



**Austin City Council  
MINUTES**

**REGULAR MEETING  
THURSDAY, AUGUST 29, 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 29, 2002 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

**Invocation:** Rev. Paul McCallum, St. Paul's Catholic Church

**Mayor Garcia called the Council Meeting to order at 10:15 a.m.**

**Budget Briefing**

1. Community Services: Parks, Library, Health, Primary Care and Housing.  
The presentation by the Parks, Library and Health Departments were made at the Council Work Session on Wednesday, August 28, 2002. The remaining budget presentations were made by: Michael McDonald, Assistant City Manager; Trish Young, Director, Community Care Division (formerly Primary Care Division); and Paul Hilgers, Director, Neighborhood Housing.

**Briefing**

2. Briefing from the City of Austin/Lower Colorado River Authority Water Supply Impact Committee.  
The presentation was made by: Dr. David Eaton, Member, City of Austin/Lower Colorado River Authority Water Supply Impact Committee.
3. Briefing on alternative purchasing and construction procurement methods (SB 510).  
The presentation was made by: Joe Canales, Deputy City Manager; Lino Mendiola, III, Attorney at Law, Andrews & Kurth; Fred Evins, Project Manager, Public Works Department; and Peter Rieck, Director, Public Works Department.

**Mayor Garcia recessed the Council Meeting at 12:35 p.m. to go into Executive Session**

**EXECUTIVE SESSION**

**Items 4 and 5 were discussed during an Executive Session later in the meeting.**

6. Discuss acquisition of land for Greenway and Destination Parks (November 1998 Bond Election).
7. Discuss fee simple and easement acquisition for the Brodie/Slaughter Lane Traffic System Management (TSM) Project. **This item was not discussed in Executive Session.**

**Executive Session ended and Mayor Garcia called the Council Meeting back to order at 1:53 p.m.**

**CITIZEN COMMUNICATIONS: GENERAL**

8. Mike Quirk - Concern about off-leash dogs in west Austin Park. **ABSENT.**
9. May Schmidt - West Austin Park- concerns about off leash dogs
10. Jimmy Castro - City Budget
11. Gus Pena - 1) To discuss the city's budget and the hardship (negative) implication on the taxpayers, youth and senior citizens, poor have-nots and disenfranchised. 2) To continue the push for affordable housing, transitional housing for homeless families and low-income housing. Social Equality for the poor and have-nots. 4) Improve services at Brackenridge Hospital
12. Mary M. Arnold - Report of City of Austin/LCRA Water Impact Committee. **ABSENT.**
13. Jennifer L. Gale - Austin announcement of Intent to run for Governor of the State of Texas as the 183<sup>rd</sup> Legislator.
14. Richard Troxell - Homeless Issues. **ABSENT.**
15. Paul Robbins - Open
16. Jennifer O'Donnell - Cultural Contracts. **ABSENT.**
  
28. Approve the negotiation and execution of an amendment to the 2001-2002 contract with the Austin Housing Finance Corporation (AHFC) by increasing the contract in an amount not to exceed \$1,000,000 of CDBG funds, for a total contract amount not to exceed \$14,149,319. (Funds are available from CDBG reprogramming of \$1,000,000 from Public Facilities to Acquisition and Development.) (The Council approved the AHFC contract on September 1, 2001 and amended the contract on July 11, 2002.) (Related Item No. AHFC-2)  
**The motion authorizing the negotiation and execution of an amendment to the 2001-2002 contract with AHFC was approved on Council Member Thomas' motion, Mayor Pro Tem Goodman's second on a 7-0 vote.**

**Mayor Garcia recessed the Council Meeting at 2:18 p.m. to go into the Board of Director's Meeting of the Austin Housing Finance Corporation (AHFC). See separate minutes for action taken in the AHFC meeting.**

**Mayor Garcia called the Council Meeting back to order at 2:22 p.m.**

**BOND SALES**

18. Approve an ordinance for the issuance of \$99,615,000 City of Austin, Texas, Public Improvement Bonds, Series 2002, and all related documents. (Funding in the amount of \$5,717,117 is in the first year debt service requirement and \$600 estimated annual administration fee for the paying agent/registrar for the proposed bond sale is included in the 2002-2003 Proposed Operating Budget of the General Obligation Debt Service Fund. (Reviewed by Audit and Finance Committee)  
**Ordinance No. 020829-18 was approved on Council Member Slusher's motion, Council Member Wynn's second on a 6-0. Mayor Pro Tem Goodman was off the dais.**
19. Approve an ordinance for the issuance of \$34,095,000 City of Austin, Texas, Certificates of Obligation, Series 2002, and all related documents. (Funding in the amount of \$2,825,517 is in

the first year debt service requirement and \$600 estimated annual administration fee for the paying agent/registrar for the proposed Certificate of Obligation sale is included in the 2002-2003 Proposed Operating Budget of the General Obligation Debt Service Fund. (Reviewed by Audit and Finance Committee)

**Ordinance No. 020829-19 was approved on a Council Member Thomas' motion, Council Member Dunkerley's second on a 6-0 vote. Mayor Pro Tem Goodman was off the dais.**

20. Approve an ordinance for the issuance of \$8,690,000 City of Austin, Public Property Finance Contractual Obligations, Series 2002, and all related documents. (Funding in the amount of \$677,250 is in the first year debt service requirement and \$600 estimated annual administration fee for the paying agent/registrar for the proposed Certificate of Obligation sale is included in the 2002-2003 Proposed Operating Budget of the General Obligation Debt Service Fund. (Reviewed by Audit and Finance Committee)

**Ordinance No. 020829-20 was approved on Council Member Dunkerley's motion, Council Member Alvarez' second on a 6-0 vote. Mayor Pro Tem Goodman was off the dais.**

### 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 Alvarez' motion, Council Member Dunkerley's second on a 7-0 vote.**

17. Approval of minutes from work session of August 21, 2002 and regular meeting of August 22, 2002.  
**The minutes from the work session of August 21, 2002 and regular meeting of August 22, 2002 were approved.**

**Items 18 – 20 were approved earlier in the meeting.**

21. Approve a resolution authorizing the City Manager, or designee, to negotiate and execute all documents related to acquiring approximately 192 acres in fee simple located on Johnny Morris Road from Industrial Group (B.L. Bradford) in an amount not to exceed \$5,100,000. Funded by Greenway and Destination Park Bond funds (November, 1998).  
**Resolution No. 020829-21 was approved.**
22. Approve a resolution authorizing the City Manager, or designee, to negotiate and execute all documents related to acquiring a lot and structure in fee simple located on Cedarbrook Court from Joe Zeinner and Morgan Krull in an amount not to exceed \$183,240. Funded by the Greenway and Destination Park Bond funds (November, 1998).  
**Resolution No. 020829-22 was approved.**
23. Approve a resolution authorizing the City Manager, or designee, to negotiate and execute fee simple and easement acquisition for the Brodie/Slaughter Lane Traffic System Management (TSM) Project.  
**This item was postponed indefinitely.**

**Item 24 was pulled for consideration after Executive Session.**

25. Approve a resolution authorizing the City Manager or her designee to negotiate and execute an Interlocal Agreement for Operations and Maintenance of the Combined Emergency Communications and Transportation Facility and Supported Systems between the City of Austin,

Travis County, the Texas Department of Transportation, and the Capital Metropolitan Transportation Authority. (Funding in the amount of \$404,453 has been included in the proposed fiscal year 2002-2003 operating budget of the Finance and Administrative Services Department. Funding for future periods is contingent upon appropriation in future periods)

**Resolution No. 020829-25 was approved.**

26. Approve a resolution for the negotiation and execution of Amendment No. 1 to the Combined Emergency Communications and Transportation Center Lease Agreement between the City of Austin, Travis County, the Texas Department of Transportation, and the Capital Metropolitan Transportation Authority.

**Resolution No. 020829-26 was approved.**

27. Approve execution of 13-month contracts with two (2) agencies for HIV services under the US HUD Housing Opportunities for Persons with AIDS (HOPWA) grant for HIV-related housing services: Push-Up Foundations, Inc. in an amount not to exceed \$77,143, and The Abundant Life Network in an amount not to exceed \$74,818. [Funding in the amount of \$323,039 is available in the fiscal year 2002 Approved Operating Budget of the Health and Human Services Department (HHSD) Special Revenue Fund Housing Opportunities for Persons with AIDS (HOPWA)-HUD grant program. Grant period is October 1, 2001 to September 30, 2004. Contract performance period is September 1, 2002 through September 30, 2003.] (Recommended by HIV Planning Council)

**The motion authorizing the execution of contracts for HIV services was approved.**

**Item 28 was approved earlier in the meeting.**

29. 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 West 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-CO, Townhouse and Condominium Residence-Conditional Overlay Combining 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 and restrictive covenant incorporates the conditions imposed or accepted by Council. Applicant: Saginaw Partners, Ltd. (Lan Bentsen). Agent: Admiral Construction, Inc. (David Young); Jim Bennett. City Staff: Wendy Walsh, 974-7719. (Continued from 8/22/02)

**Ordinance No. 020829-29 was approved. Council Member Slusher abstained.**

30. C14-02-0028 – Approve second readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4604 - 4610 Teri Road (Williamson Creek Watershed) from LO, Limited Office district, zoning to LR-CO, Neighborhood Commercial-Conditional Overlay Combining district, zoning. First Reading on July 11, 2002; Vote: 7-0. Conditions met as follows: Conditional overlay incorporates the conditions imposed by Council at first ordinance reading. Applicant: Morelia Group, Inc. (Octavio Rosales). Agent: Land Answers (Jim Wittliff). City Staff: Wendy Walsh, 974-7719. (Continued from 8/22/02)

**The second reading of the ordinance was approved. Mayor Pro Tem Goodman voted No.**

31. C14-02-0035 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 3226 West Slaughter Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district, zoning to MF-4-CO, Multi-family Residence Moderate-High Density-Conditional Overlay Combining district, zoning with

conditions. First Reading on July 11, 2002; Vote: 7-0. Conditions met as follows: Conditional overlay and restrictive covenant incorporates the conditions imposed or accepted by Council at first ordinance reading. Applicants and Property Owners: John M. and Joyce W. Harmon. Agent: Graves, Dougherty, Hearon & Moody, P.C. (David Hartman). City Staff: Wendy Walsh, 974-7719. (Continued from 8/22/02)

**This item was postponed to September 26, 2002 at Council's request.**

**Item 32 was pulled for discussion.**

33. C14-02-0002 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 9319 Anderson Mill Road (Lake Creek Watershed) from I-RR, Interim-Rural Residence district, zoning to GR-CO, Community Commercial-Conditional Overlay Combining district, zoning with conditions. First reading on August 8, 2002; Vote: 6-0, Wynn off the dais. Conditions met as follows: Conditional overlay incorporates the conditions imposed by Council at first ordinance reading. Applicant: Southwestern Bell (Tony Beasley). Agent: Vincent Gerard & Associates (Vince Huebinger). City Staff: Sherri Gager, 974-3057.  
**Ordinance No. 020829-33 was approved.**
34. C14-02-0045 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4404 West William Cannon Dive (Williamson Creek Watershed) from GR-CO, Community Commercial-Conditional Overlay Combining district, zoning to CS-1-CO, Commercial-Liquor Sales-Conditional Overlay Combining district, zoning for Tract 1; from CS-1-CO, Commercial-Liquor Sales-Conditional Overlay Combining district, zoning to GR-CO, Community Commercial-Conditional Overlay Combining district, zoning for Tracts 2; and from GR-CO, Community Commercial-Conditional Overlay Combining district, zoning to GR-CO, Community Commercial-Conditional Overlay Combining district, zoning for Tract 3. First Reading on July 11, 2002; Vote: 7-0. Conditions met as follows: Conditional overlay incorporates the conditions approved by Council at first reading. Applicant and Property Owner: William Cannon/Brushy Country, L.P. (Louis R. Williams). Agent: Richard L. Crank, ASLA. City Staff: Wendy Walsh, 974-7719.  
**Ordinance No. 020829-34 was approved with an amendment prohibiting a cocktail lounge as a conditional use.**
35. C14-02-0064 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 2504 Lark Glen Lane (Bear Creek Watershed) from I-RR, Interim-Rural Residence district, zoning to SF-2, Single Family Residence-Standard Lot district, zoning. First Reading on August 1, 2002; Vote: 7-0. Conditions met as follows: No conditions were imposed by Council at first reading. Applicant and Property Owners: Vincent Shelby and Michelle E. Stanfield. City Staff: Wendy Walsh, 974-7719.  
**Ordinance No. 020829-35 was approved.**
36. C14-02-0069 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7612 Cooper Lane (South Boggy Creek Watershed) from DR, Development Reserve district, zoning to NO-MU-CO, Neighborhood Office-Mixed Use-Conditional Overlay Combining district, zoning. First Reading on August 1, 2002; Vote: 7-0. Conditions met as follows: Conditional overlay incorporates the conditions approved by Council at first ordinance reading. Applicant and Property Owner: New Life Assembly of God, Inc. (Tim Lord). Agent: Vincent Gerard & Associates (Vincent G. Huebinger). City Staff: Wendy Walsh, 974-7719.  
**Ordinance No. 020829-36 was approved.**

37. C14-02-0080 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 516 East Slaughter Lane (Onion Creek Watershed) from I-RR, Interim-Rural Residence district, zoning to MF-2, Multi-family Residence-Low density district, zoning. First Reading on August 1, 2002; Vote: 7-0. Conditions met as follows: No conditions were imposed by Council at first reading. Applicant and Property Owner: South Austin Land Venture, Ltd. (Michael D. Atlas). Agent: The Faust Group (Bill Faust). City Staff: Wendy Walsh, 974-7719.  
**Ordinance No. 020829-37 was approved.**
38. C814-01-0113 - Grand Oaks P.U.D. - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the northwest corner of Manchaca Road and Davis Lane (South Boggy Creek Watershed) from RR-CO, Rural Residence-Conditional Overlay Combining district, zoning and SF-2-CO, Single Family Residence Standard Lot-Conditional Overlay Combining district, zoning to P.U.D., Planned Unit Development district, zoning. First Reading on June 27, 2002; Vote: 7-0. Conditions met as follows: No conditions were imposed by Council at first ordinance reading. Applicant and Property Owner: Continental Homes, L.P. (Sharon Campbell). Agent: K.C. Engineering, Inc. (Steve Jamison, P.E.). City Staff: Wendy Walsh, 974-7719.  
**Ordinance No. 020829-38 was approved as amended by Council Member Slusher. The friendly amendment was, "When the subdivision plat is submitted, the Fire Department will review and have final approval on all development within 400 feet of the pipeline in this area." This was accepted by the maker of the motion and Council Member Dunkerley, who seconded the motion.**

**Item 39 was pulled for discussion.**

40. Approve an increase in the overall authorization to the existing professional service agreements with the following twenty-seven firms: CARTER & BURGESS, INC., Austin, Texas; MARTINEZ, WRIGHT & MENDEZ, INC. (MBE/MH, 85.5%), Austin, Texas; RAYMOND CHAN & ASSOCIATES, INC. (MBE/MA, 58.3%), Austin, Texas; DANNENBAUM ENGINEERING CORPORATION, Austin, Texas; BINKLEY & BARFIELD, INC., Austin, Texas; ROY F. WESTON, INC., Austin, Texas; THE ARIZPE GROUP, INC. (MBE/MH, 100%), Austin, Texas; JOSE I. GUERRA, INC. (MBE/MH, 97.9%), Austin, Texas; GARRETT/ASSOCIATES ENGINEERING, INC., Austin, Texas; DAVCAR ENGINEERING SERVICES (MBE/MH, 100%), Austin, Texas; JASTER-QUINTANILLA & ASSOCIATES, INC. (MBE/MH, 100%), Austin, Texas; BAKER-AICKLEN & ASSOCIATES, INC., Austin, Texas; BLACK & VEATCH CORPORATION, Austin, Texas; FREESE & NICHOLS, INC., Austin, Texas; KURKJIAN ENGINEERING CORPORATION (WBE/FH, 100%), Austin, Texas; ALAN PLUMMER ASSOCIATES, INC., Austin, Texas; ASSOCIATED CONSULTING ENGINEERS, INC., Austin, Texas; MALCOLM PIRNIE, INC., Austin, Texas; PARSONS ENGINEERING SCIENCE, INC., Austin, Texas; BROWN & CALDWELL, Austin, Texas; THONHOFF CONSULTING ENGINEERS, INC., Austin, Texas; ESPEY, PADDEN CONSULTANTS, INC., Austin, Texas; LOCKWOOD, ANDREWS & NEWNAM, INC., Austin, Texas; THE WALLACE GROUP, INC., Austin, Texas; PBS&J, Austin, Texas; LOC CONSULTANTS (MBE/MH, 100%), Austin, Texas; and HVJ ASSOCIATES, INC. (formerly known as Maxim Technologies, Inc.), Austin, Texas; for general civil engineering services, in an amount not to exceed \$1,600,000, for a contract total amount not to exceed \$9,100,000. (Funding for these services is available in the Capital budgets and/or operating budgets of the various departments for which services are needed. Approximately \$864,000 of this funding is for proposed Water and Wastewater Utility Department projects and the remaining \$736,000 is for

other departments.) CARTER & BURGESS, INC., 27.4% MBE, 13.4% WBE; MARTINEZ, WRIGHT & MENDEZ, INC., 5.4% MBE, 9.1% WBE; RAYMOND CHAN & ASSOCIATES, INC., 35.1% MBE 6.6% WBE; DANNENBAUM ENGINEERING CORPORATION, 4.7% MBE, 10.6% WBE; BINKLEY & BARFIELD, INC., 40.9% MBE, 0% WBE; ROY F. WESTON, INC., 23.7% MBE, 1.3% WBE; THE ARIZPE GROUP, INC., 0% MBE, 0% WBE; JOSE I. GUERRA, INC., 0% MBE, 2.1% WBE; GARRETT/ASSOCIATES ENGINEERING, INC., 0% MBE, 0% WBE; DAVCAR ENGINEERING SERVICES, 0% MBE, 0% WBE; JASTER-QUINTANILLA & ASSOCIATES, INC., 0% MBE, 0% WBE; BAKER-AICKLEN & ASSOCIATES, INC., 16.7% MBE, 30.7% WBE; BLACK & VEATCH CORPORATION, 7.2% MBE, 2.9% WBE; FREESE & NICHOLS, INC., 0% MBE, 0% WBE; KURKJIAN ENGINEERING CORPORATION, 0% MBE, 0% WBE; ALAN PLUMMER ASSOCIATES, INC., 29.2% MBE, 16.3% WBE; ASSOCIATED CONSULTING ENGINEERS, INC., 16.6% MBE, 9% WBE; MALCOLM PIRNIE, INC., 8% MBE, 0% WBE; PARSONS ENGINEERING SCIENCE, INC., 0% MBE, 1.6% WBE; BROWN & CALDWELL, 0% MBE, 0% WBE; THONHOFF CONSULTING ENGINEERS, INC., 6.3% MBE, 6.7% WBE; ESPEY, PADDEN CONSULTANTS, INC., 0% MBE, 29.7% WBE; LOCKWOOD, ANDREWS & NEWNAM, INC., 0% MBE, 0% WBE; THE WALLACE GROUP, INC., 0% MBE, 0% WBE; PBS&J, LOC CONSULTANTS, 7.3% MBE, 0% WBE; HVJ ASSOCIATES, INC. (formerly known as Maxim Technologies, Inc.), 37% MBE, .6% WBE subconsultant participation. (Recommended by Water Wastewater Commission)

**The motion authorizing an increase in the overall authorization to existing professional service agreements was approved.**

41. Approve execution of a construction contract with AARON CONCRETE CONTRACTORS, INC. (MBE/MH, 41.83%), Austin, Texas, for Loyola Lane Phase II street reconstruction and drainage improvements, from the Austin Area Terminal Railroad to Decker Lane, in the amount of \$5,911,336.90, plus \$295,566.84 contingency, for a total contract amount not to exceed \$6,206,903.74. (Funding in the amount of \$5,667,903.74 is included in the 2001-2002 Amended Capital Budget of the Transportation, Planning & Sustainability Department; \$539,000 is included in the 2001-2002 Amended Capital Budget of the Water and Wastewater Utility.) Second lowest of seven bids received. 17.21% MBE, 37.97% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

**The motion authorizing the execution of a construction contract was approved.**

42. Approve execution of a construction contract with AUSTIN FILTER SYSTEMS, INC., Austin, Texas, for demolition and reconstruction of two existing box culvert bridges, (Manor Road and Westminster Drive) for the Fort Branch Bridge and Channel Improvements Project, in the amount of \$2,656,499.05, and a contingency in the amount of \$265,649.91, for a total contract amount not to exceed \$2,922,148.96. (Funding in the amount of \$2,338,479.95 is included in the 1999-2000 Amended Capital Budget of the Watershed Protection & Development Review Department; \$583,669.01 is available in the 2001-2002 Amended Capital Budget of the Water & Wastewater Utility.) Lowest bid of six bids received. 21.95% MBE, 6.59% WBE subcontracting participation.

**The motion authorizing the execution of a construction contract was approved.**

43. Approve execution of a construction contract with FM KING, LTD, Horseshoe Bay, Texas, for water line improvements in the Oak Hill area, for the Fenton Drive Water Transmission Main Project, in the amount of \$1,547,899.66 and \$77,395 contingency, for a total contract amount not to exceed \$1,625,294.66. (Funding in the amount of \$1,625,294.66 is available in the 2000-2001 Amended Capital Budget of the Water & Wastewater Utility.) Lowest of five responsive bids

received. 5.89% MBE, 2.64% WBE subcontracting participation. (Recommended by Water Wastewater Commission)

**This item was postponed indefinitely.**

44. Approve execution of a contract with ENTECH SALES AND SERVICE, INC., Austin, Texas, for the purchase and installation of digital video recording devices, cameras, proximity card readers, and a workstation for the facility security system of the Austin Police Department in the amount of \$173,469. (Funding was included in the Amended 2001-2002 Operating Budget of the Austin Police Department.) This contract will be awarded in accordance with the 1996 M/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established for this purchase.

**The motion authorizing the execution of a contract was approved.**

45. Approve execution of a contract with MOBILITY INC., Atlanta Georgia, to provide a Field Services Automation System for the Electric Utility Department in an amount not to exceed \$898,732 with options to purchase maintenance for two additional years for \$52,000 per year, for a total contract amount not to exceed \$1,002,732. (Funding in the amount of \$898,732 is available in the 2001-2002 Amended Capital Budget of Electric Utility Department. The maintenance options are contingent upon available funding in future budgets.) Best proposal of eight 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 execution of a contract was approved.**

46. Approve negotiation and execution of a 5-year contract with Zurich North America Insurance Company, Chicago, IL, for the purchase of workers' compensation, general liability and excess liability coverage in an amount not to exceed \$6,782,758. This contract provides a package of insurance coverage for all tiers of contractors working on CIP projects participating in the Rolling Owner Controlled Insurance Program (ROCIP). (Funding is included in the various Capital Budgets of Water and Wastewater, Parks and Recreation, Public Works, and Library Departments. Funding will be contingent upon available funding of future CIP budgets.) Best and lowest price proposal of 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.**

47. Approve an ordinance to annex the Avery Ranch Areas for full purposes (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). (Funding necessary to provide general governmental services to this tract is available in the budgets of the department which will be providing the services.)

**Ordinance No. 020829-47 was approved.**

48. Approve an ordinance to annex the COA Walnut Creek Park Areas (Approximately 437 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). (Funding necessary to provide general governmental services to this tract is available in the budgets of the department which will be providing the services.)

**Ordinance No. 020829-48 was approved.**



49. Approve an ordinance to annex the McKinney Park East Area (Approximately 52 acres in Travis County approximately 425 feet south of the intersection of Winter Haven Road and Alum Rock Drive). (Funding necessary to provide general governmental services to this tract is available in the budgets of the department which will be providing the services.)  
**Ordinance No. 020829-49 was approved.**
50. Approve an ordinance to annex the Cameron Road 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). (Funding necessary to provide general governmental services to this tract is available in the budgets of the department which will be providing the services.)  
**Ordinance No. 020829-50 was approved.**
51. Approve an ordinance amending Section 16-4-15 of the City Code by adding Braker Lane from 85 feet east of Tedford Street to 32 feet east of Indianhead Drive to the list of streets having a maximum speed limit of 20 miles per hour during certain times.  
**Ordinance No. 02082951-51 was approved.**
52. Approve an ordinance amending Sections 16-4-32 of the City Code by adding Braker Lane, from North Lamar Boulevard to the IH-35 Service Road Northbound, to the list of streets having a maximum speed limit of 35 miles per hour.  
**Ordinance No. 020829-52 was approved.**
53. Approve an ordinance amending Section 16-4-33 - Speed Limits, of the City Code by adding Rutherford Lane from Furness Drive to Cameron Road to the list of streets having a maximum speed limit of 40 miles per hour.  
**Ordinance No. 020829-53 was approved.**
54. Approve an ordinance amending Chapter 15-2: Occupancy of Streets for Purposes other than Construction by: (1) changing the deadline for filing for a temporary street closure from 24 hours prior to the event to 7 days prior to the event, (2) changing the chapter title, and (3) rewording the chapter for purposes of clarification.  
**Ordinance No. 020829-54 was approved.**
55. Approve a resolution authorizing the City Manager to negotiate and execute an agreement to purchase the Thoroughbred Farms wastewater treatment facilities and appurtenances that provide wastewater utility service to customers in the Thoroughbred Farms subdivision area in southeast Travis County adjacent to FM 973. (The amount of \$10 is available in the 2001-2002 Amended Capital Budget.)  
**Resolution No. 020829-55 was approved.**
56. Approve an ordinance amending ordinance 010910-01, the 2001-2002 Operating Budget of the Watershed Protection and Development Review Department, by appropriating \$193,588 in the Barton Springs Conservation Fund Special Revenue Fund to fund an agreement with the Austin Community Foundation (ACF) and the US Fish and Wildlife Service for ACF to manage the fund to accomplish the purposes specified in the City's 10(a) permit for Operation and Maintenance of Barton Springs Pool under the Endangered Species Act. (Funding is available in the Barton Springs Conservation Fund.) (Related Item No.57)  
**Ordinance No. 020829-56 was approved.**

- 57. Approve a resolution authorizing the City Manager to negotiate and execute a contract with the Austin Community Foundation (ACF) and the US Fish and Wildlife Service for ACF to manage the Barton Springs Conservation Fund according to the requirements of the City's permit for operation and maintenance of Barton Springs Pool under the Endangered Species Act in a current amount of \$193,588. (Funding is available in the Barton Springs Conservation Fund.) (Related Item No.56)

**Resolution No. 020829-57 was approved.**

**Item 58 was pulled for discussion.**

- 59. Authorize the City Manager to assist the Austin Association of Professional Firefighters in dedicating a Firefighters Memorial statue site. (Council Member Will Wynn)

**Resolution No. 020829-59 was approved.**

- 60. Approve a resolution authorizing the negotiation and execution of an amendment to the existing Interlocal Agreement with CAPCO to increase funding of the Central Texas Regional Visioning Project in an amount not to exceed \$500,000. [Funding in the amount of \$500,000 is available through an interlocal agreement with Capital Metropolitan Transportation Authority (1/4 cent of each cent collected within the City's jurisdiction).] (Council Member Will Wynn)

**This item was postponed to September 26, 2002.**

- 61. Approve a resolution to appoint Council Member Daryl Slusher as the Austin City Council representative to begin discussions with neighboring jurisdictions on regional planning to protect Edwards Aquifer. (Mayor Gus Garcia, Mayor Pro-Tem Jackie Goodman, and Council Member Daryl Slusher)

**Resolution No. 020829-61 was approved.**

- 62. Set a public hearing to consider a proposed neighborhood plan for East MLK Combined Planning Area including MLK, MLK-183, and Pecan Springs/Springdale Neighborhood Planning Areas. The Combined Planning Area boundaries are: Airport Blvd. on the west, Manor Rd and Loyola Ln. on the north, former MO-KAN Railroad right-of-way on the east, and the Austin & NW Railroad on the south. (This plan is advisory and does not legally obligate the Council to implement any particular recommendation.) (Suggested Date and Time: October 10, 2002, 4:00 P.M.)

**The motion setting the public hearing was approved.**

**Z-1 to Z-5 were zoning items.**

**Item 63 was a neighborhood plan schedule for discussion after the zoning items.**

**Items 64 to 67 were public hearings and an action item set for 6:00 p.m.**

- 68. Board/Commission Appointments  
**The following appointments were made:**

<u>Board/ Appointee</u>	<u>Consensus/ Council Nominee</u>	<u>Appointment/ Reappointment</u>
<b>Mayor's Committee for People with Disabilities</b> William King Brown	Mayor Garcia's	Appointment

**Parks and Recreation Board**

Marilyn Bostick  
Appointment

Council Member Thomas'

**Urban Transportation Commission**

Cristen D. Feldman

Council member Wynn's

Appointment

**Zoning and Platting Commission**

Stacy Dukes Rhone

Council Member Thomas'

Appointment

DISCUSSION ITEMS

32. C14-01-0134 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9530 U.S. Highway 290 East (Walnut Creek Watershed) from DR, Development Reserve district, zoning to CS-CO, General Commercial Services-Conditional Overlay Combining district, zoning. First reading on April 25, 2002; Vote: 7-0. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council at first ordinance reading. Applicant: Humberto Suarez. Agent: AIC Designers (Marco Castaneda). City Staff: Annick Beaudet, 974-2975.

**The motion to approve the Planning Commission's recommendation was made by Council Member Wynn and seconded by Council Member Thomas.**

**The substitute motion to send this to the Zoning and Platting Commission to reconsider their recommendation for restricted uses in light of the new information concerning traffic accidents in the area was approved on Council Member Slusher's motion, Mayor Garcia's second by a 7-0 vote.**

39. Approve a procurement process for the construction contract for the completion of the New City Hall and Public Plaza Project. (Cost impact varies depending on which method is selected. Cost information is being developed and will be discussed during presentation.) (MBE/WBE Subcommittee recommended evaluation matrix; Advisory Committee on Minority and Women-owned Businesses 08/26/02; Council M/WBE Subcommittee 08/27/02).

**The resolution authorizing the construction manager at risk procurement process for the completion of the new City Hall and Public Plaza project, with the specific directions provided in the resolution, was approved on Council Member Thomas' motion, Council Member Alvarez' second on a 5-2 vote. Council Members Slusher and Wynn voted No.**

**Resolution No. 020829-39 was approved.**

ZONING HEARINGS/APPROVAL - 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 Wynn's second on a 7-0 vote.**

- Z-1. C14H-02-0009 – Austin Municipal Building (City Hall) – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 124 (a.k.a. 120) West 8th Street (Town Lake Watershed) from CBD, Central Business District, zoning to CBD-H, Central Business District-Historic Combining district, zoning. Historic Landmark Commission Recommendation: To grant CBD-H, Central Business District-Historic Combining district, zoning. Zoning and Platting Commission Recommendation: To

grant CBD-H, Central Business District-Historic Combining district, zoning. Applicant: City of Austin (Historic Landmark Commission). Property Owner: City of Austin. Agent: Transportation, Planning and Sustainability Department. City Staff: Barbara Stocklin, 974-2414. **Ordinance No. 020829-Z-1, for CBD-H, Central Business District-Historic Combining District zoning, was approved.**

- Z-2. C14-02-0020 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning the property locally known as 9414-9416 Anderson Mill Road (Lake Creek Watershed) from I-RR, Interim-Rural Residence District, zoning to LR-CO, Neighborhood Commercial-Conditional Overlay Combining district, zoning. Zoning and Platting Commission Recommendation: To grant LR-CO, Neighborhood Commercial-Conditional Overlay Combining district, zoning, with conditions. Applicant: Myrtle Lentz Estate (Wallace Lentz). Agent: Terry Monahan. City Staff: Sherri Gager, 974-3057.

**The first reading of the ordinance for LR-CO, Neighborhood Commercial-Conditional Overlay Combining District zoning, was approved with the following conditions: 1) eliminate from the conditional uses -- family and group homes, i.e., congregate living, guidance services and residential treatment; 2) add to the list of prohibited uses -- fast food and drive-in restaurants; and 3) delete the right-of-way dedication requirement.**

- Z-3. C14-02-0071SH – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning the property locally known as 1190-1192 Navasota Street (Waller Creek) from SF-3-NP, Family Residence-Neighborhood Plan Combining District, zoning to CS-MU-CO-NP, General Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan Combining District, zoning. Planning Commission Recommendation: To grant CS-MU-CO-NP, General Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan Combining District, zoning. Applicant: City of Austin (Neighborhood Housing and Community Development). Agent: Urban Design (Laura Toups). City Staff: Annick Beaudet, 974-2975.

**This item was postponed to September 26, 2002 at the request of staff.**

**Item Z-4 was pulled for discussion.**

- Z-5. C14-02-0099 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Big View Drive (Lake Austin Watershed) from LA, Lake Austin district, zoning to P, Public district, zoning. Zoning and Platting Commission: To grant P, Public district zoning. Applicant: River Place Municipal Utility District (Arthur Jistel). Agent: Richardson Verdoorn (Barbara Austin). City Staff: Glen Rhoades, 974-2775.

**Ordinance No. 020829-Z-5 for P, Public District zoning, was approved.**

#### ZONING DISCUSSION ITEMS

- Z-4. 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. (Continued from 8/8/02)

The motion to close the public hearing was approved on Council Member Slusher's motion, Mayor Garcia's second on a 7-0 vote.

The motion to accept the staff's recommendation denying the zoning requested by the applicant was approved on Council Member Wynn's motion, Council Member Slusher's second on a 7-0 vote.

The motion to reconsider Z-4 was approved on Mayor Pro Tem Goodman's motion, Council Member Thomas' second on a 7-0 vote.

The motion to postpone this item to September 26, 2002 was approved on Mayor Pro Tem Goodman's motion, Council Member Thomas' second on a 7-0 vote.

#### DISCUSSION ITEMS

58. Approve an ordinance on third reading amending Sections 16-5-22 and 16-5-98 of the City Code related to parking in a front or side yard of a residential property. (Council Member Danny Thomas, Council Member Betty Dunkerley and Mayor Gus Garcia)

The motion to adopt on third reading the version of the ordinance labeled "58R 8-29-02" was made by Council Member Thomas, seconded by Mayor Pro Tem Goodman. There was a friendly amendment from Council Member Alvarez to amend 16-5-22 (A) (1) to read, "DRIVEWAY means an area adjacent to a curb cut providing vehicular access between a street and an off-street parking area including a circular driveway." This was accepted by the maker of the motion and Mayor Pro Tem Goodman, who seconded the motion.

There was a friendly amendment from Council Member Alvarez to amend Part 6 (I) to read, "a petition of 20% of the land owners in a defined neighborhood." This was not accepted as a friendly amendment by the maker of the motion.

There was a substitute motion from Council Member Alvarez to amend Part 6 (I) to read, "a petition of 20% of the land owners in a defined neighborhood." Council Member Slusher seconded the motion for purposes of discussion but later withdrew his second. The substitute motion died for a lack of a second.

Ordinance No. 020829-58 was approved based on the version labeled "58R 8-20-02" on Council Member Thomas' motion, Mayor Pro Tem Goodman's with the friendly amendment concerning the circular driveways as stated above on a 5-2 vote. Those voting aye were Mayor Garcia, Mayor Pro Tem Goodman, and Council Members Dunkerley, Thomas and Wynn. Those voting nay were Council Members Alvarez and Slusher.

#### **Mayor Garcia recessed the Council Meeting at 5:40 p.m. to go into Executive Session.**

4. Discuss legal issues related to *Austin 360 Associates, L.P. v. the City of Austin*, Cause Number GN0-01372 in the 261st Judicial District Court of Travis County, Texas and related issues under Chapter 245 of the Texas Government Code, also known as House Bill 1704 (concerning development of approximately 10 acres near Bluffstone Drive and Bluffstone Cove at Loop 360).
5. Discuss legal issues related to *Ernest L. Lundelius, Jr., et al. v. the City of Austin, Texas*, Cause Number GN104166 filed in the 353rd Judicial District Court of Travis County, Texas (concerning development of approximately 19 acres of land near the intersection of William Cannon Drive and Brodie Lane).

Executive Session ended at 6:45 p.m. and Mayor Garcia called the Council Meeting back to order

DISCUSSION ITEMS

24. Authorize negotiation and execution of a legal services contract with Renea Hicks, in an amount not to exceed \$60,000, for representation in *Ernest L. Lundelius, Jr., et al. v. the City of Austin, Texas*, Cause Number GN104166 filed in the 353rd Judicial District Court of Travis County, Texas (concerning development of approximately 19 acres of land near the intersection of William Cannon Drive and Brodie Lane).  
**The motion authorizing the negotiation and execution of a legal services contract was approved on Council Member Dunkerley's motion, Council Member Wynn's second on a 7-0 vote.**
63. C14-02-0112 – OLD WEST AUSTIN NEIGHBORHOOD PLAN REZONINGS – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Old West Austin Neighborhood Plan is bounded on the west by Mopac, on the north by Enfield Rd. & W. 15<sup>th</sup> St., on the east by Lamar Blvd., and on the south by Town Lake (Shoal Creek, Johnson Creek and Town Lake Watersheds). The proposed zoning change will: 1) add a Neighborhood Plan Combining District (NPCD) to each base zoning district; 2) permit the secondary apartment and small lot amnesty; 3) permit the mixed use building special use on Tracts 1-62; and 4) change the base zoning districts on 61 tracts of land:  
from: Single Family Residence Standard Lot (SF-2), Single Family Residence Standard Lot-Historic (SF-2-H), Family Residence (SF-3); Family Residence-Historic (SF-3-H), Single-Family Residence Small Lot (SF-4A), Townhouse and Condominium Residence (SF-6), Multi-Family Residence-Low Density (MF-2), Multi-Family Residence Medium Density (MF-3), Multi-family Residence Medium Density-Historic (MF-3-H), Multi-Family Residence Moderate-High Density (MF-4), Multi-Family Moderate-High Density – Historic (MF-4-H), Neighborhood Office (NO), Neighborhood Office-Conditional Overlay (NO-CO), Neighborhood Office –Mixed Use Historic Conditional Overlay (NO-MU-H-CO), Public (P), Public-Historic (P-H), Limited Office (LO), Limited Office – Conditional Overlay (LO-CO), Limited Office – Historic (LO-H), Limited Office – Mixed Use (LO-MU), General Office (GO), General Office – Conditional Overlay (GO-CO), Neighborhood Commercial (LR), Community Commercial (GR), Community General – Conditional Overlay (GR-CO), General Commercial Services (CS), General Commercial Services – Historic (CS-H), Commercial-Liquor Sales (CS-1), Commercial Liquor Sales-Conditional Overlay (CS-1-CO), Limited Industrial Service (LI), and Planned Unit Development (PUD) districts;  
to: Single Family Residence Standard Lot – Neighborhood Plan Combining District (SF-2-NP), Single Family Residence Standard Lot-Historic-Neighborhood Plan Combining District (SF-2-H-NP), Family Residence-Neighborhood Plan Combining District (SF-3-NP); Family Residence-Historic-Neighborhood Plan Combining District (SF-3-H-NP), Single-Family Residence Small Lot-Neighborhood Plan Combining District (SF-4A-NP), Townhouse and Condominium Residence-Neighborhood Plan Combining District (SF-6-NP), Multi-Family Residence-Low Density-Neighborhood Plan Combining District (MF-2-NP), Multi-Family Residence-Medium Density-Neighborhood Plan Combining District (MF-3-NP), Multi-family Residence Medium Density-Historic-Neighborhood Plan Combining District (MF-3-H-NP), Multi-Family Residence Moderate-High Density-Neighborhood Plan Combining District (MF-4-NP), Multi-Family Moderate-High Density – Historic-Neighborhood Plan combining District (MF-4-H-NP), Neighborhood Office-Neighborhood Plan Combining District (NO-NP), Neighborhood Office-Conditional Overlay-Neighborhood Plan Combining District (NO-CO-NP), Neighborhood Office –Mixed Use Historic Conditional Overlay-Neighborhood Plan Combining District (NO-MU-H-CO-NP), Public-Neighborhood Plan Combining District (P-NP), Public-Historic-Neighborhood

Plan Combining District (P-H-NP), Limited Office-Neighborhood Plan Combining District (LO-NP), Limited Office – Conditional Overlay-Neighborhood Plan Combining District (LO-CO-NP), Limited Office – Historic-Neighborhood Plan Combining District (LO-H-NP), Limited Office – Mixed Use-Neighborhood Plan Combining District (LO-MU-NP), General Office-Neighborhood Plan Combining District (GO-NP), General Office –Conditional Overlay-Neighborhood Plan Combining District (GO-CO-NP), Neighborhood Commercial-Neighborhood Plan Combining District (LR-NP), Community Commercial-Neighborhood Plan Combining District (GR-NP), Community General Mixed Use Conditional Overlay-Neighborhood Plan Combining District (GR-MU-CO-NP), General Commercial Services Mixed Use Conditional Overlay Neighborhood Plan Combining District (CS-MU-CO-NP), General Commercial Services – Historic Mixed Use Conditional Overlay Neighborhood Plan Combining District (CS-H-MU-CO-NP), Commercial-Liquor Sales Mixed Use Conditional Overlay Neighborhood Plan Combining District (CS-1-MU-CO-NP), Commercial Liquor Sales-Conditional Overlay Mixed Use Neighborhood Plan Combining District (CS-1-MU-CO-NP), Limited Industrial Service Conditional Overlay Neighborhood Plan Combining District (LI-CO-NP), and Planned Unit Development Neighborhood Plan Combining District (PUD-NP), zoning. Planning Commission Recommendation: To grant Single Family Residence Standard Lot – Neighborhood Plan Combining District (SF-2-NP), Single Family Residence Standard Lot-Historic-Neighborhood Plan Combining District (SF-2-H-NP), Family Residence-Neighborhood Plan Combining District (SF-3-NP); Family Residence-Historic-Neighborhood Plan Combining District (SF-3-H-NP), Single-Family Residence Small Lot-Neighborhood Plan Combining District (SF-4A-NP), Townhouse and Condominium Residence-Neighborhood Plan Combining District (SF-6-NP), Multi-Family Residence-Low Density-Neighborhood Plan Combining District (MF-2-NP), Multi-Family Residence-Medium Density-Neighborhood Plan Combining District (MF-3-NP), Multi-family Residence Medium Density-Historic-Neighborhood Plan Combining District (MF-3-H-NP), Multi-Family Residence Moderate-High Density-Neighborhood Plan Combining District (MF-4-NP), Multi-Family Moderate-High Density – Historic-Neighborhood Plan combining District (MF-4-H-NP), Neighborhood Office-Neighborhood Plan Combining District (NO-NP), Neighborhood Office-Conditional Overlay-Neighborhood Plan Combining District (NO-CO-NP), Neighborhood Office –Mixed Use Historic Conditional Overlay-Neighborhood Plan Combining District (NO-MU-H-CO-NP), Public-Neighborhood Plan Combining District (P-NP), Pubic-Historic-Neighborhood Plan Combining District (P-H-NP), Limited Office-Neighborhood Plan Combining District (LO-NP), Limited Office – Conditional Overlay-Neighborhood Plan Combining District (LO-CO-NP), Limited Office – Historic-Neighborhood Plan Combining District (LO-H-NP), Limited Office – Mixed Use-Neighborhood Plan Combining District (LO-MU-NP), General Office-Neighborhood Plan Combining District (GO-NP), General Office –Conditional Overlay-Neighborhood Plan Combining District (GO-CO-NP), Neighborhood Commercial-Neighborhood Plan Combining District (LR-NP), Community Commercial-Neighborhood Plan Combining District (GR-NP), Community General Mixed Use Conditional Overlay-Neighborhood Plan Combining District (GR-MU-CO-NP), General Commercial Services Mixed Use Conditional Overlay Neighborhood Plan Combining District (CS-MU-CO-NP), General Commercial Services – Historic Mixed Use Conditional Overlay Neighborhood Plan Combining District (CS-H-MU-CO-NP), Commercial-Liquor Sales-Mixed Use-Conditional Overlay Neighborhood Plan Combining District (CS-1-MU-CO-NP), Limited Industrial Service Conditional Overlay Neighborhood Plan Combining District (LI-CO-NP), and Planned Unit Development Neighborhood Plan Combining District (PUD-NP), zoning. Applicant: City of Austin. Agent: Neighborhood Planning & Zoning Department. City Staff: Thomas Bolt, 974-2755; Steve Barney, Neighborhood Housing & Community Development Department, 974-3126.

**The motion to close the public hearing was approved on Mayor Pro Tem Goodman's motion, Council Member Dunkerley's second on a 7-0 vote.**

**The first reading of the ordinance was approved on Council Member Wynn's motion, Council Member Dunkerley's second on a 7-0 vote.**

**PUBLIC HEARINGS**

64. Conduct a public hearing for the full purpose annexation of the following annexation areas:

**Interport South** (Approximately 135 acres in Travis County south of SH 71 approximately 495 feet east of FM 973).

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

**Kallestad Tract** (Approximately 11 acres located in Travis County north of FM 2222 approximately seven tenths of a mile east of the intersection of FM 2222 and Riverplace Blvd).

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

**Tumbleweed Hill** (Approximately 17 acres in Travis County north of FM 2222 approximately one mile east of the intersection of FM 2222 and Riverplace Blvd).

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

**Jamail Tract** (Approximately 33 acres in Travis County north of FM 2222 approximately one mile east of the intersection of FM 2222 and Riverplace Blvd). Suggested dates and times: August 22, 2002 at 6.p.m., Lower Colorado River Authority Hancock Building August 29, 2002 at 6.p.m., Lower Colorado River Authority Hancock Building (Financial data will be submitted with the annexation RCA.)

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

65. Conduct a public hearing under Section 104.151 of the Texas Utilities Code and Article XI of the City Charter to receive public comment on: 1) an audit report of Southern Union Gas "cost of gas" accounting practices; 2) adopting a new SUG transportation tariff; 3) adopting a new SUG Rate Schedule No. 1 ("Cost of Gas Clause"); 4) amending SUG's Conservation Adjustment Clause; and 5) any other related topics.

**The public hearing was closed on Mayor Pro Tem Goodman's motion, Council Member Wynn's second on a 7-0 vote.**

67. Approve an ordinance filed in accordance with Ordinance Number 930610-D, repealing and replacing Southern Union Gas Company's: (1) Cost of Gas Clause, Rate Schedule Number 1-INC; (2) Transportation Service Rate Schedule Numbers T-020 to T-023, T-030 to T-033, T-040 to T-043, TOC-1, and CNGT; and (3) the Conservation Adjustment Clause; adopting Rate Schedule T-Gen, General Terms and Conditions for Transportation Service, and authorizing the recovery of rate case expenses. (Recommended by Council Committee for Telecommunications Infrastructure)

**Ordinance No. 020829-67 was approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second on a 7-0 vote.**

66. Conduct a public hearing to receive public comment on the City of Austin proposed budget for Fiscal Year 2002-2003 in its entirety and to receive public comment with respect to the following



specific Departments: Parks and Recreation, Library, Health and Human Services, Primary Care and Neighborhood Housing and Community Development and General Public Hearing.

**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 9:56 p.m. was approved on Council Member Thomas' motion, Mayor Pro Tem Goodman's second on a 6-0 vote. Mayor Garcia was off the dais.**

**The minutes from the regular meeting of August 29, 2002 were approved on Council Member Thomas' motion, Mayor Pro Tem Goodman's second on a 7-0 vote.**