



**Austin City Council  
MINUTES**

**REGULAR MEETING  
THURSDAY, OCTOBER 12, 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, October 12, 2000 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

INVOCATION – Minister Clark Tatum, Cameron Road Church of Christ

Mayor Watson called the meeting to order at 9:18 a.m.

1. Approval of minutes for regular meeting of October 5, 2000.  
The minutes for the regular meeting of October 5, 2000 were approved on Council Member Alvarez' motion, Council Member Slusher's second by a 6-0 vote. Mayor Pro Tem Goodman was absent.

Items 2 through 8 were Executive Session.

**CONSENT AGENDA**

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

Item 9 was pulled for discussion.

10. Approve a resolution authorizing execution of a construction contract with ROBERT JENTSCH CONSTRUCTION, COMPANY, INC., Austin, Texas, for construction of the Hidden Valley Substation in the amount of \$1,146,424. (Funding is available in the 2000-2001 Approved Capital Improvement Budget of the Electric Utility Department.) Low bid/4 bids received. 6.27% MBE, 2.52% WBE Subcontracting participation. (Recommended by Electric Utility Commission)  
**Resolution No. 001012-10 was approved.**
11. Approve an ordinance extending the interim development controls applicable to the portion of Sub-district 3 of the East 11<sup>th</sup> Street Neighborhood Conservation Combining District located south of East 11<sup>th</sup> Street, generally bounded on the north by 11<sup>th</sup> Street, on the west by IH 35, on the south

by the alley between 7<sup>th</sup> and 8<sup>th</sup> Streets, and on the east by San Marcos Street (the Bennett Tract) until January 19, 2001.

**Ordinance No. 001012-11 was approved.**

**Item 12 was pulled for discussion.**

13. C14-00-2045 – Approve second/third readings of an ordinance amending 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-CO, Community Commercial-Conditional Overlay Combining district zoning with conditions district zoning. First reading on June 8, 2000; Vote: 7-0. Conditions addressed as follows: Conditional overlay incorporates the conditions imposed by City Council at first reading. Applicant: Perfect Shirt, Inc. (Long T. Chau); Agent: Crocker Consultants (Lena Lund). City Staff: David Wahlgren, 499-6455.  
**Ordinance No. 001012-13 was approved.**
14. C14-00-2047 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 900 Grove Boulevard from SF-3, Family Residence district zoning to GO-CO, General Office district zoning with conditions on Tracts 1 and 2, and RR, Rural Residence district zoning on Tract 3. First reading on August 17, 2000; Vote: 6-0, Goodman absent. Conditions met as follows: Conditional overlay incorporates the conditions imposed by City Council at first reading. Applicant: Greif-Yount Partnership (William B. Greif) ; Agent: Jim Bennett. City Staff: Adam Smith, 499-2755.  
**Ordinance No. 001012-14 was approved.**
15. Amend ordinance No. 000309-81, to correct the zoning map for the property locally known as 6100-6404 City Park Road and F.M. 2222 Road, further described in file number C14-99-0077. Applicant: Josie Champion, Juanita Meier, and Mary Roberson. City Staff: Glenn Rhoades, 499-2775.  
**Ordinance No. 001012-15 was approved.**
16. To set a public hearing on a request by Mr. Tariq Majeed to waive the minimum separation requirement of Section 8-3-4 of the City Code between Bluff Springs Food Mart, Inc., a food sales use which intends to sell alcoholic beverages at 700-A West William Cannon Drive and a public school use. Applicant: Jessie B. Anderson Shelby; Agent: Jim Bennett. City Staff: Susan Walker, 499-2202. (Suggested date and time: November 2, 2000 at 6:00 p.m.)  
**Resolution No. 001012-16 was approved.**
17. Approve a resolution authorizing execution of a contract with ALSTOM USA INC., c/o Techline, Inc., Austin, Texas, for the purchase of one 3 phase 138/69kV-13.2kV auto-transformer in an amount of \$1,313,000. (Funding is available in the 2000-2001 Approved Capital Budget of the Electric Utility Department.) Low bid meeting specifications/8 bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified; therefore MBE/WBE goals were not established for this solicitation. This contract is for the purchase of commodities, with direct delivery by the manufacturer. (Recommended by the Electric Utility Commission)  
**Resolution No. 001012-17 was approved.**
18. Approve amendment #1 to the contract with ABB POWER T&D COMPANY INC., North Brunswick, New Jersey, for the purchase and installation of the Fiesta Substation in an amount of \$1,005,000, for a revised total contract amount of \$5,249,771. (Funding is available in the 2000-2001 Approved Capital Budget of the Electric Utility Department.) 20% MBE, 0% WBE Subcontracting participation. (Recommended by the Electric Utility Commission)  
**Resolution No. 001012-18 was approved.**

19. Approve a resolution authorizing execution of a contract with RITZ INSTRUMENT TRANSFORMERS, c/o Preferred Sales Agency, Carthage, Texas, for the purchase of fifteen 138kV voltage transformers in an amount of \$70,875. (Funding is available in the 2000-2001 Approved Capital Budget of the Electric Utility Department.) Low bid/5 bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified; therefore MBE/WBE goals were not established for this solicitation. This contract is for the purchase of commodities, with direct delivery by the manufacturer. (Recommended by the Electric Utility Commission)  
**Resolution No. 001012-19 was approved.**
20. Approve a resolution authorizing execution of a 12-month supply agreement with KEYSTONE ELECTRICAL MANUFACTURING COMPANY, Des Moines, Iowa, for the purchase of various types of relay control panels, in an amount not to exceed \$1,289,293, with three 12-month extension options in an amount not to exceed \$1,289,293 per extension for a total contract amount not to exceed \$5,157,172. (Funding is available in the 2000-2001 Approved Capital Budget of the Electric Utility Department. Funding for the extension options is contingent upon available funding in future budgets.) Low bid/5 bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. No subcontracting opportunities were identified; therefore MBE/WBE goals were not established for this solicitation. This contract is for the purchase of commodities, with direct delivery by the manufacturer. (Recommended by the Electric Utility Commission)  
**Resolution No. 001012-20 was approved.**

**Item 21 was pulled for discussion.**

22. Approve an ordinance authorizing acceptance of grant funds, not to exceed \$72,000 for a Financial Assistance Award from the Economic Development Administration to develop a master plan for enhancing the Waller Creek corridor; Amend Ordinance No. 000912-1, the Fiscal Year 2000-2001 Operating Budget for the Parks and Recreation Department, amending the Special Revenue Fund by appropriating \$72,000 in grant funds for the Parks and Recreation Department Special Revenue Fund. (Receipt in the amount of \$72,000 in grant funds for a Financial Assistance Award from the Economic Development Administration.)  
**Ordinance No. 001012-22 was approved.**
23. Set public hearings for the full purpose annexation of following annexation areas:
- Ivanhoe area (approximately 1010 acres located on the north side of FM 2222 at the intersection of FM 2222 and Bell Mountain Dr);
  - Cortana area (approximately 1765 acres located on the east side of River Place Blvd between River Place MUD and the Steiner Ranch development);
  - FM 2222 Frontage area (approximately 3 acres located on the west side of FM 2222 approximately .3 miles north of the intersection of F 2222 and River Place Blvd);
  - RiverPlace Blvd./FM 2222 Intersection area (approximately 7 acres located on the west side of FM 2222 at the intersection of River Place Blvd and FM 2222);
  - Grandview Section 14 area (approximately 72 acres located on the west side of FM 620 at the intersection of FM 620 and Boulder Ln);
  - Anderson Development Tract Area (approximately 120 acres located at the south east corner of the intersection of Dessau Road and Parmer Lane);
  - Avery Ranch West (approximately 80 acres located approximately .3 miles west of the intersection of Parmer Lane and Avery Ranch Road);
  - Hwy 71 ROW area (approximately 66 acres of SH 71 ROW located across from Austin Bergstrom International Airport. (Suggested Dates and Times: October 26, 2000, at 6:00 p.m., Lower

Colorado River Authority Hancock Building; November 2, 2000, at 6:00 p.m., Lower Colorado River Authority Hancock Building.)

**Resolution No. 001012-23 was approved.**

24. Approve an ordinance authorizing acceptance of \$381,710 in grant funds from the U.S. Department of Justice, Community Oriented Policing Services Office "311 Technical Assistance for Start-Ups" grant initiative, to begin implementation of a 311 non-emergency system; Amend Ordinance No. 000912-1, the 2000-2001 Operating Budget, amending the Austin Police Department Special Revenue Fund, by increasing grant funding and grant expenditures by \$381,710. (Grant funding is available from the U.S. Department of Justice, Community Oriented Policing Services (COPS) Office "311 Technical Assistance for Start-Ups" grant program. The term of the grant is from September 1, 2000 to August 31, 2001. No cash match is required. Funding is for equipment, technical assistance and project evaluation. Personnel funding is currently included in the Fiscal Year 2000-2001 budget.)

**Ordinance No. 001012-24 was approved.**

25. Approve a resolution authorizing negotiation and execution of an agreement with SLAUGHTER-FIRST LTD., a Texas limited partnership, and RISHEL GROUP LTD., a Texas limited partnership, providing terms and conditions for construction and maintenance of a water quality pond and an associated drainage pipe, located south of the intersection of Slaughter Lane and South First Street, in an amount not to exceed \$150,000. (Funding is included in the 2000-2001 Approved Capital Budget of the Department of Public Works & Transportation.)

**Resolution No. 001012-25 was approved.**

**Item 26 was pulled for discussion.**

27. Approve a resolution authorizing execution of a construction contract with TRAVIS PAVING AND EXCAVATION COMPANY (MBE/MH), Bastrop, Texas, for street improvements throughout the Harris Branch Subdivision, in an amount not to exceed \$234,660. (Funding is included in the 2000-2001 Approved Operating Budget of the Department of Public Works & Transportation.) Low bid of two. 52.13% MBE PRIME, 2.86% MBE, 13.23% WBE subcontracting participation.

**Resolution No. 001012-27 was approved.**

**Item 28 was pulled for discussion.**

29. Approve a resolution authorizing negotiation and execution of a sixty-month lease renewal with PIAA REALTY, INC., Austin, Texas, for 24,898 square feet of office space located at 2100 East St. Elmo, Building E, for the Solid Waste Services Department, City Clerk's Elections Central and Records Management, and Electric Utility Department, in an amount not to exceed \$1,867,350. (Funding in the amount of \$280,102 was included in the 2000-2001 Approved Operating Budget for the Office of the City Clerk (\$68,000), Electric Utility Department (\$61,622) and the Solid Waste Services Department (\$150,480). Funding for the remaining fifty-one months of the contract's five-year term is contingent upon available funding in future budgets.) (Recommended by the Electric Utility Commission)

**Resolution No. 001012-29 was approved.**

30. Approve a resolution authorizing execution of a construction contract with CROUCH INDUSTRIES, LLC, P.O. Austin, Texas, for electrical improvements and associated work at the chemical building and sedimentation/flocculation basins at A. R. Davis Water Treatment Plant, in an amount not to exceed \$5,730,000, and a contingency fund not to exceed \$286,500, for a total contract amount not to exceed \$6,016,500. (Funding is included in the 1999-2000 Amended

Capital Budget of the Water & Wastewater Utility.) Lowest of two bids received. 14.89% MBE, 2.59% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)  
**Resolution No. 001012-30 was approved.**

**Item 31 was pulled for discussion.**

32. Set a public hearing to amend Land Development Code Chapter 25-12, Appendix Chapter 58 and Appendix Chapter 59 to meet minimum Federal Emergency Management Agency-National Flood Insurance Program requirements. (Suggested Date and Time: October 26, 2000 at 6:00 P.M.)  
**Resolution No. 001012-32 was approved.**

**Items 33 through 34 were Tax Increment Financing.**

**Items 35 through 44 were Citizen Communications.**

**Item 45 was a discussion item.**

**Item 46 was a public hearing.**

**Item 47 was an action item.**

**Items 48 through 49 were AHFC.**

**Items 50 through 63 were Zoning.**

64. Animal Advisory Commission		
Betty Dunkerley	appointment (city official)	Consensus
Cherie Rachel	appointment	Griffith
Dr. Robert Spitz	appointment (veterinarian)	Mayor
Arts Commission		
Eduardo Benavides	re-appointment	Griffith
Environmental Board		
Debra Williams	appointment	Thomas
Telecommunications		
Rosemary McMahill	appointment	Consensus

**DISCUSSION ITEMS**

12. C14H-00-0006 - Approve second/third readings of an ordinance to amend Chapter 25-2 of the Austin City Code rezoning property located at 4012 Duval Street from MF-4, Multifamily Residence Moderate-High Density to MF-4-CO, Multifamily Residence Moderate-High Density-Conditional Overlay Combining district zoning with conditions. First reading on September 7, 2000: Vote 7-0. Conditions met as follows: Conditions imposed by City Council at first reading have been met. Applicant: City Historic Landmark Commission (City of Austin); Agent: Development Review and Inspection Department; Property Owner: Duval 4012 Joint Venture (Dan Day). City Staff: Barbara Stocklin, 499-2414.  
**Ordinance No. 001012-12 was approved on Mayor Pro Tem Goodman's motion, Council Member Griffith's second by a 7-0 vote.**

45. Approve an ordinance waiving the residence requirement for the appointment of Debra Williams to the Environmental Board. (Council Member Danny Thomas)  
**Ordinance No. 001012-45 was approved on Council Member Thomas' motion, Council Member Griffith's second by a 7-0 vote.**
21. Approve a resolution authorizing execution of a Lease and Management Agreement with the Film Society of Austin, Inc., for approximately 18 acres of the former Robert Mueller Municipal Airport for use as a studio complex for the production of films, television programs, commercials, and multi-media productions and for educational and job-training purposes associated therewith.  
**Resolution No. 001012-21 was approved on Mayor Pro Tem Goodman's motion, Council Member Griffith's second by a 7-0 vote.**
26. Set a public hearing to approve a use agreement for approximately 2,360 square feet of right-of-way and 1,242 square feet of temporary use space to allow the construction of Barton Springs Road, Phase II through dedicated parkland known as Umlauf Sculpture Gardens, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (All costs associated with construction of the road as well as any parkland restoration will be paid by the Department of Public Works & Transportation.) (Recommended by Park and Recreation Board) (Suggested Date and Time: November 9, 2000 at 6:00 p.m.)  
**Resolution No. 001012-26 was approved on Council Member Slusher's motion, Mayor Watson's second by a 7-0 vote.**
31. Approve a resolution authorizing negotiation and execution of a professional services agreement with J. ROBINSON & ASSOCIATES, ARCHITECTS, INC., Austin, Texas, to provide architectural and engineering services for design and construction of the Water and Wastewater South East Service Center, Phase III, in an amount not to exceed \$250,000. (Funding is available in the approved Fiscal Year 2000-2001 Capital Budget of the Water and Wastewater Utility.) 10% MBE, 18.20% WBE Subcontracting participation. (Recommended by Water and Wastewater Commission)  
**The motion to postpone this item until October 26, 2000 was approved on Council Member Alvarez' motion, Council Member Slusher's second by a 7-0 vote.**

**Mayor Watson recessed the Council meeting at 9:57 a.m. and called to order the Board of Director's Meeting of the Tax Increment Finance (TIF) Corporation.**

**BOARD OF DIRECTORS' MEETING OF THE TAX INCREMENT FINANCING REINVESTMENT ZONE #15.**

**A Board meeting of the Tax Increment Financing was convened. Item 33 was the TIF item considered by the Tax Increment Financing Board of Directors.**

33. Adopt the Project and Financing Plan for Reinvestment Zone Number Fifteen, City of Austin, Texas, a Tax Increment Financing (TIF) Reinvestment Zone created under Texas Tax Code Chapter 311 in a contiguous geographic area within the City of Austin, including Blocks 2, 3, 4, and 21 of the Original City Subdivision, which is bounded by San Antonio, West Cesar Chavez, Colorado and West Third Street, for the purpose of maintaining the plazas, streetscapes, and other public improvements constructed and installed by the City within the Reinvestment Zone. (An annual amount of \$100,000 (excluding year 1 estimated at \$50,000) is proposed for maintenance in the zone, to be funded by a portion of the incremental tax revenue received from the project. The first amount of incremental tax revenue received from the project for this zone will occur in Fiscal Year 2001-2002.) (Related Agenda Item: #34)

Resolution No. 001012-33 was approved on Board Member Thomas' motion, Board Member Griffith's second by a 7-0 vote.

The motion to adjourn the TIF Board of Director's Meeting at 10:03 a.m. was approved on Council Member Griffith's motion, Council Member Thomas' second by a 7-0 vote.

Mayor Watson called the City Council meeting back to order.

The motion to recess to go into Executive Session was approved on Mayor Pro Tem Goodman's motion, Council Member Griffith'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 legal issues related to litigation in connection with the East Austin tank farm.
5. Discuss *Christian D. Stefferud, et al. v. City of Austin*, Cause No. 99-02338, in the Travis County District Court.
6. Discuss legal issues regarding proposed Lease and Management Agreement with the Film Society of Austin, Inc.
7. Discuss value and possible sale of real property associated with the Barton Springs Clean Drinking Water Project (May 2, 1998 Election, Proposition 2)
8. Discuss Financial Planning Issues.

Mayor Watson announced that items 9 and 28 would also be discussed in Executive Session.

Executive Session ended at 1:08 p.m.

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

#### CITIZEN COMMUNICATIONS

35. Christina Nolasco – Austin/Travis County Health and Human Services Department – lack of information for Spanish-Speaking Community.
36. Gus Pena – Discuss need for Low Income Affordable Housing. Need for Transitional Housing Assistance now, not next year. - **ABSENT**
37. Lynn Moshier – Central Booking
38. Paul Martin – Central Booking
39. Robert Singleton – Barton Creek Development deal - **ABSENT**
40. Bruce Deatherage – Central Booking
41. Rolando Pina – The Billion Bubba March, Be There Bubba/Bubbette March from Wells Fargo Bank, 3 Blocks South to the Spoken Spoke, 3201 South Lamar, Saturday, October 14, 2000, 3 P.M.
42. Jennifer L. Gale – Why is the City Manager turning Austin into a 24-hour city. - **ABSENT**
43. Patty Leo – Central Booking - **ABSENT**
44. Stefan Fehr

**DISCUSSION ITEMS CONTINUED**

9. Approve a resolution authorizing the negotiation and execution of a contract for the sale of approximately 1.82 acre water line and a temporary work space easement for the benefit of Lower Colorado River Authority ("LCRA") from a tract known as Bending Oaks purchased for the May 2, 1998 Bond Election, Proposition 2, Barton Springs Clean Drinking Water project.  
**Resolution No. 001012-09 was approved on Council Member Thomas' motion, Council Member Wynn's second by a 7-0 vote.**
28. Approve a resolution authorizing the filing of eminent domain proceedings to acquire the fee simple interest to a parcel of land containing 1051 square feet and a permanent water line easement containing 9 square feet, situated at 1530 and 1608 Barton Springs Road, in the City of Austin, Travis County, Texas, owned by Toomey Road Partners, Ltd., for the Barton Springs Road Project, Phase II. (Funding in the amount of \$66,047 is included in the 1995-1996 Amended Capital Budget of the Public Works and Transportation Department.)  
**Resolution No. 001012-28 was approved on Mayor Pro Tem Goodman's motion, Council Member Alvarez' second by a 7-0 vote.**

**The motion to recess the meeting at 1:55 p.m. was approved on Mayor Pro Tem Goodman's motion, Council Member Slusher's second by a 7-0 vote.**

**Mayor Watson called the meeting back to order at 2:00 p.m.**

**DISCUSSION ITEMS CONTINUED**

34. Approve the Project and Financing Plan for Reinvestment Zone Number Fifteen, City of Austin, Texas, a Tax Increment Financing (TIF) Reinvestment Zone created under Texas Tax Code Chapter 311 in a contiguous geographic area within the City of Austin, including Blocks 2, 3, 4 and 21 of the Original City Subdivision, which is bounded by San Antonio, West Cesar Chavez, Colorado and West Third Street, for the purpose of maintaining the plazas, streetscapes, and other public improvements constructed and installed by the City within the Reinvestment Zone. (An annual amount of \$100,000 (excluding the year 1 estimated at \$50,00) is proposed for maintenance in the zone, to be funded by a portion of the incremental tax revenue received from the project. The first amount of incremental tax revenue received from the project for this Zone will occur in Fiscal Year 2001- 2002.) (Related Agenda Item: #33)  
**Ordinance No. 001012-34 was approved on Council Member Wynn's motion, Council Member Thomas' second by a 7-0 vote. Council Members Griffith and Slusher were off the dais.**

**The motion to suspend the rules to allow the following public hearing to be held before 6:00 p.m. was approved on Council Member Wynn's motion, Council Member Thomas' second by a 6-0 vote. Council Member Griffith was off the dais.**

46. Conduct a public hearing to consider approval of a variance request to allow encroachment of a proposed building on the 25-year and 100-year flood plains of Shoal Creek at 801 West 5th Street, and to waive the requirement to dedicate a drainage easement to the limits of the 100-year flood plain.  
**The motion to close the public hearing was approved on Mayor Pro Tem Goodman's motion, Council Member Alvarez' second by a 6-0 vote. Council Member Griffith was off the dais.**
47. Consider approval of a variance request to allow encroachment of a proposed building on the 25-year and 100-year flood plains of Shoal Creek at 801 West 5<sup>th</sup> Street, and to waive the requirement to dedicate a drainage easement to the limits of the 100-year flood plain.



**Ordinance No. 001012-47 was approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second by a 6-0 vote. Council Member Griffith was off the dais.**

**The motion to recess the Council meeting at 2:02 p.m. was approved on Council Member Slusher's motion, Council Member Thomas' second by a 6-0 vote. Council Member Griffith was off the dais.**

**Mayor Watson called the Board of Director's Meeting of the Austin Housing Finance Corporation to order at 3:30 p.m.**

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

**A Board meeting of the Austin Housing Finance Corporation (AHFC) was convened. Items 48-49 were the AHFC items considered by the Austin Housing Finance Corporation's Board of Directors.**

48. Approval of minutes for Austin Housing Finance Corporation Special Called Meeting of September 12, 2000.

**See the AHFC minutes for the action taken by the Board of Directors.**

49. Approve an Inducement Resolution for a senior citizen multifamily housing project known as the Arbors at Creekside Apartments, to be owned by Arbors Creekside LLC., located at 1000 Clayton Lane for bond financing in an amount not to exceed \$12,700,000 to be submitted through the Austin Housing Finance Corporation by October 20, 2000 for participation in the Texas Bond Review Board multifamily lottery for allocation of Private Activity Volume Cap authority. (Each applicant pays its own application fee directly to the Texas Bond Review Board.)

**See the AHFC minutes for the action taken by the Board of Directors.**

**The AHFC Board Meeting was adjourned at 3:31 p.m. on Board Member Slusher's motion, Board Member Thomas' second by a 5-0 vote. Vice President Goodman and Board Member Griffith were off the dais.**

**Mayor Watson called the City Council meeting back to order at 4:00 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 Mayor Pro Tem Goodman's motion, Council Member Wynn's second by a 7-0 vote.**

50. C14-73-0240 (RCA) – Cannon West Income Partners, L.P. – Public hearing to amend Chapter 25-2 of the Austin City Code by amending a restrictive covenant for a property locally known as 6800 Westgate Boulevard. Planning Commission Recommendation: To grant restrictive covenant amendment. Property Owner and Applicant: Cannon West Income Partners, LP (Richard R. Runde). Agent: J. Bradley Greenblum. City Staff: Michele Rogerson, 499-2308.

**The amendment to the restrictive covenant was approved.**

51. C14-78-222 RCA - Public hearing to amend Chapter 25-2 of the Austin City Code by amending a restrictive covenant for property located at 8501 North Mopac Expressway. Planning Commission Recommendation: To grant the amendment request. Applicant: R Hart Investment Company; Agent: Armburst, Brown and Davis, L.L.P. (Richard Suttle, Jr.) City Staff: David Wahlgren, 499-3072.

**The amendment to the restrictive covenant was approved.**

52. C14-85-288.10 RCT - Public hearing to amend Chapter 25-2 of the Austin City Code by terminating a restrictive covenant for property located at Sunset Ridge Drive and Old Bee Caves Road. Planning Commission Recommendation: To grant the termination request. Applicant: Dick Rathgeber; Agent: Barry Campbell. City Staff: Katie Larsen, 499-6445.  
**The termination of the restrictive covenant was approved.**
53. C14-00-2062 – Bennett Tract – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property located at East 11<sup>th</sup> Street on the north, the alley between East 7<sup>th</sup> & East 8<sup>th</sup> Streets on the south, Interstate Hwy. 35 South on the west, and San Marcos on the east from CS-NCCD, General Commercial Services-Neighborhood Conservation Combining District zoning and SF-3-NCCD, Family Residence-Neighborhood Conservation Combining District zoning to CS-NCCD, General Commercial Services-Neighborhood Conservation Combining District zoning. Planning Commission Recommendation: To postpone this rezoning request indefinitely. Property Owners: Austin Skyline Associates, Joseph C. Wooten, Elena S. Lopez, State of Texas, Joe C. Franzetti, Donald Thomas, Jomar Joseph, John A. and Jo Ann A. Thompson, Guadalupe Neighborhood Development Corporation and Jomar Joseph Partners, Ltd. Applicant: City of Austin. Agent: Development Review and Inspection. City Staff: Adam Smith, 499-2755. Note: A valid petition has been filed in opposition to this rezoning request. (continued from 4/20/00, 8/3/00 and 9/28/00)  
**This item was postponed until January 11, 2001 at the request of staff.**
54. C14-00-2089 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 120-150 West Slaughter Lane from I-RR, Interim-Rural Residence district zoning to CS, General Commercial Services District zoning. Planning Commission Recommendation: To grant CS-CO, General Commercial Services-Conditional Overlay Combining district zoning with conditions. Property Owner and Applicant: Capital City Warehousing, Inc. (Bert Pence). Agent: Garrett Associates Engineering, Inc. (Jeff Etheredge). City Staff: Michele Rogerson, 499-2308.  
**Ordinance No. 001012-54 was approved.**
55. C14-00-2093 – Constanzo Partnership – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 6300 South Congress Avenue from MF-2-CO, Multifamily Residence Low Density-Conditional Overlay Combining district to MF-2-CO, Multifamily Residence Low Density-Conditional Overlay Combining district in order to change a condition of zoning. Planning Commission Recommendation: To grant MF-2-CO, Multifamily Residence Low Density-Conditional Overlay Combining district zoning with conditions. Property Owner and Applicant: Constanzo Partnership (R.W. Shawell). Agent: Crocker Consultants (Sarah Crocker). City Staff: Michele Rogerson, 499-2308.  
**Ordinance No. 001012-55 was approved.**
56. C14-00-2114 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 9007 Cullen Lane from I-RR, Interim-Rural Residence district zoning to CS, General Commercial Services district zoning. Planning Commission Recommendation: To grant CS-CO, General Commercial Services-Conditional Overlay Combining district zoning with conditions. Property Owner and Applicant: Jose Briceno. Agent: Garrett Associates Engineering, Inc. (Jeff Etheredge). City Staff: Michele Rogerson, 499-2308.  
**Ordinance No. 001012-56 was approved.**
57. C14-00-2120 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 8331 Tuscany Way from GR, Community Commercial 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 for Tract 1, and W/LO-CO, Warehouse/Limited Office-Conditional Overlay Combining district zoning with conditions for Tract 2. Applicant: Midtown 3100, & Donegal Development

Corporation (Hunter Barrier); Agent: Armbrust Brown & David (Richard Suttle or Kristofer Kasper). City Staff: Clark Patterson, 499-2464. (Continued from 10/5/00)

**This item was postponed until October 26, 2000 at the request of the applicant.**

**Item 58 was pulled for discussion.**

59. C14-00-2153 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 3900 Manchaca Road from SF-3, Family Residence District Zoning to LO-MU, Limited Office-Mixed Use Combining district zoning. Planning Commission Recommendation: To grant LO-MU, Limited Office-Mixed Use Combining district zoning with conditions. Property Owner and Applicant: Keith Taniguchi. Agent: Alan Taniguchi (Evan K. Taniguchi). City Staff: Wendy Walsh, 499-7719.  
**Ordinance No. 001012-59 was approved.**
60. C14-00-2154 - Public hearing to amend chapter 25-2 of the Austin City Code by zoning property locally known as 5106 Nixon Lane from SF-2, Single Family Residence Standard Lot district zoning to LR-CO, Neighborhood Commercial-Conditional Overlay Combining district zoning. Planning Commission recommendation: To grant LR-CO, Neighborhood Commercial-Conditional Overlay Combining district zoning with conditions. Applicant: Mohammad Arami; Agent: Jim Bennett Consulting (Jim Bennett) City Staff: Rachel Everidge, 499-2332.  
**Ordinance No. 0001012-60 was approved.**
61. C14-00-2155 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 5204 U.S. Highway 290 West from DR, Development Reserve district zoning to CS-CO General Commercial Services-Conditional Overlay Combining district zoning. Planning Commission Recommendation: To grant CS-CO, General Commercial Services-Conditional Overlay Combining district zoning with conditions. Property Owner and Applicant: Southwestern Bell (Gene Brigman). Agent: Vincent Gerard (Vince Huebinger). City Staff: Wendy Walsh, 499-7719.  
**Ordinance No. 001012-61 was approved.**
62. C14-00-2167 - Public hearing to amend chapter 25-2 of the Austin City Code by zoning property locally known as 1800 Payton Gin from SF-3, Family Residence district zoning to Neighborhood Commercial district zoning. Planning Commission Recommendation: To grant LR, Neighborhood Commercial district zoning with conditions. Applicant: Austin Brethren Church (Richard E. Stone). Agent: Holford Group (Theresa Canchola). City Staff: Rachel Everidge, 499-2332.  
**Ordinance No. 001012-62 was approved.**
63. C14-00-2168 - Public hearing to amend chapter 25-2 of the Austin City Code by zoning property locally known as 7100 Greenshores Drive from DR, Development Reserve district zoning to LA, Lake Austin district zoning. Planning Commission Recommendation: To grant LA, Lake Austin district zoning. Applicant: Fabbio Family limited Partnership. Agent: Conley Engineering (Jason Dyke). City Staff: Tom Bolt, 499-2741.  
**The first reading of this ordinance was approved.**

#### **DISCUSSION ITEMS CONTINUED**

58. C14-00-2122 - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property located 10505 RR 620 North from I-RR, Interim-Rural Residence district zoning to GR, Community Commercial district zoning and CS-1, Commercial-Liquor Sales district zoning. To grant LR-CO, Neighborhood Commercial-Conditional Overlay Combining district zoning with conditions. Applicant: M & S Corner (Mao Chhay); Agent: Holford Group (Theresa Canchola). City Staff: Clark Patterson, 499-2464.

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

The motion to re-consider this item to allow for rebuttal was approved on Council Member Griffith's motion, Council Member Slusher's second by a 7-0 vote.

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

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

2. Discuss legal issues regarding labor negotiations with the Austin Police Association.  
**No action was taken.**
3. Discuss *Eli Garza v. City of Austin*, Cause No. 97-12434, in the Travis County District Court. (This litigation concerns development regulations applicable in the Barton Springs Zone).  
**No action was taken.**

The motion to adjourn the meeting at 4:26 p.m. was approved on Council Member Griffith's motion, Council Member Slusher's second by a 7-0 vote.

The minutes for the regular meeting of October 12, 2000 were approved on Council Member Wynn's motion, Council Member Griffith's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Slusher were off the dais.