



Austin City Council
MINUTES

REGULAR MEETING
THURSDAY, APRIL 26, 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, April 26, 2001 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard

INVOCATION – Rev. Guy Washington, Pastor, Greater Peace Christian Church

Mayor Watson called the meeting to order at 9:22 a.m.

1. Approval of minutes for regular meeting of April 19, 2001.
The minutes for the regular meeting of April 19, 2001 were approved on Council Member Griffith's motion, Council Member Wynn's second by a 4-0 vote. Mayor Pro Tem Goodman and Council Members Slusher and Thomas were off the dais.

BRIEFING

2. Briefing on and consideration of 2000 census data and possible revisions to the City Charter regarding the method of electing the City Council.
The presentation was made by Ryan Robinson, Demographer, Transportation, Planning and Design and John Steiner, Law Department.

Items 3 through 4 were Executive session items.

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Wynn's motion, Council Member Alvarez' second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

5. Set a public hearing regarding Southern Union Gas Company rates paid by general service customers in the city of Austin. (Suggested Date and Time: May 10, 2001 at 6:00 P.M.)
This item was removed from the agenda.
6. Set a public hearing to receive comments on a proposed amendment to the Blackshear Urban Renewal Plan. (Recommended by Urban Renewal Board and Planning Commission) (Suggested Date and Time: June 7, 2001 at 6:00 P.M.)

Resolution No. 010426-06 was approved.

Item 7 was pulled for discussion.

8. C14-00-2214 – Approve second/third readings of an ordinance amending 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-CO, General Commercial Services district zoning with conditions. First Reading on March 22, 2001; Vote 7-0. Conditions met as follows: Conditional overlay incorporates the conditions approved by Council at first reading. Applicant: Richard Buratti. City Staff: Don Perryman, Watershed Protection and Development Review Department, 499-2786.
Ordinance No. 010426-08 was approved.
9. C14-00-2160 – Approve second/third readings of an ordinance amending 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, Family Residence district zoning to MF-2-CO, Multi-Family Residence Low Density Conditional Overlay Combining zoning with conditions. First Reading on March 22, 2001; Vote 6-1, Griffith nay. Conditions met as follows: Conditional overlay incorporates the conditions approved by Council at first reading. Applicant: Daniel Day. Agent: Mchone Real Estate (Mike Mchone) City Staff: Glenn Rhoades, 499-2775.
This item was postponed until May 10, 2001.

Item 10 was approved on 2nd reading but was re-considered later in the meeting.

11. Approve a resolution authorizing application and acceptance of \$499,878 in continuation funding from the U.S. Department of Justice, Office of Justice Programs, Violence Against Women Grants Office for the Austin/Travis County Family Violence Protection Team to provide comprehensive services to the victims of domestic violence. (Funding is available from the U.S. Department of Justice, Office of Justice Programs, Violence Against Women Grants Office for the Austin/Travis County Family Violence Protection Team for the grant period July 1, 2001 through June 31, 2002. There is no required match.)
Resolution No. 010426-11 was approved.
12. Approve a resolution for negotiation and execution of an amendment to the existing professional services agreement with GEOMATRIX CONSULTANTS, INC., Austin, Texas, for additional engineering services for environmental design and construction phase services on the Robert Mueller Municipal Airport Site Remediation Project, in the amount not to exceed \$1,109,090.73 for a total contract amount not to exceed \$2,691,108.73. (Funding in the amount of \$1,109,090.73 is included in the 2000-2001 operating Budget of the Department of Aviation. The funds are to come from operating funds as approved in a Memorandum of Understanding between the FAA and the City of Austin.) 47.9% DBE.
Resolution No. 010426-12 was approved.
13. Approve a resolution for negotiation and execution of an amendment to the existing professional services agreement with CASABELLA + DEL CAMPO & MARU JOINT VENTURE, Austin, Texas, for the design, construction administration, and warranty services on the Mexican American Cultural Center Project, in an amount not to exceed \$500,000 for a total contract amount not to exceed \$1,485,000. (Funding in the amount of \$500,000 is available in the 1999-2000 Approved Capital Budget of the Parks & Recreation Department.) 22.80% MBE, 18.20% WBE subcontracting participation.
Resolution No. 010426-13 was approved.

14. Approve an ordinance authorizing the vacation of a portion of 5,000 square feet of aerial rights 18 feet from the surface and vacation of 9,526 square feet of the subsurface right-of-way at Neches Street at the 400 Block, a portion of 5th Street at the 500 Block, and a portion of Red River Street at the 400 Block. (The amount of \$232,234 in revenue will be receipted to the General Fund.) (Recommended by the Planning Commission)
Ordinance No. 010426-14 was approved.

Item 15 was pulled for discussion.

16. Approve a resolution authorizing execution of a 12-month supply agreement with ABB POWER T & D c/o POWER SUPPLY, INC., Austin, Texas, for the purchase of synchronous circuit breakers in an amount not to exceed \$782,322 with two 12-month extension options in an amount not to exceed \$782,322 per extension for a total contract amount not to exceed \$2,346,966. (Funding is available in the 2000-2001 Approved Capital Budget for the Electric Utility Department. Funding for the extension options is contingent upon available funding in future budgets.) Sole Source. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontractor opportunities were identified; therefore, no MBE/WBE goals were established for this solicitation. This contract is for the purchase of commodities. (Recommended by Electric Utility Commission)
Resolution No. 010426-16 was approved.

Item 17 was pulled for discussion.

18. Approve an ordinance amending the Austin City Code, Section 16-4-15 – Speed Limit, by modifying the existing reduced speed school zone on Waller Street by adding Waller Street, from Holly Street to 76 feet north of Spence Street, to the list of streets having a maximum speed limit of 20 mph during certain times for students attending Sanchez Elementary School. (The amount of \$2,291 for the re-location of existing signs, flashers and markings is available in the 2000-2001 Child Safety Fund for the Transportation, Planning and Design Department.)
Ordinance No. 010426-18 was approved.
19. Approve an ordinance amending the Austin City Code, Section 16-4-15 – Speed Limit, by adding Caswell Avenue, from 49th Street to East 51st Street, to the list of streets having a maximum speed limit of 20 mph during certain times for students attending Ridgetop Elementary School. (The amount of \$400 for the installation of signs and markings is available in the 2000-2001 Child Safety Fund for the Transportation, Planning and Design Department.)
Ordinance No. 010426-19 was approved.
20. Adopt a resolution authorizing the City Manager to execute an Inter-local Agreement with the Texas Department of Transportation (TXDOT) in an amount not to exceed \$15,797, for the relocation of a wastewater force main crossing under RM2244 to Montebello Road which is located under the existing roadway of Bee Caves Road, within the State right of way at the intersection of Bee Caves Road and Montebello Road. (Funding in the amount of \$15,797 is available from the 1995-96 Amended Capital Improvement Budget of the Water and Wastewater Utility.) (Recommended by Water and Wastewater Commission)
Resolution No. 010426-20 was approved.
21. Set a public hearing on proposed revisions to Chapter 18-3 of the City, which establishes the Drainage Utility and provides for the drainage fee. The proposed revisions implement the results of a cost of service study. (Suggested Date and Time: June 14, 2001 at 6 P.M.)
Resolution No. 010426-21 was approved.

22. Approve an ordinance waiving certain fees under Chapter 15-11 of the City Code for the Daisy 5K-Mother's Day Fun Run on May 13, 2001. (Mayor Pro Tem Jackie Goodman and Council Member Daryl Slusher.)
Ordinance No. 010426-22 was approved.
23. Consider a resolution authorizing the City Manager to present information from the zoning tracking system to the City Council on a quarterly basis. (Council Member Beverly Griffith)
Resolution No. 010426-23 was approved.

DISCUSSION ITEMS

7. C14H-00-2051 – Pompee-Clarke-Cook House –Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code rezoning Pompee-Clarke-Cook House, located at 510 West 22nd Street (Shoal Creek Watershed), from MF-4, Multifamily Residence Moderate-High Density district zoning to GR-MU-H-CO, Community Commercial-Mixed Use-Historic-Conditional Overlay Combining district zoning. First Reading on May 18, 2000; Vote 6-0; Lewis-absent. Conditions met as follows: Conditional overlay incorporates the conditions approved by Council at first reading. Applicant: Zucker Properties (Brad Zucker). Agent: McHone Real Estate (Mike McHone). City Staff: Katie Larsen, 499-3072, and Barbara Stocklin, Transportation, Planning and Design Department, 499-2414.
Ordinance No. 010426-07 was approved on Council Member Wynn's motion, Council Member Griffith's second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.
15. Approve a resolution authorizing execution of Change Order #5 to the construction contract with STR CONSTRUCTORS, INC, Liberty Hill, Texas, for installation of a water line as part of the renovation of 1111 Rio Grande Street, in an amount not to exceed \$60,431, for a total contract amount not to exceed \$1,341,381. (Funding in the amount of \$60,431 is available in the 2000-2001 Capital Budget of the Financial Services Department.) 3.53% MBE, 0% WBE subcontracting participation.
Resolution No. 010426-15 was approved on Council Member Slusher's motion, Council Member Thomas' second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Griffith were off the dais.
17. Amend Chapter 4-2 by revising the Emergency and Peak Day Water Use Management Regulations. (Recommended by Water and Wastewater Commission and Resource Management Commission)
Ordinance No. 010426-17 was approved on Council Member Alvarez' motion, Council Member Wynn's second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

The motion to recess the Council meeting at 10:44 a.m. and go into Executive Session was approved on Council Member Griffith's motion, Council Member Slusher's second by a 6-0 vote. Mayor Pro Tem Goodman 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.

3. Discuss legal issues concerning proposed amendments to MBE/WBE ordinance.
4. Discuss acquisition of real property for the Greenway and Destination Parks as authorized under Proposition Two of the November 1988 Bond Election.

Executive session ended at 12:24 p.m.

Mayor Pro Tem Goodman called the meeting back to order at 1:38 p.m.

CITIZEN COMMUNICATIONS

24. Ruby Davila (Prime Time Kids) - Invitation to Prime Time Showcase. - ABSENT
25. Jennifer L. Gale - The Clean Campaign Charter Initiative's Financial Threshold Is Just Too High.
26. Gus Peña - To discuss Housing issued Affordable Housing and Discuss Budget issues. - ABSENT
27. Elizabeth S. Gonzales – Introduction as Chairwoman of the Greater Austin Hispanic Chamber of Commerce and thanks to Council.
28. Kevin Bryant Cannon - Agenda about myself crashing and bleeding in City Hospitals.

The motion to recess the meeting at 1:50 p.m. was approved on Council Member Alvarez' motion, Council Member Thomas' second by a 6-0 vote. Mayor Watson was off the dais.

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

ZONING CONSENT

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Wynn's motion, Council Member Griffith's second by a 7-0 vote.

29. 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: Katie Larsen, 499-3072. (continued from 2/1/01, 2/15/01, 3/8/01 and 3/22/01)

This item was removed from the agenda and will be sent back to the Planning Commission as the applicant has changed the zoning request.

30. 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: Katie Larsen, 499-3072. Note: A valid petition has been filed in opposition to this rezoning request. (continued from 1/18/01, 2/1/01, 2/15/01, 3/8/01 and 3/22/01)

This item was removed from the agenda and will be sent back to the Planning Commission as the applicant has changed the zoning request.

Item 31 was pulled for discussion.

32. C14-00-2256 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 330 West Ben White Boulevard (East Bouldin Creek Watershed) from SF-3, Family 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: Boniuk Interest Ltd. (David

Boniuk). Agent: Amelia Lopez Phelps. City Staff: Don Perryman, Watershed Protection and Development Review Department, 499-2786.

Ordinance No. 010426-32 was approved.

33. C14-00-2248 – Longview Park – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 7609 Longview Road (Williamson Creek Watershed) from SF-2, Single Family Residence Standard Lot district zoning and SF-3, Family Residence district zoning to P, Public district zoning. Planning Commission Recommendation: To grant P, Public district zoning on Tracts 1, 2 and 3. Property Owner and Applicant: City of Austin. Agent: Parks and Recreation Department (Sarah Campbell). City Staff: Wendy Walsh, 499-7719.
Ordinance No. 010426-33 was approved.

Item 34 was pulled for discussion.

35. C14-01-0012 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 8103 Research Boulevard (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: Barbara Gerbert. Agent: West Real Estate Services (Steve West). City Staff: Katie Larsen, 499-3072
Ordinance No. 010426-35 was approved.

36. C14-01-0016 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 8600 Guadalupe Street (Little Walnut Creek Watershed) from SF-3, Family Residence district zoning to LR, Neighborhood Commercial district zoning. Planning Commission Recommendation: To grant LO-CO, Limited Office-Conditional Overlay Combining district zoning with conditions. Property Owner: Iglesia Evangelica Latina, Inc. Applicant: Angel Construction Plus. (Yolanda Rodriguez). Agent: I.T. Gonzalez Engineers (I.T. Gonzalez). City Staff: Katie Larsen, 499-3072
This item was postponed until May 10, 2001.

37. C14-01-0018 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10115, 10117, 10119, 10121 and 10123 Lake Creek Parkway (Lake Creek Watershed) from SF-2, Single Family Residence Standard lot district zoning to GR, Community Commercial district zoning. Planning Commission Recommendation: To grant GR, Community Commercial district zoning. Applicant: Pohl, Brown, & Brown. Agent: Gary Brown. City Staff: David Wahlgren, Watershed Protection and Development Review Department, 499-6455.
The first reading of this ordinance was approved.

38. C14-01-0023a – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10400 Block of Brodie Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. Planning Commission Recommendation: To grant SF-2, Single Family Residence Standard Lot district zoning. Property Owner and Applicant: Larry Niemann. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719.
This item was postponed until May 3, 2001.

39. C14-01-0023b – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10400 Block of Brodie Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard lot district zoning. Planning Commission Recommendation: To grant SF-2, Single Family Residence

Standard Lot district zoning. Property Owner and Applicant: Larry Niemann. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719.

This item was postponed until May 3, 2001.

40. C14-01-0023c – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10400 Block of Brodie Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. Planning Commission Recommendation: To grant SF-2, Single Family Residence Standard Lot district zoning. Property Owner and Applicant: Larry Niemann. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719.
This item was postponed until May 3, 2001.
41. C14-01-0023d – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10400 Block of Brodie Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. Planning Commission Recommendation: To grant SF-2, Single Family Residence Standard Lot district zoning. Property Owner and Applicant: Larry Niemann. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719.
This item was postponed until May 3, 2001.
42. C14-01-0024 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 3300 Block of Squirrel Hollow Drive (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. Planning Commission Recommendation: To grant SF-2, Single Family Residence Standard Lot district zoning. Property Owner and Applicant: Larry Niemann. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719.
This item was postponed until May 3, 2001.
43. C14-01-0025a – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10500–10600 Block of Brodie Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. Planning Commission Recommendation: To grant SF-2, Single Family Residence Standard Lot district zoning. Property Owner and Applicant: Larry Niemann. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719
This item was postponed until May 3, 2001.
44. C14-01-0025b – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10500–10600 Block of Brodie Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. Planning Commission Recommendation: To grant SF-2, Single Family Residence Standard Lot district zoning. Property Owner and Applicant: Larry Niemann. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719.
This item was postponed until May 3, 2001.
45. C14-01-0025c – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10500–10600 Block of Brodie Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. Planning Commission Recommendation: To grant SF-2, Single Family Residence Standard Lot district zoning. Property Owner and Applicant: Larry Niemann. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719.
This item was postponed until May 3, 2001.

46. C14-01-0025d – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10500–10600 Block of Brodie Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. Planning Commission Recommendation: To grant SF-2, Single Family Residence Standard Lot district zoning. Property Owner and Applicant: Larry Niemann. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719.
This item was postponed until May 3, 2001.

DISCUSSION ITEMS CONTINUED

10. C14-00-2263 – Approve second/third readings of an ordinance amending 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 with conditions. First Reading on March 22, 2001; Vote 5-1-1, Slusher nay, Griffith abstained. Conditions met as follows: Conditional overlay incorporates the conditions approved by Council at first reading. Agent: Sarah Crocker. City Staff: Sherri Gager, 499-3057
This second reading of this ordinance was approved on the consent agenda. Mayor Pro Goodman was off the dais. Council Members Slusher voted no. Council Member Griffith abstained.

The motion to re-consider this item was approved on Council Member Thomas' motion, Council Member Wynn's second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

The second reading of this ordinance was approved on Council Member Wynn's motion, Council Member Thomas' second by a 4-2-1 vote. Those voting aye were: Mayor Watson, Mayor Pro Tem Goodman and Council Members Alvarez and Wynn. Those voting nay were: Council Member Slusher and Thomas. Council Member Griffith abstained.

The motion to re-consider this item was approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second by a 7-0 vote.

Ordinance No. 010426-10 was approved on Council Member Wynn's motion, Mayor Pro Tem Goodman's second by a 5-1-1 vote. Those voting aye were: Mayor Watson, Mayor Pro Tem Goodman and Council Members Alvarez, Thomas and Wynn. Council Member Slusher voted nay. Council Member Griffith abstained.

ZONING DISCUSSION

31. C14-00-2212 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 4501 Monterrey Oaks Boulevard (Williamson Creek Watershed) from W/LO, Warehouse Limited Office district zoning to IP-CO, Industrial Park-Conditional Overlay Combining district zoning with conditions. Planning Commission Recommendation: To grant IP-CO, Industrial Park-Conditional Overlay Combining district zoning with conditions for Tract 1. Property Owner and Applicant: Office Partners I, LP (Stewart Campbell). Agent: Drenner Stuart Wolff Metcalfe von Kreisler, LLP (Michele Haussmann). City Staff: Wendy Walsh, 499-7719.
The public hearing was closed on Mayor Pro Tem Goodman's motion, Council Member Wynn's second by a 7-0 vote.

The motion to deny this ordinance failed on Council Member Slusher's motion, Mayor Pro Tem Goodman's second by a 3-4 vote. Those voting aye were: Mayor Pro Tem Goodman and

Council Members Griffith and Slusher. Those voting nay were: Mayor Watson and Council Members Alvarez, Thomas and Wynn.

The first reading of this ordinance was approved on Council Member Wynn's motion, Council Member Thomas' second by a 4-3 vote. Those voting aye were: Mayor Watson and Council Members Alvarez, Thomas and Wynn. Those voting nay were: Mayor Pro Tem Goodman and Council Members Griffith and Slusher. Mayor Pro Tem Goodman instructed staff to initiate a code amendment that will define this in modern categories.

34. C14-00-2261 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 3701-3811 ½ South Congress Avenue (East Bouldin Creek Watershed) from LI, Limited Industrial Services district zoning to MF-6, Multi-family Residence Highest Density zoning and CS-MU, General Commercial Services-Mixed Use Combining district zoning. Planning Commission Recommendation: To Grant MF-6-CO, Multi-family Residence Highest Density-Conditional Overlay Combining district zoning with conditions on Tract 1 and CS-MU-CO, Commercial Services-Mixed Use-Conditional Overlay Combining district zoning with conditions on Tract 2. Applicant: Michael P. Alelli. Agent: Sarah Crocker Consultants (Lena Lund). City Staff: Sherri Gager, 499-3057. (continued from 4/5/01)
The public hearing was closed on Council Member Slusher's motion, Mayor Watson's second by a 7-0 vote.

The motion to approve on first reading with the following friendly amendment was made on Council Member Wynn's motion, Council Member Slusher's second. The friendly amendment by Council Member Slusher was to add rain water harvesting to the conditions.

The motion to amend including 70% impervious cover, 405 unit cap per Planning Commission's recommendation, serious consideration of a 5% set aside, 60 foot height restriction and onsite retention pond, failed on Council Member Griffith's motion, Mayor Pro Tem Goodman's second by a 2-5 vote. Those voting aye were: Mayor Pro Tem Goodman and Council Member Griffith. Those voting nay were: Mayor Watson and Council Members Alvarez, Slusher, Thomas and Wynn.

The first reading of this ordinance was approved as shown above by a 5-2 vote. Those voting aye were: Mayor Watson, Mayor Pro Tem Goodman and Council Members Alvarez, Slusher and Wynn. Those voting nay were: Council Members Griffith and Thomas.

The motion to recess the meeting at 5:26 p.m. was approved on Council Member Wynn's motion, Mayor Watson's second by a 7-0 vote.

Mayor Watson called the meeting back to order at 6:14 p.m.

DISCUSSION ITEMS CONTINUED

47. Conduct a public hearing to consider an ordinance amending Title 25 of the City Code relating to bail bond services and restrictions on land uses near the Blackwell-Thurman Criminal Justice Center located at 500 West 10th Street/509 West 11th Street.
The public hearing was closed on Council Member Wynn's motion, Council Member Thomas' second by a 7-0 vote.
48. Consider an ordinance amending Title 25 of the City Code relating to bail bond services and restrictions on land uses near the Blackwell-Thurman Criminal Justice Center located at 500 West 10th Street/509 West 11th Street.

Ordinance No. 010426-48 was approved on an emergency basis by Council Member Wynn's motion, Mayor Watson's second by a 7-0 vote.

The motion to adjourn the meeting at 6:20 p.m. was approved on Council Member Griffith's motion, Council Member Wynn's second by a 7-0 vote.

The minutes for the regular meeting of April 26, 2001 were approved on Council Member Wynn's motion, Council Member Griffith's second by a 7-0 vote.