



**Austin City Council  
MINUTES**

**REGULAR MEETING  
THURSDAY, JUNE 8, 2000**

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, June 8, 2000 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

**INVOCATION** – Pastor Randall Wyles, South Austin Church of the Nazarene

**Mayor Watson called the meeting to order at 9:39 a.m.**

1. Approval of minutes for regular meeting of June 1, 2000  
The minutes for the regular meeting of June 1, 2000 were approved on Council Member Garcia's motion, Council Member Griffith's second by a 6-0 vote. Council Member Lewis was off the dais.

**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 Garcia's motion, Council Member Lewis' second by a 7-0 vote.

**Items 2 through 3 were Briefings.**

**4 through 6 were Executive Session Items.**

7. Approve a Resolution authorizing the negotiation and execution of a 12-month contract with Austin Community College, in an amount not to exceed \$50,000 in Community Development Block Grant funds through the Small Minority Business Assistance program for the purpose of providing training and technical assistance to small minority-owned businesses. (Funding is available in the Fiscal Year 1999-2000 Neighborhood Housing and Community Development Office special revenue fund for the Community Development Block Grant (CDBG 25<sup>th</sup> Year.)  
**This item was deleted from the agenda.**

**Items 8 through 11 were pulled for discussion.**

12. Approve an ordinance creating the Robert Mueller Municipal Airport (RMMA) Implementation Commission and appointing its members.  
**Ordinance No. 000608-12 was approved.**

**Item 13 was pulled for discussion**

14. C14-98-0268 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 11495 FM 2222 and 7001 RR 620 North from I-RR, Interim-Rural Residence District zoning to GR-CO, Community Commercial Conditional Overlay Combining District zoning with conditions. First reading on May 18, 2000; Vote: 5-1 (Slusher, nay, Lewis, absent). Conditions met as follows: Restrictive covenant incorporates the conditions approved by Council at first reading. Applicant: Jack Maroney; Agent: Bury & Partners (James B. Knight, PE). City Staff: Antonio Gonzalez, 499-2243.  
**Ordinance No. 000608-14 was approved.**
15. C14-99-2087 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 411 St. Elmo Road West from SF-3, Family Residence District zoning to SF-6-CO, Townhouse and Condominium Residence-Conditional Overlay Combining District zoning with conditions. First reading on March 30, 2000; Vote: 6-0 (Goodman absent). Conditions met as follows: Conditional overlay incorporates the conditions imposed by Council at first reading. Property Owner and Applicant: Minerva, LTD (David Young). Agent: Vincent Gerard & Associates (Christine Sullivan). City Staff: Michele Rogerson, 499-2308.  
**Ordinance No. 000608-15 was approved.**
16. C14-99-0092 - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property located 100 feet east of Woodward Street & Willowrun Drive from MF-3-CO, Multifamily Residence Medium Density-Conditional Overlay Combining District zoning with conditions and RR-CO, Rural Residence-Conditional Overlay Combining District zoning with conditions to MF-3-CO, Multifamily Residence Medium Density-Conditional Overlay Combining District zoning with conditions for Tract 1 and RR-CO, Rural Residence-Conditional Overlay Combining District zoning with conditions for Tracts 2 and 3. First reading on August 26, 1999; Vote 7-0. Second reading on May 11, 2000; Vote 7-0. Conditions met as follows: Conditional overlay incorporates the conditions imposed by Council at second reading. Property Owner: Austin 1825 Fortview; Applicant: City of Austin, Agent: Development Review and Inspection Department. City Staff: Adam Smith, 499-2755.  
**Ordinance No. 000608-16 was approved.**
17. Approve a resolution authorizing execution of a 12-month supply agreement with FOUR ALARM FIRE EQUIPMENT, South Houston, Texas, to provide firefighting hoses for the Fire Department in an amount not to exceed \$47,357.50 with two extension options in an amount not to exceed \$47,357.50 per extension for a total contract amount not to exceed \$142,072.50. (Funding in an amount of \$15,785.83 was included in the 1999-2000 Operating Budget of the Austin Fire Department. Funding for the remaining nine months and extension options will be contingent upon available funding in future budgets.) Low bid/4 bids received. No MBE/WBE subcontractor participation.  
**Resolution No. 000608-17 was approved.**
18. Approve a resolution authorizing execution of a 12 month service agreement with PROFESSIONAL LINEN SERVICE, Sugarland, Texas, to provide cleaning and repair service of firefighting bunker coats and pants for the Fire Department in an amount not to exceed \$60,250 with two extension options in an amount not to exceed \$60,250 per extension for a total contract amount not to exceed \$180,750.

(Funding in an amount of \$20,083.33 was included in the 1999-2000 Operating Budget of the Austin Fire Department. Funding for the remaining eight months and extension options will be contingent upon available funding in future budgets.) Low bid/two bids received. No MBE/WBE subcontracting participation.

**Resolution No. 000608-18 was approved.**

19. Amend Ordinance No. 990914-1, the 1999-2000 Operating Budget of the Health and Human Services Department's Travis County Reimbursed Fund by accepting and appropriating \$356,401 in funding from Travis County for pharmacy services for Medical Assistance Program (MAP) enrollees. (The amount of \$356,401 from Travis County to the Travis County Reimbursed Fund.) (Related to item 20)  
**Ordinance No. 000608-19 was approved.**
  
20. Approve Amendment No. 4 of a supply agreement with ECKERD HEALTH SERVICES (EHS), Pittsburgh, Pennsylvania, for the provision of pharmacy services and pharmacy management for enrollees of the City of Austin and Travis County Medical Assistance Programs (MAP) to increase the current year contract in an amount not to exceed \$565,812, with increases to the three remaining 12-month extension options in amounts not to exceed \$1,120,319, \$1,353,386, and \$1,708,759, respectively, for a total contract amount not to exceed \$23,050,373. (Funding in an amount of \$209,411 is available in the 1999-2000 Amended Operating Budget for the Health and Human Service Department. \$356,401 is available in the 1999-2000 Amended Travis County Reimbursement Fund. Funding for the extension options increases will be contingent upon available fund in future budgets.) (Related to item 19)  
**Resolution No. 000608-20 was approved.**
  
21. Approve amendment #1 of the Interlocal Cooperation Agreement between the City of Austin, Travis County and the Austin Travis County Mental Health Mental Retardation Center for Substance Abuse Treatment Services to add \$138,000 in City funding for the purchase of additional substance abuse treatment and other related behavioral healthcare services for homeless adults and high-risk women during the period June 1, 2000 through August 31, 2000, for a total amount not to exceed \$1,201,303. (Funding in the amount of \$138,000 is available in the 1999-2000 Amended Operating Budget of the Health and Human Services Department.)  
**Resolution No. 000608-21 was approved.**

**Item 22 was pulled for discussion.**

23. Approve a resolution authorizing the negotiation and execution of a 5-year forgivable loan in accordance with the Public Facilities Program to Travis County Children's Advocacy Center, Inc., 1110 East 32<sup>nd</sup> Street, Austin, Texas 78722 in a total amount not to exceed \$151,161, for the purpose of an addition and renovation to their present facility. (Funding in an amount of \$151,161 was included in the 1998-1999 Operating Budget of the Special Revenue Fund of the Neighborhood Housing and Community Development Office (NHCD) for the Community Development Block Grant (CDBG 24<sup>th</sup> Year, Public Facilities and Improvements.)  
**Resolution No. 000608-23 was approved.**

**Item 24 was pulled for discussion.**

25. Approve a resolution authorizing negotiation and execution of an amendment to the agreement with the Center for Mexican American Cultural Arts, Inc. (CMACA) to allow the City to appoint board members to the CMACA board. (No fiscal impact)  
**Resolution No. 000608-25 was approved.**

26. Approve a resolution authorizing additional funding for the professional services agreement with CASABELLA + DEL CAMPO & MARU JOINT VENTURE, Austin, Texas, for architectural services for the development of a Master Plan of the Mexican American Cultural Center, in an amount not to exceed \$245,000, for a total agreement not to exceed \$985,000. (Funding in the amount of \$245,000 is available in the 1999-2000 Approved Capital Budget of the Parks & Recreation Department.) 0% MBE; 8.56% WBE subcontracting participation.  
**Resolution No. 000608-26 was approved.**
27. Approve a resolution authorizing negotiation and execution of an amendment to the agreement with the Center for Mexican American Cultural Arts, Inc. (CMACA) to extend the agreement for 15 months in an amount not to exceed \$56,000 for services rendered at the MACC site. (Funding is available in the 1996-1997 Amended Capital Budget of the Parks and Recreation Department.)  
**Resolution No. 000608-27 was approved.**
28. Approve a resolution authorizing execution of a construction contract with TRAVIS PAVING AND EXCAVATION COMPANY (MBE/MH), Bastrop, Texas, for traffic calming measures on various city streets within the Highland Neighborhood, as part of the Neighborhood Traffic Calming Program, in the amount of \$147,092. (Funding is included in the 1998-1999 Capital Budget of the Department of Public Works and Transportation.) Lowest bid/four bids received. 89.5% MBE Prime; No MBE/WBE subcontracting participation.  
**Resolution No. 000608-28 was approved.**

**Item 29 was pulled for discussion.**

30. Approve a resolution authorizing issuance by Northtown Municipal Utility District of Unlimited Tax and Revenue Bonds, Series 2000, in an amount not to exceed \$2,100,000; approving the terms, conditions and covenants of the Bond Resolution, Notice of Sale, Bid Instructions, Form of Bid, and the Preliminary Official Statement. (No fiscal impact to the City. The City has no responsibility for payment on District bonds unless the District is annexed by the City.) (Recommended by Water and Wastewater Commission)  
**Resolution No. 000608-30 was approved.**
31. Amend Ordinance No. 990914-1, the 1999-2000 Operating Budget of the Water and Wastewater Utility by increasing budgeted revenues by \$5,000,000 and increasing transfers out to the CIP by \$5,000,000. Amend Ordinance No. 990913-2, the 1999-2000 Capital Budget of the Water and Wastewater Utility by increasing appropriations by \$8,500,000 for the purchase of conservation land. (Funding in the amount of \$3,500,000 is to be issued in November 1998 revenue bonds and \$5,000,000 is available from the Water and Wastewater Utility Operating Budget. This \$5,000,000 is to be repaid to the Utility from the sale of land with conservation easements and private contributions.)  
**Ordinance No. 000608-31 was approved.**

**Items 32 through 35 were pulled for discussion.**

36. Amend Ordinance No. 990914-1, the 1999-2000 Operating Budget of the General Fund by increasing the transfer from the Contingency Reserve Fund by \$200,000 and increasing the transfer to Support Services by \$200,000. Amend the 1999-2000 Operating Budget of the Support Services Fund by increasing the transfer in from the General Fund and expenditures in the Small and Minority Business Resources Department (DSMBR) by \$200,000 to fund an MBE/WBE Availability Study. (Funding in

the amount of \$200,000 is available in the 1999-2000 General Fund Contingency Reserve.) (Related to item 37)

**Ordinance No. 000608-36 was approved.**

37. Approve a resolution authorizing the negotiation and execution of a professional services agreement with National Economic Research Associates, Inc., 1015 East 43<sup>rd</sup> Street, Austin, Texas, for an availability study of minority-owned and women-owned businesses, in an amount not to exceed \$200,000. (Funding in the amount of \$200,000 is available in the 1999-2000 Amended Budget of the Department of Small and Minority Business Resources.) (Related to item 36)
- Resolution No. 000608-37 was approved.**

**Items 38 through 41 were pulled for discussion.**

42. Approve a resolution directing the City Manager to report back to Council in 60 days regarding the feasibility of an engineering or biological solution to the algae bloom problem in Barton Springs Pool. (Council Member Daryl Slusher, Council Member William Spelman and Council Member Gus Garcia)
- Resolution No. 000608-42 was approved.**
43. Approve a resolution to apply Green Builder Initiatives to City of Austin Construction Projects and developing a plan for initiating the recommendations provided by the Green Builder's Task Force with appropriate review by City staff, Boards and Commissions. (Council Member Gus Garcia and Mayor Pro Tem Jackie Goodman)
- Resolution No. 000608-43 was approved with the following amendment. The sixth line, after the first BE IT RESOLVED, it should read, ". . .be built to the highest LEED certification appropriate without requiring additional appropriations from Council."**

**Item 44 was pulled for discussion.**

45. Approve a resolution directing the City Manager to initiate a M/WBE Action Plan that includes a new availability study and the incorporation of recommended amendments to the M/WBE Ordinance. (Sponsored by Council Member Willie Lewis, Council Member Gus Garcia and Council Member Bill Spelman)
- Resolution No. 000608-45 was approved.**

**Items 46 through 55 were Citizen Communications.**

**Item 56 was Bond Sales.**

**Item 57 was Austin Housing Finance Corporation.**

**Item 58 was a Development, Review and Inspection time certain item.**

**Items 59 through 68 were zoning items.**

**Items 69 through 72 were public hearings.**

**Items 73 through 75 were action items.**

76. APPOINTMENTS

Airport Advisory Board

Eleanor W. Cochran

appointment

Griffith

**Animal Advisory Commission**

|                     |                |         |
|---------------------|----------------|---------|
| Karen Medicus, M.D. | re-appointment | Spelman |
|---------------------|----------------|---------|

**Austin Community Education Consortium**

|               |             |           |
|---------------|-------------|-----------|
| Bruce Barrick | appointment | Consensus |
|---------------|-------------|-----------|

**Board of Adjustments**

|            |                            |           |
|------------|----------------------------|-----------|
| Wanda Penn | re-appointment - alternate | Consensus |
|------------|----------------------------|-----------|

|                 |                            |           |
|-----------------|----------------------------|-----------|
| Dorothy Richter | re-appointment – alternate | Consensus |
|-----------------|----------------------------|-----------|

|                |                          |           |
|----------------|--------------------------|-----------|
| Laurie Virktis | appointment - permanent* | Consensus |
|----------------|--------------------------|-----------|

\* from alternate slot to permanent slot

**Community Development Commission**

|                   |                          |           |
|-------------------|--------------------------|-----------|
| Horace Carrington | reappointment – Rosewood | Consensus |
|-------------------|--------------------------|-----------|

|                 |                             |           |
|-----------------|-----------------------------|-----------|
| Sabino Renteria | reappointment - East Austin | Consensus |
|-----------------|-----------------------------|-----------|

**Library Commission**

|                 |                |          |
|-----------------|----------------|----------|
| Clifton Griffin | re-appointment | Griffith |
|-----------------|----------------|----------|

**Medical Advisory Program Board**

|                   |                            |           |
|-------------------|----------------------------|-----------|
| Dr. David Jackson | appointment (dentist seat) | Consensus |
|-------------------|----------------------------|-----------|

**Music Commission**

|             |             |         |
|-------------|-------------|---------|
| Natalie Zoe | appointment | Slusher |
|-------------|-------------|---------|

**Parks & Recreation**

|                  |                |         |
|------------------|----------------|---------|
| Mary Ruth Holder | re-appointment | Spelman |
|------------------|----------------|---------|

**DISCUSSION ITEMS**

77. Set a public hearing regarding a proposed boundary adjustment between the City of Austin and the City of Rollingwood. The proposed boundary adjustment covers three tracts totaling approximately 1.34 acres on the south side of Bee Caves Road between Land Creek Cove and Montebello Road. (The proposed action will not have a budgetary impact.) (Recommended Date and Time: June 22, 2000 at 6 p.m.)  
**Resolution No. 000608-77 was approved on Council Member Garcia's motion, Council Member Griffith's second by a 6-0 vote. Council Member Slusher was off the dais.**
41. Approve a resolution directing the City Manager to have a professional review conducted of the Utility Information Disclosure Resolution (proposed by Austin Energy) (Mayor Pro-Tem Jackie Goodman)  
**Resolution No. 000608-41 was approved on Mayor Pro Tem Goodman's motion, Council Member Spelman's second by a 7-0 vote.**
82. Approve a resolution directing the City Manager to bring the recommendations of the Police Oversight Focus Group before the meet and confer process with the Austin Police Association, and to complete a legal and management review of these recommendations. (Council Member William Spelman and Council Member Daryl Slusher)  
**Resolution No. 000608-82 was approved with a friendly amendment on Council Member Spelman's motion, Council Member Garcia's second by a 7-0 vote. Council Member Griffith's friendly amendment was to change the wording in paragraph 5 to read, ". . . to bring in it's entirety. . ." and by adding an additional paragraph to read, "BE IT FURTHER RESOLVED that the civilian oversight should take the form of an independent monitor and appropriate staff with widespread authority to review the work of the policy monitor and recommend changes in policies and procedures to the Chief of Police.**
8. Approve the plan for City departments and functions designated to occupy the New City Hall and the building size requirements. (Related to items 9 and 10)

**Resolution No. 000608-08 was approved with a friendly amendment on Council Member Lewis' motion, Council Member Griffith's second by a 7-0 vote. The friendly amendment by Council Member Slusher was to make sure that as the coffee shop area in the new City Hall is being designed, that there is access for citizens waiting to appear at the Council meeting where they can monitor the meeting.**

**The motion to reconsider item 8 to allow citizens to speak, was approved on Council Member Garcia's motion, Council Member Griffith's second by a 7-0 vote.**

**Resolution No. 000608-08 was approved on Council Member Griffith's motion, Council Member Goodman's second by a 7-0 vote.**

**The motion to reconsider item 8 was approved on Council Member Garcia's motion, Council Member Slusher's second by a 7-0 vote.**

**The motion to approve item 8 with instructions to staff to bring back a design that shows the 4,000 square feet of retail space and how the front of City Hall would look in a schematic design on Council Member Garcia's motion, Council Member Slusher's second by a 7-0 vote. The final decision will be made by Council as to whether retail space will be allowed. Also, that staff look at ways to blend City Hall in with the retail area without having retail space in City Hall.**

9. Amend the New City Hall and Plaza Project of the 1999-2000 Capital Budget of the Department of Public Works and Transportation of Ordinance No. 990913-2. (Related to items 8 and 10)  
**No action required because there were no changes to the budget.**
10. Subject: Declare official intent to reimburse costs related to the New City Hall and Plaza Project. (Related to items 8 and 9)  
**No action required because there were no changes to the budget.**
13. Canvass results of City Municipal Runoff Elections of June 3, 2000.  
**Resolution No. 000608-13 was approved on Council Member Garcia's motion, Council Member Lewis' second by a 7-0 vote.**
11. Approve a resolution authorizing the negotiation and execution of amendments to the Austin-Bergstrom International Airport (Airport) Food and Beverage Concession Lease Agreements with four Disadvantaged Business Enterprises, Wallie Ween of Texas, Inc. dba Auntie Anne's (Auntie Anne's), Armadillo Cafe & Cantina, Inc. (Armadillo), Harlon's Bar-B-Q Bergstrom IV L.T.D./Sierra Concessions Joint Venture (Harlon's), and Wok & Roll of ABIA, TX, Inc. (Wok & Roll) to temporarily suspend minimum annual guaranteed concession fee, temporarily revise the rental structure and increase the lease term for the concession. (Total revenue is expected to be \$241,000 lower than would have been realized under the original terms, of which approximately \$80,333 will be in 1999-2000. The 1999-2000 current year revenue estimate will be adjusted to reflect this reduction. The remainder of \$160,667 will be in 2000-2001.  
**Resolution No. 000608-11 was approved with the following amendment on Council Member Garcia's motion, Mayor Watson's second by a 7-0 vote. The amendment is to change the fiscal note to read, "Suspending the Minimum Annual Guaranteed Concession Fee (MAGCF) for one year for all concessions in the east concourse. Staff and concessionaires will meet prior to the end of the first year and discuss if extension of the revised rental structure is justified." The dollar amounts in the fiscal note should be changed from \$241,000 to \$237,000 and from \$160,667 to \$156,667.**

22. Approve a resolution authorizing negotiation and execution of an amendment to the November 6, 1999 secured grant agreement with EL BUEN PASTOR EARLY CHILDHOOD DEVELOPMENT CENTER, Austin, Texas, to increase the current grant agreement by \$120,000 for a total amount not to exceed \$1,121,271 for the construction of a child care facility in accordance with the Public Facilities Program Guidelines. (Funding in an amount of \$120,000 was included in the 1999-2000 Operating Budget Special Revenue Fund of the Neighborhood Housing and Community Development Office (NHCD) for the Community Development Block Grant (CDBG 25<sup>th</sup> Year, Public Facilities and Improvements.)  
**Resolution No. 000608-22 was approved on Council Member Lewis' motion, Council Member Garcia's second by a 6-0 vote. Council Member Slusher was off the dais.**
24. Approve a resolution authorizing the Public Facility Program Guidelines for the Neighborhood Housing and Community Development Office Public Facilities Program and authorize the City Manager to make minor modifications to the guidelines.  
**Resolution No. 000608-24 was approved on Lewis' motion, Council Member Spelman's second by a 6-0 vote. Council Member Slusher was off the dais.**
35. Authorize a resolution authorizing negotiation and execution of an amendment to the existing professional services agreement with RAYMOND CHAN & ASSOCIATES, INC. (MBE), Austin, Texas, for additional Phase 2 (design) and Phase 3 (construction management) engineering services for the Crystal Brook Flood Control Project in an amount of \$87,218, for a maximum contract amount not to exceed \$1,447,218. (Funding in an amount of \$87,218 is included in the 1999-2000 Amended Capital Budget of the Watershed Protection Department.) 60.3% MBE Prime; 5.44% MBE; 20.10% WBE subcontracting participation. (Recommended by Environmental Board)  
**Resolution No. 000608-35 was approved with the following amendment on Council Member Spelman's motion, Council Member Garcia's second by a 7-0 vote. Council Member Garcia's was that the content of the Neighborhood Association's letter be incorporated so that particular provisions will be taken into consideration in design and construction of the levy and the wall. The amendment was accepted by the maker of the motion.**

### BRIEFING

2. Bennett Tract Status Report (Time Certain at 11:00 a.m.)  
**The presentations were made by Alice Glasco, Development, Review and Inspection Department, and Mr. Matt Mathias, representative from Riata Development.**

### DISCUSSION ITEMS CONTINUED

38. Approve an ordinance amending Chapter 5-7 of the City Code, the City's Minority-Owned and Women-Owned Business Enterprise (MBE/WBE) Procurement Program.  
**Ordinance No. 000608-38 was approved on Council Member Garcia's motion, Council Member Lewis' second by a 7-0 vote.**
39. Approve execution of a thirty-six month contract with Bonding and Technical Services, Inc., Austin, Texas, to provide technical business assistance, bonding, financing and legal consulting services to Minority and Women Owned Business Enterprises (MBE/WBE) and other small businesses in an amount not to exceed \$4,674,529, with up to two additional twenty-four month extension options in an amount not to exceed \$3,527,922 per extension for a total amount not to exceed \$11,730,373. (Funding in an amount of \$27,268 is available in the 1999-2000 Approved Operating Budget of the Aviation Department \$112,968 is available in the 1999-2000 Amended Operating Budget of Austin Energy; \$70,119 is available in the 1999-2000 Approved Operating Budget of the Support Services



Fund for the Finance and Administrative Services Department; \$136,340 is available in the 1999-2000 Approved Operating Budget of the Water and Wastewater Utility; \$23,373 is available in the 1999-2000 Approved Operating Budget of the Austin Convention Center; \$11,686 is available in the 1999-2000 Approved Operating Budget of the Watershed Protection Department, and \$7,790 is available in the 1000-2000 Approved Operating Budget of the Solid Waste Services Department. Funding for the remaining 33 months of the original contract period and extension options is contingent upon available funding in future budgets.)

**Resolution No. 000608-39 was approved on Council Member Lewis' motion, Council Member Garcia's second by a 7-0 vote.**

40. Approve an ordinance amending Section 10-1-13 of the City Code, the City's Camping in Public Places ordinance.  
**This ordinance was approved on first reading with the following amendments on Mayor Pro Tem Goodman's motion, Council Member Lewis's second by a 7-0 vote. The amendment was to delete C(1), re-number the remaining items, and change the wording on C(3) from "... for sleeping" to "... as living accommodations."**
83. Approve an Ordinance amending Section 16-1-13 of the City Code relating to driving in bicycle lanes. (Council Member William Spelman)  
**Ordinance No. 000608-83 was approved on Council Member Spelman's motion, Council Member Griffith's second by a 7-0 vote.**
78. Approve a resolution directing the City Manager to report back to Council in 60 days with a proposal for long-term planning for the Solid Waste Department. (Council Member Daryl Slusher and Council Member William Spelman)  
**Resolution No. 000608-78 was approved with a friendly amendment on Council Member Slusher's motion, Council Member Spelman's second by a 7-0 vote. Council Member Griffith's friendly amendment was to add neighborhood representation to the stakeholder list on page 2, #4. This amendment was accepted by the maker of the motion, and Council Member Spelman, who seconded the motion.**
79. Direct the City Manager to bring to Council by August 2000 recommendations for the adoption of the rate structure and recommendations on exempt properties that are contained in the 1993 Drainage Cost of Service Study and to implement Council's related actions no later than August 2001. (Council Member William Spelman)  
**Resolution No. 000608-79 was approved on Council Member Spelman's motion, Council Member Griffith's second by a 7-0 vote.**
80. Add an expiration date of August 31, 2001 to Chapter 18-3 of the City Code regarding the drainage utility (related to resolution on cost of service study). (Council Member William Spelman and Council Member Beverly Griffith)  
**Resolution No. 000608-80 was approved on Council Member Spelman's motion, Council Member Griffith's second by a 7-0 vote.**

**The motion to recess the City Council meeting at 12:33 p.m. and go into Executive Session was approved on Council Member Griffith's motion, Mayor Pro Tem Goodman'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.

4. 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.)
5. Discuss *City of Austin v. Lumbermen's Investment Corporation*, Cause Number 99-13013, pending in the Travis County District Court. (Sand Beach Reserve)
6. Discuss acquisition of real property in the Barton Spring Recharge Zone.

**Mayor Watson announced that Item 81 would be discussed during Executive Session.**

**The Council meeting was reconvened at 2:00 p.m.**

### **2:00 P.M. BOND SALES**

56. Approve an ordinance authorizing the issuance of approximately \$100,000,000 City of Austin, Texas, Water and Wastewater System Revenue Refunding Bonds, Series 2000, including approval and authorization of all related documents pertaining thereto. (No fiscal impact during 1999-2000. The amount of \$5,972,222 estimated in the first year debt service requirement and \$200 annual fee for the paying agent/registrar will be included in the 2000-2001 Proposed Budget of the Utility Revenue Bond Redemption Fund.)

**Ordinances No. 000608-56A and 000608-56B were approved on Council Member Garcia's motion, Council Member Griffith's second by a 7-0 vote.**

### **1:30 P.M. CITIZEN COMMUNICATIONS: GENERAL**

46. James Allman – West Austin EMS Station Veterans at Foster.
47. Jennifer L. Gale – Last chance for the Austin City Council to quit. - **ABSENT**
48. Pat Valls Trelles
49. E.J. White – Animal Issues
50. Kathy Hamilton - **ABSENT**
51. Jim Walker – Mueller – Oversight Entity Green Building in Austin - **ABSENT**
52. Nancy Jensen-Case – TLAC and the No-Kill Millenium
53. Elissa Fine – Murder at Town Lake
54. Paul Martin – Central Booking
55. Gus Pena – Discuss City Health Issues/Discuss Affordable Housing plus the need for the City to allocate funding for Transitional Housing Assistance

### **DISUCSSION ITEMS CONTINUED**

81. Adopt an ordinance providing for the refund of drainage utility charges to certain non-residential utility customers. (Council Member William Spelman and Council Member Beverly Griffith)  
**Ordinance No. 000608-81 was approved on Council Member Spelman's motion, Council Member Griffith's second by a 7-0 vote.**
29. Approve Service Extension Request No. 1997 for wastewater service not to exceed a peak wet weather flow of 4 gallons per minute (gpm) for a tract of approximately 1.4 acres owned by Long Canyon Developers known as the Long Canyon Neighborhood Office Building located within the Drinking

Water Protection Zone in the extraterritorial jurisdiction of Austin at 7804 Bell Mountain Drive. (No fiscal impact) (Recommended by Water and Wastewater Commission)

**Resolution No. 000608-29 was approved on Council Member Spelman's motion, Council Member Garcia's second by a 7-0 vote.**

### **BRIEFINGS CONTINUED**

3. Evaluation of environmental impacts to Walnut and other creeks of two routing alternatives for State Highway 130 through the City of Austin's jurisdiction. (Time Certain at 2:00 p.m.)

**The presentation was made by Nancy McClintock, Watershed Protection Department.**

**The motion to recess the City Council meeting at 3:03 p.m. was approved on Council Member Spelman's motion, Council Member Garcia's second by a 7-0 vote.**

### **BOARD OF DIRECTOR'S MEETING OF AUSTIN HOUSING FINANCE CORPORATION**

**A Board meeting of the Austin Housing Finance Corporation (AHFC) was convened by President Watson at 3:33 p.m.**

57. Conduct a public hearing relative to the proposed issuance of multifamily bonds in an amount not to exceed \$9,000,000 for the development and construction of the Southwest Trails Apartments located at 6300-6450 Fletcher Lane to be owned and operated by SWA Housing, Ltd., an affiliate of the Central Texas Mutual Housing Association.

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

**President Watson adjourned the Austin Housing Finance Committee meeting at 3:55 p.m.**

**The regular Council meeting was called back to order 3:57 p.m.**

### **ZONING CONSENT**

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

60. C14-99-2137 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 12808-13200 North Lamar Blvd. from I-RR, Interim-Rural Residence District to MF-3, Multifamily Residence (Medium Density) District zoning. Planning Commission Recommendation: To grant MF-3-CO, Multifamily Residence Medium Density-Conditional Overlay Combining District zoning with conditions for Tract 1 and RR, Rural Residence District zoning for Tract 2. Applicant: FSMK Ranch, Ltd. (John Scofield); Agent: Minter, Joseph & Thornhill (Dorothy Raven). City Staff: David Wahlgren, 499-6455.

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

61. C14-00-2010 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 7400-7800 Southwest Parkway from LO, Limited Office District zoning and DR, Development Reserve District zoning to RR, Rural Residence District zoning. Planning Commission Recommendation: To grant RR, Rural Residence District zoning. Applicant: Stratus Properties

Operating Co., LP (John Baker), STRS LLC, and Stratus Properties, Inc.; Agent: Murfee Engineering Co., Inc. (Ronce S. Gilbert). City Staff: David Wahlgren, 499-6455. (continued from 5/11/00)

**Ordinance No. 000608-61 was approved.**

62. C14-00-2045 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 12500 Tomanet Trail from NO, Neighborhood Office District zoning to GR, Community Commercial District zoning. Planning Commission Recommendation: To grant GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions. Applicant: Perfect Shirt, Inc. (Long T. Chau); Agent: Sara Crocker Consultants (Lena Lund). City Staff: David Wahlgren, 499-6455.  
**The first reading of this ordinance was approved.**
63. C14-00-2046 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as the 2800 block of Montopolis Drive from LI, Limited Industrial Service District zoning to MF-2, Multifamily Residence Low Density District zoning. Planning Commission Recommendation: To grant MF-2, Multifamily Residence Low Density District zoning. Applicant: Bouldin Development Company (Ann White); Agent: Urban Design Group (John Noell). City Staff: Adam Smith, 499-2755. Note: A valid petition has been filed in opposition to this rezoning request.  
**This item was postponed until June 22, 2000, at the petitioner's request.**
65. C14-00-2055 -- Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 12024 Vista Parke Drive from R&D-PDA, Research and Development-Planning Development Area Combining District zoning to P, Public District zoning. Planning Commission Recommendation: To grant P, Public District zoning. Applicant: Condea Vista Company (Edward Garcia); Agent: Pedernales Electric Cooperative (Thomas Ellis). City Staff: Katie Larsen, 499-3072.  
**Ordinance No. 000608-65 was approved.**
66. C14-00-2059 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1023 West 24<sup>th</sup> Street from LO, Limited Office District to MF-6, Multifamily Residence Highest Density District zoning. Planning Commission Recommendation: To grant MF-4-CO, Multifamily Residence Moderate-High Density-Conditional Overlay Combining District zoning with conditions. Applicant: Campus & Central Properties (Nick Cochrane); Agent: Mike McHone Real Estate (Mike McHone). City Staff: Katie Larsen, 499-3072.  
**This item was postponed until August 3, 2000, at the applicant's request.**
67. C14-00-2065 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 11400 Burnet Road from MI, Major Industry District zoning to MI-PDA, Major Industry-Planned Development Area Combining District zoning. Planning Commission Recommendation: To grant MI-PDA, Major Industry-Planned Development Area Combining District zoning with conditions. Applicant: JER Austin Tech Park, LP (Jack Spound); Agent: Drenner & Stuart, LLP (Michele Haussmann). City Staff: Clark Patterson, 499-2464.  
**Ordinance No. 000608-67 was approved.**
68. C14-00-2070 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 8304 Highway 290 East from I-RR, Interim-Rural Residence District to CS-CO, General Commercial Services District zoning with conditions. Planning Commission Recommendation: To grant CS-CO, General Commercial Services-Conditional Overlay Combining District zoning with conditions. Applicant: Travis Christian Assembly; Agent: Clara W. Chen. City Staff: Katie Larsen, 499-3072.  
**Ordinance No. 000608-68 was approved.**

**ZONING DISCUSSION**

64. C14-00-2052 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known 8641 Old Bee Caves Road from RR, Rural Residence District zoning to CS-CO, General Commercial Services-Conditional Overlay Combining District zoning. Planning Commission Recommendation: To grant W/LO, Warehouse Limited Office-Conditional Overlay Combining District zoning with conditions. Applicant: Ed Padgett Co., Inc. (Ed Padgett); Agent: Jim Bennett. City Staff: Adam Smith, 499-2755.

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

**The first reading of this ordinance was approved with the second reading coming back to Council on August 3, 2000, on Council Member Lewis' motion, Council Member Spelman's second by a 5-1 vote. Mayor Watson was off the dais. Council Member Slusher voted No.**

58. C14-99-2024 – Home Depot – Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code rezoning property locally known as 3500-3600 South IH-35 from GR, Community Commercial District zoning and RR, Rural Residence District zoning to CS-CO, General Commercial Services-Conditional Overlay Combining District zoning with conditions for Tract 1, GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions for Tract 2, and RR-CO, Rural Residence District zoning with conditions for Tract 3. First reading on May 11, 2000; Vote 7-0. Second reading on June 1, 2000; Vote: 7-0. Applicant: STE-35 (Mike Palmer/Charles Ball); Agent: Armbrust Brown & Davis, LLP (Richard T. Suttle, Jr.). City Staff: Adam Smith, 499-2755.

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

**Ordinance No. 000608-58 was approved on Council Member Slusher's motion, Council Member Griffith's second by a 7-0 vote.**

59. C14-86-300 – Home Depot – Public hearing to amend Chapter 25-2 of the Austin City Code by amending a restrictive covenant for property locally known as 3500-3600 South IH-35. Planning Commission Recommendation: To deny the restrictive covenant amendment. Applicant: STE-35; Agent: Armbrust, Brown & Davis, LLP (Richard T. Suttle, Jr.). City Staff: Adam Smith, 499-2755. (continued from 2/17/00, 3/9/00, 3/30/00, 4/30/00, 5/11/00 & 6/8/00)

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

**Ordinance No. 000608-59 was approved on Council Member Slusher's motion, Council Member Griffith's second by a 7-0 vote.**

**DISCUSSION ITEMS CONTINUED**

32. Declare official intent to reimburse land acquisition costs in the amount of \$3,500,000 for the Rutherford Ranch LTD. J.W. Wood, Westwoods Investments, \$3,500,000 from November 3, 1998 Proposition 8, Conservation Land. (\$3,500,000 for the Water and Wastewater Utility to be funded by the proceeds of debt issuance.)

**Resolution No. 000608-32 was approved on Council Member Garcia's motion, Council Member Spelman's second by a 7-0 vote.**

33. Authorize negotiation and execution of a contract with RUTHERFORD RANCH LTD., a Texas limited partnership, by J.W. Wood, through a contract assignment from the Texas Nature Conservancy, to purchase 1,739.29 acres in fee located in Hays County between F.M. 967 and F.M. 150 along Onion Creek.  
**Resolution No. 000608-33 was approved on Council Member Garcia's motion, Council Member Spelman's second by a 7-0 vote.**
34. Authorize negotiation and execution of a Service Agreement for real estate acquisition services from THE TEXAS NATURE CONSERVANCY to protect a portion of the City's water supply for the May 2, 1998 Bond Proposition 2 related to the Rutherford Ranch Ltd. Acquisition.  
**Resolution No. 000608-34 was approved on Council Member Garcia's motion, Council Member Spelman's second by a 7-0 vote.**
44. Approve an ordinance naming parkland and a future recreation center on Rundberg Lane in northeast Austin, in honor of Council Member Gus Garcia. (Recommended by Parks and Recreation Board) (Mayor Kirk Watson and Mayor Pro Tem Jackie Goodman and Council Member Daryl Slusher)  
**Ordinance No. 000608-44 was approved on Council Member Slusher's motion, Mayor Watson's second by a 7-0 vote.**

**The motion to recess the meeting at 5:35 p.m. was approved on Council Member Spelman's motion, Council Member Lewis' second by a 7-0 vote.**

**Mayor Watson called the meeting back to order at 7:41 p.m.**

#### **DISCUSSION ITEMS**

69. Conduct a public hearing and approve using approximately 18,448 square feet (.423 acre) of parkland for the construction of an EMS facility on dedicated parkland known as Deep Eddy Park, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife code. (All costs associated with parkland restoration will be paid by the requestor (Emergency Medical Services Department) (Recommended by Parks and Recreation Board)  
**The public hearing was closed on Council Member Garcia's motion, Council Member Lewis' second by a 7-0 vote.**
73. Approve using approximately 18,448 square feet (.423 acre) of parkland for the construction of an EMS facility on dedicated parkland known as Deep Eddy Park, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife code. (All costs associated with parkland restoration will be paid by the requestor (Emergency Medical Services Department) (Recommended by Parks and Recreation Board)  
**Ordinance No. 000608-73 was approved on Council Member Garcia's motion, Council Member Lewis' second by a 7-0 vote.**
70. Conduct a public hearing and approve use of 1.193 acres for the construction of South First Street and 32,784 square feet (0.753 acre) for a drainage use agreement through dedicated parkland known as Mary Moore Searight Park, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife code. (Recommended by Parks and Recreation Board)  
**The public hearing was closed on Council Member Griffith's motion, Council Member Garcia's second by a 7-0 vote.**

74. Approve use of 1.193 acres for the construction of South First Street and 32,784 square feet (0.753 acre) for a drainage use agreement through dedicated parkland known as Mary Moore Searight Park, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife code. (Recommended by Parks and Recreation Board)  
**Ordinance No. 000608-74 was approved on Council Member Spelman's motion, Council Member Griffith's second by a 7-0 vote.**
71. Conduct a public hearing to consider an ordinance waiving the notice requirements of Section 25-2-841(D) of the City Code, approving a poerionthe Town Lake Park Site Plan, and establishing applicable development regulations.  
**The public hearing was closed on Council Member Slusher's motion, Council Member Spelman's second by a 7-0 vote.**
72. Conduct a public hearing for the limited purpose annexation of the Interport tract (approximately 652 acres at the northeast corner of the intersection of Falwell Lane and SH 71).  
**The public hearing was closed on Council Member Griffith's motion, Council Member Garcia's second by a 7-0 vote.**
75. Consider an ordinance waiving the notice requirements of Section 25-2-841(D) of the City Code, approving the Town Lake Park Site Plan, and establishing development regulations applicable to the Town Lake Park area.  
**Ordinance No. 000608-75 was approved on Council Member Spelman's motion, Council Member Griffith's second by a 7-0 vote.**

**ADJOURNED at 8:13 p.m. on Council Member Garcia's motion, Council Member Spelman's second by a 7-0 vote.**

**The minutes for June 15, 2000 Oath of Office and Regular Meeting of April 20, 2000 and June 8, 2000 were approved on Mayor Pro Tem Goodman's motion, Council Member Slusher's second by a 7-0 vote.**