



**Austin City Council
MINUTES**

**REGULAR MEETING
THURSDAY, MAY 11, 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, May 11, 2000 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

INVOCATION – Virginia Rogers, Baha'i Faith of Austin.

Mayor Watson called the meeting to order at 9:18 a.m.

1. Approval of minutes for regular meeting of April 20, 2000.
The minutes for the regular meeting of April 20, 2000 were approved on Council Member Lewis' motion, Council Member Garcia's second by a 4-0 vote. Mayor Pro Tem Goodman, and Council Members Slusher and Spelman were off the dais.

Item 2 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 Garcia's motion, Council Member Lewis' second by a 7-0 vote.

Item 10 was pulled for discussion.

11. Approve a resolution identifying areas of the City's municipally owned electric utility, Austin Energy, that are competitive matters for purposes of the Texas Open Meetings Act and Texas Public Information Act, in accordance with provisions of the electric utility restructuring legislation (Senate Bill 7) enacted into law by the 76th Session of the Texas Legislature.
This item was postponed indefinitely.

12. Approve a resolution authorizing execution of a contract with PTARMIGAN MACHINERY COMPANY, San Antonio, Texas, for the purchase and installation of a co-mingled sorting system and a horizontal baler system for recycled products at the City's Material Recycling Facility (MRF) located at 3810 Todd Lane in the amount of \$1,265,000 plus up to \$35,000 in early completion incentives for a total amount not to exceed \$1,300,000. (Funding is available in the 1999-2000 Approved Capital Budget of the Solid Waste Services Department.) Low bid of three. No MBE/WBE subcontracting participation. (Recommended by Solid Waste Advisory Board Review)
This item was postponed indefinitely.
 13. Approve a resolution requesting Council confirmation of the appointment of Fred L. Daughtry to the Fire and Police Civil Service Commissions.
Resolution No. 000511-13 was approved.
 14. Approve a resolution authorizing the negotiation and execution a Multi-Use Agreement with Texas Department of Transportation for use of right-of-way under MoPac between Stratford Drive and Town Lake for public parking.
Resolution No. 000511-14 was approved.
 15. Approve a resolution authorizing negotiation and execution of a contract with THANH QUAC NGO for the acquisition of approximately 4.89 acres of land located west of Spicewood Springs Road and north of Capital of Texas Highway for park and recreational purposes, in an amount not to exceed \$125,000. (Funding in the amount of \$57,927.90 was included in the 1999-2000 Approved Capital Budget of the Parks & Recreation Department and \$67,072.10 was included in the 1992-1993 Amended Capital Budget of the Parks & Recreation Department.)
Resolution No. 000511-15 was approved.
- Items 16 through 17 were approved on consent but were re-considered later in the meeting.**
18. Amend Ordinance No. 990913-2 the 1999-2000 Capital Budget of the Parks and Recreation Department by appropriating \$225,000 to the Conservation Land project account to acquire approximately 8.66 acres of land. (Funding is available from certificates of participation from the Balcones Canyonlands Preserve.)
Ordinance No. 000511-18 was approved.
 19. Approve a resolution authorizing negotiation and execution of a contract with IVA ESTELLE NOTT for the acquisition of approximately 8.66 acres of land located west of Spicewood Springs Road and north of Capital of Texas Highway, for the Balcones Canyonlands Preserve, in an amount not to exceed \$225,000. (Funding is included in the 1999-2000 Amended Capital Budget of the Parks and Recreation Department.) (Related Item: Budget Amendment)
Resolution No. 000511-19 was approved.
 20. Approve a resolution authorizing execution of a contract with EAGLE CONSTRUCTION & ENVIRONMENTAL SERVICES, INC., Eastland, Texas, for the decommissioning and remediation of Seaholm Power Plant recommending Option Four Bid of \$3,250,645.08, plus a contingency fund of \$812,661.27 for change orders for a total not to exceed amount of \$4,063,306.35. (Funding in the amount of \$4,063,306.53 was included in the 1999-2000 Amended Capital Budget for the Electric Utility Department.) 22% MBE; 8.5% WBE subcontracting participation. (Recommended by Electric Utility Commission)
Resolution No. 000511-20 was approved.

21. Approve a resolution authorizing execution of a contract with COMMERCIAL BODY CORPORATION, San Antonio, Texas, for the purchase of one truck-mounted telescopic aerial device for Austin Energy in the amount of \$137,168. (Funding was included in the 1999-2000 Approved Capital Budget of Austin Energy.) Only bid received. No MBE/WBE subcontracting participation. (Recommended by Electric Utility Commission)
Resolution No. 000511-21 was approved.
22. Approve a resolution authorizing execution of a construction contract with LAMBDA CONSTRUCTION, COMPANY, New Braunfels, Texas, for construction of the Lost Pines 345kV switchyard in the amount of \$2,209,886. (Funding is available in the 1999-2000 Amended Capital Budget of the Electric Utility Department.) Low bid/2 bids received. 10.08% MBE; 0% WBE subcontracting participation. (Recommended by Electric Utility Commission)
Resolution No. 000511-22 was approved.
23. Amend Ordinance No. 970306-P (as amended by Ordinance Nos. 907925-0, 981209-B, and 990826-91 to add a Load Cooperative Rider to the Electric Rate Schedule of Tariffs. (Due to the voluntary nature of this program, the potential revenue reduction from program participation can only be estimated. The maximum estimated revenue decrease is less than \$25,000 in the 1999-2000 Amended Operating Budget of the Electric Utility Department. (Recommended by Electric Utility Commission)
Ordinance No. 000511-23 was approved.
24. Approve a resolution authorizing the issuance of a Letter of Intent and a rebate in the amount of \$57,450 to A.S.C. Management Incorporated, for the installation of high-efficient air conditioners at the Wood Ridge Apartments Complex. Energy improvements qualifying for this rebate will save an estimated 322 kilowatts at a program cost of \$178 per kilowatt saved. The comparable cost of gas turbine generation is \$1,329 per kW, including fuel, operation, and maintenance. Each high efficient air conditioning will save the residents between \$240 and \$324 per cooling season in energy costs. (Funding in the amount of \$57,450 is available in the 1999-2000 Operating Budget of the Conservation Rebates and Incentive Fund.) (Recommended by Electric Utility Commission) (Recommended by Resource Management Commission)
Resolution No. 000511-24 was approved.
25. Approve a resolution authorizing modification of the supply agreement with POWER SUPPLY, INC., Austin, Texas, for the purchase of 17 additional 145kV circuit breakers in an amount not to exceed \$399,400 for the initial 12-month period, for a revised annual contract amount not to exceed \$1,198,200, for a revised total contract amount not to exceed \$3,594,600. (Funding in the amount of \$399,400 is available in the 1999-2000 Amended Operating Budget of the Electric Utility Department.) (Recommended by Electric Utility Commission)
Resolution No. 000511-25 was approved.
26. Approve a resolution authorizing execution of a 36-month supply agreement with RFL ELECTRONICS INC., Boonton TWP, New Jersey, for 96 current differential relays in an amount not to exceed \$533,280, with one 12-month extension option in an amount not to exceed \$177,760, for a total contract amount not to exceed \$711,040. (Funding in the amount of \$59,253.33 is

available in the 1999-2000 Amended Operating Budget for the Electric Utility Department. Funding for the remaining months of the original contract period and the extension options is contingent upon available funding in the future budgets.) Low bid/three bids received. No MBE/WBE subcontracting participation. (Recommended by Electric Utility Commission)

Resolution No. 000511-26 was approved.

27. Approve a resolution authorizing execution of a 12-month supply agreement with RAINBOW MATERIALS (MH), Austin, Texas, for structural concrete in an amount not to exceed \$192,000, with three 12-month extension options in an amount not to exceed \$192,000, per extension, for a total contract amount not to exceed \$768,000. (Funding in the amount of \$64,000 is available in the 1999-2000 Amended Operating Budget for the Electric Utility Department. Funding for the remaining months of the original contract period and the extension options is contingent upon available funding in the future budgets.) Low bid/twobids received. No MBE/WBE subcontracting participation. (Recommended by Electric Utility Commission)

Resolution No. 000511-27 was approved.

Items 28-29 were pulled for discussion.

30. Approve a resolution authorizing the selection of two underwriting teams to provide underwriting services for negotiated/refunding transactions over the next three years. The teams will be utilized as market and economic conditions necessitate. (Payment for underwriters will be made from the proceeds of each bond sale.) (Recommended by the City Council Audit and Finance Committee.)

Resolution No. 000511-30 was approved.

31. Approve a resolution authorizing execution of a 6-month lease with PIAA REALTY, INC., Austin, Texas, for 24,898 square feet of office and warehouse space located at 2100 East St. Elmo, Building E, for the Materials Management Office, in an amount not to exceed \$164,388. (Funding in the amount of \$149,388 is available in the Fiscal Year 1999-2000 Operating Budget for the Financial Services Department.)

Resolution No. 000511-31 was approved.

32. Approve a resolution authorizing execution of a 12-month service agreement with PRISM DEVELOPMENT INC. (MBE-MH), Austin, Texas, to provide boarding and securing abandoned structures for the Development Review and Inspection Department and Austin Police Department, in an amount not to exceed \$47,175, with two 12-month extension options in the amount not to exceed \$47,175 per extension, for a total contract amount not to exceed \$141,525. (Funding in the amount of \$12,959 was included in the 1999-2000 Approved Operating Budget of the Development Review and Inspection Department and \$2,767 was included in the 1999-2000 Approved Operating Budget for the Austin Police Department. Funding for the remaining seven months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid/four bids received. No MBE/WBE subcontracting participation.

Resolution No. 000511-32 was approved.

Item 33 was pulled for discussion.

34. Approve a resolution authorizing execution of a 12 month supply agreement with LONGHORN INTERNATIONAL TRUCKS, LTD., AUSTIN, TX, 78702 for the purchase of captive repair parts for Navistar trucks in an amount not to exceed \$260,000 with three 12 month extension options in an amount not to exceed \$260,000 per extension for a total contract amount not to exceed

\$1,040,000. (Funding in the amount of \$108,333 was included in the 1999-2000 Approved Operating Budget for the Fleet Maintenance Fund of the Finance and Administrative Services Department. There is no unanticipated fiscal impact.) Sole bidder. No MBE/WBE subcontracting participation.

Resolution No. 000511-34 was approved.

35. Approve an ordinance granting a franchise to METRICOM, INC., for use of rights-of-way to construct a wireless data communications radio network. (Network will be under construction and will not be operational for customers during this fiscal year. No anticipated revenue for Fiscal Year 1999-2000 projected at this time. Revenue may result from future customer usage of the system to be estimated for subsequent years.) (Second reading) (Recommended by the City Council Telecommunications Infrastructure Subcommittee)

Second reading of this ordinance was approved.

36. Approve a resolution authorizing execution of a 30 year contract with Texas Disposal Systems Landfill, Inc. (TDS) in an estimated amount of \$1,544,400 per year for landfilling and \$249,161 per year for yard trimmings processing, for an estimated total amount of \$62,095,830 over the term of the contract. (Funding in the amount of \$600,800 is available in the 1999-2000 Operating Budget for Solid Waste Services and other user departments.) (Recommended by Solid Waste Commission)

Resolution No. 000511-36 was approved.

37. Approve a resolution authorizing execution of two 12-month contracts with the TEXAS MEDICAL LIABILITY TRUST (TMLT) Austin, Texas and for the TEXAS MEDICAL INSURANCE COMPANY (TMIC), Austin, Texas for the provision of medical malpractice liability insurance in amounts not to exceed \$161,123 with three 12-month extension options in an amount not to exceed \$121,022 for the first extension, \$127,073 for the second extension, and \$133,427 for the third extension for a total contract amount not to exceed \$542,645 and for dentists in an amount not to exceed \$4,754 with three 12-month extension options in an amount not to exceed \$4,992 for the first extension, \$5,241 for the second extension, and \$5,503 for the third extension for a total contract amount not to exceed \$20,490. (Funding in an amount of \$138,520 is available in the 1999-2000 Amended Operating Budget of the Primary Care Department/Federally Qualified Health Center (FQHC) \$12,610 from 1999-2000 Approved Operating Budget of Health & Human Services Travis County Reimbursement Fund of Travis County; funding of \$14,747 is available in the 1999-2000 Approved Operating Budget of the General Fund Health and Human Services Department (HHSD). Funding for the extension options is contingent upon available funding in future budgets.)

Resolution No. 000511-37 was approved.

38. Approve a resolution authorizing execution of a 12-month supply agreement with EAGLEBROOK, INC., Matterson, IL, to provide Liquid Ferric Sulfate for the Water and Wastewater Utility, in an amount not to exceed \$369,460 with two 12-month extension options in the amount not to exceed \$369,460 per extension, for a total contract amount not to exceed \$1,108,380. (Funding in the amount of \$92,364.99 was included in the 1999-2000 Amended Operating Budget of the Water and Wastewater Utility. Funding for the remaining nine months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid/three bids received. No MBE/WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 000511-38 was approved.

39. Approve a resolution authorizing execution of a construction contract with KEYSTONE CONSTRUCTION INC., Austin, Texas, for lift station improvements on Curlew Drive, Burnside Road and Wommack Road, in the amount of \$258,320. (Funding is included in the 1999-2000 Amended Capital Budget of the Water and Wastewater Utility.) Low bid of three. 16.3% MBE; 11.9% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)
Resolution No. 000511-39 was approved.
40. Approve negotiation and execution of an amendment to the existing professional services agreement with KURKJIAN ENGINEERING CORPORATION (MBE/FH), Austin, Texas, for additional design phase services for the Upper Walnut Creek Interceptor Project, in the amount of \$62,000 for a total agreement amount not to exceed \$619,240.90. (Funding in the amount of \$62,000 is included in the 1999-2000 Amended Capital Budget of the Water & Wastewater Utility.) 4.76% MBE Prime; 0% MBE; 69.28% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)
Resolution No. 000511-40 was approved.
41. Approve a resolution authorizing execution of an amendment to the contract between the City of Austin and GRAY-JANSING & ASSOCIATES, INC., a Texas Corporation, for Project Management, Design, Construction Phase Engineering Services and Construction, to cover higher construction costs for the water supply pipeline to serve the recently annexed Davenport Ranch subdivision, in an amount not to exceed \$710,000. (Funding in the amount of \$710,000 is available in the 1999-2000 Amended Capital Budget of the Water & Wastewater Utility.) (Recommended by Water and Wastewater Commission Review)
Resolution No. 000511-41 was approved.
42. Approve a resolution authorizing execution of a construction contract with RYAN-O EXCAVATING, Lockhart, Texas, for drainage improvements in the E. 11th & 12th Street Corridor from Branch Street to Navasota Street, for the Scattered Cooperative Infill-Housing Project SCIP II, the Central East Austin Master Plan area, and the East 11th & 12th Streets Community Redevelopment Plan areas, in the amount of \$1,426,727 plus \$135,273 contingency for a total contract not to exceed \$1,562,000. (Funding in the amount of \$1,488,000 is included in the 1998-99 Amended Capital Budget of the Watershed Protection Department. \$74,000 is included in the 1995-96 Amended Capital Budget of the Water & Wastewater Utility.) Low bid of three. 24.18% MBE; 10.16% WBE subcontracting participation. (Recommended by Environmental Board) (Recommended by Water and Wastewater Commission)
Resolution No. 000511-42 was approved.
43. Approve a resolution authorizing the filing of eminent domain proceedings to acquire the fee simple interest to a parcel of land containing 314 square feet, situated at 1601 Barton Springs Road, in the City of Austin, Travis County, Texas, owned by Cater Joseph, for the Barton Springs Road Project, Phase II. (Funding in the amount of \$15,900 is included in the 1995-1996 Amended Capital Budget of the Public Works and Transportation Department.)
Resolution No. 000511-43 was approved.
44. Approve an ordinance renewing the Harlem Cab Company d.b.a. Austin Cab taxicab franchise. (An estimated \$45,600 will be receipted into the General Fund based on taxicab permit fees of \$400 per year per permit.) (Recommended by Urban Transportation Commission) (First reading)

The first reading of this ordinance was approved.

Item 45 was pulled for discussion.

46. Approve a request on behalf of AMLI Residential Properties, Trust, L.P., for right-of-way vacation of the alley in the 200 Block of West 2nd Street, from Colorado Street to Lavaca Street. (The amount of \$173,880 in revenue will be receipted to the General Fund.) (Recommended by Planning Commission)

Ordinance No. 000511-46 was approved.

47. Approve an ordinance renewing the Greater Austin Transportation Company d.b.a. American Yellow Checker Cab Company taxicab franchise. (An estimated \$111,600 will be receipted into the General Fund based on taxicab permit fees of \$400 per year per permit.) (Recommended by Urban Transportation Commission) (First reading)

The first reading of this ordinance was approved.

48. Set a public hearing to approve use of 1.193 acres for the construction of South First Street through dedicated parkland known as Mary Moore Searight Park, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife code. (All costs associated with any parkland restoration will be paid by the requestor (Public Works Department). (Recommended by Parks and Recreation Board) (Suggested Date and Time: June 8, 2000 at 6:00 p.m.)

Resolution No. 000511-48 was approved.

Items 49-51 were pulled for discussion.

52. Approve a resolution authorizing acceptance of an Interlocal Agreement with the TEXAS DEPARTMENT OF TRANSPORTATION in the amount of \$35,500 to conduct a Downtown Construction Congestion Management Study. Amend Ordinance No. 990913-2, the 1999-2000 Capital Budget of the Public Works and Transportation Department by creating a new project called "Downtown Construction Congestion Management Study" and appropriating \$28,000 (80% grant portion) for implementation. (Funding in the amount of \$28,000 is available from TxDOT in Federal Surface Transportation program (ST2P) 4C funds; \$7,000 (20% matching funds) and the \$500 administrative fee are available in the 1999-2000 Amended Capital Budget of the Public Works and Transportation Department.)

Ordinance No. 000511-52 was approved.

53. Set a public hearing to approve using approximately 18,448 square feet (.423 acre) of parkland for the construction of an EMS facility on dedicated parkland known as Deep Eddy Park, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife code. (All costs associated with parkland restoration will be paid by the requestor (Emergency Medical Services Department).) (Recommended by Parks and Recreation Board) (Suggested date and time: June 8, 2000 at 6:00 p.m.)

Resolution No. 000511-53 was approved.

Item 54 was pulled for discussion.

55. Approve a resolution authorizing the negotiation and execution of a 6-month contract with the Capital City Chamber of Commerce, in an amount not to exceed \$88,362 with one contract renewal option in an amount not to exceed \$58,908 and 120 days, for a total contract amount of \$147,270, for the purpose of providing technical assistance to small minority and women-owned businesses.

(Funding in the amount of \$88,362 is included in the 1999-2000 Amended Operating Budget for Austin Energy. Funding in the amount not to exceed \$58,908 for the renewal option is contingent on available funding in future year's budget.)

Resolution No. 000511-55 was approved.

56. Approve a resolution authorizing the negotiation and execution of a six-month contract with the Hispanic Chamber of Commerce, in an amount not to exceed \$70,860 with one contract renewal option in an amount not to exceed \$47,240 and 120 days, for a total contract amount of \$118,100, for the purpose of providing technical assistance to small minority and women-owned businesses. (Funding in the amount of \$70,860 is included in the 1999-2000 Amended Operating Budget for Austin Energy. Funding in the amount not to exceed \$47,240 for the renewal option is contingent on available funding in future year's budget.)

Resolution No. 000511-56 was approved.

57. Approve a resolution authorizing negotiation and execution of a contract with ICF Consulting, San Rafael, CA, in the amount of \$145,995 for economic development studies. (Funding is available in the 1999-2000 Amended Operating Budget of the Electric Utility Department.) Best proposal/Three proposals received. 14.1% MBE; 15.0% WBE subcontracting participation. (Recommended by Electric Utility Commission)

Resolution No. 000511-57 was approved.

58. Authorize giving official notice to Travis County Emergency Service District Number 6 of the full purpose annexation of the Preserve at River Place by the City of Austin in 2000.

Resolution No. 000511-58 was approved.

59. Amend Ordinance No. 990913-2, the 1999-2000 Capital Budget for the Library Department by transferring \$140,000 from the University Hills Branch Library HVAC Refurbishment Project to the Pleasant Hill Branch Library Parking Improvements Project. (Related Item Muniz Concrete and Contracting, Inc.) (Funding was included in the 1999-2000 Approved Capital Budget for the Library Department.) (Planning Commission Review – 5/9/00) (Related to Item 60)

Ordinance No. 000511-59 was approved.

60. Approve a resolution authorizing execution of a construction contract with MUÑIZ CONCRETE AND CONTRACTING, INC. (MBE/MH), Austin, Texas, for parking lot expansion at the Pleasant Hill Branch Library located at 211 East William Cannon Drive, in the amount of \$237,908. (Funding in the amount of \$237,908 is included in the 1999-2000 Amended Capital Budget of the Library Department.) 91.6% MBE/MH Prime; 0% MBE; 8.4% WBE subcontracting participation. (Related to Item 59)

Resolution No. 000511-60 was approved.

Item 61 was pulled for discussion.

62. Approve a resolution authorizing amendment of a supply agreement with CENETRON DIAGNOSTICS, Austin, Texas, for additional HIV laboratory tests, increasing the contract in an amount not to exceed \$160,160 for the current contract year and increasing the two 12-month remaining extension options in an amount not to exceed \$160,160 per extension for a total contract amount not to exceed \$1,517,280. (Funding was included in the 1999-2000 Amended Special Revenue Fund of the Health and Human Services Department Ryan White Title HIV Emergency Care Grant. Funding for the extension options is contingent upon available funding in future budgets.)

Resolution No. 000511-62 was approved.

63. C14-99-0081 - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6415 Hart Lane, 3413 North Hills Drive and 6426 North Loop One (Mopac) Southbound from LO, Limited Office District zoning to GO-CO, General Office-Conditional Overlay Combining District zoning with conditions for Tract A, and LO-CO, Limited Office-Conditional Overlay Combining District zoning with conditions for Tracts B and C. First reading on January 13, 2000; Vote: 7-0. Second reading on May 11, 2000; Vote: 6-0, Garcia out of the room. Conditions met as follows: Conditional overlay incorporates the conditions imposed by Council at second reading. Applicant: 6204 Balcones Ltd. (Gerald Kucera, Manager) and David B. Barrow, Jr. (Charles F. Stahl, Attorney-In-Fact). Agent: Crocker Consultants (Sara Crocker). City Staff: Clark Patterson, 499-2464

Ordinance No. 000511-63 was approved.

64. C14-99-2091 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code rezoning property locally known as 403 East Braker Lane from LO, Limited Office District zoning to GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions. First reading on February 10, 2000; Vote 6-0, Watson absent. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council at first reading. Applicant: Rita Evans; Agent: Bill Faust. City Staff: Katie Larsen, 499-3072.

This item was postponed to June 1, 2000.

65. C14-99-0092 - Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property located 100 feet east of Woodward Street & Willowrun Drive from MF-3-CO, Multifamily Residence Medium Density-Conditional Overlay Combining District zoning with conditions and RR-CO, Rural Residence-Conditional Overlay Combining District zoning with conditions to MF-3-CO, Multifamily Residence Medium Density-Conditional Overlay Combining District zoning with conditions for Tract 1 and RR-CO, Rural Residence-Conditional Overlay Combining District zoning with conditions for Tracts 2 and 3. First reading on August 26, 1999; Vote 7-0. Property Owner: Austin 1825 Fortview; Applicant: City of Austin, Agent: Development Review and Inspection Department. City Staff: Adam Smith, 499-2755. (Continued from 4/20/00)

The second reading of this ordinance was approved.

66. C14-99-2094 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property located at the 2031 Highway 71 East from I-RR, Interim-Rural Residence to CS-CO, General Commercial Services-Conditional Overlay Combining District zoning with conditions. First Reading on February 10, 2000; Vote: 6-0, Watson absent. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by the City Council at first reading. Owner/Applicant: T. C. Steiner & Son, Ltd. (Thomas C. Steiner, Jr.); Agent: Crocker Consultants (Sarah Crocker). Owner: City Staff: Clark Patterson, 499-2464.

Ordinance No. 000511-66 was approved.

67. C14-99-2108 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property located at the 4500 block of East Ben White Boulevard from SF-2, Single-Family Residence Standard Lot District zoning to CS-CO, General Commercial Services-Conditional Overlay Combining District zoning with conditions. First Reading on March 30, 2000; vote 6-0, Goodman absent. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by the City Council at first reading. Applicant: Belco Equities, Inc. (Rudy Belton); Agent: Urban Design Group (John Noell). City Staff: David Wahlgren, 499-6455.

Ordinance No. 000511-67 was approved.

68. C14-99-2142- Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 12190-12198 Walnut Park Crossing from LO, Limited Office District zoning to MF-2-CO, Multifamily Residence Low Density-Conditional Overlay Combining District zoning with conditions for Tract 1 and RR, Rural Residence District zoning for Tract 2. First reading on March 30, 2000; Vote: 6-0 (Goodman absent). Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council at first reading. Property Owner and Applicant: Parkcrest, Ltd. (Vaughn Brock). Agent: Graves, Dougherty, Hearn & Moody (David Hartman). City Staff: Katie Larsen, 499-3072.
Ordinance No. 000511-68 was approved.
69. Direct the City Manager to provide a preliminary evaluation of impacts on Walnut Creek and other streams, associated with the various proposed State Highway 130 alignments, to be presented at the June 1, 2000 Council meeting. (Council Member Beverly Griffith, Council Member Willie Lewis, and Council Member Bill Spelman)
Resolution No. 000511-69 was approved.
70. Direct the City Manager to present a briefing on a proposal for revision of the regulatory system for controlling the amount of impervious cover allowed in new development within the City's jurisdiction, at the May 18, 2000 Council meeting. (Council Member Beverly Griffith, Council Member Willie Lewis, and Council Member Bill Spelman)
Resolution No. 000511-70 was approved.
71. Approve an ordinance adjusting City Council salaries and car allowance to give effect to the compounded CPI from the date of the last adjustment through the date of the most current CPI available. The salary and car allowance will go into effect July 2, 2000. (Council Member Gus Garcia and Council Member Bill Spelman)
Ordinance No. 000511-71 was approved.
72. Approve an ordinance appointing the Municipal Court Clerk and establishing compensation and benefits. (Mayor Kirk Watson, Mayor Pro Tem Jackie Goodman and Council Member Gus Garcia)
This item was postponed to May 18, 2000.

Item 73 was pulled for discussion.

74. Approve a resolution directing the City Manager to initiate a rezoning application for the Convention Center Hotel on property bordered by East 5th Street to the north, East 4th Street to the south, Red River Street to the east and Neches Street to the west. (Council Member Gus Garcia and Mayor Pro Tem Jackie Goodman)
Resolution No. 000511-74 was approved.
75. Adopt a resolution in support of U.S. Senate Bill 1935, the Medicaid Community Attendant Services and Supports Act. (Mayor Kirk Watson and Council Member Gus Garcia)
Resolution No. 000511-75 was approved.

Items 76 -84 were Citizen Communication.

Item 85 was the Austin Housing Finance Corporation

Items 86-103 were Zoning items.

Items 104-110 were public hearings.

111. APPOINTMENTS

Library Commission

Steve Tompkins

Consensus

Medical Advisory Program Board

David Jackson (dentist)

Consensus

The motion to recess the City Council meeting at 9:41 a.m. and go into Executive Session was approved on Council Member Lewis' motion, Council Member Griffith'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.

2. Discuss legal issues regarding the Convention Center expansion project.
3. Discuss *FM Properties Operating Co. v. City of Austin*, Cause No. 98-0685, in the Supreme Court of Texas. (This litigation concerns development regulations applicable in the Barton Springs Zone.)
4. Discuss *Capitol View Joint Venture, d/b/a Capview Utility Company and Capview Development Corp. v. City of Austin*, Cause No. 99-11719, in the Travis County District Court, and matters related to Capitol View Joint Venture's certificate of convenience and necessity and wastewater discharge permit issued by the Texas Natural Resource Conservation Commission.
5. Discuss legal issues concerning the proposed rezoning of the Bennett Tract. (Related to item 103)
6. Discuss acquisition of real property for the Solid Waste Services Department for Austin Brownfields Program.
7. Discuss the appointment of the Municipal Court Clerk and establishment of compensation and benefits.
This item was postponed to May 18, 2000.
8. Discuss issues relating to the Electric Utility Restructuring Act (SB7).

The Mayor announced that Item #10 would also be discussed during Executive Session.

Executive session ended at 11:15 a.m.

DISCUSSION ITEMS

33. Request approval to negotiate a contract with MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC., Austin, Texas, to equip and install an 800 MHz regional trunked radio system in an estimated amount not to exceed \$63,000,000. (Funding is contingent upon successful negotiation of a contract, upon Council approval of that contract, and upon approval of forthcoming interlocal agreements.)

Resolution No. 000511-33 was approved on Council Member Garcia's motion, Council Member Spelman's second by a 7-0 vote.

9. Approve a settlement proposal regarding *Capitol View Joint Venture, d/b/a Capview Utility Company and Capview Development Corp. v. City of Austin*, Cause No. 99-11719, in the Travis County District Court, and matters related to Capitol View Joint Venture's certificate of convenience and necessity and wastewater discharge permit issued by the Texas Natural Resource Conservation Commission.

Resolution No. 000511-09 for the following settlement was approved on Council Member Spelman's motion, Council Member Lewis' second by a 7-0 vote. The settlement directs the City Manager to negotiate and execute a settlement agreement that incorporates the following terms: the City would pay plaintiff \$200,000 after CCN is transferred to the City of Austin or terminated; \$200,000 set off against the Capital Recovery to be allowed for up to five years in City Capital Recovery fee rates.

28. Amend Ordinance No. 990914-1, the 1999-2000 Approved Operating Budget, by appropriating \$3,500,000 in the Convention Center Operating Reserve Fund for the acquisition of land, Lots 1-8, inclusive, Block 38 of the Original City of Austin, for the construction of a parking garage for the Austin Convention Center. (Funding is included in the Convention Center Operating Reserve Fund.) (Related to Item 29)

Ordinance No. 000511-28 was approved on Council Member Spelman's motion, Council Member Griffith's second by a 7-0 vote.

29. Approve a resolution authorizing the filing of eminent domain proceedings to acquire the fee simple interest in Lots 1-8, inclusive, Block 38 of the Original City of Austin, in the City of Austin, Travis County, Texas, owned by Harry M. Whittington, et ux, Mercedes B. Whittington; Sally Whittington May, Margaret Whittington Puckett and Mercedes Whittington, Individually and as Trustees of the Margaret Lynn Puckett 1989 Trust, the Sara Whittington May 1989 Trust, the Caroline Elizabeth Puckett 1989 Trust, the Michael Erskine May 1989 Trust, the Camille Meriweather May 1989 Trust and the William Tyndale Puckett, Jr. 1989 Trust for the construction of a parking garage for the Austin Convention Center. (Funding in the amount of \$3,500,000 is included in the 1999-2000 Amended Operating Budget of the Austin Convention Center.) (Related to Item 28)

Resolution No. 000511-29 was approved on Council Member Spelman's motion, Council Member Garcia's second by a 7-0 vote.

45. Amend section 16-4-33 - Speed Limits of the Austin City Code by adding Rutherford Lane, from Furness Drive to Interstate 35 East Frontage Road, to the list of streets having a maximum speed limit of 40 miles per hour. (The amount of \$400 for installation of the appropriate speed limit signs is available in the 1999-2000 Operating Budget of the Department of Public Works and Transportation.)

Ordinance No. 000511-45 was approved on Council Member Spelman's motion, Council Member Garcia's second by a 7-0 vote.

49. Approve a resolution authorizing execution of an Interlocal Agreement with the TEXAS DEPARTMENT OF TRANSPORTATION for changeable lane control signs for various intersections citywide in the amount of \$25,000. Amend Ordinance No. 990913-2, the 1999-2000 Capital Budget of the Public Works and Transportation Department by creating a new project called Changeable Lane Control Signs - 2000 and appropriating \$19,200 (80% grant portion) for implementation. (Funding in the amount of \$19,200 is available from TxDOT in Federal Surface Transportation program (STP) 4C funds, \$4,800 (20% matching funds and \$1,000 (TxDOT administrative fee) are available in the 1999-2000 Public Works and Transportation Department Amended Capital Budget.)
Ordinance No. 000511-49 was approved on Council Member Slusher's motion, Council Member Spelman's second by a 7-0 vote.
50. Approve a resolution authorizing execution of an Interlocal Agreement with the TEXAS DEPARTMENT OF TRANSPORTATION for continuation of the citywide Traffic Signal Synchronization program in the amount of \$234,000. (Funding in the amount of \$104,000 is available from TxDOT in Federal Surface Transportation program (STP) 4C funds for Fiscal Year 2000, \$80,000 of Federal Surface Transportation program (STP) 4C funds will be included in the proposed Fiscal Year 2001 capital budget; \$46,000 (20% matching funds) and \$4,000 (TxDOT administrative fee) are available in the 1999-2000 Public Works and Transportation Department Amended Capital Budget.)
Resolution No. 000511-50 was approved on Council Member Slusher's motion, Council Member Spelman's second by a 7-0 vote.
51. Approve a resolution authorizing execution of an Interlocal Agreement with the TEXAS DEPARTMENT OF TRANSPORTATION for traffic signal system sensors at various locations throughout the City in the amount of \$139,000. Amend Ordinance No. 990913-2, the 1999-2000 Capital Budget of the Public Works and Transportation Department by creating a new project called Traffic Signal System Detectors – 2000 and appropriating \$28,000 (grant portion for Fiscal Year 2000) to construct the improvements. (Funding in the amount of \$28,000 is available from TxDOT in Federal Surface Transportation program (STP) 4C funds for Fiscal Year 2000; \$82,400 in Federal Surface Transportation program (STP) 4C funds will be included in the proposed Fiscal Year 2001 capital budget; \$27,600 (20% matching funds) and \$1,000 (TxDOT administrative fee) are available in the 1999-2000 Public Works and Transportation Department Amended Capital Budget.)
Ordinance No. 000511-51 was approved on Council Member Slusher's motion, Council Member Spelman's second by a 7-0 vote.
61. Amend Ordinance No. 990914-1 the 1999-2000 Operating Budget by transferring \$160,000 from the Contingency Reserve Fund to the General Fund and increasing appropriations in the Health and Human Services Department by \$160,000 for a master plan for the Town Lake Animal Center (TLAC). (Funding is available in the Contingency Reserve Fund.)
Ordinance No. 000511-61 was approved on Council Member Spelman's motion, Council Member Garcia's second by a 7-0 vote.
73. Approve the resolution Directing the City Manager to create an oversight entity based on recommendations from the Mueller Neighborhoods Coalition within the next 30 days. (Mayor Kirk Watson, Council Member Daryl Slusher, and Mayor Pro-Tem Jackie Goodman)

Resolution No. 000511-73 was approved on Council Member Garcia's motion, Council Member Slusher's second by a 7-0 vote with a friendly amendment from Council Member Slusher to delete the words "to City" and change "in 30 days" to "on June 8, 2000" in the seventh line. This amendment was accepted by the maker of the motion.

The motion to recess the meeting at 11:50 a.m. was made on Council Member Garcia's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.

The meeting was reconvened at 1:38 p.m.

CITIZEN COMMUNICATIONS

76. Gus Pena – Discuss City Health Clinics and the need for Low Income Affordable Housing and Transitional Housing Assistance
77. Roland Ortiz -- Montopolis/Riverside Library
78. John Eugene Shirley – Not Providing Seatbelts on Public Transit Busses, Endangering Lives - **ABSENT**
79. Susana Almanza/PODER – Montopolis Library & Land Use
80. Charles T. Waits, Jr. – A Few Questions about Green Power and the cost of Green Power
81. Clifton Griffin – Location of Montopolis-Riverside Dr. Branch Library
82. Jennifer L. Gale -- Why didn't KLRU(PBS), The Austin American-Statesman and the Austin Chronicle not cover Austin's mayoral race? - **ABSENT**
83. Jim Walker – Mueller Redevelopment
84. Paul Robbins

DISCUSSION ITEMS CONTINUED

10. Approve a resolution authorizing execution of a construction contract with SPAW GLASS CONTRACTORS, INC., Selma, Texas, for the Austin Convention Center Building Expansion Project, in the amount of \$66,557,000, plus \$998,355 contingency, for a total amount not to exceed \$67,555,355. (Funding in the amount of \$67,555,355 is available in the 1997-1998 Amended Capital Budget of the Austin Convention Center Department.) Low bid of four. 11.95% MBE; 4.22% WBE subcontracting participation.

Resolution No. 000511-10 was approved on Council Member Garcia's second, Council Member Spelman's second by a 6-1 vote. Council Member Lewis voted No.

The Council Meeting was recessed at 2:48 p.m. on Council Member Griffith's motion, Council Member Spelman's second by a 7-0 vote.

BOARD OF DIRECTOR'S MEETING OF AUSTIN HOUSING FINANCE CORPORATION

President Watson called the Board Meeting of the Austin Housing Finance Corporation to order at 3:40 p.m. Item 85 was the AHFC items considered by the Austin Housing Finance Corporation's Board of Directors.

85. Approve a resolution to convey the properties on the 11th Street corridor and the south side of Juniper currently owned by the Austin Housing Finance Corporation (AHFC) to the City of Austin for due consideration and the City's cancellation of \$425,919 of outstanding debt currently owed the City by AHFC.

Resolution No. 000511-85 was approved on Board Member Spelman's motion, Board Member Garcia's second by a 7-0 vote.

The AHFC Board Meeting was adjourned at 3:44 p.m. on Board Member Griffith's motion, Board Member Spelman's second by a 7-0 vote.

The Council meeting was reconvened at 3:44 p.m.

DISCUSSION ITEMS CONTINUED

54. Approve a resolution to accept the conveyance of certain properties on East 11th Street and the south side of Juniper Street from the Austin Housing Finance Corporation (AHFC) and cancel \$425,919 of the corporation's outstanding debt obligation to the City. (The 1999-2000 Adopted Budget does not include revenue from the repayment of these loans; therefore, there is not unanticipated fiscal impact.)

Resolution No. 000511-54 was approved on Council Member Spelman's motion, Council Member Garcia's second by a 7-0 vote.

CONSENT ZONING

All of the following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and the consent items were approved on Council Member Garcia's motion, Council Member Lewis' second by a 7-0 vote.

Items 86-87 were pulled for discussion.

88. C14-99-0106 – Alamo Concrete – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 4200 Todd Lane from SF-2, Single-Family Residence Standard Lot District zoning to LI-CO, Limited Industrial Services-Conditional Overlay Combining District zoning with conditions. Planning Commission Recommendation: To grant LI-CO, Limited Industrial Services-Conditional Overlay Combining District zoning with conditions. Property Owner and Applicant: Alamo Concrete Products, Ltd. (Walter D. Scott, II). Agent: Fulbright & Jaworski, L.L.P. (Jerry Converse). City Staff: Michele Rogerson, 499-2308.

This item was postponed to May 18, 2000 at the request of the neighborhood.

The motion to postpone Items 88, 91, 92, 96, and 97 to an indefinite date so the City Manager could schedule them so that Council meetings can be more convenient for citizens, Council and staff was approved on Council Member Griffith's motion, Mayor Watson's second by a 7-0 vote.

The above stated motion was rescinded per recommendation from staff so the date of postponement will remain as stated initially on Council Member Lewis' motion, Council Member Griffith's second by a 7-0 vote.

Items 89-90 were pulled for discussion.

91. C14-99-2097 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property located at Hergotz Lane, Linger Lane and Ed Bluestein Boulevard from I-RR, Interim-Rural Residence District zoning to RR, Rural Residence District zoning. Planning Commission Recommendation: To maintain the I-RR, Interim-Rural Residence District zoning. Property Owners: City of Austin, Capitol Aggregates Ltd., Arlene Bolm Fitzpatrick (Life Estate), Sam and Annie Brooks, James Brown, and Alan Moser. Applicant: City of Austin; Agent: Development Review & Inspection Department. City Staff: Adam Smith, 499-2755.

This item was postponed to June 1, 2000 at the request of property owner.

The motion to postpone Items 88, 91, 92, 96, and 97 to an indefinite date so the City Manager could schedule them so that Council meetings can be more convenient for citizens, Council and staff was approved on Council Member Griffith's motion, Mayor Watson's second by a 7-0 vote.

The above stated motion was rescinded per recommendation from staff so the date of postponement will remain as stated initially on Council Member Lewis' motion, Council Member Griffith's second by a 7-0 vote.

92. C14-99-2110 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 13100-13500 FM 620 North from DR, Development Reserve District zoning and SF-2, Single-Family Residence Standard Lot District zoning to CS, General Commercial Services District zoning. Planning Commission Recommendation: To grant GR, Community Commercial District zoning. Applicant: James H. Arnold, Jr.; Agent: Minter, Joseph & Thornhill, P.C. (Dorothy Raven). City Staff: David Wahlgren, 499-6455.

This item was postponed to May 18, 2000 at the request of neighborhood.

The motion to postpone Items 88, 91, 92, 96, and 97 to an indefinite date so the City Manager could schedule them so that Council meetings can be more convenient for citizens, Council and staff was approved on Council Member Griffith's motion, Mayor Watson's second by a 7-0 vote.

The above stated motion was rescinded per recommendation from staff so the date of postponement will remain as stated initially on Council Member Lewis' motion, Council Member Griffith's second by a 7-0 vote.

Items 93-94 were pulled for discussion.

95. C14H-00-0002 – Royal Arch Masonic Lodge – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 311 West 7th Street from CBD, Central Business District zoning to CBD-H, Central Business District-Historic zoning. Planning Commission Recommendation: To grant to CBD-H, Central Business District-Historic zoning. Property Owner: Lone Star Chapter 6, Royal Arch Masonic Lodge (James Berry). City Staff: Barbara Stocklin, 499-2414.

Ordinance No. 000511-95 was approved.

96. C14-00-2004 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property located at 403, 413, 445, 501 Bastrop Highway, 414, 418, 422, 426, 434 Thompson Lane, and Hergotz Lane from I-RR, Interim-Rural Residence District zoning to RR, Rural Residence District zoning. Planning Commission Recommendation: To grant DR, Development Reserve District and RR, Rural Residence District zoning with conditions. 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 & Inspection Department. City Staff: Adam Smith, 499-2755.

This item was postponed to June 1, 2000 at the request of property owners.

The motion to postpone Items 88, 91, 92, 96, and 97 to an indefinite date so the City Manager could schedule them so that Council meetings can be more convenient for citizens, Council and staff was approved on Council Member Griffith's motion, Mayor Watson's second by a 7-0 vote.

The above stated motion was rescinded per recommendation from staff so the date of postponement will remain as stated initially on Council Member Lewis' motion, Council Member Griffith's second by a 7-0 vote.

97. C14-00-2010 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 7400-7800 Southwest Parkway from LO, Limited Office District zoning and DR, Development Reserve District zoning to RR, Rural Residence District zoning. Planning Commission Recommendation: To grant RR, Rural Residence District zoning. Applicant: Stratus Properties Operating Co., LP (John Baker), STRS LLC, and Stratus Properties, Inc.; Agent: Murfee Engineering Co., Inc. (Ronee S. Gilbert). City Staff: David Wahlgren, 499-6455.

This item was postponed to June 8, 2000 at the request of applicant.

The motion to postpone Items 88, 91, 92, 96, and 97 to an indefinite date so the City Manager could schedule them so that Council meetings can be more convenient for citizens, Council and staff was approved on Council Member Griffith's motion, Mayor Watson's second by a 7-0 vote.

The above stated motion was rescinded per recommendation from staff so the date of postponement will remain as stated initially on Council Member Lewis' motion, Council Member Griffith's second by a 7-0 vote.

98. C14-00-2018 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 114 Ralph Ablanado Drive from DR, Development Reserve District zoning to LI-CO, Limited Industrial Service-Conditional Overlay Combining District zoning with conditions. Planning Commission Recommendation: To grant LI-CO, Limited Industrial Services-Conditional Overlay Combining District zoning with conditions. Applicant: Vernon Wattinger; Agent: Dunagan Weichert Associates (Glenn K. Weichert). City Staff: Michele Rogerson, 499-2308.

Ordinance No. 000511-98 was approved.

Item 99 was pulled for discussion.

100. C14-00-2033 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1623 West Parmer Lane from SF-3, Family Residence District zoning to GR, Community Commercial District zoning. Planning Commission Recommendation: To grant LR-MU-CO, Neighborhood Commercial-Mixed Use-Conditional Overlay Combining District Overlay District zoning with conditions. Applicant: Little Steps Child Care Center (Christy A. Alfred); Agent: Land Answers (Jim Wittliff). City Staff: Katie Larsen, 499-3072.
Ordinance No. 000511-100 was approved.
101. C14-00-2034 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 903 South Lamar Boulevard from SF-3, Family Residence District zoning and CS, General Commercial Services 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: Fine Arts Services, Inc. (John Traber); Agent: Villalva Architects (George Villalva). City Staff: David Wahlgren, 499-6455.
The first reading of the ordinance was approved. There was a friendly amendment by Council Member Slusher to zone the flood plain RR. This was accepted by Council Member Garcia, the maker of the motion, and Council Member Lewis, who seconded the motion.
102. C14-00-2037 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 13215 U.S. Highway 183 North from SF-2, Single-Family Residence Standard Lot District zoning to CS, General Commercial Services District zoning. Planning Commission Recommendation: To grant GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions. Applicant: Don Ray George, Trustee; Agent: Holford Group (Theresa Canchola). City Staff: David Wahlgren, 499-6455.
The first reading of the ordinance was approved.

ZONING DISCUSSION ITEMS

87. C14-99-2024 – Home Depot – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property located at 3500-3600 South IH-35 from GR, Community Commercial District zoning and RR, Rural Residence District zoning to CS, General Commercial Services District zoning and RR, Rural Residence District zoning. Planning Commission Recommendation: To Deny CS, General Commercial Services District zoning and RR, Rural Residence District zoning. Applicant: STE-35 (Mike Palmer/Charles Ball); Agent: Armbrust Brown & Davis, LLP (Richard T. Suttle, Jr.). City Staff: Adam Smith, 499-2755. (continued from 2/17/00, 3/9/00, 3/30/00 & 4/30/00)
The public hearing was closed on Council Member Spelman's motion, Mayor Watson's second by a 7-0 vote.

The first reading of this ordinance was approved with the following friendly amendments on Council Member Slusher's motion, Council Member Lewis' second by a 7-0 vote.

Council Member Slusher's friendly amendment directs staff to negotiate a conservation easement that meets concerns of the applicant about their ability to maintain the property; that staff investigate and recommend drainage controls for properties to the southeast; and that staff ensure bike pedestrian safety and traffic calming controls are investigated. This was accepted by Council Member Lewis, who seconded the motion.

Mayor Pro Tem Goodman's friendly amendment was that staff gather historical documents on the regional retention pond. It was originally planned to be further south near Ben White. This was accepted by Council Member Slusher, maker of the motion, and Council Member Lewis, who seconded the motion.

86. C14-86-300 – Home Depot – Public hearing to amend Chapter 25-2 of the Austin City Code by amending a restrictive covenant for property locally known as 3500-3600 South IH-35. Planning Commission Recommendation: To deny the restrictive covenant amendment. Applicant: STE-35; Agent: Armburst Brown & Davis, LLP (Richard T. Suttle, Jr.). City Staff: Adam Smith, 499-2755. (continued from 2/17/00, 3/9/00, 3/30/00 and 4/20/00)
The public hearing was closed on Council Member Spelman's motion, Mayor Watson's second by a 7-0 vote.

This item was postponed to June 1, 2000 on Council Member Slusher's motion, Council Member Griffith's second by a 7-0 vote.

89. C14-99-2004 – Travis Used Cars – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 6114 East Riverside Drive from SF-3, Family Residence District zoning to LR-CO, Neighborhood Commercial-Conditional Overlay Combining District zoning with conditions. Planning Commission Recommendation: To grant LR-CO, Neighborhood Commercial-Conditional Overlay Combining District zoning with conditions for a portion of the property. Applicant: Travis Used Cars (Brad Joiner). City Staff: Adam Smith, 499-2755. Note: A valid petition has been filed in opposition to this rezoning request. (continued from 3/2/00, 3/9/00 and 4/6/00)
The public hearing was closed on Council Member Griffith's motion, Council Member Spelman's second by a 6-1 vote. Council Member Lewis was off the dais.

The motion to deny the zoning request made by Mayor Pro Tem Goodman, seconded by Council Member Griffith was withdrawn.

This item was postponed indefinitely but no longer than six months on Mayor Pro Tem Goodman's motion, Council Member Spelman's second by a 7-0 vote.

The motion to recess the meeting at 5:40 p.m. was approved on Council Member Griffith's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.

The meeting was reconvened at 6:51 p.m.

ZONING DISCUSSION ITEMS CONTINUED

90. C14-99-2010 – Yett Tract – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 3601 Parmer Lane West from LO, Limited Office District zoning to GR, Community Commercial District zoning. Planning Commission Recommendation: To grant LR, Neighborhood Commercial District zoning. Applicant: James W. Yett, Jr.; Agent: Thomas O'Meara, Jr. City Staff: David Wahlgren, 499-6455. Note: A valid petition has been filed in opposition to this rezoning request.
The public hearing was closed on Council Member Griffith's motion, Council Member Spelman's second by a 6-1 vote. Mayor Watson was off the dais.

The first reading supporting the Planning Commission's recommendation for LR zoning was approved with a restriction of 2,000 trip per day on Council Member Spelman's motion, Mayor Pro Tem Goodman's second by a 7-0 vote. Staff is to bring back a list of possible restrictions that Council can consider.

93. C14-99-2116 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property located on 1215 Dalton Lane and Bastrop Highway from I-RR, Interim-Rural Residence to RR, Rural Residence District zoning. Planning Commission Recommendation: To grant RR, Rural Residence District zoning. Property Owners: Klatt Properties, LLC and George & Carine Moreland. Applicant: City of Austin; Agent: Development Review & Inspection Department. City Staff: Adam Smith, 499-2755.

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

The first reading for CS zoning, with a 35 foot right-of-way, was approved on Council Member Garcia's motion, Council Member Lewis' second by a 7-0 vote. There was a friendly amendment by Council Member Spelman that the lower south section be zoned CS and that the white part on the map be kept RR, removing the interim designation. This was accepted by Council Member Garcia, maker of the motion, and Mayor Pro Tem Goodman, who seconded the motion.

94. C14-99-2121 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property located on South Capital of Texas Highway from I-RR, Interim-Rural Residence District zoning to RR, Rural Residence District zoning. Planning Commission Recommendation: Recommend Staff review case for SF-1, Single Family Residence Large Lot Residence District zoning. Property Owners: Sherrinel & Charles Cullen, Jennifer Gains, and Jennifer & David Carroll. Applicant: City of Austin; Agent: Development Review & Inspection Department. City Staff: Adam Smith, 499-2755.

The motion to close the hearing and approve the applicant's request was made on Council Member Spelman's motion, seconded by Council Member Garcia. No action was taken.

The substitute motion to approve RR zoning, per the staff's recommendation, failed on Council Member Slusher's motion, Council Member Griffith's second by a 2-4 vote. Those voting aye were: Council Members Griffith and Slusher. Those voting nay were: Mayor Watson, Mayor Pro Tem Goodman, Council Members Garcia and Spelman. Council Member Lewis was off the dais.

The motion recommending staff review the case for SF-1 zoning was made on Council Member Slusher's motion, Mayor Watson's second by a 6-0 vote. Council Member Lewis was off the dais.

99. C14-00-2022 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 11220 North Lamar Boulevard. from CS, General Commercial Services District zoning to CS-1, Commercial-Liquor Sales District zoning. Planning Commission Recommendation: To grant CS-1, Commercial-Liquor Sales District zoning. Applicant: Duc Minh Lu; Agent: Vision Design Group (Andrew Guzman, Jr.). City Staff: Katie Larsen, 499-3072.
- The public hearing was closed on Council Member Griffith's motion, Council Member Garcia's second by a 7-0 vote.**

The motion to deny the applicant's request for rezoning was approved on Council Member Garcia's motion, Mayor Pro Tem Goodman's second on 6-1 vote. Council Member Spelman voted No.

103. C14-00-2062 – Bennett Tract – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property located at East 11th Street on the north, the alley between East 7th & East 8th Streets on the south, Interstate Hwy. 35 South on the west, and San Marcos on the east from CS-NCCD, General Commercial Services-Neighborhood Conservation Combining District zoning to CS-NCCD, General Commercial Services-Neighborhood Conservation Combining District zoning. Planning Commission Recommendation: To be considered by the Planning Commission on May 9, 2000. Property Owners: Austin Skyline Associates, Joseph C. Wooten, Elena S. Lopez, State of Texas, Joe C. Franzetti, Donald Thomas, Jomar Joseph, John A. and Jo Ann A. Thompson, Guadalupe Neighborhood Development Corporation and Jomar Joseph Partners, Ltd. Applicant: City of Austin. Agent: Development Review and Inspection. City Staff: Adam Smith, 499-2755. Note: A valid petition has been filed in opposition to this rezoning request. (continued from 4/20/00)

The motion to postpone this item to May 18, 2000 with a moratorium on filing of site plans until then was approved on Council Member Garcia's motion, Council Member Spelman's second by a 7-0 vote.

16. Approve a resolution authorizing negotiation and execution of an amendment to the agreement with the Center for Mexican American Cultural Arts, Inc. (CMACA) to extend the agreement for 3 months in an amount not to exceed \$56,000 for services rendered at the MACC site and to amend the lease and agreement for the construction, management operation, and amend the agreement to allow City Council to appoint board members to the CMACA board. (Funding is available in the 1996-1997 Amended Capital Budget of the Parks and Recreation Department.)

This item was postponed indefinitely as part of the consent agenda.

The motion to reconsider this item was approved on Council Member Garcia's motion, Mayor Watson's second by a 7-0 vote.

The motion to postpone this item to May 18, 2000, giving staff time to resolve contract issues, was approved on Council Member Garcia's motion, Council Member Spelman's second by a 7-0 vote.

17. Approve a resolution authorizing additional funding for the professional services agreement with CASABELLA + DEL CAMPO & MARU JOINT VENTURE, Austin, Texas, for architectural services for the development of a Master Plan of the Mexican American Cultural Center, in an amount not to exceed \$245,000, for a total agreement not to exceed \$985,000. (Funding in the amount of \$245,000 is available in the 1999-2000 Approved Capital Budget of the Parks & Recreation Department.) 0% MBE; 8.56% WBE subcontracting participation.

This item was postponed indefinitely as part of the consent agenda.

The motion to reconsider this item was approved on Council Member Garcia's motion, Mayor Watson's second by a 7-0 vote.

The motion to postpone this item to May 18, 2000, giving staff time to resolve contract issues, was approved on Council Member Garcia's motion, Council Member Spelman's second by a 7-0 vote.

104. Conduct a public hearing to receive citizen comments on the Proposed Consolidated Plan, 2000-2005 to the U.S. Department of Housing and Urban Development (HUD), which includes proposed funding allocations for Fiscal Year 2000-2001. (This is the first of two public hearings on this subject. The second public hearing scheduled with City Council is May 18, 2000.)

The public hearing was closed on Council Member Griffith's motion, Council Member Spelman's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Garcia were off the dais.

105. Conduct a public hearing on an ordinance amending Chapter 25-2 of the Austin City Code relating to use and site development regulations for a two-family residential use. City Staff: Greg Guernsey, 499-2387.

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

108. Consider an ordinance amending Chapter 25-2 of the Austin City Code relating to use and site development regulations for a two-family residential use. City Staff: Greg Guernsey, 499-2387.

Ordinance No. 000511-108 was approved to be effective in 10 days, with the following friendly amendment on Council Member Garcia's motion, Council Member Slusher's second by a 5-2 vote. Mayor Pro Tem Goodman and Council Member Griffith voted No.

The friendly amendments made by Council Member Slusher were to ask the Planning Commission to look at design guidelines, parking requirements, and protection for the neighborhood; and for the Planning Commission to report back the first part of August.

The friendly amendment made by Council Member Spelman was that the maximum size be reduced from 1, 000 square feet to 850 square feet.

The friendly amendment made by Mayor Pro Tem Goodman was that the Planning Commission review the creation of design guidelines for a two family residential use for consideration by City Council on August 17, 2000.

106. Conduct a public hearing on an ordinance amending Title 25 of the Austin City Code relating to use and site development regulations and subdivision regulations for a Single-Family Residence Small Lot District (SF-4A). City Staff: Greg Guernsey, 499-2387.

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

109. Consider an ordinance amending Title 25 of the Austin City Code relating to use and site development regulations and subdivision regulations for a Single-Family Residence Small Lot District (SF-4A). City Staff: Greg Guernsey, 499-2387.

Ordinance No. 000511-109 was approved with a friendly amendment on Council Member Slusher's motion, Council Member Garcia's second by a 7-0 vote.

The friendly amendment made by Mayor Pro Tem Goodman was to change the impervious cover to 65% and the building cover to 55% and that this ordinance not go into effect until after the Planning Commission and/or any neighborhood that has a plan or idea regarding this zoning bring those ideas to Council on June 1, 2000. This was accepted by Council Member Garcia, maker of the motion,

107. Conduct a public hearing on an ordinance amending Section 25-10-6 (Scenic Roadways Described) of the Austin City Code to add additional roadways to the list of scenic roadways identified in the sign regulations. City Staff: Greg Guernsey, 499-2387.

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

110. Consider an ordinance amending Section 25-10-6 (Scenic Roadways Described) of the Austin City Code to add additional roadways to the list of scenic roadways identified in the sign regulations. City Staff: Greg Guernsey, 499-2387.

Ordinance No. 000511-110 was approved on Council Member Slusher's motion, Council Member Garcia's second by a 7-0 vote.

ADJOURNED at 10:44 p.m. on Council Member Garcia's motion, Council Member Slusher's second by a 7-0 vote.

The minutes for the Regular Meetings of May 11, 2000 and the Special Called Meeting of May 9, 2000 were approved on this the 18th day of May, 2000 on Council Member Spelman's motion, Council Member Slusher's second by a 5-0 vote. Mayor Watson was off the dais. Council Members Lewis was absent.