



Austin City Council MINUTES

For APRIL 20, 1989 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

Mayor Cooke called to order the meeting of the Council, noting that Councilmember Urdy was not yet in the Council Chamber.

MINUTES APPROVED

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Humphrey's second, approved minutes for regular meetings of April 11 and 13, 1989 and special meeting of April 11, 1989. (6-0 Vote, Councilmember Urdy absent)

CITIZEN COMMUNICATIONS

Ms. Lori C-Renteria and Mr. Sabino Renteria discussed police procedures. Ms. Hortencia Espinoza did not appear. Mr. Akwasi Evans talked about the divestment ordinance. Mr. Ric Carter thanked those responsible for taking care of his variance of Ordinance No. 850621-J. Mr. Girard Kinney discussed beautification of Drake Bridge. Mr. Pericles Criss talked about the convention center.

LEGISLATIVE UPDATE

Gwen Webb and Sandy Sanford presented a legislative update.

AIRPORT UPDATE

Paul Watson, Sverdrup Corporation, presented Council with documentation concerning an RFP for a land acquisition consultant for the new Austin airport.

CONSENT ORDINANCES

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Shipman's second, waived the requirement for three readings and finally passed the following ordinances all in one consent motion: (5-0 Vote, Councilmembers Barnstone and Carl-Mitchell out of the room)

Operating Budget Amendment

Amended the FY 1988-89 Operating Budget by accepting and appropriating an additional \$31,498.96 in grant funds provided by the Texas Department of Human Services for the continuation of the Family Planning Program to the Austin-Travis County Health Department.

North Austin MUD No. 1

Amended the North Austin MUD No. 1 Consent Agreement and Utility Construction Contracts.

CONSENT RESOLUTIONS

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, adopted the following resolutions all in one consent motion: (6-0 Vote, Councilmember Nofziger out of the room.)

Eminent Domain Proceedings

Authorized the filing of Eminent Domain Proceedings to acquire 139 square feet and 0.3478 acres (15.150 square feet) of land for a drainage easement, out of the Thomas Anderson Survey No. 17, Travis County, Texas, owned by James Beckett for the Convict Hill Road Improvements Project. C.I.P. No. 83/62-28.

Contracts Approved

Approved the following contracts:

J. C. EVANS CONSTRUCTION COMPANY, INC.
8217 Shoal Creek Boulevard, Suite 200
Austin, Texas
Low Bid of 6
10.14% M/WBE Participation

- CAPITAL IMPROVEMENTS PROGRAM -
McNeil Estates and West of Burnet
Road Area Water and Wastewater
Services, Water and Wastewater
Utility Department
Total \$945,927.90 C.I.P. Nos.
86/23-31, 85/23-09 & 85/22-09

AUSTIN ENGINEERING COMPANY
P.O. Box 16190
Austin, Texas
Low Bid of 6
11% M/WBE Participation

- CAPITAL IMPROVEMENTS PROGRAM -
Construction of Mustang Chase Drive
Drainage Improvements,
Transportation and Public Services
Department
Total \$200,966.40 C.I.P. No.
79/62-03

ALAMO CYCLE SALES
5706 Mobud
San Antonio, Texas
Low Bid of 4
0% M/WBE Participation

- Ten (10) Kawasaki Police
Motorcycles, General Services
Total \$62,690.00 89-0136-0M

ALAMO IRON WORKS
101 Montana
San Antonio, Texas
Low Bid of 6
0% M/WBE Participation

- Disposable Wiping Rags, General
Services Department
Twelve (12) Month Supply Agreement
Item 1 - \$56,160.00 89-0129-LI

THE ROHAN COMPANY
512 East St. Elmo Road, Suite 100
Austin, Texas
Low Bid of 3
0% M/WBE Participation

- Fire Hydrants, General Services
Department
Twelve (12) Month Supply Agreement
Items 1-4 - \$74,770.00 89-0112-RD

WESTVACO US ENVELOPE COMPANY
10700 Harry Hines Boulevard
Dallas, Texas
Low Bid of 5
0% M/WBE Participation

- Utility Customer Services Office
(UCSO) Envelopes, General Services
Twelve (12) Month Supply Agreement
Items 1-4 - \$79,947.00 89-0067-LI

QUALITY EQUIPMENT COMPANY
16606 North IH-35
Austin, Texas
Low Bid of 3
0% M/WBE Participation

- One (1) Vibrating Trench Roller,
General Services Department
Total \$29,280.00 89-0137-OM

SIEMENS MEDICAL SYSTEMS, INC.
13003 Southwest Frwy., Suite 180
Stafford, Texas
Sole Source - 0% M/WBE

- Emergency Repair of the Siemens'
Computed Tomography (CT) Scanner,
Brackenridge Hospital
Total \$36,782.50 G543464

MOORE BUSINESS FORMS
8712 Shoal Creek Boulevard
Austin, Texas
Low Bid of 5
0% M/WBE Participation

- Forms Production and Management
Program, Brackenridge Hospital
Twelve (12) Month Supply/Service
Agreement
Total \$219,188.00 BC9-055

Bid awards:
Best 4 RFP'S of 7
50% M/WBE

- Conservation Business Development
Program, Resource Management
Department
Five Month Period
Total \$104,000.00 89-S083-EC

a. AVG CONSTRUCTION
4700 Loyola Drive, Suite 120
Austin, Texas

- Total \$26,000.00

b. CONSERVATION ENTERPRISES OF TEXAS
INC.
8304 Bridgetown Drive
Austin, Texas

- Total \$26,000.00

c. AUSTIN CONSERVATION, INC. (WBE)
625 E. Tenth St.
Austin, Texas

- Total \$26,000.00

d. VALDEZ REMODELING (MBE)
3702 Munson
Austin, Texas

- Total \$26,000.00

License Agreement

Entered into a License Agreement to allow the encroachment of underground conduit and cable into the East 14th Street right-of-way (200 to 300 Block).

Power Generation

Entered into a contract to supply 25% of steam boiler natural gas requirements for power generation.

Revenue Bonds

Approved the issuance of revenue bonds by the Bell County Health Facilities Development Corporation to finance the Faulkner Health Facility located within the City of Austin, Texas.

ITEMS POSTPONED

Postponed to May 4, 1989 is consideration of a request from Travis County to proceed with City of Austin participation in Spice-wood Springs Road right-of-way and easement acquisition, and construction of certain Water Treatment Plant No. IV Water Mains, in conjunction with Travis County Roadway Improvements to Spicewood Springs Road.

Postponed to April 27, 1989 is consideration of authorizing and approving the distribution of a Request for Proposal (RFP) for property acquisition and relocation assistance services for the new Austin airport.

Pulled off indefinitely is consideration of approving a settlement regarding Reyna vs. AYCO Development and the City of Austin.

Postponed to May 4, 1989 is consideration of an ordinance amending Chapter 10-4 of the Austin City Code by adding Section 10-4-2.1, "Restrictions on the use of City Swimming Pools: Supervision by day care centers or agencies and private swimming instructors", which will provide for pre-registration and certification, establish a ratio for supervisory staff to children, establish a use fee, and assign day care center and agencies to municipal swimming pools. Estimated revenue \$4,000.00.

Posponed to April 27, 1989 is consideration of establishing an Austin-Travis County AIDS Commission.

Pulled from the executive session was pending litigation concerning Reyna vs. AYCO Development Corporation and the City of Austin, for an indefinite period.

CONSUMER ADVOCATE

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, adopted a resolution approving the Electric

Utility Commission's recommendation regarding a Consumer Advocate.
(7-0 Vote)

Motion to Reconsider

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, reconsidered the motion in order to let a citizen speak on the subject. (6-0 Vote, Councilmember Barnstone out of the room)

Motion

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second, adopted a resolution approving the Electric Utility Commission's recommendation regarding a Consumer Advocate.
(7-0 Vote)

ORDINANCE AMENDMENT

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Carl-Mitchell's second, passed through second reading of an ordinance amending the 1988-89 Financial Plan by appropriating \$25,000.00 from the ending balance to fund the Town Lake Committee Bridge Lighting Design Competition. (4-3 Vote, Councilmembers Urdy and Barnstone and Mayor Cooke voted No.)

PUBLIC HEARINGS SET

The Council, on Councilmember Carl-Mitchell's motion, Mayor Cooke's second, set the following public hearings: (7-0 Vote)

- An amendment to the Interim Land Development Code to address properties subject to right-of-way condemnation, May 4, 1989 at 6:00 P.M.
- Annexation of the IH-35 right-of-way to the Hays County Line. May 4 and May 11, 1989 at 3:00 P.M.

FIELD NOTES

The Council, on Councilmember Barnstone's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance correcting field notes for distance from adjacent property on the Diamond Shamrock Project, Case No. C14-88-0106.
(7-0 Vote)

NATIONAL SCIENCE AND TECHNOLOGY WEEK

The Council, on Councilmember Urdy's motion, Councilmember Humphrey's second, adopted a resolution declaring April 23-29, 1989 as National Science and Technology Week, to emphasize the importance of research in today's world. (6-0 Vote, Councilmember Barnstone out of room)

ITEM POSTPONED

Postponed to April 27, 1989 is consideration of amending the FY 1988-89 Operating Budget by appropriating \$10,200.00 from the ending balance to fund the programs of the AMEGO Committee; \$1,000.00 for intern for current semester, \$7,200.00 for two interns for this coming summer, and \$2,000.00 for an intern for next fall.

AIRPORT SECURITY CARD ACCESS CONTROL SYSTEM

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Barnstone's second, waived the requirement for three readings and finally passed an ordinance amending the FY 1988-89 Operating Budget of the Aviation Department appropriating \$25,000.00 from the Aviation Fund ending fund balance for a security consultant's services for airport compliance with the recent federally mandated airport security card access control system. (6-0 Vote, Councilmember Nofziger out of the room)

EMERGENCY SHELTER GRANT

The Council, on Councilmember Carl-Mitchell's motion, Mayor Cooke's second, waived the requirement for three readings and finally passed an ordinance authorizing the City Manager or her designee to apply for and accept from the Texas Department of Community Affairs a \$122,000.00 Emergency Shelter Grant to be allocated to Helping Our Brothers Out, Inc. (HOBO) for the renovation, operation and maintenance of the Monarch Apartments and for the provision of assistance to the homeless sheltered at the apartments. (7-0 Vote)

DISANNEXATION

The Council, on Councilmember Humphrey's motion, Mayor Cooke's second, waived the requirement for three readings and finally passed an ordinance granting requests for disannexation, pursuant to the provisions of SB 962, of certain property annexed for limited purposes: (7-0 Vote)

- a. C7ad-89-027 Approximately 19.99 acres at 8610 RM 620 owned by the Linray Development Company.
- b. C7ad-89-028 Approximately 56.24 acres in four tracts at RM 2222 and RM 620 owned by Harry Montandon.
- c. C7ad-89-029 Approximately 1.96 acres in two tracts at RM 2222 and RM 620 owned by Harry Montandon.
- d. C7ad-89-030 Approximately 13.39 acres in two tracts at RM 2222 and RM 620 owned by Harry Montandon.
- e. C7ad-89-031 Approximately 5.00 acres on Circle Drive owned by Joe Westmoreland.

- C7ad-89-032 Approximately 3.85 acres in two tracts at RM 620 and Windy Ridge Road owned by the Peace Lutheran Church.
- C7ad-89-033 Approximately 5.00 acres at RM 620 and Boulder Lane owned by Paul White.
- C7ad-89-034 Approximately 24.64 acres in three tracts at RM 620 and RM 2769 owned by the 620 County Line Joint Venture.
- C7ad-89-035 Approximately 13.74 acres in six tracts at IH 35 North and Bluff Bend Drive owned by L. W. Parker.
- C7ad-89-036 Approximately 14.70 acres at RM 620 and RM 2769 owned by NCNB Texas National Bank.
- C7ad-89-037 Approximately 9.50 acres at Spicewood Springs Road and Old Lampasas Trail owned by Thomas Kam.
- C7ad-89-038 Approximately 569.61 acres in five tracts on Spicewood Springs Road owned by Joe Neal.
- C7ad-89-039 Approximately 7.5 acres at 10002 RM 620 North owned by Mrs. Carl Riess.
- C7ad-89-040 Approximately 10.00 acres at 10012 RM 620 North owned by Robert Riess.
- C7ad-89-041 Approximately 16.05 acres at U.S. 183 North and Woodland Village Drive owned by William B. Pohl.
- C7ad-89-042 Approximately 15.17 acres at U.S. 183 North and Anderson Mill Rd. owned by William B. Pohl.
- C7ad-89-043 Approximately 9.23 acres at U.S. 183 North and Anderson Mill Rd. owned by William B. Pohl.
- C7ad-89-044 Approximately 31.30 acres in two tracts at SH 71 and Northwest Parkway owned by L. D. Ramsey.
- C7ad-89-045 Approximately 151 acres located at 9500 Old Lampasas Rd. owned by James Yao Gleasman.
- C7ad-89-046 Approximately 233.14 acres in two tracts in the vicinity of RM 620 and Steiner Ranch Blvd.

ETJ TO MUSTANG RIDGE

The Council, on Councilmember Barnstone's motion, Mayor Cooke's second, waived the requirement for three readings and finally passed

an ordinance to release extra-territorial jurisdiction (ETJ) to the City of Mustang Ridge. (5-0 Vote, Councilmembers Humphrey and Urdy out of the room.)

ETJ TO BUDA

The Council, on Councilmember Urdy's motion, Councilmember Barnstone's second, waived the requirement for three readings and finally passed an ordinance releasing and exchanging extra-territorial jurisdiction (ETJ) with the City of Buda. (6-0 Vote, Councilmember Humphrey out of the room.)

MENTAL HEALTH ADVISORY COUNCIL

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Nofziger's second, adopted a resolution endorsing the creation and operation of the Mental Health Advisory Council. (5-0 Vote, Councilmembers Humphrey and Urdy out of the room.)

EXECUTIVE SESSION

Mayor Cooke announced Council would enter into executive session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation, and for personnel matters. No final action, decision or vote by the City Council will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

Pending Litigation - Section 2, Paragraph e

(a) City of Austin vs. Houston Lighting and Power

RECESS

Council recessed from 3:36 to 4:10 P.M. for executive session. At that time Mayor Cooke announced no action would be taken as a result of executive session discussion. Mayor Cooke announced Council would be recessed from 4:11 to 5:30 P.M. Council resumed its recessed meeting at 5:34 P.M.

PUBLIC HEARING - DISANNEXATION

Mayor Cooke opened the public hearing set for 5:30 P.M. on disannexation of all territory annexed for limited purpose before September 1, 1987 with the effective date of the disannexation to be June 15, 1989. Speaker's cards are on file in the City Clerk's office.

Motion

The Council, on Councilmember Urdy's motion, Councilmember Nofziger's second, closed the public hearing. (5-0 Vote, Councilmembers Humphrey and Barnstone out of the room.)

PUBLIC HEARING - FISCAL YEAR 1989-90 BUDGET ISSUES

Mayor Cooke opened the public hearing set for 6:00 P.M. on Fiscal Year 1989-90 Budget Issues. Speaker's cards are on file in the City Clerk's office.

Motion

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, closed the public hearing. (6-0 Vote, Councilmember Humphrey out of the room.)

PUBLIC HEARING - BRACKENRIDGE TRACT PROPOSAL

Mayor Cooke opened the public hearing set for 6:30 P.M. on final approval of Brackenridge Tract proposal and action. Speaker's cards are on file in the City Clerk's office.

Motion

The Council, on Mayor Pro Tem Shipman's motion, Mayor Cooke's second closed the public hearing, and adopted a resolution between The University of Texas and the City of Austin, to be ratified by the State Legislature with May 16, 1989 as the date for final signatures. (7-0 Vote)

ADJOURNMENT

Council adjourned its meeting at 9:15 P.M.