



# **Austin City Council MINUTES For**

**NOVEMBER 7, 1991**

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

Mayor Pro Tem Urdy called to order the meeting of the Council, noting that Mayor Todd was on his way to the Council Chamber. Mayor Todd arrived at 1:34 P.M.

## **MINUTES APPROVED**

1. Approval of Minutes for Regular Meeting of October 31, 1991 and Special Meeting of October 28, 1991 with changes.

On Councilmember Nofziger's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Todd absent.

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

2. Mr. Jon Carlson, complimented City employee John Rosher for providing a quick response to his request; suggested that certain Council members start listening to David Elliott and Leonard Lyons on fiscal responsibility; and reminded the Council as to why Robert Barnstone was elected three years ago.
3. Mr. Joe Riddell discussed the Edwards Aquifer and Barton Springs as part of Austin's drinking water supply.
4. Mr. Wayne Hall discussed the City's bidding and procurement procedures for the construction industry.
5. Ms. Maria Rocha discussed personnel policies and employee relations.
6. Ms. Carol Guthrie discussed personnel policies and employee relations.
7. Mr. David Van Os discussed cable television issues.
8. Mr. Derrick Norris discussed funding for youth at risk programs.
9. Mr. Henry Ratliff discussed Austin opportunities.
10. Mr. Leonard Lyons discussed communication with the City Manager.

11. Ms. Cecilia Games discussed East Austin Enterprise Zone and lack of Planning Commission input.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

12. Authorize negotiation and execution of an Interlocal Agreement with Travis County to provide Homecare services to eligible County residents, and Utilization Review of hospital billings for the Travis County Rural Medical Assistance Program (RMAP) through September 30, 1992, with three (3) twelve (12) month options. (Funding provided by Travis County Human Services.)

Pulled off agenda.

RESOLUTIONS

13. Approved execution of an eleven (11) month supply agreement with PERTEX TEXTILE PRODUCTS, INC., Franklin, MI, for the purchase of work uniforms, trousers and shirts for use by various City departments, in an amount not to exceed \$139,317, with the option to extend for one (1) additional twelve (12) month period, in an amount not to exceed \$139,317, for a total amount not to exceed \$278,634. (Funding included in the 1991-92 Operating budgets for the user departments. Each department will be charged appropriately as it withdraws items from the central stores. Funding for the extension will be requested in 1992-92 budget.) Low bid of four (4). The prime did not identify any subcontracting opportunities. Reference No. 910722-1B0.

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

14. Approved execution of a twelve (12) month supply agreement with CASCO INDUSTRIES, INC., New Braunfels, Texas, for the purchase of bunker coats and bunker pants, used to protect the upper body and legs against temperature extremes during fires and other emergencies, in an amount not to exceed \$200,032, with the option to extend for one (1) additional twelve (12) month period in an amount not to exceed \$200,032, for a total amount not to exceed \$400,064. (Funding included in the 1991-92 operating budgets of the user departments. Each department will be charged appropriately as it withdraws items from central stores.) Best bid of two (2). The prime did not identify any subcontracting opportunities. Reference No. 910691-1B0.

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

15. Approved execution of a twelve (12) month supply agreement with W.H. RICHARDSON, INC., Austin, Texas, for the purchase of hardware and fasteners to be issued to the Water and Wastewater Department, Parks

and Recreation Department, and Electric Department, in an amount not to exceed \$44,359.88, with the option to extend for one (1) additional twelve (12) month period, in an amount not to exceed \$44,359.88, for a total amount not to exceed \$88,719.76. (Funding is included in the 1991-92 Operating budgets of the user departments. Each department will be charged appropriately as it withdraws items from the Central Stores.) Low bid of eight (8). The prime did not identify any subcontracting opportunities. Reference No. 910751-1B0/MN.

16. Approved negotiation and execution of a contract award with DICTAPHONE, Austin, Texas, for the purchase of digital dictation equipment for use by Brackenridge Hospital, in an amount not to exceed \$204,644. (Funding provided by the issuance of contractual obligations which was approved by Council on February 28, 1991.) Best offer of three (3). The prime did not identify any subcontracting opportunities. Reference No. BHI-031.
17. Approved negotiation and execution of a twelve (12) month service agreement with CMC TECHNOLOGIES CORPORATION (CMC), Chicago, Illinois, for electronic claims processing at Brackenridge Hospital, in an amount not to exceed \$60,000, with an option to extend thereafter for up to one (1) additional twelve (12) month period, in an amount not to exceed \$60,000, for a total amount not to exceed \$120,000. (Funding included in the 1991-92 Operating Budget for Brackenridge Hospital.) Best offer of three (3). The prime did not identify any subcontracting opportunities. Reference No. BCI-044.

15-17 on Councilmember Garcia's motion, Councilmember Nofziger's second, 7-0 Vote.

18. Approved the selection and authorized negotiation and execution of a professional services agreement with a master plan consultant for the Airport Master Plan of Bergstrom, in an amount not to exceed \$1,000,000. (Funding included in Airport C.I.P. 92-81-36. This project is eligible for 75% funding from the Federal Aviation Administration.) (Recommended by Aviation Subcommittee)

#### Motion

Mayor Pro Tem Urdy made a motion, seconded by Councilmember Larson to approve KPMG Peat Marwick and exclude execution and dollar amount (\$1,000,000 cap) from the resolution.

#### Substitute Motion

Councilmember Nofziger offered a substitute motion, seconded by Councilmember Garcia to approve the staff recommendation, DMJM (Daniel, Mann, Johnson & Mendenhall).

Amendment to Main Motion

Councilmember Garcia offered an amendment to the main motion to add "execution" and "\$1,000,000.00" cap.

Roll Call on Substitute Motion - FAILED

Substitute Motion Failed 4-3, with Mayor Pro Tem Urdy, Councilmembers Epstein, Larson and Reynolds voting No.

Roll Call on Main Motion  
with Amendment to Motion changed to Friendly Amendment

(After some discussion among Council, Councilmember Garcia and Councilmember Larson changed their Amendment to the Motion to a Friendly Amendment, which was accepted.)

6-1 Vote, Councilmember Nofziger voted No.

19. Approved the appointment of Dr. Ron Wyllys to a two year term as Austin's Lay Representative to the Central Texas Library System.

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

20. Set a public hearing regarding Fiscal Year 1991-92 contract funding for social service agencies. Date and time: December 9, 1991 at 4:00 p.m.

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

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

ZONING DISTRICTS

21. 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. Planning Commission Recommendation: No recommendation due to lack of a quorum vote.

Send back to Planning Commission for further review, on Councilmember Reynolds' motion, Councilmember Larson's second, 7-0 Vote.

22. 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 Parmer Lane West. From I-RR to GR. Planning Commission Recommendation: To grant GR-CO, subject to: LR development

regulations; two driveways to Farmer Lane to be approved by the Transportation Review Section of the Department of Planning and Development prior to development; and a 10' setback along McNeil Road where it does not abut residential uses.

First Reading - On Councilmember Reynolds' motion, Councilmember Larson's second, to "accept as recommended by the Planning Commission with additional conditions: (1) Prohibit access to Melrose Trail, (2) Require all parking lot lighting to be shielded, (3) prohibit off-site parking, residential treatment group homes II and congregate living, and (4) Require 25' building set-back on Melrose Trail, McNeil Road and Heineman Drive". 6-1 Vote, Councilmember Epstein voted No.

23. C14-91-0073 - ROBERT C. RALEY, by Blazier, Rutland & Lerner, 4019 Spicewood Springs Road. From SF-3 to LO. Planning Commission Recommendation: To Grant LO, subject to conditions.

Postponed to November 21, 1991

24. C14-91-0074 - JOHN COATES, by Minter, Joseph & Thornhill, 959 Reinli Street. From CS to CS-1. Planning Commission Recommendation: To Grant CS-1-CO, with the provision of the conditional overlay to prohibit adult oriented businesses. Planning Commission Recommendation: To grant CS-1-CO, prohibiting adult oriented businesses.

Postponed for one month - December 5, 1991.

25. C14-91-0075 - STATE OF TEXAS GENERAL SERVICES, by Abbe/Garrett Engineering, 5717 Balcones Drive. From SF-3 to LR. Planning Commission Recommendation: To Grant LR-CO, Neighborhood Commercial-Conditional Overlay, subject to conditions.

Ordinance

26. C14-91-0062 - CITY OF AUSTIN, Parks and Recreation Department, 1400 Alexander Avenue. From SF-3 to P. Planning Commission Recommendation: To Grant P.

Ordinance

27. C14-91-0065 - STAN MCELROY, by Site Specifics, 605 Masterson Pass. From LO, MF-2 to MF-3. Planning Commission Recommendation: To Grant MF-3-CO, subject to conditions.

Ordinance

28. C14-91-0070 - 5500 BALCONES JOINT VENTURE, by Cencor Realty, 5507 Balcones Drive. From LR to GR. Planning Commission Recommendation: To Grant GR-CO, subject to conditions.

**Ordinance**

#25-28 on Councilmember Reynolds' motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

29. C14-91-0063 - RIVERSIDE RESOURCES CORP., by Pat Scudder, 6510 S. Congress Avenue. From LR to LI. Planning Commission Recommendation: To Grant LI-CO subject to conditions.

First Reading - On Councilmember Reynolds' motion, Mayor Pro Tem Urdy's second, 5-2 Vote, Councilmembers Garcia and Nofziger voted No.

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

30. 5:00 P.M. - Approve a Resolution authorizing City participation in tax abatement, in accordance with Chapter 312.002 of the Texas Tax Code.

**Motion**

Closed public hearings on 30,31,32, on Mayor Pro Tem Urdy's motion, Councilmember Reynolds' second, 6-0 Vote, Councilmember Epstein out of the room.

**Motion**

The Council, on Mayor Pro Tem Urdy's motion, Councilmember Larson's second, adopted the resolution authorizing participation in tax abatement, in accordance with Chapter 312.002 of the Texas Tax Code. 6-0 Vote, Councilmember Epstein out of the room.

31. Approve an Ordinance adopting guidelines and criteria for Tax Abatement for 1991-93. (Pro Tem Charles Urdy and Mayor Bruce Todd.)

**Main Motion**

Mayor Pro Tem Urdy moved the approval of Items 1-19 of the tax abatement guidelines. Councilmember Garcia seconded the motion.

Amendments to Main Motion

Mayor Pro tem Urdy moved that Item No. 5 be amended as follows:

Tax Abatement Schedule

	<u>Maximum Percentage of Value Abated</u>		<u>Minimum Percentage of Qualified Employees</u>
	<u>Served by both City Utilities</u>	<u>Served by Only one City Utility</u>	
Austin	100X	NA	50X
Companies	90X	NA	40X
Only			
Austin	80X	70X	25X
Companies	70X	60X	15X
and new	60X	50X	10X
Companies	50X	40X	5X

The motion, seconded by Councilmember Reynolds, passed on first reading on a 4-2 vote, Councilmembers Garcia and Nofziger voting No, Councilmember Epstein out of the room.. (Under the provisions of Ordinance No. 910523-G, five votes would have been required to pass the amendment through all three readings.)

Motion

Mayor Pro Tem Urdy moved that Item No. 4 be amended as follows: (g) (1) The maximum term of abatement is six (6) years for companies locating within the Industrial Expansion Area ("IEA"), and three (3) years for companies locating outside of the Industrial Expansion Area, but within the city limits.)

The motion, seconded by Councilmember Reynolds, carried by a 5-1 Vote, Councilmember Garcia voting No and Councilmember Epstein out of the room.

Motion

Councilmember Nofziger moved "that a provision be added to Section 6 (b) of the Guidelines and Criteria for Tax Abatement as follows: Projections by the company regarding the company's use of any hazardous materials within the City of Austin and its extraterritorial jurisdiction, consistent with the reporting requirements of the Hazardous Materials Handling and Storage Sections of the City of Austin Fire Code". The motion, seconded by Councilmember Reynolds, carried by a 6-0 Vote, Councilmember Epstein out of the room.

### Roll Call on Main Motion - First Reading

Roll call on the main motion, as amended, carried by a 6-0 Vote, Councilmember Epstein out of the room. The item was passed on First Reading only.

32. Approved a Resolution establishing an Industry Expansion area, for tax abatement purposes.

#### Motion

On Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 Vote, Councilmember Epstein absent.

33. 6:30 P.M. - Full purpose annexation for Walnut Creek Business Park Scofield Farms/North Shields, Canyon Ridge/Jester Estates, Great Hills, Barton Creek Greenbelt, Maple Run Outparcels.

Public hearing closed, on Councilmember Garcia's motion, Councilmember Reynolds' second, 4-0 Vote, Mayor Pro Tem Urdy, Councilmembers Epstein and Nofziger out of the room.

### ITEMS FROM COUNCIL

34. Approved a Resolution to recognize the significance of the Seaholm Power Plant site and structure and commit to preservation of it for future cultural, recreational and civic purposes. (Councilmember Michael "Max" Nofziger)

On Councilmember Nofziger's motion, Councilmember Garcia's second, 7-0 Vote, with a Friendly Amendment by Councilmember Garcia to include "or power transmission".

35. Approved the appointment of Municipal Court Clerk. (Municipal Court Subcommittee)

Appointed Ron Zimmerman, effective December 2, 1991, on Councilmember Larson's motion, Councilmember Garcia's second, 7-0 Vote.

36. Approved a Resolution endorsing the restoration of Walking Books services, and direct the City Manager to ensure that the community is made aware of this opportunity through public service announcements. (Councilmember Louise Epstein)

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

37. Approved a Resolution endorsing the creation of the Austin Public Library Corporate Gold Card Program, and direct the City Manager to seek further expansion of this program by determining if local



businesses would be willing to offer incentives to participants in the program. (Councilmember Louise Epstein)

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

**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) Enforcement of contract with K-B Contract Cleaning Inc.

(b) Discussion of contemplated litigation related to certain water rights and rates which the City of Austin is subject.

**RECESS** - Council recessed for executive session. No action was taken on the items.

**39. APPOINTMENTS**

The following appointments were made: (Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 5-0 Vote, Councilmembers Epstein and Larson out of the room.)

CABLE COMMISSION - Neil Gilligan Jr.

CHILD CARE COUNCIL - Patsy Bishop and Leslie Lanham

CITY OF AUSTIN COMMISSION FOR WOMEN - Ginny Ballard, Barbara Bembry, Cynthia Galvan, Arisa Houston, Judith G. Loreda, Arlene Pace, Sue Plattsmier, Deanna Rodriguez

CONSTRUCTION ADVISORY COMMITTEE - James Bradley, Gordon Byram, Donit Haden and Cecil White

DOWNTOWN COMMISSION - Carlie Saunders

ECONOMIC DEVELOPMENT COMMISSION - Carlos Herrera, Jeffrey Laylor, Terri Marshall, John McKinnerney, Susan Spataro

EMS QUALITY ASSURANCE TEAM - Dr. Santiago Zamora

HOSPITAL BOARD - Carlos Ancira, Christopher Eakle, Patsy Jones

HUMAN RIGHTS COMMISSION - Mack Deleon Jr., Elizabeth Hanshaw, Deanna Jaime, Anthony A. Pellegrino, Doris Standlee

RESOURCE MANAGEMENT COMMISSION - Princess Lindsay

SOLID WASTE ADVISORY COMMISSION - Jesse Dillard

TRAVIS CENTRAL APPRAISAL DISTRICT - Robert Dickson, Eleanor Powell, Bettye White

URBAN RENEWAL BOARD - Nancy Kozak

**SPEAKERS AT END OF DAY**

Robert Singleton, Eric Anderson, Al St. Louis, Charles Weeks and  
Richard Trachtenberg

**ADJOURN** - The meeting was adjourned at 11:07 P.M.