



# Austin City Council MINUTES

JULY 25, 1996

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

1. Approval of Minutes for Worksession of July 17, 1996 and Regular Meeting of July 18, 1996.  
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Mitchell absent.
2. Introduction of Project Bridge Program Participants: A Joint Youth Project of the Texas Commission on the Arts, Travis County Juvenile Court, and Parks & Recreation Department  
Pulled

## CITIZEN COMMUNICATIONS: GENERAL

3. Mr. W.D. Fowler, to discuss issues related to the Austin Fire Fighters.
4. Mr. John Dolley, to speak to the Helmet Ordinance.
5. Mr. Arvid Tadao Youngquist, to whistle thanks and welcome.  
Absent
6. Mr. Gus Pena, to discuss City of Austin budget, youth, and senior issues.
7. Ms. Laura Jeanne, to discuss construction project for retaining wall on Creek behind Geneva Circle.  
Absent

## ITEMS CONTINUED FROM PREVIOUS MEETINGS

### ORDINANCE

8. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property located approximately 1100 feet from the north end of Crossing Place, Case No. C14-96-0047, from "SF-3", Family Residential to "MF-3", Multifamily Residential (medium density), zoning; BILL GRIEF/LARRY YOUNG (Bill Grief), by Bury & Pittman (Gregory S. Strmiska). First reading on July 11, 1996; Vote 7-0.  
Ordinance No. 960725-A approved on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 6-0 vote, Councilmember Mitchell absent.

9. Approve second reading of an ordinance granting a franchise to Central South West Communications, Inc., (CSWC) to construct and operate a city-wide broadband telecommunications network. (Unanticipated revenue for 1995-96 is \$8,750.) (Recommended by Telecommunications Commission)  
**Approved second reading only on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 5-0-1 vote, Councilmember Slusher abstaining, Councilmember Mitchell absent.**
  
10. Approve out-of-district water service from Travis County Water Control and Improvement District #14 (WCID #14) to Lot 3, Hawthorne Ridge Subdivision, a 3.92 acre commercial tract owned by Caulco, Inc. (An incremental increase in wholesale water revenues from WCID #14, estimated at \$1,117.20 per annum, will result from approval of this item.) (Recommended by Water and Wastewater Commission)  
**Ordinance No. 960725-B approved**

## RESOLUTIONS

11. Approve Change Order #5 to the contract with GREATER TEXAS CONSTRUCTION CORPORATION, Belton, Texas, for a Greater Austin Area Telecommunication Network (GAATN) connection, additional telephone and television connections, the use of Congress Avenue bricks in the Lobby and the balance due on the additional depth and casing of drilled piers, as part of the Dove Springs Recreation Center, in the amount of \$31,490.93, for a total contract amount of \$1,913,834.39. (Funding was included in the 1994-95 Amended Capital budget of the Parks and Recreation Department.) (Recommended by Planning Commission)  
**Approved**
  
12. Authorize negotiation and execution of Amendment #5 to the professional services agreement with SOUTHERN IRRIGATION CONSULTANTS, INC., San Antonio, Texas, for additional Phase II engineering design and Phase III engineering construction services needed for the Morris Williams Golf Course Irrigation System Improvements Project, in the amount of \$9,160, for a total contract amount of \$44,472.91. (Funding was included in the 1994-95 Capital budget of the Golf Enterprise Fund of the Parks and Recreation Department.)  
**Approved**

**Items 10 through 12 approved on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 6-0 vote, Councilmember Mitchell absent.**

13. Approve negotiation and execution of Interlocal Agreement with Lower Colorado River Authority (LCRA) setting out terms and conditions for procurement of professional engineering services to study the feasibility of constructing a subregional wastewater treatment plant to serve customers of Austin and LCRA in the Gilleland/Wilbarger Creek Drainage Basin, in the estimated amount of \$15,000. (Funding was included in the 1991-92 Capital budget of the Water and Wastewater Utility.) (Reviewed by Water and Wastewater Commission)  
**Motion to approve on, Councilmember Reynolds' motion, Mayor Pro Tem Garcia's second.**

**Substitute motion by Mayor Pro Tem Garcia to pay 90%, Councilmember Griffith's second.**

**Substitute motion to delay one week on, Councilmember Griffith's motion, Mayor Pro Tem Garcia's second, 5-0-1 vote, Councilmember Reynolds abstaining, Councilmember Mitchell absent.**

14. Authorize negotiation and execution of Amendment #7 to the Professional Services Agreement with CAMP, DRESSER & MCKEE, INC., Austin, Texas, for additional Phase III engineering services, for construction of the Ullrich Water Treatment Plant Improvements project, in the amount of \$424,500, for a total agreement amount of \$5,544,500. (Funding was included in the 1995-96 Capital budget of the Water and Wastewater Utility.) 18.1% MBE, 10.6% WBE Subconsultant participation. (Recommended by Water and Wastewater Commission)

**Approved on, Councilmember Goodman's motion, Councilmember Reynolds' second, 6-0 vote, Councilmember Mitchell absent.**

15. Approve a construction contract with MUNIZ CONCRETE & CONTRACTING COMPANY, (MBE), Austin, Texas, for the construction of a sand bed filtration pond located in Gillis Park, in the amount of \$204,244.89. (Funding was included in the 1994-95 Capital budget of the Drainage Utility.) Low bid of eight. MBE Prime Participation: 91.20%. 0% MBE, 8.80% WBE Subcontractor participation. (Recommended by Parks Board)

**Approved**

16. Approve execution of a twelve month supply agreement with REHRIG-PACIFIC COMPANY, Dallas, Texas, for the purchase of curbside recycling bins, in an amount not to exceed \$79,000 with two twelve month extension options in amounts not to exceed \$79,000 each, for a total amount not to exceed \$237,000. (Funding in the amount of \$19,750 is available in the 1995-96 operating budget of the Solid Waste Services Department. Funding for the remaining nine months and the extension options is contingent upon available funding in future budgets.) Low bid of seven meeting specifications. No M/WBE Subcontracting opportunities were identified.

**Approved**

17. Approve execution of a contract with XEROX CORPORATION, Austin, Texas, for the purchase of a plotter through the State of Texas Cooperative Purchasing Program to be used by the Engineering Services Division, in the amount of \$38,900. (Funding is available in the 1995-96 operating budget of the Public Works and Transportation Department.)

**Approved**

**Items 15 through 17 approved on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 6-0 vote, Councilmember Mitchell absent.**

18. Approve a construction contract to AUSTIN BRIDGE AND ROAD, INC., Austin, Texas, for reconstruction, overlay, and utility replacement on Lavaca Street from 11th Street to Martin Luther King Boulevard, in the amount of \$1,362,008 with \$82,144 as a contingency fund to be used for change orders, for a total amount not to exceed \$1,444,152. (Funding in the amount of \$780,693.50 was included in the 1995-96 Capital budget of the Public Works and Transportation Department; \$94,496 is available in the 1995-96 operating budget of the Drainage Utility; \$26,675 was included in the 1991-92 Capital budget of the Wastewater Utility; \$409,906.50 was included in the 1995-96 Capital budget of the Water Utility; \$41,803 was included in the 1995-96 Capital budget of the Public Works and Transportation Department; \$32,804 was included in the 1995-96 Capital budget of the Electric Utility; \$57,774 was included in the 1995-96 Capital budget of the Drainage Utility.) Low bid of three. 28.81%

MBE, 16.54% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)

**Approved on, Mayor Pro Tem Garcia's motion, Councilmember Reynolds' second, 5-0 vote, Mayor Pro Tem Garcia off the dais, Councilmember Mitchell absent.**

19. Authorize entering into an agreement with the TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) for the furnishing of traffic signal equipment. (Revenue will vary depending on demand, and is estimated to be \$80,000 for 1996-97. Revenue will be put into the Capital Projects Fund for Traffic Signal Installation and will be budgeted in future years.)

**Approved**

20. Authorize entering into an agreement with the TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) for maintenance of traffic signals. (Revenue is estimated to be \$100,000 per year. This revenue will be included in the 1996-97 operating budget. No revenue is anticipated in 1995-96.)

**Approved**

21. Authorize negotiation and execution of a License Agreement with the FIRST ASSEMBLY OF GOD CHURCH, Leander, Texas, to construct and maintain a driveway crossing across the Giddings-to-Llano Railroad right-of-way just south of the City of Leander, Texas. (All costs to be paid by the applicant including annual fee of \$200 per year.)

**Approved**

22. Approve execution of a 12 month service agreement with AMERICAN LINEN SUPPLY COMPANY, Corpus Christ, Texas for weekly rental uniform service and lockers rentals in three locations for Solid Waste Services (SWS), in an amount not to exceed \$90,300.60 with 3 twelve month extension options in an amount not to exceed \$90,300.60 each for a total contract amount of \$361,202.40. (Funding in the amount of \$15,050 is available in the 95-96 Operating Budget of the Solid Waste Services Department. Funding for the remaining contract period and the extension options is contingent upon available funding in future budgets. Low bid of three. No M/WBE subcontracting opportunities identified.

**Approved**

23. Set a public hearing to adopt the 1994 Uniform Fire Code and local amendments. (No fiscal impact.) (Suggested date and time: September 5, 1996 at 5:00 p.m.)

**Approved**

24. Set a public hearing to amend Section 13-8 of the Austin City Code by adopting the 1994 Uniform Building Code and local amendments. (No fiscal impact.) (Suggested date and time: September 5, 1996 at 4:30 p.m.)

**Approved**

25. Set a public hearing on a proposed amendment to the Brackenridge Project Urban Renewal Plan for property located at 500 and 502 East 11th Street in the City's Brackenridge Project Urban Renewal Area by changing the designation of the property from District R to District B-3. (To be reviewed by Planning Commission July 23, 1996) (Suggested date and time: September 5, 1996 at 6:00 p.m.)

**Approved**

**Items 19 through 25 approved on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second,**

6-0 vote, Councilmember Mitchell absent.

#### ITEMS FROM COUNCIL

26. Direct the City Manager to develop a plan to reduce greenhouse emissions by 20% below 1990 levels by the year 2010 and report back to Council in November 1996. (Councilmember Jackie Goodman and Mayor Pro Tem Gus Garcia)  
**Approved on, Councilmember Goodman's motion, Councilmember Griffith's second, 6-0 vote, Councilmember Mitchell absent.**

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

27. C14-96-0061 - ALLANDALE PARTNERS (Steven Carlitz), by Amelia Lopez-Phelps Consulting (Amelia Lopez-Phelps), 7101 Burnet Road. From MF-3 & MF-4 to GR. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay zoning subject to limiting development to generate less than 2,000 vehicle trips per day, and subject to the following conditions agreed upon between the Neighborhood and the Applicant: (1) maintain driveway access to Burnet Road for the existing condominium complex located to the east of the zoning tract; (2) provide a 25 foot undisturbed buffer along the southern property line, except for stormwater detention facilities; (3) compliance with compatibility standards for the entire site; (4) subject to LR, Neighborhood Commercial, site development standards; (5) prohibit Off-Site Parking for any use less restrictive than GR; (6) prohibit the following GR uses: Automotive Rentals, Automotive Sales, Automotive Repair Services, Automotive Washing (all), Kennels, Hotel-Motel, Adult Oriented Businesses, Indoor Entertainment, Indoor Sports and Recreation, Outdoor Entertainment, Outdoor Sports and Recreation, and Pawn Shop Services. (CONTINUED FROM 7/11/96)  
**Postponed to August 22, 1996 applicant's request.**

28. C14-96-0066 - DONALD L. DUMAS, by Crocker Consultants (Sarah Crocker), 6748 Corpus Christi Drive. From I-RR to GR. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay for Tracts 1 and 2, subject to providing a 25 foot undisturbed buffer along the North property line.  
**Ordinance No. 960725-C approved**

29. C14-96-0069 - MARGERY HANKS TRUST (Whit Hanks), by Graves, Dougherty, Hearon & Moody (Ann E. Vanderburg), 1507 to 1513 West 35th Street. From SF-3 to GR.  
**Approve first reading only; approved Planning Commission recommendation for GR-MU-CO, Community Commercial-Mixed Use-Conditional Overlay Zoning to grant GR-MU-CO, Community Commercial-Combining District-Conditional Overlay Zoning, with the following conditions: 1) limit development to generate less than 2,000 vehicle trips per day; 2) limit permitted uses to all uses permitted in the LR zoning district and the following GR uses - business support services, general retail sales (convenience), general retail sales (general), medical offices, personal improvement services, and restaurant (general); 3) prohibit access to Kerby Lane; 4) the site is subject to the LR site development regulations; and 5) vehicular access to the alley along the back portion of the property will be limited to emergency access only.**

Items 27 through 29 approved on, Councilmember Goodman's motion, Councilmember Griffith's second, 5-0 vote, Mayor Todd and Councilmember Mitchell absent.

## PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

30. 4:30 P.M. - Public hearing on the Ordinance Levying the Assessments for Oltorf Street from University Business Park to Montopolis Drive. (No fiscal impact.)  
**Motion to close public hearing on, Councilmember Goodman's motion, Councilmember Griffith's second, 5-0 vote, Mayor Todd and Councilmember Mitchell absent.**
31. 5:00 P.M. - Public hearing to rename the Pan American Recreation Center, located at 2100 East 3rd Street, Oswaldo "A.B." Cantu Recreation Center. (Recommended by Parks Board)  
**Motion to close public hearing on, Councilmember Reynolds' motion, Councilmember Slusher's second, 5-0 vote, Mayor Todd and Councilmember Mitchell absent.**
32. 6:00 P.M. - Public hearing to receive comments on maintaining energy conservation spending for 1996-97 at 1995-96 levels, and possible action. (Councilmember Jackie Goodman)  
**Motion to close public hearing on, Councilmember Griffith's motion, Councilmember Slusher's second, 4-0 vote, Mayor Todd, Councilmembers Mitchell and Reynolds absent.**

## ACTION ON THE FOLLOWING

33. Approve the Ordinance Closing the Public Hearing and Levying the Assessments for Oltorf Street, from University Business Park to Montopolis Drive.  
**Motion to close public hearing and approve on, Councilmember Goodman's motion, Councilmember Griffith's second, 5-0 vote, Mayor Todd and Councilmember Mitchell absent.**

Ordinance No. 960725-D approved

34. Approve an ordinance renaming Pan American Recreation Center, located at 2100 East 3rd Street, to Oswaldo "A.B." Cantu Recreation Center. (Recommended by Parks Board)  
Ordinance No 960725-E approved on renaming Pan American Recreation Center to Oswaldo "A.B." Cantu/Pan American Recreation Center, on, Councilmember Slusher's motion, Councilmember Griffith's second, 5-0 vote, Mayor Todd and Councilmember Mitchell absent.

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

Executive session held at 1:10 p.m. to 2:01 p.m. on item 35.

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 Counsel may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

### Pending Litigation - Section 551.071

35. Discuss Aviation Constructors, Inc., et al v. City of Austin , CA 96-08262, Travis County District Court.

36. APPOINTMENTS:

AIRPORT ADVISORY BOARD - DAVID GALVAN.

Approved on, Councilmember Reynolds' motion, Councilmember Goodman's second, 5-0 vote, Mayor Pro Tem Garcia off the dais, Councilmember Mitchell absent.

#### ADDENDUM

NOTICE OF SUPPLEMENTAL ITEM ADDED TO THE AGENDA FOR THE CITY COUNCIL MEETING COMMENCING AT 1:00 P.M., THURSDAY, JULY 25, 1996

PURSUANT TO NOTICE PREVIOUSLY POSTED IN ACCORDANCE WITH THE TEXAS OPEN MEETING AT, THE CITY COUNCIL OF AUSTIN, TEXAS, WILL CONVENE IN ITS REGULARLY SCHEDULED MEETING AT 1:00 P.M. ON THURSDAY, JULY 25, 1996, AT CITY COUNCIL CHAMBERS, 307 WEST 2ND STREET, AUSTIN, TEXAS,

IN ADDITION TO THOSE ITEMS ALREADY LISTED ON THE AGENDA FOR THAT MEETING, THE CITY COUNCIL WILL CONSIDER THE FOLLOWING ITEM:

#### ACTION ON THE FOLLOWING IN OPEN SESSION

37. Consider any required final action, vote, or decision, necessary concerning AVIATION CONSTRUCTORS, INC., et. al v. City of Austin, Cause No. 96-08262, in Travis County District Court.  
Motion to approve payment of \$190,000 to Aviation Constructors, Inc., on, Mayor Pro Tem Garcia's motion, 6-0 vote, Councilmember Goodman's second, Councilmember Mitchell absent.

ADJOURNED at 9:45 p.m. on, Councilmember Slusher's motion, Councilmember Griffith's second, 4-0 vote, Mayor Todd, Councilmembers Mitchell and Reynolds absent.

Approved on this the 1<sup>st</sup> day of August, 1996, on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 4-0 vote, Councilmembers Griffith, Mitchell and Slusher temporarily absent.