



**Austin City Council
MINUTES**

**REGULAR MEETING
THURSDAY, FEBRUARY 17, 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, February 17, 2000 at City Hall, W. 8th Street, Room 304

INVOCATION – Sister Ann Francis Monedero, Campus Ministry, St. Edward's University

Mayor Watson called the meeting to order at 9:35 a.m.

1. Approval of minutes for the regular meeting of February 10, 2000, and Special Called Meetings of November 30, 1998 and February 9, 1999 and Work Session of April 14, 1999.

The minutes for the regular meeting of February 10, 2000, November 30, 1998, February 9 and April 14, 1999 were approved on Mayor Pro Tem Goodman's motion, Council Member Garcia's second by a 5-0 vote. Council Members Lewis and Spelman were off the dais.

BOARD AND COMMISSION

2. Electric Utility Commission – Caroline LeGeete, Vice Chair of the Commission, was available to answer questions on items 15-22 on today's agenda.

BRIEFINGS

3. Draft Downtown Austin Design Guidelines - **Presentation was made by Juan Cotera, John Patterson and Phil Reed from the Design Commission and Michael Knox, PECS.**
4. Proposed cable franchise for Western Integrated Networks of Texas - **Presentation was made by Michael Parks, Director of Telecommunication and Regulations Affairs; Jim**

Vaughn, CEO, and Bill Broskey, Vice President Marketing, of Western Integrated Networks.

Item 5 was discussed after the Consent Agenda was approved.

CONSENT AGENDA

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

Items 6-14 were Executive Session items.

15. Approve a resolution authorizing execution of an Interlocal Agreement with Travis County for a 10-year term for Austin Energy to provide energy management services, including energy analyses, system designs, and equipment installation, operation, and maintenance for Travis County facilities. (Recommended by Electric Utility Commission)
Resolution No. 000217-15 was approved.
16. Approve a resolution authorizing the sale of Lot 1, Lago Villa, according to the map or plat of record in Book 17, Page 28, Plat Records of Travis County, Texas, locally known as 2935 Westlake Cove, to Mr. Walter Wendlandt in the amount of \$57,600. (\$57,600 generated.) (Recommended by Electric Utility Commission)
Resolution No. 000217-16 was approved.

Item 17 was pulled for discussion.

18. Approve a resolution authorizing execution of a 12-month supply agreement with CUSTOM CRETE, INC., Austin, Texas, for the purchase of ready-mix concrete in an amount not to exceed \$320,575 with three 12-month extension options in an amount not to exceed \$320,575 per extension, for a total contract amount not to exceed \$1,282,300. (Funding in the amount of \$187,003 is available in the Approved 1999-2000 Operating Budget of the Electric Utility Department. Funding for the final five months of the original contract period and the extension options is contingent upon available funding in future budgets.) Low bid of three. No MBE/WBE subcontracting participation. (Recommended by Electric Utility Commission)
Resolution No. 000217-18 was approved.
19. Approve a resolution authorizing execution of a contract with POWER SUPPLY COMPANY, Austin, Texas, for the purchase of nine 138kV current transformers in the amount of \$60,300. (Funding is available in the Approved 1999-2000 Operating Budget for the Electric Utility Department.) Low bid of three. No MBE/WBE subcontracting participation. (Recommended by Electric Utility Commission)
Resolution No. 000217-19 was approved.

20. Approve a resolution authorizing execution of a contract with POWER SUPPLY, INC., Austin, Texas, for the purchase of transmission line conductor in the amount of \$5,389,593.72. (Funding in the amount of \$5,349,903.72 is available in the Approved 1999-2000 Capital Budget of the Electric Utility Department. \$39,690 is available in the Approved Inventory Fund of the Electric Utility.) Low bid of seven. (Recommended by Electric Utility Commission)
Resolution No. 000217-20 was approved.
21. Approve a resolution authorizing execution of a 12-month supply agreement with CENTEX MATERIALS, Austin, Texas, for the purchase of substation surface rock in an amount not to exceed \$146,050 with three 12-month extension options in an amount not to exceed \$146,050 per extension, for a total contract amount not to exceed \$584,200. (Funding in the amount of \$85,196 is available in the Approved 1999-2000 Operating Budget of the Electric Utility Department. Funding for the final five months of the original contract period and the extension options is contingent upon available funding in future budgets.) Low bid of two. No MBE/WBE subcontracting participation. (Recommended by Electric Utility Commission)
Resolution No. 000217-21 was approved.
22. Approve a resolution authorizing negotiation and execution of a contract with Lamar-Sixth-Austin, Inc., for the purchase of central chiller plant equipment, distribution piping, and air handling equipment for an amount not to exceed \$3,500,000, contingent upon Lamar-Sixth-Austin, Inc. constructing its retail projected located on the east side of Lamar Boulevard between 5th and 6th Streets in downtown Austin, and further providing that the City of Austin Electric Utility Department sell chilled water to Lamar-Sixth-Austin, Inc. from this central plant for a period of not less than twenty years. (Funding is available in the 1999-2000 Approved Capital Budget of the Electric Utility Department.) (Recommended by Electric Utility Commission)
Resolution No. 000217-22 was approved.
23. Amend Ordinance No. 990914-1, the 1999-2000 General Fund Operating Budget, to increase the Austin Police Department expenditures and expense refunds by \$206,535 and increase the number of authorized positions by three for the Project Spotlight program. (Funding is provided by Travis County for the period September 1, 1999 through August 31, 2000. No cash match is required.) (Related to items 24 and 25)
Ordinance No. 000217-23 was approved.
24. Authorize an Interlocal Agreement between the City of Austin and Travis County to provide three officers, equipment and two cars for "Project Spotlight," utilizing funding in an amount not to exceed \$206,535. (Funding is available from Travis County for the period September 1, 1999 through August 31, 2000. No cash match is required. Funding for the continued operation is contingent upon available funding in future budgets.) (Related to items 23 and 25)
Resolution No. 000217-24 was approved.

25. Approve an Ordinance to establish the classifications and positions in the classified service of the Austin Police Department. (Funding in the amount of \$206,535 for the positions is provided by an interlocal agreement with Travis County for the period September 1, 1999 through August 31, 2000. No cash match is required. Funding for the continued operation is contingent upon available funding in future budgets.) (Related to items 23 and 24)

Ordinance No. 000217-25 was approved.

26. Approve a resolution authorizing execution of a 12-month supply agreement with PRECEPT BUSINESS PRODUCTS, INC., for the printing of forms for the Austin Police Department, in an amount not to exceed \$42,212.37 with two extension options in an amount not to exceed \$42,212.37 per extension for a total contract amount not to exceed \$126,637.10. (Funding in the amount of \$28,141.58 was included in the 1999-2000 Operating Budget of the Police Department. Funding for the remaining four months and extension options will be contingent upon available funding in future budgets.) Low bid of two. No MBE/WBE subcontracting participation.

Resolution No. 000217-26 was approved.

Item 27 was pulled for discussion.

28. Approve a resolution authorizing execution of a 12-month supply agreement with AUSTIN CRUSHED STONE CO., Austin, Texas, for dolomite limestone grade 6, for the Street and Bridge Division, in an amount not to exceed \$61,965, with two 12-month extension options in an amount not to exceed \$61,965 per extension, for a total contract amount not to exceed \$185,895. (Funding in the amount of \$41,310 was included in the 1999-2000 Approved Operating Budget of the Department of Public Works and Transportation. Funding for the remaining four 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. 000217-28 was approved.

Item 29 was pulled for discussion.

30. Approve an ordinance naming parkland along East Bouldin Creek in south Austin for Nicholas Dawson. (Recommended by Parks and Recreation Board)

Ordinance No. 000217-30 was approved.

Item 31 was pulled for discussion.

32. Amend Ordinance No. 990913-2, the 1999-2000 Amended Capital Budget of the Watershed Protection Department by increasing transfers in from the Regional Stormwater Management Program and appropriating an additional \$800,000 to the Upper Brushy Creek Drainage Improvements Project, which includes Lake Creek and Rattan Creek Watersheds. (Funding is available the Regional Stormwater Management Program.) (Recommended by Environmental Board and Planning Commission) (Related to item number 33)

Ordinance No. 000217-32 was approved.

33. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement with Williamson County to participate in funding the Lake Creek Flood Control Improvement Project for Regional Stormwater Management in the Lake Creek Watershed, in the amount of \$810,000. (Funding is available in the 1999-2000 Amended Capital Budget of the Watershed Protection Department. (Recommended by Environmental Board and Planning Commission) (Related to item number 32)
Resolution No. 000217-33 was approved.

Items 34 and 35 were pulled for discussion.

36. Approve an ordinance authorizing consideration of an ordinance clarifying regulations applicable to development in the Northtown Municipal Utility District located generally east of the intersection of IH 35 and Howard Lane in the Desired Development Zone.
Ordinance No. 000217-36 was approved.
37. Approve a resolution authorizing an Interlocal Cooperation Agreement with Travis County to fund and administer HIV-related health and social services contracts for the period of March 1, 2000, through February 28, 2001, at a cost to the City not to exceed \$558,798. (Funding in the amount of \$419,099 was included in the Fiscal Year 1999-2000 Approved Operating Budget for the Health and Human Services Department. Funding for the remaining three months of the original contract period \$139,699, is contingent upon available funding in future budgets.) (Community Action Network (CAN) Resource Council review 2/11/00)
Resolution No. 000217-37 was approved.
38. Set 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. (Approved by Historic Landmark Commission and Building and Standards Commission) (Suggested Date and Time: March 2, 2000 at 6:00 P.M.)
Resolution No. 000217-38 was approved.

Item 39 was pulled for discussion.

40. C14-99-2045 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property located on 7101 Burnet Road from SF-3, Family Residence District, MF-3, Multifamily Residence (Medium Density) District and MF-4, Multifamily Residence (Moderate-High Density) District zoning to GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions for Tract 1, and from SF-3, Family Residence District zoning to LO-CO, Limited Office-Conditional Overlay Combining District zoning with conditions for Tract 2. First reading on January 6, 2000; Vote: 7-0. Conditions met as follows: Conditional overlay incorporates the conditions imposed by Council at first reading. Property Owner and Applicant: Rado, Ltd.;

Agent: Crocker Consultants (Sara Crocker); City Staff: Katie Larsen, 499-3072. (continued from 2/3/00)

This item was postponed to March 23, 2000.

41. C14-99-2114 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property located on 3604-3618 South 2nd Street from SF-3, Family Residence District, LO, Limited Office District and LR, Neighborhood Commercial District zoning to SF-4A-CO, Single-Family Residence (Small Lot)-Conditional Overlay Combining District zoning with conditions. First reading on February 3, 2000; Vote: 7-0. Conditions met as follows: Conditional overlay incorporates the conditions imposed by Council at first reading. Applicant: Charles E. Howard; Agent: The Howell Company (W. B. Bill Howell). City Staff: Katie Larsen, 499-3072.
Ordinance No. 000217-41 was approved.
42. Approve a resolution regarding the Planning Commission consideration of the zoning and conditional use permit applications regarding the Brown Distribution Company property located at 411 Chicon (Case No. C14-00-2016 and Case No. SPC-00-2001A) and setting a public hearing regarding the appeal of the Planning Commission decision regarding the conditional use permit application (Suggested date and time: March 23, 2000 at 6:00 p.m.).
Resolution No. 000217-42 was approved.
43. Approve a resolution authorizing execution of a contract with CIVES STEEL COMPANY, Rosedale, Mississippi, for fabrication and delivery of structural steel for the Austin Convention Center Expansion Project, in the amount of \$6,563,820 plus \$328,191 contingency, for a total amount not to exceed \$6,892,011. (Funding was included in the 1997-1998 Capital Budget of the Austin Convention Center Department.) Low bid of five. No MBE/WBE subcontracting opportunities.
Resolution No. 000217-43 was approved.
44. Approve a resolution authorizing issuance by the City of Austin, Texas, Higher Education Authority, Inc., of “City of Austin, Texas, Higher Education Authority, Inc., University Revenue Bonds (Concordia University at Austin Project) Series 2000”, in the amount of \$11,800,000. (Obligations of the Austin Higher Education Authority Inc. are not debts of the City and are the sole obligation of the corporation.
Resolution No. 000217-44 was approved.
45. Approve a resolution authorizing execution of a 12-month supply agreement with MILLER UNIFORMS & EMBLEMS INC., Austin, Texas, for the purchase of police uniform trousers in an amount not to exceed \$99,776.25, with two 12-month extension options in an amount not to exceed \$99,776.25 per extension, for a total contract amount not to exceed \$299,328.75. (Funding in the amount of \$58,202.81 was included in the 1999-2000 Approved Operating Budget of the Austin Police Department and other departments. Funding for the remaining five months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid of three meeting specifications. No MBE/WBE subcontracting participation.

Resolution No. 000217-45 was approved.

46. Adopt an ordinance amending the Northtown MUD consent agreement to change the land use designation on approximately 52 acres of land from industrial to multi-family (22 units per acre) use. (Recommended by Planning Commission)

Ordinance No. 000217-46 was approved.

47. Set a public hearing to amend the Comprehensive Plan by amending the Austin Metropolitan Area Transportation Plan to designate the 4th Street right-of-way (west of IH 35 to Rio Grande Street) and the West 3rd Street right-of-way (from Shoal Creek to North Lamar Boulevard) as the future passenger rail corridor connecting the Union Pacific Railroad-owned rail right-of-way to the Giddings-to-Llano rail right-of-way owned by Capital Metropolitan Transportation Authority (Capital Metro). Suggested Date and Time: March 9, 2000 at 6:00 P.M.) (Approval of this ordinance has no fiscal impact on City budgets.)

Resolution No. 000217-47 was approved.

48. 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.) (No fiscal impact.)

This item was postponed to March 2, 2000 per staff request.

49. Approve an ordinance granting a franchise to Western Integrated Networks of Texas, L.P. to provide cable and information services. (First reading) (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.)

The first reading was approved.

50. Approve a resolution authorizing payment to COX & SMITH, INC., of up to \$221,000 for legal services in connection with the proposed Bradley settlement, for a total amount not to exceed \$260,000. (Funding in the amount of \$221,000 is available in the 1999-2000 Strategic Partnership Investment Fund. There is no unanticipated fiscal impact.)

Resolution No. 000217-50 was approved.

51. Approve a resolution authorizing payment to THOMPSON & KNIGHT, L.L.P., Austin, Texas, of up to \$250,000 for legal services in connection with various real estate matters, including but not limited to Computer Services Corporation (CSC), for a total contract amount not to exceed \$500,000. (Funding in the amount of \$250,000 is available in the 1999-2000 Strategic Partnership Investment Fund. There is no unanticipated fiscal impact.)

Resolution No. 000217-51 was approved.

52. Approve a resolution creating a Redevelopment Working Committee to explore a potential redevelopment plan for the 52-acre Tank Farm site. (Council Member Gus Garcia, Council Member Willie Lewis and Mayor Kirk Watson.)
Resolution No. 000217-52 was approved.

Items 53 and 54 were pulled for discussion.

55. Approve an ordinance waiving the parade permit fee for the International Day Without Violence March on Saturday, April 8, 2000. (Mayor Kirk Watson, Mayor Pro Tem Jackie Goodman and Council Member Gus Garcia)
Ordinance No. 000217-55 was approved.

Items 56 to 60 were Citizen Communications.

Items 61 to 74 were Zoning items.

Items 75 to 91 were public hearings.

APPOINTMENTS

92. Equity Steering Committee
This was postponed to March 2, 2000.

BRIEFINGS CONTINUED

5. Management Study of City Clerk's Office - **Presentation was made by Shirley Brown, City Clerk, and Joe Canales, Chief of Staff.**

DISCUSSION ITEMS

17. Approve a resolution authorizing execution of a construction contract with LAMBDA CONSTRUCTION, COMPANY, New Braunfels, Texas, for construction of the Techridge Substation, a new two unit 138/12.47 kV Power Distribution Substation in the amount of \$1,174,683. (Funding is included in the Approved 1999-2000 Capital Budget of the Electric Utility Department.) Low bid of five. 14.94% MBE; .47% WBE subcontracting participation. (Recommended by Electric Utility Commission)
Resolution No. 000217-17 was approved on Council Member Lewis' motion, Council Member Spelman's second by a 6-0 vote. Council Member Garcia was off the dais.

27. Amend Ordinance No. 990913-A, the 1999-2000 Capital Budget for the Water and Wastewater Utility by appropriating \$5,048,279 from the funds available from 1999 lawsuit settlements with various polybutylene manufacturers and will be placed into Water Improvements – City Wide. (Funding is available from lawsuit settlement proceeds.) (Recommended by Water and Wastewater Commission Planning Commission)
Ordinance No. 000217-27 was approved on Council Member Lewis' motion, Council Member Spelman's second by a 6-0 vote. Council Member Garcia was off the dais.
31. Approve a resolution authorizing negotiation and execution of a one-year Interlocal Agreement with the Lower Colorado River Authority for laboratory analysis services, in the amount of \$60,000, with the option to extend for three one-year periods, in the amount of \$60,000 each, for a total amount not to exceed \$240,000. (Funding in the amount of \$60,000 was included in the 1999-2000 Approved Operating Budget of the Watershed Protection Department. Funding for the extension options is contingent upon available funding in future budgets.)
Resolution No. 000217-31 was approved on Council Member Garcia's motion, Council Member Spelman's second by a 6-0 vote. Council Member Griffith was off the dais.

The Council meeting was recessed at 11:53 p.m. on Council Member Slusher's motion, Council Member Garcia's second on a 6-0 vote. Council Member Griffith was off the dais.

Mayor Pro Tem Goodman re-covered the afternoon session at 1:45 p.m. in the Auditorium of the Department of Aviation, Engineering Airfield Operations building at Austin-Bergstrom International Airport, 2716 Spirit of Texas Drive.

CITIZEN COMMUNICATIONS: GENERAL

56. Paul Martin – Central Booking
57. Jennifer Gale
58. Gus Peña – Discuss Accountability of the Goggio Consultant Contract by and from the City Council and the City Manager
59. Jim Walker – Census 2000
60. Chris Riley – Central Booking

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.

The motion to recess the Council meeting at 2:02 p.m. and go into Executive Session was approved on Council Member Garcia's motion, Council Member Slusher's second by a 5-0 vote. Mayor Watson and Council Member Lewis were off the dais.

Private Consultation with Attorney - Section 551.071

6. 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.)
7. 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.)

Items 8 and 9 were discussed later in the meeting.

10. Discuss *Acker v. COA*, Cause No. 97-03890, in Travis County District Court.
11. Discuss legal issues concerning regulations applicable to development in the Northtown Municipal Utility District.

Personnel Matters – Section 551.074

12. Evaluate the performance of and consider a compensation package for the City Clerk and for the City Auditor.
This item was postponed to March 2, 2000.
14. Approve a new compensation package for the City Clerk and for the City Auditor. (Mayor Pro-Tem Jackie Goodman and Council Member William Spelman)
This was postponed to March 2, 2000.

Executive session ended at 2:46 p.m.

The Council Meeting was recessed.

The Mayor called the meeting back to order at 3:34 p.m.

DISCUSSION ITEMS CONTINUED

34. Amend Ordinance No. 990913-2, the 1999-2000 Capital Budget of the Watershed Protection Department by: reallocating \$210,000 from the Non Urban Watersheds Retrofit project account to the Flood Control Improvements project and increasing transfers in from the Regional Stormwater Management Program and appropriating an additional \$328,000 to the Gardens at Bull Creek project. (Funding in the amount of \$328,000 is available the Regional Stormwater Management Program Bull Creek account; \$210,000 is available in the Non Urban Watershed Retrofits CIP account.) (Recommended by Environmental Board and Planning Commission) (Related to item number 35)
Ordinance No. 000217-34 was approved with Mayor Pro Tem Goodman's friendly

amendment shown below on Council Member Garcia's motion, Mayor Watson's second on a 7-0 vote. The friendly amendment directed the City Manager to assign environmental inspectors to monitor and inspect the erosion control in this project. The maker of the motion and Mayor Watson, who seconded it, accepted the friendly amendment.

35. Approve execution of a construction contract with RANGER EXCAVATION, INC., Austin, Texas, for construction of the Gardens at Bull Creek Regional Detention Facility, in the amount of \$936,939, plus \$93,694 contingency, for a total contract amount not-to-exceed \$1,030,633. (Funding in the amount of \$1,030,633 is available in the 1999-2000 Amended Capital Budget of the Watershed Protection Department.) Low bid of ten. 20.87% MBE and 4.0% WBE subcontractor participation. (Recommended by Environmental Board, Planning Commission and Parks and Recreation Board) (Related to item number 34)
Resolution No. 000217-35 was approved with Mayor Pro Tem Goodman's friendly amendment shown below on Council Member Garcia's motion, Mayor Watson's second on a 7-0 vote. The friendly amendment directed the City Manager to assign environmental inspectors to monitor and inspect the erosion control in this project. The maker of the motion and Mayor Watson, who seconded it, accepted this friendly amendment.
54. Approve a resolution authorizing the City Manager to negotiate and execute an interlocal agreement with the Capital Area Metropolitan Planning Organization (CAMPO) for a professional peer review of transportation and mobility needs of central Texas in the amount of \$50,000. (Mayor Kirk Watson, Council Member Gus Garcia and Council Member William Spelman)
Resolution No. 000217-54 was approved (with direction to CAMPO that they are to include all of the deliverables in the RFP that they can and if they run short of money, they need to let the partners know) on Council Member Garcia's motion, Council Member Griffith's second, on a 7-0 vote.
13. Approve settlement of *Acker, et al. v. The City of Austin*, Cause No. 97-03890, in the Travis County District Court.
Resolution No. 000217-13 was approved up to \$226,500 on Mayor Pro Tem Goodman's motion, Council Member Garcia's second on a 7-0 vote.

CONSENT ZONING STATEMENTS

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 Lewis' second by a 7-0 vote.

61. C14-86-300 – Home Depot - Public hearing to amend Chapter 25-2 of the Austin City Code by amending a restrictive covenant for property locally known as 3500-3600 South

IH-35. Planning Commission Recommendation: To Deny the restrictive covenant amendment. Applicant: STE-35; Agent: Armbrust Brown & Davis, LLP (Richard T. Suttle). City Staff: Adam Smith, 499-2755.

This item was postponed to March 9, 2000.

62. C14-99-0120 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as State Highway 71 East and Dalton Lane from I-RR, Interim-Rural Residence District zoning to CS-CO, General Commercial Services-Conditional Overlay Combining District and RR, Rural Residence District zoning. Planning Commission Recommendation: To grant RR, Rural Residence District zoning and CS-CO, General Commercial Services-Conditional Overlay Combining District zoning with conditions. Applicant: Eugenia H. Ramsey, Betty H. Cook, and Ann H. Painter; Agent: Cook-Steinman (Andy Linseisen). City Staff: Adam Smith, 499-2755.
The first reading of this ordinance was approved.
63. C14-99-0130 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 16445 IH-35 North from SF-2, Single-Family Residence (Standard Lot) District zoning to CS, General Commercial Services District zoning. Planning Commission Recommendation: To Grant from GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions. Applicant: Security Land Investments Joint Venture (J. Waymon Levell); Agent: Lopez-Phelps, Vaughn & Associates (Amelia Lopez-Phelps). City Staff: David Wahlgren, 499-6455.
The first reading of this ordinance was approved.
64. C14-00-2016 - Brown Distributing Facility - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property located at 411 Chicon Street from to CS, General Commercial Services District to P, Public District zoning. Planning Commission Recommendation: The Planning Commission postponed action on this rezoning request to February 29, 2000. Property Owner: Brown Distributing Company. Applicant: City of Austin; Agent: Department of Public Works and Transportation (Mark Schruben). City Staff: Susan Villarreal, 499-6319.
This item was postponed to March 23, 2000 at the staff's request.
65. C14-99-2024 – Home Depot - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property located at 3500-3600 South IH-35 from GR, Community Commercial District and RR, Rural Residence District zoning to CS, General Commercial Services District and RR, Rural Residence District zoning. Planning Commission Recommendation: To Deny CS, General Commercial Services District and RR, Rural Residence District zoning. Applicant: STE-35 (Mike Palmer/Charles Ball); Agent: Armbrust Brown & Davis, LLP (Richard T. Suttle, Jr.). City Staff: Adam Smith, 499-2755.
This item was postponed to March 9, 2000 at the applicant's and neighborhood's request.
67. C14-99-2067 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property located in the 1800 Block of West Parmer Lane from NO, Neighborhood Office

District zoning and GR-CO, Community Commercial-Conditional Overlay Combining District zoning to GR-CO, Community Commercial-Conditional Overlay Combining District zoning. Planning Commission Recommendation: To Grant to GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions. Applicant: S. C. Equities, Inc. (Bryan Dabbs); Agent: Bury & Pittman, Inc. (Jim Gallegos). City Staff: David Wahlgren, 499-6455.

Ordinance No. 000217-67 was approved.

68. C14-99-2099 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 2419 Cardinal Loop from I-RR, Interim-Rural Residence District zoning to RR, Rural Residence District zoning. Planning Commission Recommendation: To Grant RR, Rural Residence District zoning. Applicant: City of Austin, Development Review & Inspection Department; Owner: Bergstrom Limited Partnership. City Staff: Adam Smith, 499-2755.

Ordinance No. 000217-68 was approved.

69. C14-99-2100 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property located along State Highway 71 East, 2466 Cardinal Loop and 2615 State Highway 71 East #126 from I-RR, Interim-Rural Residence District zoning to RR, Rural Residence District zoning. Planning Commission Recommendation: To Grant RR, Rural Residence District zoning. Applicant: City of Austin, Development Review and Inspection Department; Owner: Del Valle ISD. City Staff: Adam Smith, 499-2755.

Ordinance No. 000217-69 was approved.

70. C14-99-2101 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 7009 Convict Hill Road from I-RR, Interim-Rural Residence District zoning to RR, Rural Residence District zoning. Planning Commission Recommendation: To Grant RR, Rural Residence District zoning. Applicant: City of Austin, Development Review and Inspection Department. Property Owner: Jim Mattox. City Staff: Adam Smith, 499-2755.

Ordinance No. 000217-70 was approved.

71. C14-99-2111 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property located at 6700 Middle Fiskville Road from CS, Commercial Services District zoning to CS-1, Commercial-Liquor Sales District zoning. Planning Commission Recommendation: To Grant CS-1-CO, Commercial-Liquor Sales-Conditional Overlay Combining District zoning with conditions. Applicant: S-R Highland, Ltd. (B. F. Schlosser); Agent: Locke Liddell & Sapp (Henry H. Gilmore). City Staff: Katie Larsen, 499-3072.

Ordinance No. 000217-71 was approved.

72. C14-99-2112 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property located southeast of the intersection of Mellow Meadow Drive and Lake Creek Parkway from I-RR, Interim-Rural Residence District zoning to GR, Community Commercial District zoning. Planning Commission Recommendation: To Grant to GR,

Community Commercial District zoning. Applicant: Round Rock ISD (Pat Abbott); Agent: Lopez-Phelps, Vaughn & Associates (Amelia Lopez-Phelps/Rick Vaughn). City Staff: David Wahlgren, 499-6455.

This item was postponed to March 9, 2000 at staff's request.

74. C14-99-2126 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 8226 North Lamar Boulevard from MF-3, Multifamily Residence (Medium Density) District zoning and CS-1, Commercial-Liquor Sales District zoning 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: Toner Plus Ltd, I (Tom Goebel); Agent: Lopez-Phelps, Vaughn & Associates (Amelia Lopez-Phelps). City Staff: Katie Larsen, 499-3072.

This item was postponed to March 23, 2000 with the direction that it be referred back to the Planning Commission to give the applicant an opportunity to explore one of the restrictions the Commission imposed on the applicant.

DISCUSSION ZONING ITEMS

66. C14-99-2064 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1003-1005 East 39th Street from SF-3, Family Residence District zoning to NO-MU, Neighborhood Office-Mixed Use Combining District zoning. Planning Commission Recommendation: To Deny NO-MU, Neighborhood Office-Mixed Use Combining District zoning. Applicant: Carlton G. Thornburgh, III and Caroline C. Thornburgh, and Todd and Bridget McCullough; Agent: Crocker Consultants (Sarah Crocker). City Staff: Katie Larsen, 499-3072. (Continued from 2/3/00)

Ordinance No. 000217-66 was approved with lot 10 zoned NO with these restrictions: traffic be limited to 100 trips per day, the existing residential structure be maintained, and the NO be restricted to professional offices, general offices and software development. Lot 11 zoning will be deferred to April 20, 2000 so the applicant can determine specific use for the land. This was approved on Mayor Pro Tem Goodman's motion, Council Member Spelman's second on a 7-0 vote.

73. C14-99-2124 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 805 West Avenue from MF-4, Multifamily Residence (Moderate-High Density) District zoning to DMU-CO, Downtown Mixed Use Sales-Conditional Overlay Combining District zoning with conditions. Planning Commission Recommendation: To Grant GO-MU-CO, General Office-Mixed Use-Conditional Overlay Combining District zoning with conditions. Property Owner and Applicant: Bianca Ellis. City Staff: Katie Larsen, 499-3072.

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

The first reading of this ordinance, adopting the staff's recommendation of rezoning to DMU-CO, was approved on Council Member Spelman's motion, Council Member Lewis' second by 6-1 vote. Mayor Pro Tem Goodman voted no.

DISCUSSION ITEMS CONTINUED

29. Approve a resolution authorizing negotiation and execution of a professional services agreement with LAKE/FLATO ARCHITECTS, INC., San Antonio, Texas, to provide architectural services for the design and construction of the Carver Museum/Library Expansion Project, in an amount not to exceed \$85,000. (Funding is available in the 1996-1997 Amended Capital Budget of the Parks & Recreation Department.) 14.30% MBE and 19.20% WBE Subconsultant participation.
Resolution No. 000217-29 was amended by awarding this contract to the alternative firm of Carter Design Associates on Council Member Lewis' motion, Council Member Garcia's second on a 7-0 vote.
39. C814-84-028.04 -- Vista Ridge PUD - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code rezoning property locally known as 750 feet North of the intersection of Ladera Norte and Valburn Drive, from PUD, Planned Unit Development District zoning to PUD, Planned Unit Development District zoning with conditions. First reading on December 16, 1999; Vote 7-0. Second reading on January 6, 2000; Vote 7-0. Conditions met as follows: Pending. Applicant: Austin Two Tracts (Mike Pruitt); Agent: Turner, Collie and Brandon (Keith Young). City Staff: Jerry Rusthoven. Note: A valid petition has been filled in opposition to this rezoning request. (Continued from 2/3/00 and 2/10/00)
Ordinance No. 000217-39 was approved on Council Member Spelman's motion, Council Member Lewis' second on a 7-0 vote.

The Council Meeting was recessed at 5:19 p.m.

PROCLAMATIONS

The Mayor called the meeting to order at 6:10 p.m.

PUBLIC HEARINGS

75. Conduct a public hearing and 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.
This item was postponed to March 23, 2000.
76. Conduct a public and consider an ordinance amending Section 25-8-65 of the City Code relating to the inclusion of roadways in impervious cover calculations.
This item was postponed to March 23, 2000.

77. Conduct a public hearing and consider an ordinance amending Chapter 25-8 relating to construction on slopes in urban watersheds.
This item was postponed to March 23, 2000.
78. Conduct a public hearing and consider an ordinance amending Title 25 of the City Code relating to impervious cover calculations and assumptions.
This item was postponed to March 23, 2000.
79. 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 waiving traffic analyses for Smart Growth corridors and nodes.
This item was postponed to March 23, 2000.
80. Conduct a public hearing and consider an ordinance amending Chapter 25-2 of the City Code regarding use and site development regulations for an urban farm use.
This item was postponed to March 23, 2000.
81. Conduct a public hearing and 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. (No change in the amount of funding needed, only in the number of years over which cost reimbursements may be paid.)
This item was postponed to March 23, 2000.
82. 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 Griffith's motion, Council Member Garcia's second by a 7-0 vote.
83. 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 Griffith's motion, Council Member Garcia's second by a 7-0 vote.
84. 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 Griffith's motion, Council Member Garcia's second by a 7-0 vote.

ACTION ON PUBLIC HEARINGS

85. 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.
This item was postponed to March 23, 2000.
86. Consider an ordinance amending Section 25-8-65 of the City Code relating to the inclusion of roadways in impervious cover calculations.
This item was postponed to March 23, 2000.
87. Consider an ordinance amending Chapter 25-8 relating to construction on slopes in urban watersheds.
This item was postponed to March 23, 2000.
88. Consider an ordinance amending Title 25 of the City Code relating to impervious cover calculations and assumptions.
This item was postponed to March 23, 2000.
89. Consider amending Chapter 25-6 of the Austin City Code to provide consultation with neighborhood planning committees regarding traffic impact analyses and waiving traffic analyses for Smart Growth corridors and nodes.
This item was postponed to March 23, 2000.
90. Consider an ordinance amending Chapter 25-2 of the City Code regarding use and site development regulations for an urban farm use.
This item was postponed to March 23, 2000.
91. 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.
This item was postponed to March 23, 2000.

The regular Council Meeting was recessed at 7:04 p.m. and the Mayor called the Special Called Meeting to order.

1. Conduct a public hearing on the limited purpose annexation of the Avery Ranch tract consisting of 1630 acres and located between the south shore of Brushy Creek and the existing City limits approximately 1.5 miles north of the intersection of FM 620 and Parmer Lane.
The public hearing was closed on Mayor Pro Tem Goodman's motion, Council Member Lewis' second by a 7-0 vote.

APPOINTMENTS

2. Town Lake/Waterfront Overlay Committee
Liz Lambert, hotel owner
John Wooley, property owner

Moten Crocket, property owner
Carolyn Kelly, neighborhood
Jay Wyatt, transportation
Marilyn Rogers, neighborhood
Chris Riley, neighborhood
Maria Elena Bernhardt, neighborhood
Roland Ortiz, neighborhood
Wendy Price Todd, design
Elaine Carter, parks
Tim Fulton, neighborhood
Max Woodfin, neighborhood
Xen Oden, neighborhood
Sandy Schwartz, Statesman
Silver Garza, property owner

The appointments were approved on Mayor Pro Tem Goodman's motion, Council Member Garcia's second on a 7-0 vote.

The Special Called Meeting was adjourned at 7:11 p.m. and the Mayor called the Regular Meeting back to order.

A motion to recess the Council meeting at 7:25 p.m. and go into Executive Session was approved on Council Member Slusher's motion, Mayor Watson second on a 7-0 vote.

EXECUTIVE SESSION

8. Discuss legal issues related to Chapter 245 of the Local Government Code.
9. Discuss legal issues concerning 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)

Executive session ended at 8:35 p.m.

53. Approve an ordinance waiving certain City Code requirements regarding street closure and parade permit requirements for the Texas Independence Day Parade on March 2, 2000. (Mayor Kirk Watson)
No action was taken on this item.

ADJOURNED at 8:38 p.m. on Council Member Spelman's motion, Council Member Slusher's second by a vote.

The minutes for the Regular Meetings of February 17, 2000, March 2, 2000 and March 9, 2000 were approved on this the 23rd 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.

