



# Austin City Council MINUTES

NOTICE OF MEETING  
THURSDAY, APRIL 8,  
1999

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.

## EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session was held at 12:50 p.m.

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

## Private Consultation with Attorney – Section 551.071

41. Discuss legal issues concerning proposed legislation in the 76<sup>th</sup> Legislature.
42. Discuss *FM Properties Operating Co. v. City of Austin*, Cause No. 98-0685, in the Supreme Court of Texas. (This litigation concerns development regulations applicable in the Barton Springs Zone.)
43. Discuss *Twinkle Hinderer Acord, et al. v. Thomas Sidney Bones, II, et al.*, Cause No. 96-06194, in the Travis County District Court.
44. Discuss legal issues regarding proposed amendments to Title 25 of the City Code to establish regulations relating to bed and breakfast residential uses.

Executive Session ended at 1:45 p.m.

LIVE MUSIC: Jovenes Latinos

INVOCATION – Pastor A.W. Anthony Mays, Mt. Sinai Baptist Church  
THE CITY COUNCIL OF AUSTIN, TEXAS, CONVENE IN A REGULAR MEETING AT 12:56 P.M.  
ON THURSDAY, APRIL 8, 1999, AT CITY COUNCIL CHAMBERS, 307 WEST SECOND STREET,  
FOR THE FOLLOWING PURPOSES:

Council Member Garcia called the meeting to order. Mayor Watson, Mayor Pro Tem Goodman, and Council Member Griffith were temporarily off the dais.

1. Approval of Minutes for Regular Meetings of March 11, 1999, March 31, 1999 and April 1, 1999  
Approved on Council Member Garcia's motion, Council Member Spelman's second by a 7-0 vote.

#### CITIZEN COMMUNICATIONS: GENERAL

2. Jim Walker – Mueller Airport Redevelopment
3. Richard Troxell – Homelessness in Austin/Health Care
4. Rico Gonzales – Presentation: Give the Council pictures and thanks for funding CASP  
(Accompanied by seven students)
5. Duley Fonte – Austin Public Library Foundation
46. Jennifer L. Gale – A New Transportation System for Austin Cycling

#### ORDINANCES AND RESOLUTIONS

ALL OF 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 SPELMAN'S MOTION, COUNCIL MEMBER LEWIS' SECOND BY A 6-0 VOTE. COUNCIL MEMBER GARCIA WAS OFF THE DAIS.

#### CONSENT AGENDA

Item 7 was pulled for discussion.

8. Approve a resolution authorizing the execution of a twelve month service agreement with COLUMBIA/ST. DAVID'S HEALTHCARE, OCCUPATIONAL HEALTH SERVICES, Austin, Texas, to provide physical examinations of firefighters and fire cadet applicants and to provide cadet applicant drug screenings in an amount not to exceed \$158,838 with three twelve-month extension options in an amount not to exceed \$158,838 per extension option, for a total amount not to exceed \$635,352. (Funding in the amount of \$99,800 was included in the Fiscal Year 1998-99 Operating Budget of the Austin Fire Department. Funding for the remaining six months and the extension options is contingent upon available funding in future budgets.)  
Resolution No. 990408-8 approved

9. Amend Ordinance No. 980915-A, the 1998-99 Operating Budget, amending the Finance and Administrative Services Department Special Revenue Fund by increasing access payment revenues and expenditures by \$27,500 for revenues and expenditures associated with the public access management contract with the Austin Community Access Center. (\$27,500 in anticipated additional access payment revenues.)  
**Ordinance No. 990408-9 approved**

Items 10 and 11 were pulled for discussion.

12. C14-98-0143 – Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code zoning property locally known as 12598 North U. S. Hwy. 183 retaining “LO” Limited Office zoning on Tract 1, and from "GR" Community Commercial district to "CS-CO", General Commercial Service's district zoning with conditions on Tract 2. First reading on January 1, 1999; Vote 7-0. Conditions met as follows: Conditional Overlay incorporates conditions imposed by Council on first reading. Applicant: First Hand Car Wash, Inc. Agent: James Lawson City Staff: David Wahlgren, 499-6455.  
**Ordinance No. 990408-12 approved**

Item 13 was pulled for discussion.

Item 14 was pulled for a time certain at 7:30 p.m.

15. Approve a resolution authorizing the negotiation and execution of a six month interlocal agreement for the provision of a child care teacher training and retention program with AUSTIN COMMUNITY COLLEGE (ACC), CHILD DEVELOPMENT DEPARTMENT, Austin, Texas, in an amount not to exceed \$70,000; with two twelve-month extension options in amounts not to exceed \$100,000, per extension, for total contract amount not to exceed \$270,000. (Funding in the amount of \$37,000 is available in the 1998-99 General Fund Operating Budget for the Health and Human Services Department (HHSD), and \$33,000 is available in the 1998-99 Operating Budget for Title IV-A Special Revenue Fund. The two contract extensions are subject to the availability of funds in the Operating Budgets of the General Fund and Special Revenue Funds.) [Child Care Council]  
**Resolution No. 990408-15 approved**
16. Approve an ordinance authorizing acceptance of an additional \$11,000 in grant funds from the Texas Department of Health HIV Prevention Counseling and Partner Elicitation/Health Education and Risk Reduction (PCPE/HER) grant program; amend Ordinance No. 980915-A, the 1998-1999 Operating Budget, by appropriating an additional \$11,000 in grant funds for the Health and Human Services Department Special Revenue Fund for a total grant amount of \$257,000. (Funding in the amount of \$11,000 is available from the Texas Department of Health, PCPE/HERR grant program. Grant period is January 1, 1999 to December 31, 1999. Total grant amount is \$257,000.)  
**Ordinance No. 990408-16 approved**
17. Approve a resolution authorizing negotiation and execution of fifteen-month contracts with two agencies for HIV services under the US HUD Housing Opportunities for Persons with AID (HOPWA) grant: AIDS SERVICES OF AUSTIN in an amount not to exceed \$544,670; and

PROJECT TRANSITIONS, INC. in an amount not to exceed \$145,000. (Funding is available in the Health and Human Services Department Special Revenue Fund Housing Opportunities for Persons with AIDS (HOPWA)-HUD grant program. Grant period is October 5, 1998 to October 4, 2001. Contract performance period is March 1, 1999 to May 31, 2000.) [Approved by HIV Planning Council]

**Resolution No. 990408-17 approved**

18. Approve a resolution authorizing negotiation and execution of an eleven-month contract with COMMUNITY ACTION, INC. for HIV services under the Texas Department of Health Ryan White Title II grant in an amount not to exceed \$234,589. (Funding is available in the Health and Human Services Department Special Revenue Fund, Ryan White Title II grant program. Grant period is April 1, 1999 and March 31, 2000. Contract performance period is March 1, 1999 to February 29, 2000.) [Recommended by HIV Planning Council]

**Resolution No. 990408-18 approved**

**Item 19 was pulled for discussion.**

20. Approve a resolution authorizing negotiation and execution of a five-year lease renewal of approximately 3,926 square feet of space located at 9411 Parkfield, Suite 310 and 320, Austin, Texas, from QUAIL CREEK PROFESSIONAL, LTD, Austin, Texas, for use by the Health and Human Services Department's Women, Infants, and Children (WIC) program, in an amount not to exceed \$324,994.32. (Funding in the amount of \$29,837.58 is included in the 1998-99 Health and Human Services Special Revenue Fund for the WIC grant programs. Funding for the remaining fifty-four months is contingent upon available funding in future WIC grant programs.)

**Resolution No. 990408-20 approved**

21. Approve a resolution authorizing negotiation and execution of a fifty-five month lease renewal of approximately 5,079 square feet of space from RPSC LTD, Austin, Texas, to be used for the Riverside Branch Library, located at 2410 E. Riverside Drive, Suite C8, Austin, Texas, in an amount not to exceed \$259,029, with two twelve-month extension options, in an amount of \$62,429.38 for the first extension, and \$63,487.50 for the second extension, for a total amount not to exceed \$384,945.88. (Funding in the amount of \$32,590.25 was included in the 1998-99 Operating Budget for the Library Department. Funding for the remaining forty-eight months of the original contract period and extension options is contingent upon available funding in the future budgets.)

**Resolution No. 990408-21 approved**

22. Approve a resolution authorizing execution of a contract with ROMTEC, INC., Roseburg, Oregon, for the purchase of pre-fabricated outdoor restrooms in an amount not to exceed \$70,253. (Funding in the amount of \$18,684 was included in the 1998-99 Golf Enterprise Fund Budget of the Parks & Recreation Department. \$51,569 is included in the 1998-99 Approved Capital Budget of the Golf Enterprise Fund of the Parks and Recreation Department.) Low bid of two. No MBE/WBE subcontracting participation

**Resolution No. 990408-22 approved**

23. Set a public hearing to resume a public hearing (continued from February 24, 1999) to consider proposed amendments to the City's Water and Wastewater Impact Fee Program including adoption of Addendum to the City's Water and Wastewater Impact Fee Land Use Assumption and Capital Improvements Plan (CIP) dated January, 1999, and revision to the Water and Wastewater Impact Fee Service Area to add the Balfour Tract and Common Ford Park. (No change to the Water and Wastewater Capital Recovery Fees is necessitated by the proposed amendments) [Water and Wastewater Commission] [Ordinance Subcommittee/Planning Commission] [Impact Fee Advisory Committee] [Planning Commission] (Scheduled for April 15, 1999 at 6:00 P.M.)  
**Resolution No. 990408-23 approved**
24. Approved a resolution authorizing execution of a contract with the HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC), Houston, Texas, for the purchase of garbage carts for the Solid Waste Services Department in an amount not to exceed \$118,143.79. (Funding is budgeted in the amended 1998-99 Capital Budget for the Solid Waste Services Department.)  
**Resolution No. 990408-24 approved**
25. Set a public hearing on a proposed neighborhood plan for the East Cesar Chavez Neighborhood Planning Area, bounded by East 6<sup>th</sup> Street, Chicon Street, Town Lake and I.H. 35. (This plan is advisory and does not legally obligate the Council to implement any particular recommendation.)(There is no fiscal impact associated with setting a public hearing). (Suggested Date and Time: May 13, 1999 at 6:00 P.M.) [Recommended by Planning Commission]  
**Resolution No. 990408-25 approved**
26. Set a public hearing on a proposed neighborhood plan for the Chestnut Neighborhood Planning Area, bounded by Martin Luther King Jr. Blvd., Chicon Street, East 12<sup>th</sup> Street and Miriam Street. (There is no fiscal impact associated with setting a public hearing.) (Suggested Date and Time: May 13, 1999 at 6:00 P.M.) [Recommended by Planning Commission]  
**Resolution No. 990408-26 approved**
27. Approve a resolution dedicating the newly constructed Heflin Bridge to the memory of Jonathon Whatley. (Council Member Willie Lewis)  
**Resolution No. 990408-27 approved**
28. Direct the City Manager to implement temporary policy guidelines regarding service extension requests for water and wastewater service. (Councilmembers William Spelman and Gus Garcia)  
**Approved**
29. Direct the City Manager to draft an ordinance, within thirty days of the passage of this resolution, to establish an interim commission for the oversight of the redevelopment of Robert Mueller Municipal Airport (RMMA). The duties of this commission will include, but not be limited to, advising City Council with regard to the establishment of a redevelopment authority for RMMA. (Mayor Pro Tem Jackie Goodman, Council Member William Spelman and Council Member Daryl Slusher)  
**Resolution No. 990408-29 approved**

Items 30 through 44 were discussed later in this meeting.

45. APPOINTMENTS

Animal Advisory Commission			
PATRICIA MAHAUN		COUNCIL MEMBER LEWIS	
Arts Commission –			
ANDREA BRYANT	(REAPPOINTMENT)	(CONSENSUS)	
Brackenridge Hospital Oversight Council			
CARL SIEGENTHALER	(REAPPOINTMENT)	(CONSENSUS)	
Child Care Council			
KAY GHAREMANI	(REAPPOINTMENT)	(CONSENSUS)	
Construction Advisory Committee			
JOHN ARMSTRONG	(REAPPOINTMENT)	COUNCIL	MEMBER
SLUSHER			
BRUCE WILSON		COUNCIL MEMBER GARCIA	
Design Commission			
ROBERT HAY DICKSON, JR.		(CONSENSUS)	
Electrical Board			
DAVID BURGOS		COUNCIL	MEMBER
SPELMAN			
EMS Quality Assurance Team			
DR. TIM FAULKENBERRY	(REAPPOINTMENT)		
Telecommunications Commission			
ELLEN BEEMAN		COUNCIL	MEMBER
SLUSHER			
Urban Transportation Commission			
DANA LOCKLER	(REAPPOINTMENT)	COUNCIL	MEMBER
GRIFFITH			
CARL TEPPER		MAYOR WATSON	
Approved			

DISCUSSION AGENDA

13. C14-98-0158 – Approve an ordinance amending Chapter 13-2 of the Austin City Code zoning property locally known as 7100-7104 McNeil Drive from “I-RR”, Interim-Rural Residence district, to “SF-6”, Townhouse and Condominium Residence district zoning. Planning Commission Recommendation: To Grant “SF-2”, Single-Family Residence (Standard Lot) district zoning for Tract 1, “SF-4A” Single-Family Residence (small lot) district zoning for Tract 2, and “LR-CO”, Neighborhood Commercial-Conditional Overlay district zoning for Tract 3 with conditions. Applicant: D.I.I., Inc. (Frank Greenberg); Agent: Jim Bennett. City Staff: David Wahlgren, 499-6455. Note: Public hearing is closed.
- Approved first reading only with an amendment by Mayor Pro Tem Goodman to approve the SF-6 zoning as amended with the following conditions: 1) require a 25' setback on the north and east property lines; 2) prohibit access to Lobella Lane; 3) prohibit duplexes; 4)**

prohibit single-family structures. Council Member Griffith seconded the motion and it passed by a 7-0 vote.

7. Approve a resolution authorizing execution of a five year revenue generating contract with ROWING DOCK, Austin, Texas, for a rowing and sculling concession located on Town Lake in an estimated amount of \$12,000 with the option to extend for one additional five- year period in an estimated amount of \$12,000 a year, for an estimated total contract amount of \$60,000 Revenue Contract-\$12,000/year. (\$60,000 net guaranteed revenue to the City over the duration of the first five year contract period and \$60,000 net guaranteed revenue for the second five year contract period. Additional revenue will be based on percentage of net sales. Revenue will be placed in the General Fund. Budgeted Revenue in 1998-99 Approved General Fund Budget. Best of two proposals. No MBE/WBE subcontracting participation. (Recommended by Parks and Recreation Commission)

**Motion to direct the City Manager to award two boat concessions to Rowing Dock and L'Aviron for Town Lake with safety, accessibility and affordability as priorities. The Manager and his staff are further directed to identify appropriate locations with careful consideration given to the environmental features and carrying capacity of Town Lake. This was on Council Member Griffith's motion, Council Member Spelman's second and it passed by a 6-0 vote. Council Member Lewis was off the dais.**

10. Amend Ordinance No. 980915-A, the 1998-99 operating budget, by reducing the General Fund Contingency Reserve by \$1,323,000 and increasing the General Fund Transfers Out to the Capital Budget by \$1,323,000; Amend Ordinance No. 980915-B, the 1998-99 Capital Budget for the Financial and Administrative Services Department, increasing Transfers In from the General Fund and appropriating \$1,323,000 to the Year 2000 project. (\$1,323,000 from General Fund contingency.) [To be reviewed by Planning Commission]

[See related item #9]

**Approved on Council Member Garcia's motion, Council Member Griffith's second by a 4-0 vote. Mayor Pro Tem Goodman, Council Members Griffith and Spelman were off the dais.**

**Motion to reconsider (because there was inadequate Council representation on the first vote) was approved on Council Member Griffith's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Council Member Garcia was off the dais.**

**Ordinance No. 990408-10 approved on Council Member Griffith's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Council Member Garcia was off the dais.**

11. Approve a resolution authorizing execution of Amendment No. 3 to increase the service agreements with the following vendors: Ajilon Services, Inc., Austin, Texas; Applied Products Corporation, Austin, Texas; B & B Peripherals, Inc., Austin, Texas; Business Control System Inc., Austin, Texas; C&T Consulting Group (WBE/FR), Austin, Texas; Dott Professional & Technical Services (WBE/FR), Austin, Texas; Euro Soft Inc. (WBE/FR), Austin, Texas; Full Service Staffing, Austin, Texas; Future Protocol, Inc, Austin, Texas; Invictus Technologies (MBE/MB), Dallas, Texas; Lang Technology Solutions LLC, Austin, Texas; Metamor ITS, Austin, Texas; Metro Information Services, Austin, Texas; Modis, Inc., Austin Texas; PI Systems, Inc.,

South Lake, Texas; QIV Systems, Austin, Texas; RHI Consulting, Inc., Austin, Texas; and SQL\*Systems, Inc.(MBE/MH), Austin, Texas; for hiring temporary technical computer staff in an amount not to exceed \$7,009,193 for a total contract amount not to exceed \$11,009,193. Amount and Source of Funding: \$7,009,193. \$693,869 is available in the 1998-99 approved Operating Budget of various City Departments: Austin Energy \$647,269; and other City Departments \$46,600. \$684,582 is available in the 1998-99 Amended Capital Budget for the Information Systems Office of the Financial and Administrative Services Department. There is not unanticipated financial impact. A fiscal note is attached. Funding for the remaining 24 months of the original contract period is contingent upon available funding in future budgets. The original contract was awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified, therefore, no goals were established. However, MBE and WBE firms have received 36.1% of the contract usage. Of that amount 5.3% (\$63,800) was awarded to C&T Consulting Group (WBE); 50.8% (\$613,552) to Eurosoft, (WBE); 30.7% (\$370,601) to Invictus Technologies, (MBE); and 13.2% (\$158,890) to SQL\*Systems, (MBE), for a combined amount of \$1,206,843. [See related item # 10.]

**Resolution No. 990408-11 approved on Council Member Garcia's motion, Council Member Griffith's second by a 4-0 vote. Mayor Pro Tem Goodman, Council Members Griffith and Spelman were off the dais.**

#### CONSENT ITEMS FOR ZONING

ALL OF THE FOLLOWING ITEMS WERE ACTED UPON BY ONE MOTION. NO SEPARATE DISCUSSION OR ACTION OCCURRED ON ANY OF THE ITEMS. THE CONSENT ITEMS WERE APPROVED ON COUNCIL MEMBER GARCIA'S MOTION, COUNCIL MEMBER LEWIS' SECOND BY A 5-0 VOTE. MAYOR PRO TEM GOODMAN AND COUNCIL MEMBER SPELMAN WERE OFF THE DAIS.

31. C14-98-0156 – Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as Johnny Morris Road and Loyola Lane from “LI-CO”, Limited Industrial Service-Conditional Overlay district, “W/LO-CO”, Warehouse/Limited Office-Conditional Overlay district and “SF-3”, Family Residence district to “MH”, Mobile Home Residence district. Planning Commission Recommendation: To Grant “MH”, Mobile Home Residence district zoning. Applicant: Drs. Carey & Georgia Leggett (Georgia Leggett) and Armstrong Printing (Douglas Armstrong); Agent: Republic Commercial Properties (Doug Hodge). City Staff: Susan Villarreal, 499-6319. (Continued from 3-11-99)

**This item has been postponed to June 3, 1999.**

32. C14-99-0011 – Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as 8000 Block of the eastside of FM 620 North from “GR”, Community Commercial district to “MF-2”, Multifamily Residence (Low Density) district. Planning Commission Recommendation: To Grant “MF-2”, Multifamily Residence (Low-Density) district zoning. Applicant: Canyon Creek Options, Ltd. (Fred Eppright); Agent: Land Strategies, Inc. (Paul W. Linehan). City Staff: Antonio Gonzalez, 499-2243.

**This item has been postponed to April 15, 1999.**

33. C14-99-0012 – Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 8300 Block of the eastside of FM 620 North from “GR”, Community Commercial district, “R&D” Research and Development district and “GO” General Office district to “MF-2”, Multifamily Residence (Low Density) district. Planning Commission Recommendation: To Grant “MF-2”, Multifamily Residence (Low-Density) district zoning. Applicant: Canyon Creek Options, Ltd. (Fred Eppright); Agent: Land Strategies, Inc. (Paul W. Linehan). City Staff: Antonio Gonzalez, 499-2243.  
**This item has been postponed to April 15, 1999.**
34. C14-99-0022 – Public hearing to amend Chapter 13-2 of the Austin City Code by rezoning property locally known as 10205 RR 620 North from “DR”, Development Reserve district to “SF-2”, Single-Family Residence (Standard Lot) district. Planning Commission Recommendation: To Grant “SF-2”, Single-Family Residence (Standard Lot) districts. Applicant: St. Thomas More Catholic Church (Rev. Elmer Holtman); Agent: Lopez-Phelps, Vaughn & Associates (Amelia Lopez-Phelps). City Staff: Antonio Gonzalez, 499-2243.  
**Ordinance No. 990408-34 approved.**
35. C14-99-0026 – Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 1517 West Anderson Lane from “LR”, Neighborhood Commercial district to “GR”, Community Commercial district. Planning Commission Recommendation: To Grant “GR-CO”, Community Commercial-Conditional Overlay district zoning with conditions. Applicant: Austin Oriental Rugs (Alex and Michelle Bastanjoo); Agent: Designs Tech (Essi SahebJammii). City Staff: Ellen Meadows, 499-2339.  
**Approved Planning Commission recommendation on first reading only.**
36. C14R-85-337 – Public hearing to amend Chapter 13-2 of the Austin City Code by amending a restrictive covenant for property locally known as 8000-8300 Block of FM 620. Planning Commission Recommendation: To Grant the amendment to the restrictive covenant. Applicant: Canyon Creek Option, Ltd. (Fred Eppright); Agent: Paul M. Juarez. City Staff: Clark Patterson, 499-2464.  
**This item is postponed to April 15, 1999.**

#### CITY MANAGER’S REPORT

6. Report on Pecan Street Station Project at 500 Robert Martinez, Jr. Street. (5:30 P.M.)  
**Motion to suspend rules and allow for a maximum of 15 minutes of public input on Council Member Garcia’s motion, Council Member Slusher’s second by a 5-0 vote. Council Member Griffith and Spelman were off the dais.**
- Report was presented by Alice Glasco with a memo to Council on options for increasing fines for those who demolish historical structures illegally.

#### DISCUSSION ITEMS FOR ZONING

30. C14-98-0269 – Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 13511-13535 North FM 620 from “I-RR”, Interim-Rural Residence district to “GR”, Community Commercial district zoning. Planning Commission Recommendation: To Grant “RR”, Rural Residence district zoning and “GR-CO”, Community Commercial-Conditional Overlay district zoning with conditions. Applicant: Joseph J. Haijar. City Staff: David Wahlgren, 499-6455. (Continued from 3-25-99)
- The public hearing was closed on Council Member Slusher’s motion, Council Member Lewis’ second by a 5-0 vote. Council Members Garcia and Spelman were off the dais.
- Motion to reconsider this issue on Council Member Slusher’s motion, Council Member Garcia’s second by a 7-0 vote.
- Motion to reopen the public hearing to give the applicant time for rebuttal on Council Member Slusher’s motion, Council Member Griffith’s second by a 7-0 vote.
- The public hearing was closed on Council Member Slusher’s motion, Council Member Lewis’ motion by a 6-0 vote. Council Member Garcia was off the dais.
- Approved Planning Commission recommendation on Mayor Pro Tem Goodman’s motion, Mayor Watson’s second by a 7-0 vote.

#### PUBLIC HEARING

38. 6:00 P.M. - Conduct a public hearing to consider an ordinance amending Title 25 of the City Code to establish regulations relating to bed and breakfast establishment. City Staff: Greg Guernsey, Development Review and Inspection Department, 499-2387.
- This item has been postponed to May 6, 1999.
40. Approve an ordinance amending Title 25 of the City Code to establish regulations relating to bed and breakfast establishment. City Staff: Greg Guernsey, Development Review and Inspection Department, 499-2387.
- This item has been postponed to May 6, 1999.

#### AGENDA DISCUSSION ITEMS

19. Approve a resolution authorizing an Interlocal Cooperation Agreement between the City of Austin and Travis County for the Neighborhood District Attorney for the Northeast Austin Weed and Seed Initiative, effective from February 1, 1999 through July 31, 1999, in an amount not to exceed \$33,801, and to authorize annual renewals contingent upon receipt of annual grant funds. The interlocal term runs concurrent with the grant term. (\$33,801 is part of the \$250,000 Weed and Seed Grant received from the U.S. Department of Justice)
- Resolution No. 990408-19 approved on Council Member Spelman’s motion, Council Member Lewis’ second by a 6-0 vote. Council member Garcia was off the dais.

## PUBLIC HEARINGS

37. 6:00 P.M. – Conduct a public hearing on proposed amendments to the Land Development Code to adopt the mitigation land policy in the Barton Springs Zone including changes to the SOS Ordinance.

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

39. Approve proposed amendments to the Land Development Code to adopt the mitigation land policy in the Barton Springs Zone, including changes to the SOS Ordinance.

Approved the first reading only with direction to have staff come back in one week with the various options and with full expectation we would have a land use plan concept before we bring it back on second and third reading on Council Member Spelman's motion, Council Member Garcia's second by a 7-0 vote.

Motion to recess the Council meeting at 8:04 p.m. on Council Member Garcia's motion, Council Member Griffith's second by a 6-0 vote. Council Member Slusher was off the dais.

14. C814-98-0001 – Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code zoning property locally known as South MoPac Expressway and William Cannon Drive, from "SF-2", Single Family Residence (Standard Lot), "GR-CO" Community Commercial-Conditional Overlay and "CS" General Commercial Services to "PUD" Planned Unit Development, the PUD proposal affects property in the Barton Springs Zone and proposes to modify the application of Chapter 13-7, Article I, Division 5 (Save Our Springs Initiative) to the property. Conditions met as follows: Conditional Overlay incorporates conditions imposed by Council on first reading. First reading on November 19, 1998; Vote 7-0. Applicant: T.U. Bryant (Catherine Brownlee); Agent: Minter, Joseph & Thornhill (John M. Joseph). City Staff: Joe Arriaga, 499-2308. (Continued from 1-21-99 and 2-25-99)

Motion to suspend rules and allow for a maximum of 20 minutes for each side of the issue to speak on Council Member Spelman's motion, Council Member Garcia's second by a 6-0 vote. Council Member Slusher was off the dais.

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

Ordinance No. 990408-14 was approved on Council Member Spelman's motion, Council Member Garcia's second by a 6-1 vote with the following amendments: 1) limit impervious cover to 50%; 2) mandatory phasing for water quality; 3) cap any one office user to 65,000 square feet; 4) pay for 100% of all costs for traffic improvements; 5) cap retail for any user to 100,000 square feet; 6) comply with Green Builder Standards and 7) comply with MBE/WBE ordinance. Council Member Slusher added a friendly amendment to Exhibit B, page 2 of 3, number 24, Project Phasing. At the end of the first paragraph, last sentence, after the forum planned unit development will occur in two phases, "Construction of the second phase will be authorized only after the forum has demonstrated the water quality effectiveness of the first phase. Effectiveness to be determined solely at the discretion of

the City of Austin." The friendly amendment was accepted by the maker and Council Member Garcia. Council Member Slusher voted no.

Adjourned at 10:25 p.m. on Council Member Garcia's motion, Council Member Griffith second by a 7-0 vote.

## SPECIAL CALLED MEETING

THE CITY COUNCIL OF AUSTIN, TEXAS, WAS CONVENED ON THURSDAY, APRIL 8, 1999, AT 8:04 P.M. IN THE CITY COUNCIL CHAMBERS AT 307 WEST SECOND STREET, AUSTIN, TEXAS, FOR THE FOLLOWING PURPOSE:

Mayor Watson called the meeting to order. Council Members Slusher and Spelman were off the dais.

2. Set a public hearing for 6:00 p.m., April 15, 1999, in the City Council Chambers, on an ordinance to establish certain new permit expiration dates, a development mitigation policy, and related amendments to the SODS Ordinance and the Austin City Code relating to development in the Barton Springs Zone, as proposed by the Real Estate Council of Austin and the SOS Alliance.  
The public hearing was set on motion by Council Member Garcia, Council Member Griffith's second on a 6-0 vote. Council Member Slusher was off the dais.

Motion to recess the Special Council meeting at 8:06 p.m. on Council Member Garcia's motion, Council Member Spelman's second by a 6-0 vote. Council Member Slusher was off the dais.

The meeting was reconvened at 10:30 p.m.

The motion to suspend the rules to allow the Council meeting to continue after 10:00 p.m. was approved on Council Member Slusher's motion, Council Member Goodman's second by a 7-0 vote.

1. Conduct a public hearing for the limited purpose annexation of the Balfour PUD Tract (approximately 588 acres on the north side of Bee Caves Road, approximately ½ mile west of the intersection of Bee Caves Road and Senna Hill Drive.)  
The public hearing was closed on a motion by Council Member Garcia, Council Member Spelman's second on a 7-0 vote.

Adjourned at 11:10 p.m. on Council Member Goodman's motion, Council Member Garcia's second by a 7-0 vote.

Approved on this the 15<sup>th</sup> day of April, 1999 on Council Member Griffith's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Council Member Garcia was off the dais.

