



## Austin City Council MINUTES

SEPTEMBER 12, 1991 - 1:00 P.M.

### MEETING CALLED TO ORDER - 1:00 P.M.

1. Approval of Minutes for Regular Meeting of September 5, 1991

On Councilmember Epstein's motion, Councilmember Larson's second,  
5-0 Vote, Mayor Pro Tem Urdy, Councilmember Garcia out of the room.

### 1:00 P.M. - CITIZEN COMMUNICATIONS

2. Mr. Leonard Lyons discussed communication to and from Council.
3. Mr. David Elliott discussed current City issues.
4. Mr. Henry Ratliff discussed City opportunities.
5. Mr. Joe Riddell discussed the lack of progress in resolving the neighborhood's concerns over the design of portions of the Havana Street paving project, and to request the Council to direct the City staff to make improvements in the plans, especially in the drainage plans.
6. Mr. Nicholas Weeks discussed a national model detoxification demonstration program for individuals with alcohol or drug-related problems who are homeless or at imminent risk of becoming homeless.

### ITEMS CONTINUED FROM PREVIOUS MEETINGS

7. Approve second/third readings of an Ordinance establishing a Transportation User Fee. (Estimated cost of implementation amounts to \$450,000; funding included in the 1991-92 Transportation Fund.)

Approved on September 11, 1991.

8. Approve second/third readings of an Ordinance setting a Transportation User Fee rate for Fiscal Year 1991-92.

Approved on September 11, 1991.

9. Approved ~~second~~ readings of an Ordinance granting a waiver from Section 13-2-502(d) of the Land Development Code to Treemont, Phase B, subdivision preliminary plan. (File C8-82-44).  
[Councilmembers Bob Larson and Ronney Reynolds]

Amount of impervious cover will not exceed 40% in the area covered by the Clean Water Ordinance.

On Councilmember Larson's motion, Councilmember Reynolds' second, 4-3 Vote, Mayor Todd, Councilmembers Garcia and Nofziger voted No.

#### ORDINANCES

10. Approved second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 1813-1911 S. Capital of Texas Hwy., Case No. C14-91-0020, from "SF-2" to "CS-CO" for Tracts 1 and 2, "GO-CO" for Tracts 3 and 4, RICHARD DOZIER, by Consort Inc. First reading on May 30, 1991; Vote 5-0, Mayor Pro Tem Urdy and Councilmember Nofziger out of the room. Conditions met as follows: Conditional Overlay incorporates conditions imposed by Council.

On Councilmember Garcia's motion, Councilmember Larson's second, 7-0 Vote.

11. Amended the 1990-91 Wastewater Utility Operating Budget by appropriating \$3,913,450 to an escrow for the defeasance of certain outstanding Water and Wastewater Utility revenue bonds. (Related to Item 24)

On Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 Vote.

#### Operating and Capital Budget (Items 12-18)

12. Approved third reading of an Ordinance adopting and approving the Operating Budget for the fiscal year beginning October 1, 1991 and ending September 30, 1992, and making appropriations for each department, project and account. As amended. See below.

On Councilmember Larson's motion, Councilmember Reynolds' second, 7-0 Vote.

#### AMENDMENTS TO OPERATING BUDGET

EMS position restored, \$32,008 - On Councilmember Nofziger's motion, Mayor Todd's second, 5-2 Vote, Councilmembers Epstein and Reynolds' vote No.

Defibrillators added, \$86,200 - On Mayor Todd's motion, Councilmember Nofziger's second, 5-2 Vote, Councilmembers Reynolds and Epstein voted No.

Library - Add \$26,124 Job Information Center position at Riverside Branch. - On Councilmember Nofziger's motion, Councilmember Garcia's second, 4-3 Vote, Councilmembers Larson, Reynolds and Epstein voted No.

Dougherty Arts Center - Add \$87,000 so it can be used. - On Councilmember Nofziger's motion, Councilmember Garcia's second, 4-3 Vote, Councilmember Reynolds, Epstein and Larson voted No.

13. Approved third reading of an Ordinance adopting and approving the Capital Budget for the fiscal year beginning October 1, 1991 and ending September 30, 1992, and making appropriations for each department, project and account.

On Councilmember Garcia's motion, Councilmember Larson's second, 7-0 Vote.

14. Approved third reading of an Ordinance fixing and levying Municipal Ad Valorem taxes for the City of Austin, Texas, for fiscal year 1991-92; and for each year thereafter until otherwise provided; approval of property tax exemptions for historic property, disabled veterans, certain persons with disabilities and elderly persons; directing the assessment and collecting thereof; validating all prior Ad Valorem taxes.

On Councilmember Reynolds motion, Councilmember Nofziger's second, 7-0 Vote.

15. Approved third reading of certain ordinances authorizing fees, rates and charges for City services and use of City facilities.

On Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

16. Approved third reading of Ordinances adopting and approving Water and Wastewater service rates effective November 1, 1991 and ending October 31, 1992.

On Councilmember Epstein's motion, Councilmember Reynolds' second, 7-0 Vote.

17. Approved third reading of an Ordinance adopting and approving monthly residential and commercial garbage collection fees.

On Councilmember Nofziger's motion, Councilmember Garcia's second, 7-0 Vote.

18. Approved third reading of an Ordinance providing for the classifications and number of positions in each classification in the Police Department and Fire Department.

On Councilmember Epstein's motion, Councilmember Reynolds' second, 7-0 Vote.

Privatization of City Services (Items 19-21)

19. Amended the 1990-91 General Fund Operating Budget by transferring \$125,000 from the Cemetery Perpetual Care Trust Fund to the Parks and Recreation Department Operating Budget for the care and upkeep of its five (5) cemeteries.

On Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 Vote.

RESOLUTIONS

20. Approved execution of a twelve (12) month contract with K-B CONTRACT CLEANING, Austin, Texas, for custodial services at sixteen (16) Health and Human Service facilities, in an amount not to exceed \$182,652, including one (1) twelve (12) month extension option, in an amount not to exceed \$182,652, for a total amount not to exceed \$365,304. (Funding in the amount of \$182,652 included in the 1991-92 Operating Budget of the Public Works Department.) Low bid of seven (7). 0% MBE, .07% WBE Subcontractor participation. Reference No. 910869-3RH.

On Councilmember Larson's motion, Councilmember Garcia's second, 5-0 Vote, Mayor Todd and Mayor Pro Tem Urdy out of the room.

21. Approved execution of a twelve (12) month contract with CAPITOL COMPUTER SERVICES, INC., Austin, Texas, for a payroll time sheet data entry service, in the amount of \$48,000 including the option to extend thereafter for an additional two (2) twelve (12) month periods, in the amount of \$48,000 per option, for a total amount of \$144,000. (Funding in the amount of \$48,000 included in the 1990-91 Operating Budget of the Information Systems Department; extensions will be requested through the annual budget process.) Low bid of

three (3). OX M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference No. 9101725-3JR.

On Councilmember Nofziger's motion, Councilmember Garcia's second, 7-0 Vote.

22. Approved an Interlocal Cooperation Agreement between the City of Austin and the Lower Colorado River Authority (LCRA) for the LCRA to contribute an amount not to exceed \$125,000 for establishing a permanent facility for the collection of household hazardous waste. (Related to Item 23)

On Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

23. Approved execution of a twelve (12) month service agreement with LAIDLAW ENVIRONMENTAL SERVICES, Greenbriar, Tennessee, for the collection, packaging, transportation and disposal of household hazardous waste, in an amount not to exceed \$451,451, including one (1) twelve (12) month extension option, in an amount not to exceed \$451,451, for a total amount not to exceed \$902,902. (Funding in the amount of \$208,515 included in the 1990-91 Operating Budget of Environmental and Conservation Services Department; \$234,185 included in the 1991-92 Operating Budget of Environmental and Conservation Services Department; \$5,985 included in the 1991-92 Operating Budget of Aviation Department; \$2,766 included in 1991-92 Operating Budget of Brackenridge Hospital.) Sole Bid. OX M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference No. 910736-3RW. (Related to Item 22)

On Councilmember Nofziger's motion, Councilmember Garcia's second, 7-0 Vote.

24. Authorized the approval and execution of an Escrow Agreement for the defeasance of certain outstanding Water and Wastewater Utility System Revenue Bonds. (Related to Item 11)
25. Approved execution of a construction contract award to HAEGELIN CONSTRUCTION COMPANY, Austin, Texas, for Greenleaf Estates Annexed Area water and wastewater improvements, in the amount of \$1,864,687.30. (Funding in the amount of \$1,645,039.30 included in C.I.P. No. 443-237-0713; \$219,648 included in C.I.P. No. 388-227-0766.) Low bid of five (5). 0.97% MBE, 1.15% WBE Subcontractor participation.
26. Approved execution of a twelve (12) month supply agreement with DX DISTRIBUTORS, San Antonio, Texas, for the purchase of 220 barrels (54-gallon barrels each) and an additional 98,000 bulk gallons of

caustic soda utilized in the sewage treatment process, in an amount not to exceed \$122,992. (Funding in the amount of \$11,628 included in the 1990-91 Operating Budget of Water and Wastewater Department; \$111,364 included in the 1991-92 Operating Budget of Water and Wastewater Department.) Low bid of two (2). 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference No. 910687-1R0.

27. Approved a construction award to INSITUFORM TEXARK, Dallas, Texas, for the Hyde Park Upper Waller Creek Pipe-Within-A-Pipe Rehabilitation project, in the amount of \$436,697. (Funding in the amount of \$141,722 included in Wastewater Fund 436-237-0370; \$294,925 included in Wastewater Fund 433-237-0530.) Low bid of two (2). 0% MBE, 0.96% WBE Subcontractor participation. Reference No. 91-0795-2-SA.

#24-27 on Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

28. Approve execution of a contract award with WALLACE AND TIERNAN COMPANY, Dallas, Texas, for two (2) lime slaker feeder systems, for the Davis Water Treatment Plant, in an amount not to exceed \$98,490. (Funding included in the 1990-91 Operating Budget of the Water and Wastewater Department.) Third lowest bid of four (4). 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference No. 910501-1JD/MN.

Pulled off agenda.

29. Approve wastewater service extension request No. 1406 and authorize cost reimbursement of \$292,600 to NATIONAL LINEN SERVICE, for the construction of a 21-inch wastewater line to provide service to the increased demand at 1307 Smith Road and to the area along Smith Road and U.S. Hwy. 183 East. (Funding provided from Service Extension Cost Participation Transfers through a three (3) year payment plan from 1994 through 1996.)

Postponed to September 19, 1991.

30. Approved a lease amendment with Adlarb Real Estate Investment Partnership for an additional 2,427 net usable sq. ft. of office space in One Texas Center, located at 505 Barton Springs Road, for administrative functions associated with the Building Services Division of the Public Works Department, in the amount of \$29,269.68. (Funding included in the 1991-92 Operating Budget of the Public Works Department.)

On Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

31. Approve issuance of a Request for Proposal (RFP) to manage public access facilities for the City of Austin.

Mayor Todd asked Mayor Pro Tem Urdy to take the chair so that he could make the following motion:

Motion

Mayor Todd made a motion, seconded by Councilmember Reynolds, to "instruct the City Manager to bring back a contract, next week, to extend the ACTV contract another nine months, running through June 30, 1992. I request the following items be included in that contract, in addition to the base contract: 1: In the event the Council determines, based on the advice of the Music Commission and the the Cable Commission, and I am going to ask that that advice come back sooner than later, that one access channel should be content specific music channel and the amended contract language will specify this designation. And I will ask that the two commissions who have been studying this issue for some time to try to report back to us in the next 60 days. 2: That we require more specific organizational procedures, including accounting, bookkeeping and payment processes. We've discussed this with the director of ACTV and these recommendations are appropriate. 3. That we have an improved inventory recording system. We've had some difficulties with that area and that needs to be addressed. 4: We list repair and retirement of equipment on a monthly basis to monitor cable company and contractors compliance. 5: We include a provision that requires the the access managers to cause greater enforcement of the producer programming income reporting." The motion passed 7-0.

4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

ZONING DISTRICTS

32. C14-91-0016 - JOSIE CHAMPION, by Planning Consultants, 5600-5720 F.M. 2222, 6200-6210 Lakewood Drive, 6101-6409 S. Capital of Texas Hwy. From SF-2 to GR for Tract E1, RR for Tract E2, and RR for Tract E3. Planning Commission Recommendation: To deny the requested zoning.

Postponed indefinitely.

To be heard by Planning Commission on September 10, 1991;  
Recommendation to Follow

33. C14-91-0015 - JOSIE CHAMPION, by Planning Consultants, 5619-5719 F.M. 2222. From SF-2 to Tract D1: GR and Tract D2: RR.

FIRST READING - Approved with conditions, on Councilmember Reynolds'

motion, Councilmember Larson's second, 5-1 Vote, Councilmember Epstein voted No, Mayor Todd out of the room.

34. C14-91-0064 - SCOTT & ELIZABETH BARTELL, 2301 Big Horn Drive. From LA to SF-2.

**ORDINANCE**

35. C14-91-0066 - NATIONWIDE LIFE INSURANCE, by C. P. Oles, 7010 Hwy. 71 West. From GR to CS-1.

**ORDINANCE**

#34-35 on Councilmember Larson's motion, Councilmember Reynolds' second, 7-0 Vote.

36. C14-91-0068 - TEXAS COMMERCE BANK, by Strasburger & Price, Armbrust & Brown, 6245-6289 McNeil Road, 13000-13032 Heinemann Drive, 6018-6024, 6100-6110, 6200-6208, 6300-6320, 6400-6416, 6500-6512 Melrose Trail. From I-RR to GR, MF-3.

Postpone to October 17, 1991.

37. C14-91-0069 - TEXAS COMMERCE BANK, by Strasburger & Price, Armbrust & Brown, 6101 to 6105, 6201 to 6241 McNeil Road, 5920 to 5938 Melrose Trail, 13019 to 13033 Heinemann Drive, and 5913 to 5925, 6001 to 6021 Farmer Lane West. From I-RR to GR.

Postpone to October 17, 1991.

**EXECUTIVE SESSION**

(No Public Discussion on These Items)

Mayor Todd announced that Council would go 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.

38. Pending/Contemplated Litigation - Section 2, Paragraph e

(a) Discussion of Henry Ray Lankford, Susan Dietrick, estate of Robin Lee Lankford v. City of Austin; Cause No. 450,727.

(b) Discussion of Armando Z. Martinez v. City of Austin, et al, Cause No. 493,373.



39. Land Acquisition, Section 2, Paragraph f

Discussion of real property acquisition for development of the Scattered Coop Infill Housing Program (SCIP).

40. Personnel Matters - Section 2, Paragraph g

Performance Review of City Clerk

RECESS

Council recessed its meeting from 7:21 to 8:20 P.M.

ACTION ON THE FOLLOWING

41. Approved settlement of Henry Ray Lankford, Susan Dietrick, estate of Robin Lee Lankford v. City of Austin; Cause No. 450,727 in the amount of \$150,000.

On Councilmember Reynolds' motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Councilmember Nofziger out of the room.

42. Authorized outside legal fees of \$87,200 for representation of Tobias Santiago in Armando Z. Martinez V. City of Austin, et al; Cause No. 443,373.

On Mayor Pro Tem Urdy's motion, Councilmember Garcia's second, 6-0 Vote, Councilmember Nofziger out of the room.

ADJOURN - The meeting was adjourned at 8:30 P.M.

