



Austin City Council  
MINUTES

REGULAR MEETING  
THURSDAY, MARCH 1, 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, March 1, 2001 in the Charles Jordan Room at Conley-Guerrero Senior Activity Center, 808 Nile Road.

INVOCATION – Rev. Clyde White, Manchaca Bible Fellowship.

Mayor Watson called the meeting to order at 1:30 p.m.

1. Approval of minutes for regular meeting of February 15, 2001.  
The minutes for the regular meeting of February 15, 2001 was approved on Council Member Alvarez' motion, Council Member Wynn's second by a 7-0 vote.

CITIZEN COMMUNICATIONS

54. Marnie Reeder – Tawny's Petition
55. Linda Crawford – Tawny's Petition
56. Sonnet Dasherskaga – Tawny's Petition
57. David W. O'Brien – City oversight in light of APD shooting of pet at residence
58. Frances Martinez – City Issues/Neighborhood Issues
59. Robert Donley – Neighborhood
60. Ann del Llano – APD Meet and Confer Agreement
61. Charles "Nook" Byrd - ABSENT
62. Ricky S. Hall – Bouldin Creek Planning
63. Lynn Moshier – Central Booking

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 Alvarez' second by a 7-0 vote.

8. Consider settlement agreement in *City of Austin v. BFI Waste Systems of North America, Inc., et al*, Cause No. 2295; proceedings in eminent domain in Travis County Probate Court No. 1.  
This item was postponed to March 8, 2001.
9. Approve an ordinance amending the City Code to exempt certain divisions of land from the platting requirements of state law and the City Code.

**Ordinance No. 010301-09 was approved.**

**Item 10 was pulled for discussion.**

11. Approve a resolution authorizing negotiation and execution of an amendment to the existing professional services agreement with DMJM AVIATION, INC. (formerly Turner, Collie & Braden, Inc.), Houston, Texas, for professional engineering services for the Austin Bergstrom International Airport Remain Overnight Pad Expansion Project, in an amount not to exceed \$300,000 for a total contract amount not to exceed \$2,699,000. (Funding in the amount of \$300,000 is available in the Fiscal Year 2000-2001 Capital Budget of the Department of Aviation.) 28.9% DBE subconsultant participation (28.9% MBE)

**Resolution No. 010301-11 was approved.**

12. Amend ordinance No. 991216-107, to clarify the legal description for the property known as West William Cannon Drive (Williamson Creek Watershed), further described in file number C14-99-2082. Applicant: Motorola, Inc. City Staff: Adam Smith, 499-2755.

**Ordinance No. 010301-12 was approved.**

13. C14-99-0132 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9101 – 9201 IH-35 South (Onion Creek Watershed) from SF-2, Single Family Residence Standard Lot district zoning to CS-CO, General Commercial Services - Conditional Overlay Combining district zoning with conditions. First Reading on March 2, 2000; Vote: 7-0. Conditions met as follows: Conditional overlay incorporates the conditions imposed by Council at first reading. Property Owner and Applicant: Janoe Truck Sales & Services (Tom D. Janoe). Agent: Jim Bennett. City Staff: Wendy Walsh, 499-7719.

**Ordinance No. 010301-13 was approved.**

**Item 14 was pulled for discussion.**

15. C14-00-2186 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 306 West Oltorf Street (East Bouldin Creek Watershed) from SF-3, Family Residence district zoning to NO, Neighborhood Office district zoning. First reading on January 25, 2001; Vote 7-0. Conditions met as follows: No conditions were imposed by Council at first reading. Applicant: Juan Pedraza. City Staff: Adam Smith, 499-2755.

**Ordinance No. 010301-15 was approved.**

**Item 16 was pulled for discussion.**

17. Approve a resolution authorizing negotiation and execution of Inter-local Agreements with Travis County Emergency Service Districts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14 and Manchaca Volunteer Fire Department for the City to provide emergency dispatch services.

**Resolution No. 010301-17 was approved.**

18. Approve a resolution authorizing the application for and acceptance of \$250,000 in grant award through the Criminal Justice Division, Office of the Governor/Prevention Projects for Youth, Title V Delinquency Prevention Fund. The Grant will be funded for three consecutive twelve-month periods beginning April 1, 2001 and ending on March 31, 2004 in the amount of \$250,000 per year and a total amount of \$750,000. Notice of grant funding availability came as a result of additional funds that became available outside the regular funding cycle and proposals for grant applications were required within a much shorter timeframe than usual. As a result, we are requesting council authorize both the application for and acceptance of the grant award.

(Funding is available from the State of Texas, Governor's Office, Criminal Justice Division. An In-kind match of \$128,787 is required and will be met by volunteer contributions, city staff and facilities. Funding for the continued operation of this program is contingent upon available funding in future budgets.)

**Resolution No. 010301-18 was approved.**

19. Approve a resolution authorizing three-party contracts between the City of Austin, Travis County and seven HIV social services contractors. The term of these contracts is for the period of March 1, 2001 through February 28, 2002, at a cost to the City not to exceed \$558,798. (Funding in the amount of \$419,099 was included in the Fiscal Year 2000-2001 Approved Operating Budget for the Health and Human Services Department. Funding for the remaining three months of the original contract period is contingent upon available funding in future budgets.) (Supported by the Community Action Network (CAN) Administrative Team and the Resource Council)

**Resolution No. 010301-19 was approved.**

20. Approve a resolution authorizing negotiation and execution of a professional services agreement with HIDEELL & ASSOCIATES ARCHITECTS/HATCH PARTNERSHIP, LLP, JOINT VENTURE, Carrollton, Texas, for professional architectural services for the Austin Public Library Facilities Master Plan, in an amount not to exceed \$100,000. (Funding is available in the 2000-2001 Operating Budget of the Library Department.) Best of eight RFQs submitted. 10% MBE, 0% WBE subcontracting participation.

**Resolution No. 010301-20 was approved.**

**Items 21 through 23 were pulled for discussion.**

24. Approve a resolution authorizing execution of Change Order #11 to the construction contract with RYAN-O EXCAVATING, INC., Austin, Texas, as part of the Group 5 Bond Street Reconstruction Project, in an amount not to exceed \$20,000, for a total contract amount not to exceed \$1,500,460.31. (Funding in the amount of \$20,000 is available in the 1999-2000 Capital Budget of the Department of Public Works and Transportation.) 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. 010301-24 was approved.**

25. Approve a resolution authorizing payment to the TEXAS DEPARTMENT OF TRANSPORTATION for the City's 10% participation of the right-of-way acquisition for the U. S. Highway 183 Project, from RM 620 to north of Lakeline Boulevard, in accordance with the June 27, 1986 Agreement for Right-of-Way Procurement, in the amount of \$178,500. (Funding is available in the 2000-2001 Capital Budget of the Department of Public Works.)

**Resolution No. 010301-25 was approved.**

26. Approve a resolution authorizing the filing of eminent domain proceedings to acquire 69,969 square feet of right-of-way for street purposes, 11,050 square feet of slope easement, a 67,416 square foot temporary construction easement for staging purposes and fencing, out of the Lucas Munos Survey No. 55, Travis County, City of Austin, Texas, owned by Giles Holdings, L. P., aka Mobley Chemicals Inc., for the Giles Lane Improvement Project. (Funding in the amount of \$110,444 is included in 1999-2000 Amended Capital Budget of the Department of Public Works & Transportation.)

**Resolution No. 010301-26 was approved.**

27. Approve a resolution authorizing execution of a 12-month supply agreement with ARNOLD OIL CO, INC., Austin, Texas, for the purchase of lubricating oils, fluids, and greases in an

amount not to exceed \$154,652.96 with two 12-month extension options in the amount not to exceed \$154,652.96 per extension, for a total contract amount not to exceed \$463,958.88 (Funding in the amount of \$90,214 was included in the 2000-2001 Operating Budget for the Fleet Maintenance Fund of the Finance and Administrative Services Department. Funding for the remaining five months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid/Seven bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established for this solicitation. The vendors supply these products directly to the City.

**Resolution No. 010301-27 was approved.**

28. Approve a resolution authorizing execution of a 12-month supply agreement with INDUSTRIAL DISPOSAL SUPPLY, San Antonio, Texas, for the purchase of captive repair parts for Tymco street sweepers in an amount not to exceed \$100,000 with two 12-month extension options in an amount not to exceed \$100,000 per extension for a total contract amount not to exceed \$300,000. (Funding in the amount of \$58,333 was included in the 2000-2001 Operating Budget for the Fleet Maintenance Fund of the Finance and Administrative Services Department. Funding for the remaining five months of the original contract period and extension options is contingent upon available funding in future budgets.) Sole Source. 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. These parts are provided directly to the City.

**Resolution No. 010301-28 was approved.**

29. 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 nine recycle collection bodies for the Solid Waste Services Department in the amount of \$719,394.48. (Funding was included in the 2000-2001 Capital Budget of the Solid Waste Services Department.)

**Resolution No. 010301-29 was approved.**

30. Approve a resolution authorizing execution of a 12-month service agreement with COWART DOOR SYSTEMS, INC., Austin, Texas, to provide complete overhead door maintenance and service for the Austin Fire Department and Emergency Medical Services Department in an amount not to exceed \$43,848 with two 12-month extension options in an amount not to exceed \$43,848 per extension for a total contract amount not to exceed \$131,544. (Funding in the amount of \$21,273 was included in the 2000-2001 Approved Operating Budget of the Austin Fire Department. \$4,305 was included in the 2000-2001 Approved Operating Budget of the Emergency Medical Services Department. Funding for the remaining five months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bid/two bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

**Resolution No. 010301-30 was approved.**

31. Approve a resolution authorizing execution of a contract with COMPLETE COMMUNICATION SERVICES, INC., WBE/FR, Pflugerville Texas, for Phase II of the project to lay and install fiber optic cable for the traffic signal communications system in the amount of \$649,963 for the Public Works & Transportation Department; with options to add additional phases or partial phases of work to the contract in the following amounts: Phase III - \$1,053,309; Phase IV - \$680,794; Phase V - \$572,546; Phase VI - \$357,530; and Phase VII - \$673,170, for a total amount not to exceed \$3,987,312. (Funding for \$1,300,000 was included in the amended 2000-2001 Capital Budget of the Public Works Department. Funding for balance

of Phase III and the options for the additional phases, beyond work included in the \$1,300,000, is contingent upon available funding in future budgets.) Low bid of two received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. All work will be performed by the Contractor's own workforce.

**Resolution No. 010301-31 was approved.**

32. Approve a resolution authorizing negotiation and execution of a three-year revenue generating contract with PLAYER'S CONCESSIONS (MBE/MH), Austin, Texas, for a food and beverage concession at Cedars Golf Course in an estimated amount of \$86,400, with the option to extend for two additional one-year periods in an estimated amount of \$28,800 per extension, for an estimated total contract amount of \$144,000. (Net estimated revenue of \$86,400 over the duration of the three-year contract period and \$28,800 for each one-year extension option. Revenue is included in the 2000-2001 budget.) Sole proposal 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. 010301-32 was approved.**

33. Approve a resolution authorizing negotiation and execution of a five-year revenue generating contract with LLOYD MORRISON, INC., Austin, Texas, for a golf professional to manage the golf pro shops at Lions and Hancock Golf Courses in an estimated amount of \$95,000, with the option to extend for one additional five-year period in an estimated amount of \$95,000, for an estimated total contract amount of \$190,000. (Net estimated annual revenue of \$19,000 over the duration of the first five-year contract period and the extension option. Revenue is included in the 2000-2001 budget.) Sole proposal 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. 010301-33 was approved.**

34. Approve execution of a contract with NORTHERN VIDEO SYSTEMS, INC., Rocklin Ca., to purchase 65 Closed Circuit Television (CCTV) Cameras for the Traffic Signal Communication System Upgrade Project in an amount not to exceed \$115,343, with an option to purchase an additional 65 cameras next fiscal year in an amount not to exceed \$115,343, for a total contract amount not to exceed \$230,686. (Funding in the amount of \$115,343 was included in the amended 2000-2001 Capital Budget of the Public Works Department. Funding for the option is contingent upon available funding next fiscal year.) Low bid meeting specifications of 15 bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. This is a product that will be provided directly by the vendor. There are no subcontracting opportunities, therefore, no goals were established for this solicitation.

**Resolution No. 010301-34 was approved.**

35. Approve a resolution authorizing execution of a contract with CONTINENTAL BRIDGE, Alexandria, Minnesota, for the purchase of a pre-fabricated pedestrian bridge for the Parks and Recreation Department in an amount not to exceed \$53,768. (Funding was included in the 2000-2001 Approved Capital Budget of the Parks & Recreation Department.) One bid 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. 010301-35 was approved.**

36. Approve a resolution authorizing execution of Change Order No. 11 to the contract with LADICO ENTERPRISES INC., Leander, Texas, Project Completion Contractor, for construction of a two-pass street paving overlay on Brookwood Road, reuse water customer services, and curb and gutter repair for the Balcones Village Service to Annexed Area #6, Phase

C, Wastewater, Water, and Reuse Water Line Improvements Project, in an amount not to exceed \$117,837.37, for a total authorized contract amount not to exceed \$2,208,204.46. (Funding in the amount of \$117,837.37 is included in the 1999-2000 Amended Capital Budget of the Water and Wastewater Utility.) 6.79% MBE, .21% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

**Resolution No. 010301-36 was approved.**

37. Approve a resolution authorizing the filing of eminent domain proceedings to acquire a 1,285.73 square foot permanent wastewater easement out of Block 50, Fairview Park Addition, Travis County, Texas, known as 1203 Newning Avenue, owned by Edward J. Tuddenham, et al, for the Newning Avenue Wastewater Project. (Funding in the amount of \$6,912 is included in the 2000-2001 Capital Budget of the Water & Wastewater Utility.)

**Resolution No. 010301-37 was approved.**

38. Approve a resolution authorizing the filing of eminent domain proceedings to acquire a 410.01 square foot permanent wastewater easement out of Block 49, Fairview Park Addition, Travis County, Texas, known as 1207 Newning Avenue, owned by William C. Barnett, for the Newning Avenue Wastewater Project. (Funding in the amount of \$1,534 is included in the 2000-2001 Capital Budget of the Water & Wastewater Utility.)

**Resolution No. 010301-38 was approved.**

**Item 39 was pulled for discussion.**

40. Approve a resolution authorizing negotiation and execution of an amendment to the contract for planning, design, construction and project management services between the City of Austin and GRAY-JANSING AND ASSOCIATES, INC., Austin, Texas, in an amount not to exceed \$73,500 for an expanded alternatives study for feasible routes to convey wastewater from Davenport Ranch to the Cross Town Tunnel; and approve payment of \$73,500 for the contract amendment to the Loop 360 Lift Station Account No 2. (Funding is included in the 2000-2001 Capital Budget of the Water & Wastewater Utility.) The original contract with the MUD did not include MBE/WBE participation goals. The study effort required for these expanded alternatives is highly specialized and requires expertise that is not available through a local or MBE/WBE firm (Recommended by Water and Wastewater Commission)

**Resolution No. 010301-40 was approved.**

41. Amend Ordinance No. 000912-2, the 2000-2001 Capital Budget by increasing appropriations to the Water and Wastewater Utility by \$457,600 and creating a new wastewater project known as "East 11<sup>th</sup> Street Redevelopment" for \$457,600. (Funding will be provided from the proceeds of debt issuance when the annual obligation comes due in future budget years.) (Related Item #: 42 and 45)

**Ordinance No. 010301-41 was approved.**

42. Approve a resolution declaring official intent to reimburse construction costs in the amount of \$457,600 to be paid for developer reimbursements for the East 11<sup>th</sup> Street Redevelopment Wastewater project. (The amount of \$457,600 for the Water and Wastewater Utility to be funded by the issuance of commercial paper.) (Related Item #: 41 and 45)

**Resolution No. 010301-42 was approved.**

43. Amend Ordinance No. 000912-2, the 2000-2001 Capital Budget by increasing appropriations to the Water and Wastewater Utility by \$346,400 and creating a new water project known as "East 11<sup>th</sup> Street Redevelopment" for \$346,600. (Funding will be provided from the proceeds of debt issuance when the annual obligation comes due in future budget years.) (Related item #: 44 and 45)

**Ordinance No. 010301-43 was approved.**

44. Approve a resolution declaring official intent to reimburse construction costs in the amount of \$273,301 to be paid for developer reimbursements for the East 11<sup>th</sup> Street Redevelopment Water project. (The amount of \$346,400 for the Water and Wastewater Utility to be funded by the issuance of commercial paper.) (Related item #s: 43 and 45)

**Resolution No. 010301-44 was approved.**

45. Adopt a resolution authorizing negotiation and execution of a cost reimbursement agreement with Austin Revitalization Authority, a Texas non-profit corporation, providing terms and conditions for construction of a 12-inch water main, 10 and 8-inch gravity wastewater mains, and appurtenances to provide water and wastewater service within and near the East 11<sup>th</sup> Street Redevelopment, located between East 11<sup>th</sup> Street, Juniper Street, I.H. 35 and Navasota Street with City cost reimbursement in an amount not to exceed \$804,000, for actual "hard" construction costs, engineering, and project management; approving an ordinance waiving the application fee established in City Ordinance No. 000912-4, in the amount of \$440, for processing of Service Extension Request numbers 2056 and 2057; waiving the requirement for payment of the construction inspection fees established in City Ordinance No. 000912-4, in an amount not to exceed \$31,000; waiving the requirement for payment of water and wastewater tap permit fees and water and wastewater tap connection fees in an amount not to exceed \$8,720 established in City Ordinance No. 000912-4; waiving the requirement for payment of water and wastewater capital recovery fees established in Article 3 of Chapter 25-9, City Code, in an amount not to exceed \$56,000; waiving the requirements of Section 25-9-39, of the City Code, relating to the posting of fiscal security; waiving the requirements of Section 25-9-61, relating to facilities eligible for cost reimbursement; waiving the requirements of Section 25-9-63, relating to amount of cost reimbursement; waiving the requirements of Section 25-9-67, relating to cost reimbursement payments; waiving certain requirements of Sections 25-9-64 and 25-9-65, relating to the processing of projects involving cost reimbursements; and waiving the provisions of Section 25-9-93, requiring payment of tap permit fees, connection fees, and capital recovery fees at the time of application for a tap permit. (Funding is included in the 2000-2001 Amended Capital Budget of the Water and Wastewater Utility, see related item. Based on conservative build-out of the East 11<sup>th</sup> Street Redevelopment, the 30-Year Financial Analysis of this City investment projects a negative 30-year net present value. Total fee waivers in an amount not to exceed \$96,160.) (Related Item #s: 41, 42, 43 and 44)

**Resolution No. 010301-45A and Ordinance 010301-45B was approved.**

46. Approve a resolution authorizing execution of a construction contract with CACTUS CONCRETE, INC., Austin, Texas, for drainage improvements on Arcadia Avenue, between Grover Avenue and Wild Street, in an amount not to exceed \$66,925. (Funding is available in the 2000-2001 Capital Budget of the Watershed Protection Department.) Lowest of four bids received. 28.9% MBE, 1.4% WBE subcontracting participation.

**Resolution No. 010301-46 was approved.**

**Items 47 through 49 were pulled for discussion.**

50. Consider a resolution directing the City Manager to evaluate and report to Council on issues related to the Goodrich Avenue/Barton Springs Baptist Church Cemetery located at 2107 Goodrich Avenue. (Council Member Thomas and Council Member Beverly Griffith)

**Resolution No. 010301-50 was approved.**

51. Direct the City Manager to conduct an assessment of pedestrian safety along E. 7<sup>th</sup> Street that will include an analysis of (a) pedestrian crossing improvement options at the East 7th & Calle Street intersection and along East 7th from Robert Martinez Street to Webberville Road, and (b)

sidewalk quality and interconnectivity along East 7th Street from Chicon Street to Pleasant Valley Road and from Pleasant Valley Road to U.S. 183, including an fiscal analysis and report back to Council within 90 days. (Council Member Raul Alvarez, Council Member Will Wynn and Council Member Daryl Slusher)

**Resolution No. 010301-51 was approved.**

52. Direct the City Manager to develop an East 7th Street Beautification Project whereby the City will solicit input from business owners and surrounding neighborhood residents and associations about steps that can be taken to beautify East 7th Street in order to transform this street into a scenic gateway to the City from Austin Bergstrom International Airport and report back to the City Council with recommendations and a fiscal analysis within 180 days. (Council Member Raul Alvarez, Council Member Will Wynn and Council Member Daryl Slusher)

**Resolution No. 010301-52 was approved.**

53. Approve an ordinance re-establishing interim development controls for the area surrounding the Blackwell-Thurman Criminal Justice Center located at 500 West 10<sup>TH</sup> Street; and declaring an emergency. (Council Member Will Wynn)

**Ordinance No. 010301-53 was approved.**

**Items 54 through 63 were citizen communications.**

|  |                           |           |
|--|---------------------------|-----------|
| <b>78. Austin Community Education Consortium</b> |                           |           |
| Elmore DuFour                                    | reappointment             | Consensus |
| Richard McCown                                   | reappointment             | Consensus |
| <b>Board of Adjustment</b>                       |                           |           |
| Barbara Aybar                                    | reappointment             | Consensus |
| Betty Edgemond                                   | reappointment             | Consensus |
| Hans Herman Thun                                 | reappointment             | Consensus |
| Laurie Virkstis                                  | reappointment             | Consensus |
| Leane Heldenfels                                 | reappointment (alternate) | Consensus |
| <b>Bond Oversight Commission</b>                 |                           |           |
| Mike Clark-Madison                               | appointment               | Consensus |
| <b>Child Care Council</b>                        |                           |           |
| Joene Grissom                                    | reappointment             | Consensus |
| Rhonda Paver                                     | reappointment             | Consensus |
| Gale Spear                                       | reappointment             | Consensus |
| Dr. Avis Jones Wallace                           | reappointment             | Thomas    |
| <b>Commission for Women</b>                      |                           |           |
| Anita Benavides Mennucci                         | appointment               | Wynn      |
| <b>Commission on Immigrant Affairs</b>           |                           |           |
| Simone Talma                                     | reappointment             | Consensus |
| <b>Community Development Commission</b>          |                           |           |
| Derrick Norris                                   | reappointment             | Thomas    |
| Karen Paup                                       | reappointment             | Goodman   |
| Margarita Flores                                 | reappointment             | Consensus |
| Cristina De La Fuente-Valdez                     | reappointment             | Mayor     |



**MINUTES OF CITY COUNCIL MEETING****MARCH 1, 2001**

|   |               |           |
|---|---------------|-----------|
| <b>Downtown Commission</b>                            |               |           |
| Beatrice Fincher                                      | reappointment | Consensus |
| <b>EMS Quality Assurance Team</b>                     |               |           |
| Robert Walker   | reappointment | Mayor     |
| <b>Environmental Board</b>                            |               |           |
| Karin Ascot   | appointment   | Wynn      |
| <b>Federally Qualified Health Center Board</b>        |               |           |
| Hal Katz  | reappointment | Consensus |
| Rose Lancaster  | reappointment | Consensus |
| Glenda Parks  | reappointment | Consensus |
| <b>Library Commission</b>                             |               |           |
| Susan Reid  | reappointment | Consensus |
| Dave Shaw   | appointment   | Wynn      |
| <b>MBE/WBE Advisory Commission</b>                    |               |           |
| Warigia Bowman  | reappointment | Consensus |
| Pilar Avalos  | appointment   | Consensus |
| <b>Mayor's Committee for People with Disabilities</b> |               |           |
| Laura Ham   | reappointment | Mayor     |
| Kathy Kasprisin                                       | reappointment | Mayor     |
| <b>Medical Assistance Advisory Program</b>            |               |           |
| Dr. Mary L. Adams                                     | reappointment | Consensus |
| <b>Music Commission</b>                               |               |           |
| Kevin Connor  | reappointment | Mayor     |
| Theresa Ferguson                                      | reappointment | Consensus |
| Charlie Jones   | reappointment | Consensus |
| <b>Sign Review Board</b>                              |               |           |
| Barbaya Aybar   | reappointment | Consensus |
| Betty Edgemond  | reappointment | Consensus |
| Hans Herman Thun                                      | reappointment | Consensus |
| Laurie Virkstis                                       | reappointment | Consensus |
| <b>Telecommunications</b>                             |               |           |
| Kevin Kane  | appointment   | Slusher   |
| Patrick Rodriguez                                     | appointment   | Alvarez   |
| <b>Urban Renewal Board</b>                            |               |           |
| Cristina De La Fuente-Valdez                          | reappointment | Mayor     |
| <b>Urban Transportation Commission</b>                |               |           |
| Michael Dahmus  | reappointment | Slusher   |
| Scheleen Johnson Walker                               | reappointment | Wynn      |

79. Approve resolution directing Time Warner Cable to activate or reactivate four (4) Institutional Network drops. No Fiscal Impact (Time Warner Cable franchise

obligation)

Resolution No. 010301-79 was approved.

80. In the event that item 48 on this agenda does not pass, approve an ordinance waiving the requirements of Section 15-7-19 regarding the renaming of facilities, and renaming the Millennium Youth Entertainment Complex as the Dorothy Turner Millennium Youth Entertainment Complex. (Council Member Thomas)

This item was removed from the agenda.

81. Approve the vacation of a cul-de-sac (.420 acre) at Tannehill Street between Techni Center Drive and Tracor Lane, on behalf of Fort Branch Landing, Limited Partnership. (\$3,500 in revenue will be receipted to the Capital Improvement Fund.) (Recommended by Planning Commission).

Ordinance No. 010301-81 was approved.

### DISCUSSION ITEMS

47. Approve third reading of 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.) (Continued from 2/15/01)

The motion to approve was made on Council Member Slusher's motion, Mayor Watson's second

The substitute motion to adopt the ordinance by allowing 7 Council individual appointments and 2 consensus appointments to the board failed on Council Member Thomas' motion, Council Member Griffith's second by a 3-4 vote. Those voting aye were: Mayor Pro Tem Goodman and Council Members Griffith and Thomas. Those voting nay were: Mayor Watson and Council Members Alvarez, Slusher and Wynn.

Ordinance No. 010301-47 was approved by a 4-3 vote. Those voting aye were: Mayor Watson and Council Members Alvarez, Slusher and Wynn. Those voting nay were: Mayor Pro Tem Goodman and Council Members Griffith and Thomas.

16. Approve a resolution authorizing Amendment No. 6 to a thirty-six month music network management contract with K. Threadgill's Musical Foundation (original contract with Music Management Group) to increase the third year funding by \$390,000 for a total third year funding of \$715,000 with a total contract amount of \$1,773,000. (Funding in the amount of \$130,000 is available in the 2001 Operating Budget of each of the following departments, for a total of \$390,000: Aviation, Austin Energy, and Austin Convention Center.)

Resolution No. 010301-16 was approved with an amendment on Mayor Pro Tem Goodman's motion, Council Member Slusher's second by a 7-0 vote. Council Member Griffith's amendment was to stipulate that prior to the next budget cycle and the end of Threadgill's current contract, the following items be addressed and included in any further contract extension or negotiations: 1) production standards will be set including, but not limited to, amount of live music taping and projected audience market share; 2) establishment of internal management and financial accountability standards; 3) development of a public/private partnership plan that establishes non-governmental funding targets through grants, donations or private music industry assistance; and 4) identification of City of Austin funding from specific enterprise funds.

21. Adopt a resolution approving the release of approximately 5,465 acres of extraterritorial jurisdiction (ETJ) in Hays County Texas (the proposed release area is located south and west of the City of Buda and east of IH-35.)

Resolution No. 010301-21 was approved with an amendment on Council Member Slusher's motion, Mayor Watson's second by a 7-0 vote. The amendment was on page 2, paragraph 4, line 3, should read, "... annexation within 6 months of receipt of letter.

22. Approve an ordinance amending Chapter 8-14 of the City Code affecting the towing of vehicles within the City of Austin. The proposed ordinance includes 1) a revision to the incident management plan that addresses wrecker responses during rush-hour traffic on key thoroughfares, 2) general ordinance revisions based on a recent federal court ruling and staff recommendations, and 3) a recommendation to increase the standard non-consent tow fee rate from \$65 to \$95; to increase the non-consent tow fee rate for vehicles over 10,000 pounds from \$300 to \$393; to authorize an additional \$35 fee for use of a flat bed trucks on a city-wide basis. The fee increases are to take immediate effect. (Second/Third reading)  
The second reading of this ordinance was approved with an amendment on Council Member Thomas' motion, Council Member Griffith's second by a 4-3 vote. Those voting aye were: Mayor Pro Tem Goodman and Council Members Griffith, Thomas and Wynn. Those voting nay were: Mayor Watson and Council Members Alvarez and Slusher. The amendment was on page 10, line 1 should reads, "tow truck certification will expire March 31st of each year"

The motion to recess the City Council meeting at 4:03 p.m. and go into Executive Session was approved on Council Member Wynn's motion, Council Member Slusher's second by a 7-0 vote.

#### 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 development regulations applicable in the Hyde Park neighborhood.
3. Discuss legal issues related to litigation in connection with the East Austin tank farm.
4. Discuss settlement proposal in *City of Austin v. BFI Waste Systems of North America, Inc., et al*, Cause No. 2295; proceedings in eminent domain in Travis County Probate Court No. 1.  
This item was postponed until March 8, 2001.
5. Discuss *Timothy Bruner v. The City of Austin, et. al.*, Case No. A-00-CA-229 AA, United States District Court for Western District of Texas.
6. Discuss legal issues concerning the release of approximately 5, 465 acres of extraterritorial jurisdiction in Hays County, Texas.
7. Discuss legal issues regarding platting requirements of state law and the City Code.

Executive session ended at 4:45 p.m.

#### DISCUSSION ITEMS CONTINUED

10. Amend Ordinance No. 000912-4 to add a GreenChoice Energy Rider and an Unmetered Non-Demand Communications Equipment Tariff to the Electric Rate Schedule of Tariffs, and make minor amendments to the current Residential Service Tariff. (No funding is required. Anticipated revenues for GreenChoice were included in the 2000-2001 Approved Operating

Budget for the Electric Utility Department. Revenues are anticipated to increase in 2000-2001 Approved Budget for the Electric Utility Department by approximately \$12,000 for the unmetered communications tariff.) (Recommended by Electric Utility Commission)

**Ordinance No. 010301-10 was approved with a friendly amendment on Council Member Slusher's motion, Council Member Wynn's second by a 7-0 vote. Council Member Alvarez' friendly amendment was to direct staff to re-evaluate the requirement that low-income recipients of this program subscribe to the program each year. This was accepted by the maker of the motion and by Council Member Wynn who seconded the motion.**

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

The meeting was called back to order at 6:08 p.m.

76. Conduct a public hearing to amend Chapter 25-4 of the City Code relating to Subdivision of land.

This item was postponed until March 22, 2001.

#### ZONING CONSENT

All of the following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and the consent items were approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second by a 7-0 vote.

14. C14-98-0255 - Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 10101-10125 Lake Creek Parkway and 12905-13037 Hymeadow Drive (Lake Creek Watershed) from I-RR, Interim-Rural Residence district zoning and SF-2, Single Family Residence Standard Lot district zoning to LO, Limited Office district zoning for Tract 1 and NO-CO, Neighborhood Office-Conditional Overlay Combining district zoning with conditions for Tract 2, RR, Rural Residence district zoning for Tract 3. ). First Reading on February 10, 2000. Vote: 6-0, Watson Absent. Conditions met as follows: Conditions imposed by Council at first reading have not been addressed. Applicant: Christianna Ltd. (Gary Brown). City Staff: David Wahlgren, 499-6455. (continued from 7/22/99, 9/9/99, 11/18/99 and 12/9/99)

The second reading of this ordinance was approved.

Items 64 through 65 were pulled for discussion.

66. C814-90-0003.11 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as U.S. Highway 290 East at Harris Branch Parkway, (Gilleland and Decker Creek Watersheds) from PUD, Planned Unit Development district zoning to PUD, Planned Unit Development in order to change a condition of zoning. Planning Commission Recommendation: To approve PUD, Planned Unit Development district zoning. Applicant: Austin HB Residential, Ltd. (John McCullough), Agent: Cook-Steinman & Associates (Charlie Steinman). City Staff: Clark Patterson, 499-2464  
**Ordinance No. 010301-66 was approved.**

Item 67 was pulled for discussion.

68. C14-00-2160 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 810 and 812 Capital Court (Waller Creek Watershed) from SF-3, Single Family Residence district zoning to MF-2-CO, Multifamily Residence Low Density Conditional Overlay Combining district zoning. Planning Commission Recommendation: To

deny MF-2-CO, Multifamily Residence Low Density Conditional Overlay Combining district zoning with conditions. Applicant: Norwalk 1304 Joint Venture (Daniel Day). Agent: Mchone Real Estate (Mike Mchone) City Staff: Glenn Rhoades, 499-2775.

**This item was postponed until March 22, 2001 at the applicant and neighborhood's request.**

69. 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, 1/25/01, 2/1/01 and 2/15/01)

**This item was postponed until March 29, 2001 at the applicant's request.**

70. C14-00-2210 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as the 5810 Burleson Road (Carson Creek Watershed) from SF-2, Single Family Residence Standard Lot district zoning to CS-CO, Commercial Services – Conditional Overlay Combining District zoning with conditions. Planning Commission Recommendation: To grant CS-CO, General Commercial Services – Conditional Overlay Combining district zoning with conditions. Property Owner and Applicant: L.B. Cowan (Trustee). Agent: Baker-Aicklen (Clarence Rumancik). City Staff: Wendy Walsh, 499-7719.

**Ordinance No. 010301-70 was approved.**

71. C14-00-2214 - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 1711 State Highway 71 East from I-RR, Interim-Rural Residential district zoning, to CS, General Commercial Services district zoning. Planning Commission Recommendation: To Grant GR-CO, Community Commercial- Conditional Overlay Combining district zoning with conditions. Applicant: Richard Buratti. City Staff: Don Perryman, 499-2786.

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

72. C14-00-2237 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 607 West 33<sup>rd</sup> (Waller Creek Watershed) from SF-3, Family Residence district and CS, General Commercial Services district zoning to LO-MU, Limited Office-Mixed Use Combining district zoning. Planning Commission Recommendation: To grant NO-MU-CO, Limited Office-Mixed Use-Conditional Overlay Combining district zoning with conditions. Applicant and Agent: Susan Pryor. City Staff: Glenn Rhoades, 499-2775. Note: A valid petition has been filed in opposition to this rezoning request.

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

73. C14-00-2255 - Public Hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally know as 10601 Anderson Mill Road (Bull Creek Watershed) from RR, Rural Residence district zoning to SF-6-CO, Townhouse and Condominium Residence-Conditional Overlay Combining district zoning with conditions. Planning Commission Recommendation: To grant SF-6-CO, Townhouse and Condominium Residence-Conditional Overlay Combining district zoning with conditions. Applicant: Twin Oaks Adolescent Center, Inc. Agent: Holford Group (Theresa Canchola) City Staff: Annick Beaudet, 499-3072

**The first reading of this ordinance was approved.**

74. C14-00-2265 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 3004 Montopolis Drive (Carson Creek Watershed) from SF-2, Single Family Residence Standard Lot district zoning to GR-CO, Community Commercial-Conditional

Overlay Combining district zoning. Planning Commission Recommendation: To grant GR-CO, Community Commercial-Conditional Overlay Combining district zoning with conditions. Applicant: Evelyn Boatman. Agent: Dick Lillie. City Staff: Don Perryman, 499-2786.  
**Ordinance No. 010301-74 was approved.**

### ZONING DISCUSSION

64. 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. (continued from 1/25/00 and 2/8/01)  
**This item was postponed until March 8, 2001 on Council Member Alvarez' motion, Council Member Slusher's second by a 7-0 vote.**
65. 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. (continued from 1/25/00 and 2/8/01)  
**This item was postponed until March 8, 2001 on Council Member Alvarez' motion, Council Member Slusher's second by a 7-0 vote.**

### DISCUSSION ITEMS CONTINUED

39. Approve a resolution authorizing Service Extension Request No. 2034 for water service not to exceed a peak hour flow of 11 gallons per minute (gpm) for a tract of approximately 11.33 acres owned by Protestant Episcopal Church Council of the Diocese of Texas known as Davenport West PUD Block B, Lot 33, located within the Drinking Water Protection Zone in the extraterritorial jurisdiction of Austin on North Capital of Texas Highway/Loop 360, north of Pascal Lane. (Recommended by Water and Wastewater Commission)  
**Resolution No. 010301-39 was approved on Council Member Griffith's motion, Council Member Wynn's second by a 6-0 vote. Council Member Alvarez was off the dais.**
48. Consider an ordinance waiving the requirements of Chapter 15-5 of the City Code, and changing the name of Rosewood Avenue to Dorothy Turner Boulevard. (Council Member Thomas)  
**A motion to approve was made by Council Member Thomas. The motion died for lack of a second.**
67. C14-99-2004 - Travis Used Cars - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 6114 East Riverside Drive (Country Club Creek Watershed) from SF-3, Family Residence district zoning to CS-CO, General Commercial Services Commercial-Conditional Overlay Combining district zoning for Tract 1 and GR, Community Commercial Commercial-Conditional Overlay Combining district zoning for Tract 2. Planning Commission Recommendation: To grant GR-CO, Community Commercial district zoning with conditions for Tract 1 and Tract 2. Applicant and Agent: Brad Joiner. City Staff:

Adam Smith, 499-2755. Note: A valid petition has been filed in opposition to this rezoning request. (continued from 2/8/01)

The public hearing was closed on Mayor Pro Tem Goodman's motion, Council Member Griffith's second by a 5-0 vote. Council Members Slusher and Wynn were off the dais.

Ordinance No. 010301-67 was approved adopting the Planning Commission's recommendation on Council Member Griffith's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.

The motion was made to suspend the rules and continue the meeting past 10:00 p.m. on Council Member Wynn's motion, Council Member Thomas' second by a 7-0 vote.

75. Conduct a public hearing on an appeal of the administrative decision to approve a site plan for Hyde Park Garage Expansion, a multi-story off-street parking structure use located at 3906 Speedway. Appellants: Mr. Bob Breeze, Co-president, Hyde Park Neighborhood Association; Niyanta Spelman, Officer, Hyde Park Neighborhood Association; Stephen Wechlert; Lloyd and Nancy Berg; Rachael Anne Rawlins, Attorney, Alliance to Save Hyde Park; Susan Moffat, Officer, Alliance to Save Hyde Park. Applicant: Hyde Park Baptist Church. Agent: Richard Suttle, Jr. City Staff: Thomas Bolt, 499-2741.

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

77. Consider a resolution regarding an appeal of the administrative decision to approve a site plan for Hyde Park Garage Expansion, a multi-story off-street parking structure use located at 3906 Speedway. Appellants: Mr. Bob Breeze, Co-president, Hyde Park Neighborhood Association; Niyanta Spelman, Officer, Hyde Park Neighborhood Association; Stephen Wechlert; Lloyd and Nancy Berg; Rachael Anne Rawlins, Attorney, Alliance to Save Hyde Park; Susan Moffat, Officer, Alliance to Save Hyde Park. Applicant: Hyde Park Baptist Church. Agent: Richard Suttle, Jr. City Staff: Thomas Bolt, 499-2741.

The motion to postpone action on this item to March 8, 2001 with the following conditions was approved on Mayor Watson's motion, Mayor Pro Tem Goodman's second by a 7-0 vote. The conditions were: the Council Members were to submit their questions by noon on Monday, March 5, 2001, to the City Manager's office for distribution to staff, the Council offices, and attorneys for both sides. The responses are to be back to the City Manager's office at noon on Wednesday for distribution to all. The public hearing was closed so there would be no expatiate discussion or lobbying between Council and members on either side.

23. Approve an ordinance authorizing the vacation of the alley in the 3900 block of Speedway, adjacent to 3901-3917 Avenue D and 3900-3916 Speedway, as requested by Richard T. Suttle on behalf of Hyde Park Baptist Church, Inc., a Texas Non-Profit Corporation. (The amount of \$61,164 in revenue will be receipted to the General Fund.) (Urban Transmission Commission and Planning Commission recommend denial)

This item was postponed until March 8, 2001.

49. Consider an ordinance waiving the requirements of Chapter 15-5 of the City Code, and changing the name of Hargrave Street to Velma Roberts Street. (Council Member Thomas)

A motion to approve was made by Council Member Thomas. The motion died for lack of a second.

The motion to adjourn at 1:06 p.m. was approved on Council Member Slusher's motion, Council Member Griffith's second by a 7-0 vote.

