



Austin City Council  
MINUTES

REGULAR MEETING  
THURSDAY, MAY 24, 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, May 24, 2001 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

INVOCATION – Dr. Neil W. Reid, Pastor, Alpha 7th Day Adventist Church

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

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 6-0 vote. Council Member Griffith was absent.

- 1 Approval of minutes for regular meeting of May 17, 2001.  
The minutes for the regular meeting of May 17, 2001 were approved.

Item 2 was a briefing.

Items 3 through 7 were Executive Session items.

Item 8 was pulled for discussion.

9. Approve a resolution to ratify a change order #2 to a construction contract with LAMBDA CONSTRUCTION COMPANY, New Braunfels, Texas, for electrical testing in an amount not to exceed \$5,190.37 for a revised contract amount not to exceed \$2,257,049. (Funding in the amount of \$5,190.37 is available in the 2000-2001 Approved Capital Budget of the Electric Utility Department. (Recommended by Electric Utility Commission)  
Resolution No. 010524-09 was approved.
10. Approve a ordinance authorizing acceptance of a grant award from the U.S. Department of Energy and the Texas State Office of Energy Conservation in the amount of \$50,000 to fund participation in the Communities of the Future initiative; and amend Ordinance No. 000912-01, the 2000-2001 Amended Operating Budget, by increasing revenue by \$50,000 in the Electric Utility Department Special Revenue Fund. The Grant will be funded for two consecutive twelve-month periods beginning October 1, 2001, and ending September 30, 2003, in an amount of \$50,000 per year for a total amount of \$100,000. (Funding in the amount of \$50,000 from the Department of Energy

and the Texas State Office of Energy Conservation, for the period of October 1, 2001 to September 30, 2002. A match of \$25,000 in-kind will be included in the 2001-2002 Proposed Operating Budget of the Electric Utility Department. Funding for the second year in kind match of this grant is contingent upon available funding in future budgets.)

**Ordinance No. 010524-10 was approved.**

11. Approve an ordinance authorizing the Department of Aviation to adopt and implement an Airport Wildlife Hazard Management Plan.

**Ordinance No. 010524-11 was approved.**

12. Approve a resolution authorizing execution of a construction contract with SOUTHWEST CONSTRUCTORS, INC., Austin, Texas, for demolition of the caretaker house at the Deep Eddy Swimming Facility, in an amount not to exceed \$232,988. (Funding is included in the 2000-2001 Capital Budget of the EMS Department.) Lowest of six bids received. 15% MBE, 10.20% WBE subcontracting participation. (Approved by the Historic Landmark Commission)

**Resolution No. 010524-12 was approved.**

13. Approve a resolution for an amendment to the interlocal agreement with Travis County for the collection of ad valorem taxes to allow the collection of taxes by Williamson County for property in Williamson County. Approve an interlocal agreement with Williamson County for the collection of ad valorem property taxes. (The estimated cost of collection services in Fiscal year 2001-2202 is \$1,510 which will be deducted from the payment to the City.)

**This item was postponed until June 14, 2001.**

14. Amend Ordinance No. 000912-01, the amended 2000-2001 Operating Budget for the Health and Human Services Department's Special Revenue Fund by accepting and appropriating \$140,000 in grant funds from the Texas Department of Health Bureau of Epidemiology, Childhood Lead Prevention Program and authorize two grant-funded FTE positions. (Funding in the amount of \$60,000 is available from the Texas Department of Health, Bureau of Epidemiology, Childhood Lead Prevention Program for the current grant period of 3/1/01-6/30/01 and \$80,000 is available for the next grant period of 7/1/01-6/30/02. No City match is required.)

**Ordinance No. 010524-14 was approved.**

**Items 15 through 20 were pulled for discussion.**

21. Set public hearings to receive citizen comments on proposed amendments to the City's 2000-2001 Community Development Program and federal annual Action Plan to reprogram \$706,508 and to authorize the use of the U.S. Department of Housing and Urban Development (HUD) 108 funds outside the boundaries of the East 11<sup>th</sup> and 12<sup>th</sup> Streets Urban Renewal Area. (Community Development Block Grant (CDBG) funds and program income in the amount of \$706,508 are available from the allocation of current and prior years funds.) (Suggested Dates and Times: June 7, 2001 at 6 p.m. and June 14, 2001 at 6 p.m.)

**Resolution No. 010524-21 was approved.**

22. Approve a resolution requesting Council confirmation of the appointment of Gerald Henderson to the Fire Civil Service Commission and Police Civil Service Commission.

**Resolution No. 010524-22 was approved.**

**Items 23 through 25 were pulled for discussion.**

26. C14-98-0266 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 14003-14007 U.S. Highway 183 North

(Lake Creek Watershed) from DR, Development Reserve district zoning to GR, Community Commercial district zoning with conditions. First Reading on December 2, 1999; Vote: 6-0, Lewis absent. Conditions met as follows: No conditions were imposed by Council at first reading. Applicant: Wolf Family Trust (Thomas J. Wolf, Jr.). Agent: Minter, Joseph, and Thornhill (Jeff Howard). City Staff: David Wahlgren, 499-6455.

**Ordinance No. 010524-26 was approved.**

27. 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. (continued from 4/19/01 and 5/10/01)

**This item was postponed until July 19, 2001.**

28. C14-00-2185 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1711 Three Points Road (Gilleland Creek Watershed) from SF-2, Single Family Residence Standard Lot district zoning to LI-CO, Limited Industrial Services-Conditional Overlay Combining district zoning with conditions. First Reading on November 30, 2000; Vote 7-0. Conditions met as follows: Conditional overlay incorporates the conditions approved by Council at first reading. Applicant: Rafael Montes De Ocs. Agent: Nas Properties (Steve Nastri). City Staff: David Wahlgren, 499-6455.

**Ordinance No. 010524-28 was approved.**

**Item 29 was pulled for discussion.**

30. Approve an ordinance amending Chapter 2-4 of the City Code to add Article LII, the Austin Area Comprehensive HIV Planning Council (“Planning Council”), and repealing ordinance No. 970109-D and ordinance No. 990603-78 to modify the Planning Council ordinance in accordance with regulations of the U.S. Health Resources and Services Administration.

**Ordinance No. 010524-30 was approved.**

31. Approve a resolution authorizing execution of an artwork commission contract not to exceed \$82,000 with Margo Sawyer, Opera House, Elgin, Texas, for an installation of metal sculptural components entitled, *Index for Contemplation*, to be installed on the interior lobby wall at the West Entrance of the Austin Convention Center Expansion as part of the Art in Public Places Project for this building. (Funding from the Art in Public Places allocation within the Austin Convention Center.) (Recommended by Austin Arts Commission)

**Resolution No. 010524-31 was approved.**

32. Amend Ordinance No. 000912-2, the 2000-2001 Capital Budget, increasing the appropriation for the Parks and Recreation Department’s Jackrabbit Run Golf Course project by \$500,000. (The amount of \$500,000 will be funded by the issuance of Certificates of Obligation in September, 2001.)

**Ordinance No. 010524-32 was approved.**

33. Approve a resolution to declare official intent to reimburse \$500,000 in costs related to the Parks and Recreation Department’s Jackrabbit Run Golf Course project and amend the two-year GO Bond Sale Schedule. (The amount of \$500,000 to be reimbursed from the issuance of Certificates of Obligation in September 2001.)

**Resolution No. 010524-33 was approved.**

34. Approve a resolution authorizing negotiation and execution of a professional services agreement with ROBERT TRENT JONES II, LLC, Palo Alto, CA, for design of an eighteen hole municipal golf course at the Jackrabbit Run Golf Course [currently the Cedars] located near the Austin-Bergstrom International Airport, in an amount not to exceed \$600,000. (Funding is available in the Fiscal Year 2000-2001 Amended Capital Budget of the Parks and Recreation Department.) Best of eighteen submittals. 15%-21% MBE, 12%-16% WBE subcontracting participation.

**Resolution No. 010524-34 was approved.**

35. Approve a resolution ratifying an Interlocal Agreement with the Austin Independent School District for meal services for the Senior Lunches and Summer Food Program in the amount of \$546,250 for the term of October 1, 2000 to September 30, 2001. (Funding is included in the 2000-2001 Operating Budget for the Parks and Recreation Department-grants section.)

**Resolution No. 010524-35 was approved.**

**Item 36 was pulled for discussion.**

37. Approve an ordinance providing for the classification of and number of positions in the classified Civil Service of the Police Department and repeal of Ordinance No. 000911-5. (Funding for the requested change is available within the Approved Fiscal Year 2001 Operating Budget for the Austin Police Department.)

**Ordinance No. 010524-37 was approved.**

38. Approve a resolution correcting a clerical error in the Meet and Confer contract for Austin Police Officers relating to Civil Service promotional eligibility lists.

**Resolution No. 010524-38 was approved.**

39. Amend Ordinance No. 000912-02, the Fiscal Year 2000-2001 Capital Budget of the Police Department by increasing appropriations by \$1,382,584 and creating a new Police project know as "Austin Police Dept. Helicopter." (Funding will be provided from the proceeds of future debt issuance. The current appropriation is supported by the accompanied reimbursement resolution.) (Related to Item Nos. 40 and 41)

**This item was postponed until June 7, 2001.**

40. Approve a resolution to declare official intent to reimburse \$1,382,584 in costs for the purchase of a fully equipped helicopter for the Austin Police Department. (The amount of \$1,382,584 to be reimbursed from the proceeds of long term debt.) (Related to Item Nos. 39 and 41)

**This item was postponed until June 7, 2001.**

41. Approve a resolution authorizing execution of a contract with AMERICAN EUROCOPTER CORPORATION, Grand Prairie, Texas, for the purchase of a fully equipped helicopter and training for the Austin Police Department in an amount not to exceed \$1,657,584. (Funding in the amount of \$125,000 was included in the 2000-01 Approved Operating Budget of the Austin Police Department. \$150,000 was included in the 2000-01 Airport Asset Forfeiture Fund. \$1,382,584 will be funded through issuance of contractual obligations in September 2001.) (Related to Item Nos. 39 and 40)

**This item was postponed until June 7, 2001.**

**Item 42 was pulled for discussion.**

43. Approve a resolution authorizing execution of a contract with ABB POWER T&D, c/o POWER SUPPLY, Austin, Texas, for the purchase of a generator step-up transformer in an amount not to exceed \$2,137,150. (Funding is available in the 2000-2001 Approved Capital Budget for the Electric Utility Department.) Low Evaluated Bid/8 bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore no MBE/WBE goals were established for this solicitation. This contract is for a commodity purchase, with direct delivery by the manufacturer. (Recommended by Electric Utility Commission)  
**Resolution No. 010524-43 was approved.**
44. Approve a resolution authorizing negotiation and execution of a 12 month service agreement with CREATIVE CONSUMER RESEARCH, INC., Stafford, Texas, to provide marketing research services in an amount not to exceed \$150,000 with one 12 month extension option in an amount not to exceed \$200,000 for a total amount not to exceed \$350,000 (Funding in the amount of \$50,000 is available in the 2000-2001 Approved Operating Budget for the Electric Utility Department. Funding for the balance of the original contract period and the extension option is contingent upon available funding in future budgets.) Best Evaluated Proposal/three Proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore MBE/WBE goals were not established for this solicitation. All services will be completed by the Contractor's own workforce. (Recommended by Electric Utility Commission)  
**Resolution No. 010524-44 was approved.**
45. Approve Amendment No. 2 to the contract with COMVERGE TECHNOLOGY, c/o Len T. Deloney Company, Woodlands, Texas, for the implementation and equipment of the "Power Partner Program" to increase the second year of the contract in an amount not to exceed \$640,000 and to increase the 12-month extension option in an amount not to exceed \$640,000, for a revised total contract amount not to exceed \$4,819,863. (Funding in the amount of \$213,333 is available in the 2000-2001 approved Operating Budget for the Electric Utility Department. Funding for the remaining contract period and the extension option is contingent upon available funding in the future budgets.) This contract was awarded under the 1996 MBE/WBE Ordinance as amended. No subcontracting opportunities were identified. There are no opportunities identified for this amendment. (Recommended by Electric Utility Commission)  
**Resolution No. 010524-45 was approved.**
46. Approve Amendment No. 2 to the contract with HONEYWELL DMC SERVICES, Saugus, MA, for the installation of programmable thermostats and setup and operation of a customer service center for the "Power Partner Program" to increase the second year of the contract in an amount not to exceed \$245,105 and to increase the two 12-month extension options in an amount not to exceed \$245,105 per extension period for a revised total contract amount not to exceed \$3,174,112. (Funding in the amount of \$87,702 is available in the 2000-2001 Approved Operating Budget for the Electric Utility Department. Funding for the remaining contract period and the extension option is contingent upon available funding in the future budgets.) This contract was awarded under the 1996 MBE/WBE Ordinance, as amended. No additional subcontracting opportunities were identified for this amendment. (Recommended by Electric Utility Commission Review)  
**Resolution No. 010524-46 was approved.**
47. Approve a resolution authorizing execution of a contract with SOUTHWEST ELECTRIC COMPANY, Houston, Texas, to rebuild a substation power transformer in an amount not to exceed \$388,564. (Funding is available in the 2000-2001 Approved Capital Budget for the Electric Utility Department.) Low bid/two bids received. This contract will be awarded in compliance with

the 1996 MBE/WBE Ordinance as amended. No subcontracting opportunities were identified; therefore no MBE/WBE goals were established for this solicitation. All services will be provided by the contractor's own workforce. (Recommended by Electric Utility Commission)

**Resolution No. 010524-47 was approved.**

48. Approve a resolution authorizing execution of a 12-month supply agreement with VOSS LIGHTING, Dallas, Texas, for the purchase of street-lighting lamps in an amount not to exceed \$92,319.77 with two 12-month extension options in an amount not to exceed \$92,319.77 per extension option, for a total contract amount not to exceed \$276,959.31. (Funding in the amount of \$30,773 is available in the 2000-2001 Approved Operating Budget of the Electric Utility Department. Funding for the remaining eight months of the original contract period and the extension options are contingent upon available funding in future budgets.) Low bid/eleven bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance as amended. No subcontracting opportunities were identified; therefore M/WBE goals were not established for this solicitation. This contract is the purchase of commodities, with direct delivery by the distributor. (Recommended by Electric Utility Commission)

**Resolution No. 010524-48 was approved.**

49. Approve a resolution to ratify a contract with RELIANT ENERGY HL&P, Houston, Texas, for electric utility storm restoration services in an amount not to exceed \$42,740.84. (Funding is available in the 2000-2001 Approved Operating Budget of the Electric Utility Department.) This contract was awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore no MBE/WBE goals were established for this contract. All work was accomplished by the contractor's own workforce. (Recommended by Electric Utility Commission)

**Resolution No. 010524-49 was approved.**

50. Approve a resolution authorizing execution of 12-month service agreements with TRENCH LTD., Scarborough, Ontario, Canada, in an amount not to exceed \$66,900; KUHLMAN ELECTRIC CORP., c/o UTILITY SALES AGENTS OF NORTH TEXAS, Dallas, Texas, in an amount not to exceed \$72,225; ABB POWER TRANSMISSION AND DISTRIBUTION, c/o POWER SUPPLY, INC., Austin, Texas, in an amount not to exceed \$206,863; and PRIESTER SUPPLY, Austin, Texas, in an amount not to exceed \$62,833 for the purchase of various types of instrument transformers, in an amount not to exceed \$62,833, with three 12-month extension options in an amount not to exceed \$66,900, \$72,225, \$206,863 and \$62,833 per extension, for a total amount not to exceed \$267,600, \$288,900, \$827,452, and \$251,332. (Funding in the amount of \$136,274 is available in the 2000-2001 Approved Capital Budget for the Electric Utility Department. Funding for the balance of the original contract period and the extension options is contingent upon available funding in future budgets.) Low bidders & low bidder meeting specifications/six bids received. These contracts will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore M/WBE goals were not established for this solicitation. These are commodity contracts with direct delivery by the contractor. (Recommended by Electric Utility Commission)

**Resolution No. 010524-50 was approved.**

51. Approve a resolution authorizing execution of a contract with the STATE OF TEXAS GENERAL SERVICES COMMISSION, Austin, Texas, for the purchase of a 800-ton water-cooled centrifugal chiller and cooling tower in an amount not to exceed \$115,000. (Funding is available in the 2000-2001 Approved Capital Budget of the Electric Utility Department.) This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified; therefore MBE/WBE goals were not established for this solicitation. (Recommended by Electric Utility Commission)

**Resolution No. 010524-51 was approved.**

52. Approve a resolution authorizing execution of two 12-month supply agreements with RECORDED BOOKS, Prince Frederick, MD, and INGRAM LIBRARY SERVICES, INC., Laverne, TN, for the purchase of spoken word audio cassettes and compact discs for the Library Department in amounts not to exceed \$73,454 and \$40,000 respectively, with two 12 month extension options in amounts not to exceed \$86,108 and \$41,750 respectively for the first extension year and \$81,054 and \$42,000 respectively for the second extension year for total contract amounts not to exceed \$240,616 and \$123,750 respectively. (Funding in the amount of \$101,100 was included in the 2000-01 Approved Operating Budget of the Library Department and \$12,354 was included in the 2000-01 Approved Capital Budget of the Library Department. Funding for the extension options is contingent upon available funding in future budgets.) This contract was awarded under the 1996 MBE/WBE Ordinance as amended. No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.

**Resolution No. 010524-52 was approved.**

53. Approve a resolution authorizing execution of a 12-month supply agreement with AMIGOS LIBRARY SERVICES, Dallas, Texas, for the purchase of cataloging database membership services for the Library Department in an amount not to exceed \$51,903, with four 12-month extension options in an amount not to exceed \$51,903 per extension, for a total contract amount not to exceed \$259,515. (Funding was included in the 2000-2001 Approved Operating Budget of the Library 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 subcontracting opportunities were identified, therefore, no goals were established for this solicitation.

**Resolution No. 010524-53 was approved.**

54. Approve negotiation and execution of a 12-month contract with GEOGRAPHIC SOLUTIONS, Palm Harbor, FL, for the development, implementation and administration of an automated one-stop system for the Austin/Travis County Health and Human Services Department (ATCHHSD) and the Capital Area Workforce Development Board (CAWDB) in a total amount not to exceed of \$200,000 with two 12-month extension options at a cost not to exceed \$54,000 per option period for a total contract amount not to exceed \$308,000. (Funding in the amount of \$100,000 is available in the 2000-2001 Approved Title IV-A fund of the Austin/Travis County Health and Human Services Department. Funding for the remaining \$100,000 will be provided by the Capital Area Workforce Development Board.) Best proposal of twenty 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.

**This item was postponed until June 7, 2001.**

55. Approve amendment No. 1 to increase the contract amount for the option periods of the annual maintenance agreement with AVAYA INC. (formerly Lucent Technologies, Inc.) Oklahoma City, OK, for the maintenance of the software and hardware of the Definity Telephone systems across the City in an amount not to exceed \$62,890.64, for the first option period of this contract for a revised amount not to exceed \$367,193.64, with three 12-month extension options in amounts not to exceed \$444,304.31, \$537,608.22 and \$650,505.95 respectively for a total revised contract amount not to exceed \$2,303,915.12. (Funding in the amount of \$62,890.64 is available in the approved Fiscal Year 2000-2001 Operating Budgets of various City Departments. See attached list for the specific funding. Funding for the three remaining extension options will be contingent upon available funding in the future budget.)

**This item was postponed until June 7, 2001.**

56. Approve a resolution authorizing execution of a contract with PETERSON MURPHY, Rochester, WI, for the purchase and installation of a burn building for the Austin Fire Department in an amount not to exceed \$185,800. (Funding was included in the 2000-2001 Operating Budget of the Fire Department.) Low bid/two 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. 010524-56 was approved.**
57. Approve a resolution authorizing execution of a 12-month supply agreement with CASCO INDUSTRIES, INC., Shreveport, Louisiana, to provide fire retardant uniform shirts and trousers for Austin Fire Department in an amount not to exceed \$81,470 with two 12-month extension options in an amount not to exceed \$81,470 per extension for a total contract amount not to exceed \$244,410. (Funding in the amount of \$27,157 is available in the 2000-2001 Operating Budget of the Austin Fire Department. Funding for the remaining eight months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bidder meeting specifications/seven bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. The recommended awardee will provide these commodities directly to the City. There is no subcontracting opportunities, therefore, no goals were established for this solicitation.  
**This item was postponed until June 7, 2001.**
58. Approve a resolution authorizing execution of two 12-month supply agreements with MC KESSON HBOC MEDICAL GROUP, San Antonio, Texas, for the purchase of disposable medical supplies for the Primary Care and Health and Human Services Departments in amounts not to exceed \$179,307 and \$155,000 respectively, with three 12-month extension options in amounts not to exceed \$179,307 and \$155,000 respectively per extension for total contract amounts not to exceed \$717,228 and \$620,000 respectively. (Funding in the amount of \$59,770 was included in the 2000-2001 Approved Operating Budget for the Primary Care Department and \$51,667 was included in the 2000-2001 Approved Operating Budget for the Health and Human Services Department. Funding for the remaining eight months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bidder meeting specifications/eight 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. 010524-58 was approved.**
59. Approve a resolution authorizing execution of a 12-month supply agreement with ALL AMERICAN SALES CORPORATION, Houston, Texas, for the purchase of repair parts for "FEDERAL SIGNAL" brand emergency Light Bars & Sirens for an amount not to exceed \$60,000 with two 12-month extension options for \$60,000 for each extension and a total contract amount not to exceed \$180,000. (Funding in the amount of \$20,000 is available in the Fiscal Year 2000-2001 operating budget of the Wireless Communications Services Office, Financial and Administrative Services Department. City departments and Interlocal Agreement agencies will be charged out as used to reimburse the Wireless Communications Services Office budget. Funding for the final eight months of the original contract period and the remaining extension options is contingent upon available funding in future budgets.) Low bidder meeting specifications/three bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified for this commodity procurement. Therefore, no goals were established for this solicitation.  
**Resolution No. 010524-59 was approved.**

60. Approve a resolution authorizing execution of a 12-month service agreement with EXECUTIVE SECURITY SYSTEMS, INC., Austin, Texas, for security and crowd management services for the Austin Convention Center Department in an amount not to exceed \$60,445.00 with two 12-month extension options in an amount not to exceed \$127,047.90 per extension for a total contract amount not to exceed \$314,540.85. (Funding in the amount of \$20,152 was included in the 2000-2001 Operating Budget of the Austin Convention Center Department. Funding for the remaining eight months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bidder meeting specification/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. 010524-60 was approved.**

61. Approve a resolution authorizing execution of a 12-month service agreement with AARON CONCRETE CONTRACTORS, INC., Austin, Texas, to provide milling services for the Department of Public Works and Transportation, in an amount not to exceed \$72,827.50, with two 12-month extension options in the amount not to exceed \$72,827.50 per extension, for a total contract amount not to exceed \$218,482.50. (Funding in the amount of \$24,276 was included in the 2000-2001 Operating Budget for the Department of Public Works & Transportation. Funding for the remaining eight 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, as amended. The service is provided directly to the City by the contractor. No subcontracting opportunities were identified for this commodity procurement. Therefore, no goals were established for this solicitation.

**Resolution No. 010524-61 was approved.**

**Item 62 was pulled for discussion.**

63. Approve a resolution authorizing execution of five 12-month supply agreements with KBS ELECTRIC DISTRIBUTORS, Austin, Texas, UTILISERVE, Austin, Texas, CUMMINS UTILITY SUPPLY, Austin, Texas, TECHLINE, INC., Austin, Texas and PRIESTER-MELL & NICHOLSON, Austin, Texas, for the purchase of inventory electrical supplies, in amounts not to exceed \$98,407.50, \$45,186.41, \$34,686, \$23,224.40, and \$14,188.80, respectively with two 12-month extension options not to exceed \$98,407.50, \$45,186.41, \$34,686, \$23,224.40, and \$14,188.80, respectively per extension for total contract amounts not to exceed \$295,222.50, \$135,559.23, \$104,058, \$69,673.20, and \$42,566.40, respectively. (Funding in the amount of \$89,872.10 is available in the 2000-2001 Approved Operating Budget of the Electric Utility Department. Funding for the final seven months of the original contract period and the extension options are contingent upon available funding in future budgets.) Low bids/thirteen bids received. These contracts will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. These items will be purchased directly from major distributors. No subcontracting opportunities were identified; therefore, no M/WBE goals were established for these contracts. (Recommended by Electric Utility Commission)

**Resolution No. 010524-63 was approved.**

64. Approve a resolution to modify Council authorization for a contract with LOWER COLORADO RIVER AUTHORITY (LCRA), Austin, Texas, for the right to purchase additional stored water to be used as cooling water at the Fayette Power Project, a coal-fired electric generating plant jointly owned by the City and LCRA, at unit costs of \$52.50 per acre foot for water held in reserve, \$105.00 per acre foot for water used up to 3500 acre feet (includes reserve cost), and \$200.00 per acre foot for all water used exceeding 3500 acre feet, in a revised contract amount not to exceed

\$800,000 per year. (Funding in the amount of \$130,887 is available in the 2000-2001 Operating Budget of the Electric Utility Department) [Recommended by Electric Utility Commission]  
**This item was postponed until June 7, 2001.**

**Items 65 through 66 were pulled for discussion.**

67. Approve a resolution authorizing execution of Change Order No. 4 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 \$113,359.75 for a total contract amount not to exceed \$1,839,474. (Funding in the amount of \$113,359.75 is included in the 2000-2001 Amended Capital Budget of the Water and Wastewater Utility.) No MBE/WBE subcontracting participation.

**Resolution No. 010524-67 was approved.**

68. Set a public hearing to consider approval of a variance from the Land Development Code to retroactively approve additions to a single-family residence in the 25-year and 100-year floodplains of Waller Creek that have been constructed at elevations less than one foot above the 100-year floodplain, and to waive the requirement to dedicate drainage easement to the full extent of the 100-year floodplain. (Suggested Date and Time: June 7, 2001 at 6:00 p.m.)

**Resolution No. 010524-68 was approved.**

**Items 69 through 70 were pulled for discussion.**

71. Approve an ordinance designating an Early Learning Opportunities Advisory Council for the purpose of applying for an Early Learning Opportunities Act Discretionary Grant from the Child Care Bureau, U.S. Department of Health and Human Services. (Mayor Pro Tem Jackie Goodman and Council Member Daryl Slusher)

**Ordinance No. 010524-71 was approved.**

**Items 72 through 81 were citizen communications.**

**Items 82 through 94 were zoning items.**

**Items 95 through 98 were discussion items.**

99. Brackenridge Hospital Oversight Council

|                 |             |           |
|-----------------|-------------|-----------|
| Carol Friedholm | appointment | Consensus |
|-----------------|-------------|-----------|

Child Care Council

|                  |             |           |
|------------------|-------------|-----------|
| Cynthia Sprout   | appointment | Consensus |
| Louann Aponte    | appointment | Consensus |
| James Strickland | appointment | Consensus |
| Ann Lawler       | appointment | Consensus |

Commission for Women

|                   |             |          |
|-------------------|-------------|----------|
| Catherine Hawkins | appointment | Griffith |
|-------------------|-------------|----------|

Downtown Commission

|                |             |           |
|----------------|-------------|-----------|
| Richard Halpin | appointment | Consensus |
|----------------|-------------|-----------|

First Workers' Corporation

|                |             |           |
|----------------|-------------|-----------|
| Yolanda Guzman | appointment | Consensus |
|----------------|-------------|-----------|

Robert Martinez

appointment

Consensus

Human Rights Commission

Steve Alvarez

appointment

Alvarez

BRIEFINGS

2. Staff briefing on Strategic Traffic Enforcement Strategies.  
The presentation was made by Chief Stanley Knee and Assistant Chief James Chapman of the Austin Police Department.

DISCUSSION ITEMS

70. Consider a resolution concerning landfill monitoring and contract requirements and the extension of Waste Management, Inc. contracts. (Council Member Danny Thomas, Mayor Pro Tem Jackie Goodman and Council Member Griffith)  
Resolution No. 010524-70 was approved with amendment on Mayor Pro Tem Goodman's motion, Mayor Watson's second by a 6-0 vote. Council Member Griffith was absent. The amendment was to direct the City Manager to contact the Texas Natural Resource Conservation Commission to discuss a process for sampling of the tributaries.
15. Approve a resolution authorizing amendment #1 to the contract between the City of Austin, Travis County, and the Capital Area Homeless Alliance (CAHA) for the operation of an overnight emergency shelter for men for the period of August 15, 2001 through December 31, 2001, in an amount not to exceed \$121,087 (\$121,087 City; \$0 County), for a total contract amount not to exceed \$478,064 (\$404,984 City; \$73,080 County). (Funding in the amount of \$40,362 is available in the Fiscal Year 2000-2001 Amended Operating Budget of the Health and Human Services Department. The contract period is January 1, 2001 through December 31, 2001. Funding for the remaining three months of the contract period is contingent upon available funding in future budgets.)  
Resolution No. 010524-15 was approved on Council Member Slusher's motion, Council Member Wynn's second by a 6-0 vote. Council Member Griffith was absent.
36. Approve an ordinance prohibiting sitting or lying down on public sidewalks in the Central Business District.  
The motion to postpone this item until June 7, 2001 failed on Council Member Thomas' motion, Mayor Pro Tem Goodman's second by a 2-4 vote. Those voting aye were: Council Members Alvarez and Thomas. Those voting nay were: Mayor Watson, Mayor Pro Tem Goodman and Council Members Slusher and Wynn. Council Member Griffith was absent.  
  
The first reading of this ordinance was approved with amendments on Council Member Slusher's motion, Council Member Wynn's second by a 4-2 vote. Those voting aye were: Mayor Watson, Mayor Pro Tem Goodman and Council Members Slusher and Wynn. Those voting nay were: Council Members Alvarez and Thomas. Council Member Griffith was absent. The amendments made by Mayor Pro Tem Goodman were to add at the beginning of 10-1-26(B) the words "The Council finds that"; to delete the words "disturbing and" from 10-1-26(B)(2); and to change 10-1-26(B)(3) to read, "discourage, block, or inhibit the free passage of pedestrians."
29. C14-00-2212 – Approve second/third readings of an ordinance amending 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. First Reading on April 26, 2001; Vote: 4-3, Goodman, Griffith and Slusher nay. Conditions met as follows: Conditional overlay incorporates the conditions imposed by City Council at first reading. 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 second reading of this ordinance was approved on Council Member Wynn's motion, Council Member Thomas' second by a 4-2 vote. Those voting aye were: Mayor Watson and Council Members Alvarez, Thomas and Wynn. Those voting nay were: Mayor Pro Tem Goodman and Council Member Slusher. Council Member Griffith was absent.

42. Approve a resolution authorizing execution of Amendment No. 2, to increase a professional services contract with COMPETITIVE COMMUNICATIONS GROUP to complete an audit of Southern Union Gas Company's commodity cost, increasing the agreement in an amount not to exceed \$18,000 for a total contract amount not to exceed \$60,000. (Funding in the amount of \$18,000 is available in 2000-2001 Approved Budget for the Financial and Administrative Services Department.) This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. There is no opportunity for subcontracting, therefore, no goals were established.

Resolution No. 010524-24 was approved on Council Member Slusher's motion, Council Member Wynn's second by a 6-0 vote. Council Member Griffith was absent.

The motion to recess the meeting at 1:15 p.m. was approved on Council Member Slusher's motion, Council Member Alvarez' second by a 6-0 vote. Council Member Griffith was absent.

Mayor Watson called the meeting back to order at 1:33 p.m.

#### 1:30 P.M. CITIZEN COMMUNICATIONS: GENERAL

- 72. Jennifer L. Gale - The Committee To Politically Overthrow The Austin City Government.
- 73. Gus Pena - To discuss the City Budget Library P.A.R.D., Housing, To discuss Community Needs
- 74. Jimmy Castro - Children's Miracle Network telethon
- 75. Pat Valls-Trelles - Animal Issues
- 76. Susana Almanza - Must Resolve Gentrification - ABSENT
- 77. Dr. Sylvia Herrera - Govalle Neighborhood Plan, Zoning in East Austin
- 78. John Sanford – The Austin E.T.J. that surrounds Buda and blocks the natural growth of Buda.
- 79. Brenda A. Cunningham - Seaholm Power Plant Decommissioning Project - ABSENT
- 80. Jose Quintero - Gentrification, Gentrification, Smart Growth Process
- 81. Ericka Gonzalez - Gentrification

#### DISCUSSION ITEMS CONTINUED

Item 25 was approved but was re-considered later in the meeting.

The motion to recess the meeting at 2:43 p.m. and to go into Executive Session was approved Council Member Alvarez' motion, Mayor Watson's second by a 6-0 vote. Council Member Griffith was absent.

#### 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.

7. Discuss acquisition of real property located at 1501-1699 Frontier Valley Drive and 7300-7320 East Riverside Drive, also known as the Jockey Club.

Mayor Watson announced that items 16 through 20 would also be discussed.

Executive session ended at 3:35 p.m.

#### DISCUSSION ITEMS CONTINUED

25. C14-00-2062 - Robertson Hill - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 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 with conditions. First Reading on May 3, 2001; Vote 5-2, Griffith and Slusher nay. Conditions met as follows: Conditional overlay incorporates the conditions approved by Council at first reading. 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: Neighborhood Planning and Zoning Department. City Staff: Adam Smith, 499-2755. Note: Valid petitions have been filed in opposition to this rezoning request. The second reading of this ordinance, adopting Tracts 1 through 7, excluding the property located at 809 E. 9<sup>th</sup> Street, was approved on Council Member Alvarez' motion, Council Member Thomas' second by a 4-2 vote. Those voting aye were: Mayor Watson and Council Members Alvarez, Thomas and Wynn. Those voting nay were: Mayor Pro Tem Goodman and Council Member Slusher. Council Member Griffith was absent.

Ordinance No. 010524-25 was approved, adopting Tracts 8 and 9 and changing the zoning to SF-3 zoning for properties located at 809 E. 9<sup>th</sup>, 819 E. 8<sup>th</sup> and 901 E. 8<sup>th</sup> Street on Council Member Alvarez' motion, Council member Thomas' second by a 6-0 vote. Council Member Griffith was absent.

The motion to re-consider this item to obtain clarification from staff, was approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second by a 6-0 vote. Council Member Griffith was absent.

Ordinance No. 010524-25 was approved with the following rezoning on Council Member Alvarez' motion, Council Member Thomas' second by a 6-0 vote. Council Member Griffith was absent. The property located at 809 E. 9<sup>th</sup>, 819 E. 8<sup>th</sup> and 901 E. 8<sup>th</sup> Street were zoned SF-3-NCCD with residential use only.

The motion to approve Tract 8 on second reading, adopting the Planning Commission's recommendation, excluding the Guadalupe Tracts, was made on Council Member Thomas' motion, Council Member Alvarez' second by a 6-0 vote. Council Member Griffith was absent.

The motion to approve Tract 9 on second reading, changing the zoning to GR-MU-CO with general restaurant use only, was approved with a friendly amendment on Council Member Thomas' motion, Mayor Pro Tem Goodman's second by a 4-2. Those voting aye were: Mayor Watson, Mayor Pro Tem Goodman and Council Members Thomas and Wynn. Those voting nay were: Council Members Alvarez and Slusher. Council Member Griffith was absent. The friendly amendment made by Mayor Pro Tem Goodman was to impose a restriction of 1800 square feet for the restaurant use. This was accepted by the maker of the motion.

23. Approve a resolution authorizing the negotiation and execution of a development agreement with Riata Partners L.L.C. under the City's Smart Growth Initiative and Chapter 380 of the Local Government Code, to encourage development of the area 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 ("Robertson Hill").  
The motion to postpone this item until the zoning for the remaining tracts of "Robertson Hill" have been approved, was approved on Mayor Pro Tem Goodman's motion, Council Member Thomas' second by a 6-0 vote. Council Member Griffith was absent.
24. Approve an ordinance waiving certain fees for the construction of infrastructure and rights of way, and for the purchase of rights of way and easement dedications; waiving certain requirements under Chapter 25-9 of the City Code, and approving economic development grants under Chapter 380 of the Local Government Code, to Riata Partners L.L.C. for development of the area 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 ("Robertson Hill").  
The motion to postpone this item until the zoning for the remaining tracts of "Robertson Hill" have been approved, was approved on Mayor Pro Tem Goodman's motion, Council Member Thomas' second by a 6-0 vote. Council Member Griffith was absent.
69. Approve an ordinance extending the interim development controls applicable to the portion of Subdistrict 3 of the East 11<sup>th</sup> Street Neighborhood Conservation Combining District located south of East 11<sup>th</sup> Street (the "Bennett Tract"). (Council Member Raul Alvarez and Council Member Danny Thomas)  
Ordinance No. 010524-69, extending the moratorium to June 8, 2001, was approved on Council Member Alvarez' motion, Council Member Thomas' second by a 6-0 vote. Council Member Griffith was absent.
16. Amend Ordinance No. 000912-01, the 2000-2001 Operating Budget of Electric Utility Department by transferring \$ 2,800,000 from the beginning balance and appropriating it for a short-term inter-fund loan; and Amend Ordinance No. 000912-02, the 2000-2001 Amended Capital Budget of the Neighborhood Housing & Community Development Department by increasing appropriations by \$ 2,800,000 and creating a new project known as the Colony Park – Housing Land Acquisition project. (Funding will be provided from the proceeds of an inter-fund loan with Electric Utility Department. In addition to these proceeds, current appropriations of \$700,000 in the Destination Parks project will be utilized in the related item for the purchase of 258 acres in the Colony Park neighborhood area, at a total cost of \$3,500,000.) (Related to Item Nos. 17, 18, 19 and 20)  
Ordinance No. 010524-16 was approved with a friendly amendment on Council Member Thomas' motion, Council Member Alvarez' second by a 6-0 vote. Council Member Griffith was absent. The friendly amendment made by Council Member Wynn was to increase the design time to 90 days. This was accepted by the maker of the motion and by Council Member Alvarez who made the second.

17. Approve a resolution authorizing the negotiation and execution of a contract for the purchase of approximately 258 acres in fee simple located along Loyola Lane from Haythem Dawlett and John Scardino in an amount not to exceed \$3,500,000. (Funding in the amount of \$700,000 was included in the 2000-2001 Amended CIP Budget of the Parks and Recreation Department. \$2,800,000 will be available in a short-term inter-departmental loan from Electrical Utility Department.) (Related to Item Nos. 16, 18, 19 and 20)  
**Resolution No. 010524-17 was approved with a friendly amendment on Council Member Thomas' motion, Council Member Alvarez' second by a 6-0 vote. Council Member Griffith was absent. The friendly amendment made by Council Member Wynn was to increase the design time to 90 days. This was accepted by the maker of the motion and by Council Member Alvarez who made the second.**
18. Approve an ordinance to transfer to the Austin Housing Finance Corporation an estimated 208 acres of property located along Loyola Lane in the Colony Park neighborhood for the purpose of the development of low and moderate-income housing. (Acquisition of the property will be financed through the City of Austin.) (Related to Item Nos. 16, 17, 19 and 20)  
**Ordinance No. 010524-18 was approved with a friendly amendment on Council Member Thomas' motion, Council Member Alvarez' second by a 6-0 vote. Council Member Griffith was absent. The friendly amendment made by Council Member Wynn was to increase the design time to 90 days. This was accepted by the maker of the motion and by Council Member Alvarez who made the second.**
19. Amend Ordinance No. 000912-02, the 2000-2001 Amended Capital Budget of the Parks and Recreation Department by increasing appropriations by \$1,000,000 and creating a new parks project known as "Colony Park – Recreation Center and Park Development. (Funding will be provided from the proceeds of future debt issuance; authorized in Prop. 2 "Destination Parks" of the November 1998 General Obligation Bonds. The current appropriation is supported by the accompanied reimbursement resolution.) (Related to Item Nos. 16, 17, 18 and 20)  
**Ordinance No. 010524-19 was approved with a friendly amendment on Council Member Thomas' motion, Council Member Alvarez' second by a 6-0 vote. Council Member Griffith was absent. The friendly amendment made by Council Member Wynn was to increase the design time to 90 days. This was accepted by the maker of the motion and by Council Member Alvarez who made the second.**
20. Approve a resolution to declare official intent to reimburse \$1,000,000 in architectural/engineering and related design costs for the Colony Park – Recreation Center and Park Development project. (The amount of \$1,000,000 to be reimbursed from the proceeds of long term debt, authorized under Prop. 2 "Destination Parks" of the November 1998 General Obligation Bonds.) (Related to Item Nos. 16, 17, 18 and 19)  
**Resolution No. 010524-20 was approved with a friendly amendment on Council Member Thomas' motion, Council Member Alvarez' second by a 6-0 vote. Council Member Griffith was absent. The friendly amendment made by Council Member Wynn was to increase the design time to 90 days. This was accepted by the maker of the motion and by Council Member Alvarez who made the second.**

The motion to recess the meeting at 3:59 p.m. was approved on Mayor Pro Tem Goodman's motion, Mayor Watson's second by a 6-0 vote. Council Member Griffith was absent.

Mayor Watson called to order the Board of Director's meeting of the Austin Housing Finance Corporation at 4:00 p.m. See the separate minutes for this meeting.

Mayor Watson called the meeting back to order at 4:03 p.m.

ZONING DISCUSSION

82. C14-88-0103 – Bennett Tract – Public hearing to amend Chapter 25-2 of the Austin City Code by terminating a restrictive covenant for property at East 11<sup>th</sup> Street on the north, the alley between East 7<sup>th</sup> & East 8<sup>th</sup> Streets on the south, Interstate Highway 35 South on the west, and San Marcos on the east (Waller Creek Watershed). Planning Commission Recommendation: Not forwarded to the Planning Commission. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. Staff: Adam Smith, 499-2755. (continued from 4/19/01 and 5/3/01)  
**The restrictive covenant was terminated on Mayor Pro Tem Goodman's motion, Council Member Thomas' second by a 6-0. Council Member Griffith was absent.**

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 Thomas' motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Council Member Griffith was absent.

83. C14-00-2240 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as Northcape Drive, between Middle Fiskville Road and Dallum Drive (Little Walnut Creek Watershed) from MF-2, Multifamily Residence Low Density district zoning to W/LO, Warehouse Limited Office district zoning for Tract 1 and LO, Limited Office district zoning for Tract 2. Planning Commission Recommendation: To grant W/LO-CO, Warehouse Limited Office-Conditional Overlay Combining district zoning with conditions for Tract 1 and LO-CO, Limited Office-Conditional Overlay Combining district zoning with conditions for Tract 2. Applicant: Austin Trust Company (Sue Letter). Agent: Con-Real, Inc. (Troy C. Alley, Jr). City Staff: Annick Beaudet, 499-3072.  
**The first reading of this ordinance was approved.**
84. 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. Note: A valid petition has been filed in opposition to this rezoning request. (continued from 4/19/01 and 5/10/01)  
**This item was postponed until June 7, 2001 at the neighborhood and applicant's request.**
85. 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. (continued from 4/26/01, 5/3/01 and 5/10/01)  
**This item was postponed until August 2, 2001 at the applicant's request.**
86. 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. (continued from 4/26/01, 5/3/01 and 5/10/01)

**This item was postponed until August 2, 2001 at the applicant's request.**

87. 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. (continued from 4/26/01, 5/3/01 and 5/10/01)

**This item was postponed until August 2, 2001 at the applicant's request.**

88. 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. (continued from 4/26/01, 5/3/01 and 5/10/01)

**This item was postponed until August 2, 2001 at the applicant's request.**

89. 14-01-0024 – 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. (continued from 4/26/01, 5/3/01 and 5/10/01)

**This item was postponed until August 2, 2001 at the applicant's request.**

90. 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. (continued from 4/26/01, 5/3/01 and 5/10/01)

**This item was postponed until August 2, 2001 at the applicant's request.**

91. 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. (continued from 4/26/01, 5/3/01 and 5/10/01)

**This item was postponed until August 2, 2001 at the applicant's request.**

92. 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. (continued from 4/26/01, 5/3/01 and 5/10/01)

**This item was postponed until August 2, 2001 at the applicant's request.**

93. 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. (continued from 4/26/01, 5/3/01 and 5/10/01)

**This item was postponed until August 2, 2001 by the applicant's request.**

### **ZONING DISCUSSION ITEMS CONTINUED**

94. C14-01-0037 - North Austin Civic Association Neighborhood - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning the property generally known as the North Austin Civic Association Neighborhood Plan (NP) combining district bounded by Kramer Lane on the north, Research Boulevard on the south, Lamar Boulevard on the east and Metric Boulevard on the west (Little Walnut Creek Watershed):

To add a NP, Neighborhood Plan combining district to each base zoning district within the property;

To change the base zoning districts on 24 tracts of land from SF-2, Single Family Residence Standard Lot district, SF-3, Family Residence Standard Lot district, MF-2, Multifamily Residence Low Density district, MF-3, Multifamily Residence Medium Density district, LO, Limited Office district, LR, Neighborhood Commercial district, GR, Community Commercial district, CS, General Commercial Services district, CS-1, Commercial Liquor-Sales district, and LI, Limited Industrial Services district zoning to MF-2-NP, Multifamily Residence Low Density - Neighborhood Plan Combining district, NO-NP, Neighborhood Office-Neighborhood Plan Combining district, LO-NP, Limited Office-Neighborhood Plan Combining district, GR-NP, Community Commercial-Neighborhood Plan Combining district, CS-NP, General Commercial Services-Neighborhood Plan Combining district, P-NP, Public-Neighborhood Planning Combining district and LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning with conditions;

To add a neighborhood mixed use building special use for Tracts 13, 14, 16, 17, and 18; and

To add residential infill special use for Tracts 11 and 20.

Planning Commission Recommendation: To add the NP, Neighborhood Plan combining district to each base zoning district within the property; to change the base zoning districts on 24 tracts of land to MF-2-NP, Multifamily Residence Low Density -Neighborhood Plan Combining district, NO-NP, Neighborhood Office-Neighborhood Plan Combining district, LO-NP, Limited Office-Neighborhood Plan Combining district, GR-NP, Community Commercial-Neighborhood Plan Combining district, CS-NP, General Commercial Services-Neighborhood Plan Combining district, P-NP, Public-Neighborhood Planning Combining district and LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning with conditions; to add a neighborhood mixed use building special use for Tracts 13, 14, 16, 17, and 18; and to add residential infill special use for Tracts 11 and 20. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Annick Beaudet and Katie Larsen, 499-3072, and Scott Whiteman, 499-2865.

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

Ordinance No. 010524-94, excluding Tract 9, was approved on Mayor Pro Tem Goodman's motion, Council Member Alvarez' second by a 6-0 vote. Council Member Griffith was absent.

The motion to approve CSNP zoning for Tract 9, adopting the Neighborhood Plan recommendation, was made on Mayor Pro Tem Goodman's motion, Council Member Slusher's second by a 6-0 vote. Council Member Griffith was absent.

The motion to re-consider this item, to allow a citizen to speak, was approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second by a 6-0 vote. Council Member Griffith was absent.

The motion to approve Tract 9 on first reading, adopting the Neighborhood Plan recommendation, and directing staff to determine what zoning is needed to accommodate applicant's potential or anticipated future uses, was made on Mayor Pro Tem Goodman's motion, Mayor Watson's second by a 6-0 vote. Council Member Griffith was absent.

62. Approve a resolution authorizing execution of amendment No. 6 of the contract with BUSINESS RESOURCE CONSULTANTS (MBE/FB), Austin, Texas, for Development Assistance Services to extend the contract on a month-to-month basis, not to exceed 8-months, in an amount not to exceed \$70,574, to provide African-American owned construction businesses with a support network and technical assistance needed to succeed in competitive markets, for a total contract amount not to exceed \$537,058.90. (Funding for \$44,108 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.) 36.4% MBE, 0% WBE subcontracting participation.
- Resolution No. 010524-62 was approved, directing staff to meet with each organization involved and to report back to Council in 60 days with a status report, on Council Member Thomas' motion, Council Member Wynn's second by a 6-0 vote. Council Member Griffith was absent.

The motion to recess the meeting at 5:30 p.m. was approved on Mayor Pro Tem Goodman's motion, Mayor Watson's second by a 6-0 vote. Council Member Griffith was absent.

Mayor Watson called the meeting back to order at 6:15 p.m.

The motion to recess the meeting at 6:15 p.m. and to go into Executive Session was approved Council Member Wynn's motion, Mayor Watson's second by a 6-0 vote. Council Member Griffith was absent.

#### 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 *Northtown Municipal Utility District, et al. v. City of Austin*, Cause No. GV-00e658, in the Travis County District Court.

4. Discuss *Al Foltz, et al., v. Eco Resources, Inc., et al.*, Cause No. 00318C368 in Williamson County District Court and *Freitag, et al., v. Eco Resources, Inc., et al.*, Cause No. GN001914 in Travis County District Court.
5. Discuss legal issues related to Southern Union Gas practices and tariff.
6. Discuss legal issues related to the Cedar Avenue Mediation

**Executive session ended at 6:30 p.m.**

**Mayor Watson called the meeting back to order.**

**DISCUSSION ITEMS CONTINUED**

8. Consider action on proposals to resolve issues discussed in the Cedar Avenue mediation. **Resolution No. 010524-8 was approved on Council Member Thomas' motion, Council Member Wynn's second by a 5-1 vote. Council Member Slusher voted no. Council Member Griffith was absent.**

95. Conduct a public hearing for the full purpose annexation of the following areas:
  - a.) River Place Blvd (Approximately 9 acres of River Place Blvd. and Bonaventure Dr. ROW between Merrywing Cir. and Bonaventure Dr. and approximately 3 acres on the east side of River Place Blvd. at the intersection of Bonaventure Dr. and River Place Blvd.)
  - b.) Nagle Tract (approximately 21 acres located in eastern Travis County at the northeast corner of the intersection of US 290 and Blue Goose Road).

**The public hearing for the River Place Boulevard Tract was closed on Council Member Wynn's motion, Council Member Thomas' second by a 6-0 vote. Council Member Griffith was absent.**

**The public hearing for the Nagle Tract was closed on Council Member Slusher's motion, Council Member Alvarez' second by a 6-0 vote. Council Member Griffith was absent.**

96. Conduct a public hearing to receive citizen comments on the City's proposed annual federal Action Plan, 2001-2002 to the U.S. Department of Housing and Urban Development (HUD) and State and Chapter 373 Community Development 2001-2002 Program, which includes proposed funding allocations. [Funding in the amount of \$13,494,000 is expected to be available from four U.S. Department of Housing and Urban Development (HUD) entitlement grants: \$8,508,000 from Community Development Block Grant (CDBG); \$3,499,000 from HOME Investment Partnerships (HOME); \$285,000 from Emergency Shelter Grant (ESG), and \$1,202,000 from Housing Opportunities for Persons with Aids (HOPWA). Additional monies from the General Revenue Fund for local match and program income will also be included. These amounts have not yet been determined.]

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

97. Conduct a public hearing and approve an ordinance amending the Austin Tomorrow Comprehensive Plan by approving amendments to the Austin Metropolitan Area Transportation Plan (AMATP). (No amendments are recommended for MoPac as proposed in the U.S. 183/HOV Study. (Recommended by Urban Transportation Commission, Environmental Board, and Planning Commission)

**The public hearing was closed on Council Member Slusher's motion, Mayor Pro Tem Goodman's second by a 5-0 vote. Council Member Griffith was absent. Council Member Wynn was off the dais.**

98. Consider approval of an ordinance on proposed amendments to the Austin Tomorrow Comprehensive Plan by approving amendments to the Austin Metropolitan Area Transportation Plan (AMATP). (No amendments are recommended for MoPac as proposed in the U.S. 183/HOV Study. (Recommended by Urban Transportation Commission, Environmental Board and Planning Commission))

**This item was postponed until June 7, 2001.**

65. Amend Ordinance No. 000912-2 the 2000-2001 Capital Budget of the Transportation, Planning and Design Department by:

Appropriating \$1,000,000 to a new account entitled "Shoal Creek Trail Improvements" (CMTA Funding) to provide funding for improvements to the Shoal Creek hike and bike trail between Town Lake and West Fifth Street;

Increasing the appropriation for the Sidewalks (CMTA Funding) Project by \$641,450 for installation of sidewalks along arterials and in neighborhoods;

Increasing the appropriation for the Bicycle Projects (CMTA Funding) Project by \$810,550 to increase the Boggy Creek TEA – 21 match;

Increasing the appropriation for the Friedrich Lane (CMTA Funding) Project by \$500,000 for reconstruction of that roadway;

Increasing the appropriation for the Great Streets/Traditional Neighborhood Corridors (CMTA Funding) Project by \$1,598,000 to increase the Congress Avenue Bridge TEA – 21 match; and to provide for the West 23<sup>rd</sup> Safe Street Sub-Project of the Guadalupe Street Improvements Project.

(The amount of \$4,550,000 in revenue is available from an interlocal agreement with Capital Metropolitan Transportation Authority.)

**Ordinance No. 010524-65 was approved with the following friendly amendment on Council Member Slusher's motion, Mayor Watson's second by a 6-0 vote. Council Member Griffith was absent. The friendly amendment made by Council Member Wynn was to reduce the local match for all three of the TEA-21 projects from 52% to 40%; to allocate the funds from Boggy Creek and Congress Avenue Bridge projects, totaling \$565, 000, to sidewalk projects; and keep the Walnut Creek funds with the Walnut Creek project. This was accepted by the maker of the motion and by Mayor Watson who made the second.**

66. Approve a resolution nominating projects for funding through the Statewide Transportation Enhancement Program of the Texas Department of Transportation, and certifying the availability of matching funds for proposed projects. (The City's match for funding the Walnut Creek Trail is \$2,105,383; funding is available in the [2002] PARD Capital Improvement Program [1998 Bond]. The City's match for funding the Upper Boggy Creek Trail is \$1,210,560; funding is available in the [2001] CMTA refund. The City's match for funding the Congress Avenue Bridge Enhancement is \$1,248,000; funding is available in [2001] refund.) (Design Commission Review – 5/7/01; Downtown Commission and Urban Transportation Commission Review – 5/21/01 and Park and Recreation Board Review – 5/22/01)

**Resolution No. 010524-66 was approved with the following amendment on Council Member Wynn's motion, Council Member Slusher's second by a 6-0 vote. Council Member Griffith was absent. Council Member Wynn's amendment was to reduce the local match percentage of all three TEA-21 projects from the current level of 52% to a revised level of 40%.**

**The motion to adjourn the meeting at 9:59 p.m. was approved on Council Member Thomas' motion, Council Member Slusher's second by a 6-0 vote. Council Member Griffith was absent.**

**The motion to approve the minutes for the regular meeting of May 24, 2001 was made on Mayor Pro Tem Goodman's motion, Council Member Alvarez' second by a 7-0 vote.**