



**Austin City Council  
MINUTES**

**REGULAR MEETING  
THURSDAY, MARCH 2, 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, March 2, 2000 in the City Council Chambers, at City Hall, 124 West 8<sup>th</sup> Street, in Room 304.**

**INVOCATION – Reverend Vance Russell, Arise Christian Fellowship**

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

**1. Approval of minutes for regular meeting of February 17, 2000  
No action taken.**

**Items 2-11 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 Garcia's motion, Mayor Pro Tem Goodman's second by a 5-0 vote. Council Members Griffith and Spelman were off the dais.**

**12. Approve a resolution authorizing execution of a 12-month supply agreement with U.S. FILTER DISTRIBUTION, Austin, Texas, for the purchase of manhole covers, rings and grates for the Watershed Protection Department, in an amount not to exceed \$51,870.15, with two 12-month extension options in the amount not to exceed \$51,870.15 per extension, for a total contract amount not to exceed \$155,610.45. (Funding in the amount of \$30,258 was included in the 1999-2000 Approved Operating Budget of the Watershed Protection Department. Funding for the remaining five months of the original contract**

period and extension options will be contingent upon available funding in the future budgets.) Low bid of five. No MBE/WBE subcontracting participation.

**Resolution No. 000302-12 was approved.**

13. Set a public hearing to consider approval of a variance request to allow encroachment of a proposed building and parking area on the 25-year and 100-year flood plains of Waller Creek at 4517 Speedway, and to waive the requirements to dedicate a drainage easement to the limits of the 100-year flood plain. (Suggested Date and Time: March 9, 2000)

**Resolution No. 000302-13 was approved.**

14. Set a public hearing to consider approval of a variance request to allow encroachment of a proposed building and parking area on the 25-year and 100-year flood plains of Shoal Creek at 1105 North Lamar Blvd., and to waive the requirements to dedicate a drainage easement to the limits of the 100-year flood plain. (Suggested Date and Time: March 9, 2000)

**Resolution No. 000302-14 was approved.**

15. Set a public hearing on proposed revisions to Chapter 18-3 of the Austin City Code, which establishes the Drainage Utility and provides for the drainage fee. (Suggested Date and Time: April 13, 2000 at 6:00 p.m.)

**Resolution No. 000302-15 was approved.**

16. Approve a resolution authorizing execution of a contract with PROFESSIONAL CABLING SVCS. (WBE), Austin, Texas, for the purchase and installation of voice, data and video cable distribution system for Parks and Recreation Department (PARC) facilities for a contract amount not to exceed \$51,947. (Funding in the amount of \$27,481 was included in the 1999-2000 Approved Operating Budget of the Recreation Programs Enterprise Fund and \$24,466 was included in the 1999-2000 Approved Operating Budget of the Parks and Recreation Department.) Low bid of two. No MBE/WBE subcontracting participation.

**Resolution No. 000302-16 was approved.**

17. Amend Section 16-4-33, Speed Limits, of the Austin City Code to add Capital of Texas Highway from US Highway 183 to North Mopac Expressway to the list of streets having a maximum speed limit of 40 miles per hour. (Funding in the amount of \$400 for installation of the appropriate speed limit signs is available in the 1999-2000 Operating Budget of the Department of Public Works and Transportation.)

**Ordinance No. 000302-17 was approved.**

18. Approve a resolution authorizing the negotiation and execution of an Interlocal Agreement with the Texas Department of Public Safety for traffic and parking enforcement, and general security in the Capitol Complex.

**Resolution No. 000302-18 was approved.**

**Item 19 was pulled for discussion.**

20. Approve an ordinance renewing the Roy's Taxi, Inc. taxicab franchise (first reading). (Revenue source – taxicab permit fees of \$400 per year per permit. Expected annual revenue \$52,000.)  
**Ordinance No. 000302-20 was approved.**
21. Approve a resolution authorizing negotiation and execution of a professional services agreement with TAG INTERNATIONAL, L.L.P., Austin, Texas, for design of the Police Department's Central East Austin Substation and Forensics Facility, located at 812 Springdale Road, in an amount not to exceed \$1,317,000. (Funding is available in the 1999-2000 Amended Capital Budget of the Austin Police Department.) Best of nine Request for Qualification Statements. 21.75% MBE; 18.25% WBE subcontracting participation.  
**Resolution No. 000302-21 was approved.**
- Item 22 was pulled for discussion.**
23. Approve a resolution authorizing payment to Scott, Douglass & McConnico, L.L.P., Austin, Texas, of up to \$121,000, for representation in the Brushy Creek Sewage Spill litigation, for a total contract amount not to exceed \$160,000. (Funding in the amount of \$121,000 is available in the 1999-2000 Approved Operating Budget of the Liability Reserve Fund.)  
**Resolution No. 000302-23 was approved.**
24. Approve a resolution authorizing payment to George & Donaldson, L.L.P., Austin, Texas, of up to \$54,000, for representation in *South Cross Plaza v. City of Austin*, for a total amount not to exceed \$93,000. (Funding in the amount of \$54,000 is available in the 1999-2000 Approved Operating Budget of the Liability Reserve Fund.)  
**Resolution No. 000302-24 was approved.**
25. Approve a resolution authorizing the negotiation and execution of an agreement with AUSTIN COMMUNITY DEVELOPMENT CORPORATION (ACDC) in an amount not to exceed \$50,000, to provide financial assistance to small businesses and small commercial development projects that create jobs for low to moderate income persons. (Funding is available in the Fiscal Year 1999-2000 Neighborhood Housing and Community Development Office 25<sup>th</sup> Year Community Development Block Grant).  
**Resolution No. 000302-25 was approved.**
26. Approve a resolution authorizing execution of a 12-month service agreement with AUSTIN FAMILIES, INC., Austin, Texas, for the administration of the "Fix It! Problem Solving for Child Care Programs" program in an amount not to exceed \$90,000 with one 12-month extension option in an amount not to exceed \$90,000 for a total contract amount not to exceed \$180,000. (Funding in the amount of \$90,000 was included in the 1999-2000 Approved Operating Budget of the Health and Human Services Department.) Best of three proposals. No MBE/WBE subcontracting participation.

**Resolution No. 000302-26 was approved.**

27. Adopt a resolution approving the release of approximately 186 acres of extraterritorial jurisdiction (ETJ) from the City of Austin to the Village of Bee Cave (located east of Shane Lane approximately one mile south of the intersection of State Highway 71 and FM 2244.)  
**This item was pulled by staff and postponed indefinitely.**
28. Adopt an ordinance to annex for full purposes the Preserve at River Place Tract, consisting of approximately 99 acres (located on the east side of River Place Boulevard, north of the River Place Municipal Utility District).  
**Ordinance No. 000302-28 was approved.**

**Item 29 was set for a 6:15 p.m. time certain.**

**Item 30 was pulled for discussion.**

31. Approve an Ordinance calling an Election to be held in the City of Austin on May 6, 2000 for the Mayor and three Council Member positions and to authorize joint election agreements with various entities. (Funding in the amount of \$386,114 was included in the 1999-2000 Approved Operating Budget of the Office of the City Clerk.)  
**Ordinance No. 000302-31 was approved.**
32. Approve a resolution authorizing execution of a contract with UNITED RENTALS, Cedar Park, Texas, for the purchase of five walk-behind vibratory rollers for the Street and Bridge Division in the amount of \$40,225. (Funding was included in the 1999-2000 Approved Budget of the Department of Department of Public Works and Transportation.) Low bid of five. No MBE/WBE subcontracting participation.  
**Resolution No. 000302-32 was approved.**
33. Approve a resolution authorizing execution of a contract with TIME MANUFACTURING COMPANY, Waco, Texas, for the purchase of one truck-mounted aerial tower for the Building Services Division in the amount of \$62,871. (Funding was included in the 1999-2000 Approved Budget of the Vehicle Acquisition Fund.) Low bid of five. No MBE/WBE subcontracting participation.  
**Resolution No. 000302-33 was approved.**
34. Approve a resolution authorizing an Interlocal Agreement with Travis County Emergency Services District Number 9 for the provision of First Responder EMS and Rescue Services to the Woods of Westlake, the Renaissance Heights, and the West Rim areas for a term of three years with the option to renew for one additional two-year term.  
**Resolution No. 000302-34 was approved.**
35. Approve a resolution authorizing an Interlocal Agreement with Travis County Emergency Services District Number 9 for the provision of First Responder EMS and Rescue Services to Parkstone Subdivision and Foster Hilltop area in exchange for Austin Fire Department

assistance for a term of three years with the option to renew for one additional two-year term.

**Resolution No. 000302-35 was approved.**

**Item 36 was pulled for discussion.**

37. C14-99-2058 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property located at 2305-2715 Ferguson Lane from I-RR, Interim-Rural Residence District zoning to RR, Rural Residence District zoning. First reading on January 27, 2000; Vote: 5-0; Watson absent, Lewis off the dais. Applicant: City of Austin; Agent: Development Review and Inspection Department. Property Owner: ABGN Corporation and United States Postal Service. City Staff: Katie Larsen, 499-3072.  
**Ordinance No. 000302-37 was approved.**
38. C14-99-2060 - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 500 East Powell Lane from MF-2-CO, Multifamily Residence (Low Density)-Conditional Overlay Combining District zoning with conditions to CS-CO, General Commercial Services-Conditional Overlay Combining District zoning with conditions. First reading on December 16, 1999; Vote: 7-0. Second reading on January 13, 2000; Vote: 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at second reading. Applicant: Bobby N. Sides; Agent: Federica A. Vierna. City Staff: Katie Larsen, 499-3072.  
**Ordinance No. 000302-38 was approved.**
39. C14-99-0066 - Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property located at Dessau Road & East Yager Lane from SF-2, Single-Family Residence (Standard Lot) District and DR, Development Reserve District to MF-3-CO, Multifamily Residence (Medium Density)-Conditional Overlay Combining District zoning with conditions and RR, Rural Residence District zoning for the flood plain. First reading on October 28, 1999; Vote 5-0; Lewis and Goodman absent. Applicant: High Pointe Fellowship (Charles Bullock); Agent: The Faust Group (Bill Faust). City Staff: Clark Patterson, 499-2464.  
**The second reading of the ordinance was approved.**
40. C14-99-0078 - Approve third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property located south of Wilson Parke Avenue at FM 620 from I-RR, Interim-Rural Residence District zoning GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions on Tract 1. First reading on December 2, 1999; Vote 6-0 (Lewis absent). Second reading on January 13, 2000; Vote 6-0 (Watson out of the room). Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at second reading. Applicant: Tomen-Parke Associates, Ltd. (James McCarthy); Agent: Richardson Verdoorn (Sandra Nash). City Staff: Clark Patterson, 499-2464.  
**Ordinance No. 000302-40 was approved.**

41. C14-99-0079 - Approve third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property located north of Wilson Parke Avenue at FM 620 from I-RR, Interim-Rural Residence District zoning to GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions for Tract 1 and GO-CO, General Office Conditional Overlay Combining District Zoning with conditions for Tract 2. First reading on December 2, 1999; Vote: 6-0 (Lewis absent). ). Second reading on January 13, 2000: Vote 6-0 (Watson out of the room). Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at second reading. Applicant: Tomen-Parke Associates, Ltd. (James McCarthy); Agent: Richardson Verdoorn (Sandra Nash). City Staff: Clark Patterson, 499-2464.  
**Ordinance No. 000302-41 was approved.**
42. C14-99-2075 – Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property located at 10900 RM 2222 from I-RR, Interim-Rural Residence District zoning to GO-CO, General Office-Conditional Overlay Combining District zoning with conditions. First reading on January 27, 2000; Vote: 5-0 (Watson absent, Lewis off the dais). Applicant: James A. & Minnie Jo Chipman; Agent: Lopez-Phelps & Vaughn (Amelia Lopez-Phelps). City Staff: Katie Larsen, 499-3072.  
**This item was postponed at the request of the applicant (first request) to March 23, 2000.**
43. Amend Ordinance number 991118-79 to correct conditions of zoning for Tract 2 for the property located at 9600 IH-35 Service Road Southbound, further described in file number C14-99-0129. Applicant: Theriot Family Partnership/University Studios (Abel Theriot); Agent: Richard T Suttle, Jr. City Staff: Trann Lackey, 499-3341.  
**Ordinance No. 000302-43 was approved.**
44. Approve a resolution regarding the South Park Meadows Amphitheater Improvements project located at 9600 South I.H. 35 Service Road, SB, (Case No. SPC-99-2027A) setting a public hearing regarding the appeal of the Planning Commission decision on the conditional use permit application. (Suggested date and time: March 30, 2000 at 6:00 p.m.)  
**Resolution No. 000302-44 was approved.**

**Items 45 - 47 were pulled for discussion.**

**Item 48 was set for a 7:00 p.m. time certain.**

**Items 49-58 were citizen communications.**

**Item 59 was a briefing set for a 1:45 p.m. time certain.**

**Items 60-63 were Austin Housing Finance Corporation items set for a time certain of 3:30 p.m.**

**Items 64 -74 were zoning hearings.**

Items 75-79 were public hearings.

### APPOINTMENTS

80. Environmental Board

Ramon Alvarez

Appointment

Mayor Watson's appointee

### DISCUSSION ITEMS

30. Approve a resolution authorizing and approving the creation of Austin Convention Enterprises, Inc., a non-profit public facility corporation; approving the articles of incorporation and by-laws of Austin Convention Enterprises, Inc.; approving the purposes and activities of Austin Convention Enterprises, Inc.; approving the appointment of the initial Board of Directors for Austin Convention Enterprises, Inc.; approving the issuance of Convention Center Headquarters Hotel Revenue Bonds in one or more series by Austin Convention Enterprises, Inc., to finance the construction of a hotel and parking facilities near the Austin Convention Center; authorizing the grant of a lease of the land upon which the convention center hotel is to be constructed to Austin Convention Enterprises, Inc.; and agreeing to acquire Austin Convention Enterprises, Inc.'s interest in such hotel and parking facilities upon dissolution of the corporation following the retirement of all of such corporation's obligations incurred in connection therewith. (This action creates a non-profit corporation that will issue bonds to finance the construction of the hotel and parking facilities. The bonds will not be an obligation of the City.)

**Resolution No. 000302-30 was approved on Council Member Slusher's motion, Council Member Garcia's second on a 6-0 vote. Council Member Spelman was off the dais.**

**The motion to recess the Council meeting at 9:54 a.m. and go into Executive Session was approved on Council Member Garcia's motion, Mayor Pro Tem Goodman's second on 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.**

#### Personnel Matters – Section 551.074

2. Evaluate the performance of and consider a compensation package for the City Clerk and the City Auditor.

**Private Consultation with Attorney - Section 551.071**

5. Discuss *Southwestern Bell Telephone Company v. City of Austin*, Cause No. 99-02645, in the Travis County District Court.
6. Discuss legal issues related to settlement of Austin-Bergstrom International Airport construction contract claims.
7. Discuss legal issues related to Chapter 245 of the Local Government Code.

**Mayor Watson announced Council would also be in private consultation with the attorney on Item 22 on today's agenda**

**Executive session ended at 12:05 p.m.**

**The meeting was re-convened at in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard at 1:45 p.m.**

**CITIZEN COMMUNICATIONS: GENERAL**

49. William J. Thomas – Zoning Inspectors
50. Gus Peña – Discuss City Clinics and City of Austin Issues - **ABSENT**
51. Mark Lind – Traffic Calming
52. Denise Seal – East Austin Growth
53. Jennifer L. Gale - **ABSENT**
54. Richard Troxell – Homeless Issues in Austin - **ABSENT**
55. Karen Akins – Sidewalks Zoning Enforcement in Old West Austin - **ABSENT**
56. Pat Valls-Trelles
57. Kathy Hamilton
58. Brenda Billings – Town Lake Animal Center

**BRIEFINGS**

59. Architectural design candidates for the new City Hall

**DISCUSSION ITEMS CONTINUED**

36. Approve an ordinance amending Chapter 25-2 of the City Code regarding use and site development regulations for telecommunications towers.  
**Ordinance No. 000302-36 was approved with the friendly amendments shown below on Mayor Pro Tem Goodman's motion, Council Member Garcia's second on a 6-1 vote. Council Member Lewis voted no.**

**The friendly amendments by Mayor Pro Tem Goodman included: On page two, (E), (1), (c) should read "within 50 feet of a dwelling unit." On page five, (H), (2) should**



read, "for a distance prescribed by Paragraph (E),(1),(c), along a straight line from the center of the tower base to the nearest exterior wall of the dwelling unit."

The friendly amendment from Council Member Lewis was to change the wording on Page 6, Part 2, (B), (1) to include the requirement that if a tower ceases to be used for wireless communications, and is not used for a period of a year, it is the responsibility of both the tower owner and the property owner to get it removed.

The Mayor recessed the City Council meeting at 4:03 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 60-63 were the AHFC items considered by the Austin Housing Finance Corporation's Board of Directors. Vice President Goodman and Board Members Slusher and Spelman were off the dais.

60. Conduct a public hearing to receive public input on the issuance of up to \$4,000,000 of private activity volume cap multifamily non-recourse bonds to finance the acquisition and rehabilitation of the Fairway Village Apartments at 6118 Fairway Drive, to be owned and operated by a limited partnership of which the general partner is affiliated with the American Housing Foundation, a 501(c) (3) non-profit.  
**The public hearing was closed on Board Member Garcia's motion, President Watson's second by a 4-0 vote. Vice President Goodman and Board Members Slusher and Spelman were off the dais.**
61. Conduct a public hearing to receive public input on the issuance of up to \$3,500,000 of private activity volume cap multifamily non-recourse bonds to finance the acquisition and rehabilitation of the Santa Maria Village Apartments at 8071 North Lamar, to be owned and operated by a limited partnership of which the general partner is affiliated with the American Housing Foundation, a 501 (c) (3) non-profit.  
**The public hearing was closed on Board Member Garcia's motion, President Watson's second by a 5-0 vote. Vice President Goodman and Board Member Spelman were off the dais.**
62. Conduct a public hearing to receive public input on the issuance of up to \$6,300,000 of private activity volume cap multifamily non-recourse bonds to finance the acquisition and rehabilitation of the South Congress Apartments at 2703 South Congress Avenue, to be owned and operated by South Congress Apartments, L. P., a Texas limited partnership affiliated with Delphi Affordable Housing Group.  
**The public hearing was closed on Board Member Garcia's motion, Board Member Griffith's second by a 5-0 vote. Vice President Goodman and Board Member Spelman were off the dais.**

63. Conduct a public hearing to receive public input on the issuance of up to \$3,600,000 of private activity volume cap multifamily non-recourse bonds to finance the acquisition and rehabilitation of the Springdale Apartments at 6415 Springdale Road, to be owned and operated by Springdale Apartments, L. P., a Texas limited partnership affiliated with Delphi Affordable Housing Group.

**The public hearing was closed on Board Member Garcia's motion, President Watson's second by a 5-0 vote. Vice President Goodman and Board Member Spelman were off the dais.**

**The AHFC Board Meeting was adjourned on Board Member Garcia's motion, President Watson's second by a 5-0 vote. Vice President Goodman and Board Member Spelman were off the dais.**

**Council was called back to order at 4:30 p.m.**

### **DISCUSSION ITEMS CONTINUED**

19. Approve a resolution authorizing ratification of an amendment to the existing professional services agreement with CHIANG, PATEL, & YERBY, INC., Austin, Texas, for plan modifications due to permitting requirements, and for additional construction phase services for the William Cannon Bridge over Onion Creek and Roadway Transitions Project, in the amount of \$59,806 for a total contract amount not to exceed \$167,596. (Funding in the amount of \$59,806 is available in the 1998-1999 Capital Budget of the Department of Public Works and Transportation.) No MBE/WBE subcontracting participation.

**Resolution No. 000302-19 was approved on Council Member Garcia's motion, Council Member Griffith's second on a 5-0 vote. Mayor Pro Tem Goodman and Council Member Spelman were off the dais.**

### **CONSENT ZONING**

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

64. C14-99-0132 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 9101-9201 I.H. 35 South from SF-2, Single-Family Residence (Standard Lot) District to CS-CO, General Commercial Services-Conditional Overlay Combining District zoning with conditions. Planning Commission Recommendation: To grant CS-CO, General Commercial Services-Conditional Overlay Combining District zoning with conditions. Applicant: Janoe Truck Sales & Services (Tom D. Janoe); Agent: Lopez-Phelps & Vaughn (Rick Vaughn). City Staff: Trann Lackey, 499-3341.

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

65. 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.  
**This item was postponed to March 9, 2000 to allow time to validate a petition.**
66. C14-99-2009 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1405 East Riverside Drive from LO, Limited Office District and SF-3, Family Residence District zoning to SF-6, Townhouse and Condominium Residence District zoning. Planning Commission Recommendation: To Deny SF-6, Townhouse and Condominium Residence District zoning. Applicant: W. Ralph Canada, Jr. & Carol H. Canada; Agent: Jim Bennett. City Staff: Adam Smith, 499-2755. Note: A valid petition has been filed in opposition to this rezoning request. (continued from 12/16/99)  
**This item was withdrawn.**
67. C14-99-2016 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as Wells Branch Parkway from I-RR, Interim-Rural Residence District zoning to RR, Rural Residence District zoning. Planning Commission Recommendation: To grant RR, Rural Residence District zoning for Tract 1 and DR, Development Reserve District zoning on Tract 2. Applicant: City of Austin; Agent: Development Review and Inspection Department. . Property Owners: Continental Homes of Texas, L.P., Finley Company, H.E. Butt Grocery Company and Leif Johnson Ford, Inc. City Staff: David Wahlgren, 499-6455  
**The first reading of this ordinance was approved.**
70. C14-99-2084 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 4301 West Slaughter Lane from I-RR, Interim-Rural Residence District zoning to AG, Agricultural District zoning. Planning Commission Recommendation: To grant AG, Agricultural District zoning. Applicant: Glenda Akin. Agent: David Lancy. City Staff: Trann Lackey , 499-3341  
**The first reading of this ordinance was approved.**
71. C14-99-2093 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as Wild basin Road at Loop 360 from SF-2, Single-Family Residence (Standard Lot) District zoning to GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions. Planning Commission Recommendation: To grant GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions. Applicant: Daneshjou Company, Inc. (Benny Daneshjou); Agent: Paul Viktorin and Jim Bennett. City Staff: Katie Larsen, 499-3072  
**Ordinance No. 000302-71 was approved.**
72. C14-99-2123 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 7626 West State Highway 71 from GR, Community Commercial

District zoning to CS-1-CO, Commercial-Liquor Sales District zoning with conditions. Planning Commission Recommendation: To CS-1-CO, Commercial-Liquor Sales District zoning with conditions. Applicant: WCP Development L.P.(Steffen Waltz), Agent: Core Strategies (Bronson Dorsey). City Staff: Clark Patterson, 499-2464

**Ordinance No. 000302-72 was approved.**

73. C14-99-2128 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 13812 Avenue I, 13000 Block of Avenue J, and 2106 Howard Lane/5.580 acres, more or less, out of the King's Village, Lots 18,19,26,27,33,34, and 39-43, from CS, General Commercial Services District and GR, Community Commercial District zoning to P, Public District zoning. Planning Commission Recommendation: To grant P, Public District zoning. Applicant: City of Austin Water and Wastewater Department (Ted Neumann, P.E.); Agent: PBS & J (Terry Reynolds)  
City Staff: David Wahlgren, 499-6455

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

74. C14-99-2141 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 3907 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. Planning Commission Recommendation: To grant GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions. Applicant: Fred Kramer, Agent: Site Specifics (John Hussey). City Staff: Clark Patterson, 499-2464

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

### **ZONING DISCUSSION ITEMS**

68. C14-99-2065 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 7201 -7401 South Congress Avenue from SF-3, Family Residence District zoning to MF-3, Multifamily Residence (Medium Density) District zoning with conditions. Planning Commission Recommendation: To grant MF-2, Multifamily Residence (Low Density)-Conditional Overlay Combining District zoning with conditions. Applicant: Minerva, Ltd. (Charles S. Nichols); Agent: Crocker Consultants (Sara Crocker). City Staff: Trann Lackey, 499-3341

**There was a motion to approve the first reading of the ordinance based on the Planning Commission's recommendation. It was made by Council Member Garcia and seconded by Council Member Griffith. No vote was taken.**

**A substitute motion to approve the first reading of the ordinance with MF3 zoning, 200 apartment limit, and a conditional overlay prohibiting access to Circle S Road and limiting the property to no more than 2,000 trips per day was approved on Council Member Slusher's motion, Council Member Spelman's second on a 6-0 vote. Mayor Watson was absent.**

**Mayor Pro Tem Goodman recessed the Council Meeting at 5:40 p.m.**

**LIVE MUSIC:** McCallum High School

## **PROCLAMATIONS**

**Mayor Pro Tem Goodman called the meeting back to order at 6:30 p.m.**

## **DISCUSSION ITEMS CONTINUED**

22. Approve a resolution authorizing the filing of eminent domain proceedings to acquire a permanent wastewater easement containing 609 square feet of land and a temporary construction easement containing 2,568 square feet of land, situated in the T.J. Chambers Grant, in the City of Austin, Travis County, Texas, owned by Josie Ellen Champion, Juanita Champion Meier, and Mary Margaret Champion Robertson for the Number 9 Loop 360 Lift Station. (Funding in the amount of \$1,573 is included in the 1999-2000 Amended Capital Budget of the Water and Wastewater Department.)

**Resolution No. 000302-22 was approved on Council Member Slusher's motion, Council Member Spelman's second on a 6-0 vote. Mayor Watson was off the dais.**

**The Regular Council Meeting was recessed at 6:37 p.m. and the Special Called Meeting was called to order on Council Member Garcia's motion, Council Member Slusher's second by a 6-0 vote. Mayor Watson was off the dais.**

1. Approve a resolution supporting a statement of concern regarding M/WBE opportunities and participation on the CSC project. (Council Member Gus Garcia, Council Member Willie Lewis and Council Member Beverly Griffith)

**Resolution No. 000302-1 was approved with friendly amendments as follows on Council Member Garcia's motion, Council Member Griffith's second on a 7-0 vote. Council Member Spelman's friendly amendments were: On No. 5, add the wording, "The City and CSC will meet weekly to monitor progress and ensure compliance with the goals established per item 2 and the City Manager will submit weekly progress reports to Council. On No. 4 change the "issuance of addendums" to the "issuance of proposed addendums." The maker of the motion and Council Member Lewis accepted the friendly amendments.**

**The Special Called Meeting was adjourned at 7:20 p.m. and the Regular Council Meeting called to order on Council Member Garcia's motion, Council Member Slusher's second on a 7-0 vote.**

## **ZONING DISCUSSION ITEMS CONTINUED**

69. C14-99-2071 – Public hearing to 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

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

**The motion to postpone this item to March 9, 2000 was approved on Council Member Spelman's motion, Council Member Garcia's second on a vote.**

### **DISCUSSION ITEMS CONTINUED**

**The motion to suspend the rules on item 29 to reopen the public hearing and allow twenty minutes per side for discussion was approved on Council Member Spelman's motion, Council Member Garcia's second on a 7-0 vote.**

29. Approve an ordinance to annex for full purposes approximately 164 acres of the Regents Tract, located along Foster Ranch Road, ½ mile north of Southwest Parkway. (First reading)

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

**The first reading of the ordinance was approved on Council Member Spelman's motion, Council Member Griffith's second on a 7-0 vote.**

### **EXECUTIVE SESSION**

**The motion to recess the Council meeting at 8:43 p.m. and go into Executive Session was approved on Council Member Spelman's motion, Council Member Garcia's second by a 7-0 vote.**

8. Discuss *City of Austin v. L.S. Ranch Ltd., et al.*, Cause No. 039800542-CV, in the Third Court of Appeals (Austin, Texas). (This litigation concerns development regulations applicable in the Barton Springs Zone.)
9. 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.)

**Mayor Watson announced Council would also be in private consultation with the attorney on Items 45-48 on today's agenda.**

**Executive session ended at 9:37 p.m. The Mayor called the meeting back to order.**

### **DISCUSSION ITEMS CONTINUED**

47. Approve a resolution authorizing the settlement of claims in the amount of \$7,600,000 asserted by Morganti Group, Inc., Houston, Texas, for unreimbursed costs incurred on Austin-Bergstrom International Airport Passenger Terminal Facility Projects. (Funding is included in the 1999-2000 approved Capital Budget for Aviation.)  
**Resolution No. 000302-47 was approved with the condition that City staff (which includes SMBR and its legal representative and ABIA) provide Council with a report on allegations regarding illegal substitutions and whether or not formal actions regarding allegations are necessary. The report must be presented prior to any future Council actions regarding Morganti's retainage or any future disbursements to Morganti. This was approved on Council Member Lewis' motion, Council Member Garcia's second on a 7-0 vote.**
45. Approve a resolution authorizing the settlement of a claim in the amount of \$270,000 asserted by CCC Group, Inc., San Antonio, Texas, for unreimbursed costs incurred on Austin-Bergstrom International Airport Aircraft Fueling Storage Facility Project. (Funding is included in the 1999-2000 Approved Capital Budget for Aviation.)  
**Resolution No. 000302-45 was approved on Council Member Spelman's motion, Council Member Garcia's second on a 7-0 vote.**
46. Approve a resolution authorizing the settlement of a claim in the amount of \$699,582 asserted by Lockheed Martin, IMS, Washington, D.C., for unreimbursed costs incurred on Austin-Bergstrom International Airport Security System Project. (Funding is included in the 1999-2000 Approved Capital Budget for Aviation.)  
**Resolution No. 000302-46 was approved on Council Member Spelman's motion, Council Member Garcia's second on a 7-0 vote.**
48. Consider an ordinance to extend the existing interim development controls for property within the Hyde Park Civic Neighborhood Conservation Combining District (generally described as the property between East 38th and East 41st Streets, between Avenue C and Avenue G). (Council Member Daryl Slusher and Mayor Pro Tem Jackie Goodman)  
**The motion to extend the interim development controls for three weeks so that discussions could continue and not be limited to, but include, review of a possible parking garage design and further exploration of new ideas that emerged through the mediation process (Council Member Griffith); and that review of the neighborhood plan be given immediate attention by City staff (Mayor Pro Tem Goodman); and that the church be allowed to continue with the drainage improvements (Council Member Slusher) was approved on a 4 to 2 vote. Mayor Watson and Council Member Garcia voted No and Council Member Spelman recused himself. Due to the lack of five votes, only the first reading of the ordinance could be approved.**

### **PUBLIC HEARINGS**

75. Conduct a public hearing to consider an ordinance amending Section 25-12-213 (Housing Code) and Section 25-5-233 (Dangerous Building Code) of the City Code regarding civil

penalties assessed by the Building and Standards Commission.

**This item was postponed to March 9 (after Citizen Concerns) on Mayor Pro Tem Goodman's motion, Council Member Lewis' second by a 6-0 vote. Council Member Spelman was off the dais.**

76. Conduct a public hearing for the limited purpose annexation of the Spillar/Pfluger Tracts (consisting of approximately 1,604 acres of land located along Bear and Little Bear Creeks, west of Bliss Spillar Road and generally north of Spanish Oak Trail).  
**The public hearing was closed on Council Member Garcia's motion, Council Member Spelman's second by a 6-0 vote. Council Member Slusher was off the dais.**
77. Conduct a public hearing for the limited purpose annexation of the Edwards Crossing Tract (consisting of approximately 298 acres of land located approximately one-quarter mile south of the intersection of State Highway 45 and Loop 1/MoPac).  
**The public hearing was closed on Council Member Garcia's motion, Council Member Spelman's second by a 6-0 vote. Council Member Slusher was off the dais.**
78. Conduct a public hearing on a proposal to develop certain land in southwest Travis County and northern Hays County (including Circle C West, Spillar Ranch, Pfluger Ranch, and other properties) and settlement of related litigation. (proposed Bradley settlement)  
**The public hearing was closed on Council Member Spelman's motion, Council Member Slusher's second by a 7-0 vote.**

#### **ACTION ON PUBLIC HEARINGS**

79. Consider an ordinance amending Section 25-12-213 (Housing Code) and Section 25-5-233 (Dangerous Building Code) of the City Code regarding civil penalties assessed by the Building and Standards Commission.  
**This item was postponed to March 9 (after Citizen Concerns) on Mayor Pro Tem Goodman's motion, Council Member Lewis' second by a 6-0 vote. Council Member Spelman was off the dais.**
48. Approve a new compensation package for the City Clerk and for the City Auditor. (Mayor Pro-Tem Jackie Goodman and Council Member William Spelman)  
**No action was taken on this item.**
11. Consider settlement proposal in *Southwestern Bell Telephone Company v. City of Austin*, Cause No. 99-02645, in the Travis County District Court.  
**No action was taken on this item.**

**The motion to recess the Council meeting at 2:24 a.m. and go into Executive Session was approved on Mayor Pro Tem Goodman's motion, Council Member Slusher's second on a 7-0 vote.**



**EXECUTIVE SESSION**

**Real Property – Section 551.072**

3. Discuss acquisition of real property for conservation purposes along Barton Creek.
4. Discuss acquisition of real property from the State of Texas at Robert Mueller Airport and in downtown Austin.

**Executive Session ended at 2:45 a.m.**

**ADJOURNED at 2:45 a.m. on Mayor Pro Tem Goodman's motion, Council Member Spelman's second by a 7-0 vote.**

**The minutes for the Regular Meetings of February 17, 2000, March 2, 2000 and March 9, 2000 were approved on this the 23<sup>rd</sup> day of March, 2000 on Council Member Spelman's motion, Council Member Garcia's second by a 6-0 vote. Council Member Slusher was off the dais.**