



Austin City Council
MINUTES

REGULAR MEETING
THURSDAY, SEPTEMBER 27, 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, September 27, 2001 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

INVOCATION – Dr. Allen Brock, Pastor, Ridgetop Baptist Church

Mayor Watson called the meeting to order at 10:07 a.m.

DISCUSSION ITEMS

87. Approve an ordinance appointing additional substitute judges for the Municipal Court for the remainder of the 2000-2001 term and setting their compensation. (Mayor Kirk Watson and Council Member Will Wynn)
Ordinance No. 010927-87 was approved on Council Member Wynn's motion, Council Member Slusher's second by a 7-0 vote.
2. Swearing In Municipal Court Judges.
Mayor Watson conducted the swearing in ceremony for Municipal Judges Michael Coffey, Belinda Herrera, Kelley Evans and Linda Von Quintus.

CONSENT AGENDA

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

Item 1 was pulled for discussion.

Item 2 was pulled and discussed earlier in the meeting.

3. C14-01-0001 - The Vintage on Town Lake- Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1400 East Riverside Drive (Town Lake Watershed) from SF-3, Family Residence district zoning to a MF, Multifamily Residence district zoning classification. First reading June 14, 2001; Vote: 7-0.

Conditions met as follows: No conditions were imposed by City Council at first ordinance reading. Applicant: Street Development Ltd. (Robert N. Garrett III). Agent: Jim Bennett. City Staff: Don Perryman, Watershed Protection and Development Review Department, 974-2786. (continued from August 2, 2001 and August 30, 2001)

This item was postponed to October 11, 2001 at the applicant's request.

4. C14-01-0002 - The Vintage on Town Lake - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1400 Edgecliff Street (Town Lake Watershed) from SF-3, Family Residence district zoning to a MF, Multifamily Residence district zoning classification. First reading June 14, 2001; Vote: 7-0. Conditions met as follows: No conditions were imposed by City Council at first ordinance reading. Applicant: Street Development Ltd. (Robert N. Garrett III). Agent: Jim Bennett. City Staff: Don Perryman, Watershed Protection and Development Review Department, 974-2786. (continued from August 2, 2001 and August 30, 2001)
This item was postponed to October 11, 2001 at the applicant's request.

Items 5 and 6 were pulled for discussion.

7. Approve a resolution to adopt new criteria for the qualifications-based selection of architects, engineers, surveyors, and landscape architects for City of Austin projects through the Request for Qualifications (RFQ) process. (continued from August 2, 2001)
This item was postponed indefinitely.
8. Approve a resolution authorizing an amendment to the by-laws of Austin-Bergstrom Landhost Enterprises, Inc., and appointing members of the Board of Directors.
Resolution No. 010927-08 was approved.
9. Amend Ordinance 010823-71 to include Hays County precincts, which are located in City of Austin territory.
Ordinance No. 010927-09 was approved.
10. Amend Ordinance No. 000912-2, the 2000-2001 Capital Budget by increasing appropriations to the Water and Wastewater Utility by \$14,500,000 and creating a new water project known as "Wild Horse Ranch" for \$14,500,000. (Funding will be provided from the proceeds of debt issuance when the annual obligation comes due in future budget years.) (Recommended by Water and Wastewater Commission) (Related Items Nos. 80 and 81)
Ordinance No. 010927-10 was approved.
11. Amend Ordinance No. 000912-2, the 2000-2001 Capital Budget by increasing appropriations to the Water and Wastewater Utility by \$11,000,000 and creating a new wastewater project known as "Wild Horse Ranch" for \$11,000,000. (Funding will be provided from the proceeds of debt issuance when the annual obligation comes due in future budget years. (Recommended by Water and Wastewater Commission) (Related Items Nos. 82 and 83)
Ordinance No. 010927-11 was approved.
12. Approve a resolution authorizing execution of a 10-month contract with Travis County Domestic Violence & Sexual Assault Survival Center, dba SafePlace, in an amount not to exceed \$250,000 for the provision of emergency family shelter operational services, for the period of March 1, 2001 through December 31, 2001, with one 12-month extension option in the amount not to exceed \$300,000, for the period of January 1, 2002 through December 31, 2002. (Funding in the amount of \$175,000 is available in the Amended Fiscal Year 2001 Approved Operating Budget of the Health and Human Services Department, Social Services, and \$300,000 is available in the Fiscal Year 2002 Approved Operating Budget of the Health and Human Services Department, Social

Services account and includes nine months of the extension option. Funding for the remaining three months of the extension option is contingent upon available funding in future budgets.)

Resolution No. 010927-12 was approved.

13. Approve a resolution authorizing execution of a three-party contract between the City of Austin, Travis County, and the Sickie Cell Anemia Association of Austin - Marc Thomas Chapter (SCAA) for outreach services to persons with sickle cell disease or sickle cell trait and their families, for an initial 3-month start-up period of October 1, 2001 through December 31, 2001, at a cost not to exceed \$37,051 (\$18,525.50 City; \$18,525.50 County), and one 12-month renewal for the period of January 1, 2002 through December 31, 2002, at a cost not to exceed \$62,949 (\$31,474.50 City; \$31,474.50 County), for a 15-month total contract amount of \$100,000 (\$50,000 City; \$50,000 County). (Funding in the amount of \$43,131.38 is included in the Fiscal Year 2002 Approved Operating Budget of the Health and Human Services Department, Social Services Contracts, in an amount not to exceed \$18,525.50 City share for the contract period October 1, 2001 through December 31, 2001, and in an amount not to exceed \$31,474.50 City share for the contract period January 1, 2001 through December 31, 2002, for a total City contract amount not to exceed \$50,000. Funding for the remaining three months of the renewal period is contingent upon funding available in future budgets.)

Resolution No. 010927-13 was approved.

Item 14 was pulled for discussion.

15. Approve a resolution authorizing a three-party contract between the City of Austin, Travis County and Capital IDEA. The term of the contract is for the period of October 1, 2001 through September 30, 2002, in the amount of \$1,335,600, at a total cost to the City not to exceed \$832,034. (Funding in the amount of \$832,034 is included in the Fiscal Year 2001-2002 Operating Budget for the Health and Human Services Department, General Fund and Sustainability Fund. The original funding was approved on December 7, 2000.)

Resolution No. 010927-15 was approved.

16. Approve a resolution authorizing two contract amendments for HIV services under the U.S. Housing and Urban Development (HUD) Housing Opportunities for Persons with AIDS (HOPWA) grant program to increase contract funding and services for AIDS Services of Austin in the amount of \$140,662 for a total contract amount not to exceed \$723,582, with one extension option in an amount not to exceed \$723,582; and increase Project Transitions, Inc. contract funding and services in the amount of \$94,661 for a total contract amount not to exceed \$255,731, with one extension option in an amount not to exceed \$255,731. (Funding in the amount of \$979,313 is available in the Fiscal Year 2002 Proposed Budget of the Health and Human Services Department Special Revenue Fund, Housing Opportunities for Persons with AIDS (HOPWA)-HUD grant program. Contract performance period is October 1, 2001 through September 30, 2002, with one extension option for the period October 1, 2002 through September 30, 2003. Funding for the renewal option is contingent upon available funding in future budgets.) (Recommended by HIV Planning Council)

Resolution No. 010927-16 was approved.

17. Approve a resolution authorizing an amendment to the professional services contract with GEOMATRIX CONSULTANTS, for consulting expert witness services concerning legal issues in connection with the East Austin Tank Farm for an increase of \$4,000, with a total contract amount not to exceed \$46,000. (Funding in the amount of \$4000 is included in the 2000-2001 Approved Operating Budget of the Watershed Protection and Development Review Department.)

Resolution No. 010927-17 was approved.

18. Approve a resolution authorizing an amendment to the legal services contract with SCOTT, DOUGLASS & MC CONNICO, L.L.P., for representation in disputes arising from construction deficiencies in the Ullrich Medium Service Transmission Main for an increase of \$400,000, with a total contract amount not to exceed \$442,000. (Funding in the amount of \$400,000 is included in the 2000-2001 Approved Capital Budget of the Water & Wastewater Utility.)
Resolution No. 010927-18 was approved.
19. Approve a resolution authorizing application and acceptance of \$705,726 in grant funds from the State of Texas Telecommunications Infrastructure Fund Board for additional Internet access for the public at all Austin Public Library locations, Distance Learning at five Branch locations, and to provide enhanced World Wide Web services and availability. (Funding from the State of Texas Telecommunications Infrastructure Fund Board. The grant period is September 3, 2001 through August 31, 2002. A match of \$79,068 is required from the City of Austin, the Department will absorb through savings.)
Resolution No. 010927-19 was approved.
20. Approve a ordinance authorizing acceptance of an additional \$28,766 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 \$28,766 for a total grant amount of \$283,766 and an additional .25 FTE for a total of 4.5 FTE. (The amount of \$28,766 is from the Texas State Library. Total grant amount is \$283,766. The grant period is September 1, 2001 through August 31, 2002. No match is required.)
Ordinance No. 010927-20 was approved.
21. Set public hearings to receive citizen comments on the City's application to the U.S. Department of Housing and Urban Development (HUD) for Section 108 Loan Guarantee Assistance in a loan amount not to exceed \$2,000,000 to increase the funds available for the Neighborhood Commercial Management Loan Program. (The amount of \$2,000,000 in loan funds is guaranteed by the U.S. Department of Housing and Urban Development's (HUD) Section 108 Loan Guarantee Assistance Program. If the loan application is approved the Fiscal Year 2001/2002 Operating Budget of the Neighborhood Housing and Community Development (NHCD) Office will be subsequently amended.) (Suggested Dates and Times: October 11, 2001 at 6:00 p.m. at Conley-Guerrero Senior Activity Center and October 25, 2001 at Lower Colorado River Authority at 6:00 p.m.)
Resolution No. 010927-21 was approved.
22. Set public hearings to receive citizen comments on the City's application to the U.S. Department of Housing and Urban Development (HUD) for Section 108 Loan Guarantee Assistance in a loan amount not to exceed \$6,000,000 to fund the construction of the Downtown Homeless Shelter. (The amount of \$6,000,000 in loan funds is guaranteed by the U.S. Department of Housing and Urban Development's (HUD) Section 108 Loan Guarantee Assistance Program. If the loan application is approved the Fiscal Year 2001/2002 Operating Budget of the Neighborhood Housing and Community Development (NHCD) Office will be subsequently amended.) (Suggested Dates and Times: October 11, 2001 at Conley-Guerrero Senior Activity Center at 6:00 p.m. and October 25, 2001 at Lower Colorado River Authority at 6:00 p.m.)
Resolution No. 010927-22 was approved.
23. Approve a resolution authorizing the negotiation and execution of a one-year contract for an amount not to exceed \$12,461,376 in new funding with the Austin Housing Finance Corporation (AHFC) Fiscal Year 2001-2002; and authorize AHFC to manage and operate certain City housing programs in Fiscal Year 2001-2002. (Housing Trust Fund of \$1,000,000; City of Austin Capital

Improvement Project Fund \$3,100,000; City of Austin General Fund of \$550,000; Program Income of \$1,525,000; and Federal Grant proceeds of \$6,286,376.)

Resolution No. 010927-23 was approved.

24. C14-00-2251 - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3416 - 3424 Brodie Lane (Williamson Creek Watershed) from RR, Rural Residence district zoning; DR, Development Reserve district zoning; SF-6, Townhouse & Condominium Residence district zoning; SF-6-CO, Townhouse & Condominium Residence-Conditional Overlay Combining district zoning with conditions; LR, Neighborhood Commercial district zoning; LR-CO, Neighborhood Commercial-Conditional Overlay Combining district zoning with conditions; and GR, Community Commercial district zoning to GR-CO, Community Commercial-Conditional Overlay Combining district, zoning with conditions for Tract 1 and MF-2-CO, Multifamily Residence Low Density-Conditional Overlay Combining district, zoning with conditions for Tract 2. First Reading on August 9, 2001; Vote: 5-1, Slusher nay, Watson off the dais. Second reading on August 30, 2001; Vote 7-0. Conditions met as follows: Conditional overlay incorporates the conditions imposed by Council on second ordinance reading. Property Owner and Applicant: W.W. Brodie, Ltd. (William S. Walters, Ned D. Ewart, Maria Adrianna Morrison). Agent: Land Strategies (Paul Linehan). City Staff: Wendy Walsh, 974-7719.

This item was postponed to October 4, 2001 at staff's request.

Items 25 through 26 were pulled for discussion.

27. C14-01-0041 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4500 - 4510 Block of Nuckols Crossing Road (Williamson Creek Watershed) from SF-2, Single Family Residence Standard Lot district, zoning to MF-2-CO, Multifamily Residence Low Density-Conditional Overlay Combining district, zoning with conditions for Tracts 1 and 2. First Reading on July 19, 2001; Vote: 4-0, Watson absent, Goodman and Thomas off the dais. Conditions met as follows: Conditional overlay incorporates the conditions approved by Council at first reading. Applicant and Property Owners: George Nathan Sloan and Joe Pospisil. Agent: Jim Bennett. City Staff: Wendy Walsh, 974-7719. **Ordinance No. 010927-27 was approved.**

Items 28 through 29 were pulled for discussion.

30. C14-01-0093 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 13720 Avenue K and 0 Avenue I (Walnut Creek Watershed) from GR, Community Commercial district, zoning to CS-CO, General Commercial Services-Conditional Overlay Combining district, zoning with conditions. First Reading on August 9, 2001; Vote: 7-0. Conditions met as follows: Conditional overlay incorporates the conditions approved by Council at first reading. Applicant and Property Owner: Don White (Reinforcing Steel Supply, Inc.). Agent: Mike Ray (Eileen Merritt's ATS). City Staff: Sherri Gager, 974-3057.

Ordinance No. 010927-30 was approved.

31. Approve a resolution authorizing execution of a contract with JAMES HARPER LANDSCAPING, INC. (MBE/MB 61.65%) Austin, Texas, for construction of Montopolis Youth Sports Complex Parking Lot, in the amount of \$159,759.43. (Funding was included in the 2000-2001 approved Capital Budget of the Parks and Recreation Department.) Lowest compliant bid of four bids received. 18.26% MBE, 6.09% WBE subcontracting participation.

Resolution No. 010927-31 was approved.

32. Approve an ordinance authorizing the acceptance of a Public Health Service Section 330 (e) New Start grant from the United States Health Resources and Services Administration (HRSA) for the Primary Care Department in the amount of \$307,351 and authorize 11.50 FTEs for the expansion of existing primary care services and an enhanced capacity in mental health, substance abuse, and dental services, and amend the 2000-2001 Special Revenue Fund of the Primary Care Department Operating Budget Ordinance No. 000912-1. The grant period is from September 1, 2001, through February 28, 2002. (Grant funding is available from the U.S. Health Resources and Services Administration. The grant period is September 1, 2001 to February 28, 2002. No In-Kind match is required.)
Ordinance No. 010927-32 was approved.
33. Approve a resolution authorizing execution of a construction contract with GARCIA GENERAL CONTRACTORS, INC. (DBE/MH 90%), 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.) Lowest of six bids received.
Resolution No. 010927-33 was approved.
34. Approve a resolution authorizing execution of a construction contract with KEYSTONE CONSTRUCTION, Austin, Texas, for the Decker Creek Power Plant Grinder Pump Lift Station Rehabilitation Project, in the amount of \$84,400. (Funding is available in the 2000-2001 Amended Capital Budget of the Electric Utility Department.) Lowest of the two bids received. The Department of Public Works and Small & Minority Business Resources has reviewed the project scope and determined that that no goals be established for this project.
Resolution No. 010927-34 was approved.
35. Approve a resolution to ratify execution of a construction contract with TRIPLE H CONTRACTING, INC., Austin, Texas, for the emergency repair of a 48-inch water line at Lamar Boulevard and Braker Lane, in the amount of \$93,874.63. (Funding is available in the Operating Budget of the Water & Wastewater Utility Department.) An acceptable bid was submitted by Triple H Construction, Inc. Since this was an emergency action, there were no MBE/WBE participation goals.
Resolution No. 010927-35 was approved.
36. Approve a resolution authorizing the purchase of 1,211 square feet of right-of-way and 2,552 square feet of temporary construction easements located at 3430 West William Cannon Drive owned by Chevron USA, Inc., for the Brodie Lane/Slaughter Lane Transportation Systems Management (TSM) Project, in the amount of \$43,462. (Funding is included in the 2000-2001 Amended Capital Budget of the Transportation, Planning & Sustainability Department.)
Resolution No. 010927-36 was approved.
37. Approve a resolution authorizing the purchase of 30,330 square feet of temporary workspace easement and 163,223 square feet of permanent drainage easement owned by 3 S & D INTERESTS located at the northeast corner of Loyola Lane and Ed Bluestein Boulevard, for the Crystalbrook Flood Control Project, in the amount of \$102,514. (Funding is included in the 1998-1999 Amended Capital Budget of the Watershed Protection & Development Review Department.)
Resolution No. 010927-37 was approved.
38. Approve a resolution authorizing execution of a construction contract with C.C. CARLTON INDUSTRIES, LTD., Austin, Texas, for wastewater improvements near City Park Road and Shepherd Mountain Subdivision, and near Gault Lane and IBM Business Park, in the amount of \$561,138. [Funding is available in the 2000-2001 Amended Capital Budget of the Water & Wastewater Utility (\$165,556 for IBM Lift Station and \$395,582 for Shepherd Mountain Lift

Station.)] Lowest of five bids received. 26.7% MBE, 7.6% WBE subcontracting participation. (Recommended by Water & Wastewater Commission)

Resolution No. 010927-38 was approved.

39. Approve a resolution authorizing execution of an Interlocal Agreement with the TEXAS DEPARTMENT OF TRANSPORTATION for repair of an encasement pipe at U.S. Highway 183 and Caldwell Drive, in an amount not to exceed \$180,000. (Funding in the amount of \$150,000 was included in the 1995-1996 Amended Capital Budget and \$30,000 is available in the 2000-2001 Amended Capital Budget of the Water & Wastewater Utility.) (Recommended by Water and Wastewater Commission)

Resolution No. 010927-39 was approved,

40. Approve a resolution authorizing the acquisition of 17,982 square feet of land for a permanent waterline easement and 5,299 square feet of land for a temporary working space easement located at 201 East Koenig Lane, owned by 201 E. Koenig Lane, LTD, a Texas limited partnership for the widening of Koenig Lane from Airport Boulevard to Lamar Boulevard, in an amount not to exceed \$98,193. (Funding is available in the 1995-1996 Amended Capital Budget of the Water & Wastewater Utility.)

Resolution No. 010927-40 was approved.

41. Set a public hearing to consider approving use of approximately 0.1624 acres (7,076 square feet) to allow the construction of an additional northbound turn lane on North Lamar Boulevard at W. 24th Street through dedicated parkland known as Caswell Tennis Center 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 through a previously approved CIP.) (Suggested Date and time: October 25, 2001 at 6:00 p.m.)

Resolution No. 010927-41 was approved.

Item 42 was approved but was reconsidered later in the meeting.

43. Approve a resolution authorizing execution of a contract with ICE CONTRACTORS, INC. (MBE/FH 91.38%), Dallas, Texas, for deconstruction of the Robert Mueller Municipal Airport terminal building and control tower, in the amount of \$496,000; or deconstruction of the terminal building only, in the amount of \$481,000. (Funding in the amount of \$496,000 is available in the Fiscal Year 2000-2001 Mueller Disposition Fund.) Lowest responsive bid of six bids received. 3.76% MBE, 4.86% WBE subcontracting participation.

This item was removed from the agenda.

44. Approve a resolution authorizing negotiation and execution of a contract with XENERGY, INC., Burlington, MA, to provide retail operations and technical gap analysis in an amount not to exceed \$385,092. (Funding is available in the 2000-2001 Amended Operating Budget for the Electric Utility Department.) Best Evaluated Proposal/six 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.

Resolution No. 010927-44 was approved.

45. Approve a resolution authorizing negotiation and execution of an 18-month contract with TEKNECON ENERGY RISK ADVISORS LLC, Austin, Texas, for assistance in the development and implementation of a financial risk management program for the Electric Utility's wholesale fuel and power activities in an amount not to exceed \$107,124 for Phase I, with the option to exercise an additional four phases in amounts not to exceed \$117,961, \$174,204, \$202,853, and \$88,016, for a total contract amount not to exceed \$690,158. (Funding in the amount of

\$107,124 is available in 2000-2001 Amended Operating Budget of the Electric Utility Department. Funding for the optional phases is contingent upon 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. These services will be provided by the contractor's own workforce. No subcontracting opportunities were identified, therefore, no MBE/WBE goals were established for this solicitation.

Resolution No. 010927-45 was approved.

46. Approve a resolution authorizing execution of a contract with McCONNELL JONES LANIER & MURPHY, LLP, (MBE/MB 100%), Houston, Texas, for an independent review of the Electric Utility Department's collections process in an amount not to exceed \$113,733. (Funding is available in the 2000-2001 Amended Operating Budget for the Electric Utility Department.) Best evaluated proposal/two proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. These services will be provided by the contractor's own workforce. No subcontracting opportunities were identified, therefore, no MBE/WBE goals were established for this solicitation.

Resolution No. 010927-46 was approved.

47. Approve a resolution authorizing execution of a 24-month service agreement with GC3 SPECIALTY CHEMICALS, INC. (WBE/FR, 100%), Houston, Texas, for the application of water treatment chemicals in an amount not to exceed \$334,000 with one 24-month extension option in an amount not to exceed \$334,000 for a total agreement amount not to exceed \$668,000. (Funding in the amount of \$167,000 is available in the 2001-2002 Approved Operating Budget for the Electric Utility Department. Funding for the second year of the initial contract term and the extension option is contingent upon available funding in future budgets.) Low evaluated proposal/two proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No goals were established for this solicitation. All services will be performed by the Contractor's own workforce. No subcontracting opportunities were identified, therefore no MBE/WBE goals were established for this contract.

Resolution No. 010927-47 was approved.

48. Approve a resolution authorizing negotiation and execution of a contract with ICONIXX WEB DEVELOPMENT, INC., Houston, Texas, for an assessment of the Electric Utility's web content management and development of a Request for Proposals for a web management software system for the Electric Utility Department in an amount not to exceed \$111,200. (Funding is available in the 2000-2001 Amended Operating Budget of Electric Utility.) Best proposal of eighteen received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No goals were established for this solicitation. All services will be provided by the Contractor's own workforce.

Resolution No. 010927-48 was approved.

49. Approve a resolution authorizing modification No. 1 to the contracts with HOBBS GROUP, L.L.C., Austin, Texas, through FM GLOBAL Insurance Company for a rate increase in the purchase of All Risk Property and Boiler & Machinery Insurance and loss prevention services for City property (excluding the Electric Utility Department) resulting in a premium increase of \$197,099, for an amount not to exceed \$985,493 for the first extension option; and an increase of \$197,099 for each of the next two 12-month extension options in an amount not to exceed \$985,493 per extension, resulting in a total increase of \$591,297 for a total amended contract amount not to exceed \$3,744,873 and with JOHN L. WORTHAM & SON, L.L.P., Houston, Texas, through LLOYD'S OF LONDON for a rate increase in the purchase of Electric Utility Department All Risk Property and Boiler & Machinery Insurance and loss prevention services resulting in a premium increase of \$2,235,505, for an amount not to exceed \$3,550,000 for the first extension option; and an increase of \$2,235,505 for each of the next two 12-month extension

options in an amount not to exceed \$3,550,000 per extension, resulting in a total increase of \$6,706,515 for a total amended contract amount not to exceed \$11,964,495. (Funding in the amount of \$4,602,945 available in the 2001-2002 Operating Budgets of various City departments. Funding for the extension options is contingent upon available funding in future budgets.)

Resolution No. 010927-49 was approved.

50. Approve a resolution authorizing execution of two agreements through the State of Texas, Department of Information Resources with US TECH, Baytown, Texas and LEXMARK INTERNATIONAL INCORPORATED EQUIPMENT, Lexington, Kentucky, for the purchase of network printers, each agreement in an amount not to exceed \$215,393 for a combined amount not to exceed \$215,393, with two 12-month extension options, for each agreement in a combined amount not to exceed \$222,700 for the first extension, and \$274,888 for the second extension for a combined total of the two agreements in an amount not to exceed \$712,981. (Funding in the amount of \$40,200 was included in the user departments' 2000-2001 Approved Operating Budget; \$7,500 was included in the 2000-2001 Amended Capital Budget for Austin Energy. Funding for the balance of the original contract period and the extension options is contingent upon available funding in future budgets.) The printers are being provided by a contract that was competitively bid and awarded by the State of Texas, Department of Information Resources.

Resolution No. 010927-50 was approved.

51. 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 one ladder and four pumper fire trucks in the amount of \$2,000,931.28. (Funding was included in the 2001-2002 Vehicle Acquisition Fund.) These trucks will be manufactured by Pierce Manufacturing, Appleton, Wisconsin and will be supplied by Siddons Fire Apparatus, the Pierce dealer located in Texas who is currently under contract with HGAC to supply these type fire trucks. The fire trucks have been competitively bid through H-GAC.

Resolution No. 010927-51 was approved.

52. 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 five ambulances in the amount of \$732,857.19. (Funding was included in the 2001-2002 Vehicle Acquisition Fund.) The ambulances have been competitively bid through H-GAC.

Resolution No. 010927-52 was approved.

53. 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 17 gasoline/electric hybrid compact sedans in the amount of \$346,795.49. (Funding in the amount of \$326,395.76 was included in the 2001-2002 Vehicle Acquisition Fund. Funding in the amount of \$20,399.73 was included in the 2001-2002 Capital Budget of the Solid Waste Services Department.) These sedans have been competitively bid through H-GAC.

Resolution No. 010927-53 was approved.

54. Approve a resolution authorizing the execution of a contract with HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS COOPERATIVE PURCHASING PROGRAM (H-GAC), Houston, Texas, for the purchase of 122 full-size police patrol sedans, 38 mid-size sedans, and 13 full-size utility vehicles in the amount of \$3,564,252.83. (Funding in the amount of \$2,672,686.47 was included in the 2001-2002 Vehicle Acquisition Fund. \$891,566.36 was

included in the 2001-2002 Operating Budget of the Austin Police Department.) These vehicles have been competitively bid through H-GAC.

Resolution No. 010927-54 was approved.

55. Approve a resolution authorizing execution of a 12-month service agreement with MAJESTIKLEEN, INC. (MBE-MA 100%), Austin, Texas, to provide janitorial services at nine north branch libraries for the Library Department in an amount not to exceed \$64,395 with two 12-month extension options in an amount not to exceed \$64,395 per extension, for a total contract amount not to exceed \$193,185. (Funding was included in the 2001-2002 Operating Budget of the Library Department. Funding for the extension options is contingent upon available funding in future budgets.) Low responsive bid/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. 010927-55 was approved.
56. Approve a resolution authorizing execution of a 12-month service agreement with MAJESTIKLEEN, INC. (MBE-MA 100%), Austin, Texas, to provide janitorial services at 10 south branch libraries for the Library Department in an amount not to exceed \$73,950 with two 12-month extension options in an amount not to exceed \$73,950 per extension, for a total contract amount not to exceed \$221,850. (Funding was included in the 2001-2002 Operating Budget of the Library Department. Funding for the extension options is contingent upon available funding in future budgets.) Low responsive bid/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. 010927-56 was approved.
57. Approve a resolution authorizing execution of a 12-month supply agreement with FOUR ALARM FIRE EQUIPMENT, Houston, Texas, to provide protective outerwear for Emergency Medical Services Department personnel in an amount not to exceed \$65,900 with two 12-month extension options in an amount not to exceed \$65,900 per extension for a total contract amount not to exceed \$197,700. (Funding in the amount of \$5,492 was included in the 2000-2001 Operating Budget of the Emergency Medical Services Department. Funding for the remaining 11 months of the original contract period and 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. The recommended awardee will provide these commodities directly to the City. There is no opportunity for subcontracting, therefore, no goals were established for this solicitation.
Resolution No. 010927-57 was approved.
58. Approve a resolution authorizing modification No. 1 to the contract with TEXAS LEGAL PROTECTION PLAN, INC., Austin, Texas, to cover increased costs for pre-paid legal services due to enrollment increases to increase the contract in the amount of \$75,000 for the initial contract period and increase the two 12-month extension options in the amounts of \$105,000 and \$140,000 respectively for a total amended contract amount not to exceed \$926,000. (Funding in the amount of \$75,000 is included in the 2001-2002 Operating Budget for the Employee Benefits Fund. Funding for the original contract and the extension options is contingent upon approval of future budgets.) The original contract was 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. 010927-58 was approved.
59. Approve a resolution authorizing negotiation and execution of a 12-month contract with AETNA LIFE INSURANCE COMPANY (AETNA), Austin, Texas, to provide short and long term

disability insurance in the amount not to exceed \$2,348,000, with two 12-month extension options in an amount not to exceed \$2,437,000 for the first extension option, and \$2,529,000 for the second extension option for a total contract amount not to exceed \$7,314,000. (Funding in the amount of \$1,761,000 for the first nine months is available in the 2001-2002 Operating Budget for the Employee Benefits Fund. Funding for the remaining three months of the initial contract term and the extension options are contingent upon approval of funding in future budgets.) Best evaluated of five proposals. 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. 010927-59 was approved.

60. Approve a resolution authorizing execution of an interlocal agreement between the City of Austin and Fairfax County, Virginia to participate in the U.S. Communities Government Purchasing Alliance (GPA) and approve execution of a contract through the U.S. Communities Government Purchasing Alliance under the interlocal agreement with vendors, Steelcase, Inc. and their local authorized distributor Rockford Business Interiors, Austin, Texas, in an amount not to exceed \$158,888.17 and with Knoll, Inc. and their local authorized distributor Shelton-Keller Group, Austin, Texas, in an amount not to exceed \$10,097.98 for the purchase and installation of free standing conventional furniture and systems furniture for the St. John Community Center to include the St. John Branch Library, Health and Human Services Department Suite, Austin Police Department Suite, Austin Parks and Recreation Department, and 3 City of Austin shared Conference Rooms. (Funding in the amount of \$74,818.23 was included in the 2000-2001 Amended Capital Budget of the Parks and Recreation Department. \$69,069.94 was included in the 2000-2001 Amended Capital Budget of the Austin Public Library Department. \$15,000 was included in the 2000-2001 Amended Capital Budget of the Austin Police Department.)

Resolution No. 010927-60 was approved.

61. Approve a resolution for amendment #5 to add a 12-month extension option to the service agreement with CAPITAL AREA TRAINING FOUNDATION, Austin, Texas, for continuation of the Community Technology and Training Center Program in an amount not to exceed \$270,000, for a total contract amount not to exceed \$910,000. (Funding in the amount of \$270,000 was included in the proposed 2001-2002 Sustainability Fund of the Financial Services Department.) This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No MBE/WBE subcontracting opportunities were identified by the proposer. CATF will be doing the work with their own work force.

Resolution No. 010927-61 was approved.

62. Approve a resolution authorizing the execution of a 12-month contract with the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR), Austin, Texas, for temporary technical staffing, in an amount not to exceed \$3,125,343 with one 12-month extension option in an amount not to exceed \$3,579,292.80 for a total contract amount not to exceed \$6,704,635.80. (Funding in the amount of \$3,125,343 is available in the 2001-2002 Operating Budget of the Information Systems Department, Austin Energy, and other City departments. Funding for the extension option is contingent upon available funding in future budgets.)

Resolution No. 010927-62 was approved.

Items 63 through 64 were pulled for discussion.

65. Approve an ordinance to amend the Austin City Code, Section 16-4-15 - Speed Limits by adding Cedar Street to the list of streets having a maximum speed limit of 20 miles per hour during certain times for students attending Bridge Point Elementary School. (Because no changes are required, there is no fiscal impact. The existing reduced school speed limit signs will remain in place.)

Ordinance No. 010927-65 was approved.

66. Set a public hearing to consider an ordinance amending Section 25-1-46 of the City Code regarding the jurisdiction of the Planning Commission over land development applications in areas under consideration for a neighborhood plan. (Recommended by the Planning Commission) (Suggested Date and Time: October 4, 2001 at 6:00 p.m.)
Resolution No. 010927-66 was approved.
67. Set public hearings for the limited purpose annexation of the following annexation areas:
Avery Ranch Cedar Park Release Area (approximately 14.7 acres east of Parmer Lane on the south side of Brushy Creek within the Avery Ranch project)
Wildhorse Ranch (approximately 1899 acres on the south side of US 290 E at the intersection of US 290 E and proposed SH 130). (Suggested dates and times: October 25, 2001 at 6:00 p.m., Lower Colorado River Authority Hancock Building and November 1, 2001 at 6:00 p.m., Lower Colorado River Authority Hancock Building)
Resolution No. 010927-67 was approved.
68. Approve an ordinance annexing the Brandon Tract for full purposes, consisting of approximately 3 acres located in north Austin at the west end of the terminus of the street Sierra Oaks. (Estimated property tax revenue of \$544 in FY 2002-2003.)
Ordinance No. 010927-68 was approved.
69. Approve an ordinance annexing the City of Austin Parkland Area for full purposes, consisting of approximately 317 acres located in south central Travis County between Nuckols Crossing Rd., Grelle Lane, and extending to the existing full purpose city limits. (No fiscal impact in anticipated as a result of this annexation as this area is currently owned by the City of Austin.)
Ordinance No. 010927-69 was approved.
70. Approve an ordinance annexing the Thurmond Tract for full purposes, consisting of approximately 15 acres located on River Place Blvd across from the intersection of River Place Blvd and Gold Yarrow Dr. (No fiscal impact in Fiscal Year 2001-2002. Estimated property tax revenue of \$1,300 in Fiscal Year 2002-2003.)
Ordinance No. 010927-70 was approved.
71. Approve an ordinance annexing the City of Austin Bull Creek Area, consisting of approximately 289 acres located in Travis County approximately one tenth of a mile east of the intersection of Corley Dr and Old Lampassas Rd. for full purposes. (No fiscal impact is anticipated as the result of this annexation as this property is currently owned by the City of Austin.)
Ordinance No. 010927-71 was approved.
- Item 72 was pulled for discussion.**
73. Approve an ordinance annexing the City of Austin East Austin Reservoir Area for full purposes, consisting of approximately 12 acres located in eastern Travis County at the northwest corner of the intersection of US 290 and Reservoir Court. (No fiscal impact is anticipated as a result of this annexation as this property is currently owned by the City of Austin.)
Ordinance No. 010927-73 was approved.
- Item 74 was pulled for discussion.**
75. Approve an ordinance annexing for full purposes the Avery Ranch Areas consisting of approximately 352 acres in Williamson County; three tracts on Avery Ranch Boulevard between the Austin and NOW Railroad right-of-way; the eastern boundary of the City's remaining limited purpose jurisdiction in the Avery Ranch development; and portions of Avery Ranch Boulevard.

(Funding necessary to provide general government services to this tract is available in the budgets of the departments who will be providing the services. A detailed fiscal impact analysis was conducted for the entire Avery Ranch project as part of the SER approval process.)

Ordinance No. 010927-75 was approved.

Item 76 was pulled for discussion.

77. Approve a resolution authorizing execution of Change Order #5 to the construction contract with MARTIN K. EBY CONSTRUCTION CO., INC., Austin, Texas, to provide for installation of primary electric metering service in an amount not to exceed \$40,786 and settlement of contractor's delay claims in an amount not to exceed \$96,000 as part of the Howard Lane Pump Station Project, increasing the contract in the amount of \$136,786, for a total contract amount not to exceed \$9,642,284. (Funding in the amount of \$136,786 is available in the 2000-2001 Amended Capital Budget of the Water and Wastewater Utility.) (Recommended by Water and Wastewater Commission)

Resolution No. 010927-77 was approved.

78. Approve a resolution authorizing execution of a construction contract with RYAN-O EXCAVATING, Lockhart, Texas, for construction of Northwest Area Polybutylene Service Replacements in an amount not to exceed \$1,108,750.00. (Funding is available in 2000-2001 Amended Capital Budget of the Water and Wastewater Utility.) Lowest of three bids received. 23.63% MBE, 8.57% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 010927-78 was approved.

79. Approve a resolution authorizing execution of a construction contract with MUNIZ CONCRETE AND CONTRACTING, INC. (MBE 92.5%), Austin, Texas, for construction of the Lift Station Access Roads Project for the Water and Wastewater Utility in an amount not to exceed \$163,031.13. (Funding is available in the 2000-2001 Amended Capital Budget of the Water and Wastewater Utility.) Lowest of three bids received. 7% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 010927-79 was approved.

80. Approve a resolution declaring official intent to reimburse construction costs in the amount of \$14,500,000 to be paid for developer reimbursements for the Wild Horse Ranch Water project. (The amount of \$14,500,000 for the Water and Wastewater Utility to be funded by the issuance of commercial paper.) (Recommended by Water and Wastewater Commission) (Related Item Nos. 10 and 81)

Resolution No. 010927-80 was approved.

81. Approve a resolution authorizing negotiation and execution of a cost reimbursement agreement with Wild Horse Holding Development, L.P., providing terms and conditions for construction of a 24 and 36-inch water mains, and appurtenances to provide water service to the proposed Wild Horse Ranch located south of U.S. Highway 290 East, west of F.M. 973, and north of Lake Walter E. Long, with City cost reimbursement in an amount not to exceed \$14,500,000, for actual "hard" construction costs. (Funding is included in the 2000-2001 Amended Capital Budget of the Water and Wastewater Utility, see related item. Based on conservative build-out of the Wild Horse Ranch, the 30-Year Financial Analysis of this City investment projects a negative 30-year net present value.) (Recommended by Water and Wastewater Commission) (Related Item Nos. 10 and 80)

Resolution No. 010927-81 was approved.

82. Approve a resolution declaring official intent to reimburse construction costs in the amount of \$11,000,000 to be paid for developer reimbursements for the Wild Horse Ranch Wastewater project. (The amount of \$11,000,000 for the Water and Wastewater Utility to be funded by the issuance of commercial paper. (Recommended by Water and Wastewater Commission) (Related Item Nos. 11 and 83)

Resolution No. 010927-82 was approved.

83. Approve an resolution authorizing negotiation and execution of a cost reimbursement agreement with Wild Horse Holding Development, L.P., providing terms and conditions for construction of 15, 21 and 36-inch wastewater mains, wastewater treatment facilities and appurtenances to provide wastewater service to the proposed Wild Horse Ranch located south of U.S. Highway 290 East, west of F.M. 973, and north of Lake Walter E. Long, with City cost reimbursement in an amount not to exceed \$11,000,000, for actual "hard" construction costs; adopt an Ordinance waiving the requirements of Section 25-9-61, City Code, relating to facilities eligible for cost reimbursement. (Funding is included in the 2000-2001 Amended Capital Budget of the Water and Wastewater Utility, see related item. Based on conservative build-out of the Wild Horse Ranch, the 30-Year Financial Analysis of this City investment projects a negative 30-year net present value. (Recommended by Water and Wastewater Commission) (Related Item Nos. 11 and 82)

Resolution No. 010927-83 and Ordinance No. 010927-83 were approved.

84. Set a public hearing on an appeal of the Sign Review Board's action to overturn the Building Official's decision to deny a repair permit to Reagan National Advertising for an off-premise sign previously located at 2801 1/2 Cole Street. Appellant: Randy Merritt on behalf of the Vanderhoof Family Trust, landowners. (Suggested Date and Time: October 4, 2001 at 6:00 p.m.).

Resolution No. 010927-84 was approved.

85. Approve an ordinance authorizing acceptance of \$15,011 in grant funding from the Federal Emergency Management Agency through the Texas Department of Public Safety for hazard mitigation projects. Amend Ordinance No. 000912-1, the 2000-2001 Operating Budget, amending the Watershed Protection and Development Review Department Special Revenue Fund by increasing grant funding and expenditures by \$15,011 for reimbursement of eligible expenses incurred through purchasing flood prone properties. (Funding is available from a FEMA grant.)

Ordinance No. 010927-85 was approved.

86. Approve a ordinance to amend Ordinance Number 001012-47, a flood plain variance allowing encroachment of a proposed building on the 25-year and 100-year flood plains of Shoal Creek at 801 West 5th Street to extend the date by which the project must have a building permit two years from September 28, 2001 to September 28, 2003.

Ordinance No. 010927-86 was approved.

Item 87 was pulled and discussed earlier in the meeting.

88. Make appointments to the Council's Judicial Subcommittee. (Mayor Kirk Watson, Mayor Pro Tem Jackie Goodman and Council Member Will Wynn)

Resolution No. 010927-88 was approved.

89. Approve an ordinance waiving certain fees and requirements under Chapter 15-11-18 of the City Code relating to street closures on December 15, 2001 for the MADD-Heart of Texas Jingle Bell 5K. (Council Member Danny Thomas)

Ordinance No. 010927-89 was approved.

90. Approve an ordinance waiving certain fees and requirements under Chapter 15-11-18 of the City Code relating to street closures on September 30, 2001 for the Terry Fox 5K. (Council Member Will Wynn)
Ordinance No. 010927-90 was approved.
91. Approve an ordinance waiving certain fees and requirements under Chapter 15-11-18 of the City Code relating to street closures on November 15-18, 2001 for the Texas Book Festival. (Council Member Will Wynn and Council Member Raul Alvarez)
Ordinance No. 010927-91 was approved.
92. Approve an ordinance waiving certain fees and requirements under Chapter 15-11-18 of the City Code relating to street closures on October 7, 2001 for The American Diabetes Association 8K Walk. (Mayor Pro Tem Jackie Goodman and Council Member Raul Alvarez)
Ordinance No. 010927-92 was approved.
93. Approve ordinance waiving Water and Wastewater Impact Fees in the amount of \$34,000 for the YMCA of Austin, Inc. for development of its Northwest Austin Branch (Forgone revenue of \$13,000 in Water Impact Fees, \$8,000 in Wastewater Impact Fees, \$13,000 in Water Impact Fees for Irrigation Meter). (Council Member Will Wynn and Mayor Pro Tem Jackie Goodman)
Ordinance No. 010927-93 was approved.
94. Reconsider an ordinance for a development agreement between the City of Austin and Riata Partners, L.L.C., for the development of Robertson Hill, and authorize cost deferrals, economic development grants, fee waivers, and waivers of City Code provisions, as set forth in Ordinance 010607-25 (Council Member Beverly Griffith)
This item was removed from the agenda by Council Member Griffith, who was the sponsor.

Items 95 through 101 were citizen communications

Items 102 through 131 were zoning items.

Items 132 through 135 were public hearings.

136. APPOINTMENTS

Arts Commission

Loretta Lewis	reappointment	Thomas
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Austin Community Education Consortium

Bruce Barrick	reappointment	Consensus
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Board of Adjustment

Leroy Vaughn (alternate)	appointment	Consensus
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Bond Oversight Committee

Dave Sullivan (Planning Commission Rep.)	appointment	Consensus
Patricia Rodriguez (Library Commission Rep.)	appointment	Consensus

Building and Fire Code Board of Appeals

Alan Schuman	reappointment	Consensus
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Child Care Council

Jonathon Poole	appointment	Consensus
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Jacqueline Taylor	appointment	Consensus
<u>Commission on Immigrant Affairs</u>		
Otilia Sánchez	appointment	Consensus
<u>Design Commission</u>		
Phillip Alan Reed	appointment	Wynn
Juan E. Cotera	reappointment	Alvarez
Eleanor McKinney	reappointment	Consensus
Janet Seibert	reappointment	Goodman
<u>Downtown Commission</u>		
Stan Haas	reappointment	Consensus
Chris Riley (Planning Commission Rep.)	appointment	Consensus
Beatrice Fincher	reappointment	Consensus
Robert Knight	reappointment	Consensus
<u>Electric Utility Commission</u>		
Teresa Reel	reappointment	Griffith
Marilyn Jones	reappointment	Consensus
<u>Ethics Review Commission</u>		
Hector Ortiz	appointment	Alvarez
Ilan Levin	reappointment	Wynn
<u>Federally Qualified Health Center Board</u>		
Julia Mitchell	reappointment	Consensus
<u>Renaissance Market Commission</u>		
Robert Edgecomb	reappointment	Consensus
Michael Kleinman	reappointment	Consensus
Janis Morgan	reappointment	Consensus
Karen Sasser	reappointment	Consensus
Robert Lee Burgess	appointment	Consensus
Paul Farmer	appointment	Consensus
Laura Wisdom	appointment	Consensus
<u>Resource Management Commission</u>		
Paul Moore	reappointment	Thomas
<u>Robert Mueller Municipal Airport Plan Implementation Advisory Commission</u>		
Nicklas Krivoniak	appointment	Consensus
<u>Urban Renewal Board</u>		
Raul Gonzales	appointment	Mayor

DISCUSSION ITEMS

1. Approval of minutes for regular meeting of August 30, 2001 and Budget Readings of September 10, 2001 and September 11, 2001.
The minutes for the regular meeting of August 30, 2001 and Budget Readings of September 10, 2001 and September 11, 2001 were approved on Council Member Griffith's motion, Council Member Thomas' second by a 7-0 vote.

5. Consider an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Montopolis Neighborhood Plan for the area bounded by U.S. Highway 183 on the northeast, by Ben White Blvd on the southeast, and Grove Blvd. (Country Club & Carson) on the west. (There is no fiscal impact associated with adopting the Plan. An estimate of the fiscal impact to implement all of the recommendations in the plan is \$167,200, with some recommendation costs unknown at this time. This plan is advisory and does not legally obligate the Council to implement any particular recommendation.) (second and third reading) (continued from August 30, 2001)

Ordinance No. 010927-05 was approved with the following amendment on motion by Mayor Pro Tem Goodman and Council Member Griffith on a 6-1 vote. Those voting aye were: Mayor Watson, Mayor Pro Tem Goodman, and Council Members Griffith, Slusher, Thomas and Wynn. Those voting nay were: Council Member Alvarez. The amendment was to zone mixed use to allow residential and commercial uses on the property known as the Old Fiesta Drive-In tract in the northeast corner of Montopolis and Riverside Blvd.

The motion to reconsider this item was approved on Council Member Slusher's motion, Council Member Thomas' second on a 7-0 vote.

Ordinance No. 010927-05 was approved with the following amendments to the neighborhood plan so it is consistent with Ordinance 010927-25 on Mayor Pro Tem Goodman's motion, Council Member Slusher's second on a 6-1 vote. Those voting aye were Mayor Watson, Mayor Pro Tem Goodman, and Council Members Griffith, Slusher, Thomas and Wynn. Those voting nay were: Council Member Alvarez. The amendments to the neighborhood plan were: the property (to be defined by Planning) will be zoned mixed use and the applicant agreed to a restrictive covenant on the property so if this affordable housing project does not go forward, the MU overlay zoning will rollback to SF3 on Tract 2. The rollback will occur in 120 days if the financing has not been arranged or if building permits have not been obtained within two years.

25. C14-00-2064 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1619-1805 Montopolis Drive (Country Club Watershed) from CS, General Commercial Services district zoning, GR, Community Commercial district zoning and SF-3, Family Residence district zoning to GR-NP, Community Commercial-Neighborhood Plan Combining district, zoning or CS-MU, General Commercial Services-Mixed Use Combining district, zoning for Tract 1; and SF-3-NP, Family Residence-Neighborhood Plan Combining district, zoning or GR-MU, Community Commercial-Mixed Use Combining district, zoning for Tract 2. First reading August 30, 2001; Vote: 7-0. Conditions met as follows: No conditions were imposed by City Council at first ordinance reading. Applicant: Delmo and Martha Pearce Family Partnership, Ltd. (Delmo M. Pearce), Alameda Investments, Inc. (G. Pearl Flanche). Agent: William T. Carlisle. City Staff: Adam Smith, 974-2755. Note: The property owner has filed a valid petition.

Ordinance No. 010927-25 was approved on Mayor Pro Tem Goodman's motion, Council Member Slusher's second on a 6-1 vote. Council Member Alvarez voted no. Ordinance 010927-25 should be consistent with changes adopted in Ordinance 010927-05 and 010927-28.

28. C14-01-0060 - Montopolis Neighborhood Plan - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property bounded on the north by the Colorado River, east by U.S. Highway 183, on the south by Ben White Boulevard, on the west by Grove Boulevard; (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 18 Tracts (23, 24, 25, 27, 28, 29, 47, 53, 54, 56, 57, 58, 60, 61, 66, 69, 70 and 73); and

To change the base zoning districts on 56 tracts of land: from interim family residence (I-SF-3) district, single family residence standard lot (SF-2) district, family residence (SF-3) district, multifamily residence low density (MF-2) district, multifamily residence medium density (MF-3) district, mobile home residence (MH) district, neighborhood commercial (LR) district, community commercial (GR) district, community commercial-conditional overlay (GR-CO) combining district, general commercial services (CS) district, general commercial services-conditional overlay (CS-CO) combining district, commercial-liquor sales (CS-1) district, limited industrial services (LI) district, family residence neighborhood plan (SF-3-NP) combining district, multifamily residence low density neighborhood plan (MF-2-NP) combining district, multifamily residence medium density neighborhood plan (MF-3-NP) combining district, general office-neighborhood plan (GO-NP) combining district, neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district, community commercial neighborhood plan (GR-NP) combining district, community commercial-conditional overlay neighborhood plan (GR-CO-NP) combining district, community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district, community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district, warehouse limited office neighborhood plan (W/LO-NP) combining district, general commercial services neighborhood plan (CS-NP) combining district, general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district, and limited industrial services neighborhood plan (LI-NP) combining district. First reading August 30, 2001; Vote: 7-0. Conditions met as follows: Conditions met as imposed by Council on first reading. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Adam Smith, 974-2755 and Mario Flores, 974-2413. . Note: A valid petition has been filed by the property owner in opposition to this rezoning request.

Ordinance No. 010927-28 was approved with the following amendment on Mayor Pro Tem Goodman's motion, Council Member Slusher's second on a 6-1 vote. Those voting aye were Mayor Watson, Mayor Pro Tem Goodman, and Council Members Griffith, Slusher, Thomas and Wynn. Council Member Alvarez voted no. The amendment was to make the ordinance consistent with Ordinance No 010927-25 and changes adopted in Ordinances No. 010927-05 for the specific piece of property in question.

14. Approve an Ordinance amending Section 3-3-91 of the City Code relating to Animal Shelter Fees by adding a Subsection (C) to allow the waiver of certain fees at the Town Lake Animal Shelter (TLAC). (Recommended by Animal Advisory Commission)

Ordinance No. 010927-14 was approved with the following amendments on Mayor Pro Tem Goodman's motion, Council Member Slusher's second on a 7-0 vote. The amendments were to amend line four by inserting "/rescuing" after the word "adopting" and adding a comma after the word "aged" in line five.

6. Approve an ordinance prohibiting sitting or lying down on public sidewalks in the Central Business District. (second and third reading) (continued from May 24, 2001)

The second reading was approved on Council Member Slusher's motion, Council Member Wynn's second by a 4-3 vote. Those voting aye were: Mayor Watson, Mayor Pro Tem Goodman and Council Members Slusher and Wynn. Those voting nay were: Council Members Alvarez, Griffith and Thomas.

26. C14-01-0034 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Walsh Tarlton Lane at South Capital of Texas Highway (Loop 360) (Barton Creek Watershed) from SF-2, Single Family Residence Standard Lot district, zoning to GR-CO, Community Commercial-Conditional Overlay Combining district, zoning for Tract 1 and LO-CO, Limited Office-Conditional Overlay Combining district, zoning for Tract 2. First reading August 9, 2001; Vote: 4-2, Slusher and Alvarez nay, Watson of the dais. Conditions met as follows: Conditional overlay incorporates the conditions imposed by

Council on first ordinance reading. Applicant: Leon Schmidt. Agent: Riverside Resources Investments, LLC (Jeremy Smitheal). City Staff: Adam Smith, 974-2755.

The second reading was approved with the following amendment on Council Member Wynn's motion, Council Member Griffith's second on a 4-3 vote. Those voting aye were: Mayor Watson, and Council Members Griffith, Thomas and Wynn. Those voting nay were: Mayor Pro Tem Goodman and Council Members Alvarez and Slusher. The amendment was to change tract 2 to increase the percentage of LO on the property and delete the restriction on fast food. Because of the increase in the number of trips per day, there is a need for a traffic mitigation measure that is acceptable to Council.

The motion to recess the meeting at 12:06 p.m. to go into Executive Session was approved on Mayor Pro Tem Goodman's motion, Council Member Thomas' second by a 7-0 vote.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Section 551.071 of the Texas Government Code, to receive advice from Legal Counsel

Mayor Watson announced that items 110 through 118 would be discussed during Executive Session.

Executive Session ended at 12:52 p.m.

Mayor Watson called the meeting back to order at 1:05 p.m.

DISCUSSION ITEMS CONTINUED

72. Approve an ordinance annexing the Nowotny Tract for full purposes, consisting of approximately 49 acres located in southwestern Travis County east of FM 1826 at Twilight Terrace Drive and Twilight Mesa Drive. (No fiscal impact in Fiscal Year 2001-2002. Estimated property tax revenue of \$4,000 in Fiscal Year 2002-2003.) (First reading only)

The first reading was approved on Council Member Slusher's motion, Council Member Alvarez' second on a 4-0 vote. Those voting in favor were: Mayor Watson and Council Members Alvarez, Slusher and Wynn. Mayor Pro Tem Goodman and Council Members Griffith and Thomas were off the dais.

74. Approve an ordinance annexing the Barker Ranch at Shady Hollow Area, consisting of approximately 90 acres located in southern Travis County west of Brodie Lane at Frate Barker Road. (Funding related to future service extension requests is contingent upon approval of funding in future periods. Estimated property tax revenue of \$6,800 in Fiscal Year 2002-2003.)

The first reading was approved on Council Member Slusher's motion, Council Member Thomas' second on a 7-0 vote. Council Member Slusher directed staff to start a new annexation process to include land needed to protect the water quality in this area.

76. Approve an ordinance annexing the Pickard Area, consisting of approximately 210 acres located in southern Travis County north of Frate Barker Rd and west of Manchaca Rd.; and establish an interim zoning classification of I-SF4 A for the portion of the annexation area included in the proposed Olympic Heights subdivision. (Funding related to future service extension requests is contingent upon approval of funding in future periods. Estimated property tax revenue of \$8,300 in Fiscal Year 2002-2003.)

The first reading was approved on Council Member Slusher's motion, Council Member Wynn's second on a 7-0 vote. Mayor Watson directed staff to start a new annexation process

to include land needed to protect the water quality in this area. This annexation should proceed at the same time as item No. 74.

29. C14-01-0084 - Approve second/third readings of an ordinance amending 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-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. First Reading on August 23, 2001; Vote: 4-1-1, Slusher nay, Goodman abstained and Thomas out of the room. Conditions met as follows: Conditional overlay incorporates the conditions approved by Council at first reading. Applicant and Property Owner: James Paul Hembree. Agent: Sarah Crocker Consultants (Sarah Crocker). City Staff: Wendy Walsh, 974-7719. The second reading was approved on Council Member Wynn's motion, Council Member Thomas' second on a 5-1-1 vote. Council Member Slusher voted no. Mayor Pro Tem Goodman abstained.

The motion to recess the meeting at 1:16 p.m. was approved on Council Member Griffith's motion, Council Member Slusher's second by a 7-0 vote.

Mayor Watson called the meeting back to order at 1:34 p.m.

CITIZEN COMMUNICATIONS

95. Mr. Akwasi Evans - Reparations
96. Ms. Jennifer L. Gale - A NEW GOVERNMENT FOR THE PEOPLE OF THE CITY OF AUSTIN.
97. Robert Thomas - To discuss employment and building at the Rosewood Recreation Center.-
ABSENT
98. Paul Robbins - Open
99. MariBen Ramsey - City of Austin Combined Charities Campaign
100. Gus Pena - (1) To discuss City Of Austin issues to include the needs of the Less Fortunate and the Have Nots. (2) To urge the City of Austin to continue expediting low income affordable housing Construction and to expedite Transitional Housing Initiatives for people who need Housing. Remember "People want a Hand Up", Not A Hand Down.
101. Susana Almanza - World Conference on Racism: South Africa
137. John MacPherson

DISCUSSION ITEMS CONTINUED

63. Consider an ordinance reimbursing or waiving development fees and payments for GUERRERO-MC DONALD & ASSOCIATES, INC., for a development project located at 1701 Lavaca Street under the Smart Growth Matrix in an amount not to exceed \$313,187 and waiving the requirement to provide structural water quality controls in accordance with the terms of an agreement to be negotiated and executed by the City Manager. (Total amount of funding \$313,187 in estimated future waivers or reimbursements of fees: \$43,474 of development review and permit fees, and fees in lieu of structural controls in the Watershed Protection and Development Review Department; \$240,884 in temporary use of right-of-way fees in the Transportation, Planning and Sustainability Department; \$3,792 in license agreement and construction inspection fees in the Public Works Department; \$25,037 of capital recovery, tap and inspection fees in the Water and Wastewater Utility Department.)
Ordinance No. 010927-63 was approved on Council Member Wynn's motion, Mayor Watson's second by a 6-0-1 vote. Council Member Griffith abstained.

64. Consider an ordinance reimbursing or waiving development fees and payments for AMLI RESIDENTIAL PROPERTY, L.P., for a development project located at 201 Lavaca Street under the Smart Growth Matrix in an amount not to exceed \$882,848; waiving the requirements to provide structural water quality controls, and authorizing the negotiation and execution of all agreements with AMLI Residential Property, L.P. for the reimbursement of costs associated with the construction of streetscape and infrastructure improvements in accordance with the Great Streets Master Plan in an amount not to exceed \$150,000. (Total amount of funding \$1,032,848. \$882,848 in estimated future waivers or reimbursements of fees: \$148,623 of development review and permit fees, and fees in lieu of structural controls in the Watershed Protection and Development Review Department; \$694,805 in temporary use of right-of-way in the Transportation, Planning and Sustainability Department; \$7,700 in license agreement and inspection fees in the Public Works Department; \$31,720 of capital recovery, tap and inspection fees in the Water and Wastewater Utility Department. \$150,000 in streetscape and infrastructure improvements. \$150,000 is available in the 2000-2001 Amended Capital Budget of the Transportation, Planning, and Sustainability Department.)
- Ordinance No. 010927-64 was approved on Council Member Wynn's motion, Mayor Watson's second by a 6-0-1 vote. Council Member Griffith abstained.**

The motion to recess the Council meeting at 2:12 p.m. was approved on Council Member Griffith's motion, Council Member Wynn'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 3:36 p.m. See the separate minutes for this meeting.

Mayor Watson called the Council meeting back to order at 3:37p.m.

42. Approve an ordinance authorizing the City Manager or designee to advertise for sealed bid offers and to negotiate final offers for the sale of three tracts purchased as part of the May 2, 1998 Proposition 2 - Barton Springs Clean Drinking Water Project, consisting of a 182.917 acre tract known as McClure located at 11218 Fitzhugh Road, a 361.939 acre tract known as Bending Oaks located at 10301 Hwy. 290 West, and a 143.418 acre tract known as Paschall located at 8517 Young Lane, for not less than the fair market value, and subject to conservation easements retained by the City. (Proceeds from the sale will be deposited in the Water Operating Fund 5020 to repay the loan.)
- Ordinance No. 010927-42 was approved as part of the consent agenda.**

The motion to reconsider was approved on Mayor Pro Tem Goodman's motion, Mayor Watson's second by a 6-0 vote. Council Member Thomas was off the dais.

Ordinance No. 010927-42 was approved on Mayor Pro Tem Goodman's motion, Council Member Griffith's second by a 6-0 vote including directions to the City Manager to have staff presentations to the Parks Board, Environmental Board, and the joint Planning Commission and Zoning and Platting Commission regarding the standards used concerning watershed protection, public access and other conditions on preserve land sale proposals. Council Member Thomas was off the dais.

The motion to recess the Council meeting at 3:41 p.m. was approved on Council Member Griffith's motion, Mayor Watson's second by a 6-0 vote. Council Member Thomas was off the dais.

Mayor Watson called the meeting back to order at 4:07 p.m.

ZONING CONSENT

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

102. C814-87-007.01 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 4101 Parkstone Heights Road (Barton Creek Watershed) from PUD, Planned Unit Development district, zoning to PUD, Planned Unit Development district, zoning in order to change conditions of zoning. Planning Commission Recommendation: To grant PUD, Planned Unit Development district, zoning. Property Owner and Applicant: Cornerstone Group Architects (Mark Carlson, A.I.A.). Agent: Conley Engineering, Inc. (Robert Thompson, P.E.). City Staff: Wendy Walsh, 974-7719.

The first reading of this ordinance was approved.

103. C814-88-0001(RCA) - Public hearing to amend Chapter 25-2 of the Austin City Code by amending a restrictive covenant for the property known as 2800 Waymaker Way (Lake Austin Watershed). Zoning and Platting Commission Recommendation: To grant an indefinite postponement request by Staff. Applicant: Parmer Ridge Limited (John Lloyd). Agent: Armbrust, Brown and Davis (Kris Kasper). City Staff: Glenn Rhoades, 974-2775. (continued from 8/30/01)
This item was postponed indefinitely at staff's request.

104. C814-88-0001.07 - 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 district, zoning to PUD, Planned Unit Development district, zoning. Zoning and Platting Commission Recommendation: To grant an indefinite postponement request by Staff. Applicant: Parmer Ridge Limited (John Lloyd). Agent: Armbrust, Brown and Davis (Kris Kasper). City Staff: Glenn Rhoades, 499-2775. . (continued from 8/30/01)
This item was postponed indefinitely at staff's request.

Item 105 was pulled for discussion.

106. C14H-01-0005 - Oakwood Cemetery Annex -Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1601 Navasota Street (Boggy Creek Watershed) from Unzoned to P-H, Public-Historic Combining district, zoning. Zoning and Platting Commission Recommendation: To grant P-H, Public-Historic Combining district, zoning. Historic Landmark Commission: To grant P-H, Public-Historic Combining district, zoning. Applicant: City of Austin. City Staff: Barbara Stocklin, Transportation and Sustainability Department, 974-2414
Ordinance No. 010927-106 was approved.

107. C14H-01-0006 - Oakwood Cemetery Annex -Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1601 Comal Street (Boggy Creek Watershed) from Unzoned to P-H, Public-Historic Combining district, zoning. Zoning and Platting Commission Recommendation: To grant P-H, Public-Historic Combining district, zoning. Historic Landmark Commission: To grant P-H, Public-Historic Combining district, zoning. Applicant: City of Austin. City Staff: Barbara Stocklin, Transportation and Sustainability Department, 974-2414.
Ordinance No. 010927-107 was approved.

108. C14H-01-0007 - Genaro and Carolina Briones House -Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1204 East 7th Street (Waller Creek Watershed) from SF-3, Family Residence district, zoning to SF-3-H, Family Residence-Historic Combining district, zoning. Zoning and Platting Commission Recommendation: To grant SF-3-H, Family Residence-Historic Combining district, zoning. Historic Landmark Commission: To grant SF-3-H, Family Residence-Historic Combining district, zoning. Applicant: Ms. Carolina Briones. City Staff: Barbara Stocklin, Transportation and Sustainability Department, 974-2414.

Ordinance No. 010927-108 was approved.

109. C14H-01-0010 - Deep Eddy -Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 401 Deep Eddy (Town Lake Watershed) from P, Public district, zoning to P-H, Public-Historic Combining district, zoning. Zoning and Platting Commission Recommendation: To grant P-H, Public-Historic Combining district, zoning. Historic Landmark Commission: To grant P-H, Public-Historic Combining district, zoning. Applicant: City of Austin. City Staff: Barbara Stocklin, Transportation and Sustainability Department, 974-2414. **Ordinance No. 010927-109 was approved.**
110. 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, 5/10/01, 5/24/01, 8/2/01 and 8/9/01)
This item was postponed to October 11, 2001 at staff's request.
111. 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, 5/10/01, 5/24/01 and 8/2/01)
This item was postponed to October 11, 2001 at staff's request.
112. 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, 5/10/01, 5/24/01 and 8/2/01)
This item was postponed to October 11, 2001 at staff's request.
113. 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, 5/10/01, 5/24/01 and 8/2/01)
This item was postponed to October 11, 2001 at staff's request.
114. C14-01-0024 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 3300 Block of Squirrel Hollow Drive (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. Planning Commission Recommendation: To grant SF-2, Single Family Residence Standard Lot district zoning. Property Owner and Applicant: Larry Niemann. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719. (continued from 4/26/01, 5/3/01, 5/10/01, 5/24/01 and 8/2/01)

This item was postponed to October 11, 2001 at staff's request.

115. 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, 5/10/01, 5/24/01 and 8/2/01)

This item was postponed to October 11, 2001 at staff's request.

116. 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, 5/10/01, 5/24/01 and 8/2/01)

This item was postponed to October 11, 2001 at staff's request.

117. 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, 5/10/01, 5/24/01 and 8/2/01)

This item was postponed to October 11, 2001 at staff's request.

118. 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, 5/10/01, 5/24/01 and 8/2/01)

This item was postponed to October 11, 2001 at staff's request.

119. 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 zoning 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. (continued from 8/23/01)

This item was postponed to December 6, 2001 at staff's request.

Items 120 through 121 were pulled for discussion.

122. C14-01-0072 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 2717-2810 Guadalupe Street (Waller Creek Watershed) from CS, General Commercial Services district, zoning to MF-6-CO, Multifamily Residence Highest

Density-Conditional Overlay Combining district zoning. Planning Commission Recommendation: To deny MF-6-CO, Multifamily Residence Highest Density-Conditional Overlay Combining district zoning. Applicant: Villas on Guadalupe L.P. Agent: McHone Real Estate (Mike McHone). City Staff: Glenn Rhoades, 499-2775.

This item was postponed to October 11, 2001 at the neighborhood's request.

123. C14-01-0079 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 4608 Charles Avenue (Lake Austin Watershed) From LA, Lake Austin district zoning to SF-2, Single Family Residence Standard Lot district zoning. Zoning and Platting Commission Recommendation: To grant SF-2, Single Family Residence Standard Lot district zoning. Applicant: William Knox. Agent: Crocker Consultants (Sarah Crocker). City Staff: Glenn Rhoades, 499-2775.

The first reading of this item was approved.

124. C14-01-0080 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 7800 Block of San Felipe Boulevard (Rattan Creek Watershed) from CS-CO, General Commercial Services-Conditional Overlay Combining district, zoning to MF-2, Multifamily Residence Low Density district, zoning. Planning Commission Recommendation: To grant MF-2, Multifamily Residence Low Density district, zoning. Applicant: John Pieratt (Pieratt No, 1, LLC). Agent: Jim Bennett. City Staff: Sherri Gager, 499-3057.

This item was postponed to October 25, 2001 at the applicant's request.

125. C14-01-0097 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 4700 Burleson Road (Country Club Creek Watershed) from LI, Limited Industrial Services district, zoning to CS-1, Commercial Liquor Sales district, zoning. Planning Commission Recommendation: To grant CS-1-CO, Commercial Liquor Sales-Conditional Overlay Combining district, zoning with conditions. Applicant: Dimension Properties (Michael J. Kuhn). Agent: Jim Bennett. City Staff: Wendy Walsh, 974-7719.

Ordinance No. 010927-125 was approved.

126. C14-01-0098 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 5317 Southwest Parkway (Williamson Creek Watershed) from GR, Community Commercial district, LR, Neighborhood Commercial district, and CS, General Commercial Services district, zoning to MF-2, Multifamily Residence Low Density district, zoning. Planning Commission Recommendation: To grant MF-2, Multifamily Residence Low Density district, zoning. Applicant: Jane Daughterty. Agent: Joseph Ranzani. City Staff: Katie Larsen, 974-3072.

Ordinance No. 010927-126 was approved.

127. C14-01-0099 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 8807 Manchaca Road (South Boggy and Slaughter Creek Watersheds) from DR, Development Reserve district, zoning to LR, Neighborhood Commercial district, zoning. Planning Commission Recommendation: To grant LO-MU-CO, Limited Office-Mixed Use-Conditional Overlay Combining district, zoning with conditions for Tracts 1 and 2. Applicant and Property Owner: Frederick A. Jackson. City Staff: Wendy Walsh, 974-7719.

The first reading of this ordinance was approved.

128. C14-01-0107- Canyon Creek - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10112 Brimfield Drive; 10332, 10328, 10324, 10320, 10316, 10312, 10308 Kilmarnock Drive; 10109 Tularosa Pass (Bull Creek Watershed) from DR, Development Reserve district, zoning for Tract 1 and SF-1, Single Family Residence-Large Lot district, zoning for Tract 2 to SF-2, Single Family Residence-Standard Lot District, zoning. Planning Commission Recommendation: To grant to SF-2, Single Family Residence Standard Lot

district, zoning. Applicant: Weekly Homes (Jim Rado). Agent: Land Strategies (Paul Linehan). City Staff: Sherri Gager, 499-3057.

Ordinance No. 010927-128 was approved.

129. C14-01-0108- Canyon Creek - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10201, 10205, 10209, 10213, 10217, 10301, 10309, 10401, 10405, 10409, 10413 Peekston Drive; 10321, 10325, 10329 Kilmarnock Drive; 10124, 10128, 10132, 10136, 10140 Brimfield Drive; 10508, 10512, 10513, 10509, 10505, 10501 Brimfield Court (Bull Creek Watershed) from SF-1, Single Family Residence-Large Lot 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. Planning Commission Recommendation: To grant to SF-2, Single Family Residence Standard Lot district, zoning. Applicant: Weekly Homes (Jim Rado). Agent: Land Strategies (Paul Linehan). City Staff: Sherri Gager, 499-3057.

Ordinance No. 010927-129 was approved.

130. C14-01-0109- Canyon Creek - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10137, 10133, 10129, 10125, 10121, 10117, 10421 Tularosa Pass; 10200, 10204, 10208, 10212, 10216, 10300, 10304, 10308, 10312, 10316, 10400, 10404, 10408, 10412, 10416 Peekston Drive (Bull Creek Watershed) from SF-1, Single Family Residence-Large Lot district, zoning to SF-2, Single Family Residence Standard Lot district, zoning. Planning Commission Recommendation: To grant to SF-2, Single Family Residence Standard Lot district, zoning. Applicant: Weekly Homes (Jim Rado). Agent: Land Strategies (Paul Linehan). City Staff: Sherri Gager, 499-3057.

Ordinance No. 010927-130 was approved.

131. C14-01-0110- Canyon Creek - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10108, 10112, 10116, 10120, 10124, 10128, 10132, 10136, 10140 Tularosa Pass; 10201, 10205, 10209, 10301, 10305, 10309, 10313, 10401, 10405, 10409, 10413, 10417, 10416, 10412, 10408, 10404, 10400, 10141, 10137, 10133, 10129, 10125, 10121, 10117, 10113, 10109, 10105 Brimfield Drive (Bull Creek Watershed) from DR, Development Reserve district, zoning for Tract 1 and SF-1, Single Family Residence-Large Lot district, zoning for Tract 2 to SF-2, Single Family Residence Standard Lot district, zoning. Planning Commission Recommendation: To grant to SF-2, Single Family Residence Standard Lot district, zoning. Applicant: Weekly Homes (Jim Rado). Agent: Land Strategies (Paul Linehan). City Staff: Sherri Gager, 499-3057.

Ordinance No. 010927-131 was approved.

ZONING DISCUSSION

105. C14-00-2209 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property located at the Terminus of Moore's Crossing Boulevard (Dry Creek South Watershed) from SF-2, Single Family Residence Standard Lot district, zoning to SF-3, Family Residence district, zoning. Planning Commission Recommendation: To deny SF-3, Family Residence district, zoning. Applicant and Property Owner: SR Development, Inc. (William Gurasich). City Staff: Wendy Walsh, 974-7719.

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

The motion to deny the rezoning was approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second by a 7-0 vote.

120. C14-01-0030 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 204 West Powell Lane (Little Walnut Creek Watershed) from GR, Community Commercial district, W/LO, Warehouse/Limited Office district zoning to CS-CO, General Commercial Services-Conditional Overlay Combining, district zoning. Planning Commission Recommendation: To grant CS-CO, General Commercial Services-Conditional Overlay Combining, district zoning with conditions. Applicant: Powell Lane Joint Venture. Agent: Crocker Consultants (Sarah Crocker). City Staff: Annick Beaudet, 974-2975.

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

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

The motion to recess the meeting at 6:07 p.m. was approved on Council Member Slusher's motion, Council Member Wynn's second by a 7-0 vote.

Mayor Watson called the meeting back to order at 6:34 p.m.

DISCUSSION ITEMS CONTINUED

121. C14-01-0070 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 910 West Cesar Chavez (Town Lake Watershed) From DMU, Downtown Mixed Use Combining district zoning to DMU-CURE, Downtown Mixed Use-Central Urban Redevelopment Combining district zoning. Planning Commission Recommendation: To grant DMU-CURE, Downtown Mixed Use-Central Urban Redevelopment Combining district zoning. Applicant: Lumberman's Investment Corporation (Phillip Breland). Agent: Locke, Liddell and Sapp (Jay Hailey). City Staff: Glenn Rhoades, 499-2775.

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

The motion to approve on first reading the staff and Planning Commission's recommendation on zoning and incorporating the settlement agreement language on the location of the buildings failed on Council Member Wynn's motion, Mayor Watson's second by a 3-4 vote. Those voting aye were: Mayor Watson and Council Members Alvarez and Wynn. Those voting nay were: Mayor Pro Tem Goodman and Council Members Griffith, Slusher and Thomas.

The motion to recess the meeting at 6:07 p.m. was approved on Council Member Slusher's motion, Council Member Wynn's second by a 7-0 vote.

Mayor Watson called the meeting back to order at 6:34 p.m.

DISCUSSION ITEMS CONTINUED

133. Conduct a public hearing and consider an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Rosewood Neighborhood Plan for the area bounded by: Airport Blvd from Manor Rd. to Oak Springs, Oak Springs from Airport to Webberville, Webberville to Northwestern, Northwestern to Rosewood Ave., Rosewood Ave. to Chicon, Chicon to E. 12th St., E. 12th St. to the railroad tracks immediately east of Walnut, the railroad tracks between E. 12th St. and Martin Luther King Jr. Blvd., Martin Luther King Jr. Blvd. to Stafford, Stafford to Rogers, Rogers to Walnut, Walnut to Manor Rd., and Manor Rd. to Airport Blvd. (There is no fiscal impact associated with adopting the Rosewood Neighborhood Plan. An estimate of the fiscal impact to implement all of the recommendations in the plan is \$1,934,510.

This plan is advisory and does not legally obligate the Council to implement any particular recommendation.)

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

135. Consider an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Rosewood Neighborhood Plan for the area bounded by: Airport Blvd from Manor Rd. to Oak Springs, Oak Springs from Airport to Webberville, Webberville to Northwestern, Northwestern to Rosewood Ave., Rosewood Ave. to Chicon, Chicon to E. 12th St., E. 12th St. to the railroad tracks immediately east of Walnut, the railroad tracks between E. 12th St. and Martin Luther King Jr. Blvd., Martin Luther King Jr. Blvd. to Stafford, Stafford to Rogers, Rogers to Walnut, Walnut to Manor Rd., and Manor Rd. to Airport Blvd. (There is no fiscal impact associated with adopting the Rosewood Neighborhood Plan. An estimate of the fiscal impact to implement all of the recommendations in the plan is \$1,934,510. This plan is advisory and does not legally obligate the Council to implement any particular recommendation.)

The first reading of this ordinance was approved on Council Member Thomas' motion, Council Member Slusher's second by a 6-0 vote. Council Member Wynn was off the dais.

132. Conduct a public hearing to amend the 2025 Austin Metropolitan Area Transportation Plan (AMATP) to delete Frate Barker, from Manchaca Rd. to SH 45 South.

The motion to amend the rules and allow fifteen minutes per side was approved on Council Member Slusher's motion, Mayor Watson's second by a 4-3 vote. Those voting aye were: Mayor Watson, Mayor Pro Tem Goodman, and Council Members Slusher and Wynn. Those voting nay were: Council Members Alvarez, Griffith and Thomas.

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

134. Consider approving an ordinance to amend the 2025 Austin Metropolitan Area Transportation Plan (AMATP) to delete Frate Barker, from Manchaca Rd. to SH 45 South.

Ordinance No. 010927-134 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 8:10 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 September 27, 2001 were approved on Council Member Wynn's motion, Council Member Griffith's second by a 6-0 vote. Mayor Watson was absent.

The amended minutes for the meeting of September 27, 2001 and the minutes for the meeting of November 8, 2001 were approved. Mayor Garcia abstained since he was not in office at the time of these meetings on Council Member Thomas' motion, Council Member Wynn's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Griffith were off the dais.

