



**Austin City Council
MINUTES**

**REGULAR MEETING
THURSDAY, AUGUST 8, 2002**

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, August 8, 2002 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

Invocation: Bishop Wilbert E. Baltimore, Holy Temple Church of God International, Inc., Annapolis, Maryland

Mayor Garcia called the Council Meeting to order at 12:06 p.m.

Mayor Garcia recessed the Council Meeting at 12:08 p.m. to go into Executive Session.

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.

1. Discuss legal issues related to *Save Our Springs Alliance and Circle C Neighborhood Association v. The City of Austin, Circle C Land Corporation and Stratus Properties, Inc.*, Cause Number GN202018 in the 261st Judicial District Court of Travis County, Texas.
73. Discuss legal issues related to the development of Davenport Rim at Loop 360 and Waymaker Way. (Related items: #25 & #Z-1)

Executive Session ended at 1:42 p.m.

Mayor Garcia called the Council Meeting back to order at 1:43 p.m.

CITIZEN COMMUNICATIONS: GENERAL

2. E. J. White - Animal Issues
3. Karen Enyedy - City Central Farmer's Market
4. Jesse Griffith - City Centered Farmers' Market
5. Mark Skrabacz - City-Center Framer's Market
6. Jimmy Castro - Back to School

7. Marnie Reeder - Animal Issues
8. Sisto C. Ramirez - West Austin Park (Doggie Leash free issue)
9. Lynn Goodman-Strauss - West Austin Park (dog leash – Free area)
10. Pepper Hoops - West Austin Park / Downtown Parking
11. Gus Pena - To continue the push for Affordable Housing, Low Income Housing, And Transitional Housing for Homeless Families. (2) The Taxpayers are already feeling the effects of the Budget crunch. Don't cut programs that serve the youth, children and Senior Citizens. (3) Start educating the public early about the Budget and its shortfalls and its Impact on the poor low income, and have-nots. The Gap Becomes Wider.

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 Mayor Pro Tem Goodman's motion, Council Member Dunkerley's second on a 7-0 vote.

Item 12 was approval of the minutes, which occurred later in the meeting.

13. Approve negotiation and execution of a contract with ATLAS COPCO COMPTEC, INC., Voorheesville, NY for the purchase of a fuel gas compressor for the Sand Hill Energy Center in an amount not to exceed \$927,750. (Funding is available in the 2001-2002 Amended Capital Budget for the Electric Utility Department.) Best Proposal/Six Proposals Received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore no MBE/WBE goals were established for this solicitation. This contract is for a commodity purchase, with direct delivery by the manufacturer.
The motion authorizing the negotiation and execution of a contract was approved.
14. Approve negotiation and execution of a contract with LOCHARD CORPORATION, Stoneham, MA, for the purchase of aircraft noise and flight track monitoring systems for Austin-Bergstrom International Airport in an amount not to exceed of \$885,000, for the Department of Aviation, with three 12-month extension options for maintenance support and software upgrades to begin after the two year warranty period in amounts not to exceed \$51,531, \$53,077 and \$54,669 respectively for a total contract amount not to exceed \$1,044,277. (Funding in the amount of \$885,000 is available in the 2001-2002 Approved Capital Budget of the Aviation Department.) Best proposal of four proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance as amended. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
This item was postponed to August 22, 2002.
15. Approve an ordinance for the sale of 6.21 acres of the Electric Utility Department's Webberville Property to the Lower Colorado River Authority for use as a substation site in an amount not to exceed \$37,250.
Ordinance No. 020808-15 was approved.
16. Approve a resolution for negotiation and execution of a contract with AUSTIN WHITE LIME COMPANY, Austin, Texas, to purchase an undeveloped 0.619-acre tract of land located in the 8400 block of Parmer Lane, in an amount not to exceed \$90,000, including closing costs, for Austin Energy's new Northwest Substation site. (Funding is available in the 2001-2002 Amended Capital Budget of Austin Energy.)
Resolution No. 020808-16 was approved.

17. Approve a resolution authorizing the negotiation and execution of a contract with BETTY ZAPATA GONZALES, Austin, Texas, for the purchase, including closing costs, of the house and property located at 2219 Riverview Street, in an amount not to exceed \$58,000. (Funding is available in the 2001-2002 Amended Capital Budget for the Electric Utility Department.)
Resolution No. 020808-17 was approved.
18. Approve an ordinance for acceptance of a grant award from the State Energy Conservation Office, (SECO) in the amount of \$25,000, and amend Ordinance No. 010910-01, the 2001-2002 Amended Operating Budget, by increasing grant funding and grant expenditures by \$25,000 in the Electric Utility Department Special Revenue Fund, to allow the Electric Utility Department to open an institute to train practitioners and trainers regarding solar photovoltaic systems. (Funding in the amount of \$25,000 from the State Energy Conservation Office (SECO) for the grant period from June 30, 2002 through June 30, 2003. The City of Austin is required to provide a \$5,000 in-kind match, which is available in the 2001-2002 Amended Operating Budget of the Electric Utility Department.)
Ordinance No. 020808-18 was approved.
19. Approve an ordinance authorizing acceptance of \$200,000 in grant funds from the U.S. Department of Defense through LOGANEnergy Corp., and amending Ordinance No. 010910-01, the 2001-2002 Amended Operating Budget, by increasing grant funding and grant expenditures by \$200,000 in the Electric Utility Department Special Revenue Fund, for the purchase and installation of an IFC PC25C Fuel Cell Power Plant. (Funding in the amount of \$200,000 is from the U.S. Department of Defense through LOGANEnergy Corp., payable upon successful completion of the project. The City is not required to provide an in-kind match.)
Ordinance No. 020808-19 was approved.
20. Designate the Travis County Appraisal District as the entity to perform the appraisal functions for City of Austin properties located in Hays County. (The estimated cost of appraisal services for the properties in Travis and Hays Counties for Fiscal Year 2002-2003 is \$1,251,818.)
The motion designating Travis County Appraisal District as the appraisal entity for City of Austin properties in Hays County was approved.
21. Approve outside counsel contract for Cole & Powell P.C in *Elendu et al. v City of Austin, et al*, Cause No. A-02-CA-423-SS in the United States District Court for the Western District of Texas, Austin Division, in an amount not to exceed \$47,450. (Funding is available in the 2001-2002 Amended Operating Budget of the Liability Reserve Fund.)
The item was replaced by Addendum Item No. 74.

Items 22 – 24 were pulled for discussion.

25. C814-88-0001.07 – Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2800 Waymaker Way (Lake Austin Watershed) from PUD, Planned Unit Development district, zoning to PUD, Planned Unit Development district, zoning in order to change a condition of zoning. First reading on May 23, 2002; Vote: 7-0. Applicant: Parmer Ridge Limited (John Lloyd). Agent: Armbrust, Brown and Davis (Kris Kasper) City Staff: Glenn Rhoades, 974-2775.
The second reading of the ordinance was approved. The following will be incorporated into the ordinance for the final reading:
 - **Adjust the Hill County Roadway Buffer to delete the undisturbed requirement and to allow recreational uses and improvements in the buffer;**
 - **Adjust the building setback lines for units 63 and 65 to accommodate the as-built units;**

- Remove any requirement for restoration of the internal natural area to a natural vegetated state and allow recreational uses and improvements in that natural area in each condo owner's limited common element;
- Adjust the encroachment setbacks into the 40% undisturbed natural area and Hill Country Roadway Buffer to accommodate the as-built units, and existing fences, walls, and electric power lines;
- Reduce the 40% undisturbed natural vegetative area to the existing undisturbed area with the exception of adjusting the Hill Country Roadway buffer as described above; and
- Require extension of the existing sidewalk of the east side of Waymaker Way to the intersection of Waymaker Cove and remove any further requirement for the construction of any other sidewalks.

The intent of these changes to the PUD ordinance is to bring the development into compliance.

26. C14-02-0005 - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1100 Stassney Lane (Williamson Creek Watershed) from LR, Neighborhood Commercial district, zoning; MF-2, Multi-family Residential Low Density district, zoning; MF-3, Multi-family Residential Medium Density district, zoning; and GR, Community Commercial district, zoning to SF-6, Townhouse and Condominium Residence district, zoning. Second reading on May 23, 2002. Vote: 5-1-1, Goodman nay and Slusher abstained. First reading on April 25, 2002. Vote: 6-0-1, Slusher abstained. Conditions met as follows: Conditional overlay incorporates the conditions imposed by Council at second ordinance reading. Applicant: Saginaw Partners, Ltd. (Lan Bentsen). Agent: Admiral Construction, Inc. (David Young); Jim Bennett. City Staff: Wendy Walsh, 974-7719.
This item was postponed to August 22, 2002. Council Member Slusher abstained because this is located near his home.

Item 27 was pulled for discussion.

28. C814-01-0038 – Parmer/Walnut Creek P.U.D. – Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the 1200 Block of Parmer Lane (Walnut Creek Watershed) from SF-6, Townhouse and Condominium Residence district, zoning, RR, Rural Residence district, zoning and LO, Limited Office district, zoning to P.U.D., Planned Unit Development district, zoning. First reading on November 29, 2001; Vote: 7-0. Applicants: FSKMS Ranch Ltd. (John Scofield, Edgar and Linda Perry, Vernon Scofield, and Glen and Martha Chitek). Agent: Armbrust Brown, L.L.P. (Richard Suttle, Jr.). City Staff: Sherri Gager, 974-3057. (Continued from 6/27/02, 7/18/02 and 8/01/02)
The second reading of the ordinance was approved. The following will be included in the PUD ordinance and agreement:
- One-story carport and/or garages shall be allowed within 100-feet, but not closer than 50 feet, from the western property line of Tract 1. Architectural guidelines contained within the Scofield Farms Neighborhood Homeowners Association shall apply to the construction of garages.
 - The deletion of the Environmental Board's requirement that a certificate of occupancy not be issued for Tract 1 until construction of the flood and erosion control pond is completed.
 - The proposal by the applicant to allow SF-6, which stands for Townhouse and Condominium Residence, zoning district uses to the permitted uses for Tract 1, with a unit limit of 80 town homes or single-family detached.
 - An increased trip limit of 2,500 vehicle trips for the entire Parmer/Walnut Creek PUD to satisfy current requirements for Tracts 2, 3, and 4 and to account for the

inclusion of the SF-6: townhouse or single family detached uses on Tract 1, without the requirement of a Traffic Impact Analysis (TIA).

- **To redefine the transfer process for the dedication of Tract 2 to the City of Austin so that the entire dedication of this portion of land does not need to be made with the PUD approval at third reading. The timing of the conveyance of Tract 2 of the PUD should be as follows:**
 - a. **To dedicate the dam area of Tract 2 at the approval of zoning (before third reading of the PUD ordinance);**
 - b. **The dedication of a drainage easement for the remaining portion of Tract 2 at the approval of zoning (before third reading of the PUD ordinance);**
 - c. **Fee simple dedication of the drainage easement on the Perry property, at the eastern side of Tract 2, before subdivision (final plat) approval.**
 - d. **Fee simple dedication of the drainage easement on the Schofield/Chilek property, at the northwestern side of Tract 2, before site plan approval.**

29. Approve execution of a contract with BROADBAND SYSTEMS INTEGRATION, INC. dba BSI UTILITIES, Sugarland, Texas, for construction and installation of water and wastewater infrastructure in support of the Del Valle Water & Wastewater Annexation Program, for the not to exceed amount of \$676,964.50. (Funding was included in the Fiscal Year 2001-2002 Amended Capital Budget of the Water and Wastewater Department.) Lowest of four bids received. 24.3% MBE, 8.5% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)
- The item was postponed indefinitely.**

Item 30 was pulled for discussion.

31. Approve execution of a construction contract with SALAS CONSTRUCTORS (MBE/MH, 73.04%), Austin, Texas, for the Enfield Road / Parkway Road Water and Wastewater Improvements Project, in the amount of \$745,104, and \$74,510.40 contingency, for a total contact amount not to exceed \$819,614.40. (Funding in the amount of \$639,331 is available in the Fiscal Year 2001-2002 Amended Capital Budget of the Water & Wastewater Utility; and \$180,283.40 is available in the Operating Budget of the Public Works Department.) Lowest of four responsive bids were received. 0% MBE, 12.9% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)
- The motion authorizing the execution of a construction contract was approved.**
32. Authorize negotiation and execution of an amendment to the professional services agreement with BARNES ARCHITECTS, Austin, Texas, for design and bid phase services associated with re-bidding, and additional authorization for printing costs for the North Service Center located at 10414 McKalla Place, in an amount not to exceed \$321,065, for a total contract amount not to exceed \$2,614,228. Funding in the amount of \$141,888 is available in the 2000-01 Amended Capital Budget and \$141,887 is available in the 2001-02 Amended Capital Budget of the Water & Wastewater Utility, and \$37,290 is included in the FY 2001-02 Capital Budget of the Financial & Administrative Services Department/Fleet Services. Overall anticipated subconsultant participation: 16.39% MBE, 16.73% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)
- The motion authorizing the negotiation and execution of an amendment to a professional services agreement was approved.**
33. Approve a resolution for the filing of eminent domain proceedings to acquire the fee simple interest in 0.078 acre (3,398 square feet) of land for right-of-way out of the Elisha Allen Survey, located at 9514 Anderson Mill Road, from Robert D. Hughes, in the amount of \$19,300. (Funding

is included in the Fiscal Year 2000-2002 Amended Capital Budget of the Transportation, Planning & Sustainability Department.)

Resolution No. 020808-33 was approved.

34. Approve execution of a contract with 3rd PARTY.COM, Austin, Texas, for the purchase of two Sun SunFire servers; a SunFire rack hardware; two Veritas software licenses; one-year maintenance; and support and training services in an amount not to exceed \$83,468.20. Funding in the amount of \$83,468.20 is available in the 2001-2002 Amended Capital Budget for the Electric Utility Department.) Low Bid/Seven Bids Received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.
The motion authorizing the execution of a contract was approved.
35. Approve execution of a 12-month contract with ALCOA FUJIKURA, INC., Carthage Texas, for the purchase of fiber optic ground wire in an amount not to exceed \$211,806 with three 12-month extension options in an amount not to exceed \$149,880 for the first extension, \$106,920 for the second extension, and \$161,970 for the final extension for a total contract amount not to exceed \$630,576. (Funding in the amount of \$211,806 is available in the 2001-2002 Amended Capital Budget of the Electric Utility Department.) Low bid meeting specification/nine bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.
The motion authorizing the execution of a contract was approved.
36. Approve execution of a contract with B J ELECTRIC COMPANY, Pflugerville, TX 78660, for the lighting repair and maintenance of the Krieg softball fields in an amount not to exceed \$441,309.98. (Funding is available in the 2001-2002 Amended Operating Budget of the Electric Utility Department.) Low bid /3 bids received. 56.36% MBE, 0% WBE subcontracting participation.
The motion authorizing the execution of a contract was approved.
37. Approve modification #2 to a contract with SECURITY MANAGEMENT SERVICE, Austin, Texas, for the purchase of additional equipment and services in an amount not to exceed \$209,549.03, and to establish a 12-month service agreement for system maintenance and teleconnectivity in an amount not to exceed \$179,842, with four 12-month extension options in an amount not to exceed \$200,722, \$226,822, \$256,642 and \$294,478, respectively, for a revised total contract amount not to exceed \$2,125,222.43. (Funding in the amount of \$209,549.03 is available in the 2001-2002 Amended Capital Budget for the Electric Utility Department. \$29,974 is available in the 2001-2002 Amended Operating Budget for the Electric Utility Department. Funding for the remaining 10 months of the service agreement and the extension options is contingent upon available funding in future budgets.)
The motion authorizing modification #2 to a contract was approved.
38. Approve execution of a contract with COBB MECHANICAL CONTRACTORS, Austin, Texas, for the purchase and installation of one HVAC chiller for use at Town Lake Center in an amount not to exceed \$81,111. (Funding is available in the 2001-2002 Amended Capital Budget of the Electric Utility Department.) Low bidder/ Five bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.
The motion authorizing the execution of a contract was approved.
39. Approve ratification of a contract with NORTEX MODULAR SPACE (WBE-FR), Highland, Texas, for the purchase of a modular office building for the Holly Power Plant, in an amount

not to exceed \$116,459.46. (Funding was included in the 2001-2002 Amended Capital Budget of the Electric Utility Department.) Low bid of three bids received. This contract was awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.

The motion authorizing the ratification of a contract was approved.

40. Approve negotiation and execution of a contract with PRIMEN, Madison, Wisconsin, to provide Marketing Retail Research Services in an amount not to exceed \$200,000. (Funding is available in the 2001-2002 Amended Operating Budget for the Electric Utility Department.) Best Proposal/Eleven Proposals Received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.

The motion authorizing the negotiation and execution of a contract was approved.

41. Approve execution of a 12-month supply agreement with RITZ INSTRUMENT TRANSFORMERS, Carthage, Texas, for the purchase of instrument transformers in an amount not to exceed \$144,375 with three 12-month extension options in an amount not to exceed \$144,375 per extension for a total contract amount not to exceed \$577,500. (Funding in the amount of \$144,375 is available in the 2001-2002 Amended Capital Budget of the Electric Utility Department. Funding for the extension options is contingent upon available funding in future budgets.) Low bid/four bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.

The motion authorizing the execution of a supply agreement was approved.

42. Approve ratification of a contract with WAUKESHA ELECTRIC SYSTEMS, Milpitas, CA, for the purchase of a 345kV autotransformer for the Austrop Substation in an amount not to exceed \$2,288,000. (Funding is available in the 2001-2002 Amended Capital Budget for the Electric Utility Department.) Low bid of three bids received. This contract was awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified for this amendment.

The motion authorizing the ratification of a contract was approved.

43. Approve execution of a contract with WAGNER-SMITH EQUIPMENT COMPANY, Burleson, Texas, for the purchase of refurbishment services to existing conductor puller/tensioner machine for the Electric Utility Department in an amount not to exceed \$58,250. (Funding is available in the 2001-2002 Amended Operating Budget for the Electric Utility Department.) Low bid/two bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.

The motion authorizing the execution of a contract was approved.

44. Approve negotiation and execution of a contract with ADVANCED SYSTEM INTEGRATION CORPORATION, Austin, Texas, for the purchase of a Data Acquisition Systems for the Decker Creek Power Station, in an amount not to exceed \$150,460. (Funding is available in the 2001-2002 Amended Capital Budget for the Electric Utility Department.) Best proposal/five proposals received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.

The motion authorizing the negotiation and execution of a contract was approved.

45. Approve negotiation and execution of a contract with ADVANCED SYSTEM INTEGRATION CORPORATION, Austin, Texas, for the purchase of a Sequence of Events System for the Decker

Creek Power Station, in an amount not to exceed \$79,570. (Funding is available in the 2001-2002 Amended Capital Budget for the Electric Utility Department.) Best proposal /four proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no MBE/WBE goals were established for this solicitation.

The motion authorizing the negotiation and execution of a contract was approved.

46. Approve negotiation and execution of a contract with ADVANCED SYSTEM INTEGRATION CORPORATION, Austin, Texas, for the purchase of a process control system for the Decker Creek Power Station, in an amount not to exceed \$85,155. (Funding is available in the 2001-2002 Amended Capital Budget for the Electric Utility Department.) Best proposal/three proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no MBE/WBE goals were established for this solicitation.

The motion authorizing the negotiation and execution of a contract was approved.

47. Approve execution of a contract with CELTEX INDUSTRIES, White Oak, Texas, for the purchase of control ball valves for the Decker Creek Power Station, in an amount not to exceed \$55,663. (Funding is available in the 2001-2002 Amended Capital Budget for the Electric Utility Department.) Low bid meeting specification/Five bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.

The motion authorizing the execution of a contract was approved.

48. Approve execution of a contract with PUFFER-SWEIVEN, New Braunfels, Texas, for the purchase of pneumatic control drives for the Decker Creek Power Station, in an amount not to exceed \$66,346. (Funding is available in the 2001-2002 Amended Capital Budget for the Electric Utility Department.) Low bid/four bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no MBE/WBE goals were established for this solicitation.

The motion authorizing the execution of a contract was approved.

49. Approve execution of contract with SCREENING SYSTEMS INTERNATIONAL, Slaughter, LA, to overhaul traveling water screens at the Decker Creek Power Station in an amount not to exceed \$63,160. (Funding is available in the 2001-2002 Amended Operating Budget for the Electric Utility Department.) Low bid/five bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.

The motion authorizing the execution of a contract was approved.

50. Approve negotiation and execution of a contract with MECHANICAL DYNAMICS AND ANALYSIS, Schenectady, New York, for the design, fabrication, and installation of turbine blades for the Decker Unit No. 2, in an amount not to exceed \$140,609. (Funding in the amount of \$140,609 is available in the 2001-2002 Amended Operating Budget of the Electric Utility Department.) Best proposal/three proposals received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.

The motion authorizing the negotiation and execution of a contract was approved.

51. Approve modification No. 6 to increase the contract with AIG LIFE INSURANCE (AIG) Wilmington, Delaware, to cover increased basic and supplemental accidental death and dismemberment insurance costs in an amount not to exceed \$98,000 for the second option year

for a total revised contract amount not to exceed \$646,800. (Funding in the amount of \$72,000 is available in the 2001-2002 Operating Budget for the Employee Benefits Fund. Funding for the remaining months of the contract is contingent upon available funding in future budgets.) This contract was awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.

The motion authorizing modification No. 6 to increase the contract was approved.

52. Approve execution of 12-month service agreements with PRIME STAFF, LLP, Dallas, Texas, and INTERIM PHYSICIANS, INC., New Braunfels, Texas, to provide temporary physician services in a combined amount not to exceed \$336,000, with two 12-month extension options in a combined amount not to exceed \$336,000, per extension, for a combined total amount of the two agreements not to exceed \$1,008,000. (Funding in the amount of \$56,000 was included in the 2001-2002 Approved Operating Budget for the Primary Care Department. Funding for the remaining ten months of the original contract and extension options is contingent upon available funding in future budgets.) Low Bidders/six bids received. These contracts will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.

The motion authorizing the execution of a service agreement was approved.

53. Approve execution of a 12-month supply agreement with AUSTIN DRIVE TRAIN, Austin, Texas, for the purchase of vehicle rear differential repair services in an amount not to exceed \$150,000 with two 12-month extension options in an amount not to exceed \$150,000 per extension for a total contract amount not to exceed \$450,000. (Funding in the amount of \$25,000 was included in the 2001-2002 Operating Budget for the Fleet Maintenance Fund of the Finance and Administrative Services Department. Funding for the remaining 10 months of the original contract period and the extension options is contingent upon available funding in future budgets.) Only bidder. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.

The motion authorizing the execution of a supply agreement was approved.

54. Approve execution of a contract with LONGHORN INTERNATIONAL TRUCKS LTD, Austin, Texas, for the purchase of one heavy truck cab and chassis with a mounted platform dump body for Solid Waste Services and one heavy truck cab and chassis for the Electric Utility Department in an amount not to exceed \$108,991; and a contract with FREIGHTLINER OF AUSTIN, Austin, Texas, for the purchase of one heavy truck tractor for Solid Waste Services in an amount not to exceed \$53,250. (Funding in the amount of \$106,946 was included in the 2001-2002 Capital Budget of the Solid Waste Services Department; and funding in the amount of \$55,295 was included in the 2001-2002 Amended Capital Budget of the Electric Utility Department.) Low bidders/three bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.

The motion authorizing the execution of the contracts was approved.

55. Approve execution of a contract with LONGHORN INTERNATIONAL TRUCKS LTD, Austin, Texas, for the purchase of one heavy truck cab and chassis with a mounted hydraulic knuckleboom crane and platform body for the Solid Waste Services Department in an amount not to exceed \$84,170. (Funding was included in the 2001-2002 Capital Budget of the Solid Waste Services Department.) Low bidder/four bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.

The motion authorizing the execution of a contract was approved.

56. Approve execution of a contract with COGENT SYSTEMS, South Pasadena, CA, for the purchase of an automated fingerprint identification system, software and peripherals and conversion services in an amount not to exceed \$570,799.00. (Funding for the amount of \$570,799 is included in the 2001-2002 Operating Budget of the Austin Police Department Special Revenue Fund: \$215,000 is included in the State Asset Forfeiture and \$176,299 is included in the 2001 Local Law Enforcement Block Grant. Additional funding in the amount of \$179,500 will be contingent upon available funding in the 2002-2003 Operating Budget of the Austin Police Department Special Revenue fund in the 2002 Local Law Enforcement Block Grant.) Best proposal of two proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance as amended. No Subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the execution of a contract was approved.

57. Approve execution of a contract with ALAMO IRON WORKS, San Antonio, Texas, for the purchase of galvanized steel columns in an amount not to exceed \$65,710 (Funding is available in the 2001-2002 Amended Capital Budget of the Electric Utility Department.) Sole Bid. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No Subcontracting opportunities were identified; therefore, no goals were established.

The motion authorizing the execution of a contract was approved.

58. Approve negotiation and execution of a 12-month State Use Agreement with the TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED, Austin, Texas, for vegetation control in creeks and detention/water quality ponds, and for the hauling of excessive vegetation and debris from specified job site locations to an acceptable landfill in an amount not to exceed \$1,550,000. (Funding is included in the Fiscal Year 2002-2003 proposed Operating Budget of the Watershed Protection and Development Review Department.)

The motion authorizing the negotiation and execution of a State Use Agreement was approved.

Items 59 – 61 were pulled for discussion.

62. Approve a resolution authorizing Service Extension Request No. 2165 for wastewater utility service not to exceed a peak wet weather flow of 4 gallon per minute (gpm) for a tract of approximately 2.83 acres owned by David Hilsberg, located within the Drinking Water Protection Zone in the extraterritorial jurisdiction of Austin at D-K Ranch Road and T-Bar Trail. (Recommended by Water and Wastewater Commission)

Resolution No. 020808-62 was approved.

63. Appointments to Boards and Commissions.
The following appointments were made:

<u>Board/Appointee</u>	<u>Consensus/ Council Nominee</u>	<u>Appointment/ Reappointment</u>
Zoning and Platting Commission Jay A. Gohil	Mayor Garcia	Appointment
Parks and Recreation Board Rosemary Castleberry	Council Member Slusher	Reappointment

Item 64 was pulled for discussion.

65. Approve a resolution directing the City Manager to initiate the process for adopting an ordinance implementing truck lane restrictions on IH-35. (Mayor Gus Garcia and Council Members Daryl Slusher and Danny Thomas.)
Resolution No. 020808-65 was approved.
66. Approve a resolution directing the City Manager to consider the feasibility of locating the offices of Mexican Consulate in the Mexican American Cultural Center (MACC), which will be located at 600 River Street. (Council Member Raul Alvarez and Mayor Gus Garcia)
Resolution No. 020808-66 was approved.
67. Approve an ordinance waiving certain requirements and fees and approving the closure of certain streets under Chapter 15-11 of the City Code for the Travis County Sheriff's September 11 Parade to be co-sponsored by the City. (Mayor Gus Garcia, Council Member Will Wynn and Council Member Danny Thomas)
Ordinance No. 020808-67 was approved.
68. Set a public hearing to receive public comment on the proposed rate changes for the Water and Wastewater Utility as part of the 2002-2003 Proposed Budget. (Suggested Date and Time: August 22, 2002 at 6:00 p.m.)
The motion setting a public hearing was approved.
69. Set a public hearing to consider a proposed neighborhood plan for the Combined Southeast Neighborhood Planning Area, which includes the Franklin Park, McKinney, and Southeast Neighborhood Planning Areas (combined area is bounded by IH-35 to the west, Ben White to the north, Hwy 183 to the east, and to the south Burleson Rd., Smith School Rd, the McKinney Falls State Park property line, and Williamson Creek). (This plan is advisory and does not legally obligate the Council to implement any particular recommendation.) (Suggested Date and Time: September 26, 2002 at 4:00 P.M.)
The motion setting a public hearing was approved.

Items 70-72 were public hearings set for a time certain at 6:00 p.m.

Item 73 was an Executive Session item that was discussed earlier in the meeting.

74. Approve outside counsel for Cole & Powell, P.C. in *Elendu et al. v. City of Austin, et al.*, Cause No. A-02-CA-423-SS in the United States District Court for the Western District of Texas, Austin Division, in an amount not to exceed \$47,450. (Related to the death of Sophia King); (Funding is available in the 2001-2002 Amended Operating Budget of the Liability Reserve Fund.) (This item replaces Item #21)
The motion authorizing outside counsel was approved.

Items Z-1 – Z-9 were zoning items set for a time certain at 4:00 p.m.

Mayor Garcia recessed the Council Meeting at 2:48 p.m. to go into Executive Session.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

The Mayor announced item No. 64 would be discussed.

Executive Session ended at 3:16 p.m.

The Mayor called the Council Meeting back to order at 3:19 p.m.

DISCUSSION ITEMS

12. Approval of minutes from work session of July 31, 2002 and regular meeting of August 1, 2002. **The minutes from the work session of July 31, 2002 and regular meeting of August 1, 2002 were approved on Mayor Pro Tem Goodman's motion, Council Member Alvarez' second on a 4-0 vote. Council Members Dunkerley, Slusher and Wynn were off the dais.**

22. Approve negotiation and execution of an amendment to the contract with the Austin Revitalization Authority (ARA), for an extension of the contract for 12-months and an increase in the amount of the contract by an amount not to exceed \$275,000. Total contract amount will not exceed \$2,093,750, for ARA's operation expenses for the continued implementation of the East 11th and East 12th Street Redevelopment Program. (Funding in the amount of \$275,000 will be available in Fiscal Year 2002-2003 Neighborhood Housing and Community Development Office (NHCD) 28th Year Community Development Block Grant (CDBG), East 11th & 12th Streets Redevelopment Program.)
The motion authorizing the negotiation and execution of an amendment for a contract extension was approved with the following friendly amendment on Council Member Wynn's motion, Council Member Dunkerley's second on a 6-0 vote. Mayor Pro Tem Goodman was off the dais. The friendly amendment from Council Member Thomas was to extend the contract for 36 months, instead of 12. This was accepted by the maker of the motion and Council Member Dunkerley, who made the second.

23. Approve a resolution authorizing the negotiation and execution of a forgivable loan in an amount not to exceed \$600,000 to the Austin Revitalization Authority (ARA) for the purpose of providing a maximum of \$60,000 per unit for renovation costs for the historical houses in the Juniper Street Historical District Project Area. (Funding in the amount of \$600,000 is available in Neighborhood Housing and Community Development Office (NHCD) Community Development Block Grant (CDBG) program income to be generated by the Urban Renewal Agency and receipted to the City.)
Resolution No. 020808-23 authorizing the negotiation and execution of a forgivable loan was approved on Council Member Wynn's motion, Council Member Dunkerley's second on a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

24. Approve an ordinance accepting two historical houses transferred from the Urban Renewal Agency of the City of Austin (URA) and authorizing the relocation of three historical houses onto City-owned property on Juniper and Olive Streets and to transfer 15 parcels of land and improvements to the Austin Revitalization Authority for the development of low income and moderate income housing.
Ordinance No. 020808-24 was approved on Council Member Wynn's motion, Council Member Dunkerley's second on a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

59. Amend Ordinance No. 010910-02, the 2001-2002 Capital Budget by increasing appropriations to the Water and Wastewater Utility Department by \$345,500 and creating a new wastewater project known as "Marbridge Farms" for \$345,500. (Funding will be provided from the proceeds of debt

issuance when the annual obligation comes due in future budget years. (Recommended by Water and Wastewater Commission)

(Related Item Nos. 60 and 61)

Ordinance No. 020808-59 was approved on Council Member Dunkerley's motion, Council Member Slusher's second on a 6-0 vote. Council Member Wynn was off the dais.

60. Approve a resolution to declare official intent to reimburse construction costs in the amount of \$345,500 to be paid for developer reimbursements for the Marbridge Farms Wastewater project. (Funding for the Water and Wastewater Utility to be funded by the issuance of commercial paper.) (Recommended by Water and Wastewater Commission)
(Related Item Nos. 59 and 61)

Resolution No. 020808-60 was approved on Council Member Dunkerley's motion, Council Member Slusher's second on a 6-0 vote. Council Member Wynn was off the dais.

61. Approve an ordinance for negotiation and execution of a cost reimbursement agreement with Marbridge Foundation, Inc. a Texas non-profit corporation, providing terms and conditions for construction of a permanent wastewater lift station and appropriately sized wastewater force main and appurtenances to provide wastewater service to the Marbridge Foundation located at 2310 Bliss Spillar Road with City cost reimbursement in an amount not to exceed \$345,500.00, for 32.3% of the actual "hard" construction costs only; adopt an Ordinance waiving the requirements of Section 25-9-61, of the City Code relating to facilities eligible for cost reimbursement, the maximum cost reimbursement of a facility and for a wastewater facility that serves the Drinking Water Protection Zone; waiving the requirements of Section 25-9-63, of the City Code relating to amount of cost reimbursement; waiving the requirements of Section 25-9-67, of the City Code relating to cost reimbursement payments. (Funding is included in the 2001-2002 Amended Capital Budget of the Water and Wastewater Utility, see related item. Based on a conservative wastewater service level for the Marbridge Foundation, the 30-Year Financial Analysis of this City investment projects a positive 30-year net present value. (Recommended by Water and Wastewater Commission) (Related Item Nos. 59 and 60)

Resolution No. 020808-61A and Ordinance No. 020808-61B were approved on Council Member Dunkerley's motion, Council Member Slusher's second on a 6-0 vote. Council Member Wynn was off the dais.

27. C14-02-0056 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6403 Johnny Morris Road (Walnut Creek Watershed) from SF-3, Family Residence district, zoning to MH, Mobile Home Residence district, zoning with conditions. First Reading on July 11, 2002; Vote: 7-0. Conditions met as follows: No conditions were imposed by Council at first ordinance reading. Applicant: Lynx Property Services. Agent: Keith Whittington. City Staff: Glenn Rhoades, 974-2775.

Ordinance No. 020808-27 was approved on Council Member Slusher's motion, Council Member Thomas' second on a 6-0 vote. Council Member Wynn was off the dais. Staff was instructed to take the necessary steps to assure there would be no waiver of the requirement to build sidewalks in this development.

30. Approve execution of a construction contract with AUSTIN BRIDGE & ROAD, Austin, Texas, for street improvements on North Lamar Boulevard from West 45th Street to Guadalupe Street as part of the North Lamar Boulevard Reconstruction project, in the amount of \$799,023.92, plus \$79,902.39 contingency, for a total contract amount not to exceed \$878,926.31. (Funding is included in the 2001-2002 Capital Budget of the Public Works Department.) Lowest of six bids received. 7.43% MBE, 8.41% WBE subcontracting participation.

The motion to re-bid this project was approved on Council Member Thomas' motion, Mayor Pro Tem Goodman's second on a 6-0 vote. Council Member Wynn was off the dais.

64. Approve a resolution directing the City Manager to present to Council within 30 days, an ordinance proposal relating to pipeline issues. (Council Member Danny Thomas, Mayor Pro Tem Jackie Goodman and Council Member Raul Alvarez)
Resolution No. 020808-64 was approved with the following friendly amendment on Council Member Thomas' motion, Mayor Pro Tem Goodman's second on a 6-0 vote. Council Member Wynn was off the dais. Council Member Slusher's friendly amendment was to amend the resolution, page three, by adding number five to read, "Demonstration of the financial responsibility of the pipeline owners."

ZONING HEARINGS AND APPROVAL OF ORDINANCES/RESTRICTIVE COVENANTS

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and consent items were approved on Mayor Pro Tem Goodman's motion, Council Member Dunkerley's second on a 6-0 vote. Council Member Wynn was off the dais.

- Z-1. C814-88-0001 (RCA) - Conduct a public hearing and approve a restrictive covenant amendment for the property locally known as 2800 Waymaker Way (Lake Austin Watershed). Zoning and Platting Recommendation: To grant the restrictive covenant amendment with conditions. Applicant: Parmer Ridge Limited (John Lloyd). Agent: Armbrust, Brown and Davis (Kris Kasper) City Staff: Glenn Rhoades, 974-2775. (Continued from 5/23/02)
This item was postponed to September 26, 2002.
- Z-2. C14-02-0002 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9319 Anderson Mill Road (Lake Creek Watershed) from I-RR, Interim-Rural Residence district, zoning to GR-CO, Community Commercial Services-Conditional Overlay Combining district, zoning with conditions. Zoning and Platting Commission Recommendation: To grant GR-CO, Community Commercial Services-Conditional Overlay Combining district, zoning with conditions (Street deed). Applicant: Southwestern Bell (Tony Beasley). Agent: Vincent Gerard & Associates (Vince Huebinger). City Staff: Sherri Gager, 974-3057.
The first reading of this ordinance, for GR-CO, Community Commercial Services-Conditional Overlay Combining district zoning with conditions, was approved.
- Z-3. C14H-02-0007 - James Residence - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1114 West 11th Street (Shoal Creek Watershed) from MF-4, Multi-family Residence Moderate-High Density district, zoning to MF-4-H, Multi-family Residence Moderate-High Density-Historic Combining district, zoning. Planning Commission Recommendation: To grant MF-4-H, Multi-family Residence Moderate-High Density-Historic Combining district, zoning. Historic Landmark Commission Recommendation: To grant MF-4-H, Multi-family Residence Moderate-High Density-Historic Combining district, zoning. Applicant: Standish Meacham. City Staff: Barbara Stocklin, Transportation, Planning and Sustainability Department, 974-2414.
The first reading of this ordinance, for MF-4-H, Multi-Family Residence Moderate-High Density-Historic Combining district zoning, was approved.
- Z-4. C14-02-0073 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1600 Block of Teri Road (Williamson Creek Watershed) from MF-3, Multi-family Residence Medium Density district, zoning and MF-

3-CO, Multi-family Residence Medium Density-Conditional Overlay Combining district, zoning to GR, Community Commercial district, zoning. Planning Commission Recommendation: To grant GR-CO, Community Commercial-Conditional Overlay Combining district, zoning. Applicant and Property Owner: Teri Road Partners, Ltd. (Joyce Rinehart). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Walsh, 974-7719.

Ordinance No. 020808-Z-4, for GR-CO, Community Commercial-Conditional Overlay Combining district zoning, was approved.

- Z-5. C14-02-0076 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally know as 12008 & 12010 Pollyanna Avenue (Walnut Creek Watershed) from SF-1, Single Family Residence Large Lot district, zoning to SF-3, Family Residence district, zoning. Zoning and Platting Commission Recommendation: To grant SF-3-CO, Family Residence-Conditional Overlay Combining district, zoning with conditions. Applicant and Property Owner: Michael Byrne. Agent: Jim Bennett. City Staff: Annick Beaudet, 974-2975. Note: A valid petition has been filed in opposition to this rezoning request.

This item was postponed to August 29, 2002 at the applicant's request.

- Z-6. C14-02-0086 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2204 West Anderson Lane (Shoal Creek Watershed) from SF-3, Family Residence district, zoning to GR-MU, Community Commercial-Mixed Use Combining district, zoning. Zoning and Platting Commission Recommendation: To grant GR-MU, Community Commercial-Mixed Use Combining district, zoning. Applicant: Mohamed Ghulum. Agent: AIC Designers (Marco Catsneda). City Staff: Glenn Rhoades, 974-2775.

The first reading of this ordinance, for GR-MU, Community Commercial-Mixed Use Combining district zoning, was approved.

- Z-7. C14-02-0096 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5501 Spicewood Springs (Bull Creek Watershed) from AG, Agricultural district, zoning to CS, General Commercial Services district, zoning. Zoning and Platting Commission Recommendation: The Commission will consider this request at their August 6, 2002 meeting. Applicant: SBC Services, Inc. (Robert Chavez) Agent: Vincent Gerard and Associates (Vince Huebinger). City Staff: Glenn Rhoades, 974-2775.

This item was postponed indefinitely.

- Z-8. C14-02-0098 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally know as 8628 Thunderbird Road (Barton Creek Watershed) from GR, Community Commercial district, zoning to SF-3, Family Residence district, zoning. Zoning and Platting Commission Recommendation: To grant SF-2, Single Family Residence Standard Lot district, zoning. Property Owner: Betty Fay Wallace. Applicant: City of Austin. Agent: Neighborhood Planning & Zoning Department. City Staff: Annick Beaudet, 974-2975.

Ordinance No. 020808-Z-8, for SF-2, Single Family Residence Standard Lot district zoning, was approved.

- Z-9. C14-02-0100 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9222 West Parmer Lane (Lake Creek Watershed) from GR, Community Commercial district, zoning to CS-1-CO, Commercial-Liquor Sales-Conditional Overlay Combining district, zoning. Zoning and Platting Commission Recommendation: To grant CS-1-CO Commercial-Liquor Sales-Conditional Overlay Combining

district, zoning. Applicant: Davis Springs Properties, Ltd (Fred Eppright). Agent: Austin Permit Service, Inc. (Melissa Whaley). City Staff: Sherri Gager, 974-3057.

Ordinance No. 020808-Z-9, for CS-1-CO Commercial-Liquor Sales-Conditional Overlay Combining district zoning, was approved.

The Council Meeting was recessed at 4:05 p.m.

Mayor Garcia called the Council Meeting back to order at 6:24 p.m.

PUBLIC HEARINGS AND POSSIBLE ACTION

70. Conduct a public hearing for the full purpose annexation of the following annexation areas:
Avery Ranch Areas (Approximately 118 acres in Williamson County at the intersection of Avery Ranch Blvd and Parmer Ln and approximately 875 feet south of the intersection of Avery Ranch Blvd and Morgan Creek Drive).

The public hearing was closed on Council Member Slusher's motion, Mayor Pro Tem Goodman's second on a 5-0 vote. Council Members Thomas and Wynn were off the dais.

COA Walnut Creek Parks (Approximately 439 acres in Travis County along Walnut Creek north of the intersection of Criswell and Sprinkle Road; southeast of the intersection of US 290 East and Ferguson Cutoff; and southeast of the intersection of Ferguson Cutoff and Old Manor Road).

The public hearing was closed on Mayor Pro Tem Goodman's motion, Council Member Alvarez' second on a 5-0 vote. Council Members Thomas and Wynn were off the dais.

McKinney Park East (Approximately 52 acres in Travis County approximately 425 feet south of the intersection of Winter Haven Road and Alum Rock Drive).

The public hearing was closed on Council Member Slusher's motion, Mayor Garcia's second on a 5-0 vote. Council Members Thomas and Wynn were off the dais.

Cameron Business Park (Approximately 5 acres in Travis County east of Dessau Road approximately three tenths of a mile north of the intersection of Dessau Road and Rundberg Lane). (Financial data will be submitted with the annexation RCA.)

The public hearing was closed on Council Member Alvarez' motion, Mayor Garcia's second on a 6-1 vote. Council Member Wynn was off the dais.

71. Conduct a public hearing to approve continuation Chapter 10-7 of the Municipal Code concerning day and night time curfews for juveniles.

The public hearing was closed and Chapter 10-7 continued on Council Member Slusher's motion, Council Member Alvarez' second on a 7-0 vote.

72. Conduct a public hearing to receive public comment on the City of Austin proposed budget for Fiscal Year 2002-2003 with respect to the following departments: Fire, EMS, Police, Municipal Court, Aviation, Convention Center and Solid Waste Services.

The presentation was made by John Stephens, Acting City Manager, Bob Hodge, Convention Center Director, and Willie Rhodes, Solid Waste Services Director.

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

The motion to adjourn the meeting at 7:27 p.m. was approved on Council Member Thomas' motion, Council Member Slusher's second on a 7-0 vote.

The minutes from the work session of August 7, 2002 and regular meeting of August 8, 2002 were approved on Council Member Thomas' motion, Council Member Wynn's second on a 7-0 vote.