



**Austin City Council
MINUTES**

**REGULAR MEETING
THURSDAY, JANUARY 6, 2000**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed.

The City Council of Austin, Texas, convened in a regular meeting on Thursday, January 6, 2000 in the City Council Chambers, at 307 West Second Street.

Mayor Watson called the meeting to order at 9:41 a.m.

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.

Executive session was held at 9:43 a.m. Mayor Pro Tem Goodman and Council Member Spelman were off the dais.

4. Discuss legal issues related to Chapter 245 of the Local Government Code.
53. 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 11:57 a.m.

The Mayor called the Council Meeting back to order.

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.

15. Consider City Council meeting schedule for the Year 2000.
Resolution No. 000106-15 was approved.

 16. Approve a resolution authorizing negotiation and execution of professional contracts for lobbying services in the amount of \$75,000 each with the following firms: Carl S. Richie, of Mayor Day Caldwell & Keeton, LLP., Austin, Texas, and John Hall, Austin. (Funding in an amount of \$150,000 is included in the Fiscal Year 1999-2000 Approved Operating Budget of the Strategic Planning and Investment Fund.)
Resolution No. 000106-16 was approved.

 17. Approve a resolution authorizing execution of a 12-month supply agreement with CAPITOL AGGREGATES LTD, Austin, Texas, for hot mix-cold laid asphaltic concrete, type D and high performance cold mix for the Street and Bridge Division, in an amount not to exceed \$45,200, with two 12-month extension options in the amount not to exceed \$45,200 per extension, for a total contract amount not to exceed \$135,600. (Funding in an amount of \$33,900 was included in the 1999-2000 Approved Operating Budget of the Department of Public Works and Transportation, Transportation Fund. Funding for the remaining three months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid of two meeting specifications. No MBE/WBE subcontracting participation.
Resolution No. 000106-17 was approved.

 18. Approve a resolution authorizing execution of a contract with INTELLISYS GROUP, Austin, Texas, in the amount of \$378,552 for the purchase & installation of video surveillance equipment for a traffic management center. (Funding was included in the 1999-2000 Approved Capital Budget for the Department of Public Works and Transportation.) Low bid of three. No MBE/WBE subcontracting participation.
Resolution No. 000106-18 was approved.
- Item 19 was pulled for discussion.**
20. Amend Ordinance 990913-2, the 1999-2000 Capital Budget for the Emergency Medical Services Department by transferring and appropriating \$34,347 from the completed project of renovations to EMS Station #12, and \$38,576 from the 1999-2000 CIP Contingency Project to the EMS Station #13 project account, for a total additional appropriation of \$72,923 and a total amended appropriations of \$1,470,000. (Funding in an amount \$34,347 is available from the completed project of renovations to EMS Station 12 and \$38,576 is available from the 1999-2000 CIP Contingency Account.) (Related to Item # 21)
Ordinance No. 000106-20 was approved.

21. Approve a resolution authorizing execution of a construction contract with THE BARR COMPANY (MBE/FH), Austin, Texas, for construction of Emergency Medical Services (EMS) Station #13 located at 7200 Berkman Drive, in the amount of \$879,277. (Funding is available in the Fiscal Year 1999-2000 Amended Capital Budget of the Emergency Medical Services Department.) Low bid of eight. 32.3% M/WBE Prime; 30.73% MBE; 2.87% WBE subcontracting participation. (Related to Item #20)
Resolution No. 000106-21 was approved.
22. Authorize execution of a construction contract with MANLY CONSTRUCTION COMPANY, 16373 Edgemere Drive, Pflugerville, Texas 78660, for a utility tunnel as part of the Austin Convention Center Expansion Project, in the amount of \$775,752 plus \$77,575 contingency, for a total amount not to exceed \$853,327. (\$853,327 is available in the 1997-1998 Amended Capital Budget of the Austin Convention Center Department.) 18.14% MBE; 0.32% WBE subcontracting participation.
Resolution No. 000106-22 was approved.
23. Approve a resolution authorizing the execution of the contract with PUBLIC FINANCIAL MANAGEMENT, INC., for five years with options to extend for three additional one-year periods, to provide financial advisory services to the City of Austin.
Resolution No. 000106-23 was approved.
24. Amend Ordinance 990914-1, the 1999-2000 Operating Budget of the General Fund by increasing the transfer from Contingency Reserve by \$354,635 and increasing the Transfer to the Vehicle Acquisition Fund by \$354,635. Amend the Vehicle Acquisition Fund by increasing the budgeted transfer from the General Fund and expenditures by \$354,635 for the purchase of a pumper truck for the Austin Fire Department. (Funding in the amount of \$354,635 from the General Fund Contingency Reserve Fund.) (Related to Item #25)
This item was pulled off the agenda.
25. Approve a resolution authorizing execution of a contract with HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS COOPERATIVE PURCHASING PROGRAM (H-GAC), Houston, Texas, for purchase of two platform ladder fire trucks, two 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 \$3,147,680.80. (Funding in an amount of \$2,065,787.85 is included in the 1999-2000 Approved Vehicle Acquisition Fund. \$247,353.89 is included in the 1999-2000 Approved Operating Budget of the Department of Public Works and Transportation. \$374,141.40 is included in the 1999-2000 Approved Capital Budget of the Watershed Protection Department. \$460,397.66 is included in the 1999-2000 Approved Capital Budget of the Water and Wastewater Utility Department.) (Related to Item #24)
This item was pulled off the agenda.
26. Approve a resolution authorizing execution of a contract with HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS COOPERATIVE PURCHASING PROGRAM (H-GAC), Houston, Texas, for purchase of two street sweepers in the amount of

\$208,983.53. (Funding in an amount of \$108,665.06 is included in the 1999-2000 Approved Capital Budget of the Solid Waste Services Department. \$100,318.47 is included in the 1999-2000 Approved Transportation Fund of the Department of Public Works and Transportation.)

Resolution No. 000106-26 was approved.

27. Approve a resolution authorizing execution of a 12-month supply agreement with HPI INTERNATIONAL INC., Brooklyn, New York, to provide various types of Polaroid camera color/black & white film, in an amount not to exceed \$48,372, with two 12-month extension options in an amount not to exceed \$48,372, per extension, for a total contract amount not to exceed \$145,116. (Funding in an amount of \$36,279 is available in the 1999-2000 Amended Operating Budget of various departments. Funding for the remaining three months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid of fourteen. No MBE/WBE subcontracting participation.

Resolution No. 000106-27 was approved.

28. Approve a resolution authorizing negotiation and execution of a contract with the Texas Music Museum, Inc. (Funding is available in the Music Loan Fund.) (Recommended by Music Commission)

Resolution No. 000106-28 was approved.

Items 29 was pulled for discussion.

30. Approve a resolution authorizing execution of a contract with AMERICAN RELOCATION AND STORAGE SYSTEMS, Austin, Texas, to provide moving services to relocate staff offices at City Hall Annex, 301 W. 2nd. Street, in an amount not to exceed \$43,000. (Funding is included in the 1999-2000 Approved Operating Budget of the Strategic Planning Investment Fund.) Low bid of six. No MBE/WBE subcontracting participation.

Resolution No. 000106-30 was approved.

31. Approve a resolution authorizing execution of a contract with HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS COOPERATIVE PURCHASING PROGRAM (H-GAC), Houston, Texas, for purchase of 103 various light duty trucks, sedans, vans and utility vehicles in the amount of \$2,757,271.40. (Funding in an amount of \$1,294,938.53 is included in the 1999-2000 Approved Vehicle Acquisition Fund. \$22,092.12 is included in the 1999-2000 Approved Transportation Fund of the Department of Public Works and Transportation. \$19,190.08 is included in the 1999-2000 Approved Operating Budget of the Solid Waste Services Department. \$24,626.13 is included in the 1999-2000 Approved Operating Budget of the Water and Wastewater Utility Department. \$169,579.38 is included in the 1999-2000 Approved Capital Budget of the Watershed Protection Department. \$134,769.97 is included in the 1999-2000 Approved Capital Budget of the Solid Waste Services Department. \$565,243.02 is included in the 1999-2000 Approved

Capital Budget of the Water and Wastewater Utility Department. \$502,408.16 is included in the 1999-2000 Approved Capital Budget of Electric Utility Department.)

Resolution No. 000106-31 was approved.

32. Amend Ordinance No. 990914-1, the 1999-2000 Operating Budget of the General Fund by increasing the transfer from Contingency Reserve by \$233,000 and increasing the Transfer to Support Services by \$233,000. Amend the 1999-2000 Operating Budget of the Support Services Fund by increasing the transfer from the General Fund and expenditures in the Finance and Administrative Services Department by \$233,000 for bonding and technical assistance. (Funding is available from the 1999-2000 Contingency Reserve Fund.) (Related to item # 33)

Ordinance No. 000106-32 was approved.

33. Approve supplemental amendment no. 6 to Professional Service Agreement Project M7020S with Joint Venture, Rollins Hudig Hall of Texas, Inc., and Bonding & Technical Services, Inc., Austin, Texas, for a 90-day extension to continue technical business assistance, bonding, financing and training services to small contractors and construction suppliers in an amount not to exceed \$342,498 with one 90-day extension option in an amount not to exceed \$342,498 for a total increase of \$684,996, for a total contract amount of \$5,924,611.92. (Funding in an amount of \$52,700 is included in the 1998-1999 Amended Capital Budget of the Austin Convention Center Department and \$144,500 is included in the 1999-2000 Amended Capital Budget of the Water and Wastewater Utility. \$233,496 is available in the 1999-2000 Approved Operating Budget of Austin Energy, \$233,000 is included in the 1999-2000 Amended Operating Budget of the Financial Services Department and \$21,300 is available in the 1999-2000 Approved Operating Budget of Solid Waste Services. (Related to item #32)

Resolution No. 000106-33 was approved.

Items 34 and 35 were pulled for discussion.

36. Ratify the execution of a contract with HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS COOPERATIVE PURCHASING PROGRAM (H-GAC), Houston, Texas, for purchase of 106 police patrol sedans, 38 mid-size sedans, five passenger vans, four utility vehicles, and two trucks for the Austin Police Department in the amount of \$3,090,469.44. (Funding in an amount of \$2,385,241.28 is included in the 1999-2000 Approved Vehicle Acquisition Fund. \$705,228.16 is included in the 1999-2000 Approved Operating Fund of the Austin Police Department.)

Resolution No. 000106-36 was approved.

37. Approve a resolution authorizing the application and acceptance of \$80,000 in third-year grant funding from the State of Texas, Governor's Office, for the renewal of the "Assistance for Female Victims of Domestic Violence" project. (Grant funding renewal is available from the State of Texas, Governor's Office, Criminal Justice Division, Violence Against Women Act for the grant period June 1, 2000 – May 31, 2001 with possible automatic renewals for two additional years. An in-kind match of \$26,762 is required each

year of the grant, and will be met by existing salary funding approved in the FY 1999-2000 Operating Budget for the Austin Police Department, Victim Services Program, and proposed in the FY 2000-2001 and FY 2001-2002 Operating Budgets for the Austin Police Department. Funding for the continued operation of this program is contingent upon available funding in future budgets.)

Resolution No. 000106-37 was approved.

38. Approve a resolution authorizing the application and acceptance of \$80,000 in fourth-year grant funding from the State of Texas, Governor's Office, for the renewal of the "Outreach to Female Victims of Domestic Violence and Stalking" project. (Grant renewal funding is available from the State of Texas, Governor's Office, Criminal Justice Division, Violence Against Women Act for the grant period December 1, 2000 – November 30, 2001 with possible automatic renewals for two additional years. An in-kind match of \$27,966 is required each year of the grant and will be met by continuing the existing salary funding approved in the FY 1999-2000 Operating Budget for the Austin Police Department (APD), Victim Services Program in the proposed FY 2000-2001 and FY 2001-2002 Operating Budgets for APD. Funding for the continued operation of this program is contingent upon available funding in future budgets.)

Resolution No. 000106-38 was approved.

39. Approve a resolution authorizing the application and acceptance of \$239,950 in renewal grant funding and \$170,609 in new grant funding for a total amount of \$410,559 from the State of Texas, Governor's Office, to renew funding for six full-time equivalent (FTE) Victim Counselors and provide funding for four additional FTE Victim Counselors for a "Comprehensive Victim Services Program". (Funding is available from the State of Texas, Governor's Office, Criminal Justice Division. Term of the initial grant is July 1, 2000–June 30, 2001 with possible automatic renewal for two additional years. An in-kind match of \$109,907 is required each year of the grant, and will be met by continuing existing salary funding approved in the FY 1999-2000 Operating Budget for the Austin Police Department (APD), and, the Victim Services Program in the proposed FY 2000-2001 Operating Budget for APD. Funding for the continued operation of this program is contingent upon available funding in future budgets.)

Resolution No. 000106-39 was approved.

Items 40 and 41 were pulled for discussion.

42. Set public hearings for the full purpose annexation of the 99 acre Preserve at River Place, located on the east side of River Place Boulevard and north of the River Place Municipal Utility district. Suggested Dates and Times: January 27, 2000 at 6:00 p.m. and February 3, 2000 at 6:00 p.m.)

Resolution No. 000106-42 was approved.

43. Set public hearings for the full purpose annexation of the Regents Tract (approximately 164 acres located along Foster Ranch Road, a ½ mile north of Southwest Parkway.) Suggested Dates and Times: January 27, 2000 at 6:00 p.m. and February 3, 2000 at 6:00 p.m.
Resolution No. 000106-43 was approved.
44. Approve an ordinance to annex, for limited purposes of planning and zoning, the Avery Ranch tract, located approximately 1630 acres 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. (First reading)
Ordinance No. 000106-44 was approved.

DISCUSSION ITEMS

19. Approve a resolution authorizing execution of a construction contract with RYAN-O EXCAVATING, INC., Austin, Texas, for street and utility improvements on Wood Hollow Drive from Far West Boulevard to Spicewood Springs Road, and on South Pleasant Valley Road from Turnstone Drive to Stassney Lane for the Group 5 Bond Street Reconstruction Project, in the amount of \$1,298,822.25 plus \$64,941.11 contingency, for a total amount not to exceed \$1,363,763.36. (Funding in an amount of \$1,342,613.36 is included in the 1999-2000 Approved Capital Budget of the Department of Public Works & Transportation; \$14,400 is included in the 1997-98 Amended Capital Budget of the Water & Wastewater Utility; and \$6,750 is included in the 1995-96 Amended Capital Budget of the Water & Wastewater Utility.) Low bid of seven. 22.48% MBE; 8.80% WBE subcontracting participation.
Resolution No. 000106-19 was approved on Council Member Lewis' motion, Council Member Slusher's second by a 7-0 vote.

The Council meeting was recessed at 12:10 p.m.

INVOCATION – Rev. Tammy Gregory Brown, Covenant Presbyterian Church

The Mayor called the meeting back to order at 1:55 p.m.

MINUTES

6. Approval of minutes for regular meeting of December 16, 1999.

The minutes were approved on Council Member Lewis' motion, Council Member Garcia's second by a 4-0 vote. Mayor Pro Tem Goodman and Council Members Slusher and Spelman were off the dais.

CITIZEN COMMUNICATIONS: GENERAL

7. Jerry Balaka – Airport Bus Service
8. Jim Walker – Film Studios at Mueller Airport

9. Heather Quist – Project A-Austin Excavating, Inc., completed for the City of Austin. A-Austin is not getting paid; there is a claim on the project. **ABSENT**
10. Suzee Brooks – Sidewalks
11. Karen Akins – Sidewalks and Smart Growth
12. Jennifer L. Gale – Austin’s Community Court
13. Gus Pena – Discuss City Health Clinics and Accountability or Lack of it from Goggio Consultants and their contract. **ABSENT**
14. Shivon Beadford-Sumpter – Variance at 1103 Berger St. Watershed made improvements to creek on Sara Drive.

Motion by Garcia, seconded by Slusher to recess the Council Meeting at 2:07 p.m. to allow for the Live Music.

LIVE MUSIC: The New Century Kids

The Mayor called the meeting back to order at 2:14 p.m.

DISCUSSION ITEMS CONTINUED

29. Approve a resolution declaring official intent to reimburse the following:
 - \$450,000 in expenditures associated with the August 1992 General Obligation bond election Proposition Four;
 - \$51,148,506 in expenditures associated with the November 1998 General Obligation bond election (\$38,660,506 for 1998 Proposition One, \$6,600,000 for 1998 Proposition Two, \$4,832,000 for Proposition Three, and \$1,056,000 for Proposition Four);
 - \$9,964,000 in expenditures associated with the list of projects to be funded with cash (\$478,000 for Scenic Brook Drainage, \$4,611,000 for South First Street, \$3,800,000 for Giles Road, \$45,000 for Dittmar Playslab, \$70,000 for Mayfield Park, \$100,000 for Northwest Recreation Center, \$160,000 for the South Austin Senior Activity Center Parking, and \$700,000 for PARD Building Maintenance); and
 - \$2,400,000 in expenditures associated with FY2001 Certificates of Obligation (Landfill Capital Requirements).
(Funding in an amount of \$51,598,506 in General Obligation Public Improvement Bonds to be issued in September 2000; \$9,964,000 to be reimbursed from current revenue transfers anticipated in fiscal year 2000-01; and \$2,400,000 in General Obligation Certificates of Obligation to be issued in September 2000.)

Resolution No. 000106-29 was approved on Council Member Slusher’s motion, Council Member Lewis’ second by a 5-0 vote. Council Members Garcia and Griffith were off the dais.
34. Approve a resolution authorizing renewal and amendment of the Interlocal Cooperation Agreement between the City of Austin, Travis, County, and the Austin Travis County Mental Health Retardation Center for Substance Abuse Treatment Services for the period January 1, 2000, through December 31, 2000, at a cost to the City of \$1,063,303. (Funding

in an amount of \$568,303 is included in the 1999-2000 Approved Operating Budget of the Health and Human Services Department, and \$495,000 is included in the Fiscal Year 1999-2000 Approved Municipal Court budget for the purchase of treatment services for adults referred by Community Court.)

Resolution No. 000106-34 was approved on Council Member Spelman's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Council Member Garcia was off the dais.

35. Approve a resolution authorizing renewal and amendment of the 1999 Interlocal Cooperation Agreement between the City of Austin, Travis County, and the Austin Travis County Mental Health Mental Retardation Center for the period January 1, 2000, through December 31, 2000, at a cost to the City not to exceed \$1,125,147. (Funding in an amount of \$1,031,385 is included in the 1999-2000 Approved Operating Budget of the Health and Human Services Department. Funding for the remaining one month of the contract period is contingent upon available funding in future budgets.)

Resolution No. 000106-35 was approved on Council Member Spelman's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Council Member Garcia was off the dais.

The meeting was recessed at 2:39 p.m. on Council Member Slusher's motion, Council Member Lewis' second on a 5-0 vote with Council Members Garcia and Spelman off the dais.

The Mayor called the meeting back to order at 3:55 p.m.

DISCUSSION ITEMS CONTINUED

40. 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.

This item was postponed to January 13, 2000 at the applicant's request on Council Member Garcia's motion, Council Member Lewis' second by a 7-0 vote.

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 Lewis' second by a 6-0 vote. Council Member Griffith was off the dais.

45. C14-99-2045 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 7101 Burnet Road from MF-3, Multifamily Residence (Medium

Density) District zoning, MF-4, Multifamily Residence (Moderate-High Density) District and SF-3, Family Residence District zoning to GR, Community Commercial District zoning. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions for Tract 1 and LO-CO, Limited Office District zoning with conditions on Tract 2. Applicant: James Arthur Smith; Agent: Crocker Consultants (Sarah Crocker). City Staff: Katie Larsen, 499-3072.

The first reading of this ordinance was approved.

46. C14-99-2072 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property located on Old Bec Caves 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 Owner: Lamar Mathis; Applicant: City of Austin; Agent: Development Review and Inspection Department. City Staff: Adam Smith, 499-2755

Ordinance No. 000106-46 was approved.

Items 47 through 49 were pulled for discussion.

ZONING DISCUSSION ITEMS

47. C14-99-2078 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 13049 U.S. Highway 183 North from GR, Community Commercial District and I-RR, Interim-Rural Residence District zoning to GR, Community Commercial District zoning. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions. Applicant: James M. Chargois; Agent: Jim Bennett. City Staff: David Wahlgren, 499-6455.

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

The first reading of staff's recommendation was approved with a friendly amendment by Mayor Pro Tem Goodman to have the impervious coverage calculated to equal what exists now on Council Member Lewis' motion, Mayor Pro Tem Goodman's second by a 7-0 vote.

49. C14-99-2085 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property located 12000 block of Hunter's Chase Drive from I-RR, Interim-Rural Residence District zoning to GR, Community Commercial District zoning. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions. Applicant: James M. Chargois; Agent: Jim Bennett. City Staff: David Wahlgren, 499-6455.

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

The first reading of staff's recommendation was approved with a friendly amendment by Mayor Pro Tem Goodman to have the impervious coverage calculated to equal what exists now on Council Member Lewis' motion, Mayor Pro Tem Goodman's second by a 7-0 vote.

48. C14-99-2080 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1101 Kramer Lane from SF-3, Family Residence district zoning to CS, General Commercial Services District zoning. Planning Commission Recommendation: To Deny CS, General Commercial Services District zoning. Applicant: Victor Olivares & Gabriela Jamies; Agent: Jose Cuervo. City Staff: Katie Larsen, 499-3072.

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

This zoning request was denied on Council Member Slusher's motion, Council Member Spelman's second by a 7-0 vote.

The meeting was recessed at 4:39 p.m. on Council Member Spelman's motion, Council Member Slusher's second on a 7-0 vote.

The Mayor called the meeting back to order at 6:15 p.m.

50. Conduct a public hearing and consider an appeal of the Sign Review Board's decision to deny a variance request to increase the maximum height of a freestanding sign requirement of Section 25-10-123(3)(a) from 35 feet to 55 feet in height in a "GR", Community Commercial zoning district. File Number C16-99-014. City Staff: Susan Walker, 499-2202. (Continued from 12/16/99)

This item was postponed to January 27, 2000 at the applicant's request on Council Member Garcia's motion, Council Member Lewis' second on a 4-0 vote. Council Members Griffith, Slusher and Spelman were off the dais.

52. Consider a resolution regarding an appeal of the Sign Review Board's decision to deny a variance request to increase the maximum height of a freestanding sign requirement of Section 25-10-123(3)(a) from 35 feet to 55 feet in height in a "GR", Community Commercial zoning district. File Number C16-99-014. City Staff: Susan Walker, 499-2202.

This item was postponed to January 27, 2000 at the applicant's request on Council Member Garcia's motion, Council Member Lewis' second on a 4-0 vote. Council Members Griffith, Slusher and Spelman were off the dais.

51. Conduct a public hearing on a proposal concerning development of certain land in southwest Travis County and northern Hays County (including Circle C West, Spillar Ranch, Pflugger Ranch, and other properties) and settlement of related litigation. (proposed Bradley Settlement)

This item was postponed indefinitely.

41. C814-84-028.04 – Vista Ridge PUD – Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property located approximately 750 feet north of the intersection of Ladera Norte & 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. Applicant: Austin Two Tracts, L.P. (Mike Pruitt); Agent: Turner Collie & Braden, Inc. (Keith Young). City Staff: Jerry Rusthoven, 499-2741. Note: A valid petition has been filed in opposition to this rezoning request.

The second reading was approved with the following friendly amendment on Council Member Griffith's motion, Council Member Spelman's second on a 7-0 vote. The friendly amendment was the Vista Ridge PUD is subject to these conditions with further refinement expected before the third reading of the ordinance: (1) Prohibit impervious cover on slopes greater than 25%, other than for the private streets located on lot 53. (2) Elimination of the private driveway serving lots 40-47 and elimination of these eight lots. (3) A limitation on the total number of residential lots on the remaining streets to no more than 47. (4) Up to four additional lots will be permitted with building pads limited to slopes of less than 15%. (5) An on-site, rooftop/dripline water quality filtration system will be added to serve the area currently labeled as lots 1-13. (6) Lots 1-13 will be restricted to houses that are no higher than one story above street level.

Private Consultation with Attorney - Section 551.071

1. Discuss *City of Austin v Austin Airmotive, Ltd., and Richard Serbin, Trustee*, Cause No. 2281, in Probate Court Number One of Travis County, Texas.
This item was postponed indefinitely.
2. 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.)
No action was taken on this item.
3. Discuss *FM Properties Operating Co. v. City of Austin*, Cause No. 98-0685, in the Supreme Court of Texas. (This litigation concerns development regulations applicable in the Barton Springs Zone.)
No action was taken on this item.
5. Approve a resolution approving a settlement agreement in *City of Austin v. Austin Airmotive, Ltd., et al.*
This item was postponed indefinitely.

ADJOURN at 6:56 p.m. on Council Member Slusher's motion, Council Member Garcia'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.