



**Austin City Council
MINUTES**

**REGULAR MEETING
THURSDAY, JANUARY 25, 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, January 25, 2001 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

INVOCATION – Pastor Allen Rigg, Calvary Chapel of Austin

Mayor Watson called the meeting to order at 9:13 a.m.

1. Approval of minutes for regular meeting of January 18, 2001.
The minutes for the regular meeting of January 18, 2001 were approved on Council Member Alvarez' motion, Mayor Pro Tem Goodman's second by a 5-0 vote. Council Members Slusher and Thomas were off the dais.

BRIEFINGS

2. Update on Regional/Urban Development Assistance Team (R/UDAT) Downtown Report
The presentation was made by John Nyfeler, Vice President, Aquirre Corporation.

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 Alvarez' motion, Council Member Griffith's second by a 5-0 vote. Council Members Slusher and Thomas were off the dais.

12. Approve a resolution authorizing the issuance of a rebate in the amount of \$76,746 to Seton Medical Center for the installation of high-efficiency lighting upgrades at their hospital facility located at 1201 W. 38th Street, Austin, Texas. Energy improvements qualifying for this rebate will save an estimated 253 kilowatts at a program cost of \$303 per kilowatt saved. The comparable cost of gas turbine generation is \$1,329 per kilowatt, including fuel, operation, and maintenance. (Funding for the amount of \$76,746 is available in the 2000-2001 Approved Operating Budget of the Conservation Rebates and Incentives Fund.) (Recommended by Electric Utility Commission and Resource Management Commission)
Resolution No. 010125-12 was approved

13. Approve a resolution authorizing execution of a construction contract with A & R DEMOLITION, INC., Del Valle, Texas, for demolition/deconstruction of the Popham Elementary School, Del Valle Independent School District, in the amount of \$207,000. (Funding is included in the 2000-2001 Capital Budget of the Aviation Department.) Lowest of eleven bids received. 0% MBE, 1.94% WBE subcontracting participation. (Recommended by Airport Advisory Board)
Resolution No. 010125-13 was approved.

Item 14 was pulled for discussion.

15. Approve amendments to an ordinance renewing a license to AT&T Corporation for the placement of long distance transmission facilities in the public rights-of-way. (No revenue or expenditure impact due to this action.)
Ordinance No. 010125-15 was approved.

16. Approve a resolution authorizing an Interlocal Agreement between the City of Austin and Travis County Emergency Services District Number 4 for firefighter certification training. (\$30,000 Health and Human Services, Title IV Workforce Development Funds)
Resolution No. 010125-16 was approved.

17. Amend Ordinance No. 000912-01, the 2000-2001 Operating Budget by: (1) increasing the Hospital Fund operating expenses by \$435,143 for support of hospital and specialty services provided at Brackenridge Hospital for Medical Assistant Program (MAP) clients, and reducing the ending balance by \$435,143; (2) increasing the General Fund operating expenses for the Health and Human Services Department for Hospital Contracted Services by \$435,143, and increasing the expense refund from the Hospital Fund by \$435,143. (Funding in the amount of \$435,143 from the Hospital Fund. There is no net impact on the General Fund Ending Balance.) (Related Item No. 18)
Ordinance No. 010125-17 was approved.

18. Approve a resolution authorizing negotiation and execution of a 12-month Provider Agreement to commence February 1, 2001, through January 31, 2002, with DAUGHTERS OF CHARITY HEALTH SYSTEMS OF AUSTIN, d/b/a Seton Medical Center (Seton), Austin, Texas, for the provision of certain health care services to Enrollees in the City of Austin Medical Assistance Program in an amount not to exceed \$7,543,973 with four 12-month extension options in amounts not to exceed \$7,913,533 for the first extension (February 1, 2002 through January 31, 2003), \$8,273,187 for the second extension (February 1, 2003 through January 31, 2004), \$8,600,214 for the third extension (February 2, 2004 through January 31, 2005), and \$8,947,428 for the fourth extension (February 1, 2005 through January 31, 2006), for a total contract amount not to exceed \$41,278,335. (Funding for the first eight months in the amount of \$4,943,975 (which includes retroactive payments to October 1, 2000 in the amount of \$265,999) is included in the 2000-2001 Health and Human Services Department amended Operating Budget. Funding for the remaining four months of the original contract period and the extension options are contingent upon approval of the 2001-2002 budget and available funding in future budgets.) (Related Item No. 17)
Resolution No. 010125-18 was approved.

Items 19 through 20 were pulled for discussion.

21. Amend Ordinance No. 000912-02, the 2000-2001 Amended Capital Budget of the Public Works and Transportation Department by transferring and appropriating \$547,000 from CIP Contingency to the South First Street Extension Project. (Funding is available in the 2000-2001 CIP contingency account.) (Planning Commission Review – 1/23/01) (Related Item No. 22)
Ordinance No. 010125-21 was approved.

22. Approve a resolution authorizing execution of a construction contract with DEEVERS CONSTRUCTION, L.P., Austin, Texas, for the South First Street Roadway Extension Project - Phase II, from Slaughter Lane to Slaughter Creek, in an amount not to exceed \$4,887,837, and a contingency in an amount not to exceed \$488,783.70, for a total amount not to exceed \$5,376,620.70 (Funding in the amount of \$5,345,831.70 is available in the 2000-2001 Amended Capital Budget of the Public Works and Transportation Department; \$30,789 is available in the 1999-2000 Amended Capital Budget of Austin Energy.) Lowest of seven bids received. 19.41% MBE, 8.59% WBE subcontracting participation. (Related Item No. 21)
Resolution No. 010125-22 was approved.
23. Approve a resolution authorizing execution of a construction contract with AUSTIN BRIDGE & ROAD, Austin, Texas, for street improvements and minor utility adjustments on Nuckols Crossing Road and South Pleasant Valley Road, as part of the Group 8 Bond Street Reconstruction Project, in an amount not to exceed \$908,932, and a contingency fund not to exceed \$72,700, for a total amount not to exceed \$981,632. (Funding in the amount of \$972,572 is included in the 2000-2001 Capital Budget of the Department of Public Works & Transportation; \$9,060 is included in the 2000-2001 Capital Budget of the Water & Wastewater Utility.) Lowest of five bids received. 54.64% MBE, 0.17% WBE subcontracting participation.
Resolution No. 010125-23 was approved.
24. Approve a resolution authorizing execution of an agreement with the TEXAS DEPARTMENT OF TRANSPORTATION to temporarily close state rights-of-way for special events that utilize both city streets and state roadways in Austin within the 2001 calendar year.
Resolution No. 010125-24 was approved.
25. Approve a resolution authorizing execution of a contract with HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS COOPERATIVE PURCHASING PROGRAM (H-GAC), Houston, Texas, for the purchase of one ladder and four pumper fire trucks in the amount of \$1,989,667.10. (Funding in the amount of \$1,625,255.20 was included in the 2000-2001 Vehicle Acquisition Fund. \$364,411.90 was included in the 1999-2000 Capital Budget for the Austin Fire Department.) These trucks will be manufactured by Pierce Manufacturing, Appleton, Wisconsin and will be supplied by Siddons Fire Apparatus, the Pierce dealer located in Texas who is currently under contract with HGAC to supply these type fire trucks. The fire trucks have been competitively bid through H-GAC.
Resolution No. 010125-25 was approved.
- Item 26 was pulled for discussion.**
27. Approve a resolution authorizing negotiation and execution of a 12-month services agreement with GARTNER, INC., Stamford, Connecticut, for the purchase of Information Technology Research and Advisory Services in an amount not to exceed of \$177,125 for the Information Systems Department, with two 12-month extension options in a not to exceed amounts of \$177,125 for each option for a total contract amount not to exceed \$531,375. (Funding in the amount of \$177,125 is available in the approved 2000-2001 Operating Budget for the Information Systems Department. Funding for the extension options is contingent upon available funding in future budgets.) Best proposal of five received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.
Resolution No. 010125-27 was approved.
28. Approve a resolution authorizing negotiation and execution of a contract with GENERAL ELECTRIC INTERNATIONAL, Carrollton, Texas, for the purchase of a steam turbine generator in an amount not to exceed \$22,000,000. (Funding is available in the 2000-2001 Approved

Capital Budget for the Electric Utility Department.) Sole Proposal. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified; therefore no MBE/WBE goals were established for this solicitation. This contract is for a commodity purchase, with direct delivery by the manufacturer. (Recommended by Electric Utility Commission)

Resolution No. 010125-28 was approved.

29. Approve a resolution authorizing negotiation and execution of a contract with KOREA HEAVY INDUSTRIES AND CONSTRUCTION COMPANY, Kyongsangnam-Do 641-792 Korea, for the purchase of a heat recovery steam generator in an amount not to exceed \$14,500,000. (Funding is available in the 2000-2001 Approved Capital Budget for the Electric Utility Department.) Sole proposal. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified; therefore no MBE/WBE goals were established for this solicitation. This contract is for a commodity purchase, with direct delivery by the manufacturer. (Recommended by Electric Utility Commission)

Resolution No. 010125-29 was approved.

30. Approve a resolution authorizing ratification of modification #1 to a supply agreement with TRUMAN ARNOLD COMPANY, Temple, Texas, for the purchase of jet kerosene and low sulfur No. 2 oil for use in the City's natural gas-fired electric generating stations to increase the amount of the first and second extension options in an amount not to exceed \$16,000,000 for a total contract amount not to exceed \$19,600,000, and to the extension option in an amount not to exceed \$16,000,000 per extension for a revised total contract amount not to exceed \$42,800,000. (Funding will be provided through the Electric Utility Fuel Charge Revenue. Funding for future years is contingent on approval of future operating budgets.) This contract was awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified. No goals were established. This contract is for a commodity purchase with direct delivery. (Recommended by Electric Utility Commission)

Resolution No. 010125-30 was approved.

31. Approve a resolution authorizing execution of a contract with SIEMENS-WESTINGHOUSE, Houston, Texas, for the purchase of turbine repair parts in an amount not to exceed \$111,800. (Funding is available in the 2000-2001 Approved Operating Budget of the Electric Utility Department.) Sole Source. Siemens-Westinghouse is the original equipment manufacturer of the Decker Unit #1 turbine. Siemens-Westinghouse has sole proprietorship of all turbine part drawings. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified; therefore MBE/WBE goals were not established for this solicitation. This contract is for the purchase of commodities, with direct delivery by the manufacturer. (Recommended by Electric Utility Commission Review)

Resolution No. 010125-31 was approved.

32. Approve a resolution authorizing execution of a contract with PRIESTER MELL & NICHOLSON INC., Austin, Texas, for the purchase of 80 capacitor bank controllers in an amount not to exceed \$65,340. (Funding is available in the 2000-2001 Approved Operating Budget for the Electric Utility Department.) Only bidder. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontractor opportunities were identified; therefore, no MBE/WBE goals were established for this solicitation. This contract is for the purchase of commodities, with direct delivery by the manufacturer. (Recommended by Electric Utility Commission)

Resolution No. 010125-32 was approved.

33. Approve a resolution authorizing execution of a contract with PRIESTER MELL & NICHOLSON, Austin, Texas, for the purchase of aluminum tubing in an amount not to exceed \$45,162.39. (Funding is available in the 2000-2001 Approved Operating Budget for the Electric

Utility Department.) Low bidder/five bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontractor opportunities were identified; therefore, no MBE/WBE goals were established for this solicitation. This contract is for the purchase of commodities, with direct delivery by the manufacturer. (Recommended by Electric Utility Commission)

Resolution No. 010125-33 was approved.

34. Approve a resolution authorizing execution of a 24-month service agreement with, HYDROCHEM INDUSTRIAL SERVICES, INC., Deer Park, Texas, PHILIP SERVICES, Pueblo, Colorado; and ONYX INDUSTRIAL SERVICES, Alvin, Texas, for the cleaning of utility power boilers in the City of Austin's Power Plants located at Decker Creek and Holly Street, in a combined amount not to exceed \$1,500,000 with one 24-month extension option in a combined amount not to exceed \$1,500,000 for a combined total amount of the three agreements not to exceed \$3,000,000. (Funding in the amount of \$562,500 is available in the 2000-2001 Approved Operating Budget for the Electric Utility Department. Funding for the remaining seventeen months of the original contract period and the extension option is contingent upon available funding in future budgets.) Best evaluated proposals/three proposals received. These contracts will be awarded in compliance with the 1996 MBE/WBE Ordinance. These services will be provided by original equipment manufacturer, no subcontracting opportunities were identified; therefore no MBE/WBE goals were established for this solicitation. (Recommended by Electric Utility Commission)

Resolution No. 010125-34 was approved.

35. Approve a resolution authorizing negotiation and execution of a contract with LAMAR-SIXTH-AUSTIN, INC., for the purchase of central chiller plant, equipment, distribution piping, and air handling equipment in an amount not to exceed \$1,200,000, contingent upon Lamar-Sixth-Austin, Inc. constructing its office building project located at 877 West Sixth Street in downtown Austin, and further the contract will provide that the City of Austin Electric Utility Department sell chilled water to Lamar-Sixth-Austin, Inc. from this central plant for a period of not less than 20 years. (Funding is available in the 2000-2001 Approved Capital Budget of the Electric Utility Department.) Sole source. This contract will be awarded in compliance with 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified; therefore no MBE/WBE goals were established for this solicitation. This contract is for a commodity purchase. (Recommended by Electric Utility Commission)

Resolution No. 010125-35 was approved.

36. Approve a resolution authorizing amendment No. 2 to the contract with SWAGER COMMUNICATIONS, Fremont, Indiana, to increase tower antenna height in an amount of \$49,355 for a revised contract amount not to exceed \$199,005. (Funding is available in the 2000-2001 Approved Capital Budget for the Electric Utility Department.) This contract was awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified; therefore MBE/WBE goals were not established for this solicitation. All work will be performed by the contractor's own workforce. (Recommended by Electric Utility Commission)

Resolution No. 010125-36 was approved.

37. Approve a resolution authorizing execution of a contract with the HOUSTON-GALVESTON AREA COUNCIL of Governments (H-GAC), Houston, Texas, for the purchase of garbage carts for the Solid Waste Services Department in an amount not to exceed \$424,265.52. (Funding was included in the 2000-2001 Operating Budget for Solid Waste Services.)

Resolution No. 010125-37 was approved.

38. Approve a resolution authorizing negotiation and execution of an eight-month contract with LIFEWORKS, Austin, Texas, to provide homeless shelter services in an amount not to exceed

\$43,160, with one 12-month extension option in an amount not to exceed \$43,160 for a total contract amount not to exceed \$86,320. (Funding in the amount of \$43,160 was included in the 2000-2001 Health and Human Services Department Approved Operating Budget. Funding for the extension option is contingent upon available funding in future budgets.) Five proposals received/Five awards to be made (four to be awarded administratively.) This contract and the administratively awarded contracts will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.

Resolution No. 010125-38 was approved.

Items 39 through 41 were pulled for discussion.

42. Approve a resolution authorizing execution of an Interlocal Agreement with TRAVIS COUNTY for the relocation of existing water facilities as part of the Bratton Lane Road and Drainage Improvements project, in an amount not to exceed \$31,430.94. (Funding is available in the amended 1995-1996 Capital Budget of the Water and Wastewater Utility.) (Recommended by Water and Wastewater Commission)

Resolution No. 010125-42 was approved.

43. Amend Ordinance No. 000912-2, the 2000-01 Capital Budget by appropriating \$146,169 to the Water and Wastewater Utility's "Phoenix Water Reimbursement" project account, and \$258,754 to the Water and Wastewater Utility's "Phoenix Wastewater Reimbursement" project account to fund the developer reimbursement determined by arbitration and authorized by the "Settlement Agreement by and Between the City of Austin and the Bradley Parties." (Funding in the amount of \$146,169 for Water Utility and \$258,754 for Wastewater Utility to be funded by the issuance of commercial paper.) (Recommended by Water and Wastewater Commission and Planning Commission) (Related Item No. 44)

Ordinance No. 010125-43 was approved.

44. Approve a resolution declaring official intent to reimburse acquisition and construction costs in the amount of \$404,923 to be paid for developer reimbursements related to 1997 municipal utility district annexations and a previously authorized settlement agreement. (Funding in the amount of \$404,923 for the Water and Wastewater Utility to be funded by the issuance of commercial paper.) (Recommended by Water and Wastewater Commission) (Related Item No. 43)

Resolution No. 010125-44 was approved.

45. Approve a resolution authorizing execution of a construction contract with Camp Excavation and Contracting, Inc. for the stabilization of 1500 ft. of streambank and bottom along Tannehill Branch of Boggy Creek in Bartholomew Park in the amount of \$380,838.00, plus \$57,125.00 to be used as a contingency fund for change orders, for a total contract amount not to exceed \$437,963.00. (Funding in the amount of \$437,963.00 was included in the amended 2000-2001 Capital Budget of the Watershed Protection Department.) Lowest of three bids received. 0% MBE, 4.67% WBE subcontracting participation. (Recommended by Environmental Board)

Resolution No. 010125-45 was approved.

Item 46 was pulled for discussion.

Items 47 through 49 were citizen communications.

Items 50 through 56 were zoning items.

Item 57 was a public hearing.

58. Airport Advisory Board Leonard Lyons	reappointment	Thomas
Commission for Women Stephanie Peña	appointment	Thomas
Design Commission Leslie Oberholtzer	reappointment	Wynn
Richard Weiss	appointment	Mayor
Electric Utility Commission Thomas Owens	reappointment	Thomas
EMS Quality Assurance Dr. William Rush	appointment	Thomas
Ethics Review Commission Fred Garrett	appointment	Thomas
Library Commission Carla Vasquez Schuller	appointment	Alvarez
Ira Strange, Jr.	reappointment	Thomas
Resource Management Commission Michelle LaVigne	reappointment	Wynn
Solid Waste Advisory Commission Scott Pasternak	reappointment	Thomas

DISCUSSION ITEMS

20. Approve a resolution adopting the City's Legislative Program for the 77th Legislative Session of the Texas Legislature.
Resolution No. 010125-20 was approved with a friendly amendment on Council Member Griffith's motion, Mayor Pro Tem Goodman's second by a 7-0 vote. The friendly amendment made by Council Member Slusher was to add, "Support legislation that provides for increased funding to the Texas Parks and Wildlife Department for acquisition of additional land for preserves and open spaces." This was accepted by the maker of the motion and Mayor Pro Tem Goodman who made the second.
19. Approve a resolution in accordance with Section 392.017(a) of the Texas Local Government Code authorizing a cooperation agreement with the Travis County Housing Authority to allow the acquisition of property located within the corporate city limits at 2200 East Martin Luther King, Jr. Boulevard for the establishment of a corporate headquarters.
Resolution No. 010125-19 was approved on Mayor Pro Tem Goodman's motion, Council Member Alvarez' second by a 7-0 vote.
26. 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 138 various light duty trucks, sedans, vans and utility vehicles in the amount of \$3,318,737.13. (Funding in the amount of \$428,058.44 was included in the

2000 Vehicle Acquisition Fund. \$106,061.50 was included in the 2000-2001 Operating Budget of the Aviation Department; \$408,328.54 was included in the 2000-2001 Operating Budget of the Financial and Administrative Services Department, Fleet Services Division; \$563,595.07 was included in the 2000-2001 Operating Budget of the Department of Public Works and Transportation, Capital Projects Management Fund; \$310,172.60 was included in the 2000-2001 Operating Budget of the Department of Public Works and Transportation, Transportation Fund; \$115,849.15 was included in the 2000-2001 Operating Budget of the Water and Wastewater Utility Department; \$24,676.40 was included in the 2000-2001 Operating Budget of the Parks and Recreation Department. \$192,470.70 was included in the 2000-2001 Capital Budget of the Solid Waste Services Department; \$300,477.21 was included in the 2000-2001 Capital Budget of the Watershed Protection Department; \$332,668.14 was included in the 2000-2001 Capital Budget of the Water and Wastewater Utility Department; \$536,379.38 is available in the 2000-2001 Approved Capital Budget of Electric Utility Department.) (Recommended by Electric Utility Commission)

Resolution No. 010125-26 was approved on Council Member Slusher's motion, Council Member Alvarez' second by a 7-0 vote.

39. Amend Ordinance No. 000912-2, the 2000-2001 Capital Budget by increasing appropriations to the Water and Wastewater Utility by \$978,000 and creating a new water project known as "Pickard Tract and the Barker Ranch at Shady Hollow Subdivision" for \$978,000. (Funding will be provided from the proceeds of debt issuance when the annual obligation comes due in future budget years. See related reimbursement resolution.) (Recommended by Water and Wastewater Commission and Planning Commission) (Related Item Nos. 40 and 41)

Ordinance No. 010125-39 was approved on Council Member Slusher's motion, Council Member Wynn's second by a 6-0 vote. Mayor Watson was off the dais.

40. Approve a resolution declaring official intent to reimburse construction costs in the amount of \$978,000 to be paid for developer reimbursements for the Pickard Tract and the Barker Ranch at Shady Hollow Subdivision Water project. (The amount of \$978,000 for the Water and Wastewater Utility to be funded by the issuance of commercial paper.) (Recommended by Water and Wastewater Commission) (Related Item Nos. 39 and 41)

Ordinance No. 010125-40 was approved on Council Member Slusher's motion, Council Member Wynn's second by a 6-0 vote. Mayor Watson was off the dais.

41. Adopt a resolution authorizing negotiation and execution of a cost reimbursement agreement with Continental Homes of Texas, L.P. and Lennar Homes of Texas Land Construction, Ltd., providing terms and conditions for construction of a 16 and 24-inch water main and appurtenances to provide water service to the proposed Pickard Tract and the Barker Ranch at Shady Hollow Subdivision, located on Manchaca Road at Frate Barker Road and the northwest corner of Brodie Lane and Frate Barker Road, with City cost participation and reimbursement in an amount not to exceed \$978,000, for actual "hard" construction costs; adopt an Ordinance waiving the requirements of Section 25-9-67 relating to cost participation and cost reimbursement payments. (Funding is included in the Amended Capital Budget of the Water and Wastewater Utility, see related item. Based on conservative build-out of the Pickard Tract and the Barker Ranch at Shady Hollow Subdivision, the 30-Year Financial Analysis (included in the back-up material for this RCA) of this City investment projects a positive 30-year net present value.) (Recommended by Water and Wastewater Commission) (Related Item Nos. 39 and 40)

Resolution No. 010125-41A and Ordinance No. 010125-41B were approved on Council Member Slusher's motion, Council Member Wynn's second by a 6-0 vote. Mayor Watson was off the dais.

46. Approve an ordinance repealing and replacing Article II of Chapter 2-4 of the City Code regarding the Austin Airport Advisory Commission. (Mayor Kirk Watson, Council Member Daryl Slusher and Council Member Beverly Griffith)

A motion to approve this ordinance on first reading, with the following amendments, failed on motion by Council Member Griffith, second by Council Member Thomas on a 3-3-1 vote. Those voting aye were: Mayor Watson and Council Members Slusher and Wynn. Those voting nay were: Council Members Alvarez, Griffith and Thomas. Mayor Pro Tem Goodman abstained. The amendments were to modify the wording under part 1, section 2-4-21 to read, “. . . of nine members with seven members appointed by each Council member,” (C) to read, “The City Council recognizes that the Commission members’ professional skills should be targeted to the following disciplines: (1) Licensed Pilot, (2) Business and/or Finance, (3) Real Estate Appraisal, (4) Attorney, (5) Planning, Engineering or Architecture and (6) Adjacent Neighborhood representative.” The paragraph following section (C) should read, “. . . having the targeted qualifications may fulfill more than one of the foregoing skill sets.” Page 2, under part 1, section 2-4-22 (A)5 should read, “review and make recommendations to the City Council on the quality of service at Austin Bergstrom International Airport to the citizens of Austin and customers of the airport.”

The friendly amendment made by Council Member Alvarez was to add to page 2, section 2-4-22 (A), “to review and make policy recommendations to the City Council on the Quality of Services at Austin Bergstrom International Airport to the Citizens of Austin and Customers of the airport and on long term planning for the operation of Austin Bergstrom International Airport.”

The friendly amendment made by Council Member Wynn was to change part 1, Section 2-4-21 (C) to read, “The City Council recognizes that the Commission members professional skills should include the following disciplines. . .”

The substitute motion made by Council Member Slusher was to approve the original ordinance along with the friendly amendments made by Council Member Alvarez, as stated above and the following friendly amendments from Mayor Pro Tem Goodman. Her friendly amendments were to amend part 1, section 2-4-21 (C) 6 to read, “one person from the business, banking or financial community” and to add (C) 7 to part 1, section 2-4-21 to read, “a frequent flyer user or customer.” Mayor Watson made the second to the motion but it failed by a 3-3-1 vote. Those voting aye were: Mayor Watson and Council Members Slusher and Wynn. Those voting nay were: Council Members Alvarez, Griffith and Thomas. Mayor Pro Tem Goodman abstained. Both of the friendly amendments were accepted by the maker of the motion and Mayor Watson, who made the second.

There was a second substitute motion made by Council Member Slusher approving the original ordinance with these amendments: 1) to amend part 1, section 2-4-21 (C) 6 to read, “one person from the business, banking or financial community,” 2) eliminate 2-4-21 (C) 7, allowing Council to make three at-large appointments and 3) adding to page 2, section 2-4-22 (A), “to review and make recommendations to the City Council on long term planning for the operation of Austin Bergstrom International Airport. This motion was seconded by Mayor Watson and was approved by a 4-2-1 vote. Those voting aye were: Mayor Watson and Council Members Alvarez, Slusher and Wynn. Those voting nay were: Council Members Griffith and Thomas. Mayor Pro Tem Goodman abstained.

Item 14 was approved but was re-considered later in the meeting.

The motion to recess the City Council meeting at 11:10 a.m. and go into Executive Session was approved on Council Member Wynn's motion, Council Member Thomas' second by a 6-0 vote. 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 *John Ross, et al. v. City of Austin*, Cause No. 95-12853, pending in the Travis County District Court.
4. Discuss legal issues related to street cutting activity.
8. Discuss acquisition for and exchange of the Balcones Canyonlands Preserve (BCP) property.
9. Discuss acquisition of real property related to providing a Downtown Shelter Resource Center and Clinic.

This item was postponed indefinitely.

Executive session ended at 1:35 p.m.

Mayor Watson called the meeting back to order.

CITIZEN COMMUNICATIONS

47. Linda Von Hatten – Funding for after school program - ABSENT
48. Gus Pena – Discuss City issues. Need to expedite low income affordable housing initiatives and allocate funding for transitional housing for families. - ABSENT
49. Jose Quintero – Comments regarding neighborhood plan and the lack of Council Members so far out of touch with East Austin residents with your disrespect
62. Robert L. Thomas-To discuss fair employment at the Rosewood Recreation Center. - ABSENT
63. Barbara Ford-Operation of Nite shelter for Homeless.

DISCUSSION ITEMS CONTINUED

10. Consider revisions to settlement agreement in *John Ross, et al. v. City of Austin*, Cause No. 95-12853, pending in the Travis County District Court.

Resolution No. 010125-10 was approved incorporating staff's recommendation on Mayor Pro Tem Goodman's motion, Council Member Thomas' second by a 7-0 vote.

14. C14-00-2122 - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10505 RR 620 North (Lake Travis Watershed) from RR, Rural Residence district zoning to LR-CO, Neighborhood Commercial-Conditional Overlay Combining district zoning with conditions for Tracts 2 & 3 and CS-1-CO Commercial Services-Liquor Sales-Conditional Overlay Combining district zoning with conditions for Tract 1. Second reading on November 30, 2000; Vote: 7-0. . First reading on October 26, 2000; Vote: 7-0. Conditions addressed as follows: Conditional overlay incorporates the conditions imposed by City Council at second reading. Applicant: M & S Corner (Mao Chhay); Agent: Holford Group (Theresa Canchola). City Staff: Clark Patterson, 499-2464.

Ordinance No. 010125-14 was approved on Council Member Slusher's motion, Council Member Alvarez' second by a 6-1 vote. Council Member Thomas voted no.

The motion to re-consider item 14, allowing staff to correct information presented to Council earlier in the meeting, was approved on Council Member Slusher's motion, Mayor Watson's second by a 7-0 vote.

Ordinance No. 010125-14 was approved on Council Member Slusher's motion, Mayor Watson's second by a 5-2 vote. Council Members Griffith and Thomas voted no.

The motion to recess the City Council meeting at 1:48 p.m. and go into Executive Session was approved on Mayor Pro Tem Goodman's motion, Mayor Watson's second by a 7-0 vote.

EXECUTIVE SESSION

5. Discuss legal issues regarding labor negotiation with the Austin Police Association.
6. Discuss *Eli Garza v. City of Austin*, Cause No. 97-12434, in the Travis County District Court. (This litigation concerns development regulations applicable in the Barton Springs Zone).
7. Discuss legal issues related to Chapter 245 of the Texas Local Government Code and the decision in *71-620 Joint Ventures v. Village of Bee Cave, Texas*, Cause No. GN0-00828, in the Travis County 98th Judicial District.

Executive session ended at 3:30 p.m.

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

DISCUSSION ITEMS CONTINUED

11. Consider a settlement agreement in *Eli Garza v. City of Austin*, Cause No. 97-12434, in the Travis County District Court. (This litigation concerns development regulations applicable in the Barton Springs Zone.)
Resolution No. 010125-11 was approved on Council Member Wynn's motion, Council Member Slusher's second by a 7-0 vote.

ZONING CONSENT

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

50. C2A-81-004 – Lockheed Tract – Public Hearing to amend a Planned Development Area (PDA) agreement covering property locally known as 6800 Burleson Road (Carson and Onion Creek Watersheds) and currently zoned LI-PDA, Limited Industrial Service-Planned Development Area combining district zoning. Planning Commission Recommendation: To grant requested amendment of PDA agreement with conditions. Property Owner and Applicant: Missile Partners Associates, L.P., Burleson Road Investments (also known as Mara Gateway Associates, L.L.P.), SM Brell, L.P. Agent: Bury & Partners (Alexa Knight). City Staff: Trann Lackey, 499-3341.
This item was postponed until February 8, 2001 at the applicant's request.
51. C14-00-2041 – Lockheed Tract – Public Hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 6800 Burleson Road (Carson and Onion Creek Watersheds) from LI-PDA, Limited Industrial Service-Planned Development Area Combining district zoning and DR, Development Reserve district zoning to LI, Limited Industrial Service district zoning. Planning Commission Recommendation: To grant LI-CO, Limited Industrial Service-Conditional Overlay Combining district zoning with conditions. Property Owner and Applicant: Missile

Partners Associates, L.P. and Burleson Road Investments (also known as Mara Gateway Associates, L.L. Agent: Bury & Partners (Alexa Knight). City Staff: Trann Lackey, 499-3341.

This item was postponed until February 8, 2001 at the applicant's request.

52. C14-00-2098 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1200 West Slaughter Lane (Slaughter Creek Watershed) from SF-1, Single Family Residence Large Lot district zoning and I-RR, Interim-Rural Residence district zoning to MF-2-CO, Multifamily Residence Low Density-Conditional Overlay Combining district zoning on Tract 1 and GR-CO, Community Commercial-Conditional Overlay Combining district zoning on Tract 2 and Tract 3. Planning Commission Recommendation: To be considered by the Planning Commission on January 23, 2001. Property Owner and Applicant: J.S. Davis Parents Limited Partnership (James V. Davis). Agent: Lopez-Phelps, Vaughn & Associates (Amelia Lopez-Phelps). City Staff: Wendy Walsh, 499-7719. Note: A valid petition has been filed in opposition to this rezoning request.

This item was replaced by item 61 on the addendum.

53. C14-00-2202 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as Mason Dells Lane (Slaughter Creek Watershed) from RR, Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. Planning Commission Recommendation: To grant SF-2, Single Family Residence Standard Lot district zoning. Property Owner and Applicant: Kaufman & Broad (John Zinsmeyer). Agent: Holt Planners (David B. Holt). City Staff: Wendy Walsh, 499-7719.

Ordinance No. 010125-53 was approved.

54. C14-00-2227 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 9628 U.S. Highway 290 East (Decker Creek Watershed) from DR, Development Reserve district zoning to LI, Limited Industrial Services district zoning. Planning Commission Recommendation: To grant LI-CO, Limited Industrial Services-Conditional Overlay Combining district zoning with conditions. Applicant: Applied Materials (David Vaughn). Agent: Site Specifics (B.J. Cornelius). City Staff: Katie Larsen, 499-3072

Ordinance No. 010125-54 was approved.

55. C14-00-2249SH– Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 7200 Johnny Morris Road (Walnut Creek Watershed) from SF-6, Townhouse and Condominium Residence district zoning to SF-4A, Single Family Residence Small Lot district zoning. Planning Commission Recommendation: To grant SF-4A, Single family Residence Small Lot district zoning. Applicant: Land Extensions L.P. (J. Patrick Boyle). Agent: Lopez-Phelps/Vaughn (Amelia Lopez-Phelps). City Staff: Don Perryman, 499-2786.

Ordinance No. 010125-55 was approved.

56. C814-88-0001.05 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as South Capital of Texas Highway (Lake Austin Watershed) from PUD, Planned Unit Development district to Planned Unit Development district in order to amend the site development standards. Planning Commission Recommendation: To be considered by the Planning Commission on Tuesday, January 23, 2000. Applicant: Protestant Episcopal Church Council of the Diocese of Texas. Agent: Dunagan Weichert Associates (Glenn Weichert). City Staff: Susan Scallon, 499-2659.

This item was postponed until February 8, 2001 at staff's request.

Item 57 was a public hearing.

Item 58 was appointments.

59. C14T-00-2163 – Brandt's Crossing – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 2300-2304 Brandt Road (Onion Creek Watershed) from I-RR, Interim-Rural Residence district zoning to TND, Traditional Neighborhood District zoning. Planning Commission Recommendation: To grant TND, Traditional Neighborhood District zoning. Property Owner and Applicant: Steve Unger, Ray Garner, John Blazier. Agent: SDC Austin Communities (Haythem Dawlett). City Staff: Trann Lackey, 499-3341. (continued from 1/18/01)

This item was postponed until February 1, 2001 at the applicant's request.

ZONING DISCUSSION

60. C14-00-2186 - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 306 West Oltorf Street (East Bouldin Creek Watershed) from SF-3, Family Residence district zoning to LR, Neighborhood Commercial district zoning. Planning Commission Recommendation: To grant NO, Neighborhood Office district zoning. Applicant and Agent: Juan Pedraza. City Staff: Adam Smith, 499-2755. (continued from 1/18/01)

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

The first reading of this ordinance was approved adopting the Planning Commission's recommendation, on Mayor Pro Tem Goodman's motion, Mayor Watson's second by a 7-0 vote.

The motion to recess the meeting at 5:25 p.m. was approved on Council Member Wynn's motion, Council Member Alvarez' second by a 7-0 vote.

Mayor Watson called the meeting back to order at 6:14 p.m.

ZONING DISCUSSION ITEMS CONTINUED

61. C14-00-2098 – Blackhawk – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 1200 West Slaughter Lane (Slaughter Creek Watershed) from SF-1, Single-Family Residence Large Lot district zoning and I-RR, Interim-Rural Residence district zoning to MF-2-CO, Multifamily Residence Low Density Conditional Overlay Combining district zoning on Tract 1 and GR-CO, Community Commercial-Conditional Overlay Combining district zoning on Tract 2 and Tract 3. Planning Commission Recommendation: To be considered by the Planning Commission on January 23, 2000. Property Owner and Applicant: J.S. Davis Parents Limited Partnership (James V. Davis). Agent: Lopez-Phelps, Vaughn & Associates (Amelia Lopez-Phelps). City Staff: Wendy Walsh, 499-7719. (continued from 1/18/01)

The motion to close the public hearing was approved on Council Member Slusher's motion, Council Member Wynn's second by a 7-0 vote.

Ordinance No. 010125-61 was approved adopting the Planning Commission's recommendation of MF-1-CO zoning for Tract 1, limited to not more than 300 units, LR-CO zoning for Tracts 2 and 3, with the 15 foot vegetative screening on the west side of the property along David Moore Road and prohibiting service stations in the LR zone, along with all of the prohibited uses previously agreed to and that are outline in the letter dated January 24, 2001, from the applicant, on Mayor Pro Tem Goodman's motion, Council member Griffith's second by a 7-0 vote.

DISCUSSION ITEMS CONTINUED

57. Conduct a public hearing for the full purpose annexation of the 140 acre Brandt Crossing Tract, located in eastern Travis County approximately .5 miles east of the intersection of IH-35 and E. Slaughter Lane.

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

The motion to adjourn the meeting at 6:40 p.m. was approved on Council Member Griffith's motion, Council Member Wynn's second by a 6-0 vote. Council Member Slusher was off the dais.

The minutes for the regular meeting of January 25, 2001 were approved on Council Member Wynn's motion, Council Member Alvarez' second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.