



Austin City Council
MINUTES

REGULAR MEETING
THURSDAY, MARCH 22, 2001

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, March 22, 2001 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

Mayor Watson called the meeting to order at 9:12 a.m.

INVOCATION – Rev. Ken Martin, Metropolitan Community Church

1. Approval of minutes for regular meeting of March 8, 2001.
The minutes of the regular meeting of March 8, 2001 were approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second by a 6-0 vote. Council Member Griffith was off the dais.
2. Electric Industry Deregulation Update
This item was postponed indefinitely.

Items 3 through 4 were briefings.

5. Discuss legal issues related to events at Mardi Gras.
This item was removed from the agenda.

Item 6 was an Executive Session item.

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

7. Approve a resolution requiring that certain conditions be met before the City Council makes a decision to opt in to deregulation. (Recommended by Electric Utility Commission)
This item was postponed indefinitely.
8. Approve a resolution identifying areas of the City's municipally owned electric utility, Austin Energy, that are competitive matters for the purposes of the Texas Open Meetings Act and the 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. (Recommended by Electric Utility Commission)

This item was postponed indefinitely.

9. Approve a resolution authorizing execution of Amendment #1 to the rail transportation contract between the Electric Utility Department, the Lower Colorado River Authority and the Burlington Northern and Santa Fe Railway Company, Fort Worth, Texas, to increase the amount of coal delivered to the Fayette Power Project by the Burlington Northern and Santa Fe Railroad. The estimated cost to the Electric Utility for Amendment #1 is \$2,400,000 for the two-year primary term of the contract, and \$1,200,000 for the 12-month extension option. The revised total contract shall be in an amount not to exceed \$19,000,000 for the two-year primary term with an amount not to exceed \$9,500,000 for the 12-month extension option for a total contract amount not to exceed \$28,500,000. (Funding in the amount of \$28,500,000 will be provided through the Electric Utility fuel Charge revenue.) (Recommended by Electric Utility Commission)
Resolution No. 010322-09 was approved.
10. Approve a resolution authorizing execution of a construction contract with SICORP. INC., San Antonio, Texas, for environmental site remediation at Robert Mueller Municipal Airport, in the amount of \$1,707,454.96 and a contingency fund not to exceed \$100,000, for a total contract amount not to exceed \$1,807,454.96. (Funding in the amount of \$1,807,454.96 is included in the 2000-2001 Operating Budget of the Aviation Department.) Lowest responsive bid of six bids received. 20.46% MBE, 6.64% WBE subcontracting participation.
Resolution No. 010322-10 was approved.
11. Approve a resolution to set a public hearing to approve an ordinance adding Article II, Chapter 4-3 of the Austin City Code regarding asbestos survey. (Suggested Date and Time: March 29, 2001 at 6:00 p.m.)
Resolution No. 010322-11 was approved.

Item 12 was pulled for discussion.

13. Approve a resolution authorizing renewal and amendment of the Calendar Year 2000 Interlocal Cooperation Agreement between the City of Austin, Travis County, and the Austin Travis County Mental Health Mental Retardation Center for the period January 1, 2001, through December 31, 2001, at a cost to the City not to exceed \$1,063,303. [Funding in the amount of \$1,063,303 was included in the Fiscal Year 2000-2001 Approved Operating Budget of the Health and Human Services Department (\$568,303) and Municipal Court (\$495,000)]
Resolution No. 010322-13 was approved.

Item 14 was pulled for discussion.

15. Approve a resolution authorizing execution of an amendment to the legal services contract with Mayor, Day, Caldwell & Keeton, Austin, Texas, to provide legal counsel to the City regarding the City's Minority-Owned and Women-Owned Business Enterprise Program, in an amount of \$84,000, for a total contract amount not to exceed \$213,000. (Funding in the amount of \$84,000 is available in the 2000-2001 Approved Operating Budget of the Law Department.)
Resolution No. 010322-15 was approved.

Item 16 was pulled for discussion.

17. Approve a resolution authorizing the filing of eminent domain proceedings to acquire the fee simple interest in the west 50' of Lot 8, Block 12 of Habicht Addition, a subdivision out of Outlot No. 34, Division "B", in the City of Austin, Travis County, Texas, owned by Latrell Martin

Sterling. (Funding in the amount of \$8,500 is included in the 1999-2000 Amended Capital Budget of the Parks & Recreation Department.)

Resolution No. 010322-17 was approved.

18. Approve a resolution authorizing the filing of eminent domain proceedings to acquire the fee simple interest in Lot 9, Block 12 of Habicht Addition, a subdivision out of Outlot No. 34, Division "B", in the City of Austin, Travis County, Texas, owned by Jesse Brown, Jr., Robbie Mae Brown Hill, Erma Hazel Brown Baker, Charles Andrew Lanterman, Independent Administrator of the Estate of Vink James Fowler, Deceased, and Rosalynne Fowler. (Funding in the amount of \$9,500 is included in the 1999-2000 Amended Capital Budget of the Parks & Recreation Department.)

Resolution No. 010322-18 was approved.

19. Approve a resolution authorizing negotiation and execution of an amendment to the professional services agreement with FREESE AND NICHOLS, INC., Austin, Texas, for extension of construction phase services for the Loyola Lane Street Improvement Project – Phase One, in an amount not to exceed \$60,000, for a total contract amount not to exceed \$885,107.56. (Funding in the amount of \$60,000 is available in the 2000-2001 Amended Capital Budget of the Department of Public Works & Transportation.) 13% MBE, 22% WBE subcontracting participation.

Resolution No. 010322-19 was approved.

20. Approve a resolution authorizing execution of a construction contract with MUNIZ CONCRETE & CONTRACTING, INC. (DBE/MH), Austin, Texas, for bicycle and pedestrian improvements to the North Shoal Creek Trail between 34th Street and 38th Street, in an amount not to exceed \$97,956.25. (Funding was included in the 1998-1999 Amended Capital Budget of the Department of Public Works & Transportation.) Lowest of five bids received. 84% DBE PRIME; 11% DBE subcontracting participation.

Resolution No. 010322-20 was approved.

21. Approve an ordinance waiving certain requirements of Chapter 15-11 of the Austin City Code for the Lance Armstrong Criterium Bike Race to be held on Saturday, April 7, 2001 in the downtown area. (The amount of \$1,788 in foregone revenue.)

Ordinance No. 010322-21 was approved.

22. Approve an ordinance authorizing issuance of a street event permit for a fee paid event in the 600 block of West 22nd Street on March 31, 2001 for The Girlstart Anniversary Street Festival. (A portion of the gate receipts will be deposited in the Great Streets account for downtown beautification.)

Ordinance No. 010322-22 was approved.

23. Approve a resolution authorizing execution of a 12-month supply agreement with ROCKFORD BUSINESS INTERIORS, Austin, Texas, for the purchase of Steelcase modular furniture for the Electric Utility Department in an amount not to exceed \$200,000, with two 12-month extension options in an amount not to exceed \$100,000, per option, for a total contract amount not to exceed \$400,000. (Funding in the amount of \$175,000 was included in the 2000-2001 Approved Operating Budget for the Electric Utility Department. Funding for the balance of the original contract and extension options is contingent upon available funding in future budgets.) (Recommended by Electric Utility Commission)

Resolution No. 010322-23 was approved.

24. Approve a resolution authorizing execution of a 12-month service agreement with CULLUM PIPE SYSTEMS, INC., Dallas, Texas, for the rehabilitation of wastewater lines and manholes through Trenchless Process for the Water and Wastewater Utility, in an amount not to exceed \$2,156,850

with two 12-month extension options in the amount not to exceed \$2,264,692.50 and 2,377,927.13 respectively, for a total contract amount not to exceed \$6,799,469.63. (Funding in the amount of \$2,156,850 is included in the Approved Capital Budget of the Water and Wastewater Utility. Funding for the extension options will be contingent upon available funding in future budgets.) Low bid/four bids received. 20.5% MBE, 2.3% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 010322-24 was approved.

25. Approve a resolution authorizing execution of a 12-month supply agreement with AUSTIN ARMOR PRODUCTS, New Ulm, Texas, for purchase of Level IIIA body armor for the Austin Police Department in an amount not to exceed \$83,350 with two 12-month extension options in an amount not to exceed \$83,350 per extension for a total contract amount not to exceed \$250,050. (Funding in the amount of \$62,250 was included in the 2000-2001 Approved Operating Budget of the Austin Police Department. Funding for the remaining six months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bid of five bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Resolution No. 010322-25 was approved.

26. Approve a resolution authorizing execution of a 12-month supply agreement with CONTECH CONSTRUCTION PRODUCTS, INC, Taylor, Texas, for erosion control materials for the Watershed Protection Department, in an amount not to exceed \$54,355.40, with two 12-month extension options in the amount not to exceed \$54,355.40 per extension, for a total contract amount not to exceed \$163,066.20. (Funding in the amount of \$27,177.66 was included in the 2000-2001 Amended Capital Improvement Budget for the Watershed Protection Department. Funding for the remaining six months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid of two bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. This is a commodity that will be provided directly by the vendor. There are no subcontracting opportunities, therefore, no goals were established for this solicitation.

Resolution No. 010322-26 was approved.

27. Approve a resolution authorizing execution of a contract with 21st CENTURY SOLUTIONS, INC., Silver Spring, MD., for project evaluation and documentation of the implementation process of the Austin Police Department's 3-1-1 non-emergency system in an amount not to exceed \$109,795. [Funding was included in the U.S. Department of Justice, Community Oriented Policing Services (COPS) Office "311 Technical Assistance for Start-ups" Grant.] Best proposal of four proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.

Resolution No. 010322-27 was approved.

28. Approve a resolution authorizing execution of a contract with GT DISTRIBUTORS, INC., Austin, Texas, for the purchase of master control units for the operation of the light bar and siren for the Austin Police Department in an amount not to exceed \$65,144.73. (Funding was included in the 2000-2001 Approved Operating Budget of the Austin Police Department.) Low bid /three bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.

Resolution No. 010322-28 was approved.

29. Approve a resolution authorizing execution of a 12-month supply agreement with B&B WAREHOUSE, INC., Houston, Texas, for the purchase of power and hand tools in an amount not to exceed \$59,196 with two 12-month extension options in an amount not to exceed \$59,196 per extension for a total contract amount not to exceed \$177,588. (Funding in the amount of \$59,196 was included in the 2000-2001 Approved Operating Budgets for various City departments.) Low bidder/seven bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. The recommended awardee will provide these tools directly to the City. There is no opportunity for subcontracting, therefore, no goals were established for this solicitation. **Resolution No. 010322-29 was approved.**
30. Approve a resolution authorizing execution of a 12-month supply agreement with POWER SEAL PIPELINE PRODUCTS, Wichita Falls, Texas, to provide full circle clamps for the Water and Waste Water Utility, in an amount not to exceed \$57,227.49 with two 12-month extension options in an amount not to exceed \$57,227.49 per extension, for a total contract amount not to exceed \$171,682.47. (Funding in the amount of \$28,613.75 is available in the 2000-2001 Approved Operating Budget of the Water and Wastewater Utility. Funding for the remaining six months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid of four bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. This is a product that will be provided directly by the vendor. There are no subcontracting opportunities, therefore, no goals were established for this solicitation. (Recommended by Water and Wastewater Commission) **Resolution No. 010322-30 was approved.**
31. Approve a resolution authorizing execution of a 12-month supply agreement with VULCAN SIGNS INC., Foley, AL, for the purchase of aluminum sign blanks for the Department of Public Works and Transportation, in an amount not to exceed \$98,219.83, with two 12-month extension options in the amount not to exceed \$98,219.83 per extension, for a total contract amount not to exceed \$294,659.49. (Funding in the amount of \$49,109.91 was included in the 2000-2001 Operating Budget for the Department of Public Works and Transportation. Funding for the remaining six months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid/four bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance as amended. This is a commodity buy directly from the manufacturer. There are no subcontracting opportunities, therefore, no goals were established for this solicitation. **Resolution No. 010322-31 was approved.**
32. Approve a resolution authorizing execution of Amendment No. 4 with the TEXAS CENTER FOR WOMEN'S BUSINESS ENTERPRISE (TxCWBE), Austin, Texas, to extend the contract, month-to-month, for a period not to exceed 12-months in an amount not to exceed \$99,750, to provide women and minority-owned business enterprises with a support network and technical assistance needed to succeed in competitive markets, for a total contract amount not to exceed \$477,750 (Funding in the amount of \$66,500 was included in the 2000-2001 Approved Budget of the Department of Small and Minority Business Resources. Funding for the remaining months will be contingent upon available funding in future budgets.) **Resolution No. 010322-32 was approved.**
33. Approve a resolution ratifying Amendment No. 1 to the contract with GREGORY C. RIGAMER (GCR) AND ASSOCIATES, INC., Metairie La, to increase the contract in an amount not to exceed \$107,342 for a multi-user flight information display system (MUFIDS) to be used with the Property Revenue Information Management System (PRIMS) for the Department of Aviation, including four one-year options for maintenance for a total contract amount not to exceed \$562,798. (Funding in the amount of \$107,342 was included in the 2000-2001 Capital Budget of

the Department of Aviation. Funding for the options will be contingent upon available funding in future budgets.)

Resolution No. 010322-33 was approved.

34. Approve a resolution ratifying execution of a 37-month interlocal agreement with the LOWER COLORADO RIVER AUTHORITY, Austin, Texas, to reimburse the LCRA for the cost of meeting accommodations for the City Council at the LCRA Hancock Building. Anticipated costs are to be \$875.00 or less per meeting. (Funds were included in the 2001-2001 Approved Operating Budget of the Financial and Administrative Services Department, Building Services Division.)

Resolution No. 010322-34 was approved.

35. Adopt an ordinance amending the Fees, Fines and Other Charges Ordinance 000912-4, for the purpose of revising the Wastewater Averaging methodology to be used for wastewater billing purposes. (The Water and Wastewater Utility estimates the impact to wastewater revenues due to approval of this ordinance to be a reduction of \$0.7 million. This reduction is offset by higher than budgeted revenues collected in October 2000 through January 2001. There is no change to the Utility's budgeted wastewater revenues for Fiscal Year 2000-2001.) (Recommended by Water and Wastewater Commission)

Ordinance No. 010322-35 was approved.

36. Approve a resolution authorizing execution of Change Order # 2 to the construction contract with CROUCH INDUSTRIES, LLC, Austin, Texas, for additional work to eliminate some failed 15,000 volt switches at Walnut Creek Wastewater Treatment Plant, in the amount of \$62,225 increasing the contract amount not to exceed \$4,912,398. (Funding in the amount of \$62,225 is available in the 2000-2001 Amended Capital Budget of the Water and Wastewater Utility.) The prime contractor, who normally does this kind of work, is performing all of the work for this change order. A zero participation goals memo was approved by the Department of Small and Minority Business Resources. (Recommended by Water and Wastewater Commission)

Resolution No. 010322-36 was approved.

37. Approve a resolution authorizing negotiation and execution of an amendment to the existing professional services agreement with PBS&J, Austin, Texas, for additional design phase services for the Loop 360 Area Water Improvements Project, in the amount not to exceed \$132,631.27 for a total amount not to exceed \$1,438,893.37. (Funding in the amount of \$132,631.27 was included in the 2000-2001 Amended Capital Budget of the Water and Wastewater Utility.) 3.8% MBE, 0% WBE subcontracting participation. Overall Subconsultant participation for this project, including this Supplemental Amendment is: 2.7% MBE; 20.9% WBE and 5.0% Non-MBE/WBE. (Recommended by Water and Wastewater Commission)

Resolution No. 010322-37 was approved.

38. Approve a resolution authorizing execution of Change Order No. 4 to the construction contract with KEYSTONE CONSTRUCTION INC., Austin, Texas, for additional concrete and irrigation work required on the Center Street Reservoir and Water Valve Replacement in Center Street and Sixth Street Project, increasing the contract in the amount of \$17,775 for a total contract amount not to exceed \$4,956,644. (Funding in the amount of \$17,775 is included in the 2000-2001 Amended Capital Budget of the Water and Wastewater Utility.) This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. (Recommended by Water and Wastewater Commission)

Resolution No. 010322-38 was approved.

39. Approve a resolution authorizing execution of Change Order No. 2 to the construction contract with THOMAS INDUSTRIAL COATINGS, Pevely, Missouri, for construction of the Martin Hill Reservoir Exterior & Interior Re-coating Project for the Water and Wastewater Utility in the amount of \$81,708 for a total contract amount not to exceed \$1,684,114. (Funding in the amount of \$19,477 is included in the 2000-2001 Capital Budget and \$62,231 is included in the 1995-1996 Amended Capital Budget of the of the Water and Wastewater Utility.) This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. (Recommended by Water and Wastewater Commission)
Resolution No. 010322-39 was approved.
40. Approve a resolution authorizing negotiation and execution of a supplemental agreement with LCRA and the City of Round Rock to obtain additional wastewater service for a portion of Austin's existing north central Extra-territorial Jurisdiction (ETJ) by the addition of the Southwest Interceptor and South Interceptor to the Brushy Creek Regional Wastewater System. (Payment for annual wastewater disposal and treatment services will be budgeted for in future Water and Wastewater Utility annual operations and maintenance budgets, these additional facilities will increase Austin's annual payments by approximately \$98,000.) (Recommended by Water and Wastewater Commission)
Resolution No. 010322-40 was approved.
- Items 41 through 42 were pulled for discussion.**
43. Approve a resolution authorizing negotiation and execution of an amendment to the existing professional services agreement with CAMP DRESSER & MCKEE, INC., Austin, Texas, for engineering and construction phase services for the installation and operation of the Membrane Demonstration Project and for improvements to the Ullrich Water Treatment Plant Data Acquisition and Control System, as part of the Ullrich Water Treatment Plant Expansion to 160 Million Gallons per Day and Membrane Demonstration Plant project, in an amount not to exceed \$840,590, for a total amount not to exceed \$2,980,385. (Funding in the amount of \$840,590 is included in the 2000-2001 Amended Capital Budget of the Water & Wastewater Utility.) .98% MBE, 38.47% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)
Resolution No. 010322-43 was approved.
44. Approve a resolution authorizing negotiation and execution of a professional services agreement with WATERSHED CONCEPTS, A DIVISION OF HAYES, SEAY, MATTERN & MATTERN, INC., Charlotte, NC, to provide professional engineering services for the Digital Flood Insurance Rate Maps Production for Four Firm Panels in Austin, Texas, in an amount not to exceed \$180,000. (Funding in the amount of \$80,000 is included in the 2000-2001 Amended Capital Budget of the Watershed Protection Department; \$100,000 is included through a grant received and approved from the Federal Emergency Management Agency in Fiscal Year 1999-2000. (Recommended by Environmental Board)
Resolution No. 010322-44 was approved.
45. Approve an ordinance waiving the requirements of Chapter 15-11, Sections 15-11-11 (B) and 15-11-18 of the City Code, the Permit Fee and Deposit under Ordinance No. 000912-04, and approving the closure of a portion of 5th Street between Congress Avenue and Brazos Street for the 2nd Annual Taste of Mexico Event on May 3, 2001. (Council Member Raul Alvarez)
Ordinance No. 010322-45 was approved.
46. Approve a resolution supporting proposed state legislation protecting Texas bats.(Council Member Raul Alvarez and Mayor Pro Tem Jackie Goodman)

Resolution No. 010322-46 was approved.

Item 47 was pulled for discussion.

48. Approve a resolution expressing the City's intent to develop, in coordination with local jurisdictions, the Environmental Protection Agency, and the Texas Natural Resource Conservation Commission, a memorandum of agreement leading toward the implementation of an Ozone Flex Plan for the Central Texas region. (Mayor Kirk Watson)
Resolution No. 010322-48 was approved.

BRIEFINGS

4. Long Range Water Treatment Capacity Plan
The presentation was made by the Water and Wastewater staff - - Chris Lippe, Director; Jane Burazer, Assistant Director of Treatment Plants; Sarah Clark, Regulatory Manager.
3. Status of Traffic and Transportation Conditions.
The presentation was made by Marcia Conner, Assistant City Manager; Austan Librach, Director, Transportation, Planning and Design; Juan Gonzalez, Commander, Austin Police Department.

DISCUSSION ITEMS

12. C14-00-2217 - Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code zoning property located at 803 Martin Luther King Blvd. (Shoal Creek Watershed) from MF-4, Multifamily Residence Moderate-High Density district zoning and LO, Limited Office district zoning to grant GO-MU-CO, General Office-Mixed Use-Conditional Overlay Combining district zoning with conditions. First Reading on March 8, 2001; Vote 7-0. Applicant: Austin Rehabilitation Center (Bill Wigmore) and SR Development (Bill Gurasich). Agent: Lopez, Phelps and Vaughn (Amelia Phelps). City Staff: Glenn Rhoades, 499-2775
The motion to postpone this item until April 5, 2001 was approved on Mayor Pro Tem Goodman's motion, Council Member Griffith's second by a 7-0 vote.
14. Approve a resolution authorizing fee simple acquisition of Lots 1 and 2, associated easements and off-site parking on Lot 3 and 4, located at 500-504 East 7th Street for the Downtown Homeless Shelter, Day Resource Center, and Health Clinic, in the amount of \$1,422,652, plus relocation costs of \$20,000, and payments for actual reasonable moving and related expenses. (The amount of \$3,965,058 total appropriated. \$3,605,508 was appropriated in the 1996-1997 Operating Special Revenue Fund and the 1998-1999 Operating Special Fund for Neighborhood Housing & Community Development. The special Revenue Fund is a multi-year fund; the sources of funds is the Community Development Block Grant entitlement grant for years 22 through 25 and the entitlement grant anticipated for year 27. \$360,000 was appropriated in the 1998-1999 Amended Capital Budget for the Department of Health & Human Services.) (Recommended by Board of Adjustments)
Resolution No. 010322-14 was approved on Mayor Pro Tem Goodman's motion, Council Member Thomas' second by a 5-2 vote. Council Members Griffith and Wynn voted no.
16. Approve a resolution authorizing the renaming of Slaughter Creek Metropolitan Park to Circle C Metropolitan Park on Slaughter Creek. (Circle C Homeowners Association, Inc. has agreed to pay the full cost of new park signs.) (Recommended by the Parks and Recreation Board)
The motion to rename the park "Slaughter Creek Metropolitan Park at Circle C Ranch" was made by Council Member Griffith. It was seconded by Mayor Pro Tem Goodman.

The substitute motion adopting Resolution No. 010322-16 renaming the park to Circle C Ranch Metropolitan Park on Slaughter Creek was approved with the following friendly amendment on Mayor Pro Tem Goodman's motion, Council Member Thomas' second by a 6-1 vote. Council Member Griffith voted no. The friendly amendment made by Council Member Alvarez directed staff to assure there will be recognition in the park to Ms. Brooks and the Slaughter Creek Park Foundation. This was accepted by the maker of the motion and Council Member Thomas, who made the second.

41. Approve a resolution ratifying execution of a professional service agreement with FORENSIC ANALYSIS AND ENGINEERING, CORPORATION, Raleigh, North Carolina, for forensic engineering analysis of two leaks discovered in the Ullrich Medium Service Transmission Main, in an amount not to exceed \$88,215. (Funding is included in the 1997-1998 Amended Capital Budget of Water & Wastewater Utility.) (Recommended by Water and Wastewater Commission) Resolution No. 010322-41 was approved on Council Member Slusher's motion, Council Member Thomas' second by a 6-0 vote. Council Member Wynn was off the dais.
42. Approve a resolution ratifying execution of Change Order #11 to the construction contract with TRIPLE H CONTRACTING, INC. / BRH-GARVER, INC., JOINT VENTURE, Buda, Texas, for emergency repair of the 72" Ullrich Transmission Main, in an amount not to exceed \$400,000 for a total contract not to exceed \$16,449,773.24. (Funding in the amount of \$400,000 is available in the 1995-1996 Amended Capital Budget of the Water & Wastewater Utility.) 1% MBE, 4.88% WBE subcontracting participation. (Recommended by Water and Wastewater Commission) Resolution No. 010322-42 was approved on Council Member Slusher's motion, Council Member Thomas' second by a 6-0 vote. Council Member Wynn was off the dais.

The motion to recess the Council meeting at 12:08 p.m. and go into Executive Session was approved on Mayor Pro Tem Goodman's motion, Council Member Thomas' second by a 6-0 vote. Council Member Wynn was off the dais.

EXECUTIVE SESSION

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

6. Discuss acquisition of real property for the Greenway and Destination Parks as authorized under Proposition Two of the November 1988 Bond Election.
69. Discuss legal issues concerning proposed legislation in the 77th Legislature.

Executive session ended at 1:50 p.m. The Mayor called the meeting back to order.

CITIZEN COMMUNICATIONS

49. Barbara Ford - Save City Coliseum, Sleep in New Resource
50. Rick Hall - Bouldin Creek Planning Rezoning/Gentrification
51. Mike Alexander - Barking Dog Ordinance
52. Susana Almanza, PODER - East Austin needs homes not Horse Race Gambling Track!
53. Ramon Maldonado - Homes not Horse Race Gambling!
54. William J. Thomas - Bandit Signs - Removal City Zoning Dept.
70. Jennifer L. Gale - City Manager's Police Review Board and a poorly placed Austin City Hall. Austinites sure behave in a gullible manner.

The motion to recess the meeting at 2:12 p.m. was approved on Council Member Griffith's motion, Council Member Slusher's second by a 6-0 vote. Council Member Wynn was off the dais.

Mayor Watson called to order the Board of Director's Meeting of the Austin Housing Finance Corporation at 3:34 p.m. See the separate minutes for this meeting.

Mayor Watson called the regular meeting of the City Council back to order at 4:00 p.m.

ZONING DISCUSSION ITEMS

57. 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 Highway 35 South on the west, and San Marcos on the east (Waller Creek Watershed) from CS-NCCD, General Commercial Services-Neighborhood Conservation Combining district zoning and SF-3-NCCD, Family Residence-Neighborhood Conservation Combining district zoning to CS-NCCD, General Commercial Services-Neighborhood Conservation Combining district zoning. Planning Commission Recommendation: To be considered by Planning Commission on March 20, 2001. 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: Valid petitions have been filed in opposition to this rezoning request. (continued from 4/20/00, 8/3/00, 9/28/00, 10/12/00, 1/11/01)

The motion to postpone this item to April 19, 2001 was approved on Mayor Pro Tem Goodman's motion, Council Member Griffith's second by a 7-0 vote.

Later in the meeting there was a motion directing staff to bring this item back to Council rather than sending it for board review. This was approved on Council Member Griffith's motion, Council Member Thomas' second by a 7-0 vote.

47. Approve an ordinance extending the interim development controls applicable to the portion of Subdistrict 3 of the East 11th Street Neighborhood Conservation Combining District located south of East 11th Street, generally bounded on the north by 11th Street, on the west by IH 35, on the south by the alley between 7th and 8th Streets, and on the east by San Marcos Street (the "Bennett Tract"). (Council Member Raul Alvarez)

Ordinance No. 010322-47, extending the moratorium to May 6, 2001, was approved on Mayor Pro Tem Goodman's motion, Council Member Griffith's second by a 6-0 vote. Council Member Thomas voted no.

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 Wynn's second by a 7-0 vote.

Items 55 through 56 were pulled for discussion.

Item 57 was discussed earlier in the meeting.

58. C14-00-2156 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 9309 Cameron Road (Little Walnut Creek Watershed) from SF-3,

Family Residence 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: Cameron Road Joint Venture (Robert Reese). Agent: Graves, Dougherty, Hearon and Moody (David Hartman). City Staff: Katie Larsen, 499-3072.

The first reading of this ordinance was approved. Council Member Slusher voted no.

Items 59 through 60 were pulled for discussion.

61. C14-00-2201 (RCT) Public hearing to amend Chapter 25-2 of the Austin City Code by terminating a restrictive covenant for property locally known as 6705 Manor Road (Little Walnut Creek Watershed). Planning Commission Recommendation: To grant the request to terminate the restrictive covenant. Property Owner and Applicant: Ridgelea Properties (Charles Porter). Agent: Simmons-Smith Consulting Group (Michael Simmons-Smith). City Staff: Rachel Everidge, 499-2332. (continued from 2/1/01, 2/15/01 and 3/8/01)

This item was postponed until April 26, 2001 at the applicant's request.

62. C14-00-2201 - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 6705 Manor Road (Little Walnut Creek Watershed) from I-SF-3, Interim-Family Residence district zoning to GR-CO, Community Commercial-Conditional Overlay Combining district zoning. Planning Commission Recommendation: To grant GR-CO, Community Commercial-Conditional Overlay Combining district zoning with conditions. Property Owner and Applicant: Ridgelea Properties, Inc. (Charles Porter) Agent: Simmons-Smith Consulting Group (Michael Simmons-Smith). City Staff: Rachel Everidge, 499-2332. Note: A valid petition has been filed in opposition to this rezoning request. (continued from 1/18/01, 2/1/01, 2/15/01 and 3/8/01)

This item was postponed to April 26, 2001 at the applicant's request.

63. C14-00-2218 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 6514 McNeil Road (Walnut Creek Watershed) from I-RR, Rural Residence district to GO, General Office district. Planning Commission Recommendation: To grant GO-CO, General Office-Conditional Overlay Combining district zoning with conditions. Applicant: James L. Cotton. Agent: Crocker Consultants (Lena Lund). City Staff: David Wahlgren, 499-6455.

Ordinance No. 010322-63 was approved.

64. C14-00-2219 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 12716-12728 Dakota Lane (Walnut Creek Watershed) from RR, Rural Residence district zoning and SF-1, Single Family Residence Large Lot district zoning to GO, General Office district zoning for Tracts 1 and 2. Planning Commission Recommendation: To grant GO-CO, Limited Office-Conditional Overlay Combining district zoning with conditions for Tract 1 and LO-CO, General Office-Conditional Overlay Combining district zoning with conditions for Tract 2. Applicant: Bhamn Investments Ltd. (John Baunach). Agent: Crocker Consultants (Lena Lund). City Staff: David Wahlgren, 499-6455.

Ordinance No. 010322-64 was approved.

65. C14-00-2238 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 5900 Southwest Parkway (Barton Creek Watershed) from MF-2-CO, Multifamily Residence Low Density-Conditional Overlay Combining district zoning with conditions to LO-CO, Limited Office-Conditional Overlay Combining district zoning with conditions. Planning Commission Recommendation: To grant LO-CO, Limited Office-Conditional Overlay Combining district zoning with conditions. Applicant: Capital Commercial Investment (Doug Agarwal). Agent: Chiles Architects, Inc. (Gary R. Chiles). City Staff: Susan Villarreal, 499-6319.

The first reading of this ordinance was approved.

66. C14-00-2250- Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 5350 Burnet Road (Shoal Creek Watershed) from CS, general Commercial Services district zoning to CS-MU, General Commercial Services-Mixed Use Combining district zoning. Planning Commission Recommendation: To grant CS-MU-CO, General Commercial Services-Mixed Use-Conditional Overlay Combining district zoning with conditions. Applicant: 5350 Burnet Ltd. (Ken Carr). Agent: Land Strategies (Paul Linehan). City Staff: Glenn Rhoades, 499-2775.
Ordinance No. 010322-66 was approved.

Item 67 was pulled for discussion.

ZONING DISCUSSION ITEMS CONTINUED

55. C14-00-2263 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 7300 State Highway 71 West (Williamson Creek Watershed) from CS-CO, General Commercial Services-Conditional Overlay Combining district zoning to CS-CO, General Commercial Services-Conditional Overlay Combining district zoning in order to change a condition of zoning. Planning Commission Recommendation: To deny the request to CS-CO, General Commercial Services-Conditional Overlay Combining district zoning with conditions. Property Owner and Applicant: R.L. (Trey) Wyatt III. Agent: Crocker Consultants (Sarah Crocker). City Staff: Sherri Gager, 499-3057. (continued from 3/8/01)
The public hearing was closed on Council Member Thomas' motion, Council Member Griffith's second by a 7-0 vote.

The first reading of this ordinance was approved adopting staff's recommendation on Council Member Wynn's motion, Council Member Alvarez' second by a 4-1-1 vote. Those voting aye were: Mayor Watson and Council Members Alvarez, Thomas and Wynn. Those voting nay were: Council Member Slusher. Those abstaining were: Mayor Pro Tem Goodman and Council Member Griffith.

56. C14-00-2214 - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 1711 State Highway 71 East (Carson Creek Watershed) from I-RR, Interim-Rural Residence 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: Richard Buratti. City Staff: Don Perryman, 499-2786. (continued from 3/1/01 and 3/8/01)
The public hearing was closed on Council Member Griffith's motion, Council Member Alvarez' second by a 7-0 vote.

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

59. C14-00-2160 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 810 and 812 Capital Court (Waller Creek Watershed) from SF-3, Single Family Residence district zoning to MF-2-CO, Multifamily Residence Low Density-Conditional Overlay Combining district zoning. Planning Commission Recommendation: To deny MF-2-CO, Multifamily Residence Low Density Conditional Overlay Combining district zoning with conditions. Applicant: Daniel Day. Agent: McHone Real Estate (Mike Mchone) City Staff: Glenn Rhoades, 499-2775. (continued from 3/22/01)

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

The first reading of this ordinance was approved adopting staff's recommendation on Council Member Wynn's motion, Council Member Thomas' second by a 6-1 vote. Council Member Griffith voted no.

60. 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 Boulding Creek Watershed) from SF-3, Family Residence district zoning to LO, Limited Office district zoning. Planning Commission Recommendation: To deny LO, Limited Office district zoning. Applicant: Rosa Elia Sosa. Agent: LOC Consultants (Sergio Lozano). City Staff: Adam Smith, 499-2755. (continued from 11/30/00, 12/14/00, 1/18/01 and 2/15/01)

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

This ordinance was denied on Mayor Pro Tem Goodman's motion, Council Member Griffith's second by a 7-0 vote.

67. C14-00-2260 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1604-1610 East 7th Street (Town Lake Watershed) from SF-3, Family Residence district to GR-MU-CO, Community Commercial-Mixed Use-Conditional Overlay Combining district zoning with conditions. Planning Commission Recommendation: To grant LO-MU, Limited Office-Mixed Use Combining district zoning. Applicant: John Hernandez. City Staff: Susan Villarreal, 499-6319.

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

The first reading of this ordinance was approved, adopting staff's recommendation on Council Member Alvarez' motion, Council Member Thomas' second by a 7-0 vote.

The motion to recess the meeting at 5:28 p.m. was approved on Council Member Wynn's motion, Council Member Alvarez' second by a 7-0 vote.

Mayor Watson called the meeting back to order at 6:55 p.m.

DISCUSSION ITEMS CONTINUED

68. Conduct a public hearing to amend Chapter 25-4 of the City Code relating to Subdivision of land. The motion to suspend the rules to allow each side 30 minutes of presentation was approved on Council Member Wynn's motion, Council Member Slusher's second by a 7-0 vote.

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

The motion to adjourn the meeting at 8:12 p.m. was approved on Council Member Slusher's motion, Council Member Wynn's second by a 7-0 vote.

The minutes for the regular meeting of March 22, 2001 were approved on Council Member Wynn's motion, Council Member Griffith's second by a 7-0 vote.