



**Austin City Council
MINUTES**

**REGULAR MEETING
THURSDAY, JANUARY 13, 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, January 13, 2000 in the City Council Chambers, at 307 West Second Street.

Mayor Watson called the meeting to order at 10:10 a.m.

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 Lewis' second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

CONSENT ITEMS

12. Authorize negotiation and execution of a professional services agreement with the following five firms: GUTIERREZ, SMOUSE, WILMUT & ASSOC., INC., Dallas, Texas; RJN GROUP, INC., Austin, Texas; BYRD/FORBES ASSOCIATES, INC., Dallas, Texas; WADE & ASSOCIATES, INC., Fort Worth, Texas; and WOOLPERT, LLP, Virginia Beach, Virginia; to provide professional engineering services for Sanitary Sewer Evaluation Studies for a period of approximately two years or until the available funding is exhausted, total agreements in an amount not to exceed \$4,000,000. (Funding is available in the 1999-2000 Amended Capital Budget of the Water and Wastewater Utility. These services will be funded from various funding sources depending on location and nature of the project.) (Recommended by Water and Wastewater Commission)
Resolution No. 000113-12 was approved.
13. Authorize negotiation and execution of a professional services agreement with BYRD/FORBES ASSOCIATES, INC., Dallas, Texas, to perform an inflow/infiltration study of the Govalle Diversion Tunnel sewerage area, in an amount not to exceed

\$1,000,000. (Funding is available in the 1999-2000 Amended Capital Budget of the Water and Wastewater Utility.) (Recommended by Water and Wastewater Commission)

Resolution No. 000113-13 was approved.

Items 14 and 15 were pulled for discussion.

16. Approve a resolution authorizing execution of a construction contract with SALAS CONSTRUCTORS (MBE/MH), Austin, Texas, to lower an existing 36" water line located at the intersection of Anderson Mill Road and U.S. 183, in the amount of \$94,200. (Funding was included in the 1997-98 Amended Capital Budget of the Water & Wastewater Utility.) Low bid of five. 54.39% MBE/MH Prime; 8.45% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 000113-16 was approved.

17. Approve a resolution authorizing Service Extension Request No. 1948 for water service not to exceed 18 gallons per minute (gpm) for a tract of approximately 8.0 acres known as the Willow Bend tract owned by Thomas Roesner located within the Drinking Water Protection Zone within the extraterritorial jurisdiction of Austin east of RM 620 on Foundation Road. (Recommended by Water and Wastewater Commission)

This item was pulled off the agenda by staff.

18. Approve a resolution authorizing Service Extension Request No. 1949 for wastewater service not to exceed a peak wet weather flow of 16 gallons per minute (gpm) for a tract of approximately 8.0 acres owned by Thomas Roesner known as the Willow Bend Tract located within the Drinking Water Protection Zone in the extraterritorial jurisdiction of Austin east of RM 620 on Foundation Road. (Recommended by Water and Wastewater Commission)

This item was pulled off the agenda by staff.

Items 19 and 20 were pulled for discussion.

21. Approve a resolution authorizing execution of a 12-month supply agreement with MITSUBISHI ELECTRIC POWER PRODUCTS, INC. c/o Keasler Associates, Richardson, Texas, for the purchase of approximately 21 362kV dead tank circuit breakers in an amount not to exceed \$4,454,500 with two 12-month extension options in an amount not to exceed \$2,579,500 per extension, for a total contract amount not to exceed \$9,613,500. (Funding in the amount of \$4,454,500 was included in the Approved 1999-2000 Capital Budget of the Electric Utility Department. Funding for the extension options is contingent upon available funding in future budgets.) Low bid of two. No MBE/WBE subcontracting participation. (Electric Utility Commission Review – 1/10/00)

Resolution No. 000113-21 was approved.

22. Approve a resolution authorizing execution of a 12-month supply agreement with VAUGHN MANUFACTURING COMPANY, Salisbury, MA, for the purchase of water heater timers in an amount not to exceed \$63,600 with two 12-month extension options in

an amount not to exceed \$229,500 for each period for a total contract amount of \$522,600. (Funding in the amount of \$42,400 is available in the approved 1999-2000 Operating Budget for the Electric Utility Department. Funding for the balance of the contract period and the extension options is contingent upon available funding in future budgets.) Low bid of three. No MBE/WBE subcontracting participation. (Electric Utility Commission Review – 1/10/00)

Resolution No. 000113-22 was approved.

23. Approve a resolution authorizing execution of a contract with HYDRODYNE, INC., Masillion, Ohio, for the purchase of three feedwater heaters for the Holly Street Plant in an amount not to exceed \$273,795. (Funding is included in the Approved 1998-1999 Capital Budget for the Electric Utility Department.) Low bid of seven meeting specifications. No MBE/WBE subcontracting participation. (Electric Utility Commission Review – 1/10/00)
Resolution No. 000113-23 was approved.
24. Approve a resolution authorizing execution of a 12-month service agreement with ENERTOUCHE, INC. Stone Mountain, Georgia, for the installation services of water heater timers in an amount not to exceed \$41,400 with two 12-month extension options in an amount not to exceed \$153,600 for each period for a total contract amount of \$348,600. (Funding in the amount of \$27,600 is available in the Approved 1999-2000 Operating Budget for the Electric Utility Department. Funding for the balance of the contract period and the extension options is contingent upon available funding in future budgets.) No MBE/WBE subcontracting participation.) Low bid of four. No MBE/WBE subcontracting participation. (Electric Utility Commission Review – 1/10/00)
Resolution No. 000113-24 was approved.
25. Approve a resolution authorizing execution of a 12-month supply agreement with AUSTIN CRUSHED STONE COMPANY, INC., Austin, Texas, for the purchase of flexible base material in an amount not to exceed \$116,700 with three 12-month extension options in an amount not to exceed \$116,700 per extension, for a total contract amount not to exceed \$466,800. (Funding in the amount of \$77,800 is available was included in the Approved 1999-2000 Operating Budget of the Electric Utility Department. Funding for the final four 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. (Electric Utility Commission Review – 1/10/00)
Resolution No. 000113-25 was approved.
26. Approve a resolution authorizing execution of a contract with POWER SUPPLY, INC., Austin, Texas, for the purchase of 18 reels of transmission line conductor in the amount of \$186,191.46. (Funding is available in the approved 1999-2000 Operating Budget of the Electric Utility Department.) Low bid of five. No MBE/WBE subcontracting participation. (Electric Utility Commission Review – 1/10/00)
Resolution No. 000113-26 was approved.

27. Approve a resolution authorizing execution of a contract with POWER SUPPLY, INC., Austin, Texas, for the purchase of aluminum bus bar in the amount of \$75,551.90. (Funding is available in the 1999-2000 Operating Budget of the Electric Utility Department.) Sole Bid. No subcontracting opportunities were identified. (Electric Utility Commission Review – 1/10/00)

Resolution No. 000113-27 was approved.

28. Approve a resolution authorizing negotiation and execution of fifteen additional Master Power Purchase and Sales Contracts with qualified electric utilities, independent power producers and power marketers for short term unplanned power purchases. (Electric Utility Commission Review – 1/10/00)

Resolution No. 000113-28 was approved.

Item 29 was pulled for discussion.

30. Approve a resolution authorizing negotiation and execution of two 12-month contracts: one contract with AUSTIN FAMILIES, INC., Austin, Texas, to provide childcare voucher services for the period of February 1, 2000 through January 31, 2001, in an amount not to exceed \$115,251, and one contract with TRUE LIGHT DAY CARE CENTER, Austin, Texas, to provide child care services for the period of February 1, 2000 through January 31, 2001, in an amount not to exceed \$85,410, for a total amount not to exceed \$200,661. (Funding is available in the 1999-2000 Approved Operating Budget for Neighborhood Housing and Community Development Department's 21st, 22nd, 23rd, and 25th Year Community Development Block Grant Funds.) (Recommended by Community Development Commission)

Resolution No. 000113-30 was approved.

Item 31 was pulled for discussion.

32. Approve a resolution authorizing execution of a 12-month supply agreement with SAFE CARE, Sturgis, MI, to provide latex gloves in an amount not to exceed \$99,875, with two 12-month extension options in an amount not to exceed \$99,875, for a total contract amount not to exceed \$299,625. (Funding in the amount of \$66,584 is available in the 1999-2000 Amended Operating Budget of various departments. Funding for the remaining four months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid of twenty-five meeting specifications. No MBE/WBE subcontracting participation.

Resolution No. 000113-32 was approved.

33. Approve a resolution authorizing negotiation and execution of a 12-month professional engineering service agreement with DIVERSIFIED INSPECTIONS OF TEXAS, INC. DBA: INDEPENDENT TESTING LABORATORIES, Houston, Texas, for inspection and testing services of City-owned mechanical equipment and lifting devices, in the amount not to exceed \$100,000, with three 12-month extension options in the amount not to exceed \$100,000 per extension, for a total contract amount not to exceed \$400,000. (Funding in

the amount of \$75,000 is available in the 1999-2000 Approved Operating Budget for the Fleet Maintenance Fund of the Finance and Administrative Services Department. Funding for the remaining three months of the original contract period and extension options are contingent upon available funding in future budgets.) Best of four responses. No MBE/WBE subcontracting participation.

Resolution No. 000113-33 was approved.

34. Approve a resolution authorizing execution of a 12-month supply agreement with PRECEPT BUSINESS PRODUCTS INC., Austin, Texas, for the printing of business cards for City departments, in an amount not to exceed \$75,534 with the option to extend for two 12-month periods in an amount not to exceed \$75,534 per extension for a total contract amount not to exceed \$226,602. (Funding in the amount of \$56,650.50 was included in the 1999-2000 Operating Budget of various departments. Funding for the remaining nine months and extension options will be contingent upon available funding in future budgets.) Low bid of two. No MBE/WBE subcontracting participation.

Resolution No. 000113-34 was approved.

35. Approve a resolution authorizing execution of a contract with HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS COOPERATIVE PURCHASING PROGRAM (H-GAC), Houston, Texas, for the purchase of two platform ladder fire trucks, three fire pumper trucks, four wheel-driven loaders, three wheel-driven loader/backhoes, two track-driven loaders and two track-driven excavators in the amount of \$3,488,243.97 (Funding in an amount of \$2,406,430.32 is included in the 1999-2000 Approved Vehicle Acquisition Fund. \$247,335.78 is included in the 1999-2000 Approved Operating Budget of the Department of Public Works and Transportation. \$374,113.95 is included in the 1999-2000 Amended Capital Budget of the Watershed Protection Department. \$460,363.92 is included in the 1999-2000 Amended Capital Budget of the Water and Wastewater Utility Department.)

Resolution No. 000113-35 was approved.

36. Approve an Interlocal Agreement with the Austin Independent School District for Meal Services in an amount not to exceed \$385,000 for the term of October 1, 1999 to September 30, 2000. (Funding was included in the 1999-2000 Operating Budget for the Parks and Recreation Department Special Revenue Fund.)

Ordinance No. 000113-36 was approved.

37. Approve an Interlocal Agreement with Travis County for reimbursement of the operation of a Senior Support Services (Congregate Meal) Program for Travis County in an amount not to exceed \$39,000 for the term October 1, 1999 to September 30, 2000. (Funding is available in the 1999-2000 Approved Special Revenue Grant Fund budget of the Parks and Recreation Department.)

Ordinance No. 000113-37 was approved.

38. Approve a resolution authorizing negotiation and execution of a professional services agreement with CASABELLA + DEL CAMPO & MARU JOINT VENTURE, Austin,

Texas, for architectural design and construction phase services for the Mexican American Cultural Center, in an amount not to exceed \$740,000. (Funding is available in the 1999-2000 Approved Capital Budget of the Parks & Recreation Department.) Best of four qualifications. 22.8% MBE; 18.2% WBE subcontracting participation.

Resolution No. 000113-38 was approved.

Item 39 was pulled for discussion.

40. Approve a resolution authorizing execution of a construction contract with BAY MAINTENANCE COMPANY, INC., Horseshoe Bay, Texas, for street and utility improvements on 12th Street from Airport Boulevard to Springdale Road and on Rosewood Avenue from Hargrave Road to Webberville Road, in the amount of \$1,821,975.17, plus \$91,098.76 contingency, for a total amount not to exceed \$1,913,073.93. (Funding in the amount of \$1,460,069.92 is included in the 1999-2000 Approved Capital Budget of the Department of Public Works & Transportation; \$4,650 is included in the 1995-1996 Amended Capital Budget of the Water & Wastewater Utility; \$447,091.51 is included in the 1997-1998 Amended Capital Budget of the Water & Wastewater Utility. \$1,262.50 was included in the 1999-2000 Approved Operating Budget of the Watershed Protection Department.) Low bid of five. 18.85% MBE subcontracting participation; 7.31% WBE subcontracting participation. (Recommended by Water and Wastewater Commission Review)

Resolution No. 000113-40 was approved.

41. Amend Chapter 16-4 by adding a new Section 16-4-57 of the City Code and adding E. Martin Luther King Jr. Boulevard (FM 969) from Airport Boulevard (Loop 111) to Wildrose Drive to the list of streets having a maximum speed limit of 35 miles per hour where the posted speed signs indicate and road construction, maintenance or repair activities are being undertaken. (Funding for speed limit signs will be provided by the Texas Department of Transportation.)

Ordinance No. 000113-41 was approved.

42. Approve an ordinance authorizing acceptance of an additional \$4,000 in grant funds from the Texas State Library to provide interlibrary loan services through the Austin Public Library, Central Texas Library System; Amend Ordinance 990914-1, the 1999-2000 Operating Budget, amending the Library Special Revenue Fund by appropriating an additional \$4,000 for a total grant amount of \$230,883. (Funding will be provided by the Texas State Library. Total grant is \$230,883. The grant period is September 1, 1999 through August 31, 2000. No match is required.)

Ordinance No. 000112-42 was approved.

43. Approve a resolution authorizing execution of a construction contract with HENSEL PHELPS CONSTRUCTION COMPANY, Austin, Texas, for installation of drilled piers as part of the Austin Convention Center Expansion Project, in the amount of \$695,000, plus \$69,500 contingency, for a total amount not to exceed \$764,500. (Funding is available in

the 1997-98 Amended Capital Budget of the Austin Convention Center Department.) Low bid of four. 23.48% MBE; 10.65% WBE subcontracting participation.

Resolution No. 000113-43 was approved.

44. Provide the City Manager with policy and process guidelines for the revision of the Town Lake Overlay Ordinance and make appointments for a citizen advisory committee.
This item was postponed indefinitely.

Item 45 was pulled for discussion.

46. C14-99-0006 - Barton Creek Wilderness Park - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as Loop 1 (Mopac Expressway South) and Gaines Ranch Loop from I-RR, Interim-Rural Residence District zoning, to P, Public District zoning. First reading on July 15, 1999; Vote: 5-0, (Watson-off dais; Garcia-absent). Applicant: City of Austin Parks and Recreation Department (Sarah Campbell); Agent: City of Austin Development Review and Inspection Department. City Staff: Susan Villarreal, 499-6319.
This item was postponed to January 27, 2000.
47. C14-99-0007 - Barton Creek Wilderness Park - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the area west of Loop 360 and north of Loop 1 (Mopac Expressway South), from DR, Development Reserve District, I-RR, Interim-Rural Residence District, RR, Rural Residence District, PUD, Planned Unit Development District, SF-2, Single Family Residence (Standard Lot) District, LO, Limited Office District zoning to P, Public District zoning, with conditions. First reading on July 29, 1999; Vote: 7-0. Applicant: City of Austin Parks and Recreation (Sarah Campbell); Agent: City of Austin, Development Review and Inspection Department. City Staff: Susan Villarreal, 499-6319.
This item was postponed to January 27, 2000.
48. C14-98-0158 - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 7100-7104 McNeil Drive from I-RR, Interim-Rural Residence District zoning to SF-6-CO, Townhouse and Condominium Residence-Conditional Overlay Combining District zoning with conditions. First reading on April 8, 1999; Vote: 7-0; Second reading on December 2, 1999; Vote: 6-0 (Lewis absent). Applicant: D.I.I., Inc. (Frank Greenberg). City Staff: Tammie Williamson, 499-3056.
Ordinance No. 000113-48 was approved.

Items 49 through 52 were pulled for discussion in Executive Session.

Items 53 through were pulled for discussion.

57. Approve a resolution supporting Austin's participation in the creation of the regional Brushy Creek Trail and Greenway. (Council Members William Spelman and Beverly Griffith)

Resolution No. 000113-57 was approved.

58. Approve the City's co-sponsorship of the parade honoring Dr. Martin Luther King, Jr., to be held on January 17, 2000. (Council Member Willie Lewis).

Resolution No. 000113-58 was approved.

Items 59 and 60 were pulled for discussion.

Items 61 through 69 were zoning items taken at 4:00 p.m.

70. **APPOINTMENTS**

Animal Advisory Commission

Karen Medicus

Reappointment

Spelman

Board of Adjustment

Francisco Fuentes

Reappointment

Consensus

Commission on Immigrant Affairs

Snehaul Patel

Reappointment

Consensus

Luis Plascencia

Reappointment

Consensus

Construction Advisory Committee

Phillip Burks/Construction

Reappointment

Spelman

Design Commission

Leslie Oberholtzer

Spelman

Downtown Commission

Linda Johnston

Reappointment

Consensus

William Keenan

Reappointment

Consensus

Human Rights Commission

David Garza

Reappointment

Consensus

Dr. Michael Supancic

Reappointment

Spelman'

Bettye J. Taylor

Reappointment

Consensus

Neal Walton

Reappointment

Consensus

Medical Assistance Program Advisory Board

Carolyn Cross

Reappointment

Consensus

MHMR Public Responsibility Committee

Claudette Carr	Reappointment	Consensus
Shirley Goff	Reappointment	Consensus
Betty Storey	Reappointment	Consensus

Resource Management Commission

Michael Osborne	Reappointment	Slusher
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Urban Transportation Commission

Schleen Johnson		Spelman
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Items 71 and 72 were Citizen Communication Speakers.

73. Approve a resolution requesting the Planning Commission Codes and Ordinances Committee and the Austin Police Department review the City of Austin's noise ordinance. (Council Member Daryl Slusher and Council Member William Spelman)
Resolution No. 000113-73 was approved.

DISCUSSION ITEMS

15. Adopt a resolution authorizing negotiation and execution of a cost reimbursement agreement with Anderson Mill 79 Venture, Rodney L. Madden, manager, providing terms and conditions for construction of an 18- and a 24-inch wastewater main and appurtenances to provide wastewater service within and near the proposed Stanzel Brothers Subdivision located at approximately 8500 Anderson Mill Road with City cost reimbursement in an amount not to exceed \$1,250,000; Adopt an ordinance waiving the requirements of Section 25-9-39, City Code, relating to the posting of fiscal security for construction of the 18- and 24-inch wastewater main; waiving construction inspection fees for the 18- and 24-inch wastewater mains; in an amount not to exceed \$59,374.99; waiving the requirements of Section 25-9-67, City Code, relating to cost reimbursement payments. (Funding in the amount of \$1,309,374.99 is available in the 1999-2000 Amended Capital Budget of the Water and Wastewater Utility.) (Recommended by Water and Wastewater Commission)
Resolution No. 000113-15A and Ordinance No. 000113-15B were approved on Council Member Slusher's motion, Council Member Spelman's second by a 7-0 vote.
31. Approve a resolution authorizing negotiation and execution of an 8-month contract with AUSTIN FAMILIES, INC., Austin, Texas, to provide child care voucher services for the period of February 1, 2000 through September 30, 2000, in an amount not to exceed \$158,667 with three 12-month extension options in an amount not to exceed \$238,000 per extension for a total contract amount not to exceed \$872,667. (Funding in available in the

1999-2000 Approved Operating Budget for Neighborhood Housing and Community Development Department's 25th year Community Development Block Grant Funds. Funding for the extension options is contingent upon available funding in future budgets.) (Recommended by Community Development Commission)

Resolution No. 000113-31 was approved on Mayor Pro Tem Goodman's motion, Council Member Slusher's second by a 7-0 vote.

39. Repeal Ordinance No. 990913-8 and Adopt an ordinance to reflect classifications and positions in the classified service of the Austin Fire Department. (Funding in the amount of \$87,799 is available in the Approved Fiscal Year 1999-2000 Operating Budget of the Fire Department.)

Ordinance No. 000113-39 was approved on Council Member Lewis' motion Council Member Spelman's second by a 6-0 vote. Council Member Garcia was off the dais.

A motion to recess the Council meeting at 10:46 a.m. to go into Executive Session was approved on Council Member Spelman's motion, Mayor Watson's second by a 5-0 vote. Council Members Garcia and Slusher were off the dais.

EXECUTIVE SESSION (No Public Discussion on These Items)

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.

Private Consultation with Attorney - Section 551.071

1. 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.)
2. 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.)
3. 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)
4. Discuss legal issues related to Chapter 245 of the Local Government Code.

Personnel Matters - Section 551.074

6. Consider the appointment and compensation of acting municipal court clerk.

Mayor Watson called the meeting back to order at 10:54 a.m. to add Executive Session item 5.

A motion to recess the Council meeting at 10:49 a.m. and go into Executive Session was approved on Mayor Pro Tem Goodman's motion, Council Member Lewis' second by a 6-0 vote. Council Member Garcia was off the dais.

Real Property - Section 551.072

5. Discuss acquisition of real property from the State of Texas at Robert Mueller Airport and in downtown Austin.

Executive Session ended at 1:34 p.m.

LIVE MUSIC: Roger Wallace

INVOCATION – Rev. John Stirewalt, Christ Our Redeemer Lutheran Church

Mayor Watson called the meeting back to order at 2:34 p.m.

DISCUSSION ITEMS

60. Appoint and set compensation and benefits for an acting Municipal Court Clerk. (Mayor Kirk Watson, Mayor Pro Tem Jackie Goodman and Council Member Gus Garcia)
Ordinance 000113-60 The appointment, compensation and benefits package for Richard Harris, the Acting Municipal Court Clerk, was approved on Mayor Pro Tem Goodman's motion, Council Member Garcia's second by a 7-0 vote.

MINUTES

7. Approval of minutes for regular meeting of December 16, 1999.
The date of these minutes is in error and should have read January 6, 2000. Approval of these minutes will be on Council's January 27, 2000 agenda.

CITIZEN COMMUNICATIONS: GENERAL

8. Gus Peña – Discuss City Issues and Health Clinics
9. Jennifer Gale – CHARTER ELECTION: Election to bring the power of local government back to the people who abdicated it.
10. Grace Lehto – Drainage and Taxes - **Absent**
11. Charles Waits – Tcro-Hate Mean Radio
71. Alex Rosen – Land Development Code
72. Richard Troxell – Homelessness

DISCUSSION ITEMS CONTINUED

14. Approve execution of a construction contract with RYAN-O EXCAVATING, Lockhart, Texas, for construction of Circle C Wastewater Service Replacements in the amount of \$43,880. (Funding is available in the 1999-2000 Amended Capital Budget of the Water and Wastewater Utility.) 5.01% MBE; 8.43% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)
Resolution No. 000113-14 was approved on Council Member Slusher's motion, Council Member Griffith's second by a 6-0 vote. Council Member Griffith was off the dais when the vote was taken.
19. Amend Ordinance No. 990913-2, the 1999-2000 Capital Budget by increasing appropriations to the Water and Wastewater Utility by \$225,890 and increasing appropriation to the water project known as "Circle C Water Reimbursement", and the wastewater project known as "Circle C Wastewater Reimbursement", and appropriating \$63,843 to the Watershed Protection Department's Drainage Developer Reimbursements in Annexed Areas" project account. (Funding in the amount of \$225,890 for Water and Wastewater Utility to be funded by the future issuance of commercial paper. Funding in the amount of \$63,843 for Watershed Protection to be funded by Municipal Utility District (MUD) cash balances. (Recommended by Water and Wastewater Commission) (Planning Commission Review – 1/11/00) (Recommended by Environmental Board)
Ordinance No. 000113-19 was approved on Council Member Slusher's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.
20. Approve a resolution declaring official intent to reimburse acquisition and construction costs in the amount of \$225,890 to be paid for developer reimbursements related to 1997 municipal utility district annexations. (Funding for the Water and Wastewater Utility to be funded by the issuance of commercial paper.) (Recommended by Water and Wastewater Commission)
Resolution No. 000113-20 was approved on Council Member Slusher's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.
59. Direct the City Manager to create a mechanism, including the possibility of issuance of a RFP, for development of a long-range economic and social equity vision and program for Austin consistent with the challenges referred to in the Next Century Economy Report of 1998 and subsequent relevant data. (Mayor Kirk Watson, Council Member Gus Garcia and Council Member Daryl Slusher)
Resolution No. 000113-59 was approved with direction that an RFP be issued specifying a solution based approach that would include an analysis of best practices in other cities (specifically the programs in Canada referenced by Council Member Slusher). The report should do an analysis of efforts that failed also. It should examine how corporations have been involved in social programs in other cities. The recommendations should address more than wages and include affordable housing, childcare and workforce development. This was approved on Council Member Slusher's motion, Council Member Garcia's second on a 7-0 vote.

45. C14-99-0137 – Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code zoning property locally known as 9518 Anderson Mill Road from I-RR, Interim-Rural Residence District zoning, to LI-CO, Limited Industrial Services-Conditional Overlay Combining District zoning with conditions. First reading on December 2, 1999; Vote 6-0, Lewis absent. Applicant: William H. Balzen (Robert H. Balzen); City Staff: David Wahlgren, 499-6455.

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

53. C14-99-0078 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property located South of Wilson Parke Avenue on FM 620 from I-RR, Interim-Rural Residence District zoning GR-CO, Community Commercial Commercial-Conditional Overlay Combining District zoning with conditions. First reading on December 2, 1999; Vote 6-0 (Lewis absent) Applicant: Tomen-Parke Associates, Ltd. (James McCarthy); Agent: Richardson Verdoorn (Sandra Nash). City Staff: Clark Patterson, 499-2464.

A motion to deny the zoning was made by Council Member Spelman, seconded by Council Member Slusher. No vote was taken because there was a motion to approve the second reading with a friendly amendment placing a cap on the size of the individual offices to 65,000 square feet and 100,000 square feet for an individual retail establishment. This was approved on Council Member Spelman's motion, Council Member Slusher's second by a 6-0 vote. Mayor Watson was off the dais.

54. C14-99-0079 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property located at Wilson Parke Avenue and FM 620 from I-RR, Interim-Rural Residence district zoning to GR-CO, Community Commercial Commercial-Conditional Overlay Combining District zoning with conditions for Tract 1 and GO, General Office District zoning for Tract 2. First reading on December 2, 1999; **Vote: 5-1, Council Member Slusher voted no.** (Lewis absent). Applicant: Tomen-Parke Associates, Ltd. (James McCarthy); Agent: Richardson Verdoorn (Sandra Nash). City Staff: Clark Patterson, 499-2464.

A motion to deny the zoning was made by Council Member Spelman, seconded by Council Member Slusher. No vote was taken because there was a motion to approve the second reading with a friendly amendment placing a cap on the size of the individual offices to 65,000 square feet and 100,000 square feet for an individual retail establishment. This was approved on Council Member Spelman's motion, Council Member Slusher's second by a 6-0 vote. Mayor Watson was 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 Slusher's second by a 7-0 vote.

61. C14-99-0046 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 7600-7900 East Ben White Boulevard from LI-CO, Limited Industrial Service-Conditional Overlay District zoning and CS-CO, General Commercial Services-Conditional Overlay District zoning. Planning Commission Recommendation: To grant CS-CO, General Commercial Services-Conditional Overlay Combining District zoning with conditions for Tract 1 and LI-CO, Limited Industrial Services-Conditional Overlay Combining District zoning with conditions for Tract 2, with conditions. Applicant: Southeast Austin Associates (Richard Mathias); Agent: Mathias Company (Richard Mathias). City Staff: Susan Villarreal, 499-6319.

Ordinance No. 000113-61 was approved.

Items 62 and 63 were pulled for discussion.

64. C14-99-2096 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as FM Road 973 South from I-RR, Interim-Rural Residence District zoning to RR, Rural Residence District zoning. Planning Commission Recommendation: To Grant RR, Rural Residence District zoning. Property Owner: Corey D. & Michael McIntyre; Applicant: City of Austin, Agent: Development Review and Inspection Department. City Staff: Adam Smith, 499-2755.

Ordinance No. 000113-64 was approved.

65. C14-99-2102 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property located on Acton Drive from I-RR, Interim-Rural Residence District zoning to RR, Rural Residence District zoning. Planning Commission Recommendation: To Grant RR, Rural Residence District zoning. Property Owners: Bruce & Deirdre Davenport, George Harol Davis Jr., Charles & Elzira Denny, Nancy Frazier, Jean & Gene Hutson, Richard McDavid, RGM Inc., Dale & Dena Muenzler, Bobbie Tooker, Stramer F. White, and George Woodworth; Applicant: City of Austin; Agent: Development Review and Inspection Department. City Staff: Adam Smith, 499-2755.

The first reading of this item was approved.

66. C14-99-2104 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property located on Westhill Drive from I-RR, Interim-Rural Residence District zoning to RR, Rural Residence District zoning. Planning Commission Recommendation: To Grant RR, Rural Residence District zoning. Property Owners: Arthur Daniel Stone & Addie G. Stone; Applicant: City of Austin, Agent: Development Review and Inspection Department. City Staff: Don Perryman, 499-2786.

Ordinance No. 000113-66 was approved.

67. C14-99-2106 - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 6858 U.S. Highway 290 West from I-RR, Interim-Rural Residence District zoning to RR, Rural Residence District zoning. Planning Commission

Recommendation: To Grant RR, Rural Residence District zoning. Property Owner: MMB Oak Hill Limited Partnership; Applicant: City of Austin; Agent: Development Review and Inspection Department. City Staff: Don Perryman, 499-2786.

Ordinance No. 000113-67 was approved.

68. C14-99-2107 - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 6329 Thomas Springs 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. Property Owners: John T. & Dorothy T. Doran; Applicant: City of Austin; Agent: Development Review and Inspection Department. City Staff: Don Perryman, 499-2786.
Ordinance No. 000113-68 was approved.

69. C14-99-2109 - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as State Highway 71 West from I-RR, Interim-Rural Residence District zoning to RR, Rural Residence District zoning. Planning Commission Recommendation: To Grant RR, Rural Residence District zoning. Property Owners: John & Alexander Gould; Applicant: City of Austin; Agent: Development Review and Inspection Department. City Staff: Don Perryman, 499-2786.
Ordinance No. 000113-69 was approved.

DISCUSSION ZONING ITEMS

63. C14-99-2062 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 7911 RM 620 North from I-RR, Interim-Rural Residence District zoning to LI, Limited Industrial Service District zoning. Planning Commission Recommendation: To Grant RR, Rural Residence District zoning. Applicant: Matthew Lucas. City Staff: Katie Larsen, 499-3072. (continued from 12/16/99)
The public hearing was closed and first reading of the ordinance was approved on Mayor Pro Tem Goodman's motion, Council Member Griffith's second by a 7-0 vote.

DISCUSSION ITEMS CONTINUED

55. C14-99-2060 – Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 500 East Powell Lane from MF-2-CO, Multifamily Residence (Low Density)-Conditional Overlay Combining District zoning to CS-CO, General Commercial Services-Conditional Overlay Combining District zoning with conditions. . First reading on December 16, 1999; Vote: 7-0. Applicant: Bobby N. Sides; Agent: Federica A. Vierna. City Staff: Katie Larsen, 499-3072.
The second reading of this ordinance was approved with the two changes proposed by the applicant to 1) increase the vehicle trips from 500 to 675 and 2) to place a no right turn requirement. This was approved on Council Member Spelman's motion, Council Member Garcia's second by a 7-0 vote.

- 56.** Approve a Managed Growth Agreement between the City of Austin and Computer Sciences Corporation for development on Blocks 2, 4 and 21 of the Original City of Austin. Block 2 is bounded by Cesar Chavez, Second Street, Guadalupe Street, and San Antonio Street. Block 4 is bounded by Cesar Chavez, Second Street, Lavaca Street, and Colorado Street. Block 21 is bounded by Second Street, Third Street, Guadalupe Street, and Lavaca Street.

Resolution No. 000113-56 was approved on Council Member Garcia's motion, Council Member Spelman's second by a 6-0 vote. Council Member Lewis was off the dais.

A motion to recess the Council meeting at 6:33 p.m. was approved on Council Member Spelman's motion, Council Member Slusher's second by a 5-0 vote. Mayor Watson and Council Member Lewis were off the dais.

Mayor Pro Tem Goodman called the meeting back to order at 7:11 p.m. and recessed for Executive Session on items 49-52.

Mayor Pro Tem Goodman called the meeting back to order at 8:09 p.m.

DISCUSSION ITEMS CONTINUED

- 29.** Approve an amendment to the City of Austin's Citizen Participation Plan. (Recommended by The Community Development Commission)

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

A substitute motion proposed by Mayor Pro Tem Goodman, seconded by Council Member Griffith failed on a 3 to 4 vote. Mayor Watson and Council Members Garcia, Slusher and Spelman voted no. The friendly amendment was that within the annual action plan, the process would allow for an additional public hearing at the request of a neighborhood or community group with the criteria to be set out by the department or the CCD. The public hearing would be in connection with a regular meeting and would have to be sponsored by a majority of the CCD members. During the substantial amendment process, the CCD public hearing would be required during the thirty-day comment period.

Resolution No. 000113-29 was approved on Council Member Spelman's motion, Council Member Garcia's second by a 6-1 vote. Council Member Lewis voted no. A friendly amendment was made by Council Member Lewis that whenever program expenditures are brought to Council that are funded due to a transfer of funds from one program to another, that would be noted in the backup information. The friendly amendment was accepted by the maker and Council Member Garcia who made the second.

49. C14-98-0161 – Champion Property (Tract 1A) – Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code zoning property locally known as 6507 Winterberry Drive from DR, Development Reserve District Zoning to SF-2-CO, Single-Family Residence (Standard Lot)-Conditional Overlay Combining District zoning with conditions. First reading on December 2, 1999; Vote 6-0, Lewis absent. Applicant: Josie Champion, Juanita Meier and Mary Roberson; Agent: Graves, Dougherty, Hearon & Moody (Mike Whellan). City Staff: Ellen Meadows, 499-2339. (continued from 12/16/99)
The second reading of the ordinance was approved exactly as the first reading on Council Member Slusher's motion, Council Member Griffith's second on a 7-0 vote.
50. C14-98-0162 – Champion Property (Tract 3) – Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code zoning property locally known as 6011-6411 City Park Road, 5801-6507 FM 2222 from SF-2, Single-Family Residence (Standard Lot) District zoning to LO-CO, Limited Office-Conditional Overlay Combining District zoning with conditions for Tract 3. First reading on December 2, 1999; Vote 6-0, Lewis absent. Applicant: Josie Champion, Juanita Meier, and Mary Roberson; Agent: Graves, Dougherty, Hearon & Moody (Mike Whellan) and Lockwood Engineers, Inc. (Fred Lockwood). City Staff: Ellen Meadows, 499-2339. (continued from 12/16/99)
The second reading of the ordinance was approved exactly as the first reading on Council Member Slusher's motion, Council Member Griffith's second on a 7-0 vote.
51. C14-99-0076 – Champion Property (Tracts 1B, 1C, 1D)– Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code zoning property locally known as 5800-6802 FM 2222 and 6100-6712 Capital of Texas Highway North from DR, Development Reserve District and SF-2, Single-Family Residence (Standard Lot) District zoning to MF-1-CO, Multifamily Residence (Low Density)-Conditional Overlay Combining District zoning with conditions for Tract 1B; from SF-2, Single-Family Residence (Standard Lot) District zoning to LR-CO, Neighborhood Commercial-Conditional Overlay Combining District zoning with conditions for Tract 1C; from DR, Development Reserve District and SF-2, Single-Family Residence (Standard Lot) District zoning to LO-CO, Limited Office-Conditional Overlay Combining District zoning with conditions for Tract 1D. First reading on December 2, 1999; Vote 6-0, Lewis absent. Applicant: Josie Champion, Juanita Meier, and Mary Roberson; Agent: Graves, Dougherty, Hearon & Moody (Mike Whellan). City Staff: Ellen Meadows, 499-2339. (continued from 12/16/99)
The second reading of the ordinance was approved exactly as the first reading on Council Member Slusher's motion, Council Member Griffith's second on a 7-0 vote.
52. C14-99-0077 – Champion Property (Tract 2)– Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code zoning property locally known as 6100-6404 City Park Road and 6509-6909 FM 2222 from DR, Development Reserve District zoning to LR-CO, Neighborhood Commercial-Conditional Overlay Combining District zoning with conditions for Tract 2. First reading on December 2, 1999; Vote 6-0, Lewis absent. Applicant: Josie Champion, Juanita Meier, and Mary Roberson; Agent: Graves,

Dougherty, Hearon & Moody (Mike Whellan). City Staff: Ellen Meadows, 499-2339.
Note: (continued from 12/16/99)

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

DISCUSSION ZONING ITEMS CONTINUED

62. C14-99-0081 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 6415 Hart Lane, 3413 North Hills Drive and 6426 Mopac SB Expressway North from LO, Limited Office District zoning to GO, General Office District zoning. Planning Commission Recommendation: To Grant GO-CO, General Office-Conditional Overlay Combining District zoning with conditions. 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)

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

The motion was made to suspend the rules and continue the meeting past 10:00 p.m. on Council Member Lewis' motion, Council Member Griffith's second by a 6-1 vote. Mayor Watson voted no.

The first reading was approved on Council Member Spelman's motion, Mayor Watson's second on a 7-0 vote.

ADJOURNED at 10:44 p.m. on Council Member Garcia's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.

The minutes for the Regular Meetings of January 6, 2000 and January 13, 2000 were approved on this the 27th day of January, 2000 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.