



Austin City Council MINUTES

REGULAR MEETING
THURSDAY, OCTOBER 2, 1997

Mayor Watson called the meeting to order, noting the temporary absence of Councilmember Griffith.

1. Approval of Minutes for Meetings of September 24 & 25, 1997.
Approved on Councilmember Goodman's motion, Mayor Pro Tem Garcia's second, 6-0 vote, Councilmember Griffith off the dais.

CITIZEN COMMUNICATIONS: GENERAL

2. Bruce Diatherage, to discuss the central booking center.
3. Paul Martin, to discuss the central booking center.
4. Lynn Moshier, to discuss the central booking center.
5. Jamye Winters, to discuss the central booking center.
6. Robert Donley, to discuss Town Lake (Fiesta Gardens).
7. Gavino Fernandez, to discuss Fiesta Gardens/Town Lake Shore Natural Beauty Preservation.
8. Richard Troxell, to discuss homeless issues in Austin.
9. Dave Schroeder, to discuss Andrews Nuke Dump in permit process - danger to city officers, firemen and the public.
10. Mr. Raymond Rebald, to discuss the general nature of the socialist state.
Absent
11. David Blakely, to discuss lean beef.

READING OF CONSENT AGENDA

READING OF DISCUSSION AGENDA

CITIZEN COMMUNICATIONS: CONSENT AGENDA

ACTION ON CONSENT AGENDA

2:00 P.M. - GENERAL OBLIGATION BONDS

12. Approve an ordinance authorizing the issuance of approximately \$87,475,000 City of Austin, Texas, Public Improvement Refunding Bonds, Series, 1997, including approval and authorization of a Purchase Contract, Escrow Agreement, Paying Agent/Registrar Agreement and Official Statement pertaining thereto. (\$5,337,636.67 is the estimate debt service requirement in 1997-98 and will be provided in the 1997-98 Proposed budget of the General Obligation Debt Service Fund.) [Reviewed by Audit and Finance Committee]
Postponed

ITEMS CONTINUED FROM PREVIOUS MEETINGS

13. Approve an ordinance enabling a consumer/taxpayer to advise the City Council on issues, including utility rates affecting Austin consumers. (Councilmembers Beverly Griffith, William Spelman and Jackie Goodman)
Postponed to November 6, 1997
14. Report on Complete Financial and operational information for the 1997 Austin Aqua Festival and the status of debt owed to the City. (Mayor Pro Tem Gus Garcia and Councilmember Jackie Goodman)
Report given no action taken.

Public Works

15. Approve a resolution authorizing application for and acceptance of \$22,595 in grant funds from the INTERNATIONAL COUNCIL FOR LOCAL ENVIRONMENTAL INITIATIVES (ICLEI) 1997-98 CITIES FOR CLIMATE PROTECTION CAMPAIGN to provide ten all-terrain bicycles and necessary equipment; five high quality theft resistant lockers, and a twelve month bicycle maintenance agreement to be used by City employees for mid-day business travel between city buildings. (A City match in the amount of \$5,649 is required and available in the 1997-98 operating budget of the Public Works and Transportation Department.)
Resolution No. 971002-15 approved
16. Approve a resolution authorizing a settlement to the City of Austin from the COMMONWEALTH LAND TITLE INSURANCE COMPANY for a note and Deed of Trust covering the vacated west half of Yett Lane between Parmer Lane and Duval Road, in the amount of \$15,000. (\$15,000 in revenue was included in the 1997-98 operating budget of the Public Works Capital Projects Management Fund.)
Resolution No. 971002-16 approved

Library

17. Approve a resolution authorizing execution of a twelve month service agreement with MANOR ENTERPRISES, (MBE/MB), Austin, Texas, to provide janitorial services at the following south branch libraries: Carver, Govalle, Manchaca Road, Will Hampton, Pleasant Hill, Riverside Drive, Southeast Austin, Terrazas, Twin Oaks, and Oak Springs, in an amount not to exceed \$39,574.37 with two twelve month extension options in an amount not exceed \$39,574.37 per

extension, for a total contract amount not to exceed \$118,723.11. (Funding was included in the 1997-98 operating budget of the Library Department. Funding for the extension options is contingent upon available funding in future budgets.) Low bid of three. No M/WBE Subcontracting opportunities were identified.

Resolution No. 971002-17 approved

Fire

18. Approve a resolution authorizing execution of a twelve month supply agreement with FERRARA FIREFIGHTING EQUIPMENT, New Braunsfels, Texas, for purchase of fire protection bunker coats and pants, in an amount not to exceed \$234,858 with two twelve month extension options in an amount not to exceed \$234,858 per extension, for a total contract amount not to exceed \$704,574. (Funding was included in the 1997-98 operating budget of the Fire Department. Funding for the extension options is contingent upon available funding in future budgets.) Low bid of six meeting specifications. No M/WBE Subcontracting opportunities were identified.

Resolution No. 971002-18 approved

Planning, Environmental and Conservation Services

19. Set a public hearing to consider reauthorization of the Austin Downtown Public Improvement District (PID). [Suggested date and time: October 23, 1997 at 5:30 p.m.]

Approved

20. Approve a resolution authorizing an amendment to the professional services agreement with W. Scott McCollough, P.C. to provide assistance in analyzing the current and future applicability of distributed utility technologies for the Electric Utility system, in the amount of \$50,000, for a total contract amount of \$88,750. (Funding is available in the 1997-98 operating budget of the Electric Utility department.) [No M/WBE Subcontracting opportunities were identified.]

Resolution No. 971002-20 approved

Health and Human Services

21. Approve a resolution authorizing a six month renewal of a contract with COMMUNITY ACTION, INC., for HIV case management and home health care services from the Texas Department of Health, Ryan White Title II grant program, in an amount not to exceed \$148,843. (Funding is available in the Health and Human Services Department Special Revenue Fund, Ryan White Title II grant program.)

Resolution No. 971002-21 approved

Cable and Regulatory Affairs

22. Approve third reading of an ordinance amending the terms of the existing telecommunications service franchise with American Communications Services, Inc. (\$5,000 in Franchise Fee Revenue 1996-97 was included in the 1996-97 Adopted Budget.) [Recommended by Council Committee for Telecommunications Infrastructure]

Ordinance No. 971002-A approved

Human Resources

23. Approve a resolution authorizing negotiation and execution of a four year contract with THE HARTFORD INSURANCE COMPANY, Houston, Texas, for builder's risk coverage to contractors and subcontractors participating in the Rolling Owner Controlled Insurance Program (ROCIP). in the amount of \$48,000 and a twelve month contract with ST. PAUL INSURANCE COMPANY, Arlington, Texas, for workers' compensation/general liability coverage, in the amount of \$540,316 with three twelve month extension options in an amount not to exceed \$539,316 for the first extension, \$509,236 for the second and third extensions, for a total contract amount not to exceed \$2,098,104. (Funding was included in the various Capital budgets of Water and Wastewater, Watershed Management, Electric Utility Department, Parks and Recreation Department and Public Works and Transportation Department. Funding for the extension options is contingent upon available funding in future budgets.) Best proposal of seven. No M/WBE Subcontracting opportunities were identified.
Resolution No. 971002-23 approved

Police

24. Authorize application for and acceptance of \$79,986 in grant funding from the State of Texas, Governor's Office, Criminal Justice Division, Violence Against Women Act Fund (VAWA) to implement a grant program to provide outreach to female victims of family violence and stalking. (An in-kind match of \$36,274 is required and represents salary costs in the Victim Services program. This match funding is included in the 1997-98 Operating Budget of the Police Department.) **[Related to Item 25]**
Approved
25. Authorize application for and acceptance of \$79,986 in grant funding from the State of Texas, Governor's Office, Criminal Justice Division, Victims of Crime Act Fund (VOCA) to implement a grant program to improve services to victims of family violence and stalking. (An in-kind match of \$37,229 is required and represents salary costs in the Victim Services Program. The match funding is included in the 1997-98 Operating Budget for the Police Department.) **[Related to Item 24]**
Resolution No. 971002-24 approved

Items 15 through 25 approved on, Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.

ITEMS FROM COUNCIL

26. Approve a resolution to assign a name to the drainage easement at the western boundary of Sherwood Oaks Section 4, of the Issac Decker League development of South Austin. (Councilmember Jackie Goodman)
Resolution No. 971002-26 approved the name of Sherwood Creek on, Councilmember Goodman's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

27. Authorize application for and acceptance of a Texas Highway Traffic Safety Grant from the Texas Department of Transportation for Traffic Safety/Safe Community Grant Program and enter into agreement with Transportation Texas Alliance as subgrantee/administer of grant. (Councilmember Jackie Goodman)
Approved on, Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.
28. Approve an Ordinance to adopt a new Chapter 15-11 of the City Code relating to street closures for Street Events, amend Sections 10-5-24, 10-5-25, and 10-5-27(A) of the City Code relating to sound permits, and repeal Section 15-2-3 of the City Code. (Mayor Pro Tem Gus Garcia, and Councilmembers Daryl Slusher and Jackie Goodman). **[Related to Item 29]**
Taken with item 29
29. Amend Ordinance 970917-C by adding fees for Street Event Permits. (Mayor Pro Tem Gus Garcia, and Councilmembers Daryl Slusher and Jackie Goodman) **[Related to Item 28]**
Items 28 and 29 approved first reading only with amendments by Councilmember Griffith to allow approval by nearby neighborhood associations, on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 7-0.
30. Set a public hearing to approve a request by Roadstar Productions (French Smith) on behalf of University Area Partners, Inc., for an outdoor fall festival located within the street right-of-way of the 2100, 2200 and 2300 Blocks of Guadalupe Street, 400 Block of West 22nd Street, and the 400 Block of West 23rd Street., to waive Section 8-3-4 of the City Code (minimum separation distance) between the outdoor festival which intends to sell alcoholic beverages and the existing churches, public schools and/or public hospitals. (Suggested date and time: October 23, 1997 at 5:00 p.m.) [Council Member Slusher and Goodman]
Approved on, Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.
31. Approve a resolution directing the City Manager to survey the boundaries of the Sand Beach Reserve. (Councilmembers Daryl Slusher, Jackie Goodman and Beverly Griffith)
Resolution No. 971002-31 approved on, Councilmember Lewis' motion, Mayor Councilmember Spelman's second, 7-0 vote.

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

32. C14-97-0055 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 8010 South Congress Avenue from "DR", Development Reserve to "CS", General Commercial Services. Planning Commission Recommendation: To Deny "CS", General Commercial Services zoning. Applicant: Don Valk; Agent: Mike Killebrew. City Staff: Craig Alter, 499-2769. (continued from 9/4/97)
Postponed to November 6, 1997 on, Councilmember Slusher's motion, Councilmember Spelman's second, 6-0 vote, Mayor Pro Tem Garcia off the dais.
33. C14r-87-071(DE) - Public hearing to amend Chapter 13-2 of the Austin City Code by deleting a portion of a previously approved zoning site plan and by rezoning for property locally known as 12300 to 12336 N. MoPac SB Expressway from "GR", Community Commercial to "GR-CO", Community Commercial-Conditional Overlay zoning. Planning Commission Recommendation: To Grant the partial deletion of the previously approved zoning site plan

and "GR-CO" Community Commercial-Conditional Overlay zoning with conditions. Applicant: North Central Harken; Agent: Bury & Pittman (Tim Moltz). City Staff: Dave Lambert, 499-2830. (continued from 9/25/97)
Ordinance No. 971002-B approved on, Councilmember Slusher's motion, Councilmember Spelman's second, 7-0 vote.

PUBLIC HEARINGS

34. 6:30 P.M. - Public hearing on the annexation of US 183 East.
Motion to close public hearing on, Councilmember Griffith's motion, Councilmember Slusher's second, 6-0 vote, Councilmember Spelman off the dais.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held at 12:15 p.m. to 1:45 p.m.

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 Consolation with Attorney - Section 551.071

35. Discuss legal issues relating to annexation.

ADDENDUM

October 2, 1997

ITEMS FROM COUNCIL

36. Approve an ordinance amending Chapter 16-8: Bicycles, of the Austin City Code, to require only children and youth to wear bicycle helmets. (Councilmembers William Spelman, Daryl Slusher and Willie Lewis)
Ordinance No. 971002-C approved on, Councilmember Spelman's motion, Councilmember Lewis' second, 5-2 vote, Mayor Watson and Mayor Pro Tem Garcia voting "NO".
37. Approve a resolution directing the City Manager to provide initial clean-up and 12 maintenance cuts for Bethany Cemetery. (Fiscal impact is \$7,875.) [Councilmembers Willie Lewis and Jackie Goodman]
Resolution 971002-37 approved with language from Councilmember Lewis to add an additional Whereas: Whereas: Bethany Cemetery has received an official Texas Historical Marker from the Texas Historical Commission; on, Councilmember Lewis' motion, Councilmember Spelman's second, 7-0 vote.

ADJOURNED at 8:18 p.m. on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 6-0 vote, Councilmember Spelman off the dais.

Approved on this the 16th day of October, 1997, on Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.