



**Austin City Council
MINUTES**

**REGULAR MEETING
THURSDAY, OCTOBER 26, 2000**

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

The City Council of Austin, Texas, convened in a regular meeting on Thursday, October 26, 2000 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

INVOCATION – Rev. Sylvester Chase, Wesley United Methodist Church.

Mayor Watson called the meeting to order at 9:20 a.m.

1. Approval of minutes for regular meeting of October 12, 2000.
The minutes for the regular meeting of October 12, 2000 were approved on Council Member Wynn's motion, Council Member Griffith's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Slusher were off the dais.

Items 2 through 5 were Executive Session items.

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 Wynn's motion, Council Member Thomas' second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Slusher were off the dais.

Item 6 was pulled for discussion.

Item #7 was approved but was re-considered later in the meeting.

8. Approve a resolution authorizing execution of a construction contract with CHEROKEE CONSTRUCTION, Austin, Texas, for construction of wastewater improvements for the McCallen Pass 18-Inch Wastewater Interceptor Project in an amount not to exceed \$426,195, with a contingency fund in an amount not to exceed \$42,619.50 for change orders, for a total contract amount not to exceed \$468,814.50. (Funding is available in the 1995-1996 Amended Capital Budget of the Water and Wastewater Utility.) Lowest of eight bids received. .40% MBE, .83% WBE subcontracting participation. (Recommended by Water and Wastewater Commission).

Resolution No. 001026-08 was approved.

9. Approve a resolution authorizing negotiation and execution of a professional services agreement with J. ROBINSON & ASSOCIATES, ARCHITECTS, INC., Austin, Texas, to provide architectural and engineering services for design and construction of the Water and Wastewater South East Service Center, Phase III, in an amount not to exceed \$250,000. (Funding is available in the approved Fiscal Year 2000-2001 Capital Budget of the Water and Wastewater Utility.) 10% MBE, 18.20% WBE Subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 001026-09 was approved.

10. Approve a resolution authorizing execution of an amendment to the Wind Power Purchase Agreement with King Wind, L.P. Austin, Texas, increasing the capacity of the project from the 20 Megawatts (MW) approved by City Council on July 15, 1999 to 76.7 MW, in an amount not to exceed \$5,850,000 per year for a total contract amount not to exceed \$80,000,000 over the ten year term of the agreement. (Funding for \$1,200,000 was included in the 2000-2001 Approved Operating Budget for the Electric Utility Department. Funding for years two through ten is contingent upon approval of future operating budgets.) (Recommended by Electric Utility Commission and Resource Management Commission)

Resolution No. 001026-10 was approved.

Items 11 through 12 were pulled for discussion.

13. C14-00-2125 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2429-2433 State Highway 71 East from I-SF-2, Interim Single Family Residence Standard Lot district zoning to GR-CO, Community Commercial Conditional Overlay Combining district zoning and CS-1-CO, Commercial-Liquor Sales-Conditional Overlay Combining district zoning with conditions for Tract 1 and GR-MU-CO, Community Commercial-Mixed Use-Conditional Overlay Combining district zoning with conditions for Tract 2. First reading on August 31, 2000. Vote: 6-0, Watson absent. Conditions to be met: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: Capital Enterprises, Inc. (John C. Garza). Agent: Andrew Guzman. City Staff: Adam Smith, 499-2755.

Ordinance No. 001026-13 was approved.

14. Amend ordinance No. 990722-39, to correct the legal description for the property locally known as 6721 to 6807 North FM 620 Road and 11115 to 11209 FM 2222 Road, further described in file number C14-98-0225. Applicant: Richard Buratti. City Staff: Don Perryman, 499-2786.

Ordinance No. 001026-14 was approved.

15. To set a public hearing and consider an appeal of the Planning Commission's decision to approve a conditional use permit for the Hyde Park Baptist Church Quarries Multi-Use Facility. The proposed site is located at 4400 Mesa Woods Drive. File # SPC-99-2019A. The appeal is being made by Joseph Trybus, Tammi Klaco, Jennifer Kent, Diane Matzke, and Donna Kinney, Interested parties. (Suggested Date and Time November 9, 2000 at 6:00 p.m.)

Resolution No. 001026-15 was approved.

16. Set a public hearing to consider the application submitted by Southerncross Ambulance, Inc. for a non-emergency medical transfer franchise under Chapter 6-3 of the City Code. (Suggested Date and Time: December 7, 2000 at 6:00 P.M.)

Resolution No. 001026-16 was approved.

17. Approve an ordinance authorizing acceptance of \$35,000 in grant funds from the LEWIN GROUP to participate in a multi-center, drug/patient registry; amend Ordinance No. 000912-1, the Fiscal Year

2000-2001 Operating Budget for the Emergency Medical Services Department, amending the Special Revenue Fund by appropriating \$35,000 in grant funds for the Emergency Medical Services Department Special Revenue Fund. (Funding in the amount of \$35,000 from the Lewin Group from June, 2000 through June, 2001.)

Ordinance No. 001026-17 was approved.

19. Approve a resolution authorizing issuance by Springwoods Municipal Utility of Unlimited Tax and Limited Revenue Bonds, Series 2000, in an amount not to exceed \$1,995,000; approving the terms, conditions and covenants of the Bond Resolution, Notice of Sale, Bid Instructions, Form of Bid, the Preliminary Official Statement and any related documents. (No fiscal impact to the City until annexation, which is planned for Fiscal Year 2002-2003. Estimated average annual debt service cost associated with the bonds for the period Fiscal Year 2003-2010 is \$309,446. The City has no responsibility for payment on District bonds unless the City annexes the District.)

Resolution No. 001026-19 was approved.

20. Approve an ordinance authorizing acceptance of \$9,000 in grant funds from the Texas Department of Health (TDH) for the HIV Services' Hepatitis C Virus grant program; amend Ordinance No.000912-01, the 2000-2001 Operating Budget, amending the Special Revenue Fund by appropriating \$9,000 in grant funds for the Health and Human Services Department Special Revenue Fund. (Funding is available from the Texas Department of Health (TDH), HIV Services Division, Hepatitis C Virus grant program. Grant period is September 1, 2000 through August 31, 2001, the contract performance period is September 1, 2000 through August 31, 2001. Total grant amount is \$9,000. No match required.)

Ordinance No. 001026-20 was approved.

21. Approve a resolution authorizing negotiation and execution of contract amendments with four agencies for additional HIV-related services under the Ryan White Title I HIV Emergency Care grant program: AIDS Services of Austin in an amount not to exceed \$107,189 for a total contract amount not to exceed \$1,018,066; HIV Wellness Center in an amount not to exceed \$119,652 for a total contract amount not to exceed \$232,302, Interfaith Care Alliance in an amount not to exceed \$62,555 for a total contract amount not to exceed \$187,950, and Austin/Travis County MHMR CARE Program not to exceed \$59,797 for a total contract amount not to exceed \$376,229. (Funding is available in the Health and Human Services Department Special Revenue Fund, Ryan White Title I HIV Emergency Care grant. Grant period is March 1, 2000 to February 28, 2001. Contract amendment performance period is August 1, 2000 to February 28, 2001. No match is required.) (Recommended by The Austin Area Comprehensive HIV Planning Council)

Resolution No. 001026-21 was approved.

22. Approve a resolution authorizing negotiation and execution of a contract amendment with Community Action, Inc. for additional HIV-related services under the Texas Department of Health Ryan White Title II grant program, not to exceed \$73,529 for a total contract amount of \$301,536. (Funding is available in the Health and Human Services Department Special Revenue Fund from Texas Department of Health (TDH) for Ryan White Title II grant. Grant period is March 1, 2000 to March 3, 2001. Contract amendment performance period is October 1, 2000 to February 28, 2001. No match is required.) (Recommended by The Austin Area Comprehensive HIV Planning Council) (Related Item No. 23)

Resolution No. 001026-22 was approved.

23. Approve an ordinance authorizing acceptance of an additional \$422,977 in grant funds from the Texas Department of Health for the Ryan White Title II HIV Consortium grant program; amend Ordinance No.000912-01, the 2000-01 operating budget; amending the Special Revenue Fund by appropriating an additional \$422,977 in grant funds for a new total grant amount of \$897,977 for the

Health and Human Services Department special revenue fund. (Funding is available from the Texas Department of Health, Ryan White Title II HIV Consortium Grant. Grant period is March 1, 2000 to March 31, 2001. Total grant amount is \$897,977.) (Recommended by The Austin Area Comprehensive HIV Planning Council) (Related Item No. 22)

Ordinance No. 001026-23 was approved.

24. Approve a resolution authorizing the City Manager to begin the acquisition process to acquire interest in Lots 1-4, Block 88, Original City of Austin, locally known as 500-514 East 7th Street and 700 Red River Street from the Salvation Army. (Current appropriation for this project is \$3.96 million. In the Special Revenue Fund for NHCD (\$3.6 million) and the Capital budget for HHSD (\$360,000)). (Recommended by Board of Adjustments)

This item was removed from the agenda at staff's recommendation.

25. Approve a resolution authorizing negotiation and execution of a contract amendment for an additional \$3,750 in Community Development Block Grant (CDBG) funds to the River City Youth Foundation for the purpose of providing youth access to technology through use of a computer learning lab and counseling services for a total contract amount not to exceed \$43,750. (Funding was included in the 2000-01 Operating Budget for the Neighborhood Housing and Community Development Office (NHCD), 25th Year Community Development Block Grant, Youth Services Program.)

Resolution No. 001026-25 was approved.

26. Approve an ordinance authorizing acceptance of \$1,410 in grant funding from the National Endowment for the Humanities and amend Ordinance 000912-1, the 2000-2001 Operating Budget, to appropriate \$1,410 in grant funds for the Library Department's Special Revenue Fund. (Funding is available from the National Endowment for the Humanities. The grant period is from October 1, 2000 to September 30, 2001. No City match is required.)

Ordinance No. 001026-26 was approved.

27. Approve an ordinance authorizing acceptance of \$17,727 in grant funding from the Texas State Library and Archives Commission and amend Ordinance 000912-1, the 2000-2001 Operating Budget, amending the Special Revenue fund by appropriating \$17,727 in grant funds for the Library Department's Special Revenue Fund. (Funding is available from the Texas State Library and Archives Commission. The grant period is September 1, 2000 to August 31, 2001. A grant match of \$13,659 is required and is available in the 2000-2001 Approve Operating Budget of the Library Department.)

Ordinance No. 001026-27 was approved.

28. Approve a resolution authorizing execution of an artwork commission contract not to exceed \$82,000 with Rolando Briseño, San Antonio, Texas, for thirty-nine digital giclées printed on canvas to be incorporated into the interior lobby walls at the North Entrance of the Austin Convention Center Expansion as part of the Art in Public Places Project for this building. (Funding is available from the Art in Public Places allocation within the Community Events Center.) (Recommended by Austin Arts Commission)

Resolution No. 001026-28 was approved.

29. Approve a resolution authorizing a Direct Care Services Agreement with Austin Travis County Mental Health Mental Retardation Center for the purpose of providing recreation and leisure activities to referred individuals through the Austin Parks and Recreation Department from October 4, 2000 to September 30, 2001, with annual renewals. (PARD Programs will invoice ATC/MHMR for fees incurred by covered individuals that have registered for activities with the Austin Parks and Recreation Department.)

Resolution No. 001026-29 was approved.

30. Adopt a resolution approving the release of approximately 26.4 acres of extraterritorial jurisdiction (ETJ) from the City of Austin to the City of Round Rock's jurisdiction (located on the north side of FM 620 approximately .5 miles west of the intersection of FM 620 and Cornerwood Drive.)

Resolution No. 001026-30 was approved.

Items 31 through 32 were pulled for discussion.

33. Approve a resolution authorizing negotiation and execution of a professional services agreement with the following two firms: DAVCAR ENGINEERING SERVICES (MH/DBE), Austin, Texas, and THE ARISPE GROUP, INC., (MH/DBE), Austin, Texas, to provide professional engineering services for street rehabilitation projects for a period of two years or until financial authorization is expended, each agreement in an amount not to exceed \$421,000 with a combined amount of the two agreements not to exceed \$421,000 (approximately \$210,500 per firm). (Funding is available in the capital budgets of the various projects and departments for which services are needed.) DAVCAR ENGINEERING SERVICES (MH/DBE) 70% PRIME, 20% Subconsulting participation; DAVCAR ENGINEERING SERVICES (MH/DBE) 70% PRIME, 15% DBE Subconsulting participation.

Resolution No. 001026-33 was approved.

34. Approve a resolution authorizing negotiation and execution of professional service agreements with the following 27 firms: CARTER & BURGESS, INC., Austin, Texas; MARTINEZ, WRIGHT & MENDEZ, INC. (MBE/MH), Austin, Texas; RAYMOND CHAN & ASSOCIATES, INC. (MBE/MA), Austin, Texas; DANNENBAUM ENGINEERING CORPORATION, Austin, Texas; BINKLEY & BARFIELD, INC., Austin, Texas; ROY F. WESTON, INC., Austin, Texas; THE ARISPE GROUP, INC. (MBE/MH), Austin, Texas; JOSE I. GUERRA, INC. (MBE/MH), Austin, Texas; GARRETT/ASSOCIATES ENGINEERING, INC., Austin, Texas; DAVCAR ENGINEERING SERVICES (MBE/MH), Austin, Texas; JASTER-QUINTANILLA & ASSOCIATES, INC. (MBE/MH), Austin, Texas; BAKER-AICKLEN & ASSOCIATES, INC., Austin, Texas; BLACK & VEATCH CORPORATION, Austin, Texas; FREESE & NICHOLS, INC., Austin, Texas; KURKJIAN ENGINEERING CORPORATION (WBE/FH), Austin, Texas; ALAN PLUMMER ASSOCIATES, INC., Austin, Texas; ASSOCIATED CONSULTING ENGINEERS, INC., Austin, Texas; MALCOLM PIRNIE, INC., Austin, Texas; PARSONS ENGINEERING SCIENCE, INC., Austin, Texas; BROWN & CALDWELL, Austin, Texas; THONHOFF CONSULTING ENGINEERS, INC., Austin, Texas; ESPEY, PADDEN CONSULTANTS, INC., Austin, Texas; LOCKWOOD, ANDREWS & NEWNAM, INC., Austin, Texas; THE WALLACE GROUP, INC., Austin, Texas; PBS&J, Austin, Texas; LOC CONSULTANTS (MBE/MH), Austin, Texas; and MAXIM TECHNOLOGIES, INC., Austin, Texas, for professional civil engineering services for projects of a general or routine scope, small to medium in scale, and have a critical schedule or are of an emergency nature, for a period of three years or until financial authorization is expended, each agreement not to exceed \$7,500,000 with a combined total of the 27 agreements not to exceed \$7,500,000 (estimated approximately \$500,000 for each of top three ranked firms, \$300,000 for each of the next sixteen top ranked firms, and \$150,000 for each of the remaining eight firms). (Funding for these services is available in the Capital Budgets and/or Operating budgets of the various departments for which services are needed. Approximately \$5,000,000 of this funding is for proposed Water and Wastewater Utility Department projects and the remaining \$2,500,000 is for other departments.) CARTER & BURGESS, INC. 10.1% MBE, 20% Subcontracting participation; MARTINEZ, WRIGHT & MENDEZ, INC. (MBE/MH) 64%-75.7% PRIME, 11.1% MBE, 18.2% Subcontracting participation; RAYMOND CHAN & ASSOCIATES, INC. (MBE/MA) PRIME 68% PRIME, 10% MBE, 19% Subcontracting participation; DANNENBAUM ENGINEERING CORPORATION; 8.7% MBE, 18.2% Subcontracting participation; BINKLEY & BARFIELD, INC. 16.7% MBE, 23.3% Subcontracting participation; ROY F. WESTON, INC. 12% MBE, 18.2%

Subcontracting participation; THE ARIZPE GROUP, INC. (MBE/MH) 69% PRIME, 2.8% MBE, 18.2% WBE Subcontracting participation; JOSE I. GUERRA, INC. (MBE/MH) 54.2% PRIME, 2.8% MBE, 20% WBE Subcontracting participation; GARRETT/ASSOCIATES ENGINEERING, INC. 13.3% MBE, 20.9% WBE Subcontracting participation; DAVCAR ENGINEERING SERVICES (MBE/MH) 65% PRIME, 8.7% MBE, 18.2% WBE Subcontracting participation; JASTER-QUINTANILLA & ASSOCIATES, INC. (MBE/MH) 57% PRIME, 8% MBE, 19% WBE Subcontracting participation; BAKER-AICKLEN & ASSOCIATES, INC. 8.7% MBE, 18.2% WBE Subcontracting participation; BLACK & VEATCH CORPORATION 13% MBE, 20% WBE Subcontracting participation; FREESE & NICHOLS, INC. 13% MBE, 18.2% WBE Subcontracting participation; KURKJIAN ENGINEERING CORPORATION (WBE/FH) 76.3% PRIME, 8.7% MBE, 10% WBE Subcontracting participation; ALAN PLUMMER ASSOCIATES, INC. 8.7% MBE, 18.2% WBE Subcontracting participation; ASSOCIATED CONSULTING ENGINEERS, INC. 8.7% MBE, 18.2% WBE Subcontracting participation; MALCOLM PIRNIE, INC. 8.7% MBE, 18.2% WBE Subcontracting participation; PARSONS ENGINEERING SCIENCE, INC. 8.7% MBE, 18.2% WBE Subcontracting participation; BROWN & CALDWELL 8.7% MBE, 18.2% Subcontracting participation; THONHOFF CONSULTING ENGINEERS, INC. 8.7% MBE, 18.2% WBE Subcontracting participation; ESPEY, PADDEN CONSULTANTS, INC. 9.4% MBE, 18.2% WBE Subcontracting participation; LOCKWOOD, ANDREWS & NEWNAM, INC. 8.8% MBE, 18.2% WBE Subcontracting participation; THE WALLACE GROUP, INC. 28% MBE, 20% WBE Subcontracting participation; PBS&J 12% MBE, 18.2% WBE subcontracting participation; LOC CONSULTANTS (MBE/MH) 61.8% PRIME, 20% MBE, 18.2% WBE Subcontracting participation; and MAXIM TECHNOLOGIES, INC. 8.7% MBE, 18.2% WBE Subcontracting participation (Recommended by Water and Wastewater Commission)

Resolution No. 001026-34 was approved.

35. Approve a resolution authorizing execution of an Interlocal Agreement with the TEXAS DEPARTMENT OF TRANSPORTATION, for the Austin Crosstown Bikeway grant awarded by the Statewide Transportation Enhancements Program in the amount of \$3,203,163.63. (Funding in the amount of \$1,966,481 is available from TxDOT in Federal Transportation Enhancement Program funds and is included in the 2000-2001 Public Works and Transportation Approve Capital Budget. The amount of \$1,220, 746 (38% matching funds) and \$15,939.63 (TxDOT administrative fee) are included in the 2000-2001 Public Works and Transportation Approved Capital Budget.) (Recommended by the Urban Transportation Commission; Planning Commission; Environmental Board, and Capital Area Metropolitan Planning Organization) (Related to Item 18)

Resolution No. 001026-35 was approved.

36. Approve an ordinance authorizing the vacation of a portion of right-of-way at the 2300 block of East 51st Street, at the intersection of Old Manor Road and East 51st Street, as requested by the STATE OF TEXAS. (Recommended by Planning Commission)

Ordinance No. 001026-36 was approved.

37. Approve a resolution authorizing negotiation and execution of professional service agreements with the following eighteen firms: MCGRAY & MCGRAY LAND SURVEYORS, INC. (WBE/FR), Austin, Texas; SURVEYING AND MAPPING, INC. (SAM, INC.) (MBE/MB), Austin, Texas; MACIAS AND ASSOCIATES, INC. (MBE/MH), Austin, Texas; CHAPARRAL PROFESSIONAL LAND SURVEYING, INC., Austin, Texas; CAPITAL SURVEYING COMPANY, INC., Austin, TX; SURVCON, INC., Austin, Texas; VICKREY & ASSOCIATES, INC. (WBE/FR), Austin, Texas; RALPH HARRIS SURVEYOR, INC., Austin, Texas; LANDMARK SURVEYING, INC. (WBE/FR), Austin, Texas; CARTER & BURGESS, INC., Austin, Texas; LOOMIS AUSTIN, INC., Austin, Texas; MARTINEZ, WRIGHT & MENDEZ, INC. (MBE/MH), Austin, Texas; LENZ & ASSOCIATES, INC., Austin, Texas; CANALES, MARTINEZ & NASH SURVEYING COMPANY (MBE/MH), Austin, Texas; BAKER-AICKLEN & ASSOCIATES, INC., Austin, Texas; PBS&J,

Austin, Texas; TERRA FIRMA, Austin, Texas; and SUNLAND ENGINEERING COMPANY (MBE/MH), Austin, Texas; for land surveying services on Capital Improvements Projects, for an estimated period of two years or until contracting authority is expended, each agreement not to exceed \$2,250,000 with a total of the eighteen agreements not to exceed \$2,250,000 (estimated approximately \$175,000 for each of the top six ranked firms, \$125,000 for each of the next six top ranked firms, and \$75,000 for each of the remaining six firms). MCGRAY & MCGRAY LAND SURVEYORS, INC. (WBE/FR) 90% Prime, 10% MBE, 0% Subcontracting participation; SURVEYING AND MAPPING, INC. (SAM, INC.) (MBE/MB) Subcontracting participation; MACIAS AND ASSOCIATES, INC. (MBE/MH) 85% Prime, 10% MBE, 5% WBE Subcontracting participation; CHAPARRAL PROFESSIONAL LAND SURVEYING, INC. 10% MBE, 5% WBE Subcontracting participation; CAPITAL SURVEYING COMPANY, INC. 10% MBE, 6% WBE; SURVCON, INC., 10% MBE, 5% WBE Subcontracting participation; VICKREY & ASSOCIATES, INC. (WBE/FR) 90% Prime, 10% MBE, 0% WBE Subcontracting participation; RALPH HARRIS SURVEYOR, INC. 10% MBE, 5% WBE Subcontracting participation; LANDMARK SURVEYING, INC. (WBE/FR); CARTER & BURGESS, INC. 10% MBE, 5% WBE Subcontracting participation; LOOMIS AUSTIN, INC. Subcontracting participation; MARTINEZ, WRIGHT & MENDEZ, INC. (MBE/MH) 95% Prime, 5% MBE, 0% WBE Subcontracting participation; LENZ & ASSOCIATES, INC. 10% MBE, 5% WBE Subcontracting participation; CANALES, MARTINEZ & NASH SURVEYING COMPANY (MBE/MH) 85% Prime, 10% MBE, 5% WBE Subcontracting participation; BAKER-AICKLEN & ASSOCIATES, INC. 10% MBE, 5% WBE, Subcontracting participation; PBS&J, Subcontracting participation; TERRA FIRMA 10% MBE, 5% WBE, Subcontracting participation; and SUNLAND ENGINEERING COMPANY (MBE/MH) 90% Prime, 0% MBE, 10% WBE Subcontracting participation;

Resolution No. 001026-37 was approved.

38. Approve a resolution authorizing negotiation and execution of professional service agreements with the following four firms: AMTECH ROOFING CONSULTANTS, INC., Austin, Texas; LAW ENGINEERING AND ENVIRONMENTAL SERVICES, INC., Austin, Texas; TRINITY ENGINEERING TESTING CORPORATION/ KLEINFELDER, Waco, Texas; and EDIS OLIVER & ASSOCIATES, Austin, Texas, to provide professional services on a variety of roofing and/or waterproofing projects, for an estimated period of three years or until financial authorization is expended, each agreement not to exceed \$500,000 with a combined total of the four agreements not to exceed \$500,000 (estimated approximately \$125,000 per firm). (Funding in the amount of \$250,000 is available in the Capital and/or Operating Budgets of Financial Services (Building Services Division); the remaining \$250,000 is available in the Capital and/or Operating Budgets of the various departments needing the services.) Due to limited subcontracting opportunities on these projects, no 1996 MBE/WBE participation goals were established. All work will be performed by the recommended firms' own workforce; however, they are committed to utilizing certified MBE/WBE firms should the opportunity exist in the project assignments.

Resolution No. 001026-38 was approved.

39. Approve a resolution authorizing execution of a 12-month supply agreement with LONE STAR BRAKE & CLUTCH CO, Austin, Texas, for the purchase of brake parts for medium and heavy duty vehicles in an amount not to exceed \$60,000 with two 12-month extension options in an amount not to exceed \$60,000 per extension for a total contract amount not to exceed \$180,000. (Funding in the amount of \$48,500 was included in the 2000-2001 Approved Operating Budget for the Fleet Maintenance Fund of the Finance and Administrative Services Department and \$11,500 was included in the 2000-2001 Approved Operating Budget of the Water and Wastewater Utility Department. Funding for the extension options is contingent upon available funding in future budgets.) Low bid of 4 bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. There are no opportunities for subcontracting. These parts are provided directly to the City.

Resolution No. 001026-39 was approved.

40. Approve a resolution authorizing execution of a 12-month supply agreement with TRAVIS TRACTOR & LAWN EQUIPMENT, Austin, Texas, for the purchase of lawn care equipment in an amount not to exceed \$59,965 with two 12-month extension options in an amount not to exceed \$59,965 per extension for a total contract amount not to exceed \$179,895. (Funding was included in the 2000-2001 Approved Operating Budgets for various City departments.) Lowest responsive bidder of five bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. The recommended awardee will provide this equipment directly to the City. There is no opportunity for subcontracting, therefore, no goals were established for this solicitation.

Resolution No. 001026-40 was approved.

41. Approve a resolution authorizing execution of a 12-month supply agreement with GULF COAST PAPER CO, INC., Austin, Texas, for the purchase of janitorial paper supplies in an amount not to exceed \$377,811.61 with two 12-month extension options in an amount not to exceed \$377,811.61 per extension for a total contract amount not to exceed \$1,133,434.83. (Funding was included in the 2000-2001 Approved Operating Budgets of various City departments. Funding for the extension options is contingent upon available funding in future budgets.) Lowest, most responsive bidder/Nine bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. There are no opportunities for subcontracting. These products are provided directly to the City.

Resolution No. 001026-41 was approved.

42. Approve a resolution authorizing execution of a 12-month supply agreement with GRAVEL PRODUCTS INC., La Grange, Texas, to provide filter media support gravel for the Water and Waste Water Utility, in an amount not to exceed \$54,180 with two 12-month extension options in the amount not to exceed \$54,180 per extension, for a total contract amount not to exceed \$162,540. (Funding in the amount of \$49,665 is available in the 2000-2001 Operating Budget of the Water and Wastewater Utility. Funding for the remaining one month of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid/two bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. This is a product that will be provided directly by the vendor. There are no subcontracting opportunities, therefore, no goals were established for this solicitation.

Resolution No. 001026-42 was approved.

43. Approve a resolution authorizing execution of a 6-month service agreement with TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED (TIBH), Austin, Texas, to provide sorting services of recycled materials at the Todd Lane Transfer Station in an amount not to exceed \$57,000. (Funding was included in the 2000-2001 Approved Operating Budget of the Solid Waste Services department.) TIBH is certified by the State Legislature to provide products and services, without competitive bidding, to the State and its political subdivisions in compliance with Chapter 122, Title 8, Human Resources Code. Fair market prices are established by the Texas Committee on Purchases of Products and Services of Blind and Severely Disabled Persons. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. This is a service provided directly to the City by TIBH.

Resolution No. 001026-43 was approved.

44. Approve a resolution authorizing execution of a 12-month service agreement with MISSION LINEN & UNIFORM, Round Rock, Texas, for rental of uniforms and shop towels in the amount not to exceed \$51,410 with two 12-month extension options in an amount not to exceed \$51,410 per extension for a total contract amount not to exceed \$154,230. (Funding was included in the 2000-2001 Approved Operating Budget for the Fleet Maintenance Fund of the Finance and Administrative Services Department. Funding for the extension options is contingent upon available funding in future budgets.) Low bidder/3 bids received. This contract will be awarded in

compliance with the 1996 MBE/WBE Ordinance. There are no opportunities for subcontracting. The suppliers of these services have historically provided the uniform rental services with their own work force.

Resolution No. 001026-44 was approved.

45. Approve a resolution authorizing execution of a 12 month supply agreement with MAGAZINE SUBSCRIPTIONS PTP AUSTIN, Austin, Texas, to provide periodical subscription services in an amount not to exceed \$72,905.47 with two 12-month extension options in an amount not to exceed \$72,905.47 per extension for a total contract amount not to exceed \$218,716.41. (Funding was included in the 2000-01 Approved Operating Budget of the Library Department. Funding for the extension options is contingent upon available funding in future budgets.) Low bid/three bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Resolution No. 001026-45 was approved.

46. Approve a resolution authorizing execution of a 12-month service agreement with YORK INTERNATIONAL CORPORATION, Austin, Texas, to provide full service maintenance of water cooled chillers and chilled water systems in an amount not to exceed \$41,400 with two 12-month extension options in an amount not to exceed \$41,400 per extension for a total contract amount not to exceed \$124,200. (Funding in the amount of \$21,600 was included in the 2000-2001 Approved Operating Budget of the Austin Convention Center Department. The amount of \$19,800 was included in the 2000-2001 Approved Operating Budget of the Building Services division of the Finance and Administrative Services Department.) Low bid/two bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Resolution No. 001026-46 was approved.

Item 47 was pulled for discussion.

48. Approve a resolution authorizing execution of Change Order No. 3 to the construction contract with TECOM UST SYSTEMS, INC., Austin, Texas, for demolition and reconstruction of diesel fuel islands at Service Center No. 8 located at St. Elmo, as part of the Propane Fuel Stations Improvements Project, in an amount not to exceed \$22,846.31, for a total contract amount not to exceed \$317,045.61. (Funding in the amount of \$22,846.31 is available in 1999-2000 Capital Budget of the Financial & Administrative Services Department.) 1.96% MBE, 0% WBE Subcontracting participation.

Resolution No. 001026-48 was approved.

Item 49 was pulled for discussion.

50. Approve a resolution authorizing execution of Change Order No. 2 to the construction contract with AUSTIN FILTER SYSTEMS, INC., Austin, Texas, for the settlement of a claim as a part of the streambank stabilization project along Little Walnut Creek, in an amount not to exceed \$62,717.95, for a total contract amount not to exceed \$697,106.85. (Funding in the amount of \$62,717.95 is available in the 2000-2001 Approved Capital Budget of the Watershed Protection Department.) 2.5% MBE, 0% WBE Subcontracting participation.

Resolution No. 001026-50 was approved.

51. Approve Change Order No. 5 to the construction contract with RANGER EXCAVATING, INC., Austin, Texas, for additional structural reinforced concrete, additional irrigation system improvements and dewatering system enhancements at the Gardens at Bull Creek - Regional

Detention Facility, in an amount not to exceed \$53,759.00 for a total contract amount not to exceed \$1,132,404.42. (Funding is available in the 2000-2001 Approved Capital Budget of the Watershed Protection Utility.) 52.15% MBE, 0% WBE Subcontracting participation.

Resolution No. 001026-51 was approved.

Items 52 through 58 were Citizen Communications.

Item 59 was a time certain item.

Items 60 through 73 were zoning items.

Items 74 through 79 were public hearings.

Items 80 through 82 were actions on the public hearings.

83. Arts Commission

Andrea Bryant	re-appointment	Consensus
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Bond Oversight Committee

Rosemary Castleberry	re-appointment (Parks & Rec. Bd.)	Consensus
Joyce Conner	re-appointment (Environmental Bd.)	Consensus
Chris Riley	re-appointment (Citizen Rep.)	Consensus
Mike Wilson	re-appointment (Water & Wastewater)	Consensus

Building and Fire Code Board of Appeals

Philip Haught	re-appointment	Consensus
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Child Care Council

Sue Ann Carpenter	appointment	Consensus
Dr. Avis Jones Wallace	appointment	Consensus

Design Commission

Girard Kinney	re-appointment	Consensus
Phillip Alan Reed	re-appointment	Consensus

Downtown Commission

Charlie Jones	appointment (Music Commission)	Consensus
Nan McRaven	appointment (Austin Area Research)	Consensus
Jean Mather	re-appointment (Planning Commission)	Consensus
Scheleen Johnson	re-appointment (Urban Transportation)	Consensus
Perry Lorenz	re-appointment (Design Commission)	Consensus
Chris Riley	re-appointment (Downtown Resident)	Consensus

Historic Landmark Commission

Julia Bunton	re-appointment	Consensus
Jim Fowler	re-appointment	Consensus
Lisa Laky	re-appointment	Consensus
Teresa O'Connell	re-appointment	Consensus

Human Rights Commission

Edward Sledge	re-appointment	Goodman
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Urban Transportation Commission

Patrick Goetz

re-appointment

Consensus

Joneth 'Jay' Wyatt

re-appointment

Consensus

Water Impact Committee

Dr. David J. Eaton

appointment

Consensus

Mary Arnold

appointment

Consensus

Andrew P. Covar

appointment

Consensus

DISCUSSION ITEMS

12. C14-00-2007 - Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10 North I.H. 35 from CS, General Commercial Services district zoning to DMU-CO, Downtown Mixed Use-Conditional Overlay Combining District zoning with conditions. First reading on August 31, 2000. Vote: 6-0, Watson absent. Applicant: River City Holdings, Ltd. Agent: Sergio Lozano. City Staff: Adam Smith, 499-2755.

The second reading of this ordinance adopting staff's recommendation was approved on Council Member Wynn's motion, Council Member Alvarez' second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Slusher were off the dais.

The motion to recess the meeting at 9:49 a.m. was approved on Council Member Alvarez' motion, Mayor Watson's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Slusher were off the dais.

Mayor Watson called the meeting back to order at 10:50 a.m.

DISCUSSION ITEMS CONTINUED

11. C14-99-2064 (Lot 10) - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1005 East 39th Street from SF-3, Family Residence district zoning to NO-CO, Neighborhood Office-Conditional Overlay Combining district zoning with conditions. First reading on February 17, 2000; Vote: 7-0. Second reading on June 29, 2000; Vote: 5-0, Goodman and Griffith off the dais. Conditions to be met: Conditional overlay incorporates conditions imposed by Council at second reading. Applicant: Todd and Bridget McCullough. Agent: Crocker Consultants (Sara Crocker). City Staff: Katie Larsen, 499-3072. Note: A valid petition has been filed in opposition to this rezoning request.

The applicant has withdrawn the request for rezoning.

47. Approve a resolution authorizing execution of a contract with HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS COOPERATIVE PURCHASING PROGRAM (H-GAC), Houston, Texas, for the purchase of five ambulances in an amount of \$723,449.08. (Funding in the amount of \$429,008.47 was included in the 2000-2001 Vehicle Acquisition Fund. The amount of \$294,440.61 was included in the 2000-2001 Operating Budget for the Emergency Medical Services Department.) The ambulances have been competitively bid through H-GAC.

Resolution No. 001026-47 was approved on Council Member Thomas' motion, Mayor Watson's second by a 7-0 vote.

31. Approve an ordinance reimbursing and waiving development fees for POST WEST AVENUE LOFTS, L.P., for a development project located at 801 W. 5th Street under the Smart Growth Matrix, in an amount not to exceed \$446,192. (Estimated future waivers or reimbursements of waived fees: \$124,926 of Development Review and Permit Fees; \$250,296 in right-of-way use and license fees in the Public Works and Transportation Department; \$51,470 of capital recovery, tap and inspection

fees in the Water and Wastewater Utility Department; \$19,500 in lieu of structural controls in the Watershed Protection Department.)

Ordinance No. 001026-31 was approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second by a 7-0 vote.

32. Approve an ordinance amending Chapter 8-13 of the City Code relating to ground transportation passenger services, and creating offenses. (Recommended by Urban Transportation Commission)

Ordinance No. 001026-32 was approved on Council Member Slusher's motion, Council Member Alvarez' second by a 7-0 vote.

18. Approve a resolution to declare official intent to reimburse the following: \$2,927,000 in expenditures associated with the August 1992 General Obligation bond election (\$1,000,000 for 1992 Proposition Four and \$1,927,000 for 1992 Proposition Five); \$62,077,000 in expenditures associated with the November 1998 General Obligation bond election (\$23,552,000 for 1998 Proposition One, \$11,420,000 for 1998 Proposition Two, \$24,480,000 for Proposition Three, and \$2,625,000 for Proposition Four); \$15,465,000 in expenditures associated with FY2002 Certificates of Obligation (\$600,000 for Fleet Service Center #3, \$3,545,000 for Fleet North Service Center, \$10,000,000 for Convention Center Retrofits, \$800,000 for Convention Center Parking Garage and \$520,000 for Major Golf Course Improvements); and \$1,265,000 in expenditures associated with FY2002 Contractual Obligations (Capital Equipment for the Water and Wastewater Utility). (\$65,004,000 in General Obligation Public Improvement Bonds to be issued in September 2001 or later; \$15,465,000 in non-tax-supported General Obligation Certificates of Obligation to be issued in September 2001 and \$1,265,000 in non-tax-supported General Obligation Contractual Obligations to be issued in September 2001.) (Related to Item 35)

Resolution No. 001026-18 was approved on Council Member Slusher's motion, Council Member Thomas' second by a 7-0 vote.

49. Approve a resolution authorizing an Exclusive Negotiating Agreement (ENA) between the City of Austin and a joint venture to be formed between AMLI Residential Properties, L.P., of Kennesaw, Georgia and Bonner Carrington Development LLC, of Austin, Texas (the "Developer"), for the purpose of negotiating the terms and conditions of a Development Agreement which will assign or sublease the ground floor CSC Retail Spaces on Blocks 2 and 4 and potentially assign or sublease the ground floor CSC Retail Space on Block 21 and potentially lease a portion of the New City Hall on Block 3 to the Developer for the Developer to finance, market, lease to retail tenants, construct tenant finish improvements within, and operate in accordance with programs approved by the City. (The ENA requires that the joint venture deliver a \$250,000 cash deposit at the time the agreement is executed. The Developer forfeits the deposit if the Developer does not make a good faith effort to carry out its responsibilities under the ENA. If the parties do enter into a Development Agreement, the deposit will be applied in full to the first amount that will be payable by the Developer to the City under the terms of the subsequent Development Agreement. The ENA further requires that the Developer incur any expenses at its sole expense for the preparation of requested reports, designs, and other information needed by the City to complete negotiation of the Development Agreement.)

Resolution No. 001026-49 was approved on Council Member Slusher's motion, Mayor Watson's second by a 7-0 vote.

The motion to recess the meeting at 11:12 a.m. was approved on Council Member Slusher's motion, Council Member Thomas' second by a 7-0 vote.

Mayor Watson called the meeting back to order at 12:02 p.m.

The motion to recess the Council meeting at 12:04 p.m. and go into Executive Session was approved on Council Member Wynn's motion, Council Member Slusher's second by a 5-0 vote. Council Members Alvarez and Thomas were off the dais.

EXECUTIVE SESSION

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.

2. Discuss legal issues concerning a proposed development agreement with T.H.L Ranch, Ltd., affecting approximately 4,200 acres in the Steiner Ranch development in Austin's extraterritorial jurisdiction north and east of Lake Austin and south of FM 620.
3. Discuss *City of Austin v. Lumbermen's Investment Corporation*, Cause No. 99-13013, pending in the Travis County District Court. (Sand Beach Reserve)
4. Discuss legal issues regarding labor negotiations with the Austin Police Association
84. Discuss legal issues related to the implementation and enforcement of a 1992 Agreed Order concerning the East Austin Tank Farm property and adjoining properties.

Executive session ended at 1:31 p.m.

Mayor Watson called the meeting back to order.

CITIZEN COMMUNICATIONS

52. Jimmy Castro - Light Rail.- **ABSENT**
53. Jennifer L. Gayle - Light Rail.- **ABSENT**
54. Kahlyne Nolde - **ABSENT**
55. Sarah Reay - **ABSENT**
56. Jim Walker – Mueller Airport Redevelopment.
57. Rick Krivoniak – Mueller Redevelopment.
58. Gus Pena – Discuss need for Transitional Housing and funding for it, City issues and the need to aggressively start the Low Housing Initiatives.- **ABSENT**
86. Donna Gaignard – **ABSENT**

The motion to recess the meeting at 1:39 p.m. was approved on Council Member Slusher's motion, Mayor Watson's second by a 7-0 vote.

Mayor Watson called the meeting back to order at 2:00 p.m.

DISCUSSION ITEMS CONTINUED

6. Amend Ordinance No. 000912-1, the 2000-2001 Fiscal Year Operating Budget, amending the General Fund by increasing budgeted expenditures in the Police Department by \$700,000 for a negotiated settlement of the 1999-2000 Central Booking facility Interlocal Agreement and increasing the transfer in from the Contingency Reserve by the same amount and amending the Contingency Reserve Fund by increasing the transfer out by \$700,000.

Ordinance No. 001026-06 was approved on Council Member Wynn's motion, Council Member Slusher's second by a 7-0 vote.

59. Approve a resolution authorizing execution of a twenty-four month Interlocal Agreement with Travis County for central booking and related jail services with three twelve-month renewals. (Funding in the amount of \$2.7 million is available in the Approved Police Operating Budget Fiscal Year 2001. Funding for the remaining twelve months of the original contract period and the renewals will be contingent upon available funding in future budgets.)

The substitute motion made by Mayor Pro Tem Goodman and second by Council Member Thomas failed on a 3-4 vote. Those voting aye were: Mayor Pro Tem Goodman and Council Members Griffith and Thomas. Those voting nay were: Mayor Watson and Council Members Alvarez, Slusher and Wynn. The substitute motion was for Council to approve a resolution authorizing the execution of this agreement for central booking and directing the City Manager and staff to plan for hiring and training staff so the City could operate a class "C" offender booking facility or a sobriety center and plan a CIP for facilities that could house Police, Municipal Court, and a sobriety center. And that there be a moratorium of peripheral facilities near the 10th street facility be on Council's agenda next week.

Resolution No. 001026-59 was approved with friendly amendments on Council Member Slusher's motion, Mayor Watson's second by a 4-3 vote. Those voting aye were: Mayor Watson and Council Members Alvarez, Slusher and Wynn. Those voting nay were: Mayor Pro Tem Goodman and Council Members Griffith and Thomas.

The friendly amendment made by Council Member Wynn was to direct the City Manager to clarify Austin Police Department's presence at Pease Elementary by defining in the resolution that there will be a police presence in the building one hour before and after school from the time of opening the Central Booking facility until the end of the year when it will be re-evaluated to see if the officer's presence is still needed; to establish a task force to assist the City in understanding what an efficient 21st century retention facility should be and to make recommendation on how to best utilize the 7th street facility, the appropriateness of a sobriety center and the need for a CIP project to renovate or construct needed facilities; and to implement interim development controls for the area near the 10th street facility until recommendations can be developed for overlays that would control any peripheral services relocating near this facility that would have a negative impact on the neighborhood. There was a friendly amendment made by Council Member Slusher that a moratorium be put in place so no peripheral services could be grandfathered before the controls are in place. There was a friendly amendment made by Council Member Alvarez to develop an agreement between City and the County within one year of signing this interlocal agreement to find a way to address the issues of a sobriety center with a status report from the City Manager in six months; to direct the City Manager to work the taxicab vouchers into the booking process; and to ask the County to wait a couple of months after all other activities are moved into the new building before moving the Central Booking facility. The friendly amendments were accepted by both the maker of the motion and Mayor Watson who made the second.

ZONING CONSENT

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

61. C14-99-2121 - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property located south Capital of Texas Highway South from I-RR, Interim-Rural Residence district zoning to SF-1, Single Family Residence Large Lot district zoning with conditions. Planning Commission Recommendation: To grant SF-1-CO, Single Family Residence Large Lot-Conditional Overlay Combining district zoning with conditions. Property Owners: Sherrinel and Charles Cullen, Jennifer Gaines, and Jennifer and David Carroll. Applicant: City of Austin; Agent: Development Review and Inspection Department. City Staff: Adam Smith, 499-2755.

Ordinance No. 001026-61 was approved.

62. C14-00-2036 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as property locally known as the property located northwest of the intersection of West Howard Lane and McNeil-Merrilltown Drive from LI-CO, Limited Industrial Services-Conditional Overlay Combining district zoning to LI, Limited Industrial Services district zoning. Planning Commission Recommendation: To grant LI-CO, Limited Industrial Services-Conditional Overlay Combining district zoning with conditions. Applicant: Hill Partners, Inc.(Richard E. Hill); Agent: The Faust Group (W.M. Faust). City Staff: David Wahlgren, 499-6455.

Ordinance No. 001026-62 was approved.

63. C14-00-2043 - Great Hills Golf Club of Austin – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 5914 Lost Horizon Drive from CS-1, Commercial Liquor Sales district, LO, Limited Office district and SF-2, Single Family Residence Standard Lot district zoning to GR, Community Commercial district zoning. Planning Commission Recommendation: To grant to GR-CO, Community Commercial-Conditional Overlay Combining district zoning with conditions. Applicant: Great Hills Golf Club of Austin, Inc. (Brent Burkhart). Agent: Sarah Crocker Consultants (Sarah Crocker), City Staff: Katie Larsen, 499-3072.

Ordinance No. 001026-63 was approved.

66. C14-00-2111 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1200 block of West Slaughter Lane from DR, Development Reserve district zoning to MF-2, Multifamily Residence Low Density district zoning. Planning Commission Recommendation: To grant MF-2-CO, Multifamily Residence Low Density-Conditional Overlay Combining district zoning with conditions. Property Owner and Applicant: Bette Swanson, Individually and as Independent Executrix of the Estate of Ted A. Swanson, Deceased (Bette Swanson). Agent: Land Answers (Phyllis Marucci). City Staff: Michele Rogerson, 499-2308

Ordinance No. 001026-66 was approved.

67. C14-00-2112 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 13601 & 13605 Ida Ridge Drive and 2700, 2800 & 2900 Century Park Drive from IP, Industrial Park district zoning to MF-3, Multifamily Residence Moderate Density district zoning. Planning Commission Recommendation: To grant MF-3-CO, Multifamily Residence Moderate Density-Conditional Overlay Combining district zoning with conditions. Applicant: Austin Century Park, Ltd. (William Burrow) & Sage Land Co. Agent: Land Strategies, Inc. (Paul Linehan). City Staff: David Wahlgren, 499-6455.

The first reading of this ordinance was approved.

68. C14-00-2120 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 8331 Tuscany Way from GR, Community Commercial 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 for Tract 1, and W/LO-CO, Warehouse/Limited Office-Conditional Overlay Combining district zoning with conditions for Tract 2. Applicant: Midtown 3100, & Donegal Development Corporation (Hunter

Barrier); Agent: Armbrust Brown & David (Richard Suttle or Kristofer Kasper). City Staff: Clark Patterson, 499-2464. (continued from 10/9/00 and 10/12/00)

The first reading of this ordinance was approved zoning Tract 1 L1, Track 2 LI with uses on Track 2 limited to those permitted in the WLO district except software development and light manufacturing. The zoning is subject to the agreements of the neighborhood association letter dated October 24, 2000 and the restrictive covenants recorded in the prior zoning case C14-89-0188, except as modified by this approval.

69. C14-00-2121 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 6708 Manchaca Road from SF-3, Family Residence district zoning to MF-2, Multifamily Residence Low Density district zoning. Planning Commission Recommendation: To grant MF-1, Multifamily Residence Limited Density district zoning with conditions. Property Owner and Applicant: David Fossmeier. City Staff: Michele Rogerson, 499-2308.

The first reading of this ordinance was approved.

70. C14-00-2123 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 4701 Weidemar Lane from SF-3, Family Residence district zoning to GR-CO, Community Commercial-Conditional Overlay Combining district zoning. Planning Commission Recommendation: To grant GR-CO, Community Commercial-Conditional Overlay Combining district zoning with conditions. Property Owner and Applicant: Munday Trust No. 1 (William F. Munday). Agent: Griffin Engineering, Inc (Greg Griffin). City Staff: Wendy Walsh, 499-7719.

The first reading of this ordinance was approved.

71. C14-99-2130 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 6401 River Place Boulevard from DR, Development Reserve district zoning to NO, Neighborhood Commercial district zoning. Planning Commission Recommendation: To grant: NO-CO, Neighborhood Commercial-Conditional Overlay Combining district zoning with conditions. Applicant: Robert and Peninnah Thurmond; Agent: Stuart M. Alderman. City Staff: City Staff: Clark Patterson, 499-2464.

Ordinance No. 001026-71 was approved.

72. C14-00-2166 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1500 Grove Boulevard from MF-2, Multifamily Residence Low Density district zoning and LR, Neighborhood Commercial district zoning to P, Public district zoning. Planning Commission Recommendation: To grant P, Public district zoning. Applicant: City of Austin Library Department (John Gillum); Agent: Public Works and Transportation Department (Cynthia Dewitt Jordan). City Staff: Adam Smith, 499-2755.

Ordinance No. 001026-72 was approved.

73. C14-00-2174-Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 9099 Research Boulevard from LI, Limited Services district zoning to CS-CO, General Commercial Services-Conditional Overlay Combining district zoning. Planning Commission Recommendation: To grant CS-CO, General Commercial Services-Conditional Overlay Combining district zoning with conditions. Applicant: Holford Group (Theresa Canchola). City Staff: Annick Beaudet, 499-3072

Ordinance No. 001026-73 was approved.

ZONING DISCUSSION

The motion to suspend the rules and allow twenty minutes per side to present their case on item No. 6 was approved on Council Member Slusher's motion, Council Member Griffith's second on a 7-0 vote.

60. C14-99-0069 – Mirabeau/200 South Congress – Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 200-210 South Congress, 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. Second reading on August 24, 2000; Vote: 5-2, Slusher and Griffith-nay. Conditions to be met: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: Hixco, Inc. (Michael Hicks, President); Agent: Crocker Consultants (Sarah Crocker). City Staff: Adam Smith, 499-2755. (continued from 10/5/00)
The public hearing was closed on Council Member Alvarez' motion, Council Member Slusher's second by a 7-0 vote.

Ordinance No. 001026-60 was approved based on a substitute motion on Council Member Wynn's motion, Mayor Pro Tem Goodman's second by a 5-2 vote. Those voting aye were: Mayor Watson, Mayor Pro Tem Goodman and Council Members Alvarez, Slusher and Wynn. Those voting nay were: Council Members Griffith and Thomas. The substitute motion made by Council Member Wynn was to approve the zoning change based on the ROMA guidelines of 60 feet above the roadway on Congress Avenue and to include all other provision previously discussed including no use of the Fickelstein driveway unless in cases of emergencies and that the site plan is required and must be submitted to the Planning Commission.

The motion to recess the meeting at 5:36 p.m. was approved on Mayor Pro Tem Goodman's motion, Mayor Watson's second by a 7-0 vote.

Mayor Watson called the meeting back to order at 6:25 p.m.

The Special Called meeting of the City Council was convened at 6:27 p.m. See the separate minutes for this meeting.

The meeting of the regular City Council meeting was called back to order at 6:30 p.m.

DISCUSSION ITEM CONTINUED

65. C14-00-2102 - East Cesar Chavez Neighborhood - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as the alley between East 6th Street and East 7th Street on the north, Chicon Street on the east, Town Lake on the south and IH-35 on the west:
- 1) to add a NP, Neighborhood Plan combining district to each base zoning district within the property, and
 - 2) to change the base zoning districts on 90 tracts of land from LO, Limited Office district, LR, Neighborhood Commercial district, GR, Community Commercial district, , CS-General Commercial Services district, CS-H, General Commercial Services-Historic District, CS-1, Commercial Liquor-Sales district and LI, Limited Industrial Services district zoning to LO-MU-CO-NP, Limited Office-Mixed Use- Conditional Overlay-Neighborhood Plan Combining district, LR-MU-CO-NP, Neighborhood Commercial-Mixed Use- Conditional Overlay-Neighborhood Plan Combining district, GR-MU-CO-NP, Community Commercial-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district, CS-MU-CO-NP, General Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district, CS-1-MU-CO-NP, Commercial Liquor-Sales-Mixed Use-Conditional Overlay- Neighborhood Plan Combining district, and CS-H-CO-NP, Commercial Services-Historic-Conditional Overlay-Neighborhood Plan Combining District zoning, with conditions. Planning Commission Recommendation: To add a NP, Neighborhood Plan combining district to each base zoning district within the property, and to change the base zoning districts on 90 tracts of land to LO-MU-CO-NP, Limited Office-Mixed Use-Conditional Overlay-Neighborhood

Plan Combining district, LR-MU-CO-NP, Neighborhood Commercial-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district, GR-MU-CO-NP, Community Commercial-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district, CS-MU-CO-NP, General Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district, CS-1-MU-CO-NP, Commercial Liquor-Sales-Mixed Use-Conditional Overlay- Neighborhood Plan Combining district, and CS-H-CO-NP, Commercial Services-Historic-Conditional Overlay-Neighborhood Plan Combining District zoning, with conditions.

Applicant: City of Austin, Planning Environmental and Conservation Services Department (Cecilia Williams, PECSD, ph. 499-2251). Agent: Development Review and Inspection Department (DRID). City Staff: Adam Smith, 499-2755. (continued from 8/17/00) Note: Valid petitions have been filed in opposition to this rezoning request.

The public hearing was closed on Council Member Slusher's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Council Member Griffith was off the dais.

The first reading of this ordinance was approved with a request to staff to contact the homeowners that filed petitions and give a status report back to Council on November 30, 2000 on Council Member Alvarez' motion, Council Member Slusher's second by a 6-1 vote. Council Member Thomas voted no.

64. C14-00-2074 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1109 East 52nd Street, from LR, Neighborhood Commercial district zoning to CS, General Commercial Services district zoning. Planning Commission Recommendation: To deny CS, General Commercial Services district zoning. Applicant: Eugene Mees. Agent: CDM (Helga Williams). City Staff: Katie Larsen, 499-3072

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

The motion to postpone this item for sixty days was approved on Council Member Wynn's motion, Mayor Watson's second by a 5-0 vote. Council Member's Alvarez and Slusher were off the dais.

DISCUSSION ITEMS CONTINUED

74. Conduct a public hearing and approve an ordinance to amend Land Development Code Section 25-12-3, Appendix Chapter 58 and Appendix Chapter 59 to meet minimum Federal Emergency Management Agency-National Flood Insurance Program requirements.

The public hearing was closed on Council Member Griffith's motion, Council Member Thomas' second by a 5-0 vote. Council Member's Slusher and Wynn were off the dais.

80. Approve an ordinance to amend Land Development Code Section 25-12-3, Appendix Chapter 58 and Appendix Chapter 59 to meet minimum Federal Emergency Management Agency-National Flood Insurance Program requirements.

Ordinance No. 001026-80 was approved on Mayor Pro Tem Goodman's motion, Mayor Watson's second by a 5-0 vote. Council Members Slusher and Wynn were off the dais.

75. Conduct public hearings for the full purpose annexation of the Davenport West Annexation Area (approximately 270 acres located on the west side of Loop 360 at the intersection of Capital of Texas Highway and Westlake Drive).

The public hearing was closed on Council Member Slusher's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Council Member Alvarez was off the dais.

76. Conduct a public hearing to receive public comment on the proposed rates and fees for Solid Waste Services' Material Recovery Facility.

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

81. Amend the Fiscal Year 2000-2001 Operating Budget Rates and Fees Schedule, Ordinance 000912-4, by adopting rates for use of the Solid Waste Services Department Material Recovery Facility.

Ordinance No. 001026-81 was approved on Council Member Slusher's motion, Council Member Thomas' second by a 6-0 vote. Council Member Alvarez was off the dais.

77. Conduct a public hearing for the full purpose annexation of following annexation areas:

Ivanhoe area (approximately 1010 acres located on the north side of FM 2222 at the intersection of FM 2222 and Bell Mountain Dr);

Cortana area (approximately 1765 acres located on the east side of River Place Blvd between River Place Municipal Utility District (MUD) and the Steiner Ranch development);

FM 2222 Frontage area (approximately 3 acres located on the west side of FM 2222 approximately .3 miles north of the intersection of FM 2222 and River Place Blvd);

RiverPlace Blvd./FM 2222 Intersection area (approximately 7 acres located on the west side of FM 2222 at the intersection of River Place Blvd and FM 2222);

Grandview Section 14 area (approximately 72 acres located on the west side of FM 620 at the intersection of FM 620 and Boulder Ln);

Anderson Development Tract Area (approximately 120 acres located at the southeast corner of the intersection of Dessau Road and Parmer Lane);

Avery Ranch West (approximately 80 acres located approximately .3 miles west of the intersection of Parmer Lane and Avery Ranch Road); and

Hwy 71 ROW area (approximately 66 acres of SH 71 right-of-way located across from Austin-Bergstrom International Airport,)

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

7. Set a public hearing to discuss the proposed settlement agreement in *Circle C Land Corp. v. City of Austin*, Cause No. 97-13994, in the Travis County District Court, including terms and conditions relating to the development of property owned by Stratus Properties in the Circle C Ranch, Lantana, and Barton Creek developments. (This proposal concerns development regulations applicable in the Barton Springs Zone.) (Suggested Dates and Times: November 2 and November 9, 2000 at 6:00 p.m.)

Resolution No. 001026-07 was approved.

The motion to re-consider item #7 to change the dates of the public hearings was approved on Council Member Wynn's motion, Council Member Thomas' second by a 7-0 vote.

Resolution No. 001026-07 was approved with the dates of the public hearings changed to November 30 and December 7, 2000 at 6:00 p.m. on Council Member Wynn's motion, Council Member Alvarez' second by a 7-0 vote.

79. Conduct a public hearing to consider a proposed development agreement with T.H.L Ranch, Ltd., affecting approximately 4,299 acres in the Steiner Ranch development in Austin's extraterritorial jurisdiction north and east of Lake Austin and south of FM 620.

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

82. Approve a proposed development agreement with T.H.L Ranch, Ltd., affecting approximately 4,299 acres in the Steiner Ranch development in Austin's extraterritorial jurisdiction north and east of Lake Austin and south of FM 620.

Resolution No. 001026-82 was approved with the following friendly amendment on Council Member Wynn's motion, Mayor Pro Tem Goodman's second by a 7-0 vote. The amendment was to direct the City Manager to negotiate and execute an agreement based on the term sheet. This friendly amendment was accepted by the maker of the motion and Mayor Pro Tem Goodman, who made the second.

78. Conduct a public hearing to consider a settlement proposal in the *City of Austin v. Lumbermen's Investment Corporation*, Cause No. 99-13013, pending in the Travis County District Court (Sand Beach Reserve).

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

The motion to go into Executive Session at 10:27 p.m. and to suspend the rules to continue the meeting past 10:00 p.m. was approved on Council Member Slusher's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.

EXECUTIVE SESSION

5. Discuss a proposed settlement agreement in *Circle C Land Corp. v. City of Austin*, Cause No. 97-13994, in the Travis County District Court, including terms and conditions relating to the development of property owned by Stratus Properties in the Circle C Ranch, Lantana, and Barton Creek developments. (This proposal concerns development regulations applicable in the Barton Springs Zone.)

Executive session ended at 11:13 p.m.

85. Consider a resolution to authorize the exercise of enforcement powers granted to the City of Austin by Subchapter H, Chapter 7, Texas Water Code, concerning the East Austin Tank Farm property and adjoining properties.

No action taken.

The motion to adjourn the meeting at 11:14 p.m. was approved on Council Member Slusher's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.

The minutes for the regular meeting of October 26, 2000 and corrections to Items #24 and #25 on approved minutes of September 28, 2000 were approved on Council Member Thomas' motion, Council Member Wynn's second by a 6-0 vote. Council Member Griffith was off the dais.