



Austin City Council
MINUTES

REGULAR MEETING
THURSDAY, DECEMBER 13, 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, December 13, 2001 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

INVOCATION – Laren Sloan, President, Ethical Society of Austin.

1. Approval of minutes from the canvassing of the votes of November 9, 2001, Oath of Office for Mayor Gus Garcia on November 9, 2001 and regular meeting of December 6, 2001.
The minutes from the Oath of Office on November 9, 2001 and the regular meeting of December 6, 2001 were approved on Council Member Griffith's motion, Council Member Slusher's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Thomas were off the dais.

The minutes from the canvassing of the votes on November 9, 2001, were approved on Mayor Pro Tem Goodman's motion, Council Member Griffith's second by a 5-0 vote. Council Members Alvarez and Wynn abstained because they were not present at this meeting.

Items 2 and 3 were briefings.

Items 4-12 were Executive Session items.

CONSENT AGENDA

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

13. Approve a resolution authorizing execution of an amendment to the professional services contract with Pamela Stanton Barron to increase the amount of attorney fees by up to \$25,000, for a total contract amount not to exceed \$68,000, for legal services in *Travis County Landfill Co. v. City of Austin*, Case No. 00-0944, in the Supreme Court of Texas.
Resolution No. 011213-13 was approved.

Items 14-16 were action items for Executive Session items.

Item 17 was pulled for discussion.

18. 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, August 30, 2001 and September 27, 2001)

This item was postponed indefinitely; however, the Mayor requested a specific date for consideration be established.

Item 19 was set for a time certain of 11:00 a.m.

Items 20-21 were pulled for discussion.

22. Approve a resolution authorizing the execution of a Management Agreement with Signature Flight Support Corporation to manage for the Department of Aviation 54 City-owned, general aviation aircraft hangars at Austin-Bergstrom International Airport, for an annual fee of twenty percent of the rental income, for a term of five years with an option to renew for an additional term of five years. (The 20% T-hangar management fee will be deducted by the manager from rental revenues collected by the manager. Fiscal Year 2001-02 revenue is projected to be \$137,835. This revenue is not reflected in the Department of Aviation's Approved Fiscal Year 2001-2002 Budget. Revenue over the life of the initial five-year term of the contract is estimated at \$920,000 to the Department of Aviation.) (Recommended by Austin Airport Advisory Commission)
Resolution No. 011213-22 was approved.

23. Adopt an ordinance creating a new Austin-Travis County Emergency Medical Services Advisory Board, abolishing the Emergency Medical Services Department Quality Assurance Team, and removing the Urban Transportation Commission from the review of medical transfer services franchises.
This item was postponed to January 17, 2002.

24. Amend Ordinance No. 010910-01, the 2001-2002 Approved Operating Budget for the Health and Human Services Department's Special Revenue Fund, Title X Family Planning Grant, by accepting and appropriating an additional \$14,067 in grant funds from the Texas Department of Health-Bureau of Women's Health, for a total grant amount of \$109,067 for the period September 1, 2001 through August 30, 2002. (Funding in the amount of \$14,067 is available from the Texas Department of Health, Bureau of Women's Health, Title X federal pass-through grant. The grant period is September 1, 2001 through August 31, 2002. A match is not required for this additional funding.)
Ordinance No. 011213-24 was approved.

25. Amend Ordinance No. 010910-01, the approved 2001-2002 Operating Budget for the Health and Human Services Department's Special Revenue Fund by accepting and appropriating \$18,329 in grant funds from the Texas Department of Health's Bureau of HIV (Human Immunodeficiency Virus) and Sexually Transmitted Diseases (STD) Prevention Program for the Communicable Disease program. (One time funding in the amount of \$18,329 is available from the Texas

Department of Health, Bureau of HIV and STD Prevention. The grant period is September 1, 2001-December 31, 2001.)

Ordinance No. 011213-25 was approved.

26. Approve a ordinance amending Ordinance No. 010910-01, the Fiscal Year 2001-2002 Operating Budget Special Revenue Fund of the Neighborhood Housing and Community Development (NHCD) Office by appropriating an additional \$15,817 to continue rental subsidy payments to two landlords under the U.S. Department of Housing and Urban Development's Section 8 rental assistance program. [Funding is available from the U.S. Department of Housing and Urban Development (HUD) funds Section 8 Housing Assistance Payments Program for \$15,817.]

Ordinance No. 011213-26 was approved.

27. Approve a resolution authorizing the City Manager or his designee to negotiate and execute a Interlocal Agreement with the Lake Travis Independent School District (LTISD) to construct a tower site for the RDMT Regional Radio System in an amount not to exceed \$112,500. (Funding in the amount of \$15,000 for the first two years of payments is included in the 2001-2002 Approved Capital Budget of the Information Systems Department; \$82,500 for the remaining payments will be contingent upon funding in future budgets.)

Resolution No. 011213-27 was approved.

28. Approve a resolution authorizing execution of a contract with the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR), Austin, Texas, for the purchase of computer software products and services in an amount not to exceed \$3,321,600, with two 12-month extension options not to exceed \$3,850,900 for the first extension, \$3,966,610 for the second extension for a total contract amount not to exceed \$11,139,110. (Funding in the amount of \$3,321,600 is available in the approved 2001-2002 Operating Budgets of various departments. Funding for the extension options is contingent upon available funding in future budgets.)

Resolution No. 011213-28 was approved.

29. Adopt a resolution granting VoiceStream PCS II Corporation a non-exclusive license to place a wireless communication station at the Windsor Road Fire Station located at 3009 Windsor Road. (The amount of \$7,250 in revenue will be deposited to the General Fund.)

This item was postponed to no later than January 17, 2002.

30. Approve a resolution authorizing an Interlocal Agreement between the City of Austin and Travis County Emergency Services District Number 4 for firefighter certification training at a cost to the City not to exceed \$30,000. (Health and Human Services, Title IV Workforce Development Funds)

Resolution No. 011213-30 was approved.

Item 31 had to be approved after action on item 72.

32. Approve a resolution authorizing execution of a contract with ESCUELA MONTESSORI DE MONTOPOLIS, Austin, Texas, to provide childcare services for the children of low-income families in an amount not to exceed \$28,800 for the contract period of October 1, 2001 through September 30, 2002, with two 12-month extension options in an amount not to exceed \$28,800 per extension for a total contract amount not to exceed \$86,400. (Funding is available in the Fiscal Year 2001-2002 Operating Budget for Neighborhood Housing and Community Development Department's 27th year Community Development Block Grant funds.) This contract will be

awarded in compliance with the 1996 MBE/WBE ordinance, as amended. No goals were established for the original solicitation.

Resolution No. 011213-32 was approved.

33. Approve a resolution authorizing an Interlocal Cooperation Agreement between the City of Austin and Travis County to fund and implement a Truancy Court Pilot Project for the period of January 1, 2002 through September 30, 2002, at a cost to the City not to exceed \$57,116. (Funding in the amount of \$34,241 was included in the Fiscal Year 2001-2002 Approved Operating Budget for the Health and Human Services Department, General Fund and \$22,875 was accrued in the Fiscal Year 2000-2001 Operating Budget of the Health and Human Services Department, General Fund. Funding for any extension options is contingent on availability of funding in future budgets.)

Resolution No. 011213-33 was approved.

34. Approve a resolution to amend the City's 2000/2001 Community Development Program and federal annual Action Plan to reprogram \$750,000. [Prior-year CDBG funds in the amount of \$600,000 are available from the Homeowner Rate Buy Down program and in the amount of \$150,000 are available from the Acquisition and Development (Rental) program.]

Resolution No. 011213-34 was approved.

35. Approve a resolution an amendment to the legal services contract with Fulbright and Jaworski, L.L.P., Austin, Texas, for representation in the Brackenridge Hospital Lease Amendment, for an increase of \$58,000, resulting in a total contract limit of \$100,000. (Funding in the amount of \$58,000 was included in the 2001-2002 Approved Operating Budget of the Hospital Fund.)

Resolution No. 011213-35 was approved.

36. Approve a resolution authorizing application for a Victim Assistance Grant with the Office of the Attorney General for an amount of \$230,479. This grant is proposed to insure immediate mental health response and recovery services to victims, survivors, and emergency responders to a large incident or terrorism event will provide community critical response and recovery services to victims, survivors, and emergency responders, of a large incident or terrorism event. (Funding to be provided by the Office of the Attorney General, State of Texas, for a 20-month period beginning January 1, 2002 through August 31, 2003 if approved. Two full-time grant funded employees will be hired for implementation of this grant program. No matching funds or in-kind services are required from the City of Austin.)

Resolution No. 011213-36 was approved.

37. Approve an ordinance to repeal and replace Chapter 2-6 of the City Code relating to Emergency Management. Section 2-6-3. Parts (A) and (B) are new and codify the authority of the Mayor, as established in Chapter 418 of the Texas Government Code, to make orders necessary to implement the emergency management program and establishes penalties for failure to obey such orders.

Ordinance No. 011213-37 was approved.

Item 38 was pulled for discussion.

39. C14-01-0135 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1211 West Mary Street (West Bouldin Creek Watershed) from CS, General Commercial Services district, zoning and SF-3, Family Residence district, zoning to SF-6-CO, Townhouse and Condominium Residence-Conditional Overlay Combining district, zoning with conditions. First reading, November 29, 2001. Vote: 7-0.

Conditions met as follows: The zoning ordinance incorporates the conditions imposed by City Council at first ordinance reading. Applicant: 1211 West Mary L.P. (James Cormier). Agent: Lopez-Phelps & Vaughn (Amelia Lopez-Phelps). City Staff: Annick Beaudet, 974-2975
Ordinance No. 011213-39 was approved.

40. C14-01-0150 - Rosewood Neighborhood Plan Rezoning- Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property bounded by Airport Blvd. from Manor Rd. to Oak Springs Dr., Oak Springs Dr. from Airport Blvd. to Webberville Rd., Webberville Rd. to Northwestern Ave., Northwestern Ave. to Rosewood Ave., Rosewood Ave. to Chicon St., Chicon St. to E. 12th St., E. 12th St. to the railroad tracks immediately east of Walnut Ave., the railroad tracks between E. 12th St. and Martin Luther King Jr. Blvd., Martin Luther King Jr. Blvd. to Stafford St., Stafford St. to Rogers Ave., Rogers Ave. to Walnut Ave., Walnut Ave. to Manor Rd., and Manor Rd. to Airport Blvd. (Boggy Creek Watershed) from CS, General Commercial Services district; CS-1, Commercial - Liquor Sales district; GO, General Office district; GR, Community Commercial district; LI, Limited Industrial Services district; LO, Limited Office district; LR, Neighborhood Commercial district; MF-3, Multifamily Residence Medium Density district; SF-3, Family Residence district; SF-3-H, Family Residence - Historic Combining district, zoning to add a NP, Neighborhood Plan combining district (NPCD) to each base zoning district within the plan area; to permit the Small Lot Amnesty and Secondary Apartment special uses on any lot in the area; to permit the Neighborhood Mixed Use Building special use for Tracts 1-15, 21-41, 50-52, 53-56, 58, 61, 64-66; to permit the Neighborhood Urban Center special use for Tracts 4, 5, 54 and 55; and to change the base zoning districts on 68 tracts of land to CS-CO-NP, General Commercial Services - Conditional Overlay - Neighborhood Plan Combining district; CS-MU-NP, General Commercial Services - Mixed Use - Neighborhood Plan Combining district; CS-MU-CO-NP, General Commercial Services -Mixed Use - Conditional Overlay - Neighborhood Plan Combining district (including Tract 53); LR-MU-NP, Neighborhood Commercial - Mixed Use - Neighborhood Plan Combining district; LR-MU-CO-NP, Neighborhood Commercial - Mixed Use - Conditional Overlay - Neighborhood Plan Combining district; GR-MU-CO-NP, Community Commercial - Mixed Use-Conditional Overlay - Neighborhood Plan Combining district; MF-3-NP, Multifamily Residence Medium Density - Neighborhood Plan Combining district; P-NP, Public - Neighborhood Plan Combining district; SF-3-NP, Family Residence - Neighborhood Plan Combining district; CS-1-CO-NP, Commercial - Liquor Sales - Conditional Overlay - Neighborhood Plan Combining district; GO-MU-NP, General Office - Mixed Use - Neighborhood Plan Combining district; LI-CO-NP, Limited Industrial Services - Conditional Overlay - Neighborhood Plan Combining district; LO-MU-NP, Limited Office - Mixed Use - Neighborhood Plan Combining district; P-H-NP, Public - Historic - Neighborhood Plan Combining district. First reading , November 29, 2001. Vote: 7-0.
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: Steve Barney, 974-6389; Wendy Walsh, 974-7719.
This item was postponed to January 10, 2002.

Items 41-44 were pulled for discussion.

45. Approve a resolution authorizing execution of a construction contract with KEYSTONE CONSTRUCTION, INC., Austin, Texas, for construction of Springdale Park Phase II improvements, in the amount of \$198,003. (Funding is available in Fiscal Year 2001-2002 Capital Budget of the Parks and Recreation Department.) Lowest of seven bids received. 22.40% MBE, 6.10% WBE subcontracting participation.

Resolution No. 011213-45 was approved.

46. Approve a resolution authorizing the application for and acceptance of \$100,000 in fifth year grant funding from the State of Texas, Governor's Office, Criminal Justice Division, Violence Against Women Act for the renewal of Austin Police Department project entitled "Assistance for Female Victims of Domestic Violence." [Grant renewal funding is available from the State of Texas, Governor's Office, Criminal Justice Division, Violence Against Women Act (VAWA) for the grant period June 1, 2002–August 31, 2003. An in-kind match is required. The match obligation will be met by providing \$45,205 in existing salary funding and additional salary costs for the grant-funded positions. The match can be found in the approved Fiscal Year 2001-2002 Operating Budget for the Austin Police Department (APD), Victim Services Program, and it will be proposed in the Fiscal Year 2002-2003 Operating Budget for APD. Funding for the continued operation of this program is contingent upon available funding in future budgets.]

Resolution No. 011213-46 was approved.

47. Approve a resolution authorizing the application for and acceptance of \$100,000 in sixth year grant funding from the State of Texas, Governor's Office, Criminal Justice Division, Violence Against Women Act for the renewal of Austin Police Department project entitled "Outreach to Female Victims of Domestic Violence and Stalking." [Grant renewal funding is available from the State of Texas, Governor's Office, Criminal Justice Division, Violence Against Women Act (VAWA) for the grant period June 1, 2002–August 31, 2003. An in-kind match is required. The match obligation will be met by providing \$51,246 in existing salary funding and additional salary costs for the grant-funded positions. The match can be found in the approved Fiscal Year 2001-2002 Operating Budget for the Austin Police Department, Victim Services Program, and it will be proposed in the Fiscal Year 2002-2003 Operating Budget for APD. Funding for the continued operation of this program is contingent upon available funding in future budgets.]

Resolution No. 011213-47 was approved.

48. Approve a resolution authorizing the application for and acceptance of \$360,060 in renewal grant funding from the State of Texas, Governor's Office, Criminal Justice Division, Victims of Crime Act for the Austin Police Department for ten existing full-time equivalent (FTE) Victim Counselors for a "Comprehensive Victim Services Program". (Funding is available from the State of Texas, Governor's Office, Criminal Justice Division for the grant period July 1, 2002 – June 30, 2003. An in-kind match is required. The match obligation will be met by providing \$198,230 in existing salary funding and additional salary costs for the grant-funded positions. The match can be found in the approved Fiscal Year 2001-2002 Operating Budget for the Austin Police Department, Victim Services Program, and it will proposed in the Fiscal Year 2002-2003 Operating Budget for APD. Funding for the continued operation of this program is contingent upon available funding in future budgets.)

Resolution No. 011213-48 was approved.

49. Approve a resolution authorizing negotiation and execution of a 12-month Interlocal Agreement between the City of Austin and Travis County to provide repair, maintenance, testing, and inspection services on the Austin Police Department helicopter in an amount not to exceed \$135,000 with up to five 12-month extension options for a total contract amount not to exceed \$810,000. (Funding in the amount of \$135,000 was included in the Fiscal Year 2001-2002 Operating Budget of the City of Austin Police Department. Funding for the remaining two and a half months of the original contract period and extension options is contingent upon available funding in future budgets. The maintenance services agreement will cover expenses up to

\$135,000 for the period December 16, 2001 through December 15, 2002, with 5 annual renewal options.)

This item was postponed to January 10, 2002.

50. Approve a resolution authorizing execution of a construction contract with SMITH CONTRACTING CO, Austin, Texas, for water improvements in the southwest annexation area that includes portions of the Tanglewood Subdivision, the Village at Western Oaks Subdivision, the Southland Subdivision, and Maple Run, for the Southwest MUD Integration and Optimization Project, in the amount of \$742,000, plus \$74,200 contingency, for a total amount not to exceed \$816,200 (Funding is available in the 2001-2002 Amended Capital Budget of the Water & Wastewater Utility). Lowest of four bids received. 23.85% MBE and 8.42% WBE. (Recommended by Water and Wastewater Commission)
Resolution No. 011213-50 was approved.
51. Approve a resolution authorizing execution of a construction contract with TRAVIS PAVING & EXCAVATION COMPANY (MBE/MH, 59.68%), Austin, Texas, for the Davis Lane Roadway Improvements Project, in the amount of \$199,342.92. (Funding in the amount of \$141,409.78 is available in the 2000-2001 Amended Capital Budget of the Transportation, Planning & Sustainability Department; \$57,949.54 is available in the 2001-2002 Amended Capital Budget of the Water & Wastewater Utility.) Lowest bid of the five bids received. 12.18% MBE, 16.73% WBE subcontracting participation.
Resolution No. 011213-51 was approved.
52. Approve a resolution authorizing negotiation and execution of an amendment to the professional services agreement with CAMP DRESSER & MCKEE, Austin, Texas, for additional Phase II Design and Permitting Services, and Phase III Construction Phase Services for the FM 812 Landfill Leachate Disposal Improvements Project, in the amount of \$196,000 for a total amount not to exceed \$423,867. (Funding in the amount of \$196,000 is included in the Fiscal Year 2001-2002 Capital Budget of the Solid Waste Services Department.) 6.07% MBE, 15.89% WBE subcontracting participation. Overall subconsultant participation, including this amendment: 7.32% MBE, 8.91% WBE, and 16.39% Non MBE/WBE.
Resolution No. 011213-52 was approved.
53. 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 290 Project, from R.M. 1826 to Brodie Lane, in accordance with the June 27, 1986 Agreement for Right-of-Way Procurement, in the amount of \$105,400. (Funding is available in the 2000-2001 Amended Capital Budget of the Transportation, Planning & Sustainability Department.)
Resolution No. 011213-53 was approved.
54. 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 SH 71 Project, from Woodward Street to FM 973 at Del Valle, in accordance with the June 27, 1986 Agreement for Right-of-Way Procurement, in the amount of \$111,274.70. (Funding is available in the 2000-2001 Amended Capital Budget of the Transportation, Planning & Sustainability Department.)
Resolution No. 011213-54 was approved.

55. Approve a resolution authorizing execution of a construction contract with CAPITAL EXCAVATION COMPANY, Austin, Texas, for street and utility improvements on Hancock Drive from Burnet Road to Bull Creek Road, as part of the Hancock Drive Reconstruction Project, in the amount of \$1,285,252.30 plus \$64,262.62 contingency, for a total amount not to exceed \$1,349,514.92. (Funding in the amount of \$1,270,134.92 is included in the 2001-2002 Capital Budget of the Public Works Department; \$28,980 is available in the 2001-02 Amended Capital Budget of the Department of Wastewater Utility; \$50,400 is available in the 1995-1996 Amended Capital Budget of the Department of Wastewater Utility.) Lowest responsive bid of two. 4.4% MBE and 22.2% WBE subcontracting participation.
Resolution No. 011213-55 was approved.
56. Approve a resolution authorizing negotiation and execution of a 12-month contract with THE JI COMPANIES, Austin, Texas, for the administration of the City Workers' Compensation Program in an amount not to exceed \$1,198,343 with three 12-month extension options in an amount not to exceed \$1,116,597 for the first option, \$1,158,989 for the second option and \$1,197,876 for the third option for a total contract amount not to exceed \$4,671,805. (Funding in the amount of \$699,034 for the first seven months is available in the 2001-2002 Operating Budget for the Workers' Compensation Fund. Funding for the remaining five months of the original contract period and extension options is contingent upon available funding in future budgets.) Best proposal/eight proposals received; seven being evaluated. An eighth proposal was immediately disqualified for not submitting a compliance plan. 11.1% MBE, .1% WBE subconsultant participation.
Resolution No. 011213-56 was approved.
57. Approve a resolution authorizing execution of a 12-month supply agreement with CASCO INDUSTRIES, INC., Georgetown, Texas, to provide fire hoses for the Austin Fire Department in amount not to exceed \$50,550, with two 12-month extension options in an amount not to exceed \$50,550 per extension, for a total contract amount not to exceed \$151,650. (Funding in the amount of \$37,913 was included in the Fiscal Year 2001-2002 Operating Budget of the Austin Fire Department. Funding for the remaining three months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bidder meeting specifications/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. 011213-57 was approved.
58. Approve a resolution authorizing negotiation and execution of a service contract with Rejina Thomas DBA GRAPHIC GLASS STUDIOS, Austin, Texas, to design, etch, deliver to installer and oversee the installation of the south glass balcony on the concourse level of the Barbara Jordan Terminal at Austin-Bergstrom International Airport in an amount not to exceed \$197,600. (Funding was included in the 2002 Approved Capital Budget of the Department of Aviation.) Most qualified response/Three RFQs 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. 011213-58 was approved.
59. Approve a resolution authorizing execution of a 12-month supply agreement with HANSON PIPE & PRODUCTS, Austin, Texas, for reinforced concrete pipe for the Watershed Protection and Development Review Department, in an amount not to exceed \$121,795.34, with two 12-month

extension options in the amount not to exceed \$121,795.34 per extension, for a total contract amount not to exceed \$365,386.02. (Funding in the amount of \$101,496.10 was included in the 2001-2002 Operating Budget for the Watershed Protection and Development Review Department. Funding for the remaining two months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid/two bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. This is a commodity that will be provided directly by the vendor. There are no subcontracting opportunities, therefore, no goals were established for this solicitation.

Resolution No. 011213-59 was approved.

60. Approve a resolution authorizing execution of a 12-month supply agreement with ACM HIGHWAY PRODUCTS CORP., Round Rock, Texas, for the purchase of traffic signal parts for the Transportation, Planning & Sustainability Department, in an amount not to exceed \$81,560.25, with two 12-month extension options in an amount not to exceed \$81,560.25 per extension, for a total contract amount not to exceed \$244,680.75. (Funding in the amount of \$81,560.25 was included in the 2001-2002 Capital Budget for the Transportation, Planning & Sustainability Department. Funding for the remaining two months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bidder meeting specifications/five 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. 011213-60 was approved.

61. Approve a resolution authorizing execution of a contract with LONE STAR BMW TRIUMPH, Austin, Texas, for the purchase of three police motorcycles in the amount of \$55,803. (Funding was included in the 2001-2002 Operating Budget of the Austin Police Department.) This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. This equipment is being provided by the only local authorized dealer for the manufacturer and will be delivered directly to the City. There is no opportunity for subcontracting, therefore, no goals were established for this solicitation.

Resolution No. 011213-61 was approved.

62. Approve a resolution authorizing execution of a nine-month service with BIG BROTHERS BIG SISTERS OF CENTRAL TEXAS, INC. Austin, Texas, and their subcontractors, Communities in Schools of Central Texas and Austin Child Guidance Center to provide for the service delivery and administration of the Northeast Strategic Intervention for High Risk Youth (SIHRY) program in northeast Austin, in an amount not to exceed \$117,907, with two 12-month options not to exceed \$157,210 per extension option for a total contract amount not to exceed \$432,327. (Funding in the amount of \$117,907 was included in the Fiscal Year 2001-2002 Operating Budget of the Health and Human Services Department. Funding for the extension options is contingent upon available funding in future budgets.) Best proposal of 3 proposals 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. 011213-62 was approved.

63. Approve a resolution authorizing execution of a 12-month supply agreement with STRUCTURAL & STEEL PRODUCTS, INC., Forth Worth, Texas, for the purchase of traffic signal poles and

mast arms for the Transportation, Planning & Sustainability Department, in an amount not to exceed \$301,761, with two 12-month extension options in an amount not to exceed \$301,761 per extension, for a total contract amount not to exceed \$905,283. (Funding in the amount of \$251,468 was included in the 2001-2002 Approved Capital Budget for the Transportation, Planning & Sustainability Department. Funding for the remaining two months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bidder/two 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. 011213-63 was approved.

Item 64 was pulled for discussion.

65. 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 one 12-passenger prisoner van and two Emergency Medical Services (EMS) Commander trucks in the amount of \$168,032.94. (Funding in the amount of \$22,806.88 was included in the 2001-2002 Operating Budget of the Municipal Court, Court Building Security Fund. \$145,226.06 was included in the 2001-2002 Operating Budget of the Emergency Medical Services Department.) Philpott Motors, Port Neches, Texas, will supply all of these vehicles. This vendor is under contract with H-GAC to supply vehicles statewide as a result of a competitive bidding process through H-GAC.

Resolution No. 011213-65 was approved.

66. Approve a resolution authorizing execution of a contract with Austin COMMUNITY GARDENS dba SUSTAINABLE FOOD CENTER (SFC) Austin, Texas, to conduct a feasibility study for a farmers' market in an amount not to exceed \$50,000. (Funding in the amount of \$50,000 was included in the 2001-2002 Operating Budget for the Parks and Recreation Department.) Sole Source. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified. The recommended awardee will provide all services with their own workforce.

Resolution No. 011213-66 was approved.

67. Approve a resolution authorizing the remaining two 12-month extension options for the supply agreement with SOUTH COAST FIRE & SAFETY, Houston, Texas, to provide firefighting gloves in an amount not to exceed \$25,376.40 per extension for a total contract amount not to exceed \$76,129.20. (Funding in the amount of \$19,032.30 was included in the 2001-02 Approved Operating Budget of the Austin Fire Department. Funding for the remaining three months of the first extension option and the remaining extension option is contingent upon available funding in future budgets.) This contract was awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. There are no subcontracting opportunities.

Resolution No. 011213-67 was approved.

68. Approve a resolution authorizing execution of a 12-month supply agreement with AIRGAS-SOUTHWEST, Austin, Texas, to provide laboratory gas for the Water and Wastewater Utility, in an amount not to exceed \$24,601.22 with two 12-month extension options in an amount not to exceed \$24,601.22 per extension, for a total contract amount not to exceed \$73,803.66. (Funding in the amount of \$24,601.22 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/three bids received. This contract was awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. There are no subcontracting opportunities.

Resolution No. 011213-68 was approved.

69. Approve a resolution authorizing the two 12-month extension options for a service agreement with PROQUEST INFORMATION & LEARNING CO., Ann Arbor, MI, for an internet database subscription to "Publications Library" in an amount not to exceed \$38,845 per extension for a total contract amount not to exceed \$112,518. (Funding in the amount of \$38,845 was included in the 2001-02 Approved Operating Budget of the Library Department. (Funding for the remaining extension option is contingent upon available funding in future budgets.) Sole source (copyrighted database). This contract was awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. There are no subcontracting opportunities.

Resolution No. 011213-69 was approved.

70. Approve a resolution authorizing execution of a contract with COMMERCIAL VIDEO SYSTEMS, Austin Texas, for an upgrade to the television system operated by the Austin Music Network for an amount not to exceed \$99,750. (Funding is available in the 2001-2002 Operating Budget of the Austin Cable Access Fund of the Financial & Administrative Services Department.) This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. There were no opportunities for subcontractor participation and no goals were established.

Resolution No. 011213-70 was approved.

71. Approve a resolution authorizing execution of a 12-month supply agreement with DEUTCHMAN PLUMBING SUPPLY INC., Austin, Texas, for the purchase of ultra low-flow toilets for the Transportation, Planning and Sustainability Department, in an amount not to exceed \$397,500, with three 12-month extension options in an amount not to exceed \$397,500 per extension, for a total contract amount not to exceed \$1,590,000. (Funding in the amount of \$331,250 was included in the 2001-2002 Operating Budget, Conservation, Rebates and Incentives Fund for the Transportation, Planning & Sustainability Department. Funding for the remaining two months of the original contract period and extension options will be 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. 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. 011213-71 was approved.

72. Approve an ordinance to annex the Nowotny Tract for full purposes (approximately 49 acres located in southwestern Travis County east of FM 1826 at Twilight Terrace Drive and Twilight Mesa Drive). (Estimated property tax revenue of \$4,000 in Fiscal Year 2002-2003.) (Second and third reading). (Related Item No. 31)

Ordinance No. 011213-72 was approved.

31. Approve a resolution giving official notice to Travis County Emergency Services District Number 3 of a full purpose annexation by the City of Austin for 2001. (Related Item No. 72)

Resolution No. 011213-31 was approved.

73. Approve an ordinance amending section 16-4-34 - Speed Limits of the City Code by adding Bluff Springs Road, from East William Cannon Drive to south city limits (200 feet south of Blue Meadow Drive), to the list of streets having a maximum speed limit of 45 miles per hour. (Funding in the amount of \$100 is available in the 2001-2002 Operating Budget of the Transportation, Planning and Sustainability Department for installation of the appropriate speed limit signs.)
Ordinance No. 011213-73 was approved.
74. Approve an ordinance amending Section 16-4-34 - Speed Limits of the City Code by adding Dessau Road, from East Rundberg Lane to 580 feet north of Brighton Lane (north city limits), to the list of streets having a maximum speed limit of 45 miles per hour. (Funding in the amount of \$100 is available in the 2001-2002 Operating Budget of the Transportation, Planning and Sustainability Department for installation of the appropriate speed limit signs.)
Ordinance No. 011213-74 was approved.
75. Approve an ordinance amending Section 16-4-33 - Speed Limits of the City Code by adding East/West Huntland Drive, from IH 35 West Service Road to Airport Boulevard, to the list of streets having a maximum speed limit of 40 miles per hour. (Funding in the amount of \$100 is available in the 2001-2002 Operating Budget of the Transportation, Planning and Sustainability Department for installation of the appropriate speed limit signs.)
Ordinance No. 011213-75 was approved.
76. Approve an ordinance amending Section 16-4-32 - Speed Limits of the City Code by adding Little Texas Lane, from South Congress Avenue to IH 35 West Service Road, to the list of streets having a maximum speed limit of 35 miles per hour. (Funding in the amount of \$400 is available in the 2001-2002 Operating Budget of the Transportation, Planning and Sustainability Department for installation of the appropriate speed limit signs.)
Ordinance No. 011213-76 was approved.
77. Approve an ordinance amending Section 16-4-32 - Speed Limits of the City Code by adding Far West Boulevard, from North Mo-Pac West Frontage Road (Loop 1) to Chimney Corners, to the list of streets having a maximum speed limit of 35 miles per hour. (Funding in the amount of \$300 is available in the 2001-2002 Operating Budget of the Transportation, Planning and Sustainability Department for installation of the appropriate speed limit signs.)
Ordinance No. 011213-77 was approved.
78. Approve an ordinance amending Section 16-4-32 - Speed Limits of the City Code by adding Middle Fiskville Road, from Spur 69 (East Koenig Lane) to East Huntland Drive, to the list of streets having a maximum speed limit of 35 miles per hour. (No additional signs are needed.)
Ordinance No. 011213-78 was approved.
79. Approve an ordinance amending Section 16-4-32 - Speed Limits of the City Code by deleting Ohlen Road, from Research Boulevard (US 183 East Frontage Road) to Payton Gin Road, from the list of streets having a maximum speed limit of 35 miles per hour. (Funding in the amount of \$200 is available in the 2001-2002 Operating Budget of the Transportation, Planning and Sustainability Department for installation of the appropriate speed limit signs.)
Ordinance No. 011213-79 was approved.

Items 80 and 81 were pulled for discussion.

82. Approve a resolution authorizing negotiation and execution of a professional services agreement with HDR ENGINEERING INC., Austin, Texas, to provide preliminary phase engineering, environmental and associated services to address, in an integrated fashion, flooding, stream bank erosion and water quality concerns of the Lower Fort Branch Creek Watershed Management Area, in an amount not to exceed \$400,000. (Funding in the amount of \$400,000 is available in the 2001-2002 approved Capital Budget of the Watershed Protection and Development Review Department.) Best of nine RFQs statements submitted. 13% MBE, 19% WBE subconsultants participation.

Resolution No. 011213-82 was approved.

83. Approve a resolution appointing Mayor Pro Tem Jackie Goodman, and Council Members Beverly Griffith and Raul Alvarez as alternate City of Austin representatives for the Capital Area Metropolitan Planning Organization (CAMPO). (Mayor Gus Garcia and Mayor Pro Tem Jackie Goodman)

Resolution No. 011213-83 was approved.

84. Approve a resolution authorizing City co-sponsorship of a parade to be held on January 21, 2002 from 9am-noon, in honor of Dr. Martin Luther King, Jr. (Mayor Gus Garcia, Council Member Danny Thomas and Council Member Raul Alvarez)

Resolution No. 011213-84 was approved.

85. Approve an ordinance waiving certain requirements and fees of Chapter 15-11 of the City Code, and all fees set by ordinance No. 010910-05, for the temporary closure of portions of Highway 290, Old Bee Caves Road, Highway 71, Southwest Parkway, and William Cannon from 7AM-10:30AM on January 5, 2002 for the "Run for the Hills" event. (Mayor Pro Tem Goodman and Council Member Will Wynn)

Ordinance No. 011213-85 was approved.

86. Approve a resolution directing the City Manager to provide estimates of the costs associated with re-paving the surface of, and constructing curbs and gutters along, Fourth and Fifth Streets from IH-35 to Pleasant Valley Road. (Council Member Raul Alvarez and Mayor Gus Garcia)

Resolution No. 011213-86 was approved.

87. Approve a resolution creating a temporary task force to make recommendations to the City Council for preserving and expanding the impact of the music industry on the Austin economy. (Council Member Will Wynn, Mayor Pro Tem Jackie Goodman and Council Member Daryl Slusher).

Resolution No. 011213-87 was approved.

Item 88 was set for a time certain of 10:30 a.m.

89. Approve a resolution directing the City Manager to prepare and present a comprehensive report on air quality issues and report back to Council (briefing) no later than March 31, 2002. (Mayor Gus Garcia, Council Member Daryl Slusher and Council Member Raul Alvarez)

Resolution No. 011213-89 was approved.

Items 90-99 were Citizen Communication items.

Z-1 to Z-9 were Zoning items.

Items 100 and 101 were Public Hearings.

Item 102 – Appointments -- was pulled for discussion.

Item 103 was an Executive Session item.

BRIEFINGS

2. Briefing on the progress of Austin Energy's Green Choice Program, which offers an alternate source of energy to customers, and recognition of corporations for their participation in the program.
The presentation was made by Mayor Garcia and Chuck Manning, General Manager of Austin Energy.

DISCUSSION ITEMS

88. Approve a resolution accepting the report of the Charter Revision Commission regarding single-member districts, and setting a schedule for public hearings and Council action. (Council Member Will Wynn and Mayor Gus Garcia)
Resolution No. 011213-88 was approved, scheduling the dates for the public hearing as January 17th, January 31st and February 7th, on Council Member Wynn's motion, Council Member Griffith's second by a 7-0 vote.
19. Approve a resolution for amendment No. 1 to exercise the first 12-month extension option to the service agreement with WASTE MANAGEMENT OF TEXAS, Austin, Texas, to provide roll-off container and disposal service for grit and screenings from wastewater treatment plants for the Water and Wastewater Utility, in an amount not to exceed \$110,694 for a total contract amount not to exceed \$332,082. (Funding in the amount of \$83,020 is available in the 2001-2002 Approved Operating Budget of the Water and Wastewater Utility. Funding for the three remaining months of the extension option will be contingent upon available funding in the future budget.) This contract was awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No goals were established for this contract. (continued from December 6, 2001)
Resolution No. 011213-19 was approved on Council Member Wynn's motion, Council Member Slusher's second on a 5-1-1 vote. Those voting aye were: Mayor Garcia, Mayor Pro Tem Goodman, and Council Members Alvarez, Slusher and Wynn. Council Member Thomas voted nay and Council Member Griffith abstained.
80. Approve a resolution authorizing a management plan for the Water and Wastewater Utility Water Quality Protection Lands (Prop 2). (The Water and Wastewater Utility currently funds management actions on Water Quality Protection Lands through its annual Operations and Maintenance budget. No changes in this process are anticipated.) (Recommended by Water and Wastewater Commission)
Resolution No. 011213-80 was approved on Council Member Slusher's motion, Mayor Pro Tem Goodman's second on a 7-0 vote.
81. Approve a resolution authorizing negotiation and execution of professional service agreements with the following three firms: ROBINSON, STAFFORD & RUDE, INC. (RSR), Grand Junction,

CO; URS CORPORATION, Austin, Texas and EDWARDS AND KELCEY, INC., Dallas, Texas, to provide specialized consulting engineering services on various Water and Wastewater related projects for a period of approximately two years or until funding authority is expended, each agreement in an amount not to exceed \$225,000, with a combined total amount of the three agreements not to exceed \$225,000 (estimated approximately \$75,000 per each firm). (Funding for these services is available in the Capital Budgets and/or Operating Budgets of the Water & Wastewater Utility.) Best of seven qualified statements submitted. (Recommended by Water and Wastewater Commission)

This item was postponed on Council Member Slusher's motion, Mayor Garcia's second on a 7-0 vote.

The meeting was recessed at 12:41 p.m. to go into Executive Session.

EXECUTIVE SESSION

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

7. Discuss legal issues related to Ethel Spiller, et. al. v. Longhorn Partners Pipeline, L.P., et. al., Case No. A 98 CA 255 SS, in the United States District Court for the Western District of Texas Austin Division (Related to Longhorn Partners Pipeline) and other legal issues related to hazardous pipelines.

Executive session ended at 2:22 p.m. and Mayor Garcia called the meeting back to order.

CITIZEN COMMUNICATIONS: GENERAL

98. Susana Almanza - Protect the people of East Austin – Close the hazardous Holly Power Plant. Protect our health.
90. Jimmy Castro - Happy Holidays
91. Jennifer L. Gale - Merry Christmas And Happy Hannukah! As we celebrate the principles of Kwanzaa this Holiday Season let's give the people of Austin absolutely no light rail and a gift of thirty-two council members.
92. Gus Pena - To ask City to help the flood victims whose houses were ruined. To push for low income affordable housing, transitional housing for homeless families who possibly will Remain Homeless* During and after the Holidays. No cuts in services that will adversely affect then Senior Citizens, Youth and the Poor, and have Nots.
93. Akwasi Evans – Reparations - ABSENT
94. Marcos DeLeon - Holly Power Plant
95. Gavino Fernandez - Tierra – Justicia y Liberta
96. Veronica Hernandez - Holly Power Plant
97. Eric Rolff - Union Pacific's Practice of leaving its trains unattended in our neighborhood and a solution to meet both sides requirement. Would like City Council members endorsement of proposal we are sending to Congressman Dogget.
99. Jose Quintero - Greater East Austin Neighborhood Association-Preserve the Hispanic community-Stop Gentrification now

DISCUSSION ITEMS CONTINUED

20. Consider an ordinance amending Chapters 25-2 and 25-4 of the Austin City Code relating to the subdivision of land and street connectivity. (If pedestrian paths, included as part of the draft ordinance, are publicly maintained, the Department of Public Works budget will be impacted. If the Council approves additional fee waivers for S.M.A.R.T. Housing projects that meet the connectivity requirements Water and Wastewater Department revenue may be impacted.) (Recommended by Planning Commission) (continued from June 14, 2001, August 23, 2001 and August 30, 2001)
- The motion to postpone this item to January 31, 2002 was approved on Council Member Alvarez' motion, Mayor Garcia's second, on a 7-0 vote.

The meeting was recessed at 3:03 p.m. to go into Executive Session.

EXECUTIVE SESSION

8. Discuss acquisition of an interest in real property for Open Space as authorized under Proposition 2 of the November 7, 2000 Bond Election through City's Agreement with Hill Country Conservancy.
9. Discuss acquisition of approximately 20 acres adjacent to Loyola Lane for Greenway & Destination Parks as authorized under Proposition 2 of the November 1998 Bond Election.
10. Discuss acquisition of approximately 40 acres adjacent to Sprinkle Road and Chriswell Lane for development of Greenway & Destination Parks as authorized under Proposition 2 of the November 1998 Bond Election.
11. Discuss acquisition of approximately 309 acres adjacent to Slaughter Creek for Greenway & Destination Parks as authorized under Proposition 2 of the November 1998 Bond Election

Executive session ended at 3:37 p.m.

Mayor Garcia called to order the Board of Director's meeting of the Austin Housing Finance Corporation at 3:38 p.m. See the separate minutes for this meeting.

The Council meeting was called back to order at 3:41 p.m.

DISCUSSION ITEMS CONTINUED

14. Authorize the City Manager, or designee, to negotiate and execute all documents related to acquiring approximately 178 acres in Hays County along Onion Creek north of FM 150 West, through a long term lease/donation pursuant to the City's Agreement with Hill Country Conservancy ("HCC"), to be purchased with Proposition Two, November 2000 bond funds, for development of Open Space. HCC will acquire the property in its name, pending exercise of City's rights.
Resolution No. 011213-14, in an amount not to exceed \$1,424,000, was approved on Council Member Slusher's motion, Mayor Garcia's second on a 5-0 vote. Council Members Alvarez and Slusher were off the dais.
15. Authorize the City Manager, or designee, to negotiate and execute all documents related to acquiring approximately 20 acres adjacent to Loyola Lane for Greenway & Destination Parks, to be purchased with Proposition Two, November 1998 bond funds.

Resolution No. 011213-15, in an amount not to exceed \$160,000, was approved on Council Member Griffith's motion, Council Member Slusher's second on a 7-0 vote.

16. Authorize the City Manager, or designee, to negotiate and execute all documents related to acquiring approximately 40 acres adjacent to Sprinkle Road and Chriswell Lane for development of Greenway & Destination Parks, to be purchased with Proposition Two, November 1998 bond funds.

Resolution No. 011213-16, in an amount not to exceed \$565,000, was approved on Mayor Pro Tem Goodman's motion, Mayor Garcia's second on a 7-0 vote.

The meeting was recessed at 3:50 p.m. to go into Executive Session.

EXECUTIVE SESSION

5. Discuss legal issues related to *Hyde Park Baptist Church v. City of Austin, et al.*, CA# A 01CA 212 JN, in the United States District Court, Western District of Texas, Austin Division.
6. Discuss legal issues concerning the pumpage amendment for Creedmoor-Maha Water Supply Corporation.

Executive session ended at 4:32 p.m. and the Council meeting was called back to order.

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, Mayor Pro Tem Goodman's second by a 7-0 vote.

- Z-1. C814-01-0065 - Bear Lake P.U.D. - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as the southeast corner of SH 45 and FM 1826 (Slaughter / Barton Creek Watersheds; Barton Springs Zone) from unzoned and I-RR, Interim-Rural Residence District zoning to P.U.D., Planned Unit Development District zoning. Zoning and Platting Commission Recommendation: To be considered by the Zoning and Platting Commission on December 11, 2001. Property Owner: Stratus Properties (Kenneth Blaker). Agent: Drenner Stuart Wolff Metcalfe von Kreisler, LLP. City Staff: Wendy Walsh, 974-7719.
This item was postponed to January 17, 2002, at applicant's request.

- Z-2. C14-01-0072 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 2701 and 2717 Guadalupe Street and 2804-2816 Hemphill Park. (Waller Creek Watershed) from CS, General Commercial Services district zoning to MF-6, Multifamily Residence Highest Density district, zoning on Tract 1 and CS-MU, General Commercial Services-Mixed Use-Combining district, zoning. Zoning and Platting Commission Recommendation: To be considered by the Zoning and Platting Commission on December 11, 2001. Applicant: Villas on Guadalupe L.P. Agent: McHone Real Estate (Mike McHone). City Staff: Glenn Rhoades, 499-2775
This item was postponed to January 10, 2002, at applicant's request.

- Z-3. C14-01-0130 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1000 E. Yager Lane (Walnut Creek Watershed) from DR, Development Reserve district, zoning to GR, Community Commercial district, zoning. Zoning and Platting

Commission Recommendation: To grant LR-CO, Neighborhood Commercial-Conditional Overlay Combining district, zoning with conditions. Applicant: B. Patel. Agent: Mukesh P. Patel. City Staff: Sherri Gager, 974-3057.

The first reading of this ordinance was approved.

- Z-4. C14-01-0131 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 500 West Martin Luther King Jr. Blvd. (Shoal Creek Watershed) from CS, General Commercial Services district, zoning to CS-MU, General Commercial Services-Mixed Use Combining district and MF-6, Multifamily Residence Highest Density district, zoning. Zoning and Platting Recommendation: The Commission will consider this rezoning request at their December 11, 2001 meeting. Applicant: Sutton Company (H.M. Pike). Agent: Bury and Partners, Inc. (Greg Strmiska, PE). City Staff: Glenn Rhoades, 974-2775. (continued from 11/29/01)

This item was postponed to March 7, 2002, at staff's request.

- Z-5. C14-01-0132 - Tinseltown USA- Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 15417, 15440 Pecan (FM 1825), 15323 Interstate Highway 35 Service Road NB from I-RR, Interim- Rural Residence district, zoning to GR, Community Commercial district, zoning. Zoning and Platting Commission Recommendation: To grant GR-CO, General Office district, zoning. Applicant: Cinemark U.S.A, Inc. C/O Princino VIII, L.P. (Don Harton), PBA Development, Inc. (Robert Copple). Agent: Cinemark U.S.A, Inc. C/O Princino VIII, L.P. (Don Harton). City Staff: Sherri Gager, 974-3057.

The first reading of this ordinance was approved.

- Z-6. C14-01-0145 - Riata Park - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 12401 Riata Trace Parkway (Walnut Creek Watershed) from IP, Industrial Park District, zoning to P, Public district, zoning. Zoning and Platting Commission Recommendation: To grant P, Public district, zoning. Applicant: City of Austin Parks and Recreation Department (Sarah Campbell). Agent: City of Austin Parks and Recreation Department (Sarah Campbell). City Staff: Sherri Gager, 974-3057.

Ordinance No. 011213-Z-6 was approved.

- Z-7. C14H-01-0147 - Goodall-Wooten House - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1900 - 1904 Rio Grande Street, a.k.a. 700 Martin Luther King Jr. Boulevard (Shoal Creek Watershed) from GO-H, General Office-Historic Combining district, zoning to GR-H-CO, Community Commercial-Historic-Conditional Overlay Combining district, zoning for tract one; and from GO, General Office district, zoning and GO-H, General Office-Historic Combining district, zoning to GR-CO, Community Commercial-Conditional Overlay Combining district, zoning for tract two. Zoning and Platting Commission Recommendation: To grant GR-H-CO, Community Commercial-Historic-Conditional Overlay Combining district, zoning for tract one, and GR-CO, Community Commercial-Conditional Overlay Combining district, zoning for tract two. Historic Landmark Commission Recommendation: To grant GR-H-CO, Community Commercial-Historic-Conditional Overlay Combining district, zoning for tract one, and GR-CO, Community Commercial-Conditional Overlay Combining district, zoning for tract two. Applicant: Austin Recovery Center Agent: SR Development Inc. (Bill Gurasich). City Staff: Glenn Rhoades, Neighborhood Planning and Zoning Department, 974-2775, and Barbara Stocklin, Transportation, Planning and Sustainability Department, 974-2414.

Ordinance No. 011213-Z-7 was approved.

Item Z-8 was pulled for discussion.

- Z-9. C14-01-0151 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 2300 Nueces (Shoal Creek Watershed) from MF-4, Multifamily Residence Moderate-High Density district, zoning to GO-MU-CO, General Office-Mixed Use-Conditional Overlay Combining district, zoning. Zoning and Platting Recommendation: To deny GO-MU-CO, General Office-Mixed Use-Conditional Overlay Combining district, zoning with conditions. Applicant: Walter B. Palmer Foundation. Agent: McHone Real Estate (Mike McHone). City Staff: Glenn Rhoades, 974-2775. (continued from 11/29/01)
This item was postponed to February 7, 2002, at applicant's request.

The meeting was recessed at 5:46 p.m. for Live Music and Proclamations.

The meeting was called back to order at 6:29 p.m. and immediately recessed to go into Executive Session.

EXECUTIVE SESSION

12. Discuss long term power generation issues.
103. Discuss legal issues related to proposed amendments to the settlement agreement dated January 8, 2001 between Lumberman's Investment Corporation and the City of Austin.

Executive session ended at 8:07 p.m. and the Council Meeting was called back to order.

DISCUSSION ITEMS CONTINUED

100. Conduct a public hearing to consider approving the construction of drainage improvements at East William Cannon and Onion Creek, through dedicated parkland known as Onion Creek Park in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (All costs associated with the drainage improvements as well as any parkland restoration will be paid by the requestor though a previously approved Capital Improvements Project.)
The public hearing was closed on Council Member Wynn's motion, Mayor Garcia's second on a 4-0 vote. Mayor Pro Tem Goodman and Council Members Griffith and Thomas were off the dais.
101. Consider and possible approval for the construction of drainage improvements at East William Cannon and Onion Creek, through dedicated parkland known as Onion Creek Park in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (All costs associated with the drainage improvements as well as any parkland restoration will be paid by the requestor though a previously approved Capital Improvements Project.)
Ordinance No. 011213-101 was approved on Council Member Wynn's motion, Mayor Garcia's second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

102. BOARD AND COMMISSION APPOINTMENTS

Bond Oversight Committee

Dan W. Gorman	appointment	Consensus
William D. Muscato	appointment	Consensus

Commission for Women

Jennifer Lin Cavner	appointment	Consensus
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Commission on Immigrant Affairs

Julien Martin Ross	appointment	Consensus
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Downtown Commission

David Glassco	appointment	Consensus
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Employees' Retirement System

Edwin H. Golden	reappointment	Consensus
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Environmental Board

Mary Gay Maxwell	appointment	Griffith
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Federally Qualified Health Center Board

Hal S. Katz	reappointment	
Consensus		
Alfredia Miller	reappointment	Consensus

Human Rights Commission

Austin F. Dullnig	reappointment	Consensus
Michael Supancic	reappointment	Wynn
Bettye Jewel Taylor	reappointment	Consensus
Neal Walton	reappointment	Consensus

Library Commission

Kelly Marie Dodson	appointment	Consensus
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Medical Assistance Program Advisory Board

Mary Lou Adams	reappointment	Consensus
Williams M. Moore	reappointment	Consensus

The appointments, as shown above, were approved on Council Member Griffith's motion, Mayor Garcia's second on a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

21. Approve a resolution authorizing negotiation and execution of a contract with ROBERT PARKER, Austin, Texas, for the purchase, including closing costs, of the house and property located at 2220 Riverview Street, immediately adjacent to the Holly Power Plant, in an amount not to exceed \$48,000. (Funding is available in the 2001-2002 Approved Capital Budget for the Electric Utility Department.)
- Resolution No. 011213-21 was approved on Council Member Thomas' motion, Council Member Slusher's second on a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

64. 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 40 various light duty trucks and vans in the amount of \$930,375.92 (Funding in the amount of \$227,555.86 was included in the 2001-2002 Vehicle Acquisition Fund. \$97,163.58 was included in the 2001-2002 Operating Budget of the Aviation Department. \$97,537.02 was included in the 2001-2002 Operating Budget of the Department of Public Works and Transportation, Transportation Fund. \$398,799.48 was included in the 2001-2002 Capital Budget of Austin Energy. \$50,080.63 was included in the 2001-2002 Capital Budget of the Solid Waste Services Department. \$59,239.35 was included in the 2001-2002 Capital Budget of the Watershed Protection and Development Review Department.)
Resolution No. 011213-64 was approved on Council Member Slusher's motion, Council Member Alvarez' second on a 6-0 vote. Mayor Pro Tem Goodman was off the dais.
17. C14-01-0046 – Hyde Park Neighborhood Conservation Combining District – Approve third reading 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. Second reading , October 25 ,2001; Vote: 5-2, Watson and Thomas nay. Conditions met as follows: The zoning ordinance incorporates the conditions imposed by City Council at second 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: Protests against inclusion in the NC combining district and valid petitions have been filed by property owners in opposition to this rezoning request. (continued from 11/8/01 and 11/29/01)
The motion to suspend the rules and allow citizens to speak, even though the hearing was previously closed, was approved on Council Member Slusher's motion, Council Member Griffith's second on a 7-0 vote.
- There was a motion by Council Member Slusher, seconded by Council Member Griffith to include all the Hyde Park Baptist Church property in the NCCD.**

The substitute motion to defer action on all Hyde Park Baptist Church property until January 31, 2002 was approved on Council Member Wynn's motion, Mayor Pro Tem Goodman's second by a 4 to 3 vote. Those voting aye were: Mayor Pro Tem Goodman, and Council Members Alvarez, Thomas and Wynn. Those voting nay were: Mayor Garcia and Council Members Griffith and Slusher.

The motion to include the Hyde Park Church of Christ' property, lots 3 and 4, 19-25 and the south side of Lot 26 of Block 12 of the Hyde Park Addition No. 1, in the NCCD was approved on Council Member Griffith's motion, Council Member Thomas' second on a 6-1 vote. Council Member Slusher voted nay.

The motion to include 4006 Duval in the NCCD and to amend the Duval District regulations in the proposed ordinance to provide that the minimum lot size for two family residential is 5900 square feet was approved on Council Member Wynn's motion, Mayor Garcia's second by a 7-0 vote.

The motion to include 109 West 39th Street in the NCCD was approved on Council Member Wynn's motion, Council Member Griffith's second on a 7-0 vote.

The motion to include 4104 and 4106 Duval, 204 W. 44th Street and 4401 Avenue "C" in the NCCD was approved on Council Member Griffith's motion, Council Member Wynn's second on a 7-0 vote.

The motion to approve base zoning district changes and to approve SF-3 zoning district for 4104 Duval passed on Mayor Pro Tem Goodman's motion, Mayor Garcia's second on a 7-0 vote.

The motion to approve SF-3 zoning district for 4106 Duval passed on Council Member Wynn's motion, Council Member Griffith's second on a 7-0 vote.

The motion to add NCCD to all property, except for the HPBC property, including the site development regulations established in the proposed ordinance was approved on Council Member Thomas' motion, Council Member Griffith's second on a 7-0 vote.

38. C14H-00-2268 - R.L. Moore House - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2303 Rio Grande Street (Shoal Creek Watershed) from MF-4, Multifamily Residence Moderate-High Density district, zoning to GO-MU-H-CO, General Office-Mixed Use-Historic-Conditional Overlay Combining district, zoning with conditions for tract one, and General Office-Mixed Use-Conditional Overlay Combining district zoning, with conditions for tract two. First reading, November 29, 2001. Vote: 7-0. Conditions met as follows: The zoning ordinance incorporates the conditions imposed by City Council at first ordinance reading. Applicant: Mike McGinnist. Agent: Richard Mathias. City Staff: Glenn Rhodes, Neighborhood Planning and Zoning Department, 974-2775, and Barbara Stocklin, Transportation, Planning and Sustainability Department, 974-2414. Note: A valid petition has been filed in opposition to this rezoning request

Ordinance No. 011213-38 was approved on Council Member Griffith's motion, Mayor Pro Tem Goodman's second on a 7-0 vote.

41. Consider and possible action to approve on third reading 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 amendments from Council Member Alvarez were to amend the plan to change the conditional overlay for Tract 138 back to the original recommendation -- Seventh Street Corridor Overlay -- was approved on Council Member Alvarez' motion, Council Member Wynn's second on a 7-0.

Ordinance No. 011213-41, adopting the Neighborhood Plan, was approved as amended above, on Council Member Alvarez' motion, Council Member Wynn's second on a 7-0 vote.

42. C14-01-0148 – Central East Austin Neighborhood Plan Rezoning – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the Central East Austin Neighborhood Plan bounded on the west by IH-35, on the north by Martin Luther King Jr. Blvd., on the east by Chicon St./ Northwestern Ave., and on the south by E. 7th Street (Waller and Boggy Creek Watersheds) from SF-3, Family Residence district, SF-3-H, Family Residence-Historic district; SF-3-NCCD, Family Residence-Neighborhood Conservation Combining district; MF-3, Multifamily Residence-Medium Density district; MF-4, Multifamily Residence-Moderate High Density district; LO, Limited Office district; LO-H, Limited Office-Historic district; LO-NCCD, Limited Office-Neighborhood Conservation Combining district; GO, General Office district; GO-CO-H, General Office-Conditional Overlay-Historic district; LR, Neighborhood Commercial district; ; LR-H, Neighborhood Commercial-Historic Combining district; LR-NCCD, Neighborhood Commercial-Neighborhood Conservation Combining district; GR, Community Commercial district; GR-CO-MU, Community Commercial-Conditional Overlay-Mixed Use Combining district; GR-NCCD, Community Commercial-Neighborhood Conservation Combining district; GR-CO-MU-NCCD, Community Commercial-Conditional Overlay-Mixed Use-Neighborhood Conservation Combining district; CS, General Commercial Services district; CS-NCCD, General Commercial-Neighborhood Conservation Combining district; CS-CO-NCCD, General Commercial-Conditional Overlay-Neighborhood Conservation Combining district; CS-MU-NCCD, General Commercial-Mixed Use-Neighborhood Conservation Combining district; CS-1, Commercial-Liquor Sales district; CS-1-CO, Commercial-Liquor Sales-Conditional Overlay district; CS-1-NCCD, Commercial-Liquor Sales-Neighborhood Conservation Combining district; CS-1-H-NCCD, Commercial-Liquor Sales-Historic-Neighborhood Conservation Combining district; LI, Limited Industrial district; and P, Public district; to add a NP, Neighborhood Plan combining district (NPCD) to each base zoning district in the plan area; to permit the secondary apartment, urban home, and small lot amnesty special uses on any lot in the area; to permit the neighborhood mixed use building special use for Tracts 1-5, 7-11, 12a-e, 13-16, 17a-c, 18-34, 36-56, 57a-b, 58-60, 67, 68, 70-72, 85, 86, 96, 97, and 124-138; to permit neighborhood urban center special use for Tracts 11 and 130-138; to add a conditional overlay (CO) combining district for 70 tracts including, Tracts 1, 3, 7, 8, 18-21, 24-27, 29-32, 34, 37-53, 55, 56, 57a, 57b, 60-68, 70-72, 85, 86, 96, 97, and 124-138; to change the base zoning districts on 142 tracts of land: to SF-3-NP, Family Residence-Neighborhood Plan Combining district; SF-3-H-NP, Family Residence-Historic-Neighborhood Plan Combining district; SF-3-NCCD-NP, Family Residence-Neighborhood Conservation Neighborhood Plan Combining district; MF-2-NP, Multi-family Residence-Low Density-Neighborhood Plan

Combining district; MF-4-NP, Multi-family Residence-Moderate High Density- Neighborhood Plan Combining district; LO-MU-NP, Limited Office-Mixed Use-Neighborhood Plan Combining district; LO-MU-H-NP, Limited Office-Mixed Use-Historic-Neighborhood Plan Combining district; LO-NCCD-NP, Limited Office-Neighborhood Conservation Combining-Neighborhood Plan Combining district; GO-CO-NP, General Office-Conditional Overlay-Neighborhood Plan Combining district; GO-MU-NP, General Office-Mixed Use-Neighborhood Plan Combining district; GO-CO-MU-NP, General Office-Conditional Overlay-Mixed Use-Neighborhood Plan Combining district; GO-CO-MU-H-NP, General Office-Conditional Overlay-Mixed Use-Historic-Neighborhood Plan Combining district; LR-MU-NP, Neighborhood Commercial-Mixed Use-Neighborhood Plan Combining district; LR-H-MU-NP, Neighborhood Commercial-Historic-Mixed Use-Neighborhood Plan Combining district; LR-NCCD-NP, Neighborhood Commercial-Neighborhood Conservation-Neighborhood Plan Combining district; GR-NCCD-NP, Community Commercial-Neighborhood Conservation-Neighborhood Plan Combining district; GR-CO-MU-NP, Community Commercial-Conditional Overlay-Mixed Use-Neighborhood Plan Combining district; GR-CO-MU-H-NP, Community Commercial-Conditional Overlay-Mixed Use-Historic-Neighborhood Plan Combining district; GR-CO-NCCD-NP, General Commercial-Conditional Overlay-Neighborhood Conservation-Neighborhood Plan Combining district; CS-CO-MU-NP, General Commercial-Conditional Overlay-Mixed Use-Neighborhood Plan Combining district; CS-NCCD-NP, General Commercial-Neighborhood Conservation-Neighborhood Plan Combining district; CS-CO-NCCD-NP, General Commercial-Conditional Overlay-Neighborhood Conservation-Neighborhood Plan Combining district; CS-MU-NCCD-NP, General Commercial-Mixed Use-Neighborhood Conservation-Neighborhood Plan Combining district; CS-1-CO-MU-NP, Commercial-Liquor Sales-Conditional Overlay-Mixed Use-Neighborhood Plan Combining district; CS-1-NCCD-NP, Commercial-Liquor Sales-Neighborhood Conservation-Neighborhood Plan Combining district; CS-1-H-NCCP-NP, Commercial-Liquor Sales-Historic-Neighborhood Conservation-Neighborhood Plan Combining district; LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district; P-H-NP, Public-Historic-Neighborhood Plan Combining district. First Reading on December 6, 2001; Vote: 7-0. Conditions met as follows: Ordinance incorporates the conditions imposed by Council at first reading. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Sue Hounsel, 974-6564; Sherri Gager, 974-3057. Note: Valid petitions have been filed by property owners opposed to this rezoning request.

Ordinance 011213-42 was approved with the amendment to change the conditional overlay for Tract (for 2316 Morelos) on Council Member Alvarez' motion, Mayor Garcia's second on a 7-0 vote.

The motion to approve NPCD rezoning recommendations, except for properties with valid petitions, was approved on Council Member Alvarez' motion, Mayor Garcia's second on a 7-0 vote.

The motion to change the zoning on Tract 5, 1406 Waller, from GR to LO-MU-NP was approved on Mayor Pro Tem Goodman's motion, Council Member Griffith's second on a 7-0 vote.

The motion to change the zoning on Tract 132 (for 2314 E. 7th) was postponed to January 17, 2002 to allow staff time to communicate with the owner of the property, on Mayor Pro Tem Goodman's motion, Council Member Griffith's second on a 7-0 vote.

- Z-8. C14-01-0148.003 - Central East Austin Neighborhood Plan Area- Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 811 East 13th Street (Waller and Boggy Creek Watersheds) from LR, Neighborhood Commercial District, zoning to CS-CO-MU-NP, General Commercial-Conditional Overlay-Mixed Use-Neighborhood Plan Combining district, zoning with conditions. Planning Commission Recommendation: To grant CS-CO-MU-NP, General Commercial-Conditional Overlay-Mixed Use-Neighborhood Plan Combining district, zoning with conditions. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Sherri Gager, 974-3057.
- Ordinance No. 011213-Z8 was approved changing the zoning from LR to CS-CO-MU-NP on Council Member Wynn's motion, Council Member Thomas' second on a 7-0 vote.**

43. Consider and possible action to approve on second and third readings an Ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Holly Neighborhood Plan for the area bounded by 7th Street to the north, Chicon Street to the west, Pleasant Valley to the east and Town Lake to the South. (This plan is advisory and does not legally obligate the Council to implement any particular recommendation.)
- The motion to suspend the rules and allow the speakers ten minutes to express their viewpoints, even though the public hearing was previously closed, was approved on Council Member Slusher's motion, Council Member Griffith's second on a 7-0 vote.**

Ordinance No. 011213-43 was approved with the amendment that the rezoning for the property currently zoned LI be deferred until January 17, 2002 on Council Member Slusher's motion, Mayor Pro Tem Goodman's second on a 7-0 vote.

44. C14-01-0166 – Holly Neighborhood Plan Rezonings – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the Holly Neighborhood Plan bounded on the west by Chicon Street, on the north by 7th Street, on the east by Pleasant Valley Road, and on the south by Town Lake (Town Lake, Boggy and Colorado River Watersheds), from: SF-3, Family Residence district, MF-3, Multi-family Residence-Medium Density- district, LR, Neighborhood Commercial district, GR, Community Commercial district, LO, Limited Office district, CS, General Commercial Service district, CS-1, Commercial-Liquor Sales district, and LI, Limited Industrial Services district, to: add a NP, Neighborhood Plan combining district (NPCD) to each base zoning district in the plan area; to permit a secondary apartment, and small lot amnesty special uses as permitted uses on any residential lot in the area; to permit neighborhood mixed use building special use for Tracts 1-14, 16, 22, 24, 25, 28, 33, 39, 40, 42-47, 49-55, 57, 59, 61-63, and 73; to add a conditional overlay (CO) for 70 tracts including Tracts 1-14, 16-25, 27-63, 71 and 73; to change the base zoning districts on 73 tracts of land: SF-3-NP, Family Residence-Neighborhood Plan Combining district, MF-2-NP, Multi-family Residence-Low Density-Neighborhood Plan Combining district; MF-3-NP, Multifamily Residence Medium Density-Neighborhood Plan Combining district; LO-CO-MU-NP, Limited Office-Conditional Overlay-Mixed Use-Neighborhood Plan Combining district; GO-CO-MU-NP, General Office-Conditional Overlay-Mixed Use-Neighborhood Plan Combining district; LR-CO-MU-NP, Neighborhood Commercial-Conditional Overlay-Mixed Use-Neighborhood Plan Combining district; GR-CO-MU-NP, Community Commercial-Conditional Overlay-Mixed Use-Neighborhood Plan Combining district, CS-CO-MU-NP, General Commercial-Conditional Overlay-Mixed Use-Neighborhood Plan Combining district; CS-1-CO-MU-NP, Commercial-Liquor Sales-Conditional Overlay-Mixed Use-Neighborhood Plan Combining district; LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district; P-NP, Public-Neighborhood Plan Combining district. First Reading on

December 6, 2001; Vote: 7-0. Conditions met as follows: Ordinance incorporates the conditions imposed by Council at first reading. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Mario Jesus Flores, 974-2413 and Wendy Walsh, 974-7719. Ordinance No. 011213-44 was approved with the following amendments on Council Member Slusher's motion, Mayor Pro Tem Goodman's second on a 7-0 vote. The amendments were: that the rezoning for the property currently zoned LI be deferred until January 17, 2002. For Tract 71, the following uses would be added to those uses that were prohibited under the neighborhood plan for residential districts: business or trade school, business support services, communication service facilities, consumer convenience services, financial services, general retail sales – general, hotel-motel, indoor entertainment, indoor sports and recreation, medical offices in excess of 5,000 square feet of gross floor space, medical office not in excess of 5,00 square feet of gross floor space, pawn shop services, and restaurant – general. The following uses would be conditional: private primary educational services, private secondary educational services, public primary educational services, and public secondary educational services.

3. Briefing on Holly Power Plant issues.
This briefing was not done at this meeting.
4. Discuss *Travis County Landfill Co. v. City of Austin*, Case No.00-0944, in the Supreme Court of Texas.
There was no discussion of this item in the Executive Sessions.

The motion to adjourn the meeting at 9:49 p.m. was approved on Council Member Slusher's motion, Mayor Garcia's second by a 7-0 vote.

The minutes from the regular meeting of December 13, 2001 were approved on Council Member Wynn's motion, Council Member Thomas' second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.