



Austin City Council
MINUTES

REGULAR MEETING
THURSDAY, AUGUST 23, 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, August 23, 2001 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

Mayor Watson called the meeting to order at 10:03 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 Council Member Thomas' motion, Council Member Wynn's second by a 7-0 vote.

1. Approval of the amended minutes for regular meeting of July 19, 2001, Special Called Meetings of August 2, 2001, August 6, 2001, August 9, 2001 and the minutes for regular meeting of August 9, 2001.

The amended minutes for the regular meeting of July 19, 2001, Special Called Meetings of August 2, August 6, and August 9, 2001 and the minutes for regular meeting of August 9, 2001 were approved.

Item 2 was a briefing.

Items 3 through 8 were budget presentations.

Items 9 through 12 were Executive Session items.

Items 13 through 16 were pulled for discussion.

17. Approve a resolution authorizing execution of the First Amendment to the Catering and Concession Service Agreement (Amendment) between Fine Host Corporation (Fine Host) and the City of Austin (City) dated November 24, 1997. The Amendment will increase the term of the contract by five years (to 2012), set the initial periodic fixed fee at \$33,333.33 per month, provide for an incentive-based annual bonus not to exceed \$21,052.63, designate Fine Host the exclusive caterer at the Convention Center facility only (non-exclusive for catering at the Town Lake Park

Community Events Center) and require an investment by Fine Host of \$1,500,000 in kitchen equipment for the catering and concession operation as agreed upon by Fine Host and the City. The amendment also allows for a five year extension, under the same financial terms, that may be exercised at the sole discretion of the City. This contract was awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. There is no change in the subcontracting participation for this amendment. (continued from July 19, 2001)

Resolution No. 010823-17 was approved.

Items 18 through 19 were pulled for discussion.

20. Approve a resolution authorizing execution of a construction contract with SOUTHWEST CORPORATION, Austin, Texas, for construction of a covered loading dock at the Kramer Lane Service Center, in the amount of \$ 221,000, plus \$ 44,200 to be used as a contingency for change orders for a total amount not to exceed \$ 265,200. (Funding is available in the 2000-2001 Amended Capital Budget of the Electric Utility Department.) Lowest of five bids received. .21% MBE, 2.84% WBE subcontracting participation.

Resolution No. 010823-20 was approved.

21. Approve an ordinance authorizing acceptance of a grant award from the U. S. Department of Energy (DOE), in the amount of \$49,795, and amend Ordinance No. 000912-01, the 2000-2001 Amended Operating Budget, by increasing grant funding and grant expenditures by \$49,795 in the Electric Utility Department Special Revenue Fund to fund continued participation in the Million Solar Roofs Initiative Small Grant Program for State and Local Partnerships. (Funding in the amount of \$49,795 from the Department of Energy (DOE), for the grant period which expires August 31, 2002. The City of Austin is not required to provide an in-kind match.) (Resource Management Commission Review – 8/21/01)

Ordinance No. 010823-21 was approved.

22. Amend Ordinance No. 000912-1, the 2000-2001 Operating Budget of the Primary Care Department's Travis County Reimbursed Funding by adding one FTE Patient Account Representative, increasing the number of Primary Care's Travis County Reimbursed FTE's from 37.35 to 38.35. (The amount of \$5,744 – Travis County reimbursements for the position. Funding will be an expense fund. No change to the departmental appropriations required.)

Ordinance No. 010823-22 was approved.

Item 23 was pulled for discussion.

24. Approve a resolution authorizing negotiation and execution of two contracts with Family Eldercare, Inc. for services to the elderly. (1) Interim contract from June 1, 2001 through September 30, 2001 in an amount not to exceed \$40,000; (2) One-year contract for \$120,000 from October 1, 2001 through September 30, 2002 with two one-year extension options for a total contract amount not to exceed \$360,000. [Funding is available from 24th and 26th Year Community Development Block Grant (CDBG) funds. Grant periods are October 1, 1998 to September 30, 1999 and October 1, 2000 to September 30, 2001. Contract performance period is June 1, 2001 to September 30, 2001; (2) \$120,000. Funding is available from 26th and anticipated 27th Year CDBG funds. Grant periods are October 1, 2000 to September 30, 2001, and October 1, 2001 to September 30, 2002. Contract performance period is from October 1, 2001 to September 30, 2002. Funding for extension options is contingent upon available funding in future budgets.)]

Resolution No. 010823-24 was approved.

25. Approve an resolution authorizing an amendment to the legal services contract with Bracewell & Patterson, L.L.P., for legal services concerning the City's applications to the Texas Natural Resource Conservation Commission for Certificates of Convenience and Necessity to provide water and wastewater utility service within the City's extraterritorial jurisdiction for an increase of \$158,000, with a total contract amount not to exceed \$200,000. (Funding in the amount of \$158,000 is included in the 2000-2001 Approved Operating Budget of the Water & Wastewater Department.)

Resolution No. 010823-25 was approved.

26. Approve a ordinance authorizing acceptance of an additional \$6,000 in grant funds from the Texas State Library to provide interlibrary loan services through the Austin Public Library, Central Texas Library System; amend Ordinance 000912-1, the 2000-2001 Operating Budget, amending the Library Special Revenue Fund by appropriating an additional \$6,000 for a total grant amount of \$250,752. (Funding in the amount of \$6,000 from the Texas State Library. Total grant amount is \$250,752. The grant period is September 1, 2000 through August 31, 2001.)

Ordinance No. 010823-26 was approved.

27. Set a public hearing to consider a proposed neighborhood plan for the Montopolis Neighborhood Planning Area, the area bounded by the Colorado River to the north, US Highway 183 to the east, Ben White Blvd to the south, and Grove Blvd to the west. (There is no fiscal impact associated with setting this public hearing. This plan is advisory and does not legally obligate the Council to implement any particular recommendation.) (Suggested Date and Time: Thursday, August 30, 2001 at 6:00 p.m.)

Resolution No. 010823-27 was approved.

28. Approve an ordinance authorizing a Ninth Amendment to the Agreement Concerning Creation and Operation of the North Austin Municipal Utility District (MUD) No.1. This amendment will revise the district land use plan by modifying the use of an 11.5 acre tract owned by Sage Land Company, Inc. and located within the MUD from Multifamily to Multifamily and Office use. (This action will not have a budgetary impact.) (Recommended by Planning Commission)

Ordinance No. 010823-28 was approved.

29. C14-01-0042 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6215 FM 969 (Walnut Creek) from LO, Limited Office district zoning to LR-CO, Neighborhood Commercial-Conditional Overlay Combining district zoning. First reading July 19, 2001; Vote: 6-0, Watson-absent. Conditions met as follows: Conditional overlay incorporates the conditions approved by Council at first reading. Applicant: Oscar Romelien. Agent: American Environmental Consulting (Phil Moncada). City Staff: Adam Smith, 974-2755.

Ordinance No. 010823-29 was approved.

Item 30 was pulled for discussion.

31. Approve a resolution authorizing execution of a construction contract with SPAWGLASS CONTRACTORS, INC., Selma, Texas, for the North Service Center located at 10414 McKalla Place in the amount of \$13,607,000. (Funding in the amount of \$10,428,380 was included in the 2000-2001 Capital Budget of the Water & Wastewater Utility and \$3,178,620 is included in the 2000-2001 Capital Budget of the Financial & Administrative Services Department.) Lowest of seven bids received. 8.72% MBE, .72% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

This item was postponed until August 30, 2001.

32. Approve a resolution authorizing execution of a construction contract with GARCIA GENERAL CONTRACTORS, INC. (DBE/MH), Austin, Texas, for concrete sidewalk on Woodward Street from IH 35 to Ben White Boulevard, in the amount of \$82,847. (Funding is available in the 1999-2000 and 2000-2001 Capital Budgets of the Department of Transportation, Planning & Sustainability.) Second lowest of the six bids received. 90% DBE Prime.
This item was postponed until September 27, 2001.
33. Approve a resolution authorizing execution of a construction contract with LADICO ENTERPRISES, INC., Leander, Texas, for wastewater improvements along Oro Valley Trail to Elkhorn Mountain Trail for the Los Indios Lift Station Relief Wastewater Improvements Project, in the amount of \$835,629.78 plus \$83,562.98 contingency fund, for a total amount not to exceed \$919,192.76. (Funding in the amount of \$919,192.76 was included in the 1995-1996 Amended Capital Budget of the Water & Wastewater Utility.) Lowest of five bids submitted. 23.83% MBE, 8.4% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)
Resolution No. 010823-33 was approved.
- Item 34 was pulled for discussion.**
35. Approve a resolution authorizing negotiation and execution of a professional services agreement for Noise Support Services Consultant with CINNABAR SERVICE COMPANY, Tulsa, OK, to assist with implementing the Austin-Bergstrom International Airport Noise Mitigation Program, for an initial term of five years in an amount not to exceed \$5,250,000, with the option to extend for up to two additional terms of one year each, in an amount not to exceed \$500,000 per extension option, for a total contract amount not to exceed \$6,250,000. (Funding in the amount of \$1,500,000 is available in the current C.I.P. Budget. Funding for future fiscal years is subject to availability of budgeted funds. The program will be funded by the Department of Aviation using airport funds and available Federal Aviation Administration (FAA) grants.) Best of eight qualified RFQs. 45% DBE subcontracting participation. (Airport Advisory Commission Review – 8/21/01)
Resolution No. 010823-35 was approved.
36. Approve an ordinance authorizing the City Manager, or designee, to negotiate and execute a contract assignment for the purchase of approximately 147 acre tract located along Bliss Spillar Road to the Trust for Public Lands (“TPL”).
Ordinance No. 010823-36 was approved.
37. Approve a resolution authorizing execution of a construction contract with SALAS CONSTRUCTORS, INC. (MBE/MH), Austin, Texas, for plumbing repairs at the Women and Children’s Shelter, located at 4523 Tannehill Lane, in the amount of \$64,900. (Funding was included in the Fiscal Year 2000-2001 Operating Budget of the Health & Human Services Department.) Sole Bid. 100% Prime.
Resolution No. 010823-37 was approved.
38. Approve a resolution authorizing negotiation and execution of a contract with ALSTOM, Charleroi, PA, for the purchase of two generator circuit breakers in an amount not to exceed \$791,236, with the option to purchase an additional circuit breaker in an amount not to exceed \$400,016 for a total contract amount not to exceed \$1,191,252. (Funding in the amount of \$791,236 is available in the 2000-2001 Amended Capital Budget for the Electric Utility Department. Funding for the option will be contingent upon available funding in future budgets.) Best Evaluated Proposal/two proposals 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 an equipment purchase, with direct delivery by the manufacturer.

Resolution No. 010823-38 was approved.

39. Approve a resolution authorizing negotiation and execution of a contract with PEERLESS MANUFACTURING COMPANY, Dallas, Texas, for the purchase of a fuel gas conditioning system in an amount not to exceed \$594,410. (Funding is available in the 2000-2001 Amended Capital Budget for the Electric Utility Department.) Best Evaluated Proposer/three proposals 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 an equipment purchase, with direct delivery by the manufacturer

Resolution No. 010823-39 was approved.

40. Approve a resolution authorizing negotiation and execution of a contract with FLOWSERVE, Phillipsburg, NJ, for the purchase of five horizontal pumps in an amount not to exceed \$76,717. (Funding is available in the 2000-2001 Amended Capital Budget for the Electric Utility Department.) Best Evaluated Proposer/four proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore no MBE/WBE goals were established for this solicitation. This contract is for an equipment purchase, with direct delivery by the manufacturer.

Resolution No. 010823-40 was approved.

41. Approve a resolution authorizing execution of a contract with UTILISERVE, Austin, Texas, for the purchase of aluminum bus tubing in an amount not to exceed \$51,583.57. (Funding is available in the Amended 2000-2001 Operating Budget of the Electric Utility Department.) Low bid /three bids 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 contract. This contract is for the purchase of commodities, with direct delivery by manufacturer's distributor.

Resolution No. 010823-41 was approved.

42. Approve a resolution authorizing negotiation and execution of a 36-month agreement with FORE Systems Inc. dba Marconi Services, Warrendale PA, to maintain the City's asynchronous transfer mode (ATM) communications network in an amount not to exceed \$257,600.76. (Funding in the amount of \$14,312 is available in the 2000-2001 Operating Budget of the Transportation, Planning and Sustainability Department. Funding for the remaining 34 months of the agreement is contingent upon available funding in future budgets. A funding out clause will be negotiated into the agreement.) 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 contract.

Resolution No. 010823-42 was approved.

43. Approve a resolution authorizing execution of a contract with HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS COOPERATIVE PURCHASING PROGRAM (H-GAC), Houston, Texas, for the purchase of two pumper fire trucks and two gasoline/electric hybrid compact sedans for the Austin Fire Department in the amount of \$755,755.72. (Funding in the amount of \$357,254.89 is available in the 2000-2001 Vehicle Acquisition Fund; \$41,245.94 is available in the 2000-2001 Operating Budget of the Austin Fire Department. \$357,254.89 was included in the 2000-2001 Capital Budget for the Austin Fire Department.) All of this equipment has been competitively bid through H-GAC.

Resolution No. 010823-43 was approved.

44. Approve a resolution authorizing execution of a contract with SCHOOL SPECIALTY, Austin, Texas, for the purchase and installation of Wilsonstak Library shelving for the St. John Community Center Branch Library in the total amount of \$50,660.49. (Funding was included in the 2000-2001 Capital Budget of the Austin Public Library Department.) Sole Source. School Specialty is the only authorized distributor of Wilsonstak Shelving for the Austin area. Wilsonstak Shelving was chosen by the Library Department in 1996 to be the standard for shelving due to fiscal and safety concerns. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. This is a commodity that will be provided directly by the vendor. There are no subcontracting opportunities, therefore, no goals were established for this solicitation.

Resolution No. 010823-44 was approved.

45. Approve a resolution authorizing execution of 36-month service agreements with TRINITY ENGINEERING/KLEINFELDER COMPANY, Austin, Texas and FLORES TECHNICAL SERVICES, Austin, Texas, construction inspection services for the Department of Public Works in a combined amount of the two agreements not to exceed \$500,000. (Funding is available in the Capital and Operating Budgets of the various departments that will utilize these services.) Low bidders of six bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. This is a service provided directly by the vendor. There are no subcontracting opportunities, therefore, no goals were established for this solicitation.

Resolution No. 010823-45 was approved.

46. Approve a resolution authorizing execution of a 12-month service agreement with TEXAS DISPOSAL SYSTEMS, Austin, Texas, for residential refuse collection service at various four-plex and duplex residents located in the City of Austin Metropolitan area, in an amount not to exceed \$57,600, with two 12-month extension options in an amount not to exceed \$57,600 per extension, for a total contract amount not to exceed \$172,800. (Funding in the amount of \$4,800 was included in the 2000-2001 Operating Budget of Solid Waste Services Department. Funding for the remaining eleven months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid/two bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. This is a service that will be provided directly by the vendor. There are no subcontracting opportunities, therefore, no goals were established for this solicitation. (Recommended by Solid Waste Advisory Board Review)

Resolution No. 010823-46 was approved.

47. Approve a resolution authorizing execution of a 12-month supply agreement with HOME & GARDEN INNOVATIONS, Burlington, VT., for the purchase of rain barrels for the Transportation, Planning, and Sustainability Department, in an amount not to exceed \$134,870.40, with two 12-month extension options in an amount not to exceed \$134,870.40 per extension, for a total contract amount not to exceed \$404,611.20. (Funding in the amount of \$11,239.20 was included in the 2000-2001 Operating Budget for the Transportation, Planning, and Sustainability Department. Funding for the remaining eleven months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid of three bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. The material is provided directly to the City by the contractor. There are no subcontracting opportunities, therefore, no goals were established for this solicitation.

Resolution No. 010823-47 was approved.

48. Approve a resolution authorizing execution of a 12-month service agreement with AGUIRRE PAINT & BODY, INC., Austin, Texas, for rust removal and painting services of fire emergency

vehicles in an amount not to exceed \$100,000 with two 12-month extension options in an amount not to exceed \$100,000 per extension for a total contract amount not to exceed \$300,000. (Funding in the amount of \$8,333 was included in the 2000-2001 Operating Budget for the Fleet Maintenance Fund of the Finance and Administrative Services Department. Funding for the remaining eleven months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bid/ three 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. Vendors utilize their own work force in providing these services to the City.

Resolution No. 010823-48 was approved.

49. Approve a resolution authorizing execution of four 12-month supply agreements with THE HUNTING SHACK, INC., Stevensville, MT, GT DISTRIBUTORS, Austin, Texas, C & G WHOLESALE, Dallas, Texas and PRECISION DELTA CORP., Ruleville, MS, for the purchase of ammunition for the Austin Police Department in amounts not to exceed \$56,175.50, \$47,188, \$23,580 and \$17,245.18 respectively, with two 12-month extension options in amounts not to exceed \$56,175.50, \$47,188, \$23,580 and \$17,245.18 respectively per extension for total contract amounts not to exceed \$168,526.50, \$141,564, \$70,740 and \$51,735.54 respectively. (Funding in the amount of \$12,015.72 was included in the 2000-2001 Approved Operating Budget of the Austin Police Department. Funding for the remaining 11 months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bids/Low bids meeting specification/seven 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. 010823-49 was approved.

50. Approve a resolution authorizing execution of a 12-month supply agreement with VWR Scientific Products, Suwanee, Georgia, to provide laboratory chemicals for the Water and Wastewater Utility, in an amount not to exceed \$60,000 with two 12-month extension options in an amount not to exceed \$60,000 per extension, for a total contract amount not to exceed \$180,000. (The amount of \$60,000 is contingent upon approval of the Fiscal Year 2001-2002 Operating Budget of the Water and Wastewater Utility. Funding for the extension options will be contingent upon available funding in future budgets.) Low bid/two bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. This is a product that will be provided directly by the vendor. There are no subcontracting opportunities; therefore, no goals were established for this solicitation.

Resolution No. 010823-50 was approved.

51. Approve a resolution authorizing execution of a 12-month supply agreement with CAPITOL AGGREGATES, LTD, Austin, Texas, to provide ¾" washed river gravel for the Water and Wastewater Utility, in an amount not to exceed \$115,100 with two 12-month extension options in an amount not to exceed \$115,100 per extension, for a total contract amount not to exceed \$345,300. (Funding in the amount of \$9,591.67 is available in the 2000-2001 Approved Operating Budget of the Water and Wastewater Utility. Funding for the remaining eleven months of the original contract period and extension options will be contingent upon available funding in future budgets.) Sole bid. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. This is a product that will be provided directly by the vendor. There are no subcontracting opportunities, therefore, no goals were established for this solicitation.

Resolution No. 010823-51 was approved.

52. Approve a resolution authorizing execution of a contract with INTERSTATE TRAILERS, INC., Mansfield, Texas, for the purchase of seven various type trailers in the amount of \$75,753.

(Funding in the amount of \$17,964 was included in the 2000-2001 Capital Budget of the Watershed Protection and Development Review Department; \$57,789 was included in the 2000-2001 Capital Budget of the Water and Wastewater Utility Department.) Low bidder/two bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. The recommended awardee will provide the trailers directly to the City. There is no opportunity for subcontracting, therefore, no goals were established for this solicitation.

Resolution No. 010823-52 was approved.

Item 53 was pulled for discussion.

54. Approve a resolution authorizing execution of a contract through the State of Texas Cooperative Purchasing Program, with STEELCASE, INCORPORATED, c/o Rockford Business Interiors, Austin, Texas, for the purchase and installation of furniture for the St. John Community Center to include the St. John Branch Library, Health and Human Services Department, and the Austin Police Department in an amount not to exceed \$91,350.27. (Funding in the amount of \$21,056.04 is included in the 2000-2001 Amended Capital Budget of the Austin Public Library Department, and \$70,294.23 is included in the 2000-2001 Amended Capital Budget of the Parks and Recreation Department.)

Resolution No. 010823-54 was approved.

55. Approve a resolution authorizing execution of a construction contract award with INFRASTRUCTURE SERVICES INC, Houston, Texas, for the construction of traffic calming measures on various city streets within the River Oaks Lakes neighborhood area, as part of the Neighborhood Traffic Calming Program, in the amount of \$314,210.05. (Funding is included in the Amended 2000-2001 Capital Budget of the Transportation, Planning and Sustainability Department.) Lowest compliant of the three bids received. 24.57% MBE, 5.10% WBE subcontracting participation.

Resolution No. 010823-55 was approved.

56. Approve a resolution authorizing execution of a construction contract award with INFRASTRUCTURE SERVICES INC, Houston, Texas, for the construction of traffic calming measures on various city streets within the Southwest Oaks neighborhood area, in the amount of \$194,931.20. (Funding is included in the Amended 2000-2001 Capital Budget of the Transportation, Planning and Sustainability Department.) Lowest of three bids received. 14.36% MBE, 4.62% WBE subcontracting participation.

Resolution No. 010823-56 was approved.

57. Approve a resolution authorizing the issuance of a Street Event Permit for a fee paid event in the 2500 block of Pearl Street for a University of Texas Fraternity block party. The event is scheduled to begin August 31, 2001 beginning at 6:00 a.m. and run through September 1, 2001 at 6:00 a.m. (Revenue will be generated as a result of this action.)

Resolution No. 010823-57 was approved.

58. Approve an ordinance to annex the Nagle Tract for full purposes. (approximately 21 acres located in eastern Travis County at the northeast corner of the intersection of US 290 and Blue Goose Road) (second and third reading). (Funding necessary to provide general government services to this undeveloped tract is available in the budgets of the departments who will be providing the services. Extension of wastewater service has been estimated at \$350,000.)

Ordinance No. 010823-58 was approved.

59. Approve a resolution authorizing execution of a construction contract with MARTIN K. EBY Construction Company, Inc., Austin, Texas, for the Hornsby Bend Biosolids Management Plant Stormwater Lift Station, in the amount of \$418,800, plus \$31,200 to be used as a contingency fund for change orders, for a total amount not to exceed \$450,000. (Funding in the amount of \$450,000 was included in the 2000-2001 Amended Capital Budget of the Water and Wastewater Utility.) Lowest of six responsive bids received. 2.96% MBE, 3.14% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)
Resolution No. 010823-59 was approved.
60. Approve a resolution authorizing negotiation and execution of a professional services agreements with the following five firms: SEVERN TRENT PIPELINE SERVICES, Dallas, Texas, CRESPO/ACS JOINT VENTURE, Austin, Texas, GUTIERREZ, SMOUSE, WILMUT & ASSOCIATES, INC., Dallas, Texas, WADE & ASSOCIATES, INC., Fort Worth, and RJN GROUP, Austin, Texas, to provide professional engineering services for Sanitary Sewer Evaluation Studies for a period of approximately two years or until financial authorization is expended, each agreement not to exceed \$5,500,000 with a combined total amount of the five agreements not to exceed \$5,500,000. (No fiscal impact in current year.) SEVERN TRENT PIPELINE SERVICES, 8.7% MBE, 18.2% WBE subcontracting participation; CRESPO/ACS JOINT VENTURE, 2.8% MBE, 18.20% WBE subcontracting participation; GUTIERREZ, SMOUSE, WILMUT & ASSOCIATES, INC., 8.7% MBE, 18.20% WBE subcontracting participation; WADE & ASSOCIATES, INC., 13.8% MBE, 18.20% WBE subcontracting participation; and RJN GROUP, 8.7% MBE, 18.20% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)
Resolution No. 010823-60 was approved.
61. Approve a resolution authorizing execution of a construction contract with BLASTCO INCORPORATED, Irving, Texas, for construction of the Guildford Cove and Four Points Reservoirs Exterior & Interior Re-coating and Safety Improvements Project for the Water and Wastewater Utility in the amount of \$772,471, plus \$77,247 to be used as a contingency fund for change orders, for a total amount not to exceed \$849,718. (Funding in the amount of \$849,718 is included in the 2000-2001 Amended Capital Budget of the Water and Wastewater Utility.) Lowest of four bids received. 0% MBE, 12.06% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)
Resolution No. 010823-61 was approved.
62. Approve a resolution authorizing execution of a construction contract with BLASTCO INCORPORATED, Irving, Texas, for construction of the Howard Lane Reservoir # 1 Exterior & Interior Re-coating Project for the Water and Wastewater Utility in the amount of \$729,610, plus \$72,960 to be used as a contingency fund for change orders, for a total amount not to exceed \$802,570. (Funding in the amount of \$802,570 is included in the 2000-2001 Amended Capital Budget of the Water and Wastewater Utility.) Lowest of four bids received. 0% MBE, 12.80% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)
Resolution No. 010823-62 was approved.
63. Approve a resolution authorizing the Out-of-District Service request from River Place Municipal Utility District (MUD) to provide additional water service not to exceed 55 Living Unit Equivalents (LUEs) to the Lower Colorado River Authority (LCRA) for service to 106.276 acres of land within the Glenlake and Westminster Glen Subdivisions. (No fiscal impact to the City) (Recommended by Water and Wastewater Commission)
Resolution No. 010823-63 was approved.

64. Approve a resolution authorizing the City Manager to negotiate and execute an interlocal agreement with the Wells Branch Municipal Utility District for Pass-Through Water to serve a limited area known as Shoreline Church Tract. (There is no fiscal impact resulting from this Interlocal Agreement. This is not a revenue producing agreement, but will allow the Utility to meet it's commitment to the Shoreline Church tract in the event there is a need to increase the water pressure to the Shoreline Church Tract.) (Recommended by Water and Wastewater Commission)

Resolution No. 010823-64 was approved.

Items 65 through 68 were pulled for discussion.

69. Approve an ordinance waiving certain fees under Chapter 15-11 of the City Code for the "Life Works Downtown Classic 10K" on October 14, 2001. (Mayor Pro Tem Jackie Goodman and Council Member Will Wynn)

Ordinance No. 010823-69 was approved.

70. Approve a resolution directing the city manager to evaluate the legal and fiscal implications of a proposed campaign finance charter amendment and report back to council within 45 days. (Council Member Danny Thomas)

Resolution No. 010823-70 was approved.

71. Approve an ordinance calling a special election to fill one or more vacancies on the City Council and authorizing the City Clerk to negotiate and execute joint election agreements with other political subdivisions. (Mayor Kirk Watson)

Ordinance No. 010823-71 was approved.

Items 72 through 81 were Citizen Communications.

Items 82 through 92 were zoning items.

Items 93 through 100 were discussion items.

101. APPOINTMENTS TO BOARDS AND COMMISSIONS

Brackenridge Hospital Oversight Council

Daniel Barry	appointment	Consensus
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Child Care Council

Kay Ghahremani	reappointment	Griffith
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Ethics Review Commission

Frances McIntyre	appointment	Consensus
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Planning Commission

Cloteal Davis Haynes	appointment	Consensus
David William Sullivan	appointment	Slusher
Cynthia Medlin	appointment	Goodman

Telecommunications Commission

Wendell Ramsey	reappointment	Wynn
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Urban Forestry Board

Lynn Ann Carley

appointment

Alvarez

Water and Wastewater Commission

Michael Warner

reappointment

Slusher

Zoning and Platting Commission

Diana Castañeda

appointment

Alvarez

Angular Adams

appointment

Slusher

BRIEFING

2. Report to Council on the long-range economic and social equity recommendations of the Austin Equity Commission.
The presentation was made by Ray Marshall, Chairman of the Austin Equity Commission.

Fiscal Year 2001-2002 Budget

6. Neighborhood Housing and Community Development
The presentation was made by Lisa Gordon, Assistant City Manager, and Alice Glasco, Director, Neighborhood Planning and Zoning.

The motion to recess the meeting at 12:22 p.m. to go into Executive Session was approved Mayor Pro Tem Goodman's motion, Council Member Wynn's second by a 6-0 vote. Council Member Thomas 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

9. Discuss legal issues concerning the City's provision of water and wastewater utility service in its extraterritorial jurisdiction.
10. Discuss legal issues related to the July 31, 2001 Notice of Intent to Sue pursuant to the Endangered Species Act, 16 U.S.C. 1540(g) filed by the Save Our Springs Alliance.
11. Discuss proposed settlement in *William Paul Lehrer et al., v. Austin*, Cause No. 19774, 25th Judicial District, Colorado County Texas.
12. Discuss legal issues related to the Sign Review Board's actions on Reagan National Advertising's appeals related to signs at 2801 1/2 Cole Street, 7715 1/2 E. Ben White Blvd., 7219 1/2 E. Ben White Blvd., 7401 E. Ben White Blvd.

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

DISCUSSION ITEMS

13. Consider and possible action on settlement proposal in *William Paul Lehrer et al., v. City of Austin*, Cause No. 19774, in the Colorado County District Court.

Resolution No. 010823-13 was approved on Council Member Wynn's motion, Council Member Slusher's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Thomas was off the dais.

1:30 P.M. CITIZEN COMMUNICATIONS: GENERAL

- 72. Dr. Sylvia Herrera - Equity in Economic, Education, Environment.
- 73. Gus Peña - Remain Cognizant of the needs of the people (Senior Citizens, Children, Youth) Don't cut programs that will adversely affect the Poor, Needy, Children's Programs, Sports Programs, Tutorial Programs, or Senior Citizens Programs. - ABSENT
- 74. Jose Quintero - Gentrification of East Austin.
- 75. Rick Hall - Discrimination Against the disabled in Austin
- 76. Preacher Joe - In God we Trust Foundation
- 77. John E. Gross- Street paving, & Sewer Man Hole in the middle of my lot.
- 78. Robert L. Thomas - To discuss employment and building at the Rosewood Recreation Center. - ABSENT
- 79. Akwasi Evans – Reparations - ABSENT
- 80. Anthony Gonzales – Reparations - ABSENT
- 81. Lori C-Renteria - No more sweet-heart deals for Austin Innerfaith-competitive bids for all COA contracts.

DISCUSSION ITEMS CONTINUED

- 16. C14-00-2261 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3701-3811 ½ South Congress Avenue (East Bouldin Creek) from LI, Limited Industrial Services district zoning to MF-6-CO, Multifamily Residence Highest Density-Conditional Overlay Combining district zoning for Tracts 1 and CS-MU-CO, General Commercial Services-Mixed Use-Conditional Overlay Combining district zoning with conditions for Tract 2. First reading April 26, 2001; Vote: 5-2, Griffith and Thomas-Nay. Conditions met as follows: Conditional overlay incorporates the conditions approved by Council at first reading. Applicant: Michael P. Alelli, John S. and Michael F. Rowley. Agent: Sara Crocker Consultants (Lena Lund). City Staff: Sherri Gager, 974-3057. (continued from July 19, 2001)
Ordinance No. 010823-16 was approved with a friendly amendment on Council Member Wynn's motion, Council Member Slusher's second by a 6-0 vote. Council Member Thomas was off the dais. The friendly amendment made by Council Member Slusher was to zone the first 19 feet of height on tract 2 as CS-MU-CO; the height between 19 feet and 60 feet as MF-6-CO; and all of tract 1 as MF-6-CO along with conditions previously outlined by staff. This was accepted by the maker of the motion.
- 30. Approve a resolution to ratify execution of a construction contract with TRIPLE H CONTRACTING, INC., Austin, Texas, for the emergency repair of a sixty-six inch water line at East 3rd and Waller Street, for a total contract amount not to exceed \$195,697.42. (Funding is available in the Capital Budget of the Water & Wastewater Utility Department.) Since this was an emergency action, there were no MBE/WBE participation goals. (Recommended by Water and Wastewater Commission)
Resolution No. 010823-30 was approved on Council Member Griffith's motion, Council Member Slusher's second by a 6-0 vote. Council Member Thomas was off the dais.
- 34. Approve a resolution authorizing negotiation and execution of professional service agreements with the following nine firms: WHITE, DOLCE & BARR ARCHITECTS AND PLANNERS,

INC., Austin, Texas; TEAMHAAS ARCHITECTS, Austin, Texas; ELLIOTT & HAMILL ARCHITECTS, INC., Austin, Texas; GRAEBER, SIMMONS & COWAN, INC., Austin, Texas; SMITH + MORTON & MACKEY ARCHITECTURE, Austin, Texas; AGUIRRE CORPORATION, Austin, Texas; THE LAWRENCE GROUP ARCHITECTS, Austin, Texas; ARCHITECTURE + PLUS (WBE/FR), Austin, Texas; and LIMBACHER & GODFREY ARCHITECTS (WBE/FR), Austin, Texas; to provide professional architectural services on a variety of projects for a period of approximately two years or until financial authorization is expended, each agreement in an amount not to exceed \$4,500,000, with a total amount of the nine agreements not to exceed \$4,500,000. (Funding for these services is available in the Capital budgets and/or operating budgets of the various departments for which services are needed.) Participating firms identified 8.7% MBE, 18.2% WBE for subcontracting participation.

Resolution No. 010823-34 was approved on Council Member Griffith's motion, Council Member Slusher's second by a 6-0 vote. Council Member Thomas was off the dais.

23. Approve an Ordinance amending sections 3-3-35(A) and 3-3-37 of the City Code relating to the registration of dogs and cats to clarify that registrations are required annually. (Recommended by Animal Advisory Board)

Ordinance No. 010823-23 was approved on Council Member Alvarez' motion, Council Member Griffith's second by a 6-0 vote. Council Member Thomas was off the dais.

14. Amend Ordinance No. 000912-2 the 2000-2001 Capital Budget of the Transportation, Planning and Sustainability Department by appropriating \$6,000,000 to a new account entitled "State Highway Right-of-Way Acquisition and Utility Relocation" to provide funding for the City's portion of right-of way and utility relocation for a portion of State Highway 45 North. (The amount of \$6,000,000 from the issuance of long-term debt to be funded with future payments from Capital Metro. (continued from August 9, 2001) (Related Item Nos. 15 and 18)

The motion to approve was made by Council Member Wynn's motion and seconded by Mayor Watson.

A substitute motion to postpone this item to August 30, 2001 failed on Mayor Pro Tem Goodman's motion, Council Member Alvarez' second by a 3-3 vote. Those voting aye were: Mayor Pro Tem Goodman and Council Members Alvarez and Griffith. Those voting nay were: Mayor Watson and Council Members Slusher and Wynn. Council Member Thomas was off the dais.

The motion to table this item awaiting Council Member Thomas' return was approved on Mayor Pro Tem Goodman's motion, Council Member Griffith's second by a 4-2 vote. Those voting aye were: Mayor Pro Tem Goodman and Council Members Alvarez, Griffith and Slusher. Those voting nay were: Mayor Watson and Council Member Wynn. Council Member Thomas was off the dais.

The motion to approve the ordinance failed by Council Member Wynn's motion, Mayor Watson's second by a 3-4 vote. Those voting aye were: Mayor Watson and Council Members Slusher and Wynn. Those voting nay were: Mayor Pro Tem Goodman and Council Members Alvarez, Griffith and Thomas.

The motion to postpone this item to August 30, 2001 was approved on Mayor Pro Tem Goodman's motion, Council Member Thomas' second by a 7-0 vote.

15. Approve a resolution declaring official intent to reimburse an amount not to exceed \$6,000,000 in state highway right-of-way and utility relocation costs for State Highway 45 North. (The amount of

\$6,000,000 to be reimbursed from the proceeds of long term debt.) (continued from August 9, 2001) (Related Item Nos. 14 and 18)

The motion to approve was made by Council Member Wynn's motion and seconded by Mayor Watson.

A substitute motion to postpone this item to August 30, 2001 failed on Mayor Pro Tem Goodman's motion, Council Member Alvarez' second by a 3-3 vote. Those voting aye were: Mayor Pro Tem Goodman and Council Members Alvarez and Griffith. Those voting nay were: Mayor Watson and Council Members Slusher and Wynn. Council Member Thomas was off the dais.

The motion to table this item awaiting Council Member Thomas' return was approved on Mayor Pro Tem Goodman's motion, Council Member Griffith's second by a 4-2 vote. Those voting aye were: Mayor Pro Tem Goodman and Council Members Alvarez, Griffith and Slusher. Those voting nay were: Mayor Watson and Council Member Wynn. Council Member Thomas was off the dais.

The motion to approve the ordinance failed by Council Member Wynn's motion, Mayor Watson's second by a 3-4 vote. Those voting aye were: Mayor Watson and Council Members Slusher and Wynn. Those voting nay were: Mayor Pro Tem Goodman and Council Members Alvarez, Griffith and Thomas.

The motion to postpone this item to August 30, 2001 was approved on Mayor Pro Tem Goodman's motion, Council Member Thomas' second by a 7-0 vote.

18. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement to reimburse Williamson County for the cost of required right-of-way and utility relocation for the SH 45 and U.S. 183A expansion projects located in Williamson County and the City of Austin. (Funding in the amount of \$6,000,000 is available in the Amended Fiscal Year 2000-2001 Capital Budget of the Transportation, Planning and Sustainability Department. The amount of \$15 million is included in the Fiscal Year 2001-2002 Proposed Capital Budget of the Transportation Planning and Sustainability Department. Funding for the remainder of the contract is anticipated from future debt or future interlocals.) (continued from August 9, 2001) (Related Item Nos. 14 and 15)

The motion to approve was made by Council Member Wynn's motion and seconded by Mayor Watson.

A substitute motion to postpone this item to August 30, 2001 failed on Mayor Pro Tem Goodman's motion, Council Member Alvarez' second by a 3-3 vote. Those voting aye were: Mayor Pro Tem Goodman and Council Members Alvarez and Griffith. Those voting nay were: Mayor Watson and Council Members Slusher and Wynn. Council Member Thomas was off the dais.

The motion to table this item awaiting Council Member Thomas' return was approved on Mayor Pro Tem Goodman's motion, Council Member Griffith's second by a 4-2 vote. Those voting aye were: Mayor Pro Tem Goodman and Council Members Alvarez, Griffith and Slusher. Those voting nay were: Mayor Watson and Council Member Wynn. Council Member Thomas was off the dais.

The motion to approve the ordinance failed by Council Member Wynn's motion, Mayor Watson's second by a 3-4 vote. Those voting aye were: Mayor Watson and Council Members

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

The motion to reconsider and to postpone this item to August 30, 2001 was approved on Mayor Pro Tem Goodman's motion, Council Member Thomas' second by a 7-0 vote

The motion to recess the Council meeting at 3:37 p.m. was approved on Council Member Griffith's motion, Council Member Slusher's second by a 7-0 vote.

Mayor Watson called to order the Board of Director's meeting of the Austin Housing Finance Corporation at 3:37 p.m. See the separate minutes for this meeting.

Mayor Watson called the Council meeting back to order at 3:44 p.m.

DISCUSSION ITEMS CONTINUED

19. Consider an ordinance amending Chapters 25-2 and 25-4 of the Austin City Code relating to the subdivision of land and street connectivity. (If the Council approves the staff recommendation for additional fee waivers Water and Wastewater Department revenue may be impacted.) (Recommended by Planning Commission) (continued from June 14, 2001)

The motion to adopt staff's recommendation failed on Council Member Thomas' motion, Mayor Watson's second by a 2-5 vote. Those voting aye were: Mayor Watson and Council Member Thomas. Those voting nay were: Mayor Pro Tem Goodman and Council Members Alvarez, Griffith, Slusher and Wynn.

The motion to postpone for one week and reconsider this item was approved on Mayor Pro Tem Goodman's motion, Council Member Griffith's second by a 7-0 vote.

65. Approve a resolution authorizing Service Extension Request No. 2079 for water service not to exceed a peak hour flow of 3,067 gallons per minute (gpm) for a tract of approximately 170 acres owned by Nootsie, Ltd., known as Parke North, is located within the Drinking Water Protection Zone in the extraterritorial jurisdiction of Austin on R.M. 620 North, approximately 2 miles south of Anderson Mill Road. (Recommended by Water and Wastewater Commission)

This item was postponed indefinitely on Council Member Slusher's motion, Council Member Thomas' second by a 7-0 vote.

66. Approve a resolution authorizing Service Extension Request No. 2080 for wastewater service not to exceed a peak wet weather flow of 894 gallons per minute (gpm) for a tract of approximately 170 acres owned by Nootsie, Ltd., known as Parke North, is located within the Drinking Water Protection Zone in the extraterritorial jurisdiction of Austin on R.M. 620 North, approximately 2 miles south of Anderson Mill Road. (Recommended by Water and Wastewater Commission)

This item was postponed indefinitely on Council Member Slusher's motion, Council Member Thomas' second by a 7-0 vote.

67. Approve a resolution authorizing Service Extension Request No. 2081 for water service not to exceed a peak hour flow of 121 gallons per minute (gpm) for a tract of approximately 12 acres owned by Nootsie II, Ltd., located within the Drinking Water Protection Zone in the extraterritorial jurisdiction of Austin on R.M. 620 North, approximately 2 miles south of Anderson Mill Road. (Recommended by Water and Wastewater Commission)

This item was postponed indefinitely on Council Member Slusher's motion, Council Member Thomas' second by a 7-0 vote.

68. Approve a resolution authorizing Service Extension Request No. 2082 for wastewater service not to exceed a peak wet weather flow of 44 gallons per minute (gpm) for a tract of approximately 12 acres owned by Nootsie II, Ltd., located within the Drinking Water Protection Zone in the extraterritorial jurisdiction of Austin on R.M. 620 North, approximately 2 miles south of Anderson Mill Road. (Recommended by Water and Wastewater Commission)
This item was postponed indefinitely on Council Member Slusher's motion, Council Member Thomas' second by a 7-0 vote.
53. Approve negotiation and execution of a five year contract with five one-year contract extension options with Austin Convention and Visitors Bureau ("ACVB"), 201 E. 2nd Street, Austin, Texas, for tourism and convention promotion services in an estimated amount not to exceed \$5,260,159 for 2001-2002. (Funding is included in the Proposed 2001-2002 Operating Budget of the Tourism and Promotion Fund. There is no unanticipated fiscal impact. Funding for the additional four years of the contract period is contingent upon available funding in future budgets.
Resolution No. 010823-53 was approved on Council Member Wynn's motion, Council Member Thomas' second by a 7-0 vote.

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 Alvarez' second by a 7-0 vote.

82. C814-88-0001.07 – Davenport West PUD – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 2800 Waymaker Way (Lake Austin Watershed) from PUD, Planned Unit Development to PUD, Planned Unit Development district zoning in order to change conditions of zoning. Planning Commission Recommendation: The Planning Commission will consider the rezoning request on August 21, 2001. Applicant: Parmer Ridge Limited (John Lloyd). Agent: Armbrust, Brown and Davis (Kris Kasper). City Staff: Glenn Rhoades, 499-2775.
This item was postponed to September 27, 2001 at staff's request.

Item 83 was pulled for discussion.

84. C14-01-0026 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10106 Giles Lane (Decker Creek Watershed) from DR, Development Reserve district to LI, Limited Industrial Services district zoning for Tracts 1 and 3, and RR, Rural Residence district zoning for Tract 2.. Planning Commission Recommendation: To grant LI-CO, Limited Industrial Services-Conditional Overlay Combining district zoning, with conditions for Tracts 1 and 3, and RR, Rural Residence district zoning on Tract 2. Applicant: Giles Holding. L.P. Agent: Associated Consulting Engineers. Agent: City Staff: Annick Beaudet, 974-2975.
This item was postponed to September 27, 2001 at the applicant's request.
85. C14-01-0036 – Hyde Park Baptist Church - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 3901 Speedway (Waller Creek Watershed) From CS-NCCD, General Commercial Services-Neighborhood Conservation Combining District, SF-3-NCCD, Family Residence-Neighborhood Conservation Combining District, MF-4-NCCD, Multifamily Residence Moderate-High Density-Neighborhood Conservation Combining District, LO-NCCD, Limited Office-Neighborhood Conservation Combining District, MF-4, Multifamily Residence Moderate-High Density district, SF-3-H-NCCD, Family Residence-Historic-

Neighborhood Conservation Combining District to CS-NCCD, General Commercial Services-Neighborhood Conservation Combining District, SF-3-NCCD, Family Residence-Neighborhood Conservation Combining District, MF-4-NCCD, Multifamily Residence Moderate-High Density-Neighborhood Conservation Combining District, LO-NCCD, Limited Office-Neighborhood Conservation Combining District, SF-3-H-NCCD, Family Residence-Historic-Neighborhood Conservation Combining District. Planning Commission Recommendation: To grant MF-4-NCCD, Multifamily Residence Moderate-High Density-Neighborhood Conservation Combining District on a portion of Tract 4 and amend the regulations applicable to Tract 6. Applicant: Hyde Park Baptist Church (Dan Gardner). Agent: Armbrust, Brown and Davis (Richard Suttle, Jr.). City Staff: Glenn Rhoades, 974-2775. (continued from 6/14/01 and 7/19/01) Note: A valid petition has been filed in opposition to this rezoning request.

This item was postponed indefinitely.

Item 86 was pulled for discussion.

87. C14-01-0060 (PART) - Montopolis Neighborhood Plan – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property described as: 6603, 6605, 6609 East Riverside Drive (being a portion of Tract 70), Vargas Road, 1301, 1305, 1313 & 1318 Montopolis Drive, 6305, 6307, 6309, 6311 Porter Street (being a portion of Tract 19), 701 Montopolis Drive (being a portion of Tract 14), East Ben White Blvd. & 2204 Uphill Lane, Tracts 31, 34, 35, 37-45, 48, 49, & 12093 Frontier Valley Drive, and 302 Bastrop Hwy. & 400 Vargas Road (Colorado River, Country Club and Carson Watersheds):

To add a NP, Neighborhood Plan combining district (NPCD) to each base zoning district within the entire area; To add a neighborhood mixed use building special use for 19 Tracts (23, 24, 25, 27, 28, 29, 47, 52, 53, 54, 56, 57, 58, 60, 61, 66, 69, 70 and 73); and

To change the base zoning districts on the tracts of land address above:

from SF-2, Single Family Residence Standard Lot district; SF-3, Family Residence district; SF-6-CO, Townhouse and Condominium Residence-Conditional Overlay Combining district; MF-2, Multifamily Residence Low Density district; LR, Neighborhood Commercial district; CS, General Commercial Services district; and LI, Limited Industrial district, zoning

to SF-3-NP, Family Residence-Neighborhood Plan Combining district; MF-2-NP, Multifamily Residence Low Density Neighborhood Plan Combining district; GR-NP, Community Commercial-Neighborhood Plan Combining district; GR-MU-NP, Community Commercial-Mixed Use-Neighborhood Plan Combining district; CS-NP, General Commercial Services-Neighborhood Plan Combining district; CS-MU-NP, General Commercial Services-Mixed Use-Neighborhood Plan Combining district; W/LO-NP, Warehouse Limited Office-Neighborhood Commercial-Neighborhood Plan combining district, zoning. Planning Commission Recommendation: To add a NP, Neighborhood Plan combining district (NPCD) to each base zoning district within the entire area; to add a neighborhood mixed use building special use for 19 Tracts (23, 24, 25, 27, 28, 29, 47, 52, 53, 54, 56, 57, 58, 60, 61, 66, 69, 70 and 73); and to rezone the base district for 77 parcels to SF-3-NP, Family Residence-Neighborhood Plan Combining district; MF-2-NP, Multifamily Residence Low Density Neighborhood Plan Combining district; GR-NP, Community Commercial-Neighborhood Plan Combining district; GR-MU-NP, Community Commercial-Mixed Use-Neighborhood Plan Combining district; CS-NP, General Commercial Services-Neighborhood Plan Combining district; CS-MU-NP, General Commercial Services-Mixed Use-Neighborhood Plan Combining district; W/LO-NP, Warehouse Limited Office-Neighborhood Commercial-Neighborhood Plan combining district, zoning with conditions.

Property Owners: Aus-Tex Parts & Service LLC., New Jerusalem Baptist, Vargas Properties, Johnny E. Hyde, Ask Marketing, Inc., Kathleen E. Meece-Trustee, Herbys Joint Venture, Vargas Properties I Ltd., Circle K Express, and other property owners of Tracts 31, 34, 35, 37-45, 48, 49, & 12093 Frontier Valley Drive. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Adam Smith, 974-2755. (continued from 8/2/01)

This item was postponed to August 30, 2001 at staff's request.

88. C14-01-0083 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 8700 Southwest Parkway (Barton Creek Watershed) from DR, Development Reserve district to SF-2, Single Family Residence Standard Lot district zoning. Planning Commission Recommendation: To grant SF-2-CO, Single Family Residence Standard Lot Conditional Overlay Combining district, zoning with conditions. Applicant: Lynn C Sutter. Agent: Crocker Consultants. Agent: City Staff: Annick Beaudet, 974-2975.
Ordinance No. 010823-88 was approved.
89. C14-01-0084 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1001 Armadillo Road and 6605 Emerald Forest Drive (Williamson Creek Watershed) from SF-3, Family Residence District zoning to NO, Neighborhood Office District zoning for Tract 1 and SF-6, Townhouse and Condominium Residence District zoning for Tract 2. Planning Commission Recommendation: To grant NO-MU-CO, Neighborhood Office Mixed Use Conditional Overlay Combining District zoning with conditions for Tract 1 and SF-6, Townhouse and Condominium Residence District zoning for Tract 2. Property Owner: James Paul Hembree. Agent: Sarah Crocker Consultants (Sarah Crocker). City Staff: Wendy Walsh, 974-7719.
The first reading of this ordinance was approved. Mayor Pro Tem Goodman abstained. Council Member Slusher voted no.
90. C14-01-0086 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 2200 Park Bend Drive (Walnut Creek Watershed) from GO-MU-CO, General Office-Mixed Use-Combining district zoning to GO-MU-CO, General Office-Mixed Use-Conditional Overlay Combining district zoning in order to change conditions of zoning. Planning Commission Recommendation: To grant GO-MU-CO, General Office-Mixed Use-Combining district, zoning with conditions. Applicant: William Horabin. Agent: Simmons-Smith Consulting. Agent: City Staff: Annick Beaudet, 974-2975
Ordinance No. 010823-90 was approved.

Item 91 was pulled for discussion.

92. C14-01-0095 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 200 Block of Industrial Boulevard (Blunn Creek Watershed) from SF-3, Family Residence District zoning to LI-CO, Limited Industrial Services Conditional Overlay Combining District zoning. Planning Commission Recommendation: To grant LI-CO, Limited Industrial Services Conditional Overlay Combining District zoning with conditions. Property Owner: Twin Oaks Associates (Adrian Scott Jung). Agent: Jim Bennett. City Staff: Wendy Walsh, 974-7719.
Ordinance No. 010823-92 was approved.

ZONING DISCUSSION

83. C14-01-0003 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 618 Tillery Street (Town Lake Watershed) from LI, Limited Industrial Services district zoning to CS, General Commercial Services district, GR, Community Commercial district, LR, Neighborhood Commercial district, GO, General Office district, LO, Limited Office district, NO, Neighborhood Office district, MF-6, Multifamily Residence Highest Density district, MF-5, Multifamily Residence High Density district, MF-4, Multifamily Residence Moderate-High Density district, MF-3, Multifamily Residence Medium Density

district, MF-2, Multifamily Residence Low Density district, MF-1, Multifamily Residence Limited Density district, SF-6, Townhouse and Condominium Residence district, SF-5, Urban Family Residence district, SF-4A, Single Family Residence Small Lot district and SF-4B, Single Family Residence Condominium district, SF-3, Family Residence district and SF-2, Single Family Residence Standard Lot district, zoning. Planning Commission Recommendation: To forward this rezoning request to City Council without a recommendation. Property Owner: Tom Calhoon. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Susan Villarreal, Watershed Protection and Development Review, 974-6319. Note: A valid petition has been filed by the owner in opposition to this rezoning request.

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

The motion to refer this item back to the Planning Commission for further review was approved on Council Member Alvarez' motion, Council Member Thomas' second by a 7-0 vote.

91. C14-01-0088 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 9600 North Interstate Highway 35 Service Road SB (Little Walnut Creek Watershed) from CS-CO, General Commercial Services district, zoning to CS-1-CO, Commercial-Liquor Sales-Conditional Overlay Combining district, zoning. Planning Commission Recommendation: To forward this request to City Council without a recommendation. Property Owner and Applicant: Kammy D. Ovisi & Shahrzad Bahrami. Agent: Roel Bazan Architects (Roel Bazan). City Staff: Sherri Gager, 974-3057. Note: A valid petition has been filed in opposition to this rezoning request. (continued from 8-9-01)

The motion to postpone this item to August 30, 2001 was approved on Council Member Griffith's motion, Council Member Thomas' second by a 7-0 vote.

86. C14-01-0046 – Hyde Park Neighborhood Conservation Combining District – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 45th Street to the north, 38th Street to the south, Guadalupe to the west, and Duval to the east (Waller Creek Watershed) from SF-3, Family Residence district, SF-3-H, Family Residence-Historic Combining district, MF-1, Multifamily Residence Limited Density district, MF-2, Multifamily Residence Low Density district, MF-3, Multifamily Residence Medium Density district, MF-4, Multifamily Residence Moderate-High Density district, MF-4-H, Multifamily Residence Moderate-High Density-Historic Combining district, LO, Limited Office district, LO-H, Limited Office-Historic Combining district, LR, Neighborhood Commercial district, GR, Community Commercial district, CS, General Commercial Services district, to MF-1-NCCD, Multifamily Residence Limited Density-Neighborhood Conservation Combining District, MF-2-NCCD, Multifamily Residence Low Density-Neighborhood Conservation Combining District, SF-3-NCCD, Family Residence-Neighborhood Conservation Combining District, SF-3-H-NCCD, Family Residence-Historic-Neighborhood Conservation Combining District, LO-NCCD, Limited Office-Neighborhood Conservation Combining District, LO-H-NCCD, Limited Office--Historic-Neighborhood Conservation Combining District, LR-NCCD, Neighborhood Commercial-Neighborhood Conservation Combining District, GR-NCCD, Community Commercial-Neighborhood Conservation Combining District, MF-3-NCCD, Multifamily Residence Medium Density-Neighborhood Conservation Combining District, MF-4-NCCD, Multifamily Residence Moderate-High Density-Neighborhood Conservation Combining District, and CS-NCCD, General Commercial Services-Neighborhood Conservation Combining District. Planning Commission Recommendation: To grant MF-1-NCCD, Multifamily Residence Limited Density-Neighborhood Conservation Combining District, MF-2-NCCD, Multifamily Residence Low Density-Neighborhood Conservation Combining District, SF-3-NCCD, Family Residence-Neighborhood Conservation Combining District, SF-3-H-NCCD, Family Residence-Historic-Neighborhood

Conservation Combining District, LO-NCCD, Limited Office-Neighborhood Conservation Combining District, LO-H-NCCD, Limited Office--Historic-Neighborhood Conservation Combining District, LR-NCCD, Neighborhood Commercial-Neighborhood Conservation Combining District, GR-NCCD, Community Commercial-Neighborhood Conservation Combining District, MF-3-NCCD, Multifamily Residence Medium Density-Neighborhood Conservation Combining District, MF-4-NCCD, MF-4-NCCD, Multifamily Residence Moderate-High Density-Neighborhood Conservation Combining District, and CS-NCCD, General Commercial Services-Neighborhood Conservation Combining District, zoning with conditions. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Glenn Rhoades, 974-2775, Meghan Wieters, Transportation, Planning and Sustainability Department, 974-6386. (continued from 6/14/01 and 7/19/01) Note: Valid petitions have been filed in opposition to this rezoning request.

The motion to close the public hearing was approved on Council Member Wynn's motion, Council Member Alvarez' second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

A motion to approve the first reading of the ordinance was made by Council Member Wynn and seconded by Council Member Griffith.

The friendly amendment from Council Member Thomas to amend the ordinance by removing the protesting property owner (Hyde Park Baptist Church) from the NCCD zoning was not accepted by the maker of the motion.

The motion to amend the ordinance by removing the protesting property owner (Hyde Park Baptist Church) from the NCCD zoning failed on Council Member Thomas' motion, Mayor Watson's second by a 2-5 vote. Those voting aye were: Mayor Watson and Council Member Thomas. Those voting nay were: Mayor Pro Tem Goodman and Council Members Alvarez, Griffith, Slusher and Wynn.

The motion to approve on first reading was made on Council Member Wynn's motion, Council Griffith's second by a 5-2 vote. Those voting aye were: Mayor Pro Tem Goodman and Council Members Alvarez, Griffith, Slusher and Wynn. Those voting nay were: Mayor Watson and Council Member Thomas.

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

Mayor Watson called the meeting back to order at 6:02 p.m.

DISCUSSION ITEMS CONTINUED

97. Conduct a public hearing to consider approval of an approximately 0.94 acre (40,825 square feet) for right-of-way and 4.9312 acres (214,803 square feet) for a temporary work space use agreement to allow the construction of Loyola Lane, Phase II, through dedicated parkland known as North East District Park in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife code. (All costs associated with the road construction as well as any parkland restoration will be paid by the requestor.)

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

100. Consider approval of an approximately 0.94 acre (40,825 square feet) for right-of-way and 4.9312 acres (214,803 square feet) for a temporary work space use agreement to allow the construction of

Loyola Lane, Phase II, through dedicated parkland known as North East District Park in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife code. (All costs associated with the road construction as well as any parkland restoration will be paid by the requestor.)

Ordinance No. 010823-100 was approved on Council Member Slusher's motion, Council Member Wynn's second by a 7-0 vote.

96. Public hearing on an appeal by the Atlanta Street Development Corporation (Richard Miscoe) of the Historic Landmark Commission's decision to deny a Certificate of Appropriateness (removal) application to relocate the Gustave Johnson House, a property with a pending historic zoning case, locally known as 510 Atlanta Street. Historic Landmark Commission Decision: To deny owner's Certificate of Appropriateness application to relocate house to 5212 Avenue H. City Staff: Barbara Stocklin, Transportation, Planning and Sustainability Department, 974-2414.

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

99. Consider a resolution regarding an appeal by Atlanta Street Development Corporation (Richard Miscoe) of the Historic Landmark Commission's decision to deny a Certificate of Appropriateness (removal) application to relocate the Gustave Johnson House, a property with a pending historic zoning case, locally known as 510 Atlanta Street.

Resolution No. 010823-99 was approved adopting the appeal with conditions outlined by staff on Council Member Wynn's motion, Council Member Slusher's second by a 6-0 vote. Council Member Thomas was off the dais.

95. Conduct public hearings for the full purpose annexation of the following annexation areas:

Avery Ranch Areas (Approximately 352 acres in Williamson County on Avery Ranch Blvd between the Austin and NW Railroad right-of-way the eastern boundary of the City's limited purpose jurisdiction in the Avery Ranch development and portions of Avery Ranch Blvd).

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

City of Austin Bull Creek Area (Approximately 289 acres located in Travis County approximately one tenth of a mile east of the intersection of Corley Dr and Old Lampasas Rd).

City of Austin Parkland Area (Approximately 317 acres located in south central Travis County north of Nuckols Crossing Rd and Grelle Ln and extending to the existing full purpose city limits).

City of Austin East Austin Reservoir Area (Approximately 12 acres located in eastern Travis County at the northwest corner of the intersection of US 290 and Reservoir Court).

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

Barker Ranch at Shady Hollow Area (Approximately 103 acres located in southern Travis County west of Brodie Lane at Frate Barker Road/Edwards Hollow Run).

The public hearing for Barker Ranch was closed on Council Member Griffith's motion, Mayor Pro Tem Goodman's second by 6-0 vote. Council Member Thomas was off the dais.

Pickard Area (Approximately 218 acres located in southern Travis County north of Frate Barker Rd and west of Manchaca Rd).

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

Brandon Tract (Approximately 3 acres located in north Austin at Sierra Oaks).

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

Nowotny Tract (Approximately 49 acres located in southwestern Travis County east of FM 1826 at Twilight Terrace Drive and Twilight Mesa Drive).

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

Thurmond Tract (Approximately 15 acres located on River Place Blvd across from the intersection of River Place Blvd and Gold Yarrow Dr).

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

BRIEFINGS

4. Health and Human Services

The presentation was made by David Lurie, Director

3. Federally Qualified Health Clinics (FQHC)

The presentation was made by Patricia Young, Director, Primary Care.

5. Library

The presentation was made by Brenda Branch, Director.

8. Parks and Recreation

The presentation was made by Jesus Olivares, Director.

7. Neighborhood Planning and Zoning

The presentation was made by Paul Hilgers, Director.

94. Conduct a public hearing on the 2001-2002 Proposed Budget on Health & Human Services; FQHC; Parks and Recreation, Library; Neighborhood Housing and Community Development; Neighborhood Planning and Zoning Budgets.

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

93. Conduct a public hearing to approve an ordinance amending the 2025 Austin Metropolitan Area Transportation Plan (AMATP) to: (a) Designate South Lamar Blvd., from Riverside to U.S. 290 (W), to a MAD 4 instead of the currently adopted MAD 6, and (b) Designate South 1st Street, from Barton Springs Road to Stassney Lane, as a MNR 4 instead of the currently adopted MAD 4. The motion to limit the public hearing to 20 minutes for each side was approved on Council Member Slusher's motion, Council Member Thomas' second by a 7-0 vote.

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

98. Approve an ordinance amending the 2025 Austin Metropolitan Area Transportation Plan (AMATP) to: (a) Designate South Lamar Blvd., from Riverside to U.S. 290 (W), to a MAD 4 instead of the currently adopted MAD 6, and (b) Designate South 1st Street, from Barton Springs Road to Stassney Lane, as a MNR 4 instead of the currently adopted MAD 4.

Ordinance No. 010823-98 was approved on Council Member Slusher's motion, Council Member Griffith's second by a 7-0 vote.

The motion to adjourn the meeting at 9:25 p.m. was approved on Council Member Slusher's motion, Council Member Griffith's second by a 7-0 vote.

The minutes for the regular meeting of August 23, 2001 were approved on Council Member Wynn's motion, Council Member Thomas' second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.