course Road Area Paving/Landscaping/Fencing/and Airport Drive Paving at Austin-Bergstrom International Airport (ABIA) in the amount of \$220,000.00, for a revised not-to exceed total amount of \$1,836,485.20. (Funding in an amount of \$220,000 is included in the 1998-99 Amended Capital Budget for Aviation.) 1.5% DBE; No MBE/WBE Subcontracting participation. (Recommended by Airport Advisory Board)
Resolution No. 990701-45 was approved on Council Member Lewis' motion, Council Member Garcia's second by a 6-0 vote. Council Member Spelman was absent.
46. Approve a resolution authorizing negotiation and execution of an amendment to a professional services agreement with AIRPORT AND AVIATION PROFESSIONALS, INC., Naples, Florida, to provide financial consulting services to the Department of Aviation for an additional term of one year in an amount not-to-exceed \$50,000.00 with the option to extend for up to two additional terms of one year each in an amount not-to-exceed \$50,000.00 per year for a total amendment amount not-to-exceed \$150,000.00. (Funding in an amount of \$50,000.00 is included in the 1998-99 Amended Capital Budget for Aviation. Optional one-year extensions will be funded from the Operating Fund subject to Council approval of future appropriations.) Sole Source (Not Recommended by Airport Advisory Board)
Resolution No. 990701-46 was approved on Council Member Lewis' motion, Council Member Garcia's second by a 6-0 vote. Council Member Spelman was absent.
50. Approve a resolution authorizing the execution of a contract with L & R LANDSCAPE SERVICES, INC. (DBE), Austin, Texas, for Parking Lot Island Landscape – North

Construction Project at Austin-Bergstrom International Airport, in the amount of \$99,877 plus a contingency fund of \$9,987.70 for a total amount of \$109,864.70. (Funding in the amount of \$109,864.70 is included in the 1998-1999 Amended Capital Budget for Aviation.) Low bid of two. 0% MBE, 100% WBE Participation (Recommended by Airport Advisory Board)
Resolution No. 990701-50 was approved on Council Member Garcia's motion, Council Member Lewis' second by a 6-0 vote. Council Member Spelman was absent.

51. Approve a resolution authorizing the execution of a contract with L & R LANDSCAPE SERVICES, INC. (DBE), Austin, Texas, for Parking Lot Island Landscape – South Construction Project at Austin-Bergstrom International Airport, in the amount of \$149,860 plus a contingency fund of \$14,986.00 for a total amount of \$164,846.00. (Funding in the amount of \$164,846 is included in the 1998-1999 amended Capital Budget for Aviation.) Low bid of two. 0% MBE, 81.65% WBE Participation. (Recommended by Airport Advisory Board)
Resolution No. 990701-51 was approved on Council Member Garcia's motion, Council Member Lewis' second by a 6-0 vote. Council Member Spelman was absent

52. Approve a resolution authorizing the execution of a contract with L & R LANDSCAPE SERVICES, INC. (DBE-FR), Austin, Texas, for Parking Structure Landscape – West Construction Project at Austin-Bergstrom International Airport, in the amount of \$220,625.40 plus a contingency fund of \$21,374.60 for a total amount of \$242,000. (Funding in the amount of \$242,000 is included in the 1998-1999 amended Capital Budget for Aviation.) Low bid of two. 0% MBE, 75.66% WBE Participation. (Recommended by Airport Advisory Board)
Resolution No. 990701-52 was approved on Council Member Garcia's motion, Council Member Lewis' second by a 6-0 vote. Council Member Spelman was absent

54. Approve a resolution ratifying the execution of an amendment to the Professional Services Contract with COTERA, KOLAR & NEGRETE ARCHITECTS, Austin, Texas, for the Airport Operations and Maintenance Building design, at Austin-Bergstrom International Airport in an amount of \$400,000 for a revised not-to-exceed total amount of \$700,000. (Funding in the amount of \$400,000 is included in the 1998-99 Amended Capital Budget for Aviation.) 75% MBE; 5% WBE. (Recommended by Airport Advisory Board)
Resolution No. 990701-54 was approved on Council Member Lewis' motion, Council Member Slusher's second by a 6-0 vote. Council Member Spelman was absent.

68. Approve a resolution authorizing an increasing in funding for the existing State Use Contract with the TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED, Austin, Texas, for vegetation control in creeks and detention/water quality ponds, and for hauling of excessive vegetation and debris from job sites to an approved landfill, in the amount of \$87,140.55 for a total contract amount not to exceed \$1,611,295.55. (Funding in the amount of \$87,140.55 is available in the 1998-99 Amended Operating Budget of the Watershed Protection Department.)
Resolution No. 990701-68 was approved on Council Member Lewis' motion, Council Member Garcia's second by a 6-0 vote. Council Member Spelman was absent.

75. Approve a resolution authorizing negotiation and execution of a twenty-four month lease of approximately 3,109 square feet of space located at 1106 Clayton Lane, Suite 100E, from TWIN TOWERS LTD. PARTNERSHIP, 1106 Clayton Lane, Suite 201E, Austin, Texas to be used for the Internal Affairs Division of the Austin Police Department, in an amount not to exceed \$99,478.08, with one twelve month extension option, in an amount of \$49,739.04, for a total amount not to exceed \$149,217.12. (Funding in the amount of \$12,434.76 is available in the 1998-99 State Asset Forfeiture Fund of the Austin Police Department. Funding for the remaining thirty-three months of the original contract period and extension option is contingent upon available funding in future budgets.)

Resolution No. 990701-75 was approved on Council Member Lewis' motion, Council Member Griffith's second by a 6-0 vote. Council Member Spelman was absent.

84. C14-98-0146 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code rezoning property locally known as 12602 Blackfoot Trail from "SF-1" Single Family Residence (Large Lot) district zoning to "SF-2" Single Family Residence (Standard Lot) district zoning on Tract 1 and "NO-CO", Neighborhood Commercial Services-Conditional Overlay Combining district zoning with conditions. First reading on February 25, 1999; Vote 6-0 (Watson off dais). Conditions met as follows: Conditional Overlay incorporates conditions imposed by Council on first reading. Applicant: Abraham Birgani Agent: I. T. Gonzalez City Staff: David Wahlgren, 499-6455. Note: A valid petition has been filed in opposition to this rezoning request.

A motion was made to approve the change of tract 1 to SF-2 and tract 2 to LR-CO on second reading. Also, at the time of the third reading, discussion will be limited to five minutes each side. Second reading was approved on Council Member Slusher's motion, Council Member Lewis' second by a 6-0 vote. Council Member Spelman was absent.

EXECUTIVE SESSION

Executive Session was held at 4:47 p.m.

A motion was made to recess into executive session on Council Member Slusher's motion, Mayor Watson's second by a 6-0 vote. Council Member Spelman was absent.

Private Consultation with Attorney - Section 551.071

127. Discuss *Arthur Brown, et al. vs City of Austin Police Department*, Cause No. 95-12194, in the Travis County District Court.
128. Discuss *Jonnie Peck vs Juanita Bishop Huertas, M.D., et al.*, Cause No. 96-11840, in the Travis County District Court.
129. Discuss *FM Properties Operating Co., et al. v. The City of Austin*, No. 98-0685, in the Supreme Court of Texas, and related litigation.
130. Discuss *Circle C Land Corp. v. City of Austin*, Cause No. 97-13994, in the Travis County District Court.

131. Discuss legal issues regarding towing and storage contracts for impounded and abandoned or junked vehicles. (Related to Item 77)

Real Property – Section 551.072

133. Discuss the possible acquisition of the property known as the Friesenhahn Tract located on Loop 360.
134. Discuss the possible acquisition of the property known as Sand Beach Reserve on Cesar Chavez Street.

Staff Briefing – Section 551-075

135. Staff briefing regarding the status of Meet and Confer proceedings with the Austin Professional Firefighters Association.

A motion was made to hold a staff briefing on item 135 on Mayor Pro Tem Goodman's motion, Council Member Garcia's second on a 6-0 vote. Council Member Spelman was absent.

Executive Session ended at 6:45 p.m.

DISCUSSION ITEMS CONTINUED

94. C14H-99-0001 – 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. First reading: May 13, 1999; Vote: 6-0-1, Goodman abstained. Conditions met as follows: Conditional Overlay incorporates conditions imposed by Council at first ordinance reading. Applicant: City of Austin, Development Review and Inspection Department. City Staff: Barbara Stocklin, 499-2414. Note: A valid petition has been filed in opposition to this rezoning request.

As part of the consent agenda, this item was approved on Council Member Garcia's motion, Council Member Griffith's second on a 6-0 vote. Council Member Spelman was absent.

Motion to reconsider was approved on Mayor Pro Tem Goodman's motion, Council Member Garcia's second on a 6-0 vote. Council Member Spelman was absent.

The motion to postpone 2nd and 3rd readings of the ordinance by the owner was approved on Mayor Pro Tem Goodman's motion, Council Member Garcia's second on a 6-0 vote. Council Member Spelman was absent.

77. Authorize negotiation and execution of a thirty-six month revenue-generating contract, with four twelve-month extension options, with SOUTHSIDE WRECKER, INC., Austin, Texas, for the towing and storage of City requested impounded vehicles and abandoned/junked

vehicles for an estimated revenue amount of \$444,936 a year, and an estimated total contract amount of \$3,114,552. (Related to Item 131)

Resolution No. 990701-77 was approved on Mayor Pro Tem Goodman's motion, Council Member Griffith's second by a 6-0 vote. Council Member Spelman was absent.

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, MAYOR PRO TEM GOODMAN'S SECOND BY A 6-0 VOTE. COUNCIL MEMBER SPELMAN WAS ABSENT.

103. C14-71-0213 – Public hearing to amend Chapter 25-2 of the Austin City Code by amending restrictive covenant for property locally known as 2435 Oak Crest Ave. Planning Commission Recommendation: To Grant approval of the restrictive covenant amendment. Applicant: Monsignor Donald Fruge; Agent: Minter, Joseph & Thornhill. City Staff: Susan Villarreal, 499-6319.

This restrictive covenant was approved.

104. C14-78-0179 – Public hearing to amend Chapter 25-2 of the Austin City Code by amending restrictive covenant for property locally known as 2435 Oak Crest Ave. Planning Commission Recommendation: To Grant approval of the restrictive covenant amendment. Applicant: Monsignor Donald Fruge; Agent: Minter, Joseph & Thornhill. City Staff: Susan Villarreal, 499-6319.

This restrictive covenant was approved.

105. C14-98-0124 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 3915 Capital of Texas Highway South from “I-LO”, Interim-Limited Office to “GR-CO”, Community Commercial-Conditional Overlay Combining district zoning with conditions. Planning Commission recommendation: To Grant “GR-CO”, Community Commercial-Conditional Overlay Combining district zoning with conditions. Applicant: Lopez-Phelps, Vaughn and Associates (Amelia Lopez-Phelps). City Staff: Don Perryman, 499-2786.

Council approved the Planning Commission's recommendation on first reading. Council Member Slusher voted no.

106. C14-98-0132 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as Smith Road & Ed Bluestein Blvd. From “SF-2”, Single Family Residence (Standard Lot) district to “LI”, Limited Industrial Service district zoning. Planning Commission Recommendation: To Deny “LI”, Limited Industrial Service district zoning. Applicant: McCandless Bluestein Venture (Mark Ritter); Agent: Armbrust, Brown & Davis, LLP (David B. Armbrust). City Staff: Antonio Gonzalez, 499-2243.

This item was postponed to July 29, 1999 at the request of the owner.

107. C14-98-0156 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as Johnny Morris Road and Loyola Lane from “LI-CO”, Limited Industrial Service-Conditional Overlay Combining district, “W/LO-CO”, Warehouse/Limited Office-Conditional Overlay Combining district and “SF-3”, Family Residence district to “MH”, Mobile Home Residence district. Planning Commission Recommendation: To Grant “MH”, Mobile Home Residence district zoning. Applicant:

Drs. Carey & Georgia Leggett (Georgia Leggett) and Armstrong Printing (Douglas Armstrong); Agent: Republic Commercial Properties (Doug Hodge). City Staff: Susan Villarreal, 499-6319. Note: A valid petition has been filed in opposition to this rezoning request. (Continued from 3/11/99, 4/8/99 and 6/3/99)

This item was postponed to July 22, 1999 at the request of the staff.

108. C14-98-0188 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 8409 and 8309-8401 Tuscany Way from “I-RR”, Interim-Rural Residence district and “DR”, Development Reserve to “LI”, Limited Industrial Service district. Planning Commission Recommendation: To Grant “LI-CO”, Limited Industrial-Conditional Overlay Combining district zoning for Tract 1 and “GR-CO” Community Commercial – Conditional Overlay Combining district zoning for Tract 2 with conditions. Applicant: Springdale Investments, Ltd. (John Lewis); Agent: Armbrust, Brown & Davis, LLP (David Armbrust). City Staff: Susan Villarreal, 499-6319.

Council approved the Planning Commission’s recommendation on first reading.

109. C14-98-0189 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 8310,8320,8404,8412,8500,8510 and 8600 Tuscany Way from “I-RR”, Interim-Rural Residence district and “DR”, Development Reserve to “LI”, Limited Industrial Service district. Planning Commission Recommendation: To Grant “LI-CO”, Limited Industrial Services-Conditional Overlay Combining district zoning with conditions. Applicant: Springdale Investments, Ltd. (John Lewis); Agent: Armbrust, Brown & Davis, LLP (David Armbrust). City Staff: Susan Villarreal, 499-6319.

Council approved the Planning Commission’s recommendation on first reading.

Item 110 was pulled for discussion.

111. C14-98-0204 – Public hearing to amend Title 25 of the Austin City Code by zoning property locally known as 1112-1120 East 12th Street from “CS”, General Commercial Services to “CS-MU”, General Commercial Services-Mixed Use Combining District. Planning Commission Recommendation: To Grant “CS-MU-CO”, General Commercial Services-Mixed Use Combining District-Conditional Overlay district. Applicant: Anderson Community Development Corp. (Ray Dell Galloway); Agent: LDC (Lauretta Dowd). City Staff: Susan Villarreal, 499-6319. (continued from 5/6/99)

This item was withdrawn.

112. C14-98-0205 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 1160-1168 Navasota Street from “CS”, General Commercial

Services to “SF-3”, Family Residence district. Planning Commission Recommendation: To Grant “SF-3-CO”, Family Residence-Conditional Overlay Combining district zoning with conditions. Applicant: Anderson Community Development Corp. (Ray Dell Galloway); Applicant: LDC (Lauretta Dowd). City Staff: Susan Villarreal, 499-6319. (continued from 5/6/99)

This item was postponed to July 15, 1999 at the request of the applicant.

113. C14-98-206 – Public hearing to amend Title 25-2 of the Austin City Code by zoning property locally known as 1190-1192 Navasota Street from “SF-3”, Family Residence district to “SF-6”, Townhouse and Condominium Residence district. Planning Commission Recommendation: To Grant “SF-6-CO”, Townhouse and Condominium Residence-Conditional Overlay Combining district zoning with conditions. Applicant: Anderson Community Development Corp. (Ray Dell Galloway); Agent: LDC (Lauretta Dowd). City Staff: Susan Villarreal, 499-6319. (continued from 5/6/99)

This item was postponed to July 15, 1999 at the request of the applicant.

114. C14-98-0245 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 3014 Aftonshire Way from “I-RR”, Interim-Rural Residence district to “GR”, Community Commercial district. Planning Commission Recommendation: To Grant “LO-CO”, Limited Office-Conditional Overlay Combining district zoning with conditions. Applicant: Dennis Artale. City Staff: Joe Arriaga, 499-2308. (continued from 5/6/99, 5/13/99)

Council approved the Planning Commission’s recommendation on first reading.

Items 115-117 were pulled for discussion.

Item 118 was reconsidered later in this meeting.

119. C814-98-002 – (Balfour Tract) - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 900 feet along the North side of Bee Caves Road/RM2224 from unzoned and “LA”, Lake Austin district to “PUD”, Planned Unit Development district zoning. Applicant: BRE/Baldwin Ranch L.P. (Julian Jay Hawes, Jr.); Agent: Richardson Verdoorn (Sandra Nash). City Staff: Clark Patterson, 499-2464.

Council approved the Planning Commission’s recommendation on first reading. Slusher added friendly amendment of compliance with SOS in Barton Springs.

DISCUSSION ZONING ITEMS

116. C14-99-0043 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 914-946 Parmer Lane & 12700-12812 Harrisglenn Drive from “MF-2-CO”, Multifamily Residence-Conditional Overlay (Low Density) and “LR”, Neighborhood Commercial districts to “SF-2”, Single Family Residence (Standard Lot) and “MF-2”, Multifamily Residence (Low Density) district. Planning Commission Recommendation: To Grant “MF-2-CO”, Multifamily Residence (Low Density-Conditional Overlay Combining district zoning with conditions. Applicant: City of Austin, Development Review and Inspection Department. City Staff: Greg Guernsey, 499-2387. (continued from 6/3/99)

This item was approved as agreed by the developer and neighborhood association as follows: to grant MF-2-CO for lots 25 & 27 in accordance with the July 1, 1999 letter of agreement with Harris Ridge Homeowners Association and Robert D. Burton, representing the property owner, with changes noted: LR tract Lot 26 (0.47 acres) to remain LR; MF-2-CO Tract is limited to no greater than 342 units. The following uses would be permitted in the buffer zone: 1) no greater than 90 feet of the buffer zone from the 310 foot line of demarcation as measured from Josh Ridge Boulevard, could be utilized for improved parking; 2) The construction, operation, and maintenance of a detention pond; 3) The installation of a vegetated earthen berm, with a height of no less than four feet measured from existing grade, located between the detention pond and Josh Ridge Boulevard; provided, however, that the height and location of the earthen berm may be changed if required pursuant to any ordinance, rule, or regulation of the City of Austin, or any requirement imposed by the City of Austin as a condition to approval of the site plan applicable to the combined multi-family tract; 4) The installation of a masonry wall with a height of no less than six feet measured from existing grade, traversing the buffer zone roughly parallel to the 310 foot line of demarcation and located no less than 200 feet from Josh Ridge Boulevard; provided, however, that the height and location of the masonry wall may be changed if required pursuant to any ordinance, rule or regulation of the City of Austin, or any requirement imposed by the City of Austin as a condition to approval of the site plan applicable to the combined multi-family tract (wall screening the parking lot to the south of Josh Ridge Boulevard); 5) The installation of ornamental landscaping parallel and adjacent to the north face of the masonry wall; at a minimum, the landscaping shall include five to eight three inch caliper oak or live oak trees (to the extent reasonably possible, existing trees located within the detention pond area and on any pathway constructed upon the buffer zone) will remain undisturbed; 6) The installation and maintenance of a natural pedestrian and non-motorized vehicle pathway, 6 feet in width, located north of the masonry wall; and 7) The installation and maintenance of utility infrastructure, including all required easements, necessary or required to serve the multi-family tract.

Council approved the Planning Commission's recommendation with the agreement stated above on first reading on Mayor Pro Tem Goodman's motion, Council Member Lewis' second by a 6-0 vote. Council Member Spelman was absent.

115. C14-99-0013 – Public hearing to amend Title 25-2 of the Austin City Code by zoning property locally known as 2211 Parmer Lane from “LR”, Neighborhood Commercial district to “GR”, Community Commercial district. Planning Commission Recommendation: To Deny “GR”, Community Commercial district zoning. Applicant: Xia Huynh and Phuong Luu. City Staff: Antonio Gonzalez, 499-2243. (Continued from 5/6/99)

The public hearing was closed on Council Member Garcia's motion, Mayor Pro Tem Goodman's second by a 4-0 vote. Mayor Watson and Council Member Lewis was off the dais. Council Member Spelman was absent.

Council approved the Planning Commission's recommendation to deny the application on Council Member Garcia's motion, Council Member Griffith's second by a 6-0 vote. Council Member Spelman was absent.

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

The public hearing was closed on Council Member Slusher motion, Council Member Griffith's second by a 6-0 vote. Council Member Spelman was absent.

Mayor Pro Tem Goodman moved that the Planning Commission's recommendation to deny the applicant's request for rezoning be approved. This was seconded by Council Member Griffith. Mayor Pro Tem Goodman and Council Member Griffith withdrew the motion and second.

This item was postponed to July 29, 1999 on Mayor Pro Tem Goodman's motion, Council Member Griffith's second on a 6-0 vote. Council Member Spelman was absent.

110. C14-98-0192 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 1008 East 53rd Street from “SF-3”, Family Residence district to “GR”, Community Commercial district. Planning Commission Recommendation: To Grant “LR-MU-CO”, Neighborhood Commercial-Mixed Use-Conditional Overlay Combining district zoning with conditions. Appellant: Alexandra Renwick. City Staff, Ellen Meadows, 499-2339. Note: A valid petition has been filed in opposition to this rezoning request. (continued from 5/6/99)

This item was postponed to July 15, 1999 with the understanding that if the petition is not withdrawn and there is not a full Council, the item will be postponed again on that date. The motion was approved on Council Member Garcia's motion, Council Member's Lewis' second on a 6-0 vote. Council Member Spelman was absent.

118. C14-99-0101 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 8400-8420 Bee Caves Road from “LR”, Neighborhood Commercial district to “MF-1”, Multifamily Residence (Limited Density) district. Planning Commission Recommendation: June 22, 1999 meeting update. Applicant: Ray Drayton Robertson; Agent: City of Austin, Development Review and Inspection Department. City Staff: Susan Villarreal, 499-6319.

Council approved the Planning Commission's recommendation on first reading. Slusher made a motion to amend by adding 20% impervious coverage and overlay.

The item was reconsidered on Council Member Slusher's motion, Mayor Watson's second by a 6-0 vote. Council Member Spelman was absent.

The previous amount for impervious coverage should be corrected to read 25%. This was approved on Council Member Slusher's motion, Mayor Watson's second on a 6-0 vote. Council Member Spelman was absent.

PUBLIC HEARINGS

120. Conduct a public hearing to receive citizen comments on the City's 1999/2000 proposed Community Development Program and federal Annual Consolidated Plan. (Funding in the amount of \$12,297,000 is available from the four HUD entitlement grants: \$8,105,000 from CDBG; \$3,137,000 from HOME; \$288,000 from ESG; and \$767,000 from HOPWA. These funds will be included in the 1999/2000 Proposed Budgets for the Neighborhood Housing and Community Development Office (NHCD) and the Austin/Travis County Health and Human Services Department. In addition, the 1999/2000 Proposed Budget for NHCD will also include: \$420,000 of anticipated CDBG 1999/2000 program income; \$25,472 of uncommitted CDBG funds from prior years; and \$265,825 of General Fund local match.)
The public hearing was closed on Council Member Garcia's motion, Council Member Lewis' second by a 6-0 vote. Council Member Spelman was absent.
121. Conduct a public hearing and consider approval of a variance to allow construction of parking area in the 25-year floodplain for the St. John's Village Apartments at 1114 Delmar Avenue.
The public hearing was closed on Council Member Garcia's motion, Council Member Griffith's second by a 6-0 vote. Council Member Spelman was absent.
126. Approval of a variance to allow construction of parking area in the 25-year floodplain for the St. John's Village Apartments at 1114 Delmar Avenue.
Ordinance 990701-126 was approved on Council Member Garcia's motion, Mayor Pro Tem Goodman's second on a 6-0 vote. Council Member Spelman was absent.
122. Conduct a Public Hearing to consider amendments to Chapter 25-9 of the City Code, adding a new section 25-9-68 providing that the City will install service connections for resubdivisions of residential tracts into four or fewer SF-1, SF-2, SF-3 lots located within an urban watershed.
The public hearing was closed on Council Member Garcia's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Council Member Spelman was absent.
124. Amend Chapter 25-9 of the City Code to add a new section 25-9-68 providing that the City will install service connections for resubdivisions of residential tracts into four or fewer SF-1, SF-2, SF-3 lots located within an urban watershed. (Not Recommended by Water and Wastewater Commission)
Ordinance 990701-124 was approved on Mayor Pro Tem Goodman's motion, Council Member Garcia's second on a 6-0 vote. Council Member Spelman was off the dais. Mayor Pro Tem Goodman made a friendly amendment that this can not conflict with any Council adopted neighborhood plan. The maker and Council Member Garcia accepted this.
123. Conduct a public hearing on a request to consider a waiver from the minimum separation distance requirement of City Code Section 8-3-4, between a proposed general restaurant (UR Cooks Steakhouse) located at 5501 U.S. Highway 290 West, which intends to sell alcoholic beverages and a public school (Clint Small, Jr. Middle School). Case No: SP-99-0185AW. Applicant: Monterrey Oaks/290 Joint Venture (Louis R. Williams); Agent: Jackson Walker, LLP (Jack Martin, III). City Staff: Connie Buckner, 499-2206.
The public hearing was closed on Council Member Garcia's motion, Council Member Lewis' second by a 6-0 vote. Council Member Spelman was absent.

125. Consider action on a request to waive the minimum separation distance requirement of City Code Section 8-3-4, between a proposed general restaurant (UR Cooks Steakhouse) located at 5501 US Highway 290 West, which intends to sell alcoholic beverages and a public school (Clint Small, Jr. Middle School). Case No: SP-99-0185AW. Applicant: Monterrey Oaks/290 Joint Venture (Louis R. Williams); Agent: Jackson Walker, LLP (Jack Martin, III). City Staff: Connie Buckner, 499-2206.

This item was approved on first reading on Council Member Lewis' motion, Mayor Watson's second on a 4-2 vote. Council Members Garcia and Slusher voted no. Council Member Spelman was absent.

91. C14-98-0236 – Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11303 FM 2222 from “SF-2”, Single-Family Residence (Standard Lot) to “LI-CO, Limited Industrial Service-Conditional Overlay Combining district zoning, with conditions. First Reading on May 6, 1999; Vote 6-0, Watson off the dais. Applicant: Robert S. Ingram; Agent: Ray Wilkerson Companies, Inc. City Staff: Ellen Meadow, 499-2339.

This item was approved on first reading with the following changes: 1) allow all restaurant uses; 2) roll back to GR if the use ceases for more than 180 days (subject to discussion taken at 3rd reading) on second reading on Council Member Garcia's motion, Mayor Pro Tem Goodman's second on a 6-0 vote. Council Member Spelman was absent.

87. C14-98-0225 – Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 6721 to 6807 North FM 620 Road and 11115 to 11209 FM 2222 Road from “I-RR”, Interim Rural Residence district, “I-SF-2”, Interim-Single Family Residence (standard lot) district, and “DR”, development Reserve district to “GR-MU-CO”, Community Commercial – Mixed Use – Conditional Overlay Combining district zoning, with conditions. First Reading on March 4, 1999: Vote 6-1, Slusher – no. Applicant: Richard Buratti. Agent: Ray Wilkerson Companies (Jim Spence). City Staff: Ellen Meadows, 499-2339.

This item was approved on second reading on Council Member Lewis' motion, Mayor Pro Tem Goodman's second on a 5-0 vote. Council Member Slusher voted no. Council Member Spelman was absent.

88. C14-98-0233 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6657 North FM 620 Road from “DR”, Development Reserve district to “GR-MU-CO”, Community Commercial – Mixed Use – Conditional Overlay Combining district zoning, with conditions. First Reading on March 4, 1999: Vote 6-1, Slusher – no. Conditions met as follows: Conditional Overlay incorporates conditions imposed by Council on first ordinance reading. Applicant: Bernice King. Agent: Ray Wilkerson Companies (Jim Spence). City Staff: Ellen Meadows, 499-2339.

Action on this item was postponed to July 22, 1999 on Council Member Slusher's motion, Mayor Pro Tem Goodman's second on a 6-0 vote. Council Member Spelman was absent.

89. C14-98-0234 – Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11213 to 11219 FM 2222 Road from “I-SF-2”, Interim-Single family residence (standard lot) district and “I-RR”, Interim Rural Residence district to “GR-MU-CO”, Community Commercial – Mixed Use – Conditional Overlay Combining district zoning, with conditions. First Reading on March 4, 1999: Vote: 6-1, Slusher – no. Applicant: Valeta and Bobby Dockal. Agent: Ray Wilkerson Companies (Jim Spence). City Staff: Ellen Meadows, 499-2339.
Action on this item was postponed to July 22 , 1999 on Council Member Slusher’s motion, Mayor Pro Tem Goodman’s second on a 6-0 vote. Council Member Spelman was absent.

90. C14-98-0235 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6811 North FM 620 Road from “I-SF-2”, Interim-Single Family Residence (standard lot) district to “GR-MU-CO”, Community Commercial- Mixed Use-Conditional Overlay Combining district zoning, with conditions. First Reading on March 4, 1999. Vote: 6-1, Slusher – no. Conditions met as follows: Conditional Overlay incorporates conditions imposed by Council on first ordinance reading. Applicant: 4 Points Vet Clinic (Jim Spence). Agent: Ray Wilerson Companies (Jim Spence). City Staff: Ellen Meadows, 499-2339.
Action on this item was postponed to July 22, 1999 on Council Member Slusher’s motion, Mayor Pro Tem Goodman’s second on a 6-0 vote. Council Member Spelman was absent.

136. Approve execution of an amendment to the professional services contract with Scott, Douglas & McConnico increasing attorney fees in an amount not to exceed \$320,000, including ratification of a payment of \$120,000 for a total contract amount not to exceed \$905,000, for legal services in *FM Properties Operating Co., et al. v. The City of Austin*, No. 98-0685, in the Supreme Court of Texas, and related litigation. (Funding is available in the 1998-99 Operating Budget of the Water and Wastewater Utility.)
Resolution 990701-136 was approved on Council Member Garcia’s motion, Council Member Griffith’s second by a 6-0 vote. Council Member Spelman was absent.

137. Approve execution of an amendment to the professional services contract with Scott, Douglas & McConnico increasing attorney fees in an amount not to exceed \$150,000, including ratification of a payment of \$50,000, for a total contract amount not to exceed \$388,900, for legal services in *Circle C. Land Corporation v. City of Austin*, Cause No. 97-13994, in the Travis County District Court. (Funding is available in the 1998-99 Operating Budget of the Water and Wastewater Utility.)
Resolution 990701-137 was approved on Council Member Garcia’s motion, Council Member Griffith’s second by a 6-0 vote. Council Member Spelman was absent.

ADJOURNED at 9:25 p.m. on Council Member Griffith’s motion, Council Member Slusher's second by a 6-0 vote. Council Member Spelman was absent.

The minutes for the Special Called Meeting of June 15, 1999 and the minutes for the Regular Meeting of July 1, 1999 were approved on this the 15th day of July, 1999 on Council Member Slusher's motion, Mayor Watson's second by a 4-0 vote. Mayor Pro Tem

Goodman and Council Member Griffith were off the dais. Council Member Garcia was absent.