



**Austin City Council
MINUTES**

**REGULAR MEETING
THURSDAY, JULY 18, 2002**

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, July 18, 2002 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

Invocation: Rick Laing, Highland Village Church of Christ

Mayor Garcia called the meeting to order at 12:16 p.m.

Mayor Garcia recessed the meeting at 12:20 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.

2. Discuss legal issues related to the notice of claims filed by Christopher Ochoa and Richard Danziger.
3. Discuss legal issues concerning the appeal of the Zoning and Platting Commission's decision to deny a non-substantial revision to the Harris Branch Planned Unit Development Land Use Plan (Harris Branch PUD) located at 1375 U.S. Highway 290 East at Harris Branch.
No discussion was held on this item. It was postponed until August 22, 2002.
4. Discussion of a real property acquisition of approximately 150 acres in East Austin.

Executive Session ended at 1:36 p.m.

Mayor Garcia called the meeting back to order at 1:40 p.m.

CITIZEN COMMUNICATIONS

7. Gus Pena - (1) To Discuss Concerns about the Proposed City Budget and possible cuts that might

adversely impact the Poor, Have Nots, and the Disenfranchised. (2) To urge the City of Austin, and the City Council to continue to push for Affordable Housing and Transitional Housing for Homeless Families.

8. Bobby Rigney - To discuss Livability Issues That Affect The Average Citizen in Austin.
6. Jimmy Castro - City Budget
9. Charlotte Flynn - Austin Energy
10. Paul Robbins - The best interest of Austin
11. Mike Alexander - Waiver or reduction of "3rd Party" Board of Adjustment application fees by homeowner. **ABSENT**
12. Susana Almanza - Equity and Justice for East Austin! **ABSENT**

Bond Sales

13. Approve an ordinance amending certain provisions of the Prior Lien Combined Utility Systems Revenue Bond ordinance.
Ordinance No. 020718-13 was approved on Council Member Wynn's motion, Council Member Alvarez' second on a 7-0 vote.
14. Approve an ordinance amending certain provisions of the Subordinate Lien Combined Utility Systems Revenue Bond ordinance.
Ordinance No. 020718-14 was approved on Council Member Wynn's motion, Mayor Garcia's second on a 7-0 vote.
15. Approve an ordinance authorizing the issuance of approximately \$139,695,000 City of Austin, Texas, Water and Wastewater System Revenue Refunding Bonds, Series 2002A, including approval and authorization of all related documents pertaining thereto. (The amount of \$5,945,021 estimated debt service requirement and \$600 annual fee for the paying agent/registrar is included in the 2002-2003 Proposed Budget of the Utility Revenue Bond Redemption Fund.) (Related to item #16)
Ordinance No. 020718-15 was approved on Council Member Wynn motion, Council Member Thomas' second on 7-0 vote.
16. Approve an ordinance authorizing the issuance of approximately \$57,135,000 City of Austin, Texas, Water and Wastewater System Revenue Refunding Bonds, Series 2002B, including approval and authorization of all related documents pertaining thereto. (The amount of \$2,008,946 estimated debt service requirement and \$600 annual fee for the paying agent/registrar is included in the 2002-2003 Proposed Budget of the Utility Revenue Bond Redemption Fund.) (Related to item #15)
Item 16 was removed from the agenda after consolidation with Item 15.
17. Approve an ordinance authorizing the issuance of approximately \$173,260,000 City of Austin, Texas, Electric System Revenue Refunding Bonds, Series 2002A, including approval and authorization of all related documents pertaining thereto. (The amount of \$7,298,427 estimated debt service requirement and \$600 annual fee for the paying agent/registrar is included in the 2002-2003 Proposed Budget of the Utility Revenue Bond Redemption Fund.) (Related to item #18)
Ordinance No. 020718-17 was approved on Council Member Thomas' motion, Council Member Alvarez' second on a 7-0 vote.
18. Approve an ordinance authorizing the issuance of approximately \$50,595,000 City of Austin, Texas Electric System Revenue Refunding Bonds, Series 2002B, including approval and

authorization of all related documents pertaining thereto. (The amount of \$1,743,774 estimated debt service requirement and \$600 annual fee for the paying agent/registrar is included in the 2002-2003 Proposed Budget of the Utility Revenue Bond Redemption Fund.) (Related to item #17)

Item 18 was removed from the agenda after consolidation with Item 17.

DISCUSSION ITEM

48. Approve an ordinance naming the MoPac pedestrian bridge over Town Lake and the northern landing area, the "Roberta Crenshaw Pedestrian Walkway". (The costs relating to the materials for the new signage are included in the Fiscal Year 2001-2002 operating budget of the Parks and Recreation Department.) (Recommended by Parks and Recreation Board)
Ordinance 020718-48 was approved Mayor Pro Tem Goodman's motion, Council Member Wynn's second on a 7-0 vote.

Mayor Garcia recessed the Council Meeting at 2:54 p.m. to go into the Board of Director's Meeting of the Austin Housing Finance Corporation (AHFC). See separate minutes for action taken in the AHFC meeting.

Mayor Garcia called the Council Meeting back to order at 4:23 p.m.

CONSENT AGENDA

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

5. Authorize the negotiation and execution of a contract to purchase approximately 150 acres in East Austin at a cost of \$4,954,175.00.
The motion authorizing the execution of a contract was approved.

Items 6 through 12 were Citizen Communications.

Items 13 through 18 were Bond Sale items.

Item 19 was the minutes that were approved later in the meeting.

20. Approve execution of an Interim Restructuring Agreement and an Interconnection Agreement, in substantially the forms attached, for the SOUTH TEXAS PROJECT (STP) as necessary (1) to divide the property and equipment of one of the owners of STP into generation and transmission assets, and (2) to provide an interconnection agreement between the STP generating plant and the transmission and distribution service providers (TDSPs) receiving power from STP, as required by the electric restructuring legislation enacted in 1999 (S.B. 7).
The motion authorizing the execution of the agreements was approved.

Items 21 - 40 were pulled for discussion after Z-4/Z-5.

41. Authorize negotiation and execution of an amendment to the existing professional services agreement with CASABELLA + DEL CAMPO & MARU JOINT VENTURE, Austin, Texas, for additional design, construction administration and warranty services on the Mexican American Cultural Center (MACC) Project, in an amount not to exceed \$315,000 for a total contract

amount not to exceed \$1,800,000. (Funding in the amount of \$315,000 is available in the 2000-2001 Approved Capital Budget of the Parks & Recreation Department.)

The item was postponed to August 1, 2002.

42. Approve an ordinance amending Chapter 18-4 of the City Code, Utility Service Regulations, allowing for the totalization of meters for billing purposes, and requiring new large commercial customers to provide a deposit or bond to recover costs incurred in expanding or improving the electric system to accommodate their load. (Recommended by Electric Utility Commission)
Ordinance No. 020718-42 was approved.
43. Designate Williamson County Appraisal District as the entity to perform the appraisal functions for City of Austin properties located in Williamson County.
The motion designating Williamson County Appraisal District to perform appraisal functions was approved.
44. Approve an ordinance authorizing acceptance of \$1,222,174 in grant funds from the Texas Department of Health under the Centers for Disease Control and Prevention's (CDC), Public Health Preparedness and Response for Bioterrorism project; amending Ordinance No. 010910-01, the Fiscal Year 2001-2002 Approved Operating Budget, Health and Human Services Special Revenue Fund, for the purpose of preparedness planning, disease surveillance, communication, and training, by appropriating \$1,222,174 in grant funds and authorizing 8.5 full time equivalent (FTE) grant positions. (Funds are available from the Texas Department of Health under the Centers for Disease Control and Prevention's (CDC), Public Health Preparedness and Response for Bioterrorism project. The initial grant period is June 1, 2002 through August 30, 2003, and is renewable for two additional consecutive fiscal years. No match is required.)
Ordinance No. 020718-44 was approved.
45. Approve execution of an amendment to the legal services agreement with GEORGE & DONALDSON, L.L.P., Austin, Texas, for legal services regarding *Hyde Park Baptist Church v. City of Austin*, Cause No. GN202015 in the 98th Judicial District Court of Travis County, Texas for an increase of \$100,000, for a total contract amount of \$285,000. (The amount of \$35,000 is available in the 2001-2002 Amended Operating Budget of the Liability Reserve Fund, \$65,000 to be budgeted in the Fiscal Year 2002-2003.)
The motion authorizing the execution of an amendment to the legal services agreement was approved.
46. C814-01-0038 - Parmer/Walnut Creek P.U.D. - Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the 1200 Block of Parmer Lane (Walnut Creek Watershed) from SF-6, Townhouse and Condominium Residence district, zoning, RR, Rural Residence district, zoning and LO, Limited Office district, zoning to P.U.D., Planned Unit Development district, zoning. First reading on November 29, 2001; Vote: 7-0. Applicants: FSKMS Ranch Ltd. (John Scofield, Edgar and Linda Perry, Vernon Scofield, and Glen and Martha Chilek). Agent: Armbrust Brown, L.L.P. (Richard Suttle, Jr.). City Staff: Sherri Gager, 974-3057. (Continued from 6/27/02 and 7/11/02)
This item was postponed to August 1, 2002, at the request of the applicant.
47. C14-02-0022 - Approve second/third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the 4900 Block of East Riverside Drive (Country Club Creek Watershed) from LR, Neighborhood Commercial district, zoning to LR-MU-CO, Neighborhood Commercial-Mixed Use-Conditional Overlay district, zoning. First Reading on April 25, 2002; Vote: 7-0. Conditions met as follows: Conditional Overlay

incorporates the conditions imposed by City Council at first ordinance reading. Applicant: N.J. Ganslen & Associates. Agent: Brown McCarrol, LLP (Nikelle Meade). City Staff: Annick Beaudet, 974-2975.

Ordinance 020718-47 was approved.

Item 48 was discussed earlier in the meeting.

49. Approve execution of a construction contract with GARVER CONSTRUCTION, LTD., Houston, Texas, for the Boggy Creek/U.S. Highway 183 Wastewater Relocation Project and the Wellington Drive Overflow Abatement Project, in the amount of \$1,090,202, plus a \$109,020.20 contingency, for a total contract amount not to exceed \$1,199,222.20 (Funding is available in the 2001-2002 Amended Capital Budget of the Water & Wastewater Utility.) Lowest of three bids received. 21.63% MBE, 4.94% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

The motion authorizing the execution of the contract was approved.

50. Ratify execution of Change Order #2 to the construction contract with GARVER CONSTRUCTION, LTD. Austin, Texas, for additional costs for expedited completion of construction and for extended overhead expenses during installation of in-situ steel plate lining of 66-Inch Prestressed Concrete Cylinder Pipe in West 2nd Street, between Guadalupe and Lavaca on 2nd Street, in the amount of \$91,918.95 for a total contract amount not to exceed \$1,059,078.62. (Funding in the amount of \$91,918.95 was included in the 2001-2002 Amended Capital Budget of the Water & Wastewater Utility.) (Recommended by Water and Wastewater Commission)

The motion authorizing the execution of Change Order #2 was approved.

51. Approve execution of a construction contract with BALLOU CONSTRUCTION, INC., Salina, Kansas, for preventative maintenance asphaltic slurry seal on selected streets within the Silk Oak and Balcones Woods residential areas and on miscellaneous cul de sacs throughout the City of Austin, for asphaltic slurry seal on Dean Keeton Street West and Springdale Road to restripe for bike lanes, and preventative maintenance asphaltic slurry seal on the Circle C Veloway (Bicycle/Skating Track), in the amount of \$528,607.18. (Funding in the amount of \$372,238.98 was included in the 2001-2002 Operating Budget of the Department of Public Works. \$105,736.52 was included in the 2001-2002 Amended Capital Budget of the Transportation, Planning & Sustainability Department. \$50,631.68 was included in the 2001-2002 Operating Budget of the Parks & Recreation Department.) Lowest of two bids received. 4.5% MBE, 6.79% WBE subcontracting participation.

The motion authorizing the execution of a contract was approved.

52. Approve execution of Change Order #1 to the construction contract with C.C. CARLTON INDUSTRIES, LTD., Austin, Texas, for replacement of a twenty-four inch water line on West Cesar Chavez Street from Guadalupe to South Congress, in the amount of \$82,249.80, for a total contract amount not to exceed \$685,414.80. (Funding in the amount of \$82,249.80 is available in the 2001-2000 Amended Capital Budget of the Water & Wastewater Utility.) Overall participation with this change order: 1.08% African American; 16.32% Hispanic; 64% Native/Asian American; 4.41% WBE. (Recommended by Water and Wastewater Commission)

The motion authorizing the execution of Change Order #1 was approved.

53. Authorize negotiation and execution of an amendment to the existing professional services agreement with CAMP DRESSER & McKEE, Austin, Texas, for professional engineering services for design of the Ullrich Water Treatment Plant Expansion from 100 Million Gallons per

Day to 160 Million Gallons per Day Project, in an amount not to exceed \$9,000,000, for a total contract amount not to exceed \$11,980,385. (Funding in the amount of \$9,000,000 is available in the 2001-2002 Amended Capital Budget of the Water & Wastewater Utility.) 21.5% MBE, 34.1% WBE subcontracting participation.

The motion authorizing the negotiation and execution of an amendment to a professional services agreement was approved.

54. Authorize negotiation and execution of an amendment to the existing professional services agreement with COTERA, KOLAR, NEGRETE & REED ARCHITECTS (MBE/MH, 33.34%), Austin, Texas, for security planning and design service, and audio visual systems design services, for the New City Hall, Public Plaza and Parking Garage, in an amount not to exceed \$300,000, for a total contract amount not to exceed \$5,683,000. (Funding in the amount of \$300,000 is available in the 2001-2002 Amended Capital Budget of Economic Growth & Redevelopment Services.) Overall MBE/WBE participation, including this amendment: 40.14% MBE, 12.86% WBE.

The motion authorizing the negotiation and execution of an amendment to a professional services agreement was approved.

55. Authorize the filing of eminent domain proceedings to acquire the fee simple interest in 623 square feet of land for right-of-way out of the Thomas Gray Survey located on the north side of 45th Street between Avenue A and Avenue B, from the Lutheran Welfare Society of Texas, in the amount of \$21,990. (Funding is included in the 1999-2000 Amended Capital Budget of the Transportation, Planning & Sustainability Department.)

Resolution No. 020718-55 was approved.

56. Authorize the filing of eminent domain proceedings to acquire the fee simple interest in 1,129 square feet of land for right-of-way and one temporary work space easement that contains 3,481 square feet of land out of Lot 5A, Block B, of the Amended Plat of Lots 5 and 6, Block B, Kramer Lane 65, Section Two, located at 2201 Braker Lane West, from Aetna Life Insurance Company, a Connecticut Corporation, in the amount of \$20,800. (Funding is included in the 1999-2000 Amended Capital Budget of the Transportation, Planning & Sustainability Department.)

Resolution No. 020718-56 was approved.

57. Authorize the filing of eminent domain proceedings to acquire the fee simple interest in 1,979 square feet of land for right-of-way, out of Lot A, Resub. of Kenray Corners and Lot 1-C, Resub. of Lot 1, Block C, Ramsey Place, located at 4501 Guadalupe Street, from A. G. Ainsworth, Jr., Individually and as Trustee of the A. G. Ainsworth, Sr. Testamentary Trust, Garrison Gray Ainsworth, Don Ray Ainsworth, Spencer James Ainsworth and Mark Hutton Ainsworth, in the amount of \$55,317. (Funding is included in the 1999-2000 Amended Capital Budget of the Transportation, Planning & Sustainability Department.)

Resolution No. 020718-57 was approved.

58. Authorize the filing of eminent domain proceedings to acquire a permanent wastewater easement containing 2,069 square feet out of Lot 1, T.M.H.A. Subdivision, located at 2215 East Anderson Lane, from Texas Manufactured Housing Association, in the amount of \$4,622. (Funding is included in the 2001-2002 Amended Capital Budget of the Water & Wastewater Utility.)

Resolution No. 020718-58 was approved.

59. Authorize the filing of eminent domain proceedings to acquire a permanent wastewater easement containing 1,281.56 square feet out of Lots 2 and 3, Block A, Schmidt Resubdivision, located at

10623 Research Boulevard, from Schmidt Investments, Ltd., in the amount of \$13,461. (Funding is available in the 1995-1996 Amended Capital Budget of the Water & Wastewater Utility.)

Resolution No. 020718-59 was approved.

60. Set a public hearing to approve a 11,895 square foot (0.27 acre) temporary work space and 10,895 square foot (0.25 acre) wastewater use agreement to allow the construction of wastewater improvements for Eubank Acres Project B along Walnut Creek at North Lamar through dedicated parkland known as Walnut Creek Greenway Parkland in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife code. (All costs associated with the line, as well as any parkland restoration, will be paid by the requestor from a previously approved CIP account.) (Recommended by Parks and Recreation Board) (Suggested Date and Time: August 22, 2002 at 6:00 P.M.)

The motion to set the public hearing was approved.

61. Authorize negotiation and execution of a sixty-month lease renewal of approximately 3,785 square feet of office space located at 5700 Manchaca Road, Suite 300 from CHERRY CREEK PLAZA LTD. PARTNERSHIP, Austin, Texas, for use by Municipal Court, in an amount not to exceed \$279,723.50. (Funding for the remaining sixty months of the original contract period is contingent upon available funding in future budgets.)

The motion authorizing the negotiation and execution of a lease renewal was approved.

62. Approve execution of a 13-month service agreement through the State of Texas, Department of Information Resources (DIR), with AVNET ENTERPRISE SOLUTIONS, Austin, Texas, to provide replacement parts, hardware and software and technical support for the City's CISCO telecommunications routers and equipment in an amount not to exceed \$606,917. (Funding in the amount of \$30,917 is available in the 2001-2002 Operating Budget for the Information Systems Office. Funding for the remaining 12-months is contingent upon available funding in future budgets.) The services and equipment are being provided by a contract that was competitively bid and awarded by the State of Texas, Department of Information Resources.

The motion authorizing the execution of a service agreement was approved.

63. Approve execution of a three-year service agreement with TURBOMECA ENGINE CORPORATION, Grand Prairie, Texas, for the purchase of maintenance and overhaul support for the engine of the helicopter operated by the Austin Police Department in an amount not to exceed \$165,000. (Funding in the amount of \$14,025 was included in the 2001-2002 Operating Budget of the Austin Police Department. Funding for the remaining term of the agreement is contingent upon available funding in future budgets.) Sole source. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.

The motion authorizing the execution of a service agreement was approved.

64. Approve execution of a contract with KUSTOM SIGNALS, INC., LENEXA, KS, for the purchase of 15 video/audio mobile law enforcement recording systems including cameras, accessories and a two-year warranty for the Austin Police Department in an amount not to exceed \$73,200. (Funding was included in the 2001-2002 Approved Operating Budget of the Austin Police Department.) This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No sub-contacting opportunities were identified; therefore no goals were established for this purchase.

The motion authorizing the execution of a contract was approved.

65. Approve execution of a 12-month supply agreement with TEXAS METAL TECH, Corsicana,

Texas, for the purchase of various types and sizes of concrete reinforcing steel rebar in an amount not to exceed \$65,566.34, with the option to extend for up to three 12-month periods in an amount not to exceed \$65,566.34, for a total contract amount not to exceed \$262,265.36. (Funding in the amount of \$10,927.72 was included in the 2001-2002 Amended Operating Budget of the Electric Utility Department. Funding for the final ten months of the original contract and the extension options is contingent upon available funding in future budgets.) Low bid meeting specification /three bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.

The motion authorizing the execution of an agreement was approved.

66. Approve negotiation and execution of a contract with MARSHALL & ASSOCIATES, INC., Olympia, Washington to provide consultancy services and software interfaces between the Water & Wastewater Utility's Geographic Information System (GIS) and the Utility's Computerized Maintenance Management System (CMMS) in an amount not to exceed \$210,804. (Funding is available in the 2001-2002 Capital Budget of the Water & Wastewater Utility.) Sole Source. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.

The motion authorizing the negotiation and execution of a contract was approved.

67. Approve execution of a 12-month service agreement with ENVIROGANICS OF TEXAS, INC., Houston, Texas, to provide biosolids hauling and land application service for the Water and Wastewater Utility, in an amount not to exceed \$461,963.65 with two 12-month extension options in an amount not to exceed \$461,963.65 per extension, for a total contract amount not to exceed \$1,385,890.95. (Funding in the amount of \$76,993.94 is available in the 2001-2002 Approved Operating Budget of the Water and Wastewater Utility. Funding for the remaining ten months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid/four bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.

The motion authorizing the execution of a service agreement was approved.

68. Approve an ordinance to annex the Pioneer Crossing area for full purposes (Approximately 140 acres in Travis County south of Gregg Ln and approximately six tenths of a mile west of the intersection of Gregg Ln and Cameron Rd). (Funding necessary to provide general governmental services to this tract is available in the budgets of the department that will be providing the services.) (Second and Third Reading)

Ordinance No. 020718-68 was approved.

69. Amend Ordinance No. 010910-02 the 2001-2002 Capital Budget of the Transportation, Planning & Sustainability Department, by:
- 1) Appropriating \$3,150,000 to a new account entitled "Regional Mobility Studies (CMTA Funding)";
 - 2) Increasing the appropriation for the Schools Pedestrian Safety Projects (CMTA Funding) by \$1,000,000;
 - 3) Increasing the appropriation for the Sidewalks (CMTA Funding) Project by \$1,500,000 for installation of sidewalks along arterials and in neighborhoods including the ADA Comprehensive Plan;
 - 4) Appropriating \$500,000 to a new account entitled "Montopolis Bicycle/Pedestrian Bridge & Paths (CMTA Funding)";
 - 5) Appropriating \$1,000,000 to a new account entitled "Traffic Signalization (CMTA Funding);"

- 6) Appropriating \$7,718,980, to a new account entitled "Roadway Improvements/Construction (CMTA Funding);"
- 7) Appropriating \$1,000,000 to a new account entitled "Intersection Improvements (CMTA Funding);"
- 8) Increasing the appropriation for the Great Streets / Traditional Neighborhood Corridors Project (CMTA Funding) by \$5,730,000.
- 9) Appropriating \$2,120,000 to a new account entitled "Regional Safety & Mobility Improvements (CMTA Funding)".
- 10) Appropriating \$4,500,000 to a new account entitled "Maintenance and Construction" (CMTA Funding).

(The amount of \$28,218,980 million in revenue is available from an interlocal agreement with Capital Metropolitan Transportation Authority.)

The item was postponed indefinitely.

- 70. Authorize negotiation and execution of an Interlocal Agreement with Capital Metropolitan Transportation Authority (Capital Metro) for Capital Metro to provide approximately \$29 million in funding for transportation projects to be completed by the City as agreed upon by Capital Metro and the City, and establish a process for determining the projects to be funded through this interlocal. (Estimated \$29 million funding from Capital Metro.)
The item was postponed indefinitely.
- 71. Authorize implementation of the recommendations in the Near Term Central Business District (CBD) Transportation Study. (Implementation of all 15 projects recommended in the Near Term CBD Transportation Study would be funded in the following manner: \$5.6 million from the City and \$11.9 million from the 2001 thru 2004 CMTA 1/4 cent rebate.)
The item was postponed indefinitely.
- 72. Authorize execution of an Interlocal Agreement with Texas Department of Transportation (TxDOT) for the relocation of existing water and wastewater facilities as part of the FM 969 project, in the amount of \$3,800,000. (Funding is available in the 2001-2002 Amended Capital Budget of the Water and Wastewater Utility.) (Water and Wastewater Commission Review - 7/10/02)
The motion authorizing the execution of an Interlocal Agreement was approved.
- 73. Set a public hearing to consider a variance request to allow placement of a manufactured home in the 100-year and 25-year floodplains of Onion Creek at 6910 Onion Crossing Drive. (Suggested Date and Time: August 1, 2002 at 6:00 p.m.)
The motion setting the public hearing was approved.
- 74. Set a public hearing to receive public comment on the proposed rate and fee increases for the Drainage Fee of the Watershed Protection Department as part of the 2002-2003 Proposed Budget. (Suggested Date and Time: August 22, 2000 at 6:00 p.m.)
The motion setting the public hearing was approved.
- 75. Appointments to Boards and Commissions.
The following appointments were made:

Commission on Immigrant Affairs

Nkechi A. Eke

appointment

Consensus

Environmental Board

Lee Leffingwell	reappointment	Consensus
<u>Planning Commission</u>		
Michael Casias	appointment	Mayor
Matthew Moore	appointment	Consensus
Niyanta Spelman	appointment	Consensus
<u>Solid Waste Advisory Commission</u>		
J. D. Porter	reappointment	Goodman
<u>Telecommunications Commission</u>		
Deborah Hill	reappointment	Goodman
<u>Zoning and Platting Commission</u>		
Diana Castañeda	reappointment	Alvarez

Item 76 was set for a time certain of 6:00 p.m.

77. Approve a resolution directing the City Manager to negotiate and execute a memorandum of understanding with the Greater Austin Chamber of Commerce to have the City of Austin participate in Project American Dream. (Mayor Pro Tem Jackie Goodman, Council Member Raul Alvarez and Council Member Betty Dunkerley)
This item was postponed to August 1, 2002, at the request of the sponsors.

Items 78 and 79 were zoning items.

Items 80-81 were public hearings set for 6:00 p.m.

82. Conduct a public hearing to consider an appeal of the Zoning and Platting Commission's decision to deny an administrative amendment to the Harris Branch Planned Unit Development Land Use Plan. The proposed site is located at 1375 U.S. Highway 290 East at Harris Branch Parkway. File # C814-90-0003.12. Appellant: John McCullough, HB Properties, Ltd., applicant for Harris Branch Planned Unit Development. Agent: Charles Steinman, 454-6777. City Staff: Susan Villarreal, Watershed Protection and Development Review Department, 974-6319. (Continued from 6/27/02 and 7/11/02).
This item was postponed to August 22, 2002.

Item 83 was a public hearing set for 6:00 p.m.

84. Approve an ordinance naming the City as a co-sponsor of the Fiesta de Independencia Foundation's "Diez y Seis" event at Plaza Saltillo and waiving certain requirements under Chapter 15-11 of the City Code for September 12 through September 17, 2002. (Council Member Raul Alvarez and Mayor Gus Garcia)
Ordinance No. 020718-84 was approved.

DISCUSSION ITEM

19. Approval of minutes from regular meeting of July 11, 2002.
The minutes from the regular meeting of July 11, 2002 were approved on Council Member Dunkerley's motion, Council Member Alvarez' second on a 7-0 vote.

ZONING HEARINGS AND APPROVAL OF ORDINANCES/RESTRICTIVE COVENANTS

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

- Z-1. C14-72-204 (RCA) - Conduct a public hearing and approve a restrictive covenant amendment for the property locally known as the 4900 Block of East Riverside Drive (Country Club Creek). Zoning and Platting Commission Recommendation: To grant the restrictive covenant amendment. Applicant: N.J. Ganslen, Inc. Agent: Brown McCarrol (Nikelle Meade). City Staff: Annick Beaudet, 974-2975.

The amendment to the restrictive covenant was approved.

- Z-2. C14r-85-156 (DE) - AAA Storage Zoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10645 N. Interstate Highway-35 Service Road NB (Walnut Creek Watershed) from CS, General Commercial Services district, zoning to CS, General Commercial Services district, zoning in order to delete a condition of zoning site plan. Zoning and Platting Commission Recommendation: To grant CS-CO, General Commercial Services-Conditional Overlay Combining district, zoning. Applicant: J. Muhich Asset Trust (John Muhich). Agent: Site Specifics (John Hussey). City Staff: Sherri Gager, 974-3057.

The first reading of the ordinance for CS-CO zoning was approved.

- Z-3. C14-02-0001 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5209 - 5211 Wasson Road (Williamson Creek Watershed) from RR, Rural Residence district, zoning to CS, General Commercial Services district, zoning to MF-1, Multi-family Residence Limited Density district, zoning. Zoning and Platting Commission Recommendation: To deny MF-1, Multi-family Residence Limited Density district, zoning. Property Owner: MC Venture (David R. McCormick). Agent: Conley Engineering, Inc. (Carl Conley, P.E.). City Staff: Wendy Walsh, 974-7719. (Continued from 6/27/02)

This item was postponed to August 1, 2002 at the applicant's request.

Items Z-4 and Z-5 were pulled for discussion.

- Z-6. C14-02-0078 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 4207 Smith School Road (Onion Creek Watershed) from I-RR, Interim-Rural Residence district, zoning to CS-CO, General Commercial Services-Conditional Overlay Combining district, zoning. Zoning and Platting Commission Recommendation: To grant W/LO-CO, Warehouse/Limited Office-Conditional Overlay Combining district, zoning. Applicant: Level 3 Communications (Michael Dailey). Agent: Lopez-Phelps & Vaughn Professional Consultants (Amelia Lopez-Phelps). City Staff: Sherri Gager, 974-3057.

Ordinance No. 020718-Z6 was approved adopting the Zoning and Platting Commission recommendation for W/LO-CO, Warehouse/Limited Office-Conditional Overlay Combining district, zoning.

- Z-7. C14-02-0088 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11820 Jollyville Road (Walnut Creek Watershed) from LO, Limited Office district, zoning to LR-CO, Neighborhood Commercial Services-Conditional Overlay district, zoning. Zoning and Platting Commission

Recommendation: To grant LR-CO, Neighborhood Commercial Services-Conditional Overlay district, zoning. Applicant: Yageneh & Exam Ghodsi (Yaganeh Ghodsi). Agent: Land Answers (Jim Wittliff). City Staff: Sherri Gager, 974-3057.

Ordinance No. 020718-Z7 was approved adopting the Zoning and Platting Commission's recommendation for LR-CO, Neighborhood Commercial Services-Conditional Overlay district, zoning and adding the following to the prohibited uses: restaurant (drive-in, fast food), service station, counseling services, guidance services and safety services.

78. Conduct a public hearing and approve an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Upper Boggy Creek Neighborhood Plan for the area bounded by the former Robert Mueller Municipal Airport site to the north, Airport Boulevard and Walnut and Cedar Avenues to the east, MLK Jr. Boulevard and Manor Road to the south, and IH-35 and the University of Texas to the west. (There is no fiscal impact associated with adopting the Upper Boggy Creek Neighborhood Plan. An estimate of the fiscal impact to implement all of the recommendations in the plan is \$7,623,500. This plan is advisory and does not legally obligate the Council to implement any particular recommendation.)
The item was postponed to August 1, 2002.
79. C14-02-0057 - Upper Boggy Creek Neighborhood Plan Rezonings - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the area bounded on the north by the former Robert Mueller Municipal Airport, on the west by IH-35 and the University of Texas, on the south by MLK Jr. Boulevard and Manor Road, and on the east by Airport Boulevard (Upper Boggy Creek Watershed). The proposed zoning change will: 1) add a NP, Neighborhood Plan Combining District (NPCD) to each base zoning district in the plan area; 2) permit the secondary apartment and small lot amnesty special uses on any lot in the area; 3) permit a neighborhood mixed use building special use for Tracts 4-7, 12, 13, 19, 22-27, 29, 33-34, 36a, 36b, 37, 40-43, 45-46, 52a, 52b, 53-60, 62-63; 4) permit neighborhood urban center special use for Tracts 7, 58-59, 62; 5) add a conditional overlay (CO) combining district for 54 tracts, including Tracts 2-9, 11-14, 19-20, 22-29, 31-34, 36a, 36b, 37-38, 40-46, 52a, 52b, 53-56, 57a, 57b, 57c, 57d, 57e, 58-63; and 6) change the base zoning districts on 68 tracts of land: from: Single Family Residence Standard Lot (SF-2) district, Family Residence (SF-3) district, Multi-Family Residence-Medium Density (MF-3) district, Multifamily Residence Moderate-High Density (MF-4) district, Limited Office (LO) district, Neighborhood Office-Historic Combining (NO-H) district, General Office (GO) district, Neighborhood Commercial (LR) district, Community Commercial (GR) district, General Commercial Services (CS) district, Commercial-Liquor Sales (CS-1) district, and Limited Industrial Service (LI) district, zoning; to: Family Residence-Neighborhood Plan Combining (SF-3-NP) district, Multi-family Residence-Medium Density-Neighborhood Plan Combining (MF-3-NP) district, Multifamily Residence Moderate-High Density-Neighborhood Plan Combining (MF-4-NP) district, Limited Office-Conditional Overlay-Neighborhood Plan Combining (LO-CO-NP) district, Limited Office-Mixed Use-Conditional Overlay-Neighborhood Plan Combining (LO-MU-CO-NP) district, Limited Office-Historic-Mixed Use-Conditional Overlay-Neighborhood Plan Combining (LO-H-MU-CO-NP) district, General Office-Conditional Overlay-Neighborhood Plan Combining (GO-CO-NP) district, Neighborhood Commercial-Conditional Overlay-Neighborhood Plan Combining (LR-CO-NP) district, Neighborhood Commercial-Mixed Use-Conditional Overlay-Neighborhood Plan Combining (LR-MU-CO-NP) district, Community Commercial-Mixed Use-Conditional Overlay-Neighborhood Plan Combining (GR-MU-CO-NP) district, Community Commercial-Conditional Overlay-Neighborhood Plan Combining (GR-CO-NP) district, General Commercial Services-Conditional Overlay-Neighborhood Plan Combining (CS-CO-NP) district, General Commercial Services-Mixed Use-Neighborhood Plan Combining (CS-MU-NP) district General Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan Combining (CS-MU-CO-NP)

district, Commercial Liquor Sales- Mixed Use-Conditional Overlay-Neighborhood Plan Combining (CS-1-MU-CO-NP) district, and Limited Industrial Service-Conditional Overlay-Neighborhood Plan Combining (LI-CO-NP) district, zoning. Planning Commission Recommendation: To grant Family Residence-Neighborhood Plan Combining (SF-3-NP) district, Multi-family Residence-Medium Density-Neighborhood Plan Combining (MF-3-NP) district, Multifamily Residence Moderate-High Density-Neighborhood Plan Combining (MF-4-NP) district, Limited Office-Conditional Overlay-Neighborhood Plan Combining (LO-CO-NP) district, Limited Office-Mixed Use-Conditional Overlay-Neighborhood Plan Combining (LO-MU-CO-NP) district, Limited Office-Historic-Mixed Use-Conditional Overlay-Neighborhood Plan Combining (LO-H-MU-CO-NP) district, General Office-Conditional Overlay-Neighborhood Plan Combining (GO-CO-NP) district, Neighborhood Commercial-Conditional Overlay-Neighborhood Plan Combining (LR-CO-NP) district, Neighborhood Commercial-Mixed Use-Conditional Overlay-Neighborhood Plan Combining (LR-MU-CO-NP) district, Community Commercial-Mixed Use-Conditional Overlay-Neighborhood Plan Combining (GR-MU-CO-NP) district, Community Commercial-Conditional Overlay-Neighborhood Plan Combining (GR-CO-NP) district, General Commercial Services-Conditional Overlay-Neighborhood Plan Combining (CS-CO-NP) district, General Commercial Services-Mixed Use-Neighborhood Plan Combining (CS-MU-NP) district General Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan Combining (CS-MU-CO-NP) district, Commercial Liquor Sales- Mixed Use-Conditional Overlay-Neighborhood Plan Combining (CS-1-MU-CO-NP) district, and Limited Industrial Service-Conditional Overlay-Neighborhood Plan Combining (LI-CO-NP) district, zoning with conditions. City Staff: Mark Walters, Neighborhood Planning & Zoning Department, 974-7695; Annick Beaudet, Neighborhood Planning & Zoning Department, 974-2975. (Continued from May 23, 2002)

The item was postponed to August 1, 2002.

Mayor Garcia recessed the meeting at 4:53 p.m. to go into Executive Session.

EXECUTIVE SESSION

1. Discuss legal issues related to *Save Our Springs Alliance and Circle C Neighborhood Association v. The City of Austin, Circle C Land Corporation and Stratus Properties, Inc.*, Cause Number GN202018 in the 261st Judicial District Court of Travis County, Texas and legal issues related to the Circle C Land Corp. (Stratus) proposed settlement agreement.

Executive Session ended at 6:35p.m. and Mayor Garcia called the meeting back to order at 6:37p.m.

PUBLIC HEARINGS AND POSSIBLE ACTION

76. Discussion and possible approval of a resolution regarding the closure plan of the Holly Power Plant. (Council Member Raul Alvarez, Mayor Gus Garcia and Council Member Danny Thomas). **Resolution No. 020718-76 was approved on Council Member Alvarez's motion, Council Member Thomas' second on a 7-0 vote.**
80. Conduct a public hearing and approve on first reading only the application submitted by MetroCare Services-Austin, LP, for a non-emergency medical transfer franchise under Chapter 6-3 of the City Code. (Recommended by Austin-Travis County EMS Advisory Board). **The public hearing was closed on Council Member Dunkerley's motion and Council Member Wynn's second on a 7-0 vote.**

The first reading of the ordinance was approved on Council Member Wynn's motion, and Mayor Garcia's second on a 6-0 vote. Council Member Alvarez was off the dais.

81. Conduct a public hearing and consider a variance request to allow construction of a residential condominium in the existing 100-year and 25-year floodplains of Hancock Branch at 1605 Houston Street.

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

Ordinance No. 020718-81, granting the variance to allow construction of a residential condominium in the floodplains was approved on Council Member Slusher's motion, Council Member Thomas' second on a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

83. Conduct a public hearing and approve an ordinance amending Section 25-2-1406 of the City Code to allow special uses provided for under the neighborhood plan combining district regulations to be applied district wide or in a designated portion of a district.

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

Ordinance No. 020718-83, adopting staff's recommendation to allow sub-districts with guidelines and limiting the uses to: urban home, cottage, secondary apartment and corner store was approved on Mayor Pro Tem Goodman's motion, Council Member Thomas' second on a 7-0 vote.

ZONING DISCUSSION ITEMS

The motion to:

- consolidate the public hearings on Z-4 and Z-5;
- follow the public hearing procedure in Section 25-1-151 of the Land Development Code which requires people who desire to speak at the hearing, to sign up before the public hearing begins; permits those supporting and those opposing the proposal to have time to speak; and authorizes the body to limit a speaker's time;
- limit speaking time to 30 minutes for staff presentation – including rebuttal (Stratus is included in that 30 minutes), and one hour for those supporting and one hour for those opposing the zoning.
- follow the usual rules that relate to public testimony:
 - A person may speak for no more than 3 minutes, unless time has been donated to that speaker.
 - In order to donate time to a speaker, the person donating time must be present at the time the speaker speaks.
 - No more than 12 minutes can be donated to a speaker.
 - Once a person's name has been read into the record as not wishing to speak or not present when his or her name is called, that person will not be recognized to speak.

was approved on Council Member Wynn's motion, Council Member Dunkerley's second on a 5-1-1 vote. Mayor Pro Tem Goodman abstained. Council Member Alvarez voted no.

- Z-4. C14-02-0040.107 - Stratus Properties - Conduct a public hearing and approve an ordinance on amending Chapter 25-2 of the Austin City Code by zoning property locally known as the southwest corner of West Slaughter Lane and South Mopac Expressway (Loop 1), a 23 acre tract of land, more or less, out of the Samuel Hamilton Survey No. 16, Travis County, Texas (Williamson Creek and Slaughter Creek Watersheds) from I-RR, Interim-Rural Residence district, zoning to GR, Community Commercial district, zoning. Zoning and Platting Commission Recommendation: The grant GR-CO, Community Commercial-conditional Overlay Combining district, zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. Property Owners: Stratus Properties and others. City Staff: Greg Guernsey, 974-2387.

The motion to close the public hearing and suspend the rules to restrict further public comment on Z-4, today or at a later meeting, so that Council can have time to deliberate the items, was approved on Council Member Dunkerley's motion, Council Member Wynn's second on a 7-0 vote.

The first and second reading of the ordinance for GR-CO zoning was approved on Council Member Wynn's motion, and Council Member Dunkerley's second on a 6-1 vote with Council Member Alvarez voting No.

- Z-5. C14-02-0040.113 - Stratus Properties - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the area east of South Mopac Expressway (Loop 1), approximately 4/5 of a mile south La Crosse Avenue and 2/3 of a mile north of State Highway 45, a 39 acre tract of land, more or less, out of the Samuel Hamilton Survey No. 16, Travis County, Texas (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district, zoning to RR, Rural Residence district, zoning. Zoning and Platting Commission Recommendation: To grant RR, Rural Residence district, zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. Property Owners: Stratus Properties and others. City Staff: Greg Guernsey, 974-2387.

The motion to close the public hearing and suspend the rules to restrict further public comment on Z-5, today or at a later meeting, so that Council can have time to deliberate the items, was approved on Council Member Dunkerley's motion, Council Member Wynn's second on a 7-0 vote

The first and second reading of the ordinance for RR zoning was approved on Council Member Wynn's motion, and Council Member Dunkerley's second on a 6-1 vote with Council Member Alvarez voting No.

The motion to suspend the rules to allow Council to meet after 10:00 p.m. was approved on Council Member Alvarez' motion, Council Member Dunkerley's second on a 6-0 vote. Mayor Pro Tem Goodman off the dais.

DISCUSSION ITEMS

21. Approve an ordinance on second reading adopting a settlement with Circle C Land Corp (Stratus) concerning development of approximately 1,260 acres of land in Southwest Austin, and Travis and Hays counties located generally in the Circle C area. The proposed settlement is intended to resolve disputes between the City and Stratus regarding the applicability of the Save Our Springs Initiative Ordinance (SOS) and Chapter 245 of the Local Government Code (also known as HB 1704). The Agreement provides for fee waivers and infrastructure improvements for development of the land in the total amount of \$15,000,000. The Agreement provides for waivers of

\$1,500,000 in development fees, and \$1,500,000 for a chiller. As part of the \$15,000,000 the Agreement also provides for waivers of water and wastewater fees in an amount not to exceed \$4,500,000, and cost reimbursement for offsite and onsite water extensions in an amount not to exceed \$3,600,000. Funding of \$371,000 for South Bay Lane right-of-way acquisition is available in the 2001-2002 approved budget of the Transportation and Sustainability Department. Funding for the fire station site has been included in the 2001-2002 capital budget of the Fire Department.

(Related to Item Nos. 22-27)

The ordinance was approved on second reading on Council Member Wynn's motion, Council Member Dunkerley's second, with the following friendly amendment on Council Member Wynn's motion, Council Member Dunkerley's second on a 6-1 vote. Council Member Alvarez voted No. The friendly amendment by Mayor Pro Tem Goodman was to amend the agreement to provide for assessments on the land to be used to fund the maintenance, performance monitoring, and repair of water quality control facilities and critical environmental feature protections or serving the land by the owners associations according to maintenance requirements based on the best management practice with the services to be provided by the Barton Springs Edwards Aquifer Conservation District. The maker of the motion and Council Member Dunkerley who seconded the motion accepted the friendly amendment.

22. Authorize negotiation and execution of a contract for fee simple acquisition of portion of Tract 110 situated in the Circle C Subdivision, Travis County, Texas owned by Circle C Land Corp. (Stratus), for the Circle C Fire Station Project, in an amount not to exceed \$1,000,000. (Funding is available in the 2001-2002 Approved Capital Budget of the Fire Department.) (Related Item Nos. 21, 23-27)

The item was deferred to August 1, 2002 on Council Member Thomas' motion, Council Member Wynn's second on a 7-0 vote.

23. Authorize negotiation and execution of a contract for fee simple acquisition of a portion of Tract 110 situated in the Circle C Subdivision, Travis County, Texas owned by Circle C Land Corp., for the South Bay Lane Extension Project in an amount not to exceed \$371,000. (Funding is in the 2001-2002 Amended Capital Budget of the Transportation Planning and Sustainability Department.) (Related Item No. 21, 22, 24-27)

The item was deferred to August 1, 2002 on Council Member Thomas' motion, Council Member Wynn's second on a 7-0 vote.

24. Approve an ordinance on second reading to amend Ordinance No. 010910-02 the 2001-2002 Capital Budget of the Transportation, Planning & Sustainability Department by transferring and appropriating \$371,000 from the Rutherford Land Street Improvement Project to the South Bay Lane Extension Project. (Funding is available from the Rutherford Lane Street Improvement Project account.) (Related Item Nos. 21-23 and 25-27)

The ordinance was approved on second reading on Council Member Wynn's motion, Council Member Dunkerley's second, on a 6-1 vote. Council Member Alvarez voted No.

25. Approve an ordinance on second reading to amend Ordinance No. 010910-2, the 2001-2002 Capital Budget by increasing appropriations to the Water and Wastewater Utility by \$3,600,000 to the water project known as "Circle C Land Corp." (Funding will be provided from the proceeds of debt issuance when the annual obligation comes due in future budget years.) (Related Items Nos. 21-24, 26, 27)

The ordinance was approved on second reading on Council Member Wynn's motion, Council Member Dunkerley's second, on a 6-1 vote. Council Member Alvarez voted No.

26. Approve a resolution to declare official intent to reimburse construction costs in the amount of \$3,600,000 to be paid for developer reimbursements for the Circle C Land Corp. Water project. (Funding for the Water and Wastewater Utility to be funded by the issuance of commercial paper.) (Related Item Nos. 21-25 and 27)
The item was deferred to August 1, 2002 on Council Member Thomas' motion, Council Member Wynn's second on a 7-0 vote.
27. Authorize negotiation and execution of a cost reimbursement agreement with Circle C Land Corp, providing terms and conditions for construction of 12 and 16-inch water mains, pressure reducing valve, pressure zone boundary modifications, and appurtenances to provide water service to Lots 103, 106, 107 and 110 within Circle C, with City cost reimbursement in an amount not to exceed \$3,600,000, for actual "hard" and "soft" construction costs; adopt an Ordinance waiving the requirement of Section 25-9-38, City Code, relating to expiration of a service extension request; waiving the requirement of Section 25-9-61, City Code, relating to facilities eligible for cost reimbursement; waiving the requirement of Section 25-9-63, City Code, relating to amount of cost reimbursement; waiving the requirements of Section 25-9-67, City Code, relating to cost reimbursement payments. (Funding is included in the 2001-2002 Amended Capital Budget of the Water and Wastewater Utility.)
(Related Item Nos. 21-26)
The item was deferred to August 1, 2002 on Council Member Thomas' motion, Council Member Wynn's second on a 7-0 vote.
28. C814-01-0065 - Bear Lake P.U.D. - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the southeast corner of S.H. 45 and F.M. 1826 (Slaughter / Bear Creek Watersheds) from I-RR, Interim-Rural Residence district, zoning to P.U.D., Planned Unit Development district, zoning, with conditions. First reading on July 11, 2002; Vote: 6-1, Alvarez nay. Applicant and Property Owner: Stratus Properties (Kenneth Blaker). Agent: Drenner Stuart Wolff Metcalfe von Kreisler, LLP. (Michele Haussmann). City Staff: Wendy Walsh, 974-7719.
The ordinance was approved on second reading on Council Member Wynn's motion, Council Member Dunkerley's second, on a 6-1 vote with Council Member Alvarez voting No.
29. C14-02-0040.101 - Stratus Properties - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the northeast corner of West Slaughter Lane and FM 1826, a 57 acre tract of land, more or less, out of the Jesse Williams Survey No. 62 and the John Moore Survey No. 66, Travis County, Texas (Williamson Creek and Slaughter Creek Watersheds) from I-RR, Interim-Rural Residence district, zoning to GR-MU, Community Commercial-Mixed Use-Combining district, zoning. First reading on July 11, 2002; Vote: 6-1, Alvarez nay. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. Property Owners: Stratus Properties and others. City Staff: Greg Guernsey, 974-2387.
The ordinance was approved on second reading on Council Member Wynn's motion, Council Member Dunkerley's second, on a 6-1 vote with Council Member Alvarez voting No.
30. C14-02-0040.102 - Stratus Properties - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the south side of West Slaughter Lane, beginning at a point approximately 1,200 feet east of FM1826 (between the water tank and Escarpment Blvd.), a 68 acre tract of land, more or less, out of the John Moore Survey

No. 66, the Jesse Williams Survey No. 62, the John Bright Survey No. 63, and the Samuel Hamilton Survey No. 16, Travis County, Texas, (Williamson Creek and Slaughter Creek Watersheds) from I-RR, Interim-Rural Residence district, zoning to CS-MU, General Commercial Services-Mixed Use-Combining district, zoning. First reading on July 11, 2002; Vote: 6-1, Alvarez nay. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. Property Owners: Stratus Properties and others. City Staff: Greg Guernsey, 974-2387.

The ordinance was approved on second reading on Council Member Wynn's motion, Council Member Dunkerley's second, with a 6-1 vote with Council Member Alvarez voting No.

31. C14-02-0040.103 - Stratus Properties - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the area north of West Slaughter Lane at its intersection with Escarpment Blvd., a 62 acre tract of land, more or less, out of the Samuel Hamilton Survey No. 16, Travis County, Texas (Williamson Creek and Slaughter Creek Watersheds) from I-RR, Interim-Rural Residence district, zoning to LR-MU, Neighborhood Commercial-Mixed Use-Combining district, zoning. First reading on July 11, 2002; Vote: 6-1, Alvarez nay. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. Property Owners: Stratus Properties and others. City Staff: Greg Guernsey, 974-2387.

The ordinance was approved on second reading on Council Member Wynn's motion, Council Member Dunkerley's second, on a 6-1 vote with Council Member Alvarez voting No.

32. C14-02-0040.104 - Stratus Properties - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the southwest corner of West Slaughter Lane and Escarpment Blvd., a 16 acre tract of land, more or less, out of the Samuel Hamilton Survey No. 16, Travis County, Texas (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district, zoning to RR, Rural Residence district, zoning. First reading on July 11, 2002; Vote: 6-1, Alvarez nay. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. Property Owners: Stratus Properties and others. City Staff: Greg Guernsey, 974-2387.

The ordinance was approved on second reading on Council Member Wynn's motion, Council Member Dunkerley's second, on a 6-1 vote with Council Member Alvarez voting No.

33. C14-02-0040.105 - Stratus Properties - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the southeast corner of West Slaughter Lane and Escarpment Blvd., a 9 acre tract of land, more or less, out of the Samuel Hamilton Survey No. 16, Travis County, Texas (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district, zoning to RR, Rural Residence district, zoning. First reading on July 11, 2002; Vote: 6-1, Alvarez nay. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. Property Owners: Stratus Properties and others. City Staff: Greg Guernsey, 974-2387.

The ordinance was approved on second reading on Council Member Wynn's motion, Council Member Dunkerley's second, on a 6-1 vote with Council Member Alvarez voting No.

34. C14-02-0040.106 - Stratus Properties - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the northwest corner of West Slaughter Lane and South Mopac Expressway (Loop 1), a 12 acre tract of land, more or

less, out of the Samuel Hamilton Survey No. 16, Travis County, Texas (Williamson Creek and Slaughter Creek Watersheds) from I-RR, Interim-Rural Residence district, zoning to GR, Community Commercial district, zoning. First reading on July 11, 2002; Vote: 6-1, Alvarez nay. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. Property Owners: Stratus Properties and others. City Staff: Greg Guernsey, 974-2387.

The ordinance was approved on second reading on Council Member Wynn's motion, Council Member Dunkerley's second, on a 6-1 vote with Council Member Alvarez voting No.

35. C14-02-0040.108 - Stratus Properties - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the northwest corner of West Slaughter Lane and Brodie Lane, a 106 acre tract of land, more or less, out of the Samuel Hamilton Survey No. 16, Travis County, Texas (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district, zoning to GR-MU, Community Commercial-Mixed Use-Combining district, zoning. First reading on July 11, 2002; Vote: 6-1, Alvarez nay. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. Property Owners: Stratus Properties and others. City Staff: Greg Guernsey, 974-2387.
The ordinance was approved on second reading on Council Member Wynn's motion, Council Member Dunkerley's second, with a 6-1 vote with Council Member Alvarez voting No.
36. C14-02-0040.109 - Stratus Properties - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the area west of Dahlgreen Avenue and approximately 930 feet south of La Crosse Blvd. (and generally west of Galsworthy Lane, and north & east of Redmond Road and Aylford Court), a 20 acre tract of land, more or less, out of the Samuel Hamilton Survey No. 16, Travis County, Texas (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district, zoning to RR, Rural Residence district, zoning. First reading on July 11, 2002; Vote: 6-1, Alvarez nay. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. Property Owners: Stratus Properties and others. City Staff: Greg Guernsey, 974-2387.
The ordinance was approved on second reading on Council Member Wynn's motion, Council Member Dunkerley's second, on a 6-1 vote with Council Member Alvarez voting No.
37. C14-02-0040.110 - Stratus Properties - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the area west of South Mopac Expressway (Loop 1), north of State Highway 45, east of Dahlgreen Avenue and generally east of Beachmont Lane, Bexley Lane and the un-built extension of Escarpment Blvd., north of State Highway 45 and south of La Crosse Avenue and generally south of Mordred Lane, a 247 acre tract of land, more or less, out of the Samuel Hamilton Survey No. 16, Travis County, Texas (Williamson Creek and Slaughter Creek Watersheds) from I-RR, Interim-Rural Residence district, zoning to CH-PDA, Commercial Highway Services-Planned Development Area district, zoning. First reading on July 11, 2002; Vote: 6-1, Alvarez nay. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. Property Owners: Stratus Properties and others. City Staff: Greg Guernsey, 974-2387.
The ordinance was approved on second reading on Council Member Wynn's motion, Council Member Dunkerley's second, on a 6-1 vote with Council Member Alvarez voting No.
38. C14-02-0040.111 - Stratus Properties - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the southeast corner of

La Crosse Avenue and South Mopac Expressway (Loop 1), a 17 acre tract of land, more or less, out of the Samuel Hamilton Survey No. 16, Travis County, Texas (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district, zoning to RR, Rural Residence district, zoning. First reading on July 11, 2002; Vote: 6-1, Alvarez nay. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. Property Owners: Stratus Properties and others. City Staff: Greg Guernsey, 974-2387.

The ordinance was approved on second reading on Council Member Wynn's motion, Council Member Dunkerley's second, on a 6-1 vote with Council Member Alvarez voting No.

39. C14-02-0040.112 - Stratus Properties - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the area generally east of South Mopac Expressway (Loop 1) and southeast of the proposed extension of La Crosse Avenue (at its terminus adjacent to the Wildflower Research Center), and generally northeast of Wyldwood Drive, a 50 acre tract of land, more or less, out of the Samuel Hamilton Survey No. 16, Travis County, Texas (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district, zoning to RR, Rural Residence district, zoning. First reading on July 11, 2002; Vote: 6-1, Alvarez nay. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. Property Owners: Stratus Properties and others. City Staff: Greg Guernsey, 974-2387.

The ordinance was approved on second reading on Council Member Wynn's motion, Council Member Dunkerley's second, on a 6-1 vote with Council Member Alvarez voting No.

40. C14-02-0040.114 - Stratus Properties - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the northeast corner of State Highway 45 and FM 1826, a 16 acre tract of land, more or less, out of the Corbet Stevens Survey No. 63, Travis County, Texas (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district, zoning to GR, Community Commercial district, zoning. First reading on July 11, 2002; Vote: 6-1, Alvarez nay. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. Property Owners: Stratus Properties and others. City Staff: Greg Guernsey, 974-2387.

The ordinance was approved on second reading on Council Member Wynn's motion, Council Member Dunkerley's second, on a 6-1 vote with Council Member Alvarez voting No.

The motion to adjourn the meeting at 12:34 a.m. was approved on Council Member Slusher's motion, Council Member Wynn's second on a 7-0 vote.

The minutes from the work session of July 17, 2002 and regular meeting of July 18, 2002 were approved on Council Member Thomas' motion, Council Member Alvarez's second on a 7-0 vote.

The minutes from the regular session of July 18, 2002 were approved on October 31, 2002 on Council Member Slusher's motion, Mayor Pro Tem Goodman's second on a 7-0 vote.