



**Austin City Council
MINUTES**

**REGULAR MEETING
THURSDAY, DECEMBER 14, 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, December 14, 2000 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

INVOCATION – Associate Pastor Danny Shuffield, Redeemer Presbyterian Church

Mayor Watson called the meeting to order at 9:14 extra space here a.m.

1. Approval of minutes for regular meeting of December 7, 2000, and correction(s) to approve minutes of October 26, 2000.
The minutes for the regular meeting of December 7, 2000, and the correction to the minutes of October 26, 2000 were approved on Council Member Wynn's motion, Council Member Alvarez' second by a 7-0 vote.

BRIEFINGS

3. Update on Mexican American Cultural Center design plans.
The presentation was made by Paul Medrano, Project Manager, Jaime Beaman, CasaBella Architects, Martin Del Campo, Del Campo and Maru Architects and Teodoro Gonzalez de Leon, Gonzalez Architects.

Item 4 through 9 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 Alvarez' motion Mayor Pro Tem Goodman's second by a 7-0 vote.

Items 10 through 13 were pulled for discussion.

14. Approve a resolution authorizing negotiation and execution of an amendment to the professional services agreement with MARTINEZ, WRIGHT & MENDEZ, INC. (DBE/MH), Austin, Texas, for engineering design and construction phase services for the north expansion of the general aviation apron at Austin Bergstrom International Airport, in an amount not to exceed \$260,000, for a total contract amount not to exceed \$1,160,000. (Funding for these services is available in the Fiscal

Year 2001 Capital Budget of the Department of Aviation.) (Recommended by Airport Advisory Board)

Resolution No. 001214-14 was approved.

15. Approve a resolution authorizing execution of a construction contract with SMITH CONTRACTING CO., INC., Austin, Texas, for the expansion of existing Parking Lot F at Austin-Bergstrom International Airport, in an amount not to exceed \$1,347,839.80, and a contingency in an amount not to exceed \$67,391.20, for a total amount not to exceed \$1,415,231. (Funding in the amount of \$1,415,231 is available in the 1999-2000 Capital Budget of the Department of Aviation.) Lowest of five bids received. 23.96% MBE, 14.84% WBE subcontracting participation. (Recommended by Airport Advisory Board)

Resolution No. 001214-15 was approved.

16. Amend the Austin City Code Section 10-9-2; Carrying Firearms, to repeal the exception for the sale and show of firearms from the general prohibition against carrying firearms on City property.
This item was removed from the agenda.

17. Amend Ordinance No. 000912-1, the 2000-2001 Approved Operating Budget, by appropriating \$698,954 in the Convention Center Operating Fund and decreasing the ending balance by \$698,954 for the payment of legal services provided by Thompson & Knight, L.L.P., Austin, Texas, regarding the Convention Center Headquarters Hotel project. (Funding in the amount of \$698,954 is available in the Convention Center Operating Fund.) (Related Item No. 18)

Ordinance No. 001214-17 was approved.

18. Approve a resolution to ratify the agreement to pay Thompson & Knight, L.L.P., Austin, Texas, for legal services provided regarding the Convention Center Headquarters Hotel project in the amount of \$698,954. This action authorizes payment to be made from the Convention Center Operating Fund. It is the City's intent to reimburse the Convention Center Operating Fund from the proceeds of bonds to be sold by Austin Convention Center Enterprises, Inc. for the Convention Center headquarters hotel. (Funding is included in the 2000-2001 Amended Operating Budget of the Austin Convention Center.) (Related Item No. 17)

Resolution No. 001214-18 was approved.

19. Approve a resolution authorizing execution of Change Order #2 to the construction contract with CIVES STEEL, INC., Rosedale, Mississippi, for fabrication and delivery of structural steel for the Austin Convention Center Expansion Project, increasing the contract in the amount of \$331,562, plus \$110,000 contingency, for a total contract amount not to exceed \$7,321,447. (Funding in the amount of \$441,562 is available in the 1997-1998 Amended Capital Budget of the Austin Convention Center Department.)

Resolution No. 001214-19 was approved.

Item 20 was pulled for discussion.

21. C14-00-2107 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known at North Lake Creek Drive and Lakeline Boulevard (Lake Creek Watershed) from MF-3, Multifamily Residence Medium Density district zoning to GO, General Office district zoning. First reading on September 7, 2000; Vote 7-0. Conditions to be met: No conditions were imposed by Council at first reading. Applicant: S.P.F. Joint Venture (Alice K. Meyer). Agent: Crocker Consultants (Sarah Crocker). City Staff: David Wahlgren, 499-6455.

Ordinance No. 001214-21 was approved.

22. C14-99-2131 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 901 Red River Street (Waller Creek Watershed) from CS-1, Commercial-Liquor Sales district zoning and MF-4, Multifamily Residence

Moderate-High Density district zoning to CBD-CO, Central Business District - Conditional Overlay zoning. First reading on October 5, 2000: Vote 5-0 Wynn off the dais, Thomas absent). Conditions to be met: Conditional overlay incorporates conditions imposed by Council at first reading. Property Owner: Sutton Ice House (Mac Pike). Applicant: Bury & Partners, Inc. (Greg Strmiska). City Staff: Clark Patterson, 499-2464.

Ordinance No. 001214-22 was approved.

23. Consider an ordinance granting a non-emergency medical transfer franchise to Southerncross Ambulance, Inc., under Chapter 6-3 of the City Code. (Second Reading)
This item was removed from the agenda.
24. Authorize giving official notice to Travis County Emergency Service Districts Number 4, 6, 9, 11 and 14 of full purpose annexations by the City of Austin in 2000.
Resolution No. 001214-24 was approved.
25. Approve a resolution authorizing negotiation and execution of professional services contracts with the following firms: Carl S. Richie of Mayor Day Caldwell and Keeton, LLP; Cliff Johnson and Reggie Bashur; Hugo Berlanga, Berlanga Business Associates; Richard Hamner; Carl Parker; Froy Salinas, Susan Rocha of Denton, McKamie & Navarro; and Johnson & Johnson (Gordon R. & Robert E.) to provide state representation services for the 77th Legislative Session, for a total amount not to exceed \$661,000. (Funding is included in the Fiscal Year 2001 Approved Budget of the Management Services Department.
Resolution No. 001214-25 was approved. Council Member Alvarez abstained.
26. Amend Ordinance No. 091100-02, the 2000-01 Capital Budget of the Health and Human Services Department by appropriating \$2,100,146 for the Homeless Facility project. (Funding in the amount of \$450,000 is available in 2000-01 Capital Budget of the Health and Human Services Department.)
This item was removed from the agenda.
27. Approve a resolution authorizing negotiation and execution of a contract with CHILD CARE CONNECTION OF AUSTIN, INC. (dba: FUND FOR CHILD CARE EXCELLENCE), Austin, Texas, to provide services to raise and manage money for the improvements of child care and child development in Austin, for the contract period of December 1, 2000 through November 30, 2001, in an amount not to exceed \$50,000, for a total contract amount not to exceed \$50,000. (Funding in the amount of \$41,670 was included in the 2000-2001 Approved Operating Budget of the Health and Human Services Department. Funding for the remaining two months of the contract is contingent upon available funding in future budgets.)
Resolution No. 001214-27 was approved.
28. Approve a resolution confirming the reappointment of Steve Harris, M.D., as Health Authority for Austin/Travis County Health and Human Services Department effective January 11, 2001. (Funding was included in the 2000-2001 Health and Human Services Department Budget.)
Resolution No. 001214-28 was approved.
29. Approve a resolution confirming designation of Linda Williams Dooley, M.D. as alternate Health Authority for Austin/Travis County Health and Human Services Department for the period beginning January 11, 2001 and ending January 10, 2003.
Resolution No. 001214-29 was approved.
30. Approve a resolution authorizing payment to Tabb & Associates, Dallas, Texas, in an amount not to exceed \$225,000 for legal services in connection with various real estate matters, including but not limited to negotiations with the master developer on the terms and conditions of a Development Agreement for the Second Street Retail District and the Schneider Store. (Funding in the amount

of \$225,000 is included in the 2000-2001 Approved Operating Budget for the Redevelopment Services Office within the Economic Development Fund.)

Resolution No. 001214-30 was approved.

31. Approve a settlement agreement in *Circle C Land Corp v. City of Austin*, Cause No. 97-13994, in the Travis County District Court, and, pursuant to that agreement, payment to Circle C Land Corp. of \$6,300,000, plus \$564,929 in prejudgment interest, for a total payment of \$6,864,929. Funding in the amount of \$5,145,142 is available in the 2000-01 Amended Capital Budget of the Water and Wastewater Utility and \$1,719,787 is available in the 2000-01 Amended Capital Budget of the Watershed Protection Department for a total amount of \$6,864,929. (Related Items 71 & 72)

Resolution No. 001214-31 was approved.

32. Approve a resolution to ratify an Interlocal Agreement with the CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY, Austin, Texas, to provide shuttle bus service to interim locations of the Austin Council Meetings in the year 2000, in an amount not to exceed \$6,128. (Funding was included in 2000-2001 Approved Operating Budget of the Management Services Department.)

Resolution No. 001214-32 was approved.

33. Approve an ordinance authorizing the acceptance of \$49,690 in grant funding from Work-Family Direction for the Nature-Links Discoveries Project Direction Watertown, MA.; and amend Ordinance 000912-1, the Fiscal Year 2000-2001 Operating Budget, amending the Special Revenue Fund by appropriating \$49,690 in grant funds for the Parks and Recreation Department. (Funding is available from Work Family Direction. The grant period is October 1, 2000 to December 31, 2001. No City match is required.)

Ordinance No. 001214-33 was approved.

Item 34 was pulled for discussion.

35. Adopt a resolution amending the City's Municipal Annexation Plan to include the Onion Creek area, consisting of approximately 1,222 acres located on the east side of IH 35 at the Onion Creek Parkway/IH 35 intersection approximately 7/10 of a mile south of the intersection of Slaughter Lane and I.H. 35. (Including an area in the Municipal Annexation Plan does not create an obligation to annex an area and does not have a fiscal impact.)

Resolution No. 001214-35 was approved.

36. Set public hearings for the full purpose annexation of the 140 acre Brandt Crossing Tract, located in eastern Travis County approximately .5 miles east of the intersection of IH-35 and E. Slaughter Lane. (Suggested Dates and Times: January 18, 2001 at 6:00 p.m., and January 25, 2001 at 6:00 p.m.)

Resolution No. 001214-36 was approved.

37. Approve a resolution authorizing acceptance of \$252,045 in grant renewal funding from the State of Texas, Office of the Governor, Criminal Justice Division, *Juvenile Accountability Incentive Block Grant Program*, to continue support for the Juvenile Diversion Center for youth who have committed Class C criminal offenses. (Grant funding is available from the State of Texas, Office of the Governor, Criminal Justice Division, for the grant period of February 1, 2001 through January 31, 2002. A cash match of \$28,005 is required and \$13,005 was included in the Fiscal Year 2000-2001 Operating Budget of the Police Department. The remaining \$15,000 will be requested in the 2001-2002 Proposed Budget. Funding for the continued operation of this program is contingent upon available funding in future budgets.)

Resolution No. 001214-37 was approved.

38. Approve a ordinance authorizing acceptance of \$45,000 in grant funds from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention "Internet Crimes Against

Children (ICAC) Task Force" investigative satellite grant initiative, for training, equipment and contracts in the Child Abuse Unit; Amend Ordinance No. 000912-1, the 2000-2001 Operating Budget, amending the Austin Police Department Special Revenue Fund, by increasing grant funding and increasing grant expenditures by \$45,000. (The amount of \$45,000 in grant funding is available from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention "Internet Crimes Against Children (ICAC) Task Force" investigative satellite grant program. The term of the grant is from January 1, 2001 to December 31, 2002. No cash match is required. Funding is for training, equipment, and a contract to an internet service provider.)

Ordinance No. 001214-38 was approved.

39. Approve a resolution authorizing negotiation and execution of a professional services agreement with WILBUR SMITH ASSOCIATES, Houston, Texas, for preliminary design, engineering and construction phase services for the Crosstown Bikeway, in an amount not to exceed \$500,000. (The amount of \$310,000 is available from Texas Department of Transportation Enhancement Program funds and is included in the 2000-2001 Amended Capital Budget of the Department of Public Works & Transportation; \$190,000 (38% City matching funds) is included in the 2000-2001 Amended Capital Budget of the Department of Public Works & Transportation.) Submittal of four firms. 47.50% DEB subcontracting participation. (Recommended by Urban Transportation Commission, Planning Commission, Capital Metropolitan Planning Organization and Environmental Board)

Resolution No. 001214-39 was approved.

40. Approve a resolution authorizing negotiation and execution of an amendment to the professional services agreement with WILBUR SMITH ASSOCIATES, Houston, Texas, to include a "Great Streets" transportation model analysis to the "Downtown Access and Mobility Study", in an amount not to exceed \$60,000 for a total contract amount not to exceed \$588,000. (Funding in the amount of \$60,000 is available in the 1999-2000 Amended Capital Budget of the Department of Public Works and Transportation.) This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified; therefore MBE/WBE goals were not established for this solicitation.

Resolution No. 001214-40 was approved.

41. Approve a resolution authorizing payment to the TEXAS DEPARTMENT OF TRANSPORTATION for the City's 10% participation of right-of-way acquisition for the U.S. Highway 183 Project, FM 620 to the City limit north of Lakeline Boulevard, in accordance with the June 27, 1986 Contractual Agreement for Right-of-Way Procurement, in the amount of \$550,250.60. (Funding is available in the 1999-2000 Capital Budget of the Department of Public Works & Transportation.)

Resolution No. 001214-41 was approved.

42. Approve an ordinance authorizing the vacation of a portion of Meador Avenue at the 7400-7500 Block and a portion of Delmar Avenue at 7410 Blessing and 7500 Blessing, as requested by LOC Consultants, Inc. on behalf of the Austin Independent School District. (The amount of \$26,554 in revenue will be receipted to the General Fund.) (Recommended by Planning Commission)

Ordinance No. 001214-42 was approved.

43. Approve a resolution authorizing execution of Change Order #7 to the construction contract with RYAN-O EXCAVATING, INC., Austin, Texas, for increased quantities of barricades, signs, and asphalt as part of the Group 5 Bond Street Reconstruction Project on South Pleasant Valley Road, in the amount of \$41,544, for a total contract amount not to exceed \$1,510,746.92. (Funding in the amount of \$41,544 is available in the 2000-2001 Amended Capital Budget of the Department of Public Works and Transportation.) These contracts 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. 001214-43 was approved.

44. Approve a resolution authorizing execution of Change Order #11 to the construction contract with CAPITAL EXCAVATION COMPANY, Austin, Texas, for increased quantity items as part of the Group 4 Bond Street Reconstruction Project for Brodie Lane and St. Elmo Road, in the amount of \$245,075, for a total contract amount not to exceed \$3,883,140.67. (Funding in the amount of \$245,075 is available in the 2000-2001 Amended Capital Budget of the Department of Public Works and Transportation.) These contracts 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. 001214-44 was approved.

45. Approve a resolution authorizing execution of a twelve-month supply agreement with AMERICAN LIGHT, INC., Austin, Texas, for the purchase of flashlights and batteries in an amount not to exceed \$70,817 with two twelve-month extension options in an amount not to exceed \$70,817 per extension for a total contract amount not to exceed \$212,451. (Funding in the amount of \$59,015 is available in the 2000-2001 Operating Budgets for various City departments. Funding for the remaining two months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bid of six received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. The recommended awardee will provide these commodities directly to the City. There is no opportunity for subcontracting, therefore, no goals were established for this solicitation. (Recommended by Electric Utility Commission)

Resolution No. 001214-45 was approved.

46. Approve a resolution for Amendment No. 2 to an Interlocal Agreement with the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES, Austin, Texas, in an amount not to exceed \$1,030,000 for additional communications products and services for the expansion of the Electric Utility Department's Communications Network with an option to extend the contract for one 12-month period in the amount not to exceed \$1,010,000 for communications equipment purchases for a revised contract total amount not to exceed \$6,575,000. (Funding is available in the 2000-2001 Approved Capital Budget of the Electric Utility Department. Funding for the extension option will be contingent upon available funding in future budgets.) (Recommended by Electric Utility Commission)

Resolution No. 001214-46 was approved.

47. Approve a resolution authorizing execution of a contract with UNIFIN INTERNATIONAL, c/o Butler & Land, Inc., Houston, Texas, for the purchase of one set of transformer oil coolers in an amount of \$65,960. (Funding is available in the Fiscal Year 2000-2001 Approved Capital Budget of the Electric Utility 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 MBE/WBE goals were not established for this solicitation. This contract is for the purchase of commodities, with direct delivery by the manufacturer. (Recommended by Electric Utility Commission)

Resolution No. 001214-47 was approved.

48. Approve a resolution authorizing negotiation and execution of a 12-month agreement with AJILON LLC, Austin, Texas, and THE ADEA GROUP, Austin, Texas, for computer software system development and implementation consulting services in an amount not to exceed \$1,250,000 each, and \$1,250,000 combined, and one additional 12-month period in an amount not exceed \$500,000 each and \$500,000 combined per period, for a total contract amount not to exceed \$1,750,000. (Funding in the amount of \$950,000 is available in the 2000-2001 Approved Capital Budget and \$300,000 was included in the 2000-2001 Approved Operating Budget of the Electric Utility Department. Funding for the extension options is contingent upon the approval of future year budgets.) Best proposals/ eight proposals were received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified;

therefore no MBE/WBE goals were established for this solicitation. (Recommended by Electric Utility Commission)

Resolution No. 001214-48 was approved.

49. Approve a resolution authorizing execution of a twelve-month service agreement with GENERAL ELECTRIC ENGINE SERVICES, Miami, FL, and WOOD GROUP PRATT & WHITNEY INDUSTRIAL TURBINE SERVICES, LLC, Windsor Locks, CT, to provide gas turbine maintenance for the Decker Creek Power Plant and Sand Hill Energy Center in a combined amount not to exceed \$500,000 with four 12-month extension options for both vendors in a combined amount not to exceed \$500,000 per extension option for a combined total amount of the two agreements not to exceed \$2,500,000. (Funding in the amount of \$416,666 was included in the 2000-2001 Approved Operating Budget for the Electric Utility Department. Funding for the remaining two months of the original contract period and the extension options is contingent upon available funding in future budgets.) Best evaluated proposal/four proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. These services will be provided by the original equipment manufacturer, no subcontracting opportunities were identified; therefore, no MBE/WBE goals were established for this solicitation. (Recommended by Electric Utility Commission)

Resolution No. 001214-49 was approved.

50. Approve a resolution authorizing negotiation and execution of a six-month service agreement with ARROWHEAD FILM & VIDEO, INC., Austin, Texas, for the production of six TV commercial spots, in an amount not to exceed \$180,000, with one six-month extension option in an amount not to exceed \$180,000 for a total contract amount not to exceed \$360,000. (Funding in the amount of \$180,000 was included in the 2000-2001 Approved Operating Budget for Electric Utility Department. Funding for the first three months of the extension option is available in the 2000-2001 Approved Operating Budget for the Electric Utility Department. Funding for the remaining three months of the extension option is contingent upon available funding in future budgets.) Best proposal/seven proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified; therefore, no MBE/WBE goals were established for this solicitation. All work will be performed by the Contractor's own workforce. (Recommended by Electric Utility Commission)

Resolution No. 001214-50 was approved.

51. Approve a resolution authorizing negotiation and execution of a six-month service agreement with ARROWHEAD FILM & VIDEO, INC., Austin, Texas, for the production of four community videos, in an amount not to exceed \$100,000, with one six-month extension option in an amount not to exceed \$100,000 for a total contract amount not to exceed \$200,000. (Funding in the amount of \$100,000 was included in the 2000-2001 Approved Operating Budget for Electric Utility Department. Funding for the first three months of the extension option is available in the 2000-2001 Approved Operating Budget for the Electric Utility Department. Funding for the remaining three months of the extension option is contingent upon available funding in future budgets.) Best proposal/seven proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified; therefore, no MBE/WBE goals were established for this solicitation. All work will be performed by the Contractor's own workforce. (Recommended by Electric Utility Commission)

Resolution No. 001214-51 was approved.

52. Approve a resolution authorizing execution of a contract with TRIAD ELECTRIC & CONTROLS, INC., Baton Rouge, LA, for the installation of the Decker Creek Power Station Unit #1 control systems and field equipment as a part of a controls upgrade project in an amount not to exceed of \$1,887,319. (Funding is available in the 2000-2001 Approved Capital Budget for the Electric Utility Department.) Low bid/four bids received. .47% MBE, 0% WBE subcontracting participation. (Recommended by Electric Utility Commission)

Resolution No. 001214-52 was approved.

Item 53 was pulled for discussion.

54. Approve ratification of a contract with FINANCIAL TIMES ENERGY INC., dba E-SOURCE, Boulder, CO, for an energy conservation survey in an amount not to exceed \$126,640. (Funding is available in the 2000-2001 Approved Operating Budget of the Electric Utility Department.) This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified; therefore no MBE/WBE goals were established for this contract. (Recommended by Electric Utility Commission)

Resolution No. 001214-54 was approved.

55. Approve a resolution authorizing negotiation and execution of a twelve-month contract with SAFECO LIFE INSURANCE COMPANY (SAFECO), Redmond, WA, to provide stop-loss insurance for participants enrolled in the City Medical Plan in an amount not to exceed \$917,200 with two twelve-month extension options in an amount not to exceed \$917,200 per extension, for a total contract amount not to exceed \$2,751,600. (Funding in the amount of \$687,750 for the first nine months of the contract is included in the 2000-2001 Operating Budget for the Employee Benefits Fund. Funding for the remaining months of the contract and the extension options is contingent upon approval of future budgets.) Best of three proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No goals were established for this contract.

Resolution No. 001214-55 was approved.

56. Approve a resolution authorizing negotiation and execution of a twelve-month contract with TOWERS PERRIN, Austin, Texas, for actuarial and consulting services for the Employee Benefits Program and Fund in an amount not to exceed \$344,500 with two 12-month extension options in an amount not to exceed \$329,500 for each option for a total contract amount not to exceed \$1,003,500. (Funding in the amount of \$258,375 for the first nine months of the contract is available in the 2000-2001 Operating Budget of the Employee Benefits Fund. Funding for the remaining three months of the original contract period and extension options will be contingent upon available funding in future budgets.) Best proposal of three proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. The recommended awardee will perform the work with their own workforce.

Resolution No. 001214-56 was approved.

57. Approve a resolution authorizing execution of 36-month contract with SERENA SOFTWARE INC, Burlingame, CA, for the purchase and support of Change Management Software products for the Information Systems Department in the amount of \$100,025 for year one; \$94,495 for year two; \$110,161 for year three; for a total amount not to exceed \$304,681. (Funding in the amount of \$100,025 is available in the Approved 2000-2001 Operating Budget for Information Systems Department. Funding for the two additional years are contingent on approved budgets for each year.) Sole Source. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance.

Resolution No. 001214-57 was approved.

58. Approve a resolution authorizing execution of a contract for the purchase of systems furniture for the Austin Police Department South Substation, through the State of Texas Cooperative Purchasing Program, from ROCKFORD BUSINESS INTERIORS, Austin, Texas, in an amount of \$323,859.11. (Funding in the amount of \$314,983.30 is available in DOJ Local Law Enforcement Block Grant 1999 funding. \$8,875.81 was included in the 1999-2000 Approved Capital Budget of the Austin Police Department.) The systems furniture is being purchased under the provision of the Local Government Code that authorizes municipalities to utilize contracts that are competitively bid and awarded by the State of Texas General Services Commission.

Resolution No. 001214-58 was approved.

59. Approve a resolution authorizing negotiation and execution of two contracts for the purchase of microfiltration membrane components from MEMCOR, MIROFLOC, and GENERAL FILTER PRODUCTS, Timonium MD, in an amount not to exceed \$1,500,000; and ZENON ENVIRONMENTAL SYSTEMS, INC. Oakville, Ontario, Canada, in an amount not to exceed \$1,500,000, to be used for the Microfiltration Membrane Study Phase of the Ullrich WTP 160-MGD Expansion Project for a total amount not to exceed \$3,000,000. (Funding in the amount of \$3,000,000 was included in the 2000-2001 CIP Budget for the Water and Wastewater Utility.) Sole Source. These contracts will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified, therefore, no goals were established for this solicitation. (Recommended by Water & Wastewater Commission) (Related Item No. 60)
Resolution No. 001214-59 was approved.
60. Approve a resolution authorizing the execution of a contract with PALL CORPORATION, East Hills, NY, for the purchase of a low-pressure microfiltration membrane system, to be used for the Microfiltration Membrane Study Phase of the Ullrich WTP 160-MGD Expansion Project in an amount of \$495,000. (Funding was included in the 2000-2001 CIP Budget for the Water and Wastewater Utility.) Low bid of 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. (Recommended by Water and Wastewater Commission) (Related Item No. 59)
Resolution No. 001214-60 was approved.
61. Approve a resolution authorizing negotiation and execution of a twelve-month contract with GDS ASSOCIATES, INC., Austin, Texas, to provide utility rates and regulatory analyst services to Austin Energy and the Water and Wastewater Department in an estimated amount not to exceed \$100,000 with up to two additional twelve-month extension options in an amount not to exceed \$100,000 for each option for a total contract amount not to exceed \$300,000. (Funding in the amount of \$100,000 is available in the 2000-2001 Amended Budget for the Support Services Fund for the Finance and Administrative Services Department. Funding for the extension options will be contingent upon available funding in future budgets.) Best proposal of three proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No goals were established for this project. Recommended vendor will perform all of the services with their own workforce.
This item was postponed with direction to the staff to take this item back to the appropriate board or commissions for review before Council action.
62. Amend Ordinance No. 000912-1, the 2000-2001 Operating Budget for Redevelopment Services Department Special Revenue Fund, increasing revenue by \$1,546,521 and appropriations by \$1,446,521 for the Austin Downtown Public Improvements District (PID). (Funding is available through \$1,303,757 in 2001 assessments (at a 96% collection rate); \$44,861 is non-appropriated assessments from 2000; \$47,903 in interest accrued in the PID account; \$150,000 City of Austin Annual Contribution (\$75,000 from Austin Convention Center Fund, and \$75,000 from Water and Wastewater Utility Fund) and possible adjustment, after the assessment roll hearing on December 7, 2000, which is dependent on the results of that hearing.) (Related Items Nos. 106 and 108)
Ordinance No. 001214-62 was approved.
63. Approve a resolution authorizing execution of Change Order #7 to the construction contract with SMITH CONTRACTING COMPANY, INC., Austin, Texas, to install fresh air supply ducts and louvers at the South Austin Transfer Station, 3810 Todd Lane, in an amount not to exceed \$21,800, for a total contract amount not to exceed \$2,743,502.36. (Funding in the amount of \$21,800 is included in the 1999-2000 Capital Budget of the Solid Waste Services Department.) This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified; therefore, no MBE/WBE goals were established for this solicitation.
Resolution No. 001214-63 was approved.

64. Approve a resolution authorizing execution of Change Order #5 to the construction contract with F.T. WOODS CONSTRUCTION SERVICES, INC., Georgetown, Texas, for modifications to interior walls for the HVAC system at the Todd Lane Service Center, in an amount not to exceed \$45,164, for a total contract amount not to exceed of \$4,637,891. (Funding in the amount of \$45,164 is included in the 1999-2000 Capital Budget of the Solid Waste Services Department.) 5.17% MBE, 0% WBE subcontracting participation.

Resolution No. 001214-64 was approved.

65. Approve a resolution authorizing ratification of a construction contract with BENITEZ CONSTRUCTION, INC., (MBE/MH), Pflugerville, Texas, for emergency repair of drain lines and manholes at the South Austin Regional Wastewater Treatment Plant, in an amount not to exceed \$116,577.60. (Funding is available in the Fiscal Year 2000-2001 Operating Budget of Water & Wastewater.) This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified; therefore, no MBE/WBE goals were established for this solicitation. (Recommended by Water and Wastewater Commission)

Resolution No. 001214-65 was approved.

66. Approve a resolution authorizing negotiation and execution of an amendment to the professional services agreement with TURNER COLLIE & BRADEN, INC., Austin, Texas, for construction phase and professional engineering services for the South Austin Regional Wastewater Treatment Plant Expansion and Improvements Project, in an amount not to exceed \$1,070,917 for a total contract amount not to exceed \$16,081,875. (Funding in the amount of \$1,070,917 is available in the 1999-2000 Capital Budget of the Water & Wastewater Utility.) 1.2% MBE, 35.6% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 001214-66 was approved.

67. Approve a resolution authorizing execution of a construction contract with RANGER EXCAVATING, Austin, Texas, for levee and site improvements for the South Austin Regional Wastewater Treatment Plant Expansion and Improvements Project, in the amount of \$3,323,000. (Funding is available in the 2000-2001 Capital Budget of the Water & Wastewater Utility.) Lowest of three bids received. 0% MBE, 5.1% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 001214-67 was approved.

68. Approve a resolution appointing two City of Austin representatives and two alternate representatives to serve on the Technical Review Committee of the Brushy Creek Regional Wastewater System. (Any City of Austin staff support for this committee will be funded from the currently approved Operations & Maintenance budget.)

Resolution No. 001214-68 was approved.

Item 69 was pulled for discussion.

70. Approve an ordinance amending Chapter 25-9 of the City Code relating to Water and Wastewater, and creating offenses and providing penalties. The City Code would be amended to add a new ARTICLE 4. RECLAIMED WATER to Chapter 25-9.

Ordinance No. 001214-70 was approved.

71. Approve a resolution to declare official intent to reimburse acquisition and construction costs in the amount of \$5,145,142 to be paid for developer reimbursements related to 1997 municipal utility district annexations and a proposed settlement agreement in *Circle C Land Corp v. City of Austin*, Cause No 97-13994 in the Travis County District Court. (The amount of \$5,145,142 for the Water and Wastewater Utility to be funded by the issuance of commercial paper.) (Recommended by Water and Wastewater Commission) (Recommended by Planning Commission) (Related Item Nos. 31 and 72)

Resolution No. 001214-71 was approved.

72. Amend Ordinance No. 000912-2, the 2000-2001 Capital Budget by increasing appropriations to the Water and Wastewater Utility by \$5,145,142 and creating a new water project known as "Settlement Water Reimbursement, and a new wastewater project known as "Settlement Wastewater Reimbursement" and transferring and appropriating \$832,297 from the CIP Contingency account and appropriating an additional \$887,490 in Annexed MUD cash balances to the Watershed Protection Department Capital Budget project "Drainage Developer Reimbursements in Annexed Areas" for a total project increase of \$1,719,787 for developer reimbursement and settlement of Cause No. 97-13994, *Circle C Land Corp v. City of Austin*, in Travis County District Court. (Funding in the amount of \$5,145,142 for Water and Wastewater Utility to be funded by the issuance of commercial paper. The amount of \$1,719,787 for Watershed Protection to be funded by MUD cash balances and CIP contingency.) (Recommended by Water and Wastewater Commission and Planning Commission) (Related Item Nos. 31 and 71)
Ordinance No. 001214-72 was approved.
73. Consider a resolution directing the City Manager to initiate rezoning of 1809 Chestnut to permit certain personal services. (Council Member Danny Thomas)
This item was postponed for 30 days.
74. Direct the City Manager to conduct a feasibility study concerning the proposed site of the Austin Jockey Club located at 1501-1699 Frontier Valley and 7300-7320 Riverside Drive for the development of affordable housing. (Council Member Raul Alvarez)
Resolution No. 001214-74 was approved.
75. Approve an Ordinance repealing and replacing Article II of Chapter 2-4 of the City Code regarding the Austin Airport Advisory Commission. (Mayor Kirk Watson, Council Member Daryl Slusher and Council Member Beverly Griffith)
This item was postponed until January 18, 2001.
76. Consider a resolution to adopt the Downtown Austin Design Guidelines as policies for streetscape design standards and improvements on public right-of-way, and related issues. (Council Member Will Wynn, Mayor Pro Tem Jackie Goodman and Mayor Kirk Watson)
Resolution No. 001214-76 was approved.
77. Approve an ordinance to waive certain fees for the Run for the Hills on December 30, 2000. (Council Member Will Wynn and Mayor Pro Tem Jackie Goodman)
Ordinance No. 001214-77 was approved.
78. Approve an ordinance to waive and refund the street closure fees for the CSC Spot Run which occurred on November 19, 2000. The race benefited Court Appointed Special Advocate program of Travis County. (Mayor Pro Tem Jackie Goodman & Council Member Will Wynn)
Ordinance No. 001214-78 was approved.
79. Approve a resolution accepting the Austin Libraries for the Future Task Force Report dated September 2000. (Mayor Kirk Watson, Mayor Pro-Tem Goodman, and Council Member Will Wynn)
Resolution No. 001214-79 was approved.

Item 80 was pulled for discussion.

Items 81 through 87 were citizen communications.

Items 88 through 97 were zoning items.

Items 98 through 104 were discussion items.

Items 105 through 109 were public hearings.

110. C14-00-2053 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3406 Manchaca Road (West Bouldin Creek Watershed) from SF-3, Family Residence district zoning to MF-3-CO, Multifamily Residence Medium Density-Conditional Overlay Combining district zoning with conditions. First reading on August 31, 2000; Vote: 6-0, Watson off the dais. Conditions met as follows: Conditional overlay incorporates the conditions imposed by City Council at first reading. Property Owner and Applicant: Arcadia Development (William Gietema). Agent: LZT Architects (Herman Thun). City Staff: Adam Smith, 499-2755. (continued from 11/9/00 and 12/7/00) Note: A valid petition has been filed in opposition to this rezoning request.
This item was postponed until January 18, 2000.

Items 111 through 112 were pulled for discussion.

113. Confirm the appointment of additional members to the Board of Directors to the Austin First Step Corporation.
This item was removed from the agenda.
114. Approve a resolution authorizing execution of a construction contract with ISIDORE H. SALAZAR CONSTRUCTION, INC., Corpus Christi, Texas, for the Harris Ridge Fire/EMS Station located at 12711 Harrisglenn Drive, in an amount not to exceed \$1,719,000 and a contingency in an amount not to exceed \$84,000 for a total contract amount not to exceed \$1,803,000. (Funding in the amount of \$1,803,000 is included in the Fiscal Year 1999-2000 Amended Capital Budget of the Austin Fire Department.) Lowest bid of seven bids received. 21.81% MBE, 1.62% WBE subcontracting participation.
Resolution No. 001214-114 was approved.
115. Approve a resolution naming the Cross Town Bikeway. (Mayor Kirk Watson, Mayor Pro Tem Goodman and Council Member Alvarez.)
Resolution No. 001214-115 was approved, naming the Cross Town Bikeway, Lance Armstrong Bikeway.
116. Authorize the Employees Retirement System to use a portion of the City's 8% contribution to the retirement plan to fund a 415 restoration of retirement income plan. (Mayor Pro Tem Goodman.)
Resolution No. 001214-116 was approved.
117. Approve an ordinance exempting professional offices from the requirements of the Interim Development Controls for the area surrounding the Criminal Justice Center. (Council Member Wynn and Mayor Pro Tem Jackie Goodman.)
Ordinance No. 001214-117 was approved.

Items 118 through 120 were citizen communications.

121. Conduct a public hearing regarding a request by Ms. Susan Auler for a waiver from the interim development controls applicable within the area surrounding the Blackwell-Thurman Criminal Justice Center for a proposed administrative and business office use located at 1402 San Antonio Street. (Related to Item 122)
This item was removed from the agenda.
122. Consider a resolution regarding a request by Ms. Susan Auler for a waiver from the interim development controls applicable within the area surrounding the Blackwell-Thurman Criminal Justice Center for a proposed administrative and business office use located at 1402 San Antonio Street. (Related to Item 121)

This item was removed from the agenda.

Item 123 was pulled for discussion.

124. Consider a resolution to direct the City Manager to develop policy recommendations concerning street closing events that affect local businesses, and to report back to the city council. (Council Member Beverly Griffith, Mayor Pro Tem Jackie Goodman and Council Member Raul Alvarez)
Resolution No. 001214-124 was approved.

BRIEFINGS CONTINUED

2. Update for the Anderson Hill Redevelopment Project (formerly known as SCIP II)
The presentation was made by Greg Smith, Neighborhood Housing and Revitalization.

DISCUSSION ITEMS

20. C14-00-2102 - East Cesar Chavez Neighborhood - Approve second/third readings of an ordinance to amend Chapter 25-2 of the Austin City Code by rezoning property generally known as the East Cesar Chavez Neighborhood Plan (NP) combining district, whose boundaries are 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 (Town Lake and Waller Creek Watersheds):
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-1, Commercial Liquor-Sales district, CS-H, General Commercial Services-Historic 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-MU-CO-NP, Commercial Services- Historic-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district zoning with conditions.

First reading on October 26, 2000; Vote: 6-1, Thomas-nay. Conditions met as follows: Conditional overlay incorporates the conditions imposed by City Council at first reading. Applicant: City of Austin, Planning Environmental and Conservation Services Department (Cecilia Williams, PECSO, 499-2251). Agent: Development Review and Inspection Department (DRID). City Staff: Adam Smith, 499-2755. Note: There are valid petitions filed in opposition to this rezoning request. **The motion to rezone 900 East 6th Street, 902 East 6th Street, 904 East 6th Street and 602 East Brushy of Tract 2 as recommended by staff failed on Council Member Alvarez' motion, Council Member Slusher's second by a 5-2 vote. While this was a majority vote, the existence of a valid petition required a 6-1 vote by Council. 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 motion to rezone 1000 and 1008 E. 6th Street of Tract 3 to LI with a conditional overlay which allows the LI use of the arts and crafts studio was approved on motion by Council Member Alvarez, seconded by Council Member Slusher on a 7-0 vote.

The motion to re-consider 1000 and 1008 E. 6th Street of Tract 3 was approved on Council Member Alvarez' motion, Council Member Slusher's second by a 7-0 vote.

The motion to adopt zoning for 1000 and 1008 E. 6th Street of Tract 3 to prohibit all LI uses except Arts & Craft Studio Industrial and light manufacturing, limited to bakery use, was approved on Council Member Alvarez' motion, Council Member Slusher's second on a 7-0 vote.

The motion to approve Tract 6 was approved on Council Member Alvarez' motion, Council Member Slusher's second by a 7-0 vote.

The motion to approve staff's zoning recommendations on the remaining properties in this neighborhood plan, for which there were valid petitions filed, except for 1409 E. 4th Street and 0 Onion Street of Tract 46 which is zoned LI was approved on Mayor Pro Tem Goodman's motion, Council Member Alvarez' second by a 6-0 vote. Council Member Thomas abstained. Council Member Alvarez made a friendly amendment to the motion for Tract 46 as follows: On Tract 46, for the properties located at 1409 E. 4th Street owned by Fire Island Glass owners, rezone to LI-CO. The CO would prohibit all LI uses except Arts & Craft Studios Industrial, with other use restrictions as recommended in the CO for the 6th Street through 4th Street corridor; also add the Neighborhood Mixed Use Building.

Ordinance No. 001214-20 was approved designating the East Cesar Chavez neighborhood plan area as a neighborhood plan combining district with the following friendly amendment on Council Member Alvarez' motion, Council Member Slusher's second by a 6-0 vote. Council Member Thomas voted nay. Council Member Alvarez' friendly amendment was to place a height limit of 40 feet on a structure on Tracts 28 through 90, to prohibit townhouse residential use on Tracts 28 through 90, to defer action on 900 East 6th Street, 902 East 6th Street, 904 East 6th Street and 602 East Brushy of Tract 2, and to disapprove staff recommendation to allow a neighborhood urban center use on Tract 89.

80. Consider a resolution regarding voluntary requests for more restrictive zoning of non-residentially zoned property in the East Cesar Chavez Neighborhood Plan Area on which a single family residence is located and the establishment of requirements for future development projects within the Plan Area receiving development incentives from the City. The East Cesar Chavez Neighborhood Plan Area covers an area bounded on the North by the alley between East 6th Street and East 7th Street, on the East by Chicon Street, on the South by Town Lake and on the West by Interstate Highway 35. (Council Member Raul Alvarez).

Resolution No. 001214-80 was approved on motion by Council Member Alvarez, second by Council Member Slusher on a 7-0 vote.

The motion to go into Executive Session at 12:41 p.m. was approved on Mayor Pro Tem Goodman's motion, Mayor Watson's second by a 7-0 vote.

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.

5. Discuss legal issues regarding proposed amendment to Section 10-9-2 ("Carrying Firearms") of City Code.
No Action taken.
7. Discuss Dennis Clark, et al., v. City of Austin, Cause No. GN-000008, pending in the Travis County District Court.
123. Discuss legal issues related to the settlement agreement *City of Austin v. BFI Waste Systems of North America, Inc.*, et al, Cause No. 2295; in the Travis County Court at Law.

Executive session ended at 1:35 p.m.

Mayor Watson called the meeting back to order.

DISCUSSION ITEMS CONTINUED

13. Consider settlement proposal in *Dennis Clark, et al. v. City of Austin*, Cause No. GN00008, Travis County District Court.
Resolution No. 001214-13 was approved on Council Member Slusher's motion, Council Member Thomas' second by a 6-0 vote. Council Member Wynn was off the dais.
69. Approve a resolution authorizing execution of a construction contract with DEAVERS Construction, L.P. Austin, Texas, for construction of the Barton Creek Rightsizing, in the amount of \$3,688,532. (Funding is included in 2000-2001 Capital Budget of the Water and Wastewater Utility.) Lowest of three bids received. .03% MBE, 1.08% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)
Resolution No. 001214-69 was approved on Council Member Alvarez' motion, Council Member Thomas' second by a 6-0 vote. Council Member Wynn was off the dais.

CITIZEN COMMUNICATIONS

81. Sabino Renteria - **ABSENT**
83. Gus Pena - To request that low income affordable housing issues be expedited. Allocate funding for transitional housing for families.- **ABSENT**
84. Jennifer L. Gale - Without Light-Rail, our holidays will bring us more joy and happiness.- **ABSENT**
85. Jim Walker - Mueller Redevelopment
86. Ramon Maldonado - Cesar Chavez Zoning (Against)
87. Robert Donley - Equity for Mexican-American Neighborhood
118. Gavino Fernandez - Stop the Land Grab SMART
120. Lori Renteria - East Cesar Chavez Rezonings and land use plan
82. John Corry - Turbine addition to Holly Electric Plant
119. Paul Hernandez - Chicano East Austin/Against Cesar Chavez Plan Zoning

DISCUSSION ITEMS CONTINUED

111. Approve a resolution authorizing negotiation and execution of a thirty-six month lease of approximately 18,319 square feet of space located at 400 Nueces from 400 NUECES LP, 500 W. 6th Street, Suite 401, Austin, Texas, for use by the Health and Human Services Department, in an amount not to exceed \$996,854.64. (Funding in the amount of \$222,974.41 is available in the Fiscal Year 2000-2001 Approved Operating Budget of the Health and Human Services Department.)
Ordinance No. 001214-111 was approved on Council Member Wynn's motion, Council Member Slusher's second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.
112. Approve a resolution authorizing negotiation and execution of a professional services agreement with LZT ARCHITECTS, INC., Austin, Texas, for architectural design and construction phase services for the downtown homeless shelter, day resource center, and health clinic, in an amount not to exceed \$450,000. (Funding in the amount of \$450,000 is available from \$3,600,000 appropriated in the 1996-1997 Operating Special Fund for Neighborhood Housing & Community Development. The Special Revenue Fund is a multi-year fund; the source of funds is the Community Development Block Grant entitlement grant for years 22 through 25 and the entitlement grant anticipated for year 27.) 10.8% MBE, 16.6% WBE subcontracting participation.

Resolution No. 001214-112 was approved on Council Member Wynn's motion, Council Member Thomas' second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

53. Approve a resolution authorizing execution of a contract with WACHS ENERGY SERVICES, Charlotte, NC, for the repair of the Holly Unit #3 Boiler in an amount not to exceed \$2,818,823.75. (Funding is available in the 2000-2001 Approved Operating Budget for the Electric Utility Department.) Low bid/three bids received. 0% MBE, .53% WBE subcontracting participation. (Recommended by Electric Utility Commission)

Resolution No. 001214-53 was approved on Council Member Slusher's motion, Council Member Alvarez' second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

The motion to go into Executive Session at 2:17 p.m. was approved on Council Member Griffith's motion, Council Member Wynn's second by a 7-0 vote.

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.

4. Discuss legal issues regarding labor negotiation with the Austin Police Association.
6. Discuss *Eli Garza v. City of Austin*, Cause No. 97-12434, in the Travis County District Court. (This litigation concerns development regulations applicable in the Barton Springs Zone).
8. Discuss acquisition of real property related to the Barton Springs Clean Drinking Water Project, partially funded by Proposition 2 Bonds and partially by the Water Wastewater Utility.
9. Discuss acquisition of real property for Open Space as authorized under Proposition 2 of the November 2000 Bond Election.

Executive session ended at 3:05 p.m.

Mayor Watson called to order the Special Called Board of Director's Meeting of the Austin Housing Finance Corporation at 3:30 p.m. See the separate minutes for this meeting.

Mayor Watson called the meeting back to order at 4:00 p.m.

DISCUSSION ITEMS CONTINUED

11. Authorize the negotiation and execution of a contract with Rutherford Ranch, LTD., a Texas Limited Partnership, by J.W. Wood, through a contract assignment from the Texas Nature Conservancy ("TNC"), to purchase approximately 38.86 acres in fee located in Hays County between FM 967 and FM 150 for Barton Springs Clean Drinking Water May 1998 Proposition 2 in the amount not to exceed \$325,000.

Resolution No. 001214-11 was approved on Council Member Wynn's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.

12. Authorize the City Manager to negotiate a contract to purchase land for the Open Space November 2000 Proposition 2 Bond Election.

Resolution No. 001214-12 was approved on Council Member Wynn's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Mayor Watson voted no.

ZONING DISCUSSION

90. C14-00-2098 – Blackhawk – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 1200 West Slaughter Lane (Slaughter Creek Watershed) from SF-1, Single-Family Residence Large Lot district zoning and I-RR, Interim-Rural Residence district zoning to MF-2-CO, Multifamily Residence Low Density Conditional Overlay Combining district zoning on Tract 1 and GR-CO, Community Commercial-Conditional Overlay Combining district zoning on Tract 2 and Tract 3. Planning Commission Recommendation: To be considered by the Planning Commission on December 12, 2000. Property Owner and Applicant: J.S. Davis Parents Limited Partnership (James V. Davis). Agent: Lopez-Phelps, Vaughn & Associates (Amelia Lopez-Phelps). City Staff: Michele Rogerson, 499-2308
This item was postponed until January 18, 2001 on Council Member Wynn's motion, Council Member Thomas' second by a 7-0
93. C14-00-2180 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 607 Fletcher Street (East Bouldin Creek Watershed) from SF-3, Family district zoning to LO, Limited Office district zoning. Planning Commission Recommendation: To deny LO, Limited Office district zoning. Applicant: Rosa Elia Sosa. Agent: Roel Bazan. City Staff: Adam Smith, 499-2755. (continued from 11/30/00)
This item was postponed until January 18, 2001 at applicant's request on Mayor Pro Tem Goodman's motion, Council Member Wynn's second by a 7-0 vote.
34. Approve an ordinance annexing the Davenport West area for full purposes and waiving certain fees. The area consists of approximately 270 acres and is located on the west side of Loop 360 at the intersection of Capital of Texas Highway and Westlake Drive. (The proposed action of this annexation is estimated to produce franchise fees of \$1,677 in the General Fund in Fiscal Year 2000-2001. Funding for estimated requirements of \$93,204 in all funds is available in the budgets of the departments who will be providing the services. A five-year all funds summary is attached.) (Second and Third Reading)
Ordinance No. 001214-34 was approved on Council Member Wynn's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Council Member Griffith was off the dais.

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 Council Member Wynn's second by a 6-0 vote. Council Member Griffith was off the dais.

91. C14-00-2099 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property located southeast of the intersection of Howard Lane and IH-35 North (Walnut Creek Watershed) from GR, Community Commercial district zoning GR-CO, Community Commercial-Conditional Overlay Combining district zoning and SF-2, Single Family Residence Standard Lot district zoning to CS, General Commercial Services district zoning. Planning Commission Recommendation: To grant CS-CO, General Commercial Services-Conditional Overlay Combining district zoning with conditions. Applicant: FSKMS Ranch Ltd. (John Scofield). Agent: Bury and Partners (Jim Gallegos). City Staff: David Wahlgren, 499-6455.
Ordinance No. 001214-91 was approved.
92. C14-00-2162 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 305 East Braker Lane (Walnut Creek Watershed) from LO, Limited Office district zoning to LR, Neighborhood Commercial district zoning. Planning Commission Recommendation: To grant LR-CO, Neighborhood Commercial - Conditional Overlay Combining district zoning with conditions. Applicant: Pyramid Andid (Chris Lewis). Agent: The Faust Group (Bill Faust). City Staff: Clark Patterson, 499-2464.
The first reading of this ordinance was approved.

94. C14H-00-2182 – Mueller Danforth House – Public Hearing to amend Chapter 25-5 of the Austin City Code by rezoning property locally known as 1400 West Avenue (Shoal Creek Watershed) from SF-3, Family Residence district zoning to DMU-H, Downtown Mixed Use – Historic Combining district zoning. Planning Commission Recommendation: To grant GO-MU-H-CO, General Office-Mixed Use-Historic-Conditional Overlay Combining district zoning with conditions. Applicant: Danforth Partners II Ltd. (Donald Danforth). Agent: Crocker Consultants (Sarah Crocker). City Staff: Glenn Rhoades, 499-2775
Ordinance No. 001214-94 was approved.
95. C14H-00-2183– Mueller House – Public Hearing to amend Chapter 25-5 of the Austin City Code by rezoning property locally known as 1308 West Avenue (Shoal Creek Watershed) from SF-3, Family Residence district zoning to DMU-H, Downtown Mixed Use-Historic Combining district zoning. Planning Commission Recommendation: To grant GO-MU-H-CO, General Office-Mixed Use-Historic-Conditional Overlay Combining district zoning with conditions. Applicant: Danforth Partners II Ltd. (Donald Danforth). Agent: Crocker Consultants (Sarah Crocker). City Staff: Glenn Rhoades, 499-2775
Ordinance No. 001214-95 was approved.
96. C14-00-2200 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 13435 North U.S. Highway 183, Suite 306 (Lake Creek Watershed) from GR-CO, Community Commercial district zoning to CS-1, Commercial Liquor Sales district zoning. Planning Commission Recommendation: To grant CS-1-CO, Commercial Liquor Sales-Conditional Overlay Combining district zoning with conditions. Applicant: One Management, Inc. (Howard Kells). Agent: Westco Development Ltd. #25 (Bradley D. Smith), (Lake Creek). City Staff: David Wahlgren, 499-6455.
Ordinance No. 001214-96 was approved.
97. C814-00-2222 – Riverbend Church – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning a property known as 4214 Capitol of Texas Highway North (Lake Austin Watershed) from I-RR, Interim Rural Residence district zoning to P.U.D., Planned Unit Development district zoning. Planning Commission Recommendation: To be considered by the Planning Commission on December 12, 2000. Applicant: Riverbend Church (Mike Rinehart). Agent: Development Review and Inspection Department (Glenn Rhoades). City Staff: Glenn Rhoades.
Ordinance No. 001214-97 was approved.

ZONING DISCUSSION CONTINUED

88. C14-99-2125 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 12601 Blackfoot Trail. (Rattan Creek Watershed) from SF-3, Family Residence district zoning to CS, General Commercial Services district zoning. Planning Commission Recommendation: To deny CS, General Commercial Services district zoning. Applicant: Mike Zarchci. Agent: Philip Stoval. City Staff: David Wahlgren, 499-6455.
This item was postponed until January 18, 2000 at the neighborhood's request on Mayor Pro Tem Goodman's motion, Council Member Wynn's second by a 7-0 vote.
89. C14-00-2004 - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as locally know as Hergotz Lane, 275, 403, 413, 445, and 501 Bastrop Highway, and 414, 418, 422, 426, 434 Thompson Lane (Colorado River Watershed) from I-RR, Interim- Rural Residence District zoning to CS, General Commercial Services district zoning for Tract 1, DR, Development Reserve district zoning for Tract 2, and RR, Rural Residence district zoning for Tracts 3 and 4. Planning Commission Recommendation: To grant CS, General Commercial Services district zoning for Tract 1, DR, Development Reserve district zoning for Tract 2, and RR, Rural Residence district zoning for Tracts 3 and 4. Property Owners: Arlene Bolm Fitzpatrick, Fred W. Hoskins, Capitol Feed & Milling Co., Inc., Callahans General Store of Austin, Inc., HRG,

Inc., David Willhoite, Mark Bearden, Bobby Ray and Barbara Jean Burkland, Q. S. Franks, James A. Crist, and Joaquinna Flores Crist. Applicant: City of Austin. Agent: Development Review and Inspection Department. City Staff: Adam Smith, 499-2755.

The first reading of this ordinance was approved on Council Member Slusher's motion, Council Member Wynn's second by a 7-0 vote.

The motion to recess the meeting at 5:33 p.m. was approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second by a 7-0 vote.

Mayor Watson called the meeting back to order at 6:10 p.m.

DISCUSSION ITEMS CONTINUED

102. C14-00-2195 – Waller Creek Zoning – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 401 E. Cesar Chavez St., 504 Willow St.; 96 Red River St.; 96-98 Red River St.; 511 E. Cesar Chavez St.; 503 E. Cesar Chavez St.; and 0 Neches Street (Town Lake Watershed) from CBD, Central Business District zoning and GR, Community Commercial district zoning to CBD-CURE, Central Business District-Central Urban Redevelopment Combining district zoning. Planning Commission Recommendation: To grant CBD-CURE, Central Business District-Central Urban Redevelopment Combining district zoning with conditions. Applicant: Trinity Street Joint Venture; Perry Lorenz; Twin Oaks Associates; Red River One, Ltd.; Lorenzo, Inc.; Rick Tripplett as trustee of the Lorenz Family Trust; and Lorenzco, Inc. Agent: Armbrust Brown & Davis, L.L.P. (David B. Armbrust). City Staff: Greg Guernsey, 499-2387. (continued from 11/30/00)

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

Ordinance No. 001214-102 was approved on Council Member Thomas' motion, Council Member Griffith's second by a 7-0 vote.

103. C14-00-2196 – Waller Creek Zoning – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 92-94 Red River Street and 507 Willow Street (Town Lake Watershed) from CS, General Commercial Services district zoning to CBD-CURE, Central Business District-Central Urban Redevelopment Combining district zoning. Planning Commission Recommendation To grant CBD-CURE, Central Business District-Central Urban Redevelopment Combining district zoning with conditions. Applicants: Rick Tripplett as trustee of the Lorenz Family Trust. Agent: Armbrust Brown & Davis, L.L.P. (David B. Armbrust). City Staff: Greg Guernsey, 499-2387. Note: There is valid petition filed in opposition to this rezoning request. (continued from 11/30/00)

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

Ordinance No. 001214-103 was approved on Council Member Thomas' motion, Council Member Griffith's second by a 7-0 vote.

104. C14-00-2197 – Waller Creek Zoning – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 97 Red River St.; 604 Driskill St. and 701 E. Cesar Chavez St., Street (Town Lake Watershed) from CS, General Commercial Services district zoning and MF-4, Multi-family Residence High Density district zoning to CBD-CURE, Central Business District-Central Urban Redevelopment Combining district zoning. Planning Commission Recommendation: To grant CBD-CURE, Central Business District-Central Urban Redevelopment Combining district zoning with conditions. Applicants: Rick Tripplett as trustee of the Lorenz Family Trust; Waller Creek Eleven, Ltd.; and James J. Pecora, Jr. Agent: Armbrust Brown &

Davis, L.L.P. (David B. Armbrust). City Staff: Greg Guernsey, 499-2387. (continued from 11/30/00)

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

Ordinance No. 001214-104 was approved on Council Member Thomas' motion, Council Member Griffith's second by a 7-0 vote.

98. Approve a resolution authorizing the negotiation and execution of certain agreements necessary to implement the Master Development Agreement with the Vignette Corporation under the City's Smart Growth Initiative to encourage the relocation of its world headquarters to the City of Austin's Desired Development Zone in downtown Austin. (Total estimated cost \$4,527,720 in fee waivers, and future economic development grant payments with a net present value of \$20,472,280.)

Resolution No. 001214-98 was approved on Council Member Wynn's motion, Mayor Watson's second by a 6-0-1 vote. Council Member Griffith abstained.

99. Approve an ordinance waiving certain fees and approving economic development grants under Chapter 380 of the Local Government Code for a public/private partnership, construction of infrastructure, rights of way, and Waller Creek improvements, for the purchase of rights of way and easement dedications, and waiving certain requirements under Chapter 25-9 of the City Code for development by the Vignette Corporation of its world headquarters in downtown Austin. (Estimated future waived revenue: \$464,653 of Development Review and Inspection Department Review and Inspection fees; \$681,961 of Construction Inspection fees in the Capital Projects Management Fund and \$2,979,857 of Temporary Use of Right-of-Way fees, Street Cut Permits, Street Vacation fees, PUE Vacation fees and License Agreements in the Department of Public Works and Transportation; \$230,732 of Water Quality Fees and landscape inspection fees in the Water/Wastewater Utility Department. In addition, the net present value of future economic development grants proposed for payment to Vignette is \$20,472,280.)

Resolution No. 001214-98 was approved on Council Member Wynn's motion, Mayor Watson's second by a 6-0-1 vote. Council Member Griffith abstained.

100. Approve an ordinance authorizing the vacation of a portion of Neches Street at the 90 block submitted by David B. Armbrust on behalf of Trinity Street Joint Venture Perry Lorenz, Lorenzco, Inc. and Rick Triplett, as Trustee of the Lorenz Family Trust. (The amount of \$28,996 in revenue will be receipted to the General Fund and the Public Works & Transportation Capital Project Management Fund.) (Vignette) (Recommended by Planning Commission)

Ordinance No. 001214-100 was approved on Council Member Wynn's motion, Mayor Watson's second by a 7-0 vote.

101. Approve the vacation of a portion of Willow Street at the 500 block submitted by David B. Armbrust on behalf of Perry Lorenz, Twin Oaks Associates and Rick Triplett, as Trustee of the Lorenz Family Trust. (The amount of \$69,312 in revenue will be receipted to the General Fund.) (Vignette) (Recommended by Planning Commission)

Ordinance No. 001214-101 was approved on Council Member Wynn's motion, Mayor Watson's second by a 7-0 vote.

106. Conduct a public hearing on the Austin Downtown Public Improvement District (PID) 2001 assessments; and consider an ordinance adopting the assessment roll and levying assessments. (Related Item Nos. 62 and 108)

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

108. Consider an ordinance adopting the assessment roll and levying assessments. (Related Item Nos. 62 and 106)

Ordinance No. 001214-108 was approved on Council Member Wynn's motion, Council Member Slusher's second by a 6-0 vote. Council Member Thomas was off the dais.

105. Conduct a public for the full purpose annexation of the 140 acre Brandt Crossing Tract, located in eastern Travis County approximately .5 miles east of the intersection of IH-35 and E. Slaughter Lane.

This item was removed from the agenda.

107. Conduct a public hearing regarding a request by David and Ruth Woollett for a waiver from the interim development controls applicable within the area surrounding the Blackwell-Thurman Criminal Justice Center for a proposed professional office (law office) use located at 1106 San Antonio Street. (Related Item No. 109)

The public hearing was not needed because item #117, supporting the request was approved during the consent agenda.

109. Consider a resolution regarding a request by David and Ruth Woollett for a waiver from the interim development controls applicable within the area surrounding the Blackwell-Thurman Criminal Justice Center for a proposed professional office (law office) use located at 1106 San Antonio Street. (Related Item No. 107)

No action was needed for this item because item #117, supporting this request was approved during the consent agenda.

10. Approve a settlement agreement in *Eli Garza v. City of Austin*, Cause No. 97-12434, in the Travis County District Court. (This litigation concerns development regulations applicable in the Barton Springs Zone).

No action taken.

The motion to adjourn the meeting at 6:55 p.m. was approved on Council Member Alvarez' motion, Council Member Slusher's second by a 6-0 vote. Council Member Thomas was off the dais.