



Austin City Council MINUTES

JUNE 12, 1997

Mayor Todd called the meeting to order, Councilmember Reynolds absent.

1. Approval of Minutes for Regular Meetings of June 4 & 5, 1997.
Postponed to June 26, 1997

CITIZENS COMMUNICATION: GENERAL

2. Mr. Joe Quintero, to discuss community issues; Greater East Austin Neighborhood Association.
3. Mr. Mike Workman, to update the Council on irregularities at the Arts Commission and the constructive interventions of the City Manager's Office.
4. Mr. Scott Robuck, to discuss relocation of proposed playscape in Eastwoods Park.
Absent
5. Mr. Jeff Pine, to discuss playscape in Eastwoods Park.
Absent
6. Mr. Spencer Nutting, to discuss Senior Eric.
7. Mr. Richard Troxell, to discuss homeless issues.
8. Mr. Gus Pena, to discuss city, community and budget issues.
9. Mr. John McMillan, to recommend a revision to current vacation policy by approving two additional weeks of paid vacation each year to full-time employees of the City who are lead guardians of a minor residing with that adult.

READING OF CONSENT AGENDA

READING OF DISCUSSION AGENDA

CITIZENS COMMUNICATION: CONSENT AGENDA

ACTION ON CONSENT AGENDA

ITEMS CONTINUED FROM PREVIOUS MEETINGS

10. Approve a resolution authorizing execution of an amendment to the agreement with W. Scott McCollough, that provides for legal counsel and representation as Consumer Advocate for the Electric Utility Department, in the amount of \$14,000, for a total amount not to exceed \$76,500. (Funding is available in the 1996-97 Operating Budget of the Electric Utility.)

Approved

Financial Services

11. Approve third reading of an ordinance granting a municipal consent agreement for telecommunications services to Golden Harbor of Texas, Inc., (formerly Lone Star Net). [No fiscal impact.]

Ordinance No. 970612-A approved

12. Approve a resolution authorizing execution of a construction contract with TECOM UST SYSTEMS, INC., Austin, Texas, for reconstruction of the existing vehicle fuel facilities at Service Center No. 5, located at 714 East 8th Street; Police Headquarters, located at 814 East 8th Street; and Service Center No. 8, located at 4301 Meinardus Drive, in the amount of \$227,310 plus an early completion bonus in the amount of \$7,500, for a total contract amount not to exceed \$234,810. (Funding was included in the 1995-96 and 1996-97 Capital budgets of Financial and Administrative Services Department.) Low bid of two. 5.44% MBE, 0.43% WBE Subcontractor participation.

Approved

13. Approve a resolution authorizing execution of a twelve month supply agreement with SHERWIN-WILLIAMS PAINT COMPANY, Austin, Texas, for paint and paint supplies to be used by various City departments for building repairs and maintenance, in an amount not to exceed \$73,890.08 with two twelve month extension options in an amount not to exceed \$73,890.08 per extension, for a total contract amount not to exceed \$221,670.24. (Funding in the amount of \$24,630.04 was included in the 1996-97 operating budgets of various City departments. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) Low bid of eight. No M/WBE Subcontracting opportunities were identified.

Approved

14. Approve a resolution authorizing execution of a twelve month service agreement with MISSION UNIFORM AND LINEN SERVICE, Round Rock, Texas, for rental of uniforms and uniform cleaning services for Fleet Services personnel, in an amount not to exceed \$63,832.60 with two twelve month extension options in an amount not to exceed \$63,832.60 per extension, for a total contract amount not to exceed \$191,497.80. (Funding in the amount of \$21,278 was included in the 1996-97 Fleet Maintenance Fund of the Fleet Services Division. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) Low bid of two meeting specifications. No M/WBE Subcontracting opportunities were identified.

Approved

15. Approve a resolution authorizing execution of a twelve month supply agreement with TEXAS ALTERNATOR STARTER SERVICE, Austin, Texas, for the purchase of rebuilt starters and

alternators for the City's fleet of vehicles used by various departments, in an amount not to exceed \$120,000 with two twelve month extension options in an amount not to exceed \$120,000 per extension, for a total contract amount not to exceed \$360,000. (Funding in the amount of \$40,000 was included in the 1996-97 operating budget of various departments. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) Single bid. No MWBE Subcontracting opportunities were identified.

Approved

Fire

16. Approve a resolution authorizing execution of a twelve month service agreement with INDUSTRIAL AUTOMATIC TRANSMISSION SERVICE, INC., Irving, Texas, to provide electromagnetic brake retarder system installation and repair services for the City's Fire emergency vehicles, in an amount not to exceed \$62,500 with two twelve month extension options in an amount not to exceed \$62,500 per extension, for a total contract amount not to exceed \$187,500. (Funding in the amount of \$20,833 was included in the 1996-97 operating budget of the Fire department. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) Low bid of two. No MWBE Subcontracting opportunities were identified.

Approved

17. Approve a resolution authorizing an Interlocal Agreement with Texas A&M University and the City of College Station for the lease of a P-19 Fire Truck for use at Easterwood Airport in College Station. (No fiscal impact.)

Approved

Human Resources

18. Approve a resolution confirming the reappointment of Jim Moreno to the Civil Service Commission. (No fiscal impact.)

Approved

Library

19. Approve a resolution authorizing negotiation and execution of a professional services agreement with BETHANY RAMEY ARCHITECT with HATCH PARTNERSHIP, L.L.P., JOINT VENTURE, Austin, Texas, for architectural design and construction phase services for the Windsor Park Branch Library, located at 5801 Westminster Drive, in an amount not to exceed \$120,000. (Funding was included in the 1992-93 Capital budget of the Library Department.) Best qualification statement of nineteen. 9% MBE, 22.50% WBE Subcontractor participation.

Approved

Police

20. Approve a resolution authorizing execution of a construction contract with J.D. RAMMING PAVING COMPANY, INC., Austin, Texas, for repairs to the driving track at the Police

Academy, located at 4800 McKinney Falls, in the amount of \$89,156.23. (Funding in the amount of \$65,574 is available in the 1996-97 operating budget of the Special Revenue Fund of the Police Department; \$23,579.23 is available in the 1996-97 operating budget of the Police Department.) Low bid of two. 57.92% MBE, 2.22% WBE Subcontractor participation.

Approved

Public Works

21. Approve an ordinance amending the Austin City Code by modifying the Basic Traffic Ordinance, Sections 16-4-5 (C) - (E), to modify existing speed limits on a portion of the North Mopac Boulevard (Loop 1) service roads. (No fiscal impact. Funding for the installation of signs is available through the Texas Department of Transportation.)

Ordinance No. 970612-B approved

22. Approve a resolution authorizing execution of a construction contract with AUSTIN BRIDGE & ROAD, INC., Austin, Texas, for reconstruction, overlay, and utility adjustments on Burton Drive from Oltorf to Riverside, in the amount of \$962,732.80. (Funding in the amount of \$758,287.80 was included in the 1996-97 Approved Capital budget of the Public Works and Transportation Department; \$1,200 was included in the 1996-97 operating budget of the Drainage Utility; \$16,250 was included in the 1996-97 Capital budget of the Wastewater Utility; and \$186,995 was included in the 1996-97 Capital budget of the Water Utility.) Low bid of three. 28.06% MBE, 4.41% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)

Approved

23. Approve a resolution authorizing execution of a construction contract with ROSS CONSTRUCTION, Austin, Texas, for street and water line construction to be included in the extension of Grove Boulevard/Hogan Avenue to the boundary of the Colorado River Park, in the amount of \$386,442.50 with an additional \$57,966 as a contingency fund for change orders, for a total amount of \$444,408.50. (Funding in the amount of \$385,881 was included in the 1996-97 Amended Capital budget of the Public Works and Transportation Department; \$49,707.50 was included in the 1995-96 Capital budget of the Water and Wastewater Department; \$8,820 was included in the 1996-97 Capital budget of the Electric Utility Department.) Low bid of ten. 6.04% MBE, 13.50% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission and Electric Utility Commission)

Approved

24. Approve a resolution authorizing execution of a construction contract with BRH GARVER, Buda, Texas, for reconstruction, overlay, and utility adjustments on South First Street from Ben White to Orland, in the amount of \$1,086,267.60. (Funding in the amount of \$837,926.60 was included in the 1996-97 Amended Capital budget of the Public Works and Transportation Department; \$2,500 was included in the 1996-97 operating budget of the Drainage Utility; \$242,840 was included in the 1995-96 Capital budget of the Water and Wastewater Utility; \$3,000 was included in the 1993-94 Capital budget of the Water and Wastewater Utility.) Low bid of five. 1.72% MBE, 35.74% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)

Approved

25. Approve execution of as construction contract with PORT ENTERPRISES, INC., Manchaca, Texas, for reroofing of Building 5-B at the Town Lake Animal Center, located at 1156 Cesar Chavez Street, in the amount of \$111,729. (Funding in the amount of \$66,906 was included in the 1996-97 Capital Budget of the Public Works and Transportation Department.) Low bid of four. 0% MBE, 20.85% WBE Subcontractor participation.
Approved

Drainage Utility

26. Approve a resolution authorizing execution of Change Order #3 to the construction contract with AUSTIN FILTER SYSTEMS, INC., Austin, Texas, for additional construction required to complete erosion repair and slope stabilization at 45th Street at Shoal Creek, as part of the Erosion Control Project Group 9, in the amount of \$80,680.40, for a total contract amount of \$655,011.26. (Funding was included in the 1995-96 Approved Capital budget of the Drainage Utility.) No M/WBE Subcontracting opportunities were identified.
Approved
27. Approve a construction contract award to EDWARD R. COLEMAN CONSTRUCTION, Austin, Texas, for the construction of Fort Branch of Boggy Creek, Phase 2, in the amount of \$1,689,356.10. (Funding in the amount of \$1,560,802.10 is included in the 1992-93 Capital Budget of the Drainage Utility; \$128,554 is included in the 1991-92 Capital Budget of the Water and Wastewater Utility.) Low bid of three. 42.30% MBE, 8.50% WBE Subcontractor Participation. (Reviewed by Environmental Board and Water and Wastewater Commission)
Approved

Utility Customer Service

28. Approve a resolution authorizing negotiation and execution of a twelve month collection agreement with CREDIT SYSTEMS INTERNATIONAL, INC., (WBE/FR), Fort Worth, Texas, to provide collection services for inactive, unpaid utility accounts for an estimated net benefit to the City of \$884,520 per year with two twelve month extension options. (The annual estimated collections are \$1,092,000 with a commission rate of 19% of the amount collected for accounts less than one year old and 48% of the amount collected for accounts over one year old. Funding is available in the 1996-97 operating budget of the Utility Customer Service Office.) Best proposal of four. 100% WBE Prime participation. 0% MBE, 5% WBE Subcontractor participation.
Approved

Health and Human Services

29. Approve a resolution authorizing execution of an amendment to the contract with Austin Travis County MHMR for substance abuse treatment service to people with HIV, in an amount not to exceed \$162,166, for a total contract amount of \$371,601. (Funding was included in the 1996-97 Special Revenue Fund for the Health and Human Services Department, Ryan White I Formula grant program.)
Approved

Electric Utility

30. Approve a resolution authorizing execution of a contract with GENERAL ELECTRIC SUPPLY COMPANY, Austin, Texas, for the purchase of twenty-four three-phase, pad mounted distribution transformers, in the amount of \$398,030. (Funding was included in the 1996-97 Capital budget of the Electric Utility Department.) Low bid of six. No M/WBE Subcontracting opportunities were identified. (Recommended by Electric Utility Commission)
Approved

Development Review And Inspections

31. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as Josh Ridge Boulevard and Harrisglenn Drive, Case No. C14-94-0168, from "I-RR", Interim Rural Residence to "SF-2", Single Family Residence (standard lot) District zoning on Tract 1, from "I-RR", Interim Rural Residence to "SF-2-CO", Single Family Residence (standard lot) District zoning on Tract 3, from "I-RR", Interim Rural Residence to "LR", Neighborhood Commercial District zoning on Tracts 4 and 5, from "I-RR", Interim Rural Residence to "GR", Community Commercial District zoning on Tract 6, with conditions. First reading on June 1, 1995; Vote 5-0, Mitchell and Shea off dais; and **Ordinance No. 970612-C approved**
32. Approve third reading of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as Josh Ridge Boulevard and Harrisglenn Drive, Case No. C14-94-0168, from "I-RR", Interim Rural Residence to "SF-2", Single Family Residence (standard lot) District zoning on Tract 2A, and from "I-RR", Interim Rural Residence to "MF-2-CO", Multifamily Residence (low density)-Conditional Overlay District zoning for Tract 2B, with conditions. First reading on July 11, 1996; Vote 7-0. Second reading on June 5, 1997; Vote 7-0. Conditions met as follows: Conditional overlay and restrictive covenant incorporates conditions imposed by Council at first and/or second readings. City Staff: Don Perryman, 499-2786.
Ordinance No. 970612-D approved

Items 11 through 32 approved on, Councilmember Griffith's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Reynolds absent.

33. Approve second/third reading of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 1427-1701 Pleasant Valley Road, 4401-4501 Elmont Drive, and 1400-1709 Wickersham Lane, Case No. C14-97-0010, from "GR", Community Commercial to "MF-3-CO", Multifamily Residence (medium density)-Conditional Overlay zoning with conditions. First reading on May 15, 1997; Vote 6-0-1, Reynolds abstained. Conditions met as follows: Condition overlay incorporates conditions imposed by Council at first reading. City Staff: Antonio Gonzalez, 499-2243. (continued from 6/5/97) **[Related to Item 40]**
Ordinance No. 970612-E approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-0 vote, Councilmember Mitchell off the dais, Councilmember Reynolds absent.

ITEMS FROM COUNCIL

34. Approve a Fee Waiver Policy, (Mayor Bruce Todd and Mayor Pro Tem Gus Garcia)
Approved on, Councilmember Griffith's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Reynolds absent.
35. Discussion of Building Project Permit Proposal. (Councilmember Eric Mitchell)
Item for discussion only.
36. Direct the City Manager to exclude all sites east of I.H. 35 from consideration as a Homeless Compound. (Councilmember Eric Mitchell)
Approved on, Councilmember Mitchell's motion, Mayor Pro Tem Garcia's second,

Substitute motion by Councilmember Griffith to postpone until after the Task Force meeting next Tuesday, June 17, 1997, Councilmember Slusher's second, 5-1 vote, Councilmember Mitchell voting "NO", Councilmember Reynolds absent.
37. Direct the City Manager to appropriate proceeds from the sale or lease of Robert Mueller Airport for public safety and recreational facilities. (Councilmember Eric Mitchell)
Pulled off agenda
38. Approve a resolution for the City of Austin to become a transportation partner with the U.S. Environmental Protection Agency to reduce greenhouse gas emissions. (Councilmembers Beverly Griffith and Jackie Goodman, and Mayor Pro-Tem Gus Garcia)
Approved on, Councilmember Griffith's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Reynolds absent.
39. Approve the renaming of Clarksville Park for Mary Baylor. (To be reviewed by Parks Board on June 11, 1997.) [Councilmember Daryl Slusher]
Postponed indefinitely

4:30 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

40. C14-72-204 - Public hearing to amend a restrictive covenant for property locally known as South Pleasant Valley Road and Elmont Drive, existing zoning "GR" Community Commercial District zoning. Planning Commission Recommendation: To Approve the amendment to the restrictive covenant. City Staff: Antonio Gonzalez, 499-2243. (continued from 6/5/97)
[Related to Item 33]
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-0 vote, Councilmember Mitchell off the dais, Councilmember Reynolds absent.
41. C14-97-0013 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 8001 Brodie Lane, 3425 Dalton Street, and 3426 Thomas Kincheon Street from "SF-3", Family Residence to "GR", Community Commercial zoning. Planning Commission Recommendation: To Grant "NO-CO", Neighborhood Office-Conditional Overlay District zoning for the two lots facing Brodie Lane (8001 Brodie & 3426 Thomas Kincheon), with conditions. The remaining lot (3425 Dalton) retains the "SF-3", Family Residence District

zoning. City Staff: David Wahlgren, 499-6455.
Withdrawn by applicant

PUBLIC HEARINGS

42. 6:00 P.M. - Public hearing to approve a 0.004 acre (192 square feet) license agreement to allow the construction of a wastewater line through dedicated parkland known as Walnut Creek Greenbelt in accordance with Section 26.001 et seq. of the Texas Parks and Wildlife Code.
Motion to close public hearing on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 5-0 vote, Councilmember Mitchell off the dais, Councilmember Reynolds absent.
43. 7:00 P.M. - Public hearing to name the Terminal Building at Austin-Bergstrom International Airport for Barbara Jordan. (Councilmember Eric Mitchell)
Motion to close public hearing on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 4-0 vote, Councilmembers Mitchell and Griffith off the dais, Councilmember Reynolds absent.
44. 7:30 P.M. - Public hearing to rename 26th Street for Dean Page Keeton. (Councilmember Eric Mitchell)
Motion to close public hearing on, Councilmember Mitchell's motion, Councilmember Goodman's second, 5-0 vote, Mayor Pro Tem Garcia off the dais, Councilmember Reynolds absent.

ACTION ON PUBLIC HEARINGS

45. Approve a resolution to approve a 0.004 acre (192 square feet) license agreement to allow the construction of a wastewater line through dedicated parkland known as Walnut Creek Greenbelt in accordance with Section 26.001 et seq. of the Texas Parks and Wildlife Code. (No fiscal impact. All costs associated with the line as well as any parkland restoration will be paid by the requester.) [Recommended by Parks Board and Water and Wastewater Commission]
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 4-0 vote, Councilmember Mitchell and Griffith off the dais, Councilmember Reynolds absent.
46. Approve an ordinance to name the terminal building at Austin-Bergstrom International Airport for Barbara Jordan. (Councilmember Eric Mitchell)
Ordinance No. 970612-G approved
47. Approve an ordinance to rename 26th Street for Dean Page Keeton. (Councilmember Eric Mitchell)
Ordinance No. 970612-H approved
- Items 46 and 47 approved on, Councilmember Mitchell's motion, Mayor Pro Tem Garcia's second, 6-0 vote, Councilmember Reynolds absent.**

EXECUTIVE SESSION (No Public Discussion on These Items)

The City Council will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda. The City Council may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Private Consultation with Attorney - Section 551.071

48. Discuss Austinites for a Little Less Corruption!, etc., et al. v. City of Austin, et al. Civil Action No. A-97-CA-120-SS, in the United States District Court for the Western District of Texas, Austin Division.

Real Estate - Section 551.072

49. Discuss acquisition of real property adjacent to One Texas Center tract.

ACTION ON EXECUTIVE SESSION ITEMS

50. Amend Ordinance No. 960910-A, the 1996-97 Capital Budget of the Financial and Administrative Services Department by creating a new project, One Texas Land Purchase; appropriating \$160,515 from the future sale of certificates of obligation and transferring \$939,485 from the Maconda Park Joint Fire/EMS Project to fund the purchase of 1.71 acres out of Lot 2, Texas Center, Austin, Travis County, Texas (west of One Texas Center), for a total project amount of \$1,100,000. **(Related to Items 51-52)**
Ordinance No. 970612-F approved
51. Approve a resolution expressing official intent to reimburse payments for the purchase of 1.71 acres out of Lot 2 Texas Center, Austin, Travis County, Teas, and add \$160,515 in Certificates of Obligation to the 1996-97 two-year proposed General Obligation Debt Sales to reimburse a portion of the purchase. **(Related to Items 50 & 52)**
Approved
52. Approve a resolution authorizing negotiation and execution of a contract with HOMESTEAD VILLAGE INC., Santa Fe, New Mexico, to purchase 1.71 acres out of Lot 2, Texas Center, Austin, Travis County, Texas, (west of One Texas Center), in an amount not to exceed \$1,100,000. (Funding is available in the 1996-97 amended Capital Budget of the Financial and Administrative Services Department.) **[Related to Items 50 & 51]**
Approved

Items 50 through 52 approved on, Councilmember Griffith's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Reynolds absent.

ADDENDUM
June 12, 1997

Items from Council

53. Direct the City Manager to determine funding for the design and maintenance of a Barbara Jordan statue to be placed in the Terminal Building at Austin-Bergstrom International Airport. (Councilmember Eric Mitchell)
Approved on, Councilmember Mitchell's motion, Mayor Pro Tem Garcia's second, 6-0 vote, Councilmember Reynolds absent.
54. Approve canceling the City Council budget hearings scheduled for June 17 & 18. (Councilmembers Daryl Slusher & Beverly Griffith).
Postponed on, Councilmember Griffith's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Reynolds absent.

ADJOURNED at 7:45 p.m.

Approved on this the 10th day of July, 1997, on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.