



Austin City Council
MINUTES

REGULAR MEETING
THURSDAY, OCTOBER 4, 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, October 4, 2001 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

INVOCATION – Pastor Gary Renfro, Corinth Baptist Church

Mayor Pro Tem Goodman called the meeting to order at 10:13 a.m.

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Wynn's motion, Council Member Griffith's second by a 6-0 vote. Mayor Watson was absent.

1. Approval of minutes for regular meeting of September 27, 2001
The minutes for the regular meeting of September 27, 2001 were approved.

Item 2 was a briefing.

Item 3 was an Executive Session item.

4. Approve a resolution authorizing amendments to the City of Austin's Investment Policy.
(Approved by Audit and Finance Committee)
Resolution No. 011004-04 was approved.
5. Approve a resolution declaring official intent to reimburse acquisition and construction costs in an aggregate maximum principal amount equal to approximately \$104,611,100 to be paid out of the following funds: Water CIP Funds; 3760, 3780, 3790, 3810, 3830, 3840, 3880, 3890, 3910, 3960, 4200, 4210, 4220. Wastewater CIP Funds; 4320, 4330, 4340, 4350, 4390, 4400, 4430, 4440, 4530, 4540, 4560, 4570.
Resolution No. 011004-05 was approved.

6. Approve a resolution declaring official intent to reimburse acquisition and construction costs in an aggregate maximum principal amount equal to approximately \$54,000,000 to be paid out of the following electric utility CIP funds: 3170, 3230, 3240, 3250, 3260.
Resolution No. 011004-06 was approved.
7. Set a public hearing pursuant to Section 104.151 of the Texas Utilities Code to consider: 1) an audit report; 2) issuing an accounting order affecting the annual reconciliation report filed by Southern Union Gas (SUG); 3) amending SUG's Cost of Gas Clause Rate Schedule No. 1; and, 4) other related topics. (Suggested Date and Time: October 25, 2001 at 6:00 p.m. at the Lower Colorado River Authority)
Resolution No. 011004-07 was approved.

Items 8 through 9 were pulled for discussion.

10. C14-01-0061 - Dawson Neighborhood Plan - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property bounded on the north by Oltorf Street, on the east by South Congress Avenue, on the south by Ben White Blvd., and on the west by South 1st Street (East Bouldin Creek Watershed), To add a NP, Neighborhood Plan Combining District (NPCD) to each base district zoning district within the entire area; To add a neighborhood mixed use building special use is proposed for 26 Tracts (1-6, 9-15, 17-18, 21-28, and 30-32); and To change the base zoning districts on 31 tracts of land: from: SF-3, Family Residence district, MF-2, Multifamily Residence Low Density district, MF-3, Multifamily Residence Medium Density district, MF-4, Multifamily Residence Moderate-High Density district, LO, Limited Office district, LR, Neighborhood Commercial district, GR, Community Commercial district, GR-CO, Community Commercial-Conditional Overlay Combining district, W/LO, Warehouse-Limited Office district, CS, General Commercial Services district, CS-1, Commercial-Liquor Sales district, LI, Limited Industrial Services district zoning to SF-3-NP, Family Residence-Neighborhood Plan Combining district, MF-2-NP, Multifamily Residence Low Density-Neighborhood Plan Combining district, MF-3-NP, Multifamily Residence Medium Density-Neighborhood Plan Combining district, LO-CO- NP, Limited Office-Conditional Overlay-Neighborhood Plan Combining district, LR-CO- NP, Neighborhood Commercial-Conditional Overlay-Neighborhood Plan Combining district, GR-CO-NP, Community Commercial-Conditional Overlay-Neighborhood Plan Combining district, CS-CO-NP, General Commercial Services-Conditional Overlay-Neighborhood Plan Combining district, CS-1-CO-NP, Commercial-Liquor Sales-Conditional Overlay- Neighborhood Plan Combining district, LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning, P-NP, Public-Neighborhood Plan Combining district. First reading on July 19, 2001; Vote: 6-0, Watson absent. Second reading on August 30, 2001; Vote: 7-0. Conditions met as follows: Conditional overlay incorporates the conditions imposed by Council at second reading. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Sue K. Hounsel, 974-6564 and Adam Smith, 974-2755. Note: Valid petitions have been filed by property owners in opposition to this rezoning request.
This item was postponed to October 11, 2001 at staff's request.
11. Amend ordinance no. 981105-K, to correct a typographical error in a condition of zoning for the property located at 1508 and 1606 Dessau Ridge Lane further described in zoning file no. C14-98-0126. City Staff: Katie Larsen: 974-3072.
Ordinance No. 011004-11 was approved.
12. 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 Davis 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). (continued from 9-27-01)

Ordinance No. 011004-12 was approved.

13. Approve a resolution authorizing negotiation and execution of an amendment to the existing professional services agreement with PBS&J (formerly Espey, Huston & Associates, Inc.), Austin, Texas, for engineering services for design through construction contract bid and award of the Lower Williamson Creek Interceptor Project, Phase IIA and Phase IIIA, in an amount not to exceed \$1,166,619, for a total amount not to exceed \$1,416,004. (Funding in the amount of \$1,166,619 is included in the 1998-1999 Amended Capital Budget of the Water & Wastewater Utility.) Participation for this phase is 6.9% MBE, 19.2 % WBE (Recommended by Water and Wastewater Commission)

Resolution No. 011004-13 was approved.

14. Approve a resolution authorizing negotiation and execution of a contract to purchase approximately 15.07 acres in fee simple located east of North Lamar Boulevard at Walnut Creek, from Keith Dowland, Trustee, as authorized by the November 1998 Bond Proposition 2 for the Greenways and Destination Parks, in an amount not to exceed \$247,500. (Funding was included in the 2000-2001 Capital Budget of the Parks & Recreation Department.)

Resolution No. 011004-14 was approved.

15. Approve a resolution authorizing negotiation and execution of a Memorandum of Understanding for real estate acquisition services from Hill Country Conservancy to continue the City's role in preserving land and protecting water quality for the Open Space Project as authorized by the November 7, 2000 Bond Proposition 2, reimbursement of direct costs in an amount not to exceed \$100,000. (Funding was included in the 2001-2001 Capital Budget of the Parks & Recreation Department.)

Resolution No. 011004-15 was approved.

16. Approve a resolution authorizing negotiation and execution of a contract to purchase approximately 1.39 acres in fee simple located east of Metric Boulevard at the Walnut Creek Greenbelt, from Mary Bird Alexander, William Riley Bird, William R. Bird (acting as independent executor of the estate of Monette Bird, Mary Bird Alexander, as independent executor of the estate of James Robert Alexander, James Robert Alexander, III, Mary Ann Alexander, William R. Bird, Jr. and Sandra Ann Bird), for the Greenways and Destination Parks as authorized by the November 1998 Bond Proposition 2, in an amount not to exceed \$108,986. (Funding was included in the 2000-2001 Capital Budget of the Parks & Recreation Department.)

Resolution No. 011004-16 was approved.

17. Approve a resolution authorizing payment to the TEXAS DEPARTMENT OF TRANSPORTATION for the City's 10% participation of the right-of-way acquisition for the U.S. Highway 183 Project, from East of US 290 to S.H. 71, in accordance with the June 27, 1986 Agreement for Right-of-Way Procurement, in the amount of \$170,000. (Funding is available in the 2000-2001 Amended Capital Budget of the Transportation, Planning & Sustainability Department.)

Resolution No. 011004-17 was approved.

18. Approve a resolution authorizing execution of a contract with CAPITAL EXCAVATION, INC., Austin, Texas, for reconstruction of St. Elmo Road East, from IH 35 to Nuckols Crossing, in the amount of \$1,461,406.35, plus \$73,070.32, contingency fund, for a total amount not to exceed \$1,534,476.67. (Funding in the amount of \$1,478,445.19 is included in the 2000-2001 Amended Capital Budget of the Public Works Department; \$11,555.64 is available in the 2000-2001 Amended Capital Budget of the Water & Wastewater Utility; \$44,475.84 is available in the 1995-1996 Amended Capital Budget of the Water & Wastewater Utility.) Lower of the two bids received. .96% MBE, 52.51% WBE subcontracting participation.
Resolution No. 011004-18 was approved.

Item 19 was pulled for discussion.

20. Approve a resolution authorizing execution of a 12- month supply agreement with KAHN CHEMICAL (WBE/FR 100%), Stafford, Texas, for the purchase of caustic soda in an amount not to exceed \$66,096 with two 12-month extension options including a 5% escalation factor per extension option, in an amount not to exceed \$69,401 and \$72,871, respectively, for a total contract amount not to exceed \$208,368. (Funding is available in the 2001-2002 Approved Operating Budget for the Electric Utility Department. Funding for the extension options is contingent upon available funding in future budgets.) Low bidder/four bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No goals were established for this solicitation. The caustic soda will be purchased directly from major distributors and will be delivered directly to the City. No subcontracting opportunities were identified, therefore no MBE/WBE goals were established for this contract.
Resolution No. 011004-20 was approved.
21. Approve a resolution authorizing execution of 12-month service agreements with LANKFORD CO., INC., Corpus Christi, Texas, and MANSFIELD INDUSTRIAL, Houston, Texas, for surface preparation and painting of Holly Street and Decker Creek Power Plants in a combined amount not to exceed \$250,000 with four-12 month extension options for each agreement in a combined not to exceed amount, including a 5% escalation factor per extension option, of \$262,500, \$275,625, \$289,406 and \$303,877 respectively for a total combined amount of the two agreements not to exceed \$1,381,408. (Funding is available in the 2001-2002 Approved Operating Budget for the Electric Utility Department. Funding for the extension options is contingent upon available funding in future budgets.) 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 work force. No subcontracting opportunities were identified; therefore, no MBE/WBE goals were established for this solicitation.
Resolution No. 011004-21 was approved.
22. Approve a resolution authorizing execution of a 12-month supply agreement with ENNIS MANUFACTURING, Ennis, Texas, for the purchase of thermoplastic white and yellow marking material, in an amount not to exceed \$113,373.80, with two 12-month extension options in an amount not to exceed \$113,373.80 per extension, for a total contract amount not to exceed \$340,121.40. (Funding was included in the 2001-2002 Operating Budget for the Transportation, Planning and Sustainability Department. Funding for the extension options will be contingent upon available funding in future budgets.) Low bid of four bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. The material is provided directly to the City by the contractor. There are no subcontracting opportunities, therefore, no goals were established for this solicitation.
Resolution No. 011004-22 was approved.

23. Approve a resolution authorizing execution of a 12-month supply agreement with AVERY DENNISON, Niles, Illinois, for the purchase of flat-surface reflective sheeting in an amount not to exceed \$181,209.30, with two 12-month extension options in an amount not to exceed \$181,209.30 per extension, for a total contract amount not to exceed \$543,627.90. (Funding was included in the 2001-2002 Operating Budget for the Transportation, Planning and Sustainability Department. Funding for the extension options will be contingent upon available funding in future budgets.) Low bid meeting specification of four bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. The material is provided directly to the City by the contractor. There are no subcontracting opportunities, therefore, no goals were established for this solicitation.

Resolution No. 011004-23 was approved.

24. Approve a resolution authorizing execution of a 12-month supply agreement with LEIF JOHNSON FORD TRUCK CITY, Buda, Texas, for the purchase of captive repair parts for Ford heavy trucks in an amount not to exceed \$100,000 with two 12-month extension options in an amount not to exceed \$100,000 per extension for a total contract amount not to exceed \$300,000 (Funding in the amount of \$100,000 is included in the 2001-2002 Operating Budget for the Fleet Maintenance Fund of the Finance and Administrative Services Department. Funding for the extension options is contingent upon available funding in future budgets.) Only bidder. 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. These parts are provided directly to the City from the manufacturer's authorized distributors.

Resolution No. 011004-24 was approved.

25. Approve a resolution authorizing execution of a 12-month supply agreement with BOISE CASCADE OFFICE PRODUCTS, Austin, Texas, for the purchase of recycled white copy paper and continuous printer paper in an amount not to exceed \$459,547.63 with two 12-month extension options in an amount not to exceed \$459,547.63 per extension for a total contract amount not to exceed \$1,378,642.89. (Funding was included in the 2001-2002 Operating Budget for various City departments. Funding for the extension options is contingent upon available funding in future budgets.) Low bidder/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. 011004-25 was approved.

26. Approve modification No. 3 to the contract with ANTHEM HEALTH & LIFE COMPANY (AH&L), Austin, Texas, to cover increased costs for basic, supplemental and dependent life insurance for employees and basic life for retirees due to increased enrollment to increase the contract in the amount of \$169,000 for the first extension option and increase the second extension option in the amount of \$239,000 for a total amended contract amount not to exceed \$4,517,300. (Funding in the amount of \$169,000 is included in the 2001-2002 Operating Budget for the Employee Benefits Fund. Funding for extension option 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. 011004-26 was approved.

27. Approve modification No. 1 to the contract with DELTA DENTAL INSURANCE COMPANY, Irving, Texas, to cover increased costs for an indemnity dental plan for City of Austin retirees due to enrollment increases to increase the contract in the amount of \$48,000 for the initial contract period and increase the two 12-month extension options in the amounts of \$88,000 and \$134,000

respectively for a total amended contract amount not to exceed \$1,183,800. (Funding in the amount of \$48,000 is included in the 2001-2002 Operating Budget for the Employee Benefits Fund. Funding for 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. 011004-27 was approved.

28. Approve modification No. 4 to the contract with AETNA LIFE INSURANCE COMPANY (AETNA), Houston, Texas, to cover increased costs for short and long term disability insurance due to increased enrollment increasing the amount of the second extension option in the amount of \$70,000 for a total amended contract amount not to exceed \$4,720,613. (Funding is included in the 2001-2002 Operating Budget for the Employee Benefits Fund.) 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. 011004-28 was approved.

29. Approve a resolution authorizing negotiation and execution of a 12-month professional services agreement with DEER OAKS EAP SERVICES; San Antonio, Texas, to provide employee assistance services to City of Austin employees in an amount not to exceed \$141,000 with two 12-month extension options in an amount not to exceed \$146,000 for the first extension and \$151,000 for the second extension for a total contract amount not to exceed \$438,000. (Funding in the amount of \$129,250 for the first 11 months will be included in the 2001-2002 Employee Benefits Fund Operating Budget of the Human Resources Department. Funding for the remaining month of the original contract period and extension options is contingent upon available funding in future budgets.) Best proposal/four proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. The annual/project participation goals of 5% MBE and 1% WBE were established for this solicitation. The recommended awardee identified 14% of its business for subcontracting opportunities in the areas of counseling and printing.

Resolution No. 011004-29 was approved.

30. Approve a resolution authorizing execution of a 12 month supply agreement with BOUND TO STAY BOUND BOOKS, INC., Jacksonville, IL, for the purchase of prebound juvenile books for the Central Texas Library System in an amount not to exceed \$45,880 with two 12 month extension options in an amount not to exceed \$45,880 per extension for a total contract amount not to exceed \$137,640. (Funding in the amount of \$45,880 was included in the 2001-2002 Special Revenue Fund for the Library Department. Funding for the extension options is contingent upon available funding in future budgets.) Low responsive bid/two bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Resolution No. 011004-30 was approved.

31. Approve a resolution for the execution of a contract with THE SHAW GROUP INC. Laurens, SC, for the purchase of critical piping for the Sand Hill Energy Center in an amount not to exceed \$620,000. (Funding is included in the 2001-2002 Approved Capital Budget of the Electric Utility Department.) Best Evaluated Proposer/four proposals Received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore no MBE/WBE goals were established for this solicitation. This contract is for a commodity purchase, with direct delivery by the manufacturer.

Resolution No. 011004-31 was approved.

32. Approve a resolution authorizing negotiation and execution of service agreements with CASA MARIANELLA, Austin, Texas, COMMUNITY PARTNERSHIP FOR THE HOMELESS,

Austin, Texas, LEGAL AID OF CENTRAL TEXAS, Austin, Texas, LIFEWORKS, Austin, Texas, PUSH-UP FOUNDATIONS, INC., Austin, Texas, and SAFEPLACE, Austin, Texas, to provide homeless services in an amount not to exceed \$35,000 per agency per year, with two 12-month extension options in an amount not to exceed \$35,000 per agency per year for total contract amounts not to exceed \$105,000 per agency. [Funding in the amount of \$210,000 was included in the 2001-2002 Approved Operating Budget of Health and Human Services Department, Special Revenue Fund (Emergency Shelter Grant). Funding for extension options is contingent upon available funding in future budgets.] These contracts 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. 011004-32 was approved.

33. Approve a resolution authorizing execution of a 12-month supply agreement with RED & WHITE GREENERY, Georgetown, Texas, to provide ground maintenance and landscape service for pump stations, reservoir sites, South East Service Center, North Service Center and Govalle WWTP for the Water and Wastewater Utility, in an amount not to exceed \$80,560 with two 12-month extension options in an amount not to exceed \$76,360 per extension, for a total contract amount not to exceed \$233,280. (Funding in the amount of \$80,560 is available in the 2001-2002 Approved Operating Budget of the Water and Wastewater Utility. Funding for the extension options will be contingent upon available funding in future budgets.) Low bid/seven bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. This is a service that will be provided directly by the vendor. There are no subcontracting opportunities, therefore, no goals were established for this solicitation.

Resolution No. 011004-33 was approved.

34. Approve a resolution authorizing execution of a contract with PEAK PURE AIR, INC., Jonestown, Texas, for the purchase and installation of a cooling tower at Dewitty Vocational Training Center in an amount not to exceed \$43,590. [Funding was included in the 2000-2001 Approved Capital Budget of General Government (Building Maintenance).] Low bid/ three bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No MBE/WBE participation goals were established for this project.

Resolution No. 011004-34 was approved.

35. Approve a resolution authorizing execution of coal supply agreements with KENNECOTT ENERGY COMPANY, Gillette, Wyoming, and PEABODY COAL SALES COMPANY, St. Louis, Missouri, for the delivery of firm coal supplies to the Fayette Power Project for a term of six years, commencing January 1, 2002, for a total cost not to exceed \$74.9 million, with an option to extend up to an additional six years at a cost not to exceed \$74.9 million, for a total contract amount not to exceed \$149.8 million. (Funding in the amount of \$149.8 million will be provided through the Electric Utility Fuel Charge revenue.)

Resolution No. 011004-35 was approved.

36. Set a public hearing on a request by Ms. Lisa M. Chahadi to waive the minimum separation requirement of Section 8-3-4 of the City Code between the Austin Meat Market, a food sales use which intends to sell alcoholic beverages at 5001 Airport Blvd. and a public school (Ridgetop Elementary) use. File # SP-01-0380(AW). Applicant: Lisa M. Chahadi. Agent: Jim Bennett. City Staff: Luci Gallahan, 974-2669. (Suggested Date and Time: October 11, 2001, at 6:00 p.m.)

Resolution No. 011004-36 was approved.

Item 37 was pulled for discussion.

38. Approve a resolution authorizing Service Extension Request No. 2109 for water service not to exceed a peak hour flow of 9 gallons per minute (gpm) for a tract of approximately 10 acres owned

by Steven and Cynthia Harp, known as the Harp Subdivision, and is located within the Drinking Water Protection Zone in the extraterritorial jurisdiction of Austin at the end of Trenton Drive. (Recommended by Water and Wastewater Commission)

Resolution No. 011004-38 was approved.

39. Approve a resolution authorizing negotiation and execution of an amendment to the Professional Service Agreement with ALAN PLUMMER ASSOCIATES, INC., Austin, Texas, for construction phase services for Elroy Area Water System Improvements in an amount not to exceed \$59,519 for a total contract amount not to exceed \$353,916. (Funding is available in the 2000-2001 Amended Capital Improvement Budget of the Water and Wastewater Utility.) (Recommended by Water and Wastewater Commission)

Resolution No. 011004-39 was approved.

40. Approve an ordinance regarding 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 pulled from the agenda at staff's request.

Item 41 was pulled for discussion.

Items 42 through 44 were citizen communications.

Items 45 through 46 were zoning items.

Items 47 through 48 were public hearings.

49. Conduct 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)

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

Items 50 through 51 were public hearings.

52. Consider and possible action on 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)

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

Items 53 through 54 were action on public hearings.

55. **BOARD AND COMMISSION APPOINTMENTS**

No Appointments were made.

BRIEFINGS

2. Legal and fiscal implications of a proposed campaign finance charter amendment.
This item was postponed to October 25, 2001 on Council Member Wynn's second, Council Member Slusher's second on a 6-0 vote. Mayor Watson was absent.

DISCUSSION ITEMS

8. C14-01-0016 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8600 Guadalupe Street (Little Walnut Creek Watershed) from SF-3, Family Residence district, zoning to SF-6, Townhouse and Condominium district, zoning. First reading June 14, 2001; Vote: 7-0. Conditions met as follows: No conditions were imposed by City Council at first ordinance reading. Applicant: Iglesia Evangelica Latina Inc. Agent: Angel Construction Plus and I.T. Gonzalez. City Staff: Katie Larsen, 974-3072. Note: A valid petition has been filed in opposition to this rezoning request. **The motion to postpone this item to October 25, 2001 was approved on Council Member Griffith's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Mayor Watson was absent.**
9. C14-01-0046 – Hyde Park Neighborhood Conservation Combining District – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 45th Street to the north, 38th Street to the south, Guadalupe to the west, and Duval to the east (Waller Creek Watershed) from SF-3, Family Residence district, SF-3-H, Family Residence-Historic Combining district, MF-1, Multifamily Residence Limited Density district, MF-2, Multifamily Residence Low Density district, MF-3, Multifamily Residence Medium Density district, MF-4, Multifamily Residence Moderate-High Density district, MF-4-H, Multifamily Residence Moderate-High Density-Historic Combining district, LO, Limited Office district, LO-H, Limited Office-Historic Combining district, LR, Neighborhood Commercial district, GR, Community Commercial district, CS, General Commercial Services district, to MF-1-NCCD, Multifamily Residence Limited Density-Neighborhood Conservation Combining District, MF-2-NCCD, Multifamily Residence Low Density-Neighborhood Conservation Combining District, SF-3-NCCD, Family Residence-Neighborhood Conservation Combining District, SF-3-H-NCCD, Family Residence-Historic-Neighborhood Conservation Combining District, LO-NCCD, Limited Office-Neighborhood Conservation Combining District, LO-H-NCCD, Limited Office--Historic-Neighborhood Conservation Combining District, LR- NCCD, Neighborhood Commercial-Neighborhood Conservation Combining District, GR-NCCD, Community Commercial-Neighborhood Conservation Combining District, MF-3-NCCD, Multifamily Residence Medium Density-Neighborhood Conservation Combining District, MF-4-NCCD, MF-4-NCCD, Multifamily Residence Moderate-High Density-Neighborhood Conservation Combining District, and CS-NCCD, General Commercial Services-Neighborhood Conservation Combining District, zoning with conditions. First reading , August 23 ,2001; Vote: 5-2, Watson and Thomas nay. Conditions met as follows: The zoning ordinance incorporates the conditions imposed by City Council at first ordinance reading. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Glenn Rhoades, 974-2775, Meghan Wieters, Transportation, Planning and Sustainability Department, 974-6386. Note: Valid petitions have been filed by property owners in opposition to this rezoning request. **The motion to postpone the second reading of this ordinance to October 11, 2001 was approved on Council Member Griffith's motion, Council Member Slusher's second by a 6-0 vote. Mayor Watson was absent.**
19. 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. **Resolution No. 011004-19 was approved, deconstructing the terminal building only, in the amount of \$481, 000 on Council Member Wynn's motion, Council Member Slusher's second by a 6-0 vote. Mayor Watson was absent.**

37. Set a public hearing and consider an appeal of the Planning Commission's decision to approve a conditional use permit for the Blood Plasma Center. The proposed site is located at 5335 Burnet Road. File # SPC-01-0003A. Appellants: Carr Development, Inc. and the Allandale Neighborhood Association, Interested parties. City Staff: Fred Solis, 974-6045 (Suggested Date and Time October 25, 2001 at 6:00 p.m.)

Resolution No. 011004-37 was approved on Council Member Slusher's motion, Council Member Griffith's second by a 6-0 vote. Mayor Watson was absent.

41. Approve a resolution directing the current Charter Revision Committee to review the recommendations of the previous Charter Revision Committee regarding single member districts, and to return a recommendation to the Council within 45 days. (Council Member Will Wynn, Mayor Kirk Watson and Council Member Raul Alvarez)

Resolution No. 011004-41 was approved, with the amendment that authorization be given to the Charter Revision Committee to explore other options, on Council Member Wynn's motion, Council Member Slusher's second by a 6-0 vote. Mayor Watson was absent.

The motion to recess the meeting at 11:23 a.m. to go into Executive Session was approved on Council Member Thomas' motion, Council Member Griffith's second by a 5-0 vote. Mayor Watson was absent. Council Member Slusher was off the dais.

EXECUTIVE SESSION

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

3. Discuss legal issues related to the appeal by Randy Merritt a the authorized agent for the Vanderhoof Family Trust, of the Sign Board's action on Reagan National Advertising's appeal related to the sign at 2801 1/2 Cole Street, property owned by the Vanderhoof Family Trust.

Executive session ended at 12:36 p.m.

Mayor Pro Tem Goodman called the meeting back to order at 1:35 p.m.

CITIZEN COMMUNICATIONS

42. Gus Pena - To discuss the negative implications of a downward economy (Recession) and it's impact on the poor and have nots and the City of Austin. To discuss expediting transitional housing and low income affordable housing in Austin - **ABSENT**
43. Jennifer L. Gale - Building A New Government – All of Us – Together.
44. Robert L. Thomas - To discuss employment and building at the Rosewood Recreation Center. - **ABSENT**
56. Rolando Pina – To Announce Grassroots Citizens United for Rehabilitation of Errants (C.U.R.E) World Conference on Prison Reform and Human Rights October 6-11, New York City and to provide Press Release. - **ABSENT**

The motion to recess the Council meeting at 1:43 p.m. was approved on Council Member Wynn's motion, Mayor Pro Tem Goodman's second by a 5-0 vote. Mayor Watson was absent. Council Member Griffith was off the dais.

Mayor Pro Tem Goodman called to order the Board of Director's meeting of the Austin Housing Finance Corporation at 3:39 p.m. See the separate minutes for this meeting.

Mayor Pro Tem Goodman called the Council meeting back to order at 4:08 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 Slusher's motion, Council Member Wynn's second by a 6-0 vote. Mayor Watson was absent.

45. C14-01-0105 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 9700 Capital of Texas Highway North (Shoal Creek Watershed) from CH-CO, Commercial Highway Services-Conditional Overlay Combining district, zoning to CH, Commercial Highway Services district, zoning. Planning Commission Recommendation: To grant CH-CO, Commercial Highway Services-CO, Commercial Highway Services-Conditional Overlay Combining district, zoning with conditions. Applicant: Wal-Mart Stores, Inc. (Scott Greear). Agent: Drenner Stuart Wolff Metcalf von Kreisler (Michele Haussmann). City Staff: Annick Beaudet, 974-2975.

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

46. C14-01-0126 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 904 Vargas Road (Carson Creek Watershed) from SF-3, Family Residence Standard Lot district, zoning to LR-MU-NP, Neighborhood Commercial-Mixed Use-Neighborhood Plan Combining district, zoning. Zoning and Platting Commission: To grant LR-MU-NP, Neighborhood Commercial-Mixed Use-Neighborhood Plan Combining district, zoning with conditions. Property Owner: Charles Wells. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning. City Staff: Adam Smith, 974-2755.

Ordinance No. 011004-46 was approved.

The motion to recess the meeting at 4:12 p.m. was approved on Council Member Griffith's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Mayor Watson was absent.

Mayor Pro Tem Goodman called the meeting back to order at 6:10 p.m.

DISCUSSION ITEMS

47. Conduct a public hearing for the full purpose annexation of the following annexation areas:
- Park 22 Office Area (Approximately 36 acres south of FM 2222 one half mile west of Bell Mountain Drive).
 - Grandview Areas (Approximately 471 acres west of RR 620 one tenth of a mile south of the RR 620/Boulder Lane intersection and one quarter of a mile north of the RR 620/Wilson Parke Avenue intersection).
 - Waters at Bluff Springs Area (Approximately 99 acres east of IH 35 one half mile south of Boggy Creek Drive).
 - Home Depot Tract (Approximately 60 acres east of IH 35 at Slaughter Lane).
 - Barclay Tract (Approximately 24 acres located west of Barclay Drive).
 - Telecom/Burleson Office Area (Approximately 40 acres southeast of the intersection of Smith School Road and Burleson Road).

Purcell/Tomen Parke Area (Approximately 427 acres west RR 620 between Bullick Hollow and Vista Parke/Wilson Parke.

The public hearing for Park 22 Office Area was closed on Council Member Slusher's motion, Council Member Wynn's second by a 6-0 vote. Mayor Watson was absent.

The public hearing on Grandview Areas was closed on Council Member Wynn's motion, Council Member Griffith's second by a 6-0 vote. Mayor Watson was absent.

The public hearing on Waters at Bluff Springs Area was closed on Council Member Slusher's motion, Council Member Wynn's second by a 6-0 vote. Mayor Watson was absent.

The public hearing on Home Depot Tract was closed on Council Member Slusher's motion, Council Member Griffith's second by a 6-0 vote. Mayor Watson was absent.

The public hearing on the Barclay Tract was closed on Council Member Wynn's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Mayor Watson was absent.

The public hearing on the Telecom/Burleson Office Area was closed on Council Member Slusher's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Mayor Watson was absent.

The public hearing on the Purcell/Tomen Parke Area was closed on Council Member Wynn's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Mayor Watson was absent.

48. Conduct a public hearing for the full purpose annexation of the Onion Creek municipal annexation plan area (approximately 1222 acres located on the east side of IH 35 at the Onion Creek Parkway/IH 35 intersection.) (Annexation will not take place until December 31, 2003.)
The public hearing was closed on Council Member Wynn's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Mayor Watson was absent.

50. Conduct 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.
The public hearing was closed on Council Member Thomas' motion, Council Member Griffith's second by a 6-0 vote. Mayor Watson was absent.

53. Consider and possible action 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.
Resolution No. 011004-53 was approved granting the appeal on Council Member Wynn's motion, Council Member Griffith's second by a 5-0-1 vote. Mayor Watson was absent. Council Member Thomas abstained.

51. Conduct a public hearing and approve an Ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Central East Austin Neighborhood Plan for the area bounded by Martin Luther King (MLK) Boulevard, Interstate 35, Seventh Street, and Chicon/Northwestern. (There is no fiscal impact associated with adopting the plan. A partial estimate of the fiscal impact to implement all of the recommendations in the plan is \$1,789,800. This plan is advisory and does not legally obligate the Council to implement any particular recommendation.)
The public hearing was closed on Mayor Pro Tem Goodman's motion, Council Member Slusher's second by a 6-0 vote. Mayor Watson was absent.

54. Consider and possible action to approve an Ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Central East Austin Neighborhood Plan for the area bounded by Martin Luther King (MLK) Boulevard, Interstate 35, Seventh Street, and Chicon/Northwestern. (There is no fiscal impact associated with adopting the plan. A partial estimate of the fiscal impact to implement all of the recommendations in the plan is \$1,789,800. 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, Mayor Pro Tem Goodman's second by a 6-0 vote. Mayor Watson was absent.

The motion to adjourn the meeting at 9:28 p.m. was approved on Council Member Slusher's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Mayor Watson was absent.

The minutes for the regular meeting of October 4, 2001 were approved on Council Member Slusher's motion, Council Member Griffith's second by a 7-0 vote.