



**Austin City Council
MINUTES**

**REGULAR MEETING
THURSDAY, APRIL 6, 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, April 6, 2000 at City Hall, 124 W. 8th Street, Room 304

INVOCATION – Pastor Robert Bolener, Austin Bible Church

Mayor Watson called the meeting to order at 9:27 a.m.

1. Approval of minutes for regular meeting of March 30, 2000.
The minutes for the regular meeting of March 30, 2000 were approved on Council Member Garcia's motion, Mayor Watson's second by a 4-0 vote. Council Members Griffith, Slusher and Spelman were off the dais.

BRIEFINGS

Item 2 was discussed later in the meeting.

3. Town Lake Animal Shelter - The presentation was given by Board Member Pat Valls-Trelles; David Lurie, Director of Health and Human Services; and Carol Monroe, Manager of the Town Lake Animal Shelter.

Item 4 was set for a time certain of 2:00 p.m.

Items 5 through 8 were Executive Session items

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

9. Approve a resolution authorizing execution of a 12-month supply agreement with SILVIA B. KENIG INC., Austin, Texas, to provide Spanish Language Interpreter Services for the Austin Municipal Court in an amount not to exceed \$177,643, with three 12-month extension options in an amount not to exceed \$177,643, per extension, for a total contract amount not to exceed \$710,572. (Funding in the amount of \$88,822 was included in the 1999-2000 Approved Operating Budget of the Municipal Court. Funding for the remaining six months of the original contract period and extension options will be contingent upon available funding in future budgets.) Sole bid. No MBE/WBE subcontracting participation.

Resolution No. 000406-09 was approved.

10. Approve an ordinance renewing the Roy's Taxi, Inc. taxicab franchise. (Revenue Source-taxicab permit fees of \$400 per year per permit. Expected annual revenue \$52,000) (Recommended by Urban Transportation Commission) (Third reading)

Ordinance No. 000406-10 was approved.

Items 11 through 12 were pulled for discussion.

13. Approve an ordinance regarding allocation of impervious cover credits consistent with the Friesenhahn property purchase, located at the intersection of Capital of Texas Highway South and Mopac, and superceding Chapter 25-8, Article 12 (Save Our Springs Initiative) to the extent of conflict. (This matter concerns development regulations applicable in the Barton Springs Zone.)

Ordinance No. 000406-13 was approved.

14. Approve a resolution authorizing negotiation and execution of a professional services agreement with EARTH TECH, INC., Austin, Texas, to develop a plan for water and wastewater service for the Del Valle Annexation Area and to provide the professional engineering and management services necessary to implement certain improvements defined in the plan, in an amount not to exceed \$1,500,000. (Funding is available in the 1999-2000 Amended Capital Budget of the Water and Wastewater Utility.) Best of eight qualification statements. 8.7% MBE; 20% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 000406-14 was approved.

Items 15 through 17 were pulled for discussion.

18. Approve an ordinance granting a franchise to WideOpen West Texas, LLC, to provide cable and broadband services. (Cable system will be under construction and will not be operational for customers during this fiscal year. No anticipated revenue for Fiscal Year 1999-2000 projected at this time. Revenue may result from future customer usage of the system to be estimated for subsequent years) (Second reading)
The second reading of this ordinance was approved.
19. Approve an ordinance transferring control of the franchise held by TIME WARNER ENTERTAINMENT/ADVANCE-NEWHOUSE. (Second reading)
The second reading of this ordinance was approved.
20. Amcnd Ordinance No. 990913-2, by amending the 1999-2000 Approved Capital Budget for Telecommunications, increasing the appropriations by \$1,243,594 for the Combined Emergency Center project. (Funding from various local government entities in accordance with the Interlocal Agreement between the City of Austin and those participating entities in the Regional Coalition, including Travis County (\$460,738), Texas Department of Transportation (\$754,867), and Capital Metropolitan Transportation Authority (\$27,989).) (Recommended by Planning Commission) (Related to items 21 and 22)
Ordinance No. 000406-20 was approved.
21. Approve a resolution authorizing the negotiation and execution of an Interlocal Agreement between the City of Austin and Travis County, Capital Metropolitan Transit Authority, and the Texas Department of Transportation, for the purpose of funding facility and systems design and construction administration services for a regional unified public safety and public services communication and transportation management center in the Austin and Travis County area. (For proportional funding from participating entities, see related budget amendment, Telecommunications Capital Budget Amendment. For authorization of contract award and funding approval for design and contract administration professional services, see related item, TRW Professional Services Agreement.) (Recommended by Planning Commission) ((Related to items 20 and 22)
Resolution No. 000406-21 was approved.
22. Approve a resolution authorizing execution of a Professional Services Agreement with TRW, INC., PUBLIC SECTOR SOLUTIONS, Reston, VA, for Phase II design and construction administration services for the Regional Emergency Communications and Transportation Management Center, in an amount not to exceed \$3,389,703. ((Funding was included in the 1999-2000 Amended Capital Budget for Telecommunications) 8.6% MBE; 18.2% WBE subcontracting participation. (Related to items 20 and 21)
Resolution No. 000406-22 was approved.
23. Approve a resolution authorizing execution of two five-year revenue generating contracts, with ROWING DOCK, Austin, Texas, and TEXAS ROWING CENTER, INC, Austin, Texas, for rowing and sculling concessions located on Town Lake, in an estimated amount of \$8004 a year respectively, with the option to extend the contracts for three additional five-year periods in an estimated amount of \$8,004 a year, for a total estimated contract

amount of \$40,020 respectively. (The amount of \$80,040 net guaranteed revenue for both contracts combined to the City over the duration of the first five-year contract period and \$80,040 net guaranteed revenue for each additional five-year contract period. Additional revenue will be based on a percentage of net sales at a rate of one percent (1%) of yearly net revenue and eight percent (8%) of the net revenue above \$80,000 per year. Revenue will be placed in the General Fund.)

Resolution No. 000406-23 was approved.

24. Amend Ordinance No. 990913-2, the 1999-2000 Capital Budget of the Watershed Protection Department by transferring and appropriating \$262,000 from the 2000 CIP Contingency Account to the Barton Springs Pool Improvements Project. (Funding is available in the Amended 1999-2000 CIP Contingency Account.) (Related to item 25)

Ordinance No. 000406-24 was approved.

25. Approve a resolution authorizing execution of a construction contract with AUSTIN FILTER SYSTEMS, INC., Austin, Texas, for the Barton Springs Pool Improvements Project, in the amount of \$240,320. (Funding is available in the 1999-2000 Amended Capital Budget of the Watershed Protection Utility.) Low bid of four. (Recommended by Environmental Board) 4.51% MBE; 2.43% WBE subcontracting participation. (Related to item 24)

Resolution No. 000406-25 was approved.

26. Approve a resolution authorizing negotiation and execution of an amendment to the existing professional services agreement with RAYMOND CHAN & ASSOCIATES, INC. (MBE/MA), Austin, Texas, for Phase 2 (design) and Phase 3 (construction management) engineering services for the Crystal Brook Flood Control Project, in the amount of \$1,102,100 plus \$110,210 contingency, for a maximum contract amount not to exceed \$1,447,218. (Funding in the amount of \$1,212,310 is included in the 1999-2000 Capital Budget of the Watershed Protection Department.) 5.44% MBE; 29.10% WBE subcontracting participation. (Recommended by Environmental Board)

This item was postponed to April 13, 2000.

27. Consider a resolution addressing issues related to *Ethel Spiller, et al. v. Robert M. Walker, et al.*, Cause No. A 98 CA 255 SS, in the United States District Court for the Western District of Texas, Austin Division. (This litigation involves Plaintiffs' request for an environmental impact statement concerning the Longhorn Pipeline Project.)

Resolution No. 000406-27 was approved.

28. Set a public hearing to amend the Austin Tomorrow Comprehensive Plan by adopting the Hyde Park Neighborhood Plan for the area bounded by 38th St. on the south; Duval, 45th and Red River Streets on the east; 51st Street on the north; and Guadalupe Street on the west. (There is no fiscal impact associated with adopting the Plan. A partial estimate of the fiscal impact to implement all of the recommendations in the plan is \$1,108,500. This plan is advisory and does not legally obligate the Council to implement any particular

recommendation.) (Recommended by Planning Commission) (Suggested Date and Time: April 13, 2000 at 6:00 p.m.)

Resolution No. 000406-28 was approved.

29. Adopt a resolution approving the release of approximately 575 acres of extraterritorial jurisdiction in the Point Venture area (located on the north shore of Lake Travis west of Lohman Ford Road.)

Resolution No. 000406-29 was approved.

30. Approve a resolution authorizing execution of a construction contract with A & R DEMOLITION, Del Valle, Texas, for demolition/deconstruction of the Parks & Recreation Department's Police Headquarters Building, located at 901 W. Riverside Drive, as part of the Town Lake Park Community Events Center and Parking Facility Project, in the amount of \$89,721. (Funding is included in the 1998-1999 Amended Capital Budget of the Convention Center Department.) Low bid of nine. No MBE/WBE subcontracting participation.

Resolution No. 000406-30 was approved. Council Member Lewis voted No.

31. Amend Ordinance 990914-6, the Capital Budget for the Electric Utility Department. The Capital Budget amendment will transfer \$8,700,000 of appropriations between capital project groups increasing appropriations for Energy Management Additions (District Chillers) and decreasing appropriations for Generation Additions for a net impact of \$0. (Funding was included in the Approved 1999-2000 Capital Budget of the Electric Utility Department with current revenue transfers from the Operating Budget of the Electric Utility Department. Net impact on the Capital Budget and Operating Budget of the Electric Utility Department is \$0.) (Recommended by Electric Utility Commission)
(Related to items 32-35)

Ordinance No. 000406-31 was approved.

32. Approve a resolution authorizing execution of a contract with BALTIMORE AIRCOIL COMPANY, Baltimore, MD, for the purchase of a thermal ice storage system for use in the CSC/City Hall district chilled water plant, in the amount of \$665,702. (Funding was included in the 1999-2000 Approved Capital Budget for the Electric Utility Department.) Low bid of two. No MBE/WBE subcontracting participation. (Recommended by Electric Utility Commission) (Related to items 31, 33-35)

Resolution No. 000406-32 was approved.

33. Approve a resolution authorizing execution of a contract with YORK INTERNATIONAL CORP., Austin, Texas, for the purchase of three chillers for use in the CSC/City Hall district chilled water plant, in the amount of \$1,147,400. (Funding is available in the 1999-2000 Approved Capital Budget for the Electric Utility Department.) Low Evaluated Bid – Three Bids Received. No MBE/WBE subcontracting participation. (Recommended by Electric Utility Commission) (Related to items 31, 32, 34, 35)

Resolution No. 000406-33 was approved.

34. Approve a resolution authorizing execution of a contract with CERAMIC COOLING TOWER COMPANY, c/o Enviro-Tex, San Antonio, Texas, for the purchase of a cooling tower for use in the CSC/City Hall district chilled water plant, in the amount of \$809,847. (Funding was included in the 1999-2000 Approved Capital Budget for the Electric Utility Department.) Low Evaluated Bid – Two Bids Received. No MBE/WBE subcontracting participation. (Recommended by Electric Utility Commission) (Related to items 31-33, 35) **Resolution No. 000406-34 was approved.**
35. Approve a resolution authorizing execution of a construction contract with REC INDUSTRIES, INC., Bryan, Texas, for the CSC/City Hall Project District Cooling Plant, in the amount of \$6,571,000 contingency, for a total contract amount not to exceed \$7,228,100. Low bid of four. 8.95% MBE; .28% WBE subcontracting participation. (Recommended by Electric Utility Commission) (Related to items 31-34) **Resolution No. 000406-35 was approved.**

Item 36 was pulled for discussion.

37. Approve Amendment No. 1 to the Interlocal Cooperation Agreement with Travis County, approved by City Council on December 16, 1999, to fund and administer social services contracts for the period of April 1, 2000, through December 31, 2000, at a cost to the City not to exceed \$3,159,058 with two 12-month extension options at a cost of \$4,212,077 per extension, for a total amount not to exceed \$11,583,212. (Funding in the amount of \$2,808,052 was included in the 1999-2000 Approved Operating Budget for the Health and Human Services Department, Social Services agency. Funding for the remaining one month of the contract period and extension options is contingent upon available funding in future budgets.) **Resolution No. 000406-37 was approved.**

Item 38 and 39 were pulled for discussion.

40. Set a public hearing regarding issues and concerns relating to Central Booking. (Suggested date and time: April 13, 2000 at 6:00 p.m.) **Resolution No. 000406-40 was approved.**

Item 41 was pulled for discussion.

42. C14-99-2070 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5500 South 1st Street from SF-3, Family Residence District zoning to GO-MU-CO, General Office-Mixed Use-Conditional Overlay Combining District zoning with conditions. First reading on March 9, 2000; Vote: 5-1 (Goodman nay; Spelman off the dais). Conditions met as follows: Conditional overlay incorporates the conditions imposed by Council at first reading. Property Owner and Applicant: Evelyn Lovelady. Agent: Jim Bennett. City Staff: Michele Rogerson, 499-2308. **Ordinance No. 000406-42 was approved.**

Item 43 was pulled for discussion.

44. C14-99-2141 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known 3907 South Congress Avenue from SF-3, Family Residence District and LI, Limited Industrial Services District zoning to GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions First reading on March 2, 2000; Vote: 7-0. Conditions met as follows: Conditional overlay incorporates the conditions imposed by Council at first reading. Applicant: Fred Kramer, Agent: Site Specifics (John Hussey). City Staff: Clark Patterson, 499-2464

Ordinance No. 000406-44 was approved.

45. Set a public hearing to consider a site plan and establish development regulations applicable to the Austin Convention Center Expansion located at 500 East Cesar Chavez Street. File # SP-00-2088. (Suggested Date and Time: April 20, 2000 at 6:00 p.m.)

Resolution No. 000406-45 was approved.

Items 46 through 47 were pulled for discussion.

48. Approve a resolution authorizing the City Manager to proceed with negotiations with Zachary Scott Theatre regarding the expansion of its facilities including reconfiguration of the building location. (Mayor Pro-Tem Jackie Goodman)

Resolution No. 000406-48 was approved.

Item 49 was pulled for discussion.

Items 50 - 58 were Citizen Communications.

Items 59 - 62 were Zoning Items.

Items 63 – 65 were Public Hearings.

66. Conduct a public hearing to consider amending the Austin Tomorrow Comprehensive Plan by incorporating the Smart Growth Master Planning Guidelines as an element of the plan.

This item was postponed indefinitely.

Item 67 was a Public Hearing.

68. Conduct a public hearing to consider amending Chapter 25-6 of the Austin City Code to provide consultation with neighborhood planning committees regarding traffic impact analyses and to permit City-initiated traffic analyses for Smart Growth corridors and nodes.

This item was postponed indefinitely.

Items 69 – 78 were Public Hearings.

79. Consider an ordinance amending Chapter 25-6 of the Austin City Code to provide consultation with neighborhood planning committees regarding traffic impact analyses and to permit City-initiated traffic analyses for Smart Growth corridors and nodes.

This item was postponed indefinitely.

80. Approve an ordinance to amend the Austin Tomorrow Comprehensive Plan by incorporating the Smart Growth Master Planning Guidelines as an element of the plan.

This item was postponed indefinitely.

Items 81 - 88 were Public Hearings.

89 was an additional Citizen Communication item.

90 was an additional Executive Session item.

DISCUSSION ITEMS

41. C14-99-0081 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6415 Hart Lane, 3413 North Hills Drive and 6426 North Loop One (Mopac) Southbound from LO, Limited Office District zoning to GO-CO, General Office-Conditional Overlay Combining District zoning with conditions. First reading on January 13, 2000; Vote: 7-0. Conditions met as follows: Conditional overlay incorporates the conditions imposed by Council at first reading. Applicant: 6204 Balcones Ltd. (Gerald Kucera, Manager) and David B. Barrow, Jr. (Charles F. Stahl, Attorney-In-Fact). City Staff: Clark Patterson, 499-2464. Note: A valid petition of has been filed in opposition to this rezoning request. (continued from 12/16/99, 3/23/00 and 3/30/00)

The second reading of this ordinance was approved with the following amendments on Council Member Slusher's motion, Council Member Spelman's second on a 6-0 vote. Council Member Garcia was off the dais. The amendments were:

- (a) The restrictive covenant regarding trees that was approved on the first reading is included;**
 - (b) Tract "A" shall be zoned GO-CO (limited to LO uses);**
 - (c) Building square footage for tract "A" shall be limited to 126,000 square feet;**
 - (d) Top of building elevation for tract "A" should be limited to 795;**
 - (e) Tract B and C shall be zoned LO-CO;**
 - (f) Top of building elevation for any structure constructed on tract "B" and "C" shall not exceed 765;**
 - (g) Site is limited to 2000 trips per day; and**
- There is no longer a valid petition due to the withdrawal of two names.**

BRIEFINGS CONTINUED

2. Homeless Shelter/Resource Center and Clinic (Related to items 38 and 39) - **The presentation was given by Marcia Conner, Assistant City Manager; Joyce Pohlman, Health Department; and MariBen Ramsey, Chair of the CAN (Community Action Network) Homeless Task Force.**

DISCUSSION ITEMS CONTINUED

15. Amend Ordinance No. 990913-2, the 1999-2000 Capital Budget by increasing appropriations to the Water and Wastewater Utility by \$2,745,000 and creating a new water project known as "Destination Park/TND Water" for \$1,545,000 and a new wastewater project known as "Destination Park/TND Wastewater" for \$1,200,000. (The amount of \$2,745,000 for the Water and Wastewater Utility to be funded by the issuance of commercial paper.) (Planning Commission Review – 4/4/00) (Water and Wastewater Commission Review – 4/5/00) (Related to items 16 and 17)
Ordinance No. 000406-15 was approved on Council Member Slusher's motion, Council Member Lewis' second by a 7-0 vote.
16. Declare official intent to reimburse construction costs in the amount of \$2,745,000 (estimated) to be paid for developer reimbursements for the Destination Park/TND project. (The amount of \$2,745,000 (estimated) for the Water and Wastewater Utility to be funded by the issuance of commercial paper.) (Water and Wastewater Commission Review – 4/5/00) (Related to items 15 and 17)
Resolution No. 000406-16 was approved on Council Member Slusher's motion, Council Member Lewis' second by a 7-0 vote.
17. Approve a resolution and ordinance concerning a City participation package for Milburn Homes to encourage the development of a traditional neighborhood district development in northeast Austin on land located east of Dessau Lane between Rundberg Lane and Braker Lane and authorize the City Manager to negotiate and execute a developer agreement for the project. (Estimated future waived revenue: \$153,000 of Development Review and Inspection Department Review fees, \$550,000 in construction inspection fees and \$350 in landscaping license agreement fees in the Public Works and Transportation Department; \$767,000 of Capital Recovery Fees in the Water and Wastewater Utility Department and \$65,000 in utility easements in the Parks and Recreation Department. Funding in the amount of \$2,745,000 is included in the 1999-2000 Amended Capital Budget of the Water and Wastewater Utility Department; \$210,000 is included in the 1999-2000 Amended Capital Budget of the Public Works and Transportation Department; and \$700,000 is included in the 1999-2000 Amended Capital Budget of the Parks and Recreation Department.) (Presented to Planning Commission 3/28/00 and Presentation to the Water and Wastewater Commission on 4/5/00) (Related to items 15 and 17)
Resolution No. 000406-17 was approved on Council Member Slusher's motion, Council Member Lewis' second by a 7-0 vote.

A motion to recess the Council meeting at 11:59 a.m. was approved on Council Member Garcia's motion, Council Member Slusher's second by a 7-0 vote.

The meeting was re-convened at 1:40 p.m. in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

CITIZEN COMMUNICATIONS

50. Jennifer Gale – Mayoral Candidate: Platform - **ABSENT**
51. Gus Pena – Discuss Homeless Issues and Low Income Affordable Housing.
Discuss City Health Clinics - **ABSENT**
52. Bruce Deatherage – Central Booking
53. Jim Walker – Census 2000 and Mueller Airport Redevelopment
54. Paul Martin – Central Booking
55. Amy Babich – Pedestrian Safety on Lamar Bridge sidewalk - **ABSENT**
56. Kirk Becker – Homeless Issues
57. Lynn Moshier – Don't Move Central Booking
58. Fran Adams - **ABSENT**
89. Paul Robbins

BRIEFINGS CONTINUED

4. Rainey Street Area Conceptual Neighborhood Redevelopment Strategy (this briefing will be conducted at 2 p.m.) (Related to item 46). **Presentations were made by Carol Barrett, Aerobic Manager, Community Information and Planning and Brigit Shea, Rainey Street representative.**

DISCUSSION ITEMS CONTINUED

46. Adopt a resolution directing the City Manager to present the Rainey Street Area Conceptual Neighborhood Redevelopment Strategy to appropriate Boards and Commissions. (Council Member Gus Garcia) (This item will be taken up after item 4) **Resolution No. 000406-46 was approved with the following friendly amendments on Council Member Garcia's motion, Council Member Griffith's second by a 6-0 vote. Council Member Lewis was off the dais.**

There was a friendly amendment by Council Member Griffith revising the last paragraph to read, "That the City Council directs the City Manager to evaluate the conceptual plan in order to recommend any additional clarifying language or changes to the conceptual plan to consider the historic district and make the conceptual plan consistent with existing City of Austin Smart Growth principles urban design and planning requirements and the needs of the neighbors who want to stay in the broad area."

There was a friendly amendment by Council Member Spelman adding the following, "Be it further resolved that: the City Council directs the City Manager to evaluate the plan development process, determine the extent to which it is consistent with the City's neighborhood planning process, and recommend any further actions needed to ensure that the needs of all stakeholders are appropriately taken into account."

There was a friendly amendment by Council Member Slusher that the City study the impact on East Austin, east of the freeway, and the Cultural Center.

The friendly amendments were accepted by the maker of the motion and Council Member Griffith, who made the second.

36. Approve a resolution authorizing the filing of eminent domain proceedings to acquire the fee simple interest in a 4.479 acre tract of land and the fee simple interest in a 1.158 acre tract of land both situated in the Santiago Del Valle Grant, in the City of Austin, Travis County, Texas, owned by Larry K. Yount, Gail Yount, Robin R. Yount, Michelle Yount, Philip A. Yount, and Marion K. Yount for the construction of the Montopolis/Riverside Branch Library. (Funding in the amount of \$545,000 is included in the 1999-2000 Amended Capital Budget of the Library Department.)
Resolution No. 000406-36 was approved on Council Member Garcia's motion, Mayor Watson's second by a 6-0 vote. Council Member Lewis was off the dais.

ZONING DISCUSSION

61. C14-99-2139 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property located at approximately 13444 Pond Springs Road from I-RR, Interim-Rural Residence District zoning to CS, General Commercial Services District zoning. Planning Commission Recommendation: To grant W/LO-CO, Warehouse Limited Office-Conditional Overlay Combining District zoning with conditions. Applicant: Pond Springs Mini Storage (Chris Jones); Agent: Land Answers (Jim Wittliff). City Staff: David Wahlgren, 499-6455.
The public hearing was closed and Ordinance No. 000406-61 was approved on Council Member Spelman's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Council Member Lewis was off the dais.
62. C14-99-2140 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property located 400 feet northeast of the intersection of Anderson Mill Road and North U.S. Highway 183 from I-RR, Interim-Rural Residence District zoning and GR, Community Commercial District zoning to CS, General Commercial Services District zoning. Planning Commission Recommendation: To grant GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions. Applicant: Barbara Hurst; Agent: Land Answers (Jim Wittliff). City Staff: David Wahlgren, 499-6455.

The public hearing was closed and Ordinance No. 000406-62 was approved on Council Member Spelman's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Council Member Lewis was off the dais.

43. C14-99-2071 – Amend Chapter 25-2 of the Austin City Code by zoning property locally known as 12007 North Lamar Blvd. from SF-2, Single-Family Residence (Standard Lot) District zoning to MF-1, Multifamily Residence (Limited Density) District zoning. Planning Commission Recommendation: To grant MF-1-CO, Multifamily Residence (Limited Density-Conditional Overlay Combining District zoning with conditions. Applicant: Grace Christian Center of Austin, Inc.(Andrew McHolm); Agent: Minter, Joseph and Thornhill, P.C. (Dorothy Raven). City Staff: Clark Patterson, 499-2464 (continued from 3/2/00 and 3/9/00)

This item was postponed to April 13, 2000 on Council Member Slusher's motion, Council Member Spelman's second by a 6-0 vote. Council Member Lewis was off the dais

11. Approve a resolution authorizing negotiation and execution of an amendment to the professional services agreement with HDR ENGINEERING, INC., Austin, Texas, for load rating analysis services on the existing Lamar Bridge, in the amount of \$82,000, for a total contract amount not to exceed \$1,569,466. (Funding in the amount of \$82,000 is available in the 1992-1993 Amended Capital Budget of the Department of Public Works & Transportation.) No MBE/WBE subcontracting participation.

This item was postponed to April 13, 2000 on Mayor Pro Tem Goodman's motion, Council Member Spelman's second by a 4-2 vote. Mayor Watson and Council Member Garcia voted No. Council Member Lewis was off the dais.

12. Approve a resolution authorizing execution of a construction contract with JAY-REESE CONSTRUCTION, Austin, Texas, for a new Pedestrian/Bicycle Bridge over the Town Lake, east of the existing Lamar Bridge, in the amount of \$6,615,106.60 plus \$300,000 to be used as a contingency fund for change orders for a total amount not to exceed \$6,915,106.60. (Funding in the amount of \$6,154,569.60 is available in the 1992-1993 Amended Capital Budget of Public Works Department; \$145,431 is available in the 1997-1998 Amended Capital Budget of the Public Works Department; and \$615,106 is available in the 1999-2000 Amended Capital Budget of the Public Works Department.) Low bid of two. 13.58% MBE; 27.84% WBE subcontracting participation.

This item was postponed to April 13, 2000 on Mayor Pro Tem Goodman's motion, Council Member Spelman's second by a 4-2 vote. Mayor Watson and Council Member Garcia voted No. Council Member Lewis was off the dais.

The motion to recess the Council meeting at 4:58 p.m. and go into Executive Session was approved on Council Member Garcia's motion, Council Member Lewis' second by a 6-0 vote. Council Member Lewis was off the dais.

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.

6. Discuss legal issues regarding labor negotiations with the Austin Police Association.
This item was postponed to April 13, 2000

7. Discuss *Gilbert Limon and Martha Limon, et al. V. J.T.B. Services, Inc., The City of Austin, et al.*, Cause No. GN-000466, in the Travis County District Court.

8. Discuss *Ex Parte Christopher Standage*, Cause No. 98-02992, in the Travis County District Court.

9. Discussion a resolution clarifying Ordinance No. 900830-Q and the potential for initiating a modification of the zoning for Tract 2 of the Hyde Park Civic Neighborhood Combing District.

Executive session ended at 6:02 p.m.

LIVE MUSIC: Blue Boy Hubbard

The Mayor called the regular Council meeting back to order.

PROCLAMATIONS**DISCUSSION ITEMS CONTINUED**

38. Approve a resolution authorizing execution of a forgivable loan with Booth Services, Inc., a private not-for-profit corporation affiliated with THE SALVATION ARMY, 501 East 8th Street, Austin, Texas, 78701 for a 40-year loan term to finance the construction of a homeless center in the total loan amount of \$3,900,000, and the negotiation and execution of a 40-year operating agreement to manage the homeless center, subject to annual approval of future operating amounts. (The amount of \$500,000 was included in the 1996-1997 Operating Budget Special Revenue Fund of the Neighborhood Housing and Community Development Office (NHCDO) (CDBG 22nd Year Homeless Facilities). The amount of \$3,100,000 was included in the 1998-1999 Amended Operating Budget Special Revenue Fund of the NHCDO (CDBG 24th Year Homeless Facilities, CDBG 25th Year Homeless Facilities, CDBG 26th Year Homeless Facilities). The amount of \$300,000 was included in the 1998-1999 Amended Capital Budget of the Health and Human Services Department (HHSD). (Related to items 2 and 39) (This item will be taken up after item 2)

Resolution No. 000406-38 was approved on Council Member Garcia's motion, Mayor Watson's second on a 7-0 vote.

39. Approve an ordinance authorizing the waiver of Water and Wastewater meter fees and development fees for the Downtown Homeless Shelter, Resource Center and Clinic in the amount of \$111,803. (Foregone revenues in the amount of \$111,803. The General Fund portion of the waiver is approximately \$15,430. The Watershed Protection Department would loose approximately \$6,332 in water quality/filtration project funds. The Water and Wastewater Utility would forgo \$9,870 in capital recovery fees and the Department of Public Works and Transportation would lose close to \$80,261 in anticipated revenues. (Related to items 2 and 38) (This item will be taken up after item 2)

Ordinance No. 000406-39 was approved on Council Member Garcia's motion, Mayor Watson's second on a 7-0 vote.

49. Direct the City Manger to immediately create, fund, and staff an entity to assume management of the development of the Robert Mueller Municipal Airport (RMMA) site and analyze related financial issues. (Council Member Willie Lewis and Council Member Beverly Griffith)

Resolution No. 000406-49 was approved on Council Member Lewis' motion, Council Member Griffith's second on a 7-0 vote with the following friendly amendments. Mayor Pro Tem Goodman's friendly amendment was to change the resolution to read, "The Council directs the City Manager to bring back to Council the information necessary to immediately create the entity which will assume the management of the development of the Robert Mueller Municipal Airport (RMMA) site and analyze related financial issues." Council Member Garcia's friendly amendment was that the City Manager report back into 90 days after Council accepts or rejects the ROMA redevelopment plan.

ZONING DISCUSSION ITEMS CONTINUED

The motion to suspend the rules and allow ten minutes per side to present their case on whether the building in No. 59 is an historical structure was approved on Mayor Pro Tem Goodman's motion, Council Member Spelman's second on a 5-0 vote. Council Members Garcia and Slusher were off the dais.

59. C14H-99-0017 – Cater Joseph House - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 2824 Rio Grande Street from MF-4, Multifamily Residence (Moderate-High Density) District zoning to MF-4-H, Multifamily Residence (Moderate-High Density)-Historic District zoning. Planning Commission Recommendation: To Grant MF-4-H, Multifamily Residence (Moderate-High Density)-Historic District zoning with conditions. Applicant: City of Austin; Property Owner: JCA Partnership. City Staff: Barbara Stocklin, 499-2414. Note: A valid petition has been filed in opposition to this rezoning request. (continued from 3/9/00 and 3/30/00)

The public hearing was closed on Council Member Garcia's motion, Council Member Lewis' second by a 6-0 vote. Council Member Griffith was off the dais.

The motion to approve the Planning Commission's recommendation to grant the historic zoning failed on a 4-3 vote with Mayor Watson, Council Members Garcia, Lewis and Slusher voting No.

The motion to reconsider Council's action was approved on Council Member Slusher's motion, Council Member Lewis' second on a 7-0 vote.

The motion to postpone action one week to obtain a second opinion about the repairs from a structural engineer was approved on Mayor Pro Tem Goodman's motion, Council Member Spelman's second on a 5-2 vote. Mayor Watson and Council Member Garcia voted No.

60. C14-99-2004 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 6114 East Riverside Drive from SF-3, Family Residence District zoning to GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions. Planning Commission Recommendation: To deny GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions. Applicant: Travis Used Cars (Brad Joiner). City Staff: Adam Smith, 499-2755. Note: A valid petition has been filed in opposition to this rezoning request. (continued from 3/2/00 and 3/9/00)

The public hearing was closed on Council Member Garcia's motion, Council Member Spelman's second by a 5-0 vote. Mayor Watson and Council Member Griffith were off the dais.

The motion by Council Member Garcia to approve the Planning Commission's recommendation to deny the zoning was seconded by Council Member Spelman. Council Member Garcia later withdrew his motion.

The motion to postpone action on this item to May 11, 2000 was approved on Council Member Garcia's motion, Council Member Slusher's second on a 7-0 vote.

74. Conduct a public hearing on an ordinance amending Chapter 25-9 of the Land Development Code relating to decentralized wastewater systems, water and wastewater service extension requests and commitments, and cost reimbursement and cost participation for water or wastewater facilities. (No change in the amount of funding needed, only in the number of years over which cost reimbursements may be paid.)

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

87. Consider an ordinance amending Chapter 25-9 of the Land Development Code relating to decentralized wastewater systems, water and wastewater service extension requests and commitments, and cost reimbursement and cost participation for water or wastewater facilities.

Ordinance No. 000406-87 was approved on Council Member Slusher's motion, Council Member Spelman's second by a 6-0 vote. Council Member Lewis was off the dais.

63. Conduct a public hearing on the appeal of the Planning Commission's decision to approve a conditional use permit site plan with variances for South Park Meadows Amphitheater Improvements, an outdoor entertainment and cocktail lounge use located at 9600 South Interstate Highway 35, Southbound. Appellants: Armbrust, Brown & Davis (Richard Suttle). Property Owner: Abel J. & Mary Ann Theriot Family Limited Partnership. Applicant: Abel J. and Mary Theriot Family Limited Partnership (Suzanne Sanders). Agent: Armbrust Brown & Davis (Richard T. Suttle, Jr.). File #SPC-99-2027A. (continued from 3/30/00)

The motion to postpone the hearing to April 20, 2000 based on the agreements of both parties was approved on Mayor Pro Tem Goodman's motion, Council Member Spelman's second on a 7-0 vote.

76. Consider a resolution regarding an appeal of the Planning Commission's decision to approve the conditional use permit site plan with variances for South Park Meadows Amphitheater Improvements an outdoor entertainment and cocktail lounge use located at 9600 South Interstate Highway 35, Southbound. Appellants: Armbrust, Brown & Davis (Richard Suttle). Property Owner: Abel J. & Mary Ann Theriot Family Limited Partnership. Applicant: Abel J. and Mary Theriot Family Limited Partnership (Suzanne Sanders). Agent: Armbrust Brown & Davis (Richard T. Suttle, Jr.). File #SPC-99-2027A.

The motion to postpone the hearing to April 20, 2000 based on the agreements of both parties was approved on Mayor Pro Tem Goodman's motion, Council Member Spelman's second on a 7-0 vote.

47. Approve a resolution clarifying ordinance No. 900830-Q, and initiating a modification of the zoning for Tract 2 of the Hyde Park Civic Neighborhood Conservation Combining District. (Council Member William Spelman and Council Member Beverly Griffith)

Council Member Spelman withdrew this item for consideration.

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

64. Conduct a public hearing on an ordinance amending Section 25-12-1 of the Land Development Code by re-adopting the 1994 Uniform Building Code with local amendments.

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

65. Conduct a public hearing and consider an ordinance adopting the 1997 Edition of the Uniform Fire Code and local amendments to that code.
The public hearing was closed on Council Member Garcia's motion, Council Member Slusher's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Spelman were off the dais.
77. Consider an ordinance amending Section 25-12-1 of the Land Development Code by re-adopting the 1994 Uniform Building Code with local amendments.
Ordinance No. 000406-77 was approved on Council Member Garcia's motion, Council Member Slusher's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Spelman were off the dais.
78. Consider an ordinance adopting the 1997 Edition of the Uniform Fire Code and local amendments to that code.
Ordinance No. 000406-78 was approved on Council Member Garcia's motion, Council Member Slusher's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Spelman were off the dais.
67. Conduct a public hearing to consider amending Chapter 25-2 of the Austin City Code for the Smart Growth Infill and Redevelopment proposals.
The public hearing was closed on Council Member Griffith's motion, Council Member Slusher's second by a 7-0 vote.
81. Approve an ordinance amending Chapter 25-2 of the Austin City Code for the Smart Growth Infill and Redevelopment proposals.
Ordinance No. 000406-81 was approved on Council Member Slusher's motion, Council Member Spelman's second by a 7-0 vote.
69. Conduct a public hearing on an ordinance amending Section 25-8-42 of the City Code relating to administrative variances for cut and fill in the Desired Development Zone.
The public hearing was closed on Council Member Griffith's motion, Council Member Garcia's second by a 7-0 vote.
82. Consider an ordinance amending Section 25-8-42 of the City Code relating to administrative variances for cut and fill in the Desired Development Zone.
Ordinance No. 000406-82 was approved on Council Member Slusher's motion, Council Member Spelman's second by a 7-0 vote.
70. Conduct a public hearing on an ordinance amending Section 25-8-65 of the City Code relating to the inclusion of roadways in impervious cover calculations.

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

83. Consider an ordinance amending Section 25-8-65 of the City Code relating to the inclusion of roadways in impervious cover calculations.
Ordinance No. 000406-83 was approved on Council Member Spelman's motion, Council Member Slusher's second by a 7-0 vote.
71. Conduct a public hearing on an ordinance amending Chapter 25-8 relating to construction on slopes in urban watersheds.
The public hearing was closed on Council Member Spelman's motion, Mayor Watson second by a 7-0 vote.
84. Consider an ordinance amending Chapter 25-8 relating to construction on slopes in urban watersheds.
Ordinance No. 000406-84 was approved on Council Member Spelman's motion, Council Member Slusher's second by a 7-0 vote.
72. Conduct a public hearing on an ordinance amending Title 25 of the City Code relating to impervious cover calculations and assumptions.
The public hearing was closed on Council Member Slusher's motion, Council Member Spelman's second by a 6-0 vote. Council Member Garcia was off the dais.
85. Consider an ordinance amending Title 25 of the City Code relating to impervious cover calculations and assumptions.
Ordinance No. 000406-85 was approved on Council Member Spelman's motion, Council Member Lewis' second by a 6-0 vote. Council Member Garcia was off the dais.
73. Conduct a public hearing on an ordinance amending Chapter 25-2 of the City Code regarding use and site development regulations for an urban farm use.
The public hearing was closed on Mayor Pro Tem Goodman's motion, Council Member Spelman's second by a 5-0 vote. Council Members Garcia and Slusher were off the dais.
86. Consider an ordinance amending Chapter 25-2 of the City Code regarding use and site development regulations for an urban farm use.
Ordinance No. 000406-86 was approved on Council Member Spelman's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Council Member Garcia was off the dais.
75. Conduct a public hearing on an ordinance amending Chapter 25-8 of the Austin City Code relating to the redevelopment of certain existing developed sites and superceding Chapter 25-9, Article 12 (Save Our Springs Initiative) to the extent of conflict.

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

88. Consider an ordinance amending Chapter 25-8 of the Austin City Code relating to the redevelopment of certain existing developed sites and superceding Chapter 25-9, Article 12 (Save Our Springs Initiative) to the extent of conflict.

Ordinance No. 000406-88 was approved with the amendments shown below on Council Member Lewis' motion, Mayor Pro Tem Goodman's second by a 6-1 vote. Council Member Slusher voted No. Part 1, Chapter 25-8-26, section (B) should read "The requirements of this subchapter do not apply to the redevelopment of the property if the redevelopment; (1) does not increase the existing amount of impervious cover; (2) provides the level of water quality treatment prescribed by current regulations for the redeveloped area or an equivalent area on the site; (3) does not generate more than 2,000 vehicle trips a day above the estimated traffic level on April 17, 2000; (4) is consistent with the neighborhood plan adopted by council, if any; and (5) for property in the drinking water protection zone, combined with all other redevelopment of the site since April 17, 2000 does not affect more than 25 percent of the site's impervious cover." This was accepted by the maker of the motion and Mayor Pro Tem Goodman, who seconded the motion.

5. 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.)

No action taken.

ADJOURNED at 11:56 p.m. on Council Member Griffith's motion, Mayor Watson's second by a 7-0 vote.

The minutes for the Regular Meetings of April 6, 2000 were approved on this the 13th day of April, 2000 on Council Member Garcia's motion, Mayor Watson's second by a 4-0 vote. Council Members Griffith, Slusher and Spelman were off the dais.

