



Austin City Council

MINUTES

For

FEBRUARY 3, 1982 -- 3:00 P.M.

Council Chambers, 301 West Second Street, Austin, Texas

City Council

Carole Keeton McClellan

Mayor

John Treviño, Jr.

Mayor Pro Tem

Council Members

Larry Deuser

Roger Duncan

Richard Goodman

Ron Mullen

Charles E. Urdy

Nicholas M. Meiszer

City Manager

Grace Monroe

City Clerk

Memorandum To:

Mayor McClellan called to order the Meeting of the Council scheduled for 3:00 p.m., noting the absence of Councilmember Urdy, Mayor Pro Tem Treviño, Councilmembers Goodman, Mullen and Duncan. They entered the Council Chamber at 3:25, 3:25, 3:15, 3:25 and 3:15 respectively.

BOARD & COMMISSION APPOINTMENTS

Mayor McClellan announced the following board and commission appointments are due to be made:

- (1) ETHICS REVIEW COMMISSION - 1
- (2) AUSTIN TOMORROW ON-GOING COMMITTEE - 1 and 7 alternates
- (3) MANPOWER ADVISORY PLANNING COUNCIL - 1 City Manager Designee
2 YETP
1 Vocational Advisory Council Representative
- (4) NEIGHBORHOOD REVITALIZATION COMMISSION - 1
- (5) ENVIRONMENTAL BOARD - 1 (emergency basis)
- (6) HOSPITAL BOARD - 1
- (7) BOARD OF ADJUSTMENT - 6
- (8) ELECTRIC UTILITY COMMISSION - 1
- (9) EMS QUALITY ASSURANCE TEAM - 5
- (10) URBAN TRANSPORTATION COMMISSION - 4
- (11) JOINT AIRPORT ZONING BOARD - 1
- (12) ELISABET NEY MUSEUM BOARD OF DIRECTORS - 1
- (13) TASK FORCE (Water and Wastewater)

CONSENT RESOLUTIONS

The Council, on Mayor Pro Tem Trevino's motion, Mayor McClellan's second, adopted the following resolutions in one consent motion: (7-0 Vote)

License Agreement

Entered into the following license agreement:

For the encroachment of an awning into the public right-of-way adjoining Lot 4, Block 74, Original City of Austin, 500 West 6th Street.

Capital Improvements Program

Approved acquisition of the following tracts of land for:

- a. Community Development District #8 Project. C.I.P. No. 75/62-20
 - 0.4360 of one acre of land out of a part of that certain 44.56 acre tract of land out of the J. C. Tannehill League No. 29, Austin "45" LTD.
- b. East Riverside Drive Project, Wickersham to East Ben White. C.I.P. No. 73/62-03
 - (1) Two tracts of land, 0.5702 acre out of certain 8.44 acre tract and 0.5051 acre out of certain 6.32 acre tract, Santiago Del Valle Grant, Central Texas Equipment Company.
 - (2) 0.6019 acre out of certain 24.35 acre tract, Santiago Del Valle Grant (John Flache Estate and Delmo Pearce).

Contracts Approved

Approved the following contracts;

- a. UTILITY EQUIPMENT COMPANY
1400 Pasadena Frwy.
Houston, Texas
 - CAPITAL IMPROVEMENTS PROGRAM -
Utility Service Van and Aerial
Lift, Vehicle and Equipment
Services Department
Item 1, 1 ea. - \$29,232.00
C.I.P. No. 80/88-01
- b. CONTINENTAL CUSTOM BRIDGE COMPANY
Rt. 5, Box 178
Alexandria, Minnesota
 - CAPITAL IMPROVEMENTS PROGRAM -
Prefabricated Steel Pedestrian
Bridge, Public Works Department
Item 1 - \$5,848.00

CONTRACTS APPROVED - (Continued)

- c. GENERAL EXHIBITS AND DISPLAYS
2100 North Racine Avenue
Chicago, Illinois
- d. BESCO, INC.
1616 West 5th Street
Austin, Texas
- e. TECHLINE, INC.
8750 Shoal Creek
Austin, Texas
- f. RIVER CITY MACHINERY COMPANY
10411 North Lamar Boulevard
Austin, Texas
- g. Bid award:
- (1) ALAMO IRON WORKS
Montana & Hoefgen
San Antonio, Texas
- (2) BRIGGS-WEAVER, INC.
7740 Ed Bluestein Boulevard
Austin, Texas
- (3) CAPITAL BOLT & SUPPLY
300 Nueces
Austin, Texas
- (4) GALTRONIC, INC.
8132 North Lamar
Austin, Texas
- (5) GRAYBAR ELECTRIC COMPANY, INC.
7434 N. Lamar Boulevard
Austin, Texas
- (6) PPG INDUSTRIES, INC.
624 N. Lamar Boulevard
Austin, Texas
- CAPITAL IMPROVEMENTS PROGRAM -
Electronic Map/Status System
and installation, Fire Department
Total cost \$23,460.00 C.I.P. No.
82/83-02
- Surge Arrester for Oak Hill and
Barton Substations, Electric
Department
Item 1, 6 ea. - \$15,804.00
- Galvanized Guy Wire, Electric
Utility Department
Item 1 - \$7,675.00
- Target Quickie Saws & Accessories,
Water and Wastewater Utility
Department
Item 1 - \$5,220.32
- Small Tools and Miscellaneous
Items, Purchases and Stores
Department
Six Month Supply Agreement
Total \$70,000.00

CONTRACTS APPROVED - (Continued)

- (7) REX SUPPLY CORPORATION
3101 Longhorn Boulevard
Austin, Texas
- (8) W. H. RICHARDSON
3708 Woodbury
Austin, Texas
- (9) WALTER TIPS COMPANY
200 Colorado
Austin, Texas
- h. UARCO, INC. - Meter Read Documents, Data
3409 Executive Center Dr., Suite 230 Systems Department
Austin, Texas Item 1.a - \$7,974.19
- i. INTERNATIONAL BUSINESS MACHINES CORP. - Disk Storage Facility, Data
1609 Shoal Creek Boulevard System Department
Austin, Texas Eighteen (18) monthly installment
payments for lease/purchase
Total cost \$411,827.22 over 18 mos.
- j. INTERNATIONAL BUSINESS MACHINES CORP. - Data Collection Facility, Data
1609 Shoal Creek Boulevard System Department
Austin, Texas Eighteen (18) monthly installment
payments for lease/purchase
Total cost \$96,097.32 over 18 mos.
- k. STARTEX PETROLEUM COMPANY - Emergency purchase of No. 2
Airport Boulevard fuel oil, Electric Utility
Austin, Texas Department
Two (2) Months Agreement
3,000,000 gal. @ \$.9600
Total - \$2,880,000.00
- l. SYNERCOM TECHNOLOGY, INC. - IPS Tape Drive and Controller,
500 Corporate Drive Public Works Department
Sugarland, Texas Ninety (90) daus ARO
Total cost - \$26,000.00

Conveyance of Real Property

Authorized the conveyance to the City by the Austin Redevelopment Authority of all real property owned by the Austin Redevelopment Authority.

Investment Pool

Authorized a consulting engagement with Arthur Young and Company for the establishment of an investment pool.

Annual Agreement

Authorized execution of an annual agreement between the Austin-Travis County Health Department and the Texas Department of Health (October 1, 1981 through September 30, 1982).

Health Care for Bastrop Prisoners

Renewed the Department of Justice Bureau of Prison's Contract with Brackenridge Hospital in order that patients from the Bastrop Prison may be treated. (Recommended by Hospital Board)

Urological Services

Approved a contract for urological services at Brackenridge Hospital from January 1, 1982 through December, 1982 and renewed annually for a cost of \$20,000. (Recommended by Hospital Board)

Contract with State Commission of the Blind

Renewed a contract between Brackenridge Hospital and the State Commission for the Blind from September 1, 1981 until August 31, 1982. (Recommended by Hospital Board)

Item Pulled

During the consent motion the following item was pulled from the agenda: Consider approval of a Master Acquisition Agreement between the City of Austin, Uplands Company and the Saratoga Land Company.

Budget Work Session Set

Set an informational work session for February 10, 1982 at 2:00 p.m. to discuss and approve a format for the 1982-83 Annual Budget.

Agreement Between TWU and Brackenridge

Approved agreement between Texas Women's University through its Institute of Health Sciences and the Brackenridge Hospital that clinical experience for students enrolled in clinical Occupational Therapy be provided at Brackenridge Hospital at no cost to the city. (Recommended by Hospital Board)

Public Hearings Set

Set the following public hearings:

- a. Community Development Block Grant Ordinance as approved by the Community Development Commission. February 18, 1982 at 8:00 p.m.
- b. Subdivision and development controls along the Lake Austin shoreline. February 18, 1982 at 5:00 p.m.

CONSENT ORDINANCES

The Council, on Councilmember Deuser's motion, Mayor Pro Tem Trevino's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (7-0 Vote)

Budget Amendment

Amended the 1981-82 Operating Budget by transferring \$38,191 of CDBG funds from the 4th year contingency account to the East 11th/12th Street Corridors Drainage Improvements Project; and approving a contract with Bill Boyd Construction Company in the amount of \$220,657.40 for East 11th - East 12th Corridor Improvements, Phase I, Poquito Street Channel. CAPITAL IMPROVEMENTS PROGRAM No. 80/60-04

Capital Improvements Program

Declared the necessity for & ordering improvements to Friendship Drive and Vernon Avenue consisting of 2 units and covering approximately 2 1/2 blocks. CAPITAL IMPROVEMENTS PROGRAM No. 75/62-01

Speed Zones

Amended Section 11-2-99(d) of the 1981 Austin City Code by adding the following speed zones:

<u>ON</u>	<u>FROM</u>	<u>TO</u>
Walsh Tarlton Lane	180' S. of Pinnacle Rd.	385' S. of Terrapin Ct.
East Live Oak Street	280' W. of Alta Vista Ave.	300' E. of Alta Vista Ave.

Annexation of Los Altos

Passed through SECOND AND THIRD readings of an ordinance annexing for limited purposes 7.23 acres of land known as the Los Altos Village.

Payment Authorized

Authorized payment to Bill Milburn, Inc. for the cost difference of an 8-inch wastewater approach main to serve Maple Run Section 2-A - \$7,564.28 City cost participation.

BUILDING PROJECT INSPECTION REPORT

Mr. Meiszer, City Manager, referred Council to the Building Project Inspection Report which they received. There were no questions.

STP MANAGEMENT COMMITTEE MEETING

Mr. R.L. Hancock reported on the STP Management Committee Meeting. Report is on file in the City Clerk's Office.

REPORT ON CLOSURE OF 23rd STREET FOR RENAISSANCE MARKET

Assistant City Manager Guymon Phillips reported on the closure of 23rd Street for a renaissance market. He said there are a number of possibilities and staff will work to ascertain a mutual agreement. Mayor McClellan asked if a public hearing is needed for a temporary one year closing. Mr. Meiszer, City Manager, told her that nothing permanent is being done and the street is not being vacated, therefore a public hearing is not needed. Mr. Phillips said he will bring an ordinance to Council next week. Mayor Pro Tem Trevino requested the City Manager to instruct staff to look into a permanent closure.

PRELIMINARY PRESENTATION OF NPC MUD PROPOSAL

Mr. Marc Bailes of NPC was in the Council Chamber to show maps of the proposed North Central Austin Growth Corridor MUD No. 1. He explained events as they have occurred.

David Armbrust, legal advisor representing NPC, discussed what he said is a legally sound procedure for formation of the district.

Bob Davis, Texas Capital Market Group, said there would be long term planning, and the result would be no risk to the City with viable and economic benefits to both parties involved.

Ed Wendler, consultant, summed up the presentation by stating they are providing a plan that will pay for itself.

Mr. Lillie, Director of Planning, told Council there were four issues which City staff addressed. He talked about the community development issues that were addressed in the land use plan dealing with land use, street systems, parks, open space, fire protection and annexation. The area is outside the City limits and therefore no zoning or building standards or building construction standards are applicable. The staff did recommend and the Planning Commission concurred that the land use plan be made a part of the consent agreement, and further that the amendments for more intensive use be subject to City approval. That was agreed upon by the applicant. A series of meetings was held and Mr. Wendler, Mr. Bailes and Mr. Burger considering the interest and concerns of each regarding the land use plan and the plan was significantly amended with land use designations on each portion of the project and appropriate density notes which are acceptable to the Department and

MUD - (Continued)

acceptable to the Planning Commission. Discussions included specific concern for the land development proposed along Parmer Lane on the north end of the project. Parmer Lane is a rural roadway intended to be a major arterial street east/west between 1325 and IH 35. Existing land development included a low density residential and a public school site and we felt the commercial office proposal would not be very compatible with that use and they have agreed to make subject, to any development along Parmer Lane, to the Principal Roadway Ordinance which allows site plan approval by the Planning Commission. We felt this review process would help assure compatibility of the new development and they have agreed to that. The street network includes the extension and construction of Metric Boulevard from Braker Lane north to Parmer, internal neighborhood streets, collector streets providing access from the internal sectors of the plan. The bridge over Walnut Creek on Metric will be constructed by NPC as part of the subdivision process and specific alignments of collector streets and minor streets within the project will be subject to the normal subdivision process. The land within the 100 year flood plain is being acquired by NPC and will be dedicated to the Municipal Utility District and then donated to the City upon annexation for park land. The Parks Board is in agreement with the concept. The green belt areas that run north and south through the project and connecting to Walnut Creek Park will also be subject to subdivision approval. Fire protection is planned with a volunteer fire department currently serving the general area. A site has been set aside for the construction of the facility. This protection will not be adequate for the intensity of development planned for the area so we are discussing alternatives to area service with the City Fire Department. Annexation has been an issue of continuing concern by the staff and by the Commission. The proposal to leave the area outside the city limits for 12 years raises serious questions about the future jurisdiction of the city over the project. Discussions included reduction of the time to coincide with the sale of 90% of the contract bonds. This period could conceivably be about 50% of the 12 years. NPC has agreed to include in the consent agreement that neither they nor the MUD would petition for incorporation. They cannot continue that position after the control shifts to a Board of Directors. Mr. Lillie said the Planning Commission sees the need to evaluate the alternatives under the contract of annexation and they do not recommend the 12 year, 90% proposal presented.They want the land use plan be attached to the consent agreement and that the MUD ordinance be tracked in review of the consent agreement. The Commission took a position of financing, utility and legal issues. Their recommendations are written and will be a part of the information submitted to Council for your further consideration of the request.

Rodger White, Acting Director, Water and Wastewater Department, commented on the water and wastewater aspect. He said during discussion concerning the development of the MUD it is apparent consideration should be given to a more permanent solution to the wastewater interceptor requirements to serve the Walnut Creek drainage basin. It is felt the water transmission and reservoir needs that could strengthen the other utility to serve the portion of the Walnut Creek basin in the north water system should be addressed. The staff requested alternative engineering systems be prepared. The first proposal would be to include an additional 25,500 feet of 40" water main from the MUD to the proposed reservoir site north of Howard Lane between IH 35 and FM 1325 and construction of a 20,000,000 gallon reservoir on the site. The second proposal would be to replace the lift station with a 60" gravity interceptor on Walnut Creek. This would strengthen the ability to serve the north Austin growth corridor.

MUD - (Continued)

Separate user fees will be developed. Mr. White said Council should be aware of the risk involved in entering into the agreement because some time in the future the City might not be able to deliver all the water needed by the customers to the utility.

Councilmember Deuser stated he does not want this rushed through.

Mr. Phil Scheps, Director of Finance, told Council his department is looking basically at "six different items. We've enlisted the aid of our City's financial advisor and the City's bond counsel. The most serious may be the nature of the pledge. We want to make sure we don't cause a problem either with G.O. or Utility bond rating and there are several different options in that regard and we are leaning toward a revenue pledge now if it can be legally fit in with the fact we have a joint revenue pledge now in our utility bonds. That's really a question for bond counsel and they are working on it. We will do an independent analysis of what the subsequent user fee ought to be on the theory it ought to be sized in such a manner that given a certain growth projection that the debt service ought to be matched fairly well. As a third item we are going to look at some of the risks associated with that. There are a lot of assumptions that go into deciding how fast this area is going to build out. We hope to bring to you some nature of what the ultimate risk to the revenue stream or tax base would be in the event the build out does not occur on schedule. There has been one alternative financing frame work that that has been proposed that we want to be able to discuss with you once we get all the legal understanding. That is, the City could issue these bonds under a different law which would cause the formation of the Austin Water Supply Corporation to be more of a captive of the City. As an alternative to letting a MUD issue the bonds. This is something which is a possibility. I'm not sure it has major advantages. It is a different structure and might be to the City's advantage to create a non-profit corporation to do the same work. It has been done in other cities and has certain advantages and disadvantages. We will give you a recommendation on the issuance costs. They are something we need to compare. They have been presented to us and we need to make sure those are reasonable and we will have a recommendation on that. Finally, some nitty gritty questions of the structure of the debt. We suggest it might be to the City's advantage to capitalize a reserve fund...increasing the size of the issue a certain amount that would be placed as a reserve for the bond holder. There is arbitrage advantage to doing that. You issue more bonds but you reinvest at a higher rate for the life of the bonds and it offers additional security for the bond holder, which is another way of reducing your rating risk by doing that. The debt maturity schedule is something which is pretty flexible and we may end up adjusting that to meet a build out schedule to make sure that even though it's possible the subsequent user fee could be sized in the aggregate to pay out the debt we would really like to have it sized to pay it out every year to where there is no temporary drain on the revenues at any time. It is easier to manipulate the debt service schedule than it is to manipulate the subsequent user fee so you don't want that changing too often. Those are the six main items that we're looking at and will have a recommendation two weeks from today."

Mr. Albert DeLaRosa, City Attorney, said they are working on the legal documents concerning the creation of the MUD. He said he is very comfortable proceeding under the provisions of Article 1109-J but he said the bond counsel and

REPORT - (Continued)

to assess service and instructed the City Manager to instruct the staff to give this a priority in assisting. (7-0 Vote)

EXECUTIVE SESSION

Mayor McClellan announced Council will convene in a closed or executive session authorized by Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes annotated; and after such closed or executive session, any final action, decision or vote with regard to any matter considered in the closed or executive session will be made in open session, should such action, decision or vote be necessary.

RECESS AND ADJOURNMENT

Council recessed its meeting at 5:45 for the Executive Session and adjourned the Meeting of the Council at 7:30 p.m.