



**Austin City Council  
MINUTES**

**REGULAR MEETING  
THURSDAY, MAY 18, 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, May 18, 2000 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

INVOCATION – Rev. Roy F. Jones, Jr., Pastor, New Hope Baptist Church.

Mayor Pro Tem Goodman called the meeting to order at 9:42 a.m. Mayor Watson was off the dais. Council Member Lewis was absent.

**CONSENT AGENDA**

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Spelman's motion, Council Member Slusher's second by a 5-0 vote. Mayor Watson was off the dais. Council Member Lewis was absent.

1. Approval of minutes for regular meeting of May 11, 2000 and Special Called Meeting of May 9, 2000.

The minutes for the regular meeting of May 11, 2000 and the Special Called Meeting of May 9, 2000 were approved.

Item 2 was pulled for discussion.

Items 3 through 8 were Executive Session items.

9. Approve settlement agreement and other settlement documents with Anderson Community Development Corporation and other parties to the settlement concerning the SCIP II project.  
This item was postponed to June 1, 2000.
10. Approve a resolution authorizing execution of a contract with PTARMIGAN MACHINERY COMPANY, San Antonio, Texas, for the purchase and installation of a co-mingled sorting system

and a horizontal baler system for recycled products at the City's Material Recycling Facility (MRF) located at 3810 Todd Lane in the amount of \$1,265,000 plus up to \$35,000 in early completion incentives for a total amount not to exceed \$1,300,000. (Funding is available in the 1999-2000 Approved Capital Budget of the Solid Waste Services Department.) Low bid of three. No MBE/WBE subcontracting participation. (Recommended by Solid Waste Advisory Board Review )  
**Resolution No. 000518-10 was approved.**

11. Approve a resolution authorizing negotiation and execution of an amendment to the agreement with the Center for Mexican American Cultural Arts, Inc. (CMACA) to allow City Council to appoint board members to the CMACA board.  
**This item was postponed to June 1, 2000.**
12. Approve a Resolution authorizing the negotiation and execution of a 12-month contract with Austin Community College, in an amount not to exceed \$50,000 in Community Development Block Grant funds through the Small Minority Business Assistance program for the purpose of providing training and technical assistance to small minority-owned businesses. (Funding is available in the Fiscal Year 1999-2000 Neighborhood Housing and Community Development Office special revenue fund for the Community Development Block Grant (CDBG 25<sup>th</sup> Year.)  
**This item was postponed to June 1, 2000.**
13. Amend Ordinance No. 990914-1, the Fiscal Year 1999-2000 Operating Budget Special Revenue Fund of the Neighborhood Housing and Community Development (NHCD) Office by appropriating an additional \$7,398 to continue rental subsidy payments to two landlords under the U.S. Department of Housing and Urban Development's Section 8 rental assistance program for a total grant award of \$34,398. (Funding is available from the U.S. Department of Housing and Urban Development (HUD) funds (Section 8 Housing Assistance Payments Program.) Total grant amount if \$34,398. No City match is required.)  
**Resolution No. 000518-13 was approved.**
14. Approve a resolution authorizing negotiation and execution a contract with Slaughter Creek Acres Water Supply Corporation located in the southwest portion of the Desired Development Zone just north of the City of San Leanna for the provision of emergency water service. (Slaughter Creek Acres Water Supply Corporation will fund all necessary improvements for connection to the City's water system. A minimum annual readiness-to-serve charge of \$1,733.33 will be assessed for the duration of the contract.) (Recommended by Water and Wastewater Commission)  
**This item was postponed indefinitely.**
15. Approve a resolution authorizing execution of Change Order No. 2 to the construction contract with KEYSTONE CONSTRUCTION, INC., Austin, Texas, for additional work required to replace valves on the Center Street Reservoir and Water Valve Replacement in Center Street and Sixth Street Project, increasing the contract in the amount of \$161,220 for a total contract amount not to exceed \$4,899,350. (Funding in an amount of \$106,094 is included in the 1999-2000 Amended Capital Budget and \$55,126 in the 1995-1996 Amended Capital Budget of the Water and Wastewater Utility.) 0% MBE; 9.68% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)  
**Resolution No. 000518-15 was approved.**
16. Approve a resolution authorizing execution of a contract with COMMERCIAL BODY CORPORATION, San Antonio, Texas, for the purchase of two truck-mounted 17 ton hydraulic

cranes for the Water and Wastewater Utility (WWW) in the amount of \$272,630. (Funding was included in the 1999-2000 Approved Capital Budget of Water and Wastewater Utility.) Low bidder meeting specifications/six bids received. No MBE/WBE subcontracting participation.

**Resolution No. 000518-16 was approved.**

17. Amend Ordinance No. 990914-1, the 1999-2000 Approved Operating Budget for the Health and Human Services Department's Travis County Reimbursed Fund, by accepting and appropriating \$21,029 in funding from Travis County for their share of a contract with First Workers' Corporation. (The amount of \$21,029 from Travis County to the Health and Human Services Department's Travis County Reimbursed Fund.) (Related to Items \_\_\_\_)

**Ordinance No. 000518-17 was approved.**

18. Approve a resolution authorizing execution of an interlocal agreement between the City of Austin and Travis County to fund and administer a contract with FIRST WORKERS CORPORATION for the operation of a day labor program for the period of 4/1/00 – 12/31/00 in an amount not to exceed \$122,774 with two 12-month extension options at a cost of \$152,774 per extension, for a total amount not to exceed \$428,322. (Funding in an amount of \$62,449 was included in the 1999-2000 Approved Operating Budget of the Health and Human Services Department and \$60,325 in grant funds was included in the Health and Human Services Special Revenue Fund. Funding for the extension options is contingent upon available funding in future budgets.) (Related to Item 19)

**Resolution No. 000518-18 was approved.**

19. Approve a resolution authorizing negotiation and execution of a 9-month contract in the amount of \$150,813, with two 12-month extension options in an amount not to exceed \$180,813 per extension, with FIRST WORKERS' CORPORATION for a day labor program in a total amount not to exceed \$512,439. (Funding in an amount of \$62,449 was included in the Fiscal Year 1999-2000 Approved Operating Budget of the Health and Human Services Department, \$60,325 in grant funds was included in the Health and Human Services Special Revenue Fund, and \$21,029 was included in the Amended Travis County-Reimbursed Special Revenue Fund. The contract period is April 1, 2000 through December 31, 2000. Funding for the remaining month of the original contract period and extension options is contingent upon available funding in future budgets.) (Related to Item 18)

**Resolution No. 000518-19 was approved.**

20. Consider amending an ordinance vacating the right-of-way along a portion of the aerial space over Bowie Street between Fifth Street and Sixth Street.

**Ordinance No. 000518-20 was approved.**

21. Consider an ordinance waiving water and wastewater tap permit and connection fees for NL-6 Partners, Ltd., under the Smart Growth Matrix for the project located at 524 N. Lamar, and reimbursing infrastructure improvements.

**Ordinance No. 000518-21 was approved.**

**Item 22 was pulled for discussion.**

23. Set public hearings for the limited purpose annexation of the Interport tract (approximately 652 acres at the northeast corner of the intersection of Falwell Lane and SH 71). Suggested Dates and Times: June 1, 2000 at 6:00 p.m. and June 8, 2000 at 6:00 p.m.)

**Resolution No. 000518-23 was approved.**

**Item 24 was pulled for discussion.**

25. Approve a resolution authorizing negotiation and execution of a one-year radio frequency engineering support contract with ARINC, Incorporated, Annapolis, MD, in an amount not to exceed \$106,561 with options to renew the contract for two additional years in an amount not to exceed \$110,000 per year for a total contract amount not to exceed \$326,561. (Funding in an amount of \$106,561 is available in the 1999-2000 Operating Budget of the Department of Aviation. Funding for the extension options will be contingent upon available funding in future budgets.) No subcontracting opportunities were identified. (Airport Advisory Board Review – 5/16/00)  
**Resolution No. 000518-25 was approved.**
26. Approve a resolution authorizing execution of a 12-month supply agreement with POWER SUPPLY INC., Austin, Texas, and a 12-month supply agreement with KBS ELECTRICAL DISTRIBUTORS, Austin Texas, for the purchase of capacitors for a combined contract total not to exceed \$94,650; two 12-month extension options for both vendors, with a combined total for each extension option not to exceed \$94,650, for a combined contract total amount not to exceed \$283,950. (Funding in the amount of \$31,550 is available in the 1999-2000 Amended Operating Budget for the Electric Utility Department. Funding for the balance of the original contract period and the extension options is contingent upon available funding in future budgets.) Low bidders/five bids received. No MBE/WBE subcontracting participation. (Recommended by Electric Utility Commission)  
**Resolution No. 000518-26 was approved.**
27. Approve a resolution authorizing modification of a supply agreement with POWELL ELECTRICAL MANUFACTURING COMPANY, Houston, Texas, for the purchase of 5kV and 15kV arc-resistant switchgear in an amount of \$663,600, for the initial 12-month period, for a revised annual contract amount not to exceed \$1,462,400, for a revised total contract amount not to exceed \$3,858,800. (Funding in the amount of \$331,800 is available in the 1999-2000 Amended Operating Budget; and \$331,800 was included in the 1999-2000 Amended Capital Budget of the Electric Utility Department.) (Recommended by Electric Utility Commission)  
**Resolution No. 000518-27 was approved.**
28. Approve a resolution authorizing execution of an amendment to the professional services contract with the Law Offices of Diane Henson to increase the amount of attorney fees by up to \$15,000 for a total contract amount not to exceed \$55,000 for legal services in *Eco Resources v. City of Austin*, Cause No. 98-0286, in the Travis County District Court. (Funding is available in the 1999-2000 Approved Operating Budget of the Water and Wastewater Department.)  
**Resolution No. 000518-28 was approved.**
29. Approve a resolution authorizing execution of a contract with LONGHORN INTERNATIONAL TRUCKS LTD, Austin, Texas, for the purchase of 15 light and heavy duty truck cab and chassis with various types of mounted dump bodies in the amount of \$1,037,737. (Funding in the amount of \$63,156 was included in the 1999-2000 Approved Operating Budget of the Department of Public Works and Transportation, Transportation Fund. The amount of \$265,964 was included in the 1999-2000 Approved Capital Budget of the Watershed Protection Department; \$452,035 was included in the 1999-2000 Approved Capital Budget of the Water and Wastewater Utility; \$194,614 was included in the 1999-2000 Approved Capital Budget of the Solid Waste Services Department; \$61,968 was included in the 1999-2000 Approved Capital Budget of the Electric Utility Department.) Low bid/two bids received. No MBE/WBE subcontracting participation.  
**Resolution No. 000518-29 was approved.**

30. Approve a resolution authorizing negotiation and execution of a 12-month contract with NAVIGANT CONSULTANTS, Inc., Austin, Texas, to provide utility rates and regulatory analyst services to Austin Energy and the Water and Wastewater Department in an estimated amount not to exceed \$100,000 with up to two additional 12-month extension periods in an estimated amount not to exceed \$100,000 per period, for a total estimated not to exceed amount of \$300,000. (Funding in an amount of \$33,332 is available in the 1999-2000 Amended Budget for the Support Services Fund for the Finance and Administrative Services Department. Funding for the remaining eight months of the original contract and extension options is contingent upon available funding in future budgets.) Best proposals/3 proposals received. No MBE/WBE subcontracting participation.  
**This item was postponed to June 8, 2000.**

31. Approve a resolution authorizing ratification of Change Order No. 2 to the existing construction contract with B. J. ELECTRIC COMPANY, Pflugerville, Texas, for additional labor and materials needed to repair a gas leak at the South Austin Clinic, 2529 South First Street, increasing the contract in the amount of \$4,267.11 for a total contract amount of \$279,144.85. (Funding in an amount of \$4,267.11 is available in the 1999-2000 Amended Capital Budget for General Government.) No MBE/WBE subcontracting participation.  
**Resolution No. 000518-31 was approved.**

**Items 32 through 36 were pulled for discussion.**

37. Approve a resolution authorizing execution of a 12-month supply agreement with KPRO, INC., Abilene, Texas, for the purchase of bench stock and hydraulic hoses & fittings in an amount not to exceed \$70,000 with three 12-month extension options in an amount not to exceed \$70,000 per extension for a total contract amount not to exceed \$280,000 (Funding in an amount of \$29,167 was included in the 1999-2000 Approved Operating Budget for the Fleet Maintenance Fund of the Finance and Administrative Services Department. Funding for the remaining seven months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bid/Seven bids received. No MBE/WBE subcontracting participation.  
**Resolution No. 000518-37 was approved.**

38. Approve a resolution authorizing the execution of a five-year contract with STATE OF TEXAS PURCHASING AND GENERAL SERVICES COMMISSION, Austin, Texas, in accordance with the General Services Commission Cooperative Purchasing Program of 1979, for TEXAN network long distance telephone services under State of Texas Contract Number TEXAN 2000-ATT-LD, for an estimated amount not to exceed \$2,500,000 with options to extend for five additional 12-month periods in an estimated amount of \$500,000 per year, for a total contract amount of \$5,000,000. (Funding in an amount of \$166,667 is included in the 1999-2000 Amended Operating Budgets of various City departments. Funding for the remaining eight months of the initial contract year and all years thereafter including the extension options are contingent upon available funding in future budgets.)  
**Resolution No. 000518-38 was approved.**

39. Approve a resolution authorizing the execution of a contract with COMPUNET SYSTEMS, INC, (WBE/FR) Austin, Texas, for the purchase and installation of an IBM 7025-F50 RS/Computer System with IBM AIX Operating System for the Finance and Administrative Services Department/Controller's Office for a total amount of \$52,395. (Funding was included in the Fiscal Year 1999-2000 Amended Capital Budget for Telecommunications for the Finance and

Administrative Services Department.) Low bidder/four bids received. No MBE/WBE Subcontracting participation

**Resolution No. 000518-39 was approved.**

40. Approve a resolution authorizing the execution of a 5-year contract between the City of Austin and the Southwestern Bell Telephone Co., Austin, Texas, in accordance with the General Services Commission Cooperative Purchasing Program of 1979, for the procurement of city wide local telephone services, as provided by under the provisions of contract number TEXAN 2000-SWB-LC between the State of Texas General Services Commission and Southwestern Bell Corporation, in an amount of \$20,000,000, with options to extend for five additional 12-month periods in the amount of \$4,000,000 per year, for a total contract amount of \$40,000,000. (Funding in an amount of \$1,333,333 is included in the 1999-2000 Approved Operating Budgets of various City departments. Funding for the remaining eight months of the initial contract year and all years thereafter including the extension options are contingent upon available funding in future budgets.) No subcontracting opportunities were identified.

**Resolution No. 000518-40 was approved.**

41. Authorize modification #8 to the contract with KPMG LLP for additional audit services in the amount of \$42,500 for a total 4-year contract amount of \$1,418,811. (Funding in the amount of \$37,500 is included in the 1999-2000 Operating Budget of the Aviation Department, and \$5,000 is available in the 1999-2000 Operating Budget of Electric Utility Department.

**Resolution No. 000518-41 was approved.**

42. Amend Ordinance No. 990914-1, the 1999-2000 Operating Budget, transferring \$74,000 from the Contingency Reserve Fund to the General Fund and increasing appropriation in the Austin Parks and Recreation Department by \$74,000 for the purpose of funding the new Greater East Austin Youth Activity Center and adding 5.0 FTE's. (Funding is available in the General Fund Contingency Reserve.)

**Ordinance No. 000518-42 was approved.**

43. Approve a resolution authorizing execution of a 3-month service agreement with ENTERPRISE RENT-A-CAR, Austin, Texas, to provide rental vehicles for the Parks and Recreation Department, Summer Programs in the amount of \$79,259.10. (Funding was included in the 1999-2000 Approved Operating Budget of the Parks and Recreation Department. \$33,383.64 General Fund, \$29,219.70 Recreation Enterprise Fund, \$16,655.76 Summer Food Program Grant.) Low bidder/two bids received. No MBE/WBE subcontracting participation.

**Resolution No. 000518-43 was approved.**

44. Set a public hearing to approve a use agreement with Travis County for 0.303 acres of right-of-way to allow the construction of Sprinkle Road and bridge through dedicated parkland known as North East Destination Park along Walnut Creek, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife code. (All costs associated with any parkland restoration will be paid by the requestor (Travis County Transportation and Natural Resources.) (Suggested Date and Time: June 22, 2000 at 6:00 p.m.)

**Resolution No. 000518-44 was approved.**

45. Approve an ordinance approving the right-of-way vacation at 907 Mariposa; creating a reversionary interest; and repealing Ordinance No. 991118-26. (The amount of \$3,028 in revenue has been deposited in the Public Works and Transportation Capital Project Management Fund) (Recommended by Commission)  
**Ordinance No. 000518-45 was approved.**
46. Approve an ordinance approving the right-of-way vacation of the 1700 Block of Brazos Street, retaining a Public Utility Easement, and repealing Ordinance No. 991007-46. (The amount of \$712,608 has been entered on the ledger of the Property Exchange Agreement of 1997.) (Downtown Commission did not recommend - 7/14/99) (Recommended by Planning Commission)  
**Ordinance No. 000518-46 was approved.**
47. Amend Ordinance No. 990914-1, the 1999-2000 Operating Budget of the General Fund by increasing the transfer from the Contingency Reserve Fund by \$400,000 and increasing the transfer to the CIP by \$400,000. Amend Ordinance No. 990913-2, the 1999-2000 Capital Budget of the Public Works and Transportation Department by appropriating \$584,828 for right-of-way acquisition costs associated with the Howard Lane Improvements from IH-35 to Dessau Road. (Funding in an amount of \$400,000 is available from the Contingency Reserve Fund; \$184,827.50 is available in developer participation funds.) (Recommended by Planning Commission Review)  
**Ordinance No. 000518-47 was approved.**
48. Approve a request from Nash Gonzales on behalf of Reed L. Stone and Cecil L. Holder to vacate a portion of Oakmont Street, south of McNeil Road. (The amount of \$34,543 in revenue will be receipted to the General Fund.) (Recommended by Planning Commission)  
**Ordinance No. 000518-48 was approved.**
49. Amend the Austin City Code, Section 16-4-15 - Speed Limits, by adding South First Street to the list of streets having a maximum speed limit of 20 mph during certain times for the protection of students attending Bedichek Middle School. (Because no physical changes are required, there is no fiscal impact.)  
**Ordinance No. 000518-49 was approved.**
50. Amend Section 16-4-15 - Speed Limits, of the Austin City Code by extending the existing 20 mph reduced speed school zone on Duval Road, and adding Mustang Chase to the list of streets having a maximum speed limit of 20 miles per hour during certain times, for the protection of students attending Davis Elementary School. (Funding in an amount of \$4,582 to relocate existing signs, flashers, and markings is available in the 1999-2000 Approved Operating Budget of the Child Safety Fund for the Department of Public Works and Transportation.)  
**Ordinance No. 000518-50 was approved.**
51. Approve a resolution authorizing execution of a construction contract with SALAS CONSTRUCTORS (MBE/MH), Austin, Texas, for the Boggy Creek at Delwau Lane Streambank Stabilization and Bridge Scour Protection Project, in an amount of \$168,840. (Funding in an amount of \$120,685 is available in the 1999-2000 Amended Capital Budget of the Watershed Protection Department; and \$48,155 is available in the 1999-2000 Amended Capital Budget of the Department of Public Works and Transportation.) Lowest of five bids. 87.28% MBE Prime. 0% MBE; 12.72% WBE subcontracting participation. (Recommended by Environmental Board)  
**Resolution No. 000518-51 was approved.**

52. Approve an ordinance authorizing a non-exclusive license agreement with ZNET Communications, for the purpose of constructing conduit in the public rights-of-way. (Conduit system will be under construction and will not be operational for customers during this fiscal year. No anticipated revenue for FY 1999-2000 projected at this time. Revenue may result from future customer usage of the system to be estimated for subsequent years.) (First reading)  
**Ordinance No. 000518-52 was approved.**
53. Approve an ordinance authorizing a license agreement with PrimeCo Personal Communications, L.P. for placement of station at Palmer Auditorium for the purpose of providing wireless telephone service. (Funding in an amount of \$12,400 in Unanticipated Revenue for the Fiscal Year 1999-2000 Approved Budget of the Convention Center Department)  
**This item was postponed indefinitely.**
54. Approve a resolution authorizing execution of an Interlocal Agreement with Travis County for consolidated jury management. (Funding was included in the 1999-2000 Approved Operating Budget of the Municipal Court.)  
**Resolution No. 000518-54 was approved.**
55. Authorize application for supplemental grant funding in the amount of \$2,625,000 from the U.S. Department of Justice, Office of Community Policing Services (COPS), Universal Hiring Program, to provide 35 new police officer positions in fiscal year 2002. (Supplemental funding is available from the U.S. Department of Justice, Office of Community Policing Services (COPS), Universal Hiring Program, with an anticipated start date of October 1, 2001. A cash match of \$3,456,755 will be required over a three-year period for all 35 officers, and will be included in future operating budgets for the Austin Police Department.)  
**Resolution No. 00518-55 was approved.**
56. C14-99-0027A – GH-620 LTD – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code zoning property located at the northwest intersection of Tom Kemp Lane and F.M. 620 North from SF-2, Single Family Residence Standard Lot zoning and I-RR, Interim Rural Residential to GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions. First reading on March 23, 2000; Vote 6-0, Watson out of room. Conditions met as follows: Conditional overlay incorporates the conditions imposed by Council at first reading. Applicant: GH-620 Ltd.; Agent: Jeff Howard. City Staff: David Wahlgren, 499-6455.  
**Ordinance No. 000518-56 was approved.**
57. C14-99-2042 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7907-8021 Southwest Parkway from GR, Community Commercial District zoning and LO, Limited Office District zoning to MF-2-CO, Multifamily Residence (Low Density)-Conditional Overlay Combining District zoning with conditions. First reading on December 16, 1999; Vote: 7-0. Conditions met as follows: Conditional overlay incorporates the conditions imposed by City Council at first reading. Applicant: Hilltop Joint Venture (Ned Welsh); Agent: Remax Austin Association (Joseph Ranzani). City Staff: Adam Smith, 499-2755. (continued from 4/20/00)  
**Ordinance No. 000518-57 was approved.**
58. C14-99-2066 – Allen-Williams House – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1206 San Antonio Street and 505 West 13<sup>th</sup> Street from GO, General Office District zoning to DMU-H-CO, Downtown Mixed Use-Historic-Conditional Overlay Combining District zoning with conditions Tract 1 and



DMU-CO, Downtown Mixed Use-Conditional Overlay Combining District zoning with conditions for Tracts 2 and 3. First reading on April 20, 2000; Vote: 7-0. Conditions met as follows: Conditional overlay incorporates the conditions imposed by City Council at first reading. Applicant: Texas Association of Counties Workers Compensation Self Insurance (Terry Wyatt); Agent: Armbrust Brown & Davis, LLP (Richard Suttle, Jr.). City Staff: Don Perryman, 499-2786. **Ordinance No. 000518-58 was approved.**

59. Amend Ordinance No. 961121-Q, to clarify the conditions of zoning for the property locally known as 721-729 North Lamar Boulevard, further described in file number C14-96-0119. Applicant: New Urban Partners Ltd. City Staff: Greg Guernsey, 499-2387.

**Ordinance No. 000518-59 was approved.**

60. Approve a resolution supporting legislation regarding the labeling of genetically manufactured food. (Mayor Pro-tem Jackie Goodman and Council Member Daryl Slusher)

**Resolution No. 000518-60 was approved.**

**Item 61 was pulled for discussion.**

**Items 62 through 71 were Citizen Communication**

**Items 72 through 86 were Zoning items.**

**Item 87 was a Briefing.**

**Item 88 was a Public Hearing.**

89. Police Oversight Focus Group.

**This item was postponed to June 1, 2000.**

90. Approved the extension of Ordinance No. 0003233-20, an interim development control for emergency passage prohibiting the acceptance of site plans for the Bennett Tract, the property bordered by East 11<sup>th</sup> Street on the north, I-35 on the west, the alley between East 7<sup>th</sup> and East 8<sup>th</sup> Streets on the south and San Marcos on the east for an additional 120 days beyond the June 15, 2000 expiration date. (Council Member Gus Garcia and Council Member Willie Lewis)

**Ordinance No. 000518-90 was approved.**

91. Direct the City Manager to investigate potential city owned sites in the city for the relocation of the Fontaine House from St. David's Church. (Mayor Pro Tem Jackie Goodman and Council member Beverly Griffith)

**Resolution No. 000518-91 was approved.**

### **COUNCIL DISCUSSION ITEM**

2. **Briefing was made by staff and Council decided to postpone action until 2:15 p.m. to allow the full Council to take action on this item.**

The motion to recess the City Council meeting at 10:59 a.m. and go into Executive Session was approved on Council Member Garcia's motion, Council Member Spelman's second by a 5-0 vote. Mayor Watson was off the dais. Council Member Lewis was absent.

### 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.

3. Discuss legal issues regarding wastewater discharge permits, water rights permits, and water/wastewater utility service areas.
4. Discuss *City of Austin v. Lumbermen's Investment Corporation*, Cause Number 99-13013, pending in the Travis County District Court. (Sand Beach Reserve)
5. Discuss *FM Properties Operating Co. v. City of Austin*. Cause No. 98-0685, in the Supreme Court of Texas. (This litigation concerns development regulations applicable in the Barton Springs Zone.)
6. Discuss legal issues regarding settlement negotiations with Anderson Community Development Corporation concerning the SCIP II project.
7. Discuss acquisition of real property for the Barton Springs Clean Water Project (May 2, 1998 Election, Proposition Two).
8. Discuss the appointment of the Municipal Court Clerk and establishment of compensation and benefits. (This item will be taken up at 10:30 A.M.)

Mayor Pro Tem Goodman announced that Item #61 would also be discussed during Executive Session.

Executive session ended at 1:49 p.m.

Mayor Watson called the meeting back to order.

### CITIZEN COMMUNICATIONS

62. Pauline Gamble – Admin Change to Site Plan - **ABSENT**
63. John D. Gamble – Admin Change to Site Plan – **ABSENT** (due to a medical emergency, **Annabelle Torrez spoke on behalf of the Gambles**)
64. Chris Riley – 3<sup>rd</sup> Street rail bridge over Shoal Creek
65. Jennifer L. Gale – Candidate: United States House of Representatives
66. Denise Seal – Riverside/Montopolis Library
67. John Bemus – Homelessness
68. Richard Troxell – Homelessness
69. Mary Solanik – Tax Appraisals & Tax Rate
70. Gus Pena – Discuss City Health Clinics and Low Income Affordable Housing - **ABSENT**

71. Paul Martin – Central Booking

### DISCUSSION ITEMS

61. Approve an ordinance appointing the Municipal Court Clerk and establishing compensation and benefits. (Mayor Kirk Watson, Mayor Pro Tem Jackie Goodman and Council Member Gus Garcia) **Approved the appointment Rebecca M. Stark as Municipal Court Clerk with an annual salary of \$80,735.00 per year and a \$230.00 per month car allowance on Mayor Pro Tem Goodman's motion, Council Member Garcia's second by a 6-0 vote. Council Member Lewis was absent.**
2. C14-99-2071 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 12007 North Lamar Blvd. from SF-2, Single-Family Residence Standard Lot District zoning and LO, Limited Office District zoning to SF-6-CO, Townhouse and Condominium Residence-Conditional Overlay Combining District zoning with conditions. First reading on April 13, 2000; Vote: 6-0, Watson absent. Conditions met as follows: Conditional overlay incorporates the conditions imposed by City Council at first reading. Applicant: Grace Christian Center of Austin, Inc.(Andrew McHolm); Agent: Minter, Joseph and Thornhill, P.C. (Dorothy Raven). City Staff: Clark Patterson, 499-2464.  
**Ordinance No. 000518-02 was approved with a friendly amendment on Council Member Garcia's motion, Council Member Spelman's second by a 5-1 vote. Council Member Griffith voted no. The friendly amendment made by Council Member Spelman was to add conditions to ordinance that will prohibit duplexes on this property. This amendment was accepted by the maker of the motion.**

### BRIEFINGS

72. Proposal for revision of the regulatory system for controlling the amount of impervious cover allowed in new development within the City's jurisdiction.  
**Presentations made by Michael Heitz, Director of Watershed Protection and Pat Murphy, Manager of Environmental Review and Inspections**

### DISCUSSION ITEMS

24. Approve a resolution authorizing the negotiation and execution of a professional services agreement to provide airport master planning services to update the Airport Master Plan at Austin-Bergstrom International Airport (ABIA) in the amount of \$1,000,000 with P & D AVIATION, Southlake, Texas, (recommended firm), or, if unable to reach agreement with the recommended firm, with HNTB CORPORATION, Austin, Texas, (the recommended alternative). (Funding in an amount of \$1,000,000 is included in the 1999-2000 Amended Capital Budget for Aviation.) (Airport Advisory Board – Recommend not to take action until next board meeting on May 16, 2000)  
**Resolution No. 000518-24 was approved with the following friendly amendment on Council Member Garcia's motion, Council Member Griffith's second by a 5-0 vote. Council Member Spelman was off the dais. Council Member Lewis was absent. The friendly amendment was to change the wording to, “. . .or, if unable to reach agreement with the recommended firm, (P&D Aviation), then negotiate with URS Greiner Woodward Clyde.**
92. Approve a resolution adopting the Austin Development Design Guidelines as recommendation for all downtown development and redevelopment projects. (Mayor Pro Tem Jackie Goodman and Council Member Gus Garcia)

**Resolution No. 000518-92 was approved on Council Member Garcia's motion, Mayor Pro Tem Goodman's second by a 5-0 vote. Council Member Spelman was off the dais. Council Member Lewis was absent.**

32. Approve an ordinance waiving certain fees and authorizing City funded CIP improvements in an amount not to exceed \$2,536,529, and cost reimbursement for construction of water and wastewater improvements in an amount not to exceed \$634,700, execution of a Managed Growth Agreement, and waiving certain requirements under Chapter 25-9 of the City Code for the development of INTEL of its main campus in the Museum Park Development in Downtown Austin. (Estimated future waived revenue: \$368,021 of Development Review and Inspection Department Review fees, \$1,840,681 of Public Works and Transportation Temporary Use of Right of Way fees and \$135,827 of capital recovery, tap and meter/service line fees in the Water and Wastewater Utility Department. The amount of \$192,00 is available in the 1999-2000 Amended Capital Budget of the Public Works and Transportation Department and \$634,700 is available in the 1999-2000 Amended Capital Budget of the Water and Wastewater Utility Department.) (Related to Items 33-36)  
**Ordinance No. 000518-32 was approved on Council Member Garcia's motion, Council Member Griffith's second by a 6-0 vote. Council Member Lewis was off the dais.**
33. Approve a resolution authorizing negotiation of an agreement(s) necessary to implement the incentive and deferred cost package for INTEL regarding development of the Museum Park property in Downtown Austin for a total amount not to exceed \$15,091,229 and approve the execution of agreement(s) necessary to implement the Water and Wastewater, Development Review and Inspection, and Public Works & Transportation portion of the incentive and deferred cost package in an amount not to exceed \$3,171,229. (Total estimated cost \$15,091,229 in waivers, incentives, and deferred costs.) (Related to Items 32, 34-36)  
**Ordinance No. 000518-33 was approved on Council Member Garcia's motion, Council Member Griffith's second by a 6-0 vote. Council Member Lewis was off the dais.**
34. Amend Ordinance No. 990913-2, the 1999-2000 Capital Budget by increasing appropriations to the Water and Wastewater by \$634,700 and creating a new water project known as "Intel Water" for \$435,600 and a new wastewater project known as "Intel Wastewater" for \$199,100. (Funding will be provided from the proceeds of debt issuance when the annual obligation comes due in future budget years.) (Related to Items 32, 33, 35, and 36)  
**Ordinance No. 000518-34 was approved on Council Member Garcia's motion, Council Member Griffith's second by a 6-0 vote. Council Member Lewis was off the dais.**
35. Approve a resolution declaring official intent to reimburse construction costs in the amount of \$435,600 for a new water project known as "Intel Water" and \$199,100 for a new wastewater project known as "Intel Wastewater" for a total of \$634,700 paid for developer reimbursement. (Funding for the amount of \$634,700 for the Water and Wastewater Utility to be funded by the issuance of commercial paper.) (Related to Items 32, 33, 34, and 36)  
**Ordinance No. 000518-35 was approved on Council Member Garcia's motion, Council Member Griffith's second by a 6-0 vote. Council Member Lewis was off the dais.**
36. Amend Ordinance No. 990913-2, the 1999-2000 Capital Budget of the Public Works and Transportation Department by transferring and appropriating \$192,000 from the 1999-2000 "CIP Contingency" project account and creating a new project known as "Intel Incentives Improvements." (Funding is available in the CIP contingency account.) (Related to Items 32-35) (Planning Commission Review – Postponed to 5/16/00)

**Ordinance No. 000518-36 was approved on Council Member Garcia's motion, Council Member Griffith's second by a 6-0 vote. Council Member Lewis was off the dais.**

**The motion to recess the City Council meeting at 3:49 p.m. was approved on Mayor Pro Tem Goodman's motion, Mayor Watson's second by a 6-0 vote. Council Member Lewis was absent.**

**Mayor Watson called the meeting back to order at 4:17 p.m.**

### **ZONING CONSENT**

**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 6-0 vote. Council Member Lewis was absent.**

73. C14-98-0268 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 11495 FM 2222 and 7001 RR 620 North 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: Jack Maroney; Agent: Bury & Partners (James B. Knight, PE). City Staff: Antonio Gonzalez, 499-2243.  
**First reading of this ordinance was approved. Council Member Slusher voted no.**
74. C14-99-0106 – Alamo Concrete – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 4200 Todd Lane from SF-2, Single-Family Residence Standard Lot District zoning to LI-CO, Limited Industrial Services-Conditional Overlay Combining District zoning with conditions. Planning Commission Recommendation: To grant LI-CO, Limited Industrial Services-Conditional Overlay Combining District zoning with conditions. Property Owner and Applicant: Alamo Concrete Products, Ltd. (Walter D. Scott, II). Agent: Fulbright & Jaworski, L.L.P. (Jerry Converse). City Staff: Michele Rogerson, 499-2308.  
**First reading of this ordinance was approved.**
75. C14-99-2012 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 200 West Parmer Lane from CS, General Commercial Services District, IP, Industrial Park District, and AV, Aviation Services District zoning and to LI-PDA, Limited Industrial Service-Planned Development Area Combining District zoning. Planning Commission Recommendation: To grant LI-PDA, Limited Industrial Service-Planned Development Area Combining District zoning. Applicant: Parmer Lane Partners, LP (Milo Burdette); Agent: Bury & Partners (Greg Strmiska). City Staff: David Wahlgren, 499-6455.  
**Ordinance No. 000518-75 was approved.**
77. C14-99-2110 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 13100-13500 FM 620 North from DR, Development Reserve District zoning and SF-2, Single-Family Residence Standard Lot District zoning to CS, General Commercial Services District zoning. Planning Commission Recommendation: To grant GR, Community Commercial District zoning. Applicant: James H. Arnold, Jr.; Agent: Minter, Joseph & Thornhill, P.C. (Dorothy Raven). City Staff: David Wahlgren, 499-6455.  
**Ordinance No. 000518-77 was approved.**
78. C14-99-2117 – Tress Sonesta –Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property located at the northeast corner of Hunter's Chase Drive and U.S. 183 North from I-

RR, Interim-Rural Residence District zoning to GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions.. Planning Commission Recommendation: To grant GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions. Applicant: Tress 183, Ltd. (A. Bryce Miller); Agent: Bury & Partners (James B. Knight, P.E.). City Staff: David Wahlgren, 499-6455.

**Ordinance No. 000518-78 was approved.**

79. C14-99-2118 – Tress Sonesta –Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property located at the northwest corner of Pond Springs Road and Hunter’s Chase Drive from I-RR, Interim-Rural Residence District zoning to LI-PDA, Limited Industrial Service-Planned Development Area Combining District zoning. Planning Commission Recommendation: To grant GR-MU-CO, Community Commercial-Mixed Use-Conditional Overlay Combining District zoning with conditions. Applicant: Tress 183, Ltd. (A. Bryce Miller); Agent: Bury & Partners (James B. Knight, P.E.). City Staff: David Wahlgren, 499-6455.  
**Ordinance No. 000518-79 was approved.**
80. C14-99-2119 – Tress Sonesta – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property located at the southwest corner of Hunter’s Chase & Pond Springs Road from I-RR, Interim-Rural Residence District zoning to LI-PDA, Limited Industrial Service-Planned Development Area Combining District zoning. Planning Commission Recommendation: To grant GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions for Tract 1 and MF-3-CO, Multi-Family residence Moderate Density-Conditional Overlay Combining District zoning with conditions for Tract 2. Applicant: Tress 183, Ltd. (A. Bryce Miller); Agent: Bury & Partners (James B. Knight, P.E.). City Staff: David Wahlgren, 499-6455.  
**Ordinance No. 000518-80 was approved.**
81. C14-00-2023 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1418 Cardinal Hill Road from SF-1, Single-Family Residence Large Lot District zoning to LO, Limited Office District zoning. Planning Commission Recommendation: To deny LO-CO, Limited Office-Conditional Overlay Combining District zoning with conditions. Applicant: Debra Dozier; Agent: A. R. Thrower Designs (Ron Thrower). City Staff: Katie Larsen, 499-3072. Note: A valid petition has been filed in opposition to this rezoning request.  
**This item was postponed to June 1, 2000 at Council’s request.**
82. C14-00-2042 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as IH-35 North and Grand Avenue Parkway from SF-2, Single-Family Residence Standard Lot 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: Lemuel Scarbrough, Jr. & Margaret S. Wilson; Agent: Bury & Partners (James B. Knight, P.E.). City Staff: David Wahlgren, 499-6455.  
**Ordinance No. 000518-82 was approved.**
83. C14-00-2048 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 53-57 Bierce Street from SF-3, Family Residence District zoning to DMU, Downtown Mixed Use District zoning. Planning Commission Recommendation: To grant DMU-CO, Downtown Mixed Use Conditional Overlay Combining District zoning with conditions. Applicant: TD/Glade Joint Venture (William G. Dunaway); Agent: Sarah Crocker Consultants (Sarah Crocker). City Staff: Katie Larsen, 499-3072.  
**Ordinance No. 000518-83 was approved.**

84. C14-00-2049 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 4700 Spicewood Springs Road from SF-3, Family Residence District zoning to LO, Limited Office District zoning. Planning Commission Recommendation: To grant LO-CO, Limited Office-Conditional Overlay Combining District zoning with conditions. Applicant: Patrick Heyl; Agent: Site Specifics (John Hussey). City Staff: Katie Larsen, 499-3072.  
**First reading of this ordinance was approved.**
85. C14-00-2020 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 12003 North Lamar Boulevard from NO, Neighborhood Office District zoning to GO-CO, General Office-Conditional Overlay Combining District zoning with conditions. Planning Commission Recommendation: To deny GO-CO, General Office-Conditional Overlay Combining District zoning with conditions. Applicant: Barbara Wilkes; Agent: Jim Bennett. City Staff: Katie Larsen, 499-3072.  
**This item was postponed to June 1, 2000 by the neighborhood.**
86. C14H-00-2051 – Pompee-Clarke-Cook House – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 506-508 West 22<sup>nd</sup> Street from MF-4, Multifamily Residence (Moderate-High Density) District zoning to GR-CO-MU-H, Community Commercial-Conditional Overlay-Mixed Use-Historic Combining District zoning. Planning Commission Recommendation: To grant GR-CO-MU-H, Community Commercial-Conditional Overlay-Mixed Use-Historic Combining District zoning with conditions. Applicant: Zucker Properties (Brad Zucker); Agent: McHone Real Estate (Mike McHone). City Staff: Barbara Stocklin, 499-2414.  
**First reading of this ordinance was approved.**

### ZONING DISCUSSION

76. C14-99-2095 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 900 Chicon Street from MF-4, Multifamily Residence (Moderate-High Density) 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: Huston-Tillotson (Evan R. Taniguchi); Agent: Alan Y. Taniguchi Architects & Associates (Logan Wagner). City Staff: Katie Larsen, 499-3072.  
**The public hearing was closed on Council Member Griffith's motion, Council Member Slusher's second by a 6-0 vote. Council Member Lewis was absent.**

**The motion to accept the Planning Commission's recommendation on first reading was approved on Council Member Slusher's motion, Council Member Griffith's second by a 6-0 vote. Council Member Lewis was absent.**

22. Approve an ordinance to annex for full purposes, the Regents Tract, (consisting of approximately 164 acres, located along Foster Ranch Road, ½ mile north of Southwest Parkway). (Second/Third readings)  
**The following amendment failed on Council Member Spelman's motion, Mayor Watson's second by a 3-3 vote. Those voting aye: Mayor Watson, Council Member Spelman and Slusher. Those voting nay were: Mayor Pro Tem Goodman, Council Members Garcia and Griffith. Council Member Lewis was absent. The amendment was to amend part 5 of the ordinance changing the classification from Interim Rural Residence to : (a) the school property west of Foster Ranch Road to I-GO-CO with a conditional overlay allowing the athletic facilities and lighted fields; (b) the school property east of Foster Ranch Road to I-**

**GO-CO with a conditional overlay setting a 100 foot set back on the south property line for all new structures, no permit bleachers within 100 feet from the south line, no temporary bleachers within 50 feet of the south property line.**

**Ordinance No. 000518-22 was approved with the original amendment omitting section "(a)" and adding the motion to direct staff to investigate and report to Council on the possibility of allowing a median cut, on Council Member Spelman's motion, Mayor Watson's second by a 6-0 vote. Council Member Lewis was absent.**

**The motion to recess the City Council meeting at 5:46 p.m. was approved on Council Member Griffith's motion, Council Member Slusher's second by a 6-0 vote. Council Member Lewis was absent.**

**Mayor Watson called the Special Called Meeting of the City Council to order at 6:24 p.m.**

1. C14-99-2089 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code rezoning property locally known as 1900 Bluff Springs Road from CS-CO, General Commercial Services-Conditional Overlay Combining District zoning to CS-CO, General Commercial Services-Conditional Overlay Combining District zoning with conditions. First reading on March 30, 2000; Vote: 6-0. Goodman absent Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: E.A. & K.O. Ritchie; Agent: Lopez-Phelps, Vaughn & Associates (Amelia Lopez-Phelps; City Staff: Michelle Rogerson, 499-2308 (Council Member William Spelman and Mayor Pro-Tem Jackie Goodman)  
**Ordinance No. 000518-01 was approved on Council Member Spelman's motion, Mayor Watson's second by a 6-0 vote. Council Member Lewis was absent.**
2. Approve a resolution accepting of the Police Oversight Focus Group Report and direct the City Manager to implement recommendations of the Police Oversight Focus Group Report. (Council Member William Spelman)  
**This item was postponed to June 1, 2000 on Council Member Spelman's motion, Council Member Slusher's second by a 6-0 vote. Council Member Lewis was absent.**

**The motion to adjourn the Special Called Meeting was approved on Council Member Griffith's motion, Council Member Slusher's second by a 6-0 vote. Council Member Lewis was absent.**

**Mayor Watson called the regular meeting of the City Council back to order at 6:34 p.m.**

### **BRIEFING**

87. Neighborhood Services Delivery – *Presented by the LBJ School of Public Affairs Policy Research Team.*  
**The presentation was made by Clark Hancock, Kathleen Lilly and Tina Bui of the LBJ School of Public Affairs.**

### **DISCUSSION ITEMS**

88. Conduct a public hearing to receive citizen comments on the proposed Consolidated Plan, 2000-2005 to The U.S. Department of Housing and Urban Development (HUD), which includes proposed funding allocations for FY 2000/01.



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

ADJOURNED at 7:45 p.m. on Mayor Pro Tem Goodman's motion, Council Member Garcia's second by a 5-0 vote. Council Member Slusher was off the dais. Council Member Lewis was absent.

The minutes for the Regular Meetings of May 18, 2000 was approved on this the 1<sup>st</sup> day of June, 2000 on Council Member Garcia's motion, Mayor Watson's second by a 7-0 vote.