



Austin City Council MINUTES

REGULAR MEETING
AUGUST 7, 1997

Mayor Watson called the meeting to order noting the presence of all Councilmembers.

1. Approval of Minutes for Regular Meetings of July 23 & 24, and July 30 & 31, 1997.
Approved minutes for July 23, 1997, July 30, 1997 and July 31, 1997 on, Councilmember Lewis' motion, Councilmember Griffith's second, 7-0 vote.

Motion to approve minutes for July 24, 1997 on, Councilmember Lewis' motion, Councilmember Spelman's second, 6-0 vote, Mayor Pro Tem Garcia off the dais.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Gus Pena, to discuss city issues, crime in Austin and the city budget.
Absent
3. Mr. Richard Troxell, to discuss homeless issues in Austin.
Absent
4. Mr. Jimmy Castro, to discuss It's time to rock "enroll" back to school.
5. Mr. Leonard Lyons, to discuss the basic function of government.
6. Mr. Michael Bonds, to discuss bullies in "blue" and bicyclists - why are our civil rights being ignored?
Absent
7. Mr. John McMillan, to discuss the Austin City Council should approve a significant expansion of the fringe benefits and services provided to City Council members.
8. Mr. Roy Hendricks, to discuss the discontinued support of a neighborhood facility located at 7100 Bethune.
9. Mrs. Vernell Howard, to discuss 7100 Bethune (St. Johns)

READING OF CONSENT AGENDA

READING OF DISCUSSION AGENDA

CITIZEN COMMUNICATIONS: CONSENT AGENDA

ACTION ON CONSENT AGENDA

2:00 P.M. - BOND SALE

10. Approve an ordinance authorizing the issuance of approximately \$223,765,000 City of Austin, Texas, Combined Utility Systems Revenue Refunding Bonds, Series, 1997, including approval and authorization of a Purchase Contract, Escrow Agreement, Paying Agent/Registrar Agreement, and Official Statement pertaining thereto. (\$9,036,343.56 is the estimated debt service requirement in 1997-98 and will be provided in the 1997-98 proposed budget of the Utility Revenue Bond Redemption Fund.) [Reviewed by Audit and Finance Committee]
Ordinance No. 970807-A approved

11. Approve a resolution authorizing the redemption of certain outstanding Combined Utility Systems Revenue Bonds of the City of Austin. (Associated costs will be provided from the proceeds of the related issuance of Combined Utility Systems Revenue Refunding Bonds, Series, 1997.)
Resolution No. 970807-11 approved

Items 10 and 11 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Lewis off the dais.

PUBLIC WORKS AND TRANSPORTATION

12. Approve a resolution authorizing negotiation and execution of a License Agreement with Mr. Wayne Dayton, Elgin, Texas, to use and maintain an existing driveway crossing across the Giddings-to-Llano Railroad Right-of-Way west of the City of Elgin, Texas. (\$200 annual fee to be paid by the applicant to Capital Metro Transit Authority.)
Resolution No. 970807-12 approved

PARKS AND RECREATION

13. Approve a resolution authorizing execution of a construction contract with PORT ENTERPRISES, INC., Manchaca, Texas, for reroofing and heating and air conditioning replacement at the Doris Miller Auditorium, located at 2300 Rosewood Avenue, in the amount of \$132,009. (Funding was included in the 1996-97 Amended Capital budget of the Parks and Recreation Department.) Low bid of two. 17% MBE, 2% WBE Subcontractor participation.
Resolution No. 970807-13 approved

HEALTH AND HUMAN SERVICES

14. Approve a resolution authorizing execution of Change Order #2 to the construction contract with BRAUN & BUTLER CONSTRUCTION, INC., Austin, Texas, for modifications required by Site Plan and Plan Review, and for additional work as part of the Rosewood Zaragosa Health Clinic and South Austin Health Clinic Additions and Renovations Project, in the amount of \$25,127, for a total contract amount of \$2,170,742. (Funding is included in the 1994-95

Capital budget of the Health and Human Services Department.) 0% MBE, 6.49% WBE, Subcontractor participation.

Resolution No. 970807-14 approved

Items 12 through 14 approved on, Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.

15. Approve negotiation and execution of a twelve month service agreement with LABORATORY CORPORATION OF AMERICA, INC., San Antonio, Texas, to provide contract laboratory services for patients serviced by the Health and Human Services Department, in an amount not to exceed \$557,656 with two twelve month extension options, in an amount not to exceed \$585,539 for the first extension and \$614,816 for the second extension for a total contract amount not to exceed \$1,758,011. (Funding for the original contract period and extension options will be contingent upon approval of the 1997-98 budget and available funding in future budgets.) Best proposal of two. No M/WBE Subcontracting opportunities were identified.
Motion to postponed one week to August 14, 1997 by Councilmember Lewis, Councilmember Slusher's second,

Friendly amendment by Councilmember Spelman to postpone two weeks, accepted by maker and second, 5-2 vote, Mayor Watson and Mayor Pro Tem Garcia voting "NO".

Direction to staff to come back with number of patients being seen between the beginning of the contract to March vs. the number of patients seen in the same period of time prior to the contract, also the number of patients sent to the emergency room from these clinics and number of patients sent to the emergency room prior to the beginning of the contract.

FINANCE AND ADMINISTRATIVE SERVICES

16. Approve a resolution authorizing negotiation and execution of a contract with CORTEX COMMUNICATIONS, INC., (WBE/FR), Austin, Texas, for the production of a CD-ROM which will be used to showcase multimedia developers in Austin, in an amount not to exceed \$50,000. (funding is available in the 1996-97 operating budget of the Finance and Administrative Services Department - Office of Cable and Regulatory affairs.) best proposal of three. 93% WBE prime participation. no M/WBE subcontracting opportunities were identified.
Resolution No. 970807-16 approved with amendment authorizing City funding only up to one half the cost on, Councilmember Spelman's motion, Councilmember Griffith's second, 7-0 vote.

ITEMS FROM COUNCIL

17. Approve an ordinance to increase the number of Councilmember appointees to the subcommittee on Audit and Finance to four members (Mayor and three Councilmembers).
[Mayor Kirk Watson]
Ordinance No. 970807-B approved (see correction on addendum at end of agenda)
18. Approve an ordinance to amend Section 10, Chapter 18-3 of the Austin City Code by

extending the exemption from drainage utility fees for churches that join in a coalition to assist the homeless, from October 1, 1997 to September 30, 1998, and waiving the requirement that participating organizations submit annual renewal affidavits. (Councilmembers Jackie Goodman and Daryl Slusher, and Mayor Pro Tem Gus Garcia)
Ordinance No. 970807-C approved

Items 17 and 18 approved on, Councilmember Lewis' motion, Councilmember Spelman's Second, 7-0 vote.

19. Presentation by Dr. Lauren Ross of the report "Protecting the Edwards Aquifer: A Scientific Consensus." (Councilmembers Beverly Griffith and Jackie Goodman)
Presentation given by Dr. Lauren Ross, no action taken.
20. Approve a resolution to provide an I-NET drop at Liberty Lunch, located at 405 West 2nd Street, to cablecast the Austin Music Network benefit to be held August 17, 1997. (funding in the amount of \$423.28 will be paid by Time Warner Entertainment/Advance Newhouse) [Councilmembers Jackie Goodman, Willie Lewis and Daryl Slusher]
Resolution No. 970807-20 approved on, Councilmember Goodman's motion, Councilmember Spelman's second, 7-0 vote.
21. Discussion and action regarding the conduct of City Council worksessions and the related creation of subcommittees as addressed at the City Council retreat on June 27-29, 1997. (Mayor Kirk Watson, Councilmember Daryl Slusher and Mayor Pro-Tem Gus Garcia)
Withdrawn
22. Approve an ordinance authorizing an agreement with the Texas Parks and Wildlife Department for the reimbursement of construction costs for an Edwards Aquifer educational exhibit, in the amount of \$30,000; and appropriating such funds. (Councilmember Beverly Griffith)
Ordinance No. 970807-D approved on, Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.

4:30 p.m. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

23. C814-91-0001 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as Little Texas Lane and South IH-35, from "PUD", Planned Unit Development to "PUD", Planned Unit Development. Planning Commission recommendation: to grant "PUD", Planned Unit Development Zoning. Applicant: Cohen-Emmett Joint Venture; Agent: Minter, Joseph & Thornhill (Michele Hausmann). City Staff: Susan Villarreal, 499-6319.
Ordinance No. 970807-E approved Planning Commission recommendation subject to prohibiting equipment repair and equipment sales; staff directed to report to Council: 1) on drainage of the site when site plan is submitted; and 2) on the color of the roofs and on shady areas on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

PUBLIC HEARING

24. 7:00 p.m.- Public hearing to receive citizen input on an amendment to the Blackshear Area Urban Renewal Plan. The amendment will allow for a street setback variance to the Holy Cross Catholic Church located at 1610 East 11th Street.
- Motion to close public hearing on, Councilmember Lewis' motion, Mayor Pro Tem Garcia's second, 7-0 vote.

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

25. Discuss City of Austin v. Southwest Travis County Water District, Cause No. 96-13123, in the District Court of Travis County, Texas.
26. Discuss John Ross, et al. v. City of Austin, Cause No. 12853, in the District Court of Travis County, Texas.
27. Discuss Highway 71, Assoc., Ltd. v. City of Austin; Cause No. 97-00485, Travis County District Court.
28. Discuss Mellon Properties Co. v. City of Austin; Cause No. 96-15205, Travis County District Court.

ACTION ON EXECUTIVE SESSION ITEMS

29. Approve execution of an amendment to the contract with Karl Bayer to increase the amount of attorney fees by \$60,000, for a total contract amount not to exceed \$150,000, for legal services in City of Austin v. Southwest Travis County Water District, Cause No. 96-13123, in the District Courts of Travis County, Texas.
- Approved on, Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.

CORRECTION:

The following item should read as follows:

17. Amend the ordinances creating the Audit and Finance Committee of the City Council and the Council Audit Committee. (Mayor Kirk Watson)

ADJOURNED at 9:30 p.m.

Approved on this the 14th day of August, 1997 on, Councilmember Goodman's motion, Councilmember Lewis' second, 5-0 vote, Councilmembers Griffith and Spelman off the dais.