



**Austin City Council  
MINUTES  
For**

**JANUARY 17, 1991**

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

Mayor Cooke called to order the meeting of the Council, noting the absence of Councilmember Nofziger.

**MINUTES APPROVED**

1. Approval of Minutes for Regular Meeting of January 10, 1991

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

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

2. Mr. Lyles Houston discussed accessibility for the handicapped to the Brown Bldg.
3. Mr. Henry Ratliff discussed City issues.
4. Ms. Andrea Hieber discussed continued funding for the Southeast Business Incubator.
5. Mr. Cruz A. Riojas, to discuss continued funding for the Southeast Business Incubator. Did not speak.
6. Ms. Linda Rodriguez, to discuss award of continuing funds for Southeast Business Incubator. Did not speak.
7. Ms. Virginia A. Sanchez, to discuss award of continuing funds for Southeast Business Incubator. Did not speak.
8. Mr. Peter W. Gonzalez, to discuss continued City funding for Southeast Business Incubator. Did not speak.
9. Mr. Leonard Lyons discussed communication to and from Council.

10. Mr. David N. Elliott discussed current City issues.
11. Mr. Thom Prentice discussed current City issues.

#### ITEMS CONTINUED FROM PREVIOUS MEETING

12. Approved second reading of an Ordinance changing the terms of the members on the Police Retirement Board from four to three years and reducing the membership to bring the Board into compliance with Section 2-4-6 of the Austin City Code. (Councilmember Louise Epstein)
13. Approved second reading of an Ordinance reducing the membership of the Employee's Retirement System to bring it into compliance with Section 2-4-6 of the Austin City Code. (Councilmember Louise Epstein)  
  
#12 - 13 On Councilmember Epstein's motion, Councilmember Larson's second, 4-0 Vote, Councilmembers Barnstone and Carl-Mitchell voted No, Councilmember Nofziger absent.
14. Approved ~~second/third~~ readings of an Ordinance reducing the membership of the Arts Commission to bring it into compliance with Section 2-4-6 of the Austin City Code. (Councilmember Louise Epstein)  
  
On Councilmember Epstein's motion, Mayor Cooke's second, 4-2 Vote, Councilmembers Barnstone and Carl-Mitchell voted No, Councilmember Nofziger absent.
15. Appointment of a Citizens Task Force to address the redevelopment of Robert Mueller Municipal Airport (RMMA). [Mayor Lee Cooke] (Continued from December 6, 1990)  
  
The Council, on Councilmember Epstein's motion, Councilmember Larson's second, approved the appointment of Tom Murphy, Brad Ellis, Dean Flinn and Robert Knight. (5-0 Vote, Councilmember Barnstone out of the room, Councilmember Nofziger absent.)

#### ORDINANCES

##### **Zoning (Items 16-17)**

16. Approved second/third readings of an Ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 5736-5908 North MoPac, Case No. C14-89-0065 from "LO" Limited Office, to "CR-CO, Community Commercial-Conditional Overlay, BRIGHT BANC SAVINGS. First reading: January 18, 1990; Vote 7-0. Conditions met as follows: Conditional Overlay and restrictive covenant incorporate conditions imposed by Council. (Public Hearing Closed - No Citizen Sign Up).  
  
On Councilmember Carl-Mitchell's motion, Councilmember Barnstone's second, 5-0 Vote, Mayor Pro Tem Urdy out of the room, Councilmember Nofziger absent.

17. Approved third reading of an Ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 7700 North Capital of Texas Highway, Case No. C14-90-0025, from "DR", Development Reserve to "MF-2" Multi-Family Residence, TWIN ROCK ASSOCIATES, by Land Strategies, Inc. First Reading: December 6, 1990; Vote: 4-3, Councilmembers Smoot Carl-Mitchell and Michael "Max" Nofziger and Councilman Robert Barnstone voted no. Conditions met as follows: Conditional Overlay and restrictive covenant incorporate conditions imposed by Council. (Public Hearing Closed - No Citizen Sign Up)

Initially this item was postponed to January 31, 1991; later in the meeting it was approved, on Mayor Pro Tem Urdy's motion, Councilmember Epstein's second, 4-2 Vote, Councilmembers Barnstone and Carl-Mitchell voted No, Councilmember Nofziger absent.

18. Amended the FY 1990-91 Operating Budget of the Parks and Recreation Department by increasing revenues by \$176,000 and increasing expenditures by \$176,000 and adding 1.75 FTEs for programs at the Old Bakery and Emporium.
19. Approved implementing the provisions of Article 45.06 of the Texas Code of Criminal Procedure which allows Municipal Judges alternate procedures for collection of fines and costs.

#18-19 On Councilmember Carl-Mitchell's motion, Councilmember Barnstone's second, 5-0 Vote, Mayor Pro Tem Urdy out of the room, Councilmember Nofziger absent.

20. Approved the street name change request of Pompas Cove to Pampas Cove, located within the Jester Estates Subdivision. (\$100 processing fee has been paid).

On Councilmember Carl-Mitchell's motion, Councilmember Epstein's second, 6-0 Vote, Councilmember Nofziger absent.

21. Approve amending Ordinance No. 900913-A by transferring \$1,855,772 from the currently approved FY 1990-91 Budget of the Austin Convention and Visitors Bureau to the FY 1990-91 Operating Budget of the Convention Center Department; amending Ordinance No. 900913-A by transferring sixteen (16) FTEs from the Austin Convention and Visitors Bureau Department to the Convention Center Department. (Related to Item 41)

Postponed to January 24, 1991.

#### RESOLUTIONS

22. Approved execution of a contract with COMPUTER ASSOCIATES, Austin, Texas, for the licensing of a software management system used by Information Systems on the mainframe computer, in an amount not to exceed \$65,340, including first year maintenance, with the option for second year maintenance at a cost not to exceed \$14,375. (Funding included in the Information Systems Improvement Project - CIP Fund No. 317-117-2075-2807-9154) Sole source. 0% M/WBE Subcontractor

participation. The prime did not identify any subcontracting opportunities.  
Reference File No. 910003-3AB

On Councilmember Carl-Mitchell's motion, Mayor Pro Tem Urdy's second, 5-0 Vote, Councilmember Barnstone out of the room, Councilmember Nofziger absent.

23. Approved execution of a twelve (12) month contract with AMERICAN MANAGEMENT SYSTEMS, Arlington, Virginia, for maintenance of Local Government Financial System (GFS) software, in an amount not to exceed \$42,642, with the option to extend the contract for the next four (4) years in an amount not to exceed \$52,645 for the second year; \$55,277 for the third year; \$58,041 for the fourth year; and \$60,943 for the fifth year; the total amount of the contract is not to exceed \$269,548. (Funding included in the 1990-91 Operating Budget of the Information Systems Department). Sole Source. OX M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference No. 360A0002215 (87-S348-KM).
24. Approved execution of a contract award with BAXTER V. MUELLER, 1500 Waukegan Rd., McGaw Park, Illinois, for a twelve month supply agreement for the purchase of miscellaneous surgical instruments (forceps, scissors, surgical knives and needle holders), in an amount not to exceed \$42,070, with an option to extend the contract for one (1) additional twelve (12) month period in an amount not to exceed \$42,070, for a total amount not to exceed \$84,140. (Funding included in the 1990-91 Operating Budget for Brackenridge Hospital). Low bid of eleven (11) bids. OX M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. BSO-270.
25. Approved execution of a contract award to CURTIN MATHESON SCIENTIFIC, 9999 Veterans Memorial Dr., Houston, Texas, for microbiological lab media which is used to support and/or inhibit the growth of appropriate quality control organisms which assist in diagnosing disease, at an annual estimated cost not to exceed \$42,562, with the option to extend the contract for one (1) twelve (12) month period at a cost not to exceed \$42,562, for a total estimated cost of \$85,124. (Funding included in the FY 1990-91 Operating Budget for Brackenridge Hospital.) Low bid of three (3) bids. OX M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. BSO-309.
26. Approved execution of a contract award with 3CI COMPLETE COMPLIANCE CORPORATION, 9033 Knight Rd., Houston, Texas, for a twelve (12) month service agreement for removal and incineration of infectious waste from the Hospital, in an amount not to exceed \$80,645, with the option to extend the contract for up to one (1) additional twelve (12) month period in an amount not to exceed \$80,645, for a total amount not to exceed \$161,290. (Funding included in the 1990-91 Operating Budget for Brackenridge Hospital). Low bid of three (3) bids. OX M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. BCO-271.
27. Approved execution of a contract with SOUTHERN SAFETY SALES, P.O. BOX 4065, Austin, Texas, for a twelve (12) month supply agreement for Disposable Prep Trays, in an amount not to exceed \$35,490, with the option to extend the contract for up to one (1) additional twelve (12) month period in an amount not to exceed \$35,490.

for a total amount not to exceed \$70,980. (Funding included in the 1990-91 Operating Budget for Brackenridge Hospital). Low bid of nine (9). 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. BSO-260

28. Approved execution of a contract with C.R. BARD, INC., 111 Spring St., Murray Hills, New Jersey, for a twelve (12) month supply agreement for filtered cardiectomy reservoirs to be used to filter blood during surgery, in an amount not to exceed \$32,340, with the option to extend the contract for up to one (1) additional twelve (12) month period in an amount not to exceed \$32,340, for a total amount not to exceed \$64,680. (Funding included in the 1990-91 Operating Budget for Brackenridge Hospital). Low bid of two (2) bids. 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. BSO-298
29. Approved execution of a contract award to COBE LABORATORIES, 14401 W. 65th Way, Arvada, Colorado, for open heart pump accessories, at an annual estimated amount not to exceed \$86,063, with the option to extend the contract for up to one (1) twelve (12) month period at an annual estimated cost not to exceed \$86,063, for a total amount not to exceed \$172,126. (Funding included in the 1990-91 Operating Budget for Brackenridge Hospital). Sole source. 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. BSO-246
30. Approved execution of a contract with ANAQUEST, 2005 West Beltline Hwy., Madison, Wisconsin, for Forane Anesthetic, used to anesthetize patients through an anesthesia vaporizer to deliver a controlled amount of vapor to the patient, at an estimated cost not to exceed \$62,160, with the option to extend the contract for up to one (1) additional twelve (12) month period at an estimated cost not to exceed \$62,160, for a total cost not to exceed \$124,320. (Funding included in the 1990-91 Operating Budget for Brackenridge Hospital). Sole Source. 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. BSO-262
31. Approved execution of contract awards with CARDIO SYSTEMS, P.O. Box 29923, Dallas, Texas, in an amount not to exceed \$57,263.00, and to KINETIC CONCEPTS, P.O. Box 8588, San Antonio, Texas, for the daily rental of therapeutic beds, in an amount not to exceed \$87,318, with the option to extend the contract for up to one (1) additional twelve (12) month period in an amount not to exceed \$144,581, for a total amount not to exceed \$289,162, respectively. Low bid of three (3) bids. 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. BCO-259
32. Approved execution of a contract with AUSTIN DIESEL AND TRANSMISSION, INC., Austin, Texas, for a twelve (12) month supply agreement for repair parts for Detroit diesel engines, in an amount not to exceed \$50,000, with the option to extend the contract for up to two (2) additional twelve (12) month periods in an amount not to exceed \$50,000 for each period, for a total amount not to exceed

\$150,000. (Funding included in the 1990-91 Operating Budget for General Services Department). Sole bidder. OX M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference IFB No. 910007-1LI

33. Approved execution of a twelve (12) month contract with AMIGOS BIBLIOGRAPHIC COUNCIL INC., Richardson, Texas, for continuance of membership in bibliographic and consultant services as required by the Texas State Library, in an amount not to exceed \$64,000, with the option to extend the contract for up to four (4) twelve (12) month periods, in an amount not to exceed \$64,000 per extension option for a total amount not to exceed \$320,000. Sole source. OX M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. RX 8500008408
34. Approved execution of a twelve (12) month service agreement with AUSTIN PRESORT, INC., Austin, Texas, for presorting of residual bulk mail, in an estimated amount not to exceed \$36,600, including the option to extend the contract for up to two (2) twelve (12) month periods in an estimated amount of \$36,600 per extension period, for a total estimated amount not to exceed \$109,800. Low bid of three (3). OX M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. 900610-3JR
35. Approve execution of a contract award for a twelve (12) month service agreement with STANLEY SMITH, INC., 910 Burnet Road, Austin, Texas, for security guards for Municipal Court, Health, Water and Wastewater Departments and the Utility Customer Service Office, in an amount not to exceed \$126,991, including the option to extend the contract for up to two (2) twelve (12) month extension options in an amount not to exceed \$126,991 per each option, for a total estimated amount not to exceed \$380,973. (Funding included among the following 1990-91 Operating Budgets: Health, Utility Customer Service Office, Municipal Court and Water and Wastewater). Low bid of three (3) bids. OX M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. 900764-3JR.

Pulled from the agenda.

36. Set a public hearing on an amendment to Section 13-5-84 of the Land Development Code, providing for administrative approval of modification of driveway access of certain properties subject to right-of-way condemnation. Date and time: February 7, 1991, at 5:00 p.m.

28-36

~~28-36~~ on Councilmember Larson's motion, Councilmember Epstein's second, 5-0 Vote, Mayor Pro Tem Urdy out of the room, Councilmember Nofziger absent.

**PUBLIC HEARINGS AND APPROVAL OF ORDINANCES/RESOLUTIONS**

37. 5:00 P.M. - (A) Approve the creation of Tax Abatement Reinvestment Zone No. Four for a portion of Lot 2, Block A, University Business Park, in accordance with Section 312.202 of the Texas Tax Code.

(B) Authorize execution of Tax Abatement Agreement with Ion Implant Services, Inc.

Speaker's cards are on file in the City Clerk's office.

Public hearing was closed and directions given to post for action on January 24, 1991, on Councilmember Carl-Mitchell's motion, Councilmember Larson's second, 5-1 Vote, Councilmember Barnstone voted No, Councilmember Nofziger absent.

38. 5:30 P.M. Amend the downtown service fee (Section 6-6-81 of the Austin City Code) for businesses abutting the alleys north & south of E. 6th St. and east and west of Congress Avenue for sidewalk cleaning; and for portable rest rooms in the E. 6th St. alleys.

Speaker's cards are on file in the City Clerk's office.

Continue public hearing and postpone indefinitely, on Councilmember Carl-Mitchell's motion, Councilmember Epstein's second, 5-0 Vote, Mayor Pro Tem Urdy absent out of the room, Councilmember Nofziger absent.

39. 6:00 P.M. - Vacation of Angus Road between Duval Road and Bull Run. (Request submitted by McGinnis, Lochridge & Kilgore on behalf of Texas Commerce Bank and Annco, Inc. - \$250 application fee has been paid.)

Mayor Cooke opened the public hearing and asked Bill Stockton, Director of Transportation and Public Works, to explain the vacation. Mr. Stockton stated: "This is a public hearing to take input on citizens on the proposed vacation of a section of Angus Road, to be vacated to the adjacent property owners on some conditions, with the the full tract made available, once this vacation is completed, to be a site for a future public elementary school. This section of Angus Road is from Bull Run Road to West Duval Road. The vacation would return to the City a fee in the amount of \$30,409.00, which represents the appraised value established by our staff appraiser. We recommend that the vacation be authorized by the Council, subject to sale of the adjoining properties to AISD, subject to the drainage easement consisting of 21,360 square feet of land to the City of Austin by AISD upon acquisition of abutting properties, and by the retention of an existing 181 square foot drainage easement on Bull Run".

### Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Larson's second, closed the public hearing and approved with conditions submitted by Mr. Stockton. (5-0 Vote, Councilmember Epstein out of the room.

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

#### ZONING DISTRICTS

40. C14-81-087 (Amended) - ZILKER SKYLINE CONDOMINIUMS, by Crane Properties, 2100 Melridge Place, Existing Zoning: "SF-6", proposal to reduce approved project density from 20 to 13 detached units.

FIRST READING - On Councilmember Carl-Mitchell's motion, Councilmember Epstein's second, 5-0 Vote, Mayor Pro Tem Urdy out of the room, Councilmember Nofziger absent.

#### ITEMS FROM COUNCIL

41. Repeal Ordinance No. 890824-F creating the Convention and Visitors Commission. (Mayor Lee Cooke) [Related to Item 21]

To be brought back when all members of the Council are present.

42. Approve payment of \$50,000 in order to continue Austin's membership in the Greater Austin-San Antonio Growth Corridor Council. (Mayor Lee Cooke)

No action taken. Mayor Pro Tem Urdy made a motion to approve, seconded by Mayor Cooke. Motion FAILED by a vote of 3-3 with Councilmembers Barnstone, Carl-Mitchell and Epstein voting No, Councilmember Nofziger absent.

43. Approved a Resolution expressing the City Council's disinterest in annexing the Estates of Barton Creek Subdivision. (Councilmember Smoot Carl-Mitchell)

44. Approved a Resolution amending the South Austin Youth Services contract by increasing the amount by \$27,290 for a period through November 30, 1991 for the continuation of the provision of social services at their Dove Springs Branch Office. (Funding provided from the Social Services Contingency Fund). [Councilmembers Bob Larson and Smoot Carl-Mitchell]

#43-44 On Councilmember Carl-Mitchell's motion, Councilmember Barnstone's second, 5-0 Vote, Mayor Pro Tem Urdy out of the room, Councilmember Nofziger absent.

45. Approved an Ordinance ordering an election to be held in the City of Austin on May 4, 1991 for the purpose of electing the Mayor and three Council Members of the City of Austin for a term of three years beginning June 15, 1991; changing the date for a run-off election to May 18, 1991, for the purpose of submitting to the

qualified voters, for adoption or rejection, the following amendments to the existing Charter of the City of Austin:

First Reading, on Councilmember Larson's motion, Councilmember Carl-Mitchell's second, 4-0 Vote, Councilmembers Barnstone and Epstein out of the room, Councilmember Nofziger absent.

- (a) An amendment providing for a City Auditor to be appointed and report directly to the City Council; and (Councilmember Bob Larson)

First Reading, on Councilmember Larson's motion,, Mayor Cooke's second, 4-2.Vote, Mayor Pro Tem Urdy, Councilmember Carl-Mitchell voted No, Councilmember Nofziger absent.

- (b) An amendment providing that the City Attorney will be appointed and report directly to the City Council. (Councilmember Bob Larson)

Pulled off the agenda.

46. Directed the City Manager to begin an abbreviated process for the allocation of unprogrammed funds from the 14th Year Community Development Block Grant (Rodriguez Tract). [Housing Subcommittee]

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

47. Approved an amendment to the Blacklands Neighborhood Master Lease Agreement between the City of Austin and the University of Texas for the inclusion of 2106 Chicon. (No fiscal impact to the City). [Councilmember Smoot Carl-Mitchell]

On Councilmember Carl-Mitchell's motion, Councilmember Barnstone's second, 5-0 Vote, Mayor Pro Tem Urdy out of the room, Councilmember Nofziger absent.

50. Consider appointing a Charter Revision Committee and approving a Charter Revision proposal for the May 4, 1991 election. (Mayor Pro Tem Urdy and Councilmember Barnstone)

On Councilmember Barnstone's motion, Mayor Pro Tem Urdy's second, approved "creating a committee of up to nine members, appointments to be made by January 24, 1991, if possible, and on that date define the charge; Committee to report to Council on March 7, 1991; public hearing will be held on March 14, 1991 and a decision is to be made by March 21, 1991". 6-0 Vote, Councilmember Nofziger absent.

51. Approved an ordinance amending Ordinance No. 890615-E by revising the Financial Manangement Policy for the City of Austin to require the City Manager to prepare a contingency plan pursuant to Article VII, Section 7 of the Charter of the City of

Austin should a shortfall of at least \$250,000.00 appear on the monthly performance report.

On Councilmember Epstein's motion, Mayor Cooke's second, 5-0 Vote, Councilmember Barnstone out of the room, Councilmember Nofziger absent.

52. Approved an amendment to the Lease Agreement between the City of Austin and the Blackland Community Development Corporation for the inclusion of 2106 Chicon.

On Councilmember Carl-Mitchell's motion, Mayor Cooke's second, 5-0 Vote, Mayor Pro Tem Urdy out of the room, Councilmember Nofziger absent.

53. Approved an Ordinance amending Ordinance No. 901101-I to provide that employee elected members of City Council appointed Boards and Commissions are exempted from the six year term limitation.

On Councilmember Epstein's motion, Councilmember Larson's second, 6-0 Vote, Councilmember Nofziger absent.

**EXECUTIVE SESSION** (No Public Discussion on These Items)

An Executive Session was not held.

The City Council will announce that it will go into Executive Session, if necessary, 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.

48. Land Acquisition - Section 2, Paragraph f

(A) Review and discussion of right-of-way acquisition for:

- (1) U.S. Highway 183/290 Project
- (a) Account #47

**ACTION ON THE FOLLOWING**

49. Approved resolutions authorizing right-of-way acquisitions for:

- (a) U.S. 183/290 Expansion Project
- (1) Account #47

On Mayor Pro Tem Urdy's motion, Councilmember Carl-Mitchell's second, 5-0 Vote, Councilmember Barnstone out of the room, Councilmember Nofziger absent.

**SPEAKER AT END OF MEETING**

One person spoke at the end of the meeting.

**ADJOURN**

Council adjourned its meeting at 7:05 P.M., on Councilmember Carl-Mitchell's motion, Councilmember Epstein's second, 6-0 Vote, Councilmember Nofziger absent.