



# Austin City Council MINUTES

JANUARY 9, 1997

Mayor Todd called the meeting to order, noting the temporary absence of Councilmembers Goodman, Reynolds and Mitchell.

1. Approval of Minutes for Special Called Meeting of December 18, 1996 and Regular Meeting of December 19, 1996.  
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 4-0 vote, Councilmembers Goodman, Reynolds and Mitchell temporarily absent.

## CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Gus Pena, to discuss early appropriation of funding for summer job programs for youth, the Youth Athletic Council and to discuss senior citizen issues.
3. Mr. Roger Baker, to discuss matters arising.
4. Mr. Doug Fowler, to discuss issues affecting Austin fire fighters.

## ITEMS CONTINUED FROM PREVIOUS MEETINGS

5. Amend Ordinance No. 950911-A, the 1995-96 Fee Ordinance, by changing fees charged when officers are requested to provide police presence, traffic enforcement or assistance at road construction sites, parades, special events and house moves. (Cost reimbursement to the Police Department from the private sector and community organizations is expected at \$11,250 in FY 1996-97)  
Ordinance No. 970109-A approved

## ORDINANCES

6. Amend the Austin City Code by modifying the Basic Traffic Ordinance, Section 16-4-4(D), Speed Limits, for the installation of a 20 mph reduced speed school zone on Westgate Boulevard for the protection of students attending Sunset Valley Elementary School. (Funding in the amount of \$5,700 for the installation of flashing lights, signs, and markings is included in the 1996-97 operating budget of the Child Safety Fund for the Department of Public Works and Transportation.)  
Ordinance No. 970109-B approved

7. Authorize acceptance of \$2,882 in additional grant funds from the Texas Department of Health for the Refugee Health Screening grant program; amend Ordinance No. 960910-G, the 1996-97 Operating Budget, amending the Special Revenue Fund by appropriating an additional \$2,882 in grant funds for the Health and Human Services Department Special Revenue Fund, for a total grant amount of \$75,830. (A City match is not required.)  
**Ordinance No. 970109-C approved**
8. Approve the establishment of the Austin Area Comprehensive HIV Planning Council. (No fiscal impact.) [Related to Item 9]  
**Ordinance No. 970109-D approved**

## **RESOLUTIONS**

9. Approve an Interlocal Cooperation Agreement with Travis County under the Ryan White CARE Act Amendments of 1996, for the period October 1, 1996, through September 30, 1997. (No fiscal impact.) [Related to Item 8]  
**Approved**
10. Approve the negotiation and execution of a twelve month contract with AUSTIN FAMILIES, INC., Austin, Texas, for the administration of the Child Care Voucher Program, in an amount not to exceed \$200,000 with two twelve month extension options in an amount not to exceed \$200,000 per extension, for a total contract amount not to exceed \$600,000. (Funding was included in 22nd Year (1996-97) Community Development Block Grant (CDBG) Special Revenue funds allocated by the Council for the Child Care Voucher Program. Funding for the extension options will be contingent upon future CDBG funding.) Sole proposal. No M/WBE Subcontracting opportunities were identified.  
**Approved**
11. Approve an Interlocal Agreement with the City of Round Rock for maintenance of traffic signals installed by the City of Round Rock. (Estimated revenue of \$7,500 per year is included in the 1996-97 operating budget of the Department of Public Works and Transportation.)  
**Approved**
12. Approve an Interlocal Agreement with Williamson County for maintenance of traffic signals installed by Williamson County. (Estimated revenue of \$4,730 per year is included in the 1996-97 operating budget of the Department of Public Works and Transportation.)  
**Approved**
13. Approve a construction contract award to LTI ENTERPRISES, INC., Austin, Texas, for accessibility improvements at restroom facilities at the following locations: Buttermilk Park, Gillis Park, Kealing Park, Longview Park, Walnut Creek Park Pool, Havins Softball Fields and Waterloo Park, in the amount of \$79,500. (Funding was included in the 1996-97 Capital budget of the Parks and Recreation department.) Low bid of five. 24.00% MBE, 19.07% WBE Subcontractor participation.  
**Approved**

Items 5 through 13 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

14. Approve execution of a construction contract award to PRISM DEVELOPMENT, INC., (MBE/MH), Austin, Texas, for accessibility improvements at Metz Recreation Center and Hancock Recreation Center, in the amount of \$67,405. (Funding was included in the 1996-97 Capital budget of the Parks and Recreation Department.) Low bid of two. 2.64% MBE, 0% WBE Subcontractor participation.

**Approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-0 vote, Councilmember Mitchell and Slusher "ABSTAINING".**

15. Approve execution of Change Order #2 to the construction contract with AUSTIN FILTER SYSTEMS, INC., Austin, Texas, for additional materials and labor needed to complete the Tannehill Branch Phase 1A Channel Improvements, in the amount of \$12,984.50, for a total contract amount of \$457,736.50. (Funding was included in the 1995-96 Capital budget of the Drainage Utility Department.) 41.40% MBE, 3.08% WBE Subcontractor participation.

**Approved**

16. Approve execution of a twelve (12) month supply agreement with KOCH MATERIALS COMPANY, Austin, Texas, for the purchase of emulsified asphalts to be used by the Street & Bridge Division, in an amount not to exceed \$48,000 with the option to extend for two twelve month periods in an amount not to exceed \$48,000 per extension, for a total contract amount not to exceed \$144,000. (Funding in the amount of \$32,000 was included in the 1996-97 operating budget for the Department of Public Works and Transportation; funding for the remaining four months of the initial contract period and extension options is contingent upon available funding in future budgets.) Single bid. No M/WBE Subcontracting opportunities were identified.

**Approved**

17. Approve execution of a contract with TRAFFIC ENGINEERING & CONTROLS, INC., Centerville, Texas, for the purchase of traffic controllers and ancillary equipment, in an amount not to exceed \$209,957. (Funding was included in the 1996-97 Capital Budget of the Department of Public Works and Transportation.) Low bid of six. No M/WBE Subcontracting opportunities were identified.

**Approved**

Items 15 through 17 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

18. Approve execution of a ten (10) month contract through the STATE OF TEXAS WITH AT&T WIRELESS, Austin, Texas, for cellular phone airtime and services for 1,204 cellular telephones used by City of Austin personnel, in the amount of \$476,350, with two twelve month extension options in an amount not to exceed \$657,358 per extension for a total amount not to exceed \$1,791,066. (Funding was included in the 1996-97 Operating Budgets of various City departments; funding for the extension options is contingent upon available funding in future budgets.) No M/WBE Subcontracting opportunities were identified.

**Pulled off agenda**

19. Approve ratification of an emergency purchase with SOPHISTICATED BUSINESS SYSTEMS, INC., Dallas, Texas, for Computer Data Base Administrator Temporary Support personnel for the Police Department, with the option to hire the personnel after six (6) months, in an amount not to exceed \$93,700. (Funding was included in the 1996-97 Operating Budget for Information Systems. Sole proposal. No M/WBE Subcontracting opportunities were identified.

**Approved**

20. Approve negotiation and execution of a twelve month contract with GTE MOBILNET, Austin, Texas, for cellular phone airtime and services for 140 cellular phones used by the Police Department, in the amount of \$65,000, with two twelve month extension options in an estimated amount of \$71,500 per extension, for a total amount of \$208,000. (Funding was included in the 1996-97 Operating Budget of the Austin Police Department.) Sole Source. No M/WBE Subcontracting opportunities were identified.

**Approved**

21. Approve execution of a contract with HEWLETT PACKARD COMPANY, Austin, Texas, for the purchase of a mass spectrometer system for the Police Department, in the amount of \$85,893.50. (Funding was included in the 1996-97 operating budget for the Police Department.) Sole Source. No M/WBE Subcontracting opportunities were identified.

**Approved**

Items 19 through 21 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

22. Approve a license agreement for AT&T WIRELESS SERVICES OF AUSTIN for placement of a cellular antenna at the Windsor Road Fire Station. (Unanticipated revenue for 1996-97 is \$4,000.) [Recommended by Telecommunications Commission]

**Postponed to February 6, 1997**

23. Approve execution of a construction contract with O'NEAL CONSTRUCTION OF TEXAS, INC., Austin, Texas, for construction of a Fire/EMS Station at 400 Ralph Ablanedo Drive, in the amount of \$1,446,000. (Funding in the amount of \$1,292,000 was included in the 1996-97 Capital Budget of the Fire Department; \$154,000 was included in the 1996-97 Capital Budget of the Police Department.) Low bid of four (4). 24.29% MBE, 9.24% WBE Subcontracting participation.

**Approved**

24. Set a public hearing to amend Title XIII (Land Development Code) of the Austin City Code of 1992 by (1) amending Section 13-2-1 General Definitions, to modify the definition of Home Occupation; and (2) amending Section 13-2-260, Home Occupations, to delete the requirement that no person other than a family member who resides in the dwelling unit participates in the home occupation, to prohibit the construction of additional parking, to limit the location of parking for the home occupation, and to delete the limitation on trips per day generated by the home occupation. (Suggested date and time: January 30, 1997 at 4:30 p.m.)

**Approved**

25. Set a public hearing to amend Title XIII (Land Development Code) of the Austin City Code of 1992 by (1) amending Section 13-2-221, Authorized Uses, to allow Medical Office use in the LR zoning district as a permitted and conditional use. (Suggested date and time: January 30, 1997 at 5:00 p.m.)

**Approved**

26. Set a public hearing on an amendment to the Land Development Code to exempt uses of less than 6,000 square feet from parking requirements in the Central Business District (CBD) and Downtown Mixed Use (DMU) District. (Suggested date and time: January 30, 1997 at 5:30 p.m.)

**Approved**

#### **ITEMS FROM COUNCIL**

27. Set a public hearing on rules for City Council meetings. (Suggested date and time: January 16, 1997 at 5:30 p.m.) [Rules Subcommittee]

**Approved**

Items 23 through 27 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

28. Amend Ordinance No. 960910-G, the 1996-97 Operating Budget, by transferring \$60,000 from the General Fund Contingency Reserve and increasing the appropriation for Transfers Out to the Support Services Fund by \$60,000, amending the Support Services Fund by increasing Transfers In from the General Fund by \$60,000 and increasing the appropriation for Financial Services by \$60,000 to fund the City of Austin's participation in the Conference of Texas Cities. (Councilmember Jackie Goodman) [Related to Item 29]

**No action taken**

29. Approve the City of Austin's participation in the formation of the Conference of Texas Cities, including authorization of an initial payment of \$60,000 to the Conference by January 14, 1997, and future commitment of funds. (Councilmember Jackie Goodman) [Related to Item 28]

**No action taken**

30. Approve a request by Mr. Paul Manley, President of Bulldog Holding, Inc., located at 416 Congress Avenue, to waive Section 8-3-4 of the City Code (minimum separation distance) between the cocktail lounge, which intends to sell alcoholic beverages, and the American Institute for Learning. (Councilmember Jackie Goodman)

**Postponed one week**

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

31. C14-85-288.17 - STEVE THOMPSON, by Amelia Lopez-Phelps Consulting (Amelia Lopez-Phelps), 6806 Breezy Pass. Restrictive Covenant Amendment. Planning Commission

Recommendation: To amend the restrictive covenant which allows the applicant to take access via Breezy Pass for an existing single family residence. (continued from 12-05 - APPLICANT)  
**Postponed to January 30, 1997, staff request**

32. C14-96-0124 -JAMES W. & ELIZABETH FOX, by Crocker Consulting (Sarah Crocker), 610 West Lynn. From MF-4-H to GO-MU-H. Planning Commission Recommendation: To Grant NO-MU-H, Neighborhood Office-Mixed Use Combining District-Historic for the site; and GO-MU-H-CO, General Office-Mixed Use Combining District-Historic-Conditional Overlay for the Building footprint only, with the provisions of the overlay as follows: (1) development shall be limited to Medical Office and all other "NO", Neighborhood Office land uses; (2) development (under the "MU" combining district) shall be limited to MF-4, Multifamily Residence (moderate-high density) land uses; and (3) the Historic zoning shall remain intact. Further, site shall be subject to rollback to the existing zoning (MF-4-H) if the building is destroyed. (continued from 12-19 - APPLICANT) Note: A valid petition of 24.60% has been filed in opposition to this rezoning request.  
**Approved first reading only, with NO-MU-H with, deleting condition #1, which is no longer applicable under "NO" zoning, valid petition was withdrawn.**
33. C14-96-0127 - RIVER CITY YOUTH & FAMILY BUILDER (Mona Gonzalez), by Page, Sutherland, Page (Charles L. Tilley), 5303 S. Pleasant Valley Road. From SF-3 to GO. Planning Commission Recommendation: To Grant GO-CO, General Office-Conditional Overlay, with the provision of the overlay to limit development on the site to that which generates less than 2,000 vehicle trips per day.  
**Approved first reading only, additional condition, subject to a roll back provision to SF-3 if use ceases for more than 90 days. Staff will initiate rezoning upon notification, second and third reading in one week.**
34. C14-96-0130 - C.O.A.-DEVELOPMENT REVIEW & INSPECTIONS DEPARTMENT, 2510 East 9th Street. From LI to SF-3. Planning Commission Recommendation: To Grant SF-3, Family Residence, zoning as requested.  
**Ordinance No. 970109-E approved emergency passage, as recommended by Planning Commission.**
35. C14-96-0131 - MARTHA RIEGER, ET AL TRUST C/O FRANK SCOFIELD, TRUSTEE, by Site Specifics (B.J. Cornelius), 13609 North IH-35 Service Road NB. From SF-2 & GR to GR. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay, with the provision of the overlay to limit development on the site to that which generates less than 2,000 vehicle trips per day.  
**Approved first reading only, as recommended by Planning Commission.**
36. C14-96-0134 - C.O.A.-PUBLIC WORKS AND TRANSPORTATION, 3335 Mount Bonnell Road. From SF-3 to P. Planning Commission Recommendation: To Grant P, Public District as requested.  
**Ordinance No. 970109-F approved as recommended by Planning Commission.**

Items 31 through 36 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

37. C14-96-0136 - CATHOLIC DIOCESE OF AUSTIN, by Rizzo Construction (Robert M. Rizzo). 4800 Convict Hill Road. From SF-2 to SF-5. Planning Commission Recommendation: To Grant SF-5-CO, Urban Family Residence-Conditional Overlay, zoning subject to the following: (1) dedication of 37 feet of right-of-way from the future centerline of Convict Hill Road; and (2) prohibit the following uses - Condominium Residential, Duplex Residential, Retirement Housing (small & large site), Single Family Attached Residential, Single Family Residential, Townhouse Residential, Two-Family Residential, Special Use Historic, Club or Lodge, College and University Facilities, Communication Service Facilities, Community Recreation (private and public), Cultural Services, Day Care Services (limited/general/commercial), Local Utility Services, Private Primary Educational Facilities, Private Secondary Educational Facilities, Public Primary Educational Facilities, Public Secondary Educational Facilities, Safety Services, and Telecommunication Tower.
- Approved first reading only as recommended by Planning Commission on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0-1 vote, Councilmember Slusher "ABSTAINING".**

#### PUBLIC HEARINGS

38. 4:30 P.M. - Public hearing to consider approval of access (driveway) through dedicated parkland known as Pease Park, in accordance with Chapter 26 of the Texas Parks and Wildlife Code. (Mayor Bruce Todd and Councilmember Ronney Reynolds)
- Motion to close public hearing on Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 7-0 vote.**
39. 5:00 P.M. - Public hearing to approve an approximately 0.686 acre, 1.241 acre permanent and a 1.927 acre temporary use agreement to allow the construction, operation and maintenance of Chlorine Solution and Activated Carbon Lines to serve Thomas C. Green Water Treatment Plant through dedicated parkland known as Shoal Creek Greenbelt in accordance with Section 26.001 of the Texas Parks and Wildlife Code.
- Motion to close public hearing on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 7-0 vote.**

#### ACTION ON PUBLIC HEARINGS

40. Approve access (driveway) through dedicated parkland known as Pease Park, in accordance with Chapter 26 of the Texas Parks and Wildlife Code. (Mayor Bruce Todd and Councilmember Ronney Reynolds)
- Motion to approve on, Mayor Todd's motion, Councilmember Reynolds' second,**
- Substitute motion by Mayor Pro Tem Garcia to deny request in accordance with Chapter 26 of the Texas Parks and Wildlife code, Councilmember Griffith's second, 5-2 vote, Mayor Todd and Councilmember Reynolds voting "NO".**

41. Approve 0.686 acre and 1.241 acre (1.927 acre total) permanent and a 1.927 acre temporary use agreement to allow the construction, operation and maintenance of Chlorine Solution and Activated Carbon Lines to serve Thomas C. Green Water Treatment Plant through dedicated parkland known as Shoal Creek Greenbelt in accordance with Sec. 26.001 of the Texas Parks and Wildlife Code. (Recommended by the Land and Facilities Committee of the Parks Board)  
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 7-0 vote.

42. APPOINTMENTS

CHILD CARE COUNCIL - YVETT G. NAVA.  
CITY OF AUSTIN COMMISSION FOR WOMEN - GOPALAKRISHNAN BHAMATHI, VERA GIVENS, ADA M. HARDEN, HEATHER H. PARNELL.  
CONSTRUCTION ADVISORY COMMITTEE - CONRAD MASTERS.  
DESIGN COMMISSION - EDGAR FARRERA.  
DOWNTOWN COMMISSION - VINCE HOLLISTER.  
EMS QUALITY ASSURANCE TEAM - DR. TIM FAULKENBERRY, MIKE LEVY, DR. DONALD PATRICK, ROBERT WALKER.  
FEDERALLY QUALIFIED HEALTH CENTER BOARD - BERTHA DAVIS, WILLIAM KUYKENDALL, VERNON JONES, ROSE LANCASTER, JOHN MAYO, NORMAN MASON, ERNEST PERALES.  
HISTORIC LANDMARK COMMISSION - GERTRUDE TRUITT-GREEN.  
HUMAN RIGHTS COMMISSION - GRACE GOTTSCHAK.  
INDIGENT CARE WORK TEAM - MARIANNE SCOTT DWIGHT, HELEN J. MAIDMENT.  
LIBRARY COMMISSION - CHIP HARRIS, JULIE TODARO.  
URBAN TRANSPORTATION COMMISSION - JIMMY CASTRO, DENA LIN CHEN, JOHN HICKMAN, DANA LOCKLER, BARBARA MALEY.  
Approved with the postponement of the Central City Entertainment Center appointment on, Mayor Pro Tem Garcia's motion, Councilmember Reynold's second, 7-0 vote.

ADJOURNED at 8:00 p.m.

Approved on this the 6<sup>th</sup> day of February, 1997 on, Councilmember Goodman's motion, Councilmember Slusher's second, 4-0 vote, Councilmembers Mitchell and Reynolds temporarily absent and Mayor Pro Tem Garcia absent.