



Austin City Council MINUTES

REGULAR MEETING
THURSDAY, JANUARY 8, 1998

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

CITIZEN COMMUNICATIONS: GENERAL

1. Mr. Gus Pena, to discuss APD and community issues.
2. Roy Hendricks, to discuss St. Johns Neighborhood.

READING OF CONSENT AGENDA

READING OF DISCUSSION AGENDA

CITIZEN COMMUNICATIONS: CONSENT AGENDA

ACTION ON CONSENT AGENDA

Parks and Recreation

3. Approve a resolution authorizing execution of a contract with EMR CONSTRUCTION (MBE/FA), Austin, Texas, for construction of miscellaneous park improvements, in an amount not to exceed \$55,892. (Funding is available in the 1991-92 and 1997-98 Capital Budgets of the Parks and Recreation Department.) Low bid of six. Prime Contractor Participation: 90%; 0% MBE, 10% WBE Subcontractor participation.
Resolution No. 980108-3 approved on, Councilmember Spelman's motion, Councilmember Lewis' second, 7-0 vote.

Financial Services

4. Approve a resolution authorizing negotiation and execution of a twelve month service agreement with THE GARTNER GROUP, Austin, Texas, for membership and subscription to Information Technology research and advisory services for the Information Systems Office, in an amount not to exceed \$98,000, with the option to extend for two additional twelve month

periods, in an amount not to exceed \$98,000 per extension, for a total contract amount not to exceed \$294,000. (Funding was included in the 1997-98 Operating Budget for Financial and Administrative Services Department, Information Systems Office; funding for the extension option will be contingent upon available funding in future budgets.) Best proposal of two. No M/WBE Subcontracting opportunities were identified.

Resolution No. 980108-4 approved on, Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

5. Approve a resolution authorizing execution of a twelve month service agreement with SOUTHSIDE WRECKER, INC., Austin, Texas, for towing and tire changing services of disabled City vehicles, in an amount not to exceed \$80,000, with two twelve month extension options in an amount not to exceed \$80,000 per extension, for a total contract amount not to exceed \$240,000. (Funding in the amount of \$60,000 was included in the 1997-98 Operating Budgets of various departments. Funding for the remaining three months of the original contract period and the extension options is contingent upon available funding in future budgets.) Low bid of two. No M/WBE Subcontracting opportunities were identified.

Resolution No. 980108-5 approved

6. Approve a resolution authorizing execution of a contract with CENTRAL TEXAS HARLEY-DAVIDSON, INC., Austin, Texas, for the purchase of 14 police motorcycles, in an amount not to exceed \$193,649.12. (Funding is available in the 1997-98 Vehicle Acquisition Fund.) Low bid of two. No M/WBE Subcontracting opportunities were identified.

Resolution No. 980108-6 approved

Municipal Court

7. Approve a resolution authorizing execution of a twelve month service agreement with EXECUTIVE SECURITY SYSTEMS, INC., Austin, Texas, for armed security guard services for Municipal Court, in an amount not to exceed \$81,595, with two twelve month extension options in an amount not to exceed \$81,595 per extension, for a total contract amount not to exceed \$244,785. (Funding in the amount of \$54,397 was included in the 1997-98 Security Fund Budget for Municipal Court; funding for the final four months of the original contract period and the extension options is contingent upon available funding in future budgets.) Low bid of six. No M/WBE Subcontracting opportunities were identified.

Resolution No. 980108-7 approved

Public Works and Transportation

8. Approve an ordinance to amend the Austin City Code by modifying the Basic Traffic Ordinance, Section 16-4-5(A), 16-4-5(B), Speed Limits, to include the existing speed zones on certain city streets in the City Code, and repeal Section 16-4-5(H). (No fiscal impact - existing speed limit signs will remain in place.)

Ordinance No. 980108-A approved

9. Approve a resolution authorizing execution of a contract with ZUND NORTH AMERICA, Racine, Wisconsin, for the purchase of a signmaker plotter and installation services, in the

amount of \$57,450. (Funding is available in the 1997-98 Operating Budget of the Public Works and Transportation Department.) Low bid of two. No M/WBE Subcontracting opportunities were identified.

Resolution No. 980108-9 approved

Items 5 through 9 approved on, Councilmember Spelman's motion, Councilmember Lewis' second, 7-0 vote.

10. Approve a resolution authorizing negotiation and execution of a professional services agreement with four engineering firms: MARTINEZ, WRIGHT AND MENDEZ, INC., (MBE/MH), Austin, Texas; BAKER-AICKLEN & ASSOCIATES, Austin, Texas; LOC CONSULTANTS (MBE/MH), Austin, Texas; and MALONE/WHEELER, INC., Austin, Texas, to provide professional engineering services for the ADA Sidewalk and Curb Ramp Improvements Program for a period of approximately two years, in an amount not to exceed \$320,000 per firm, for a total amount not to exceed \$320,000. Best proposals of 16. Martinez & Wright: 73% MBE Prime Participation, 9% MBE, 18% WBE Subcontractor participation; Baker-Aicklen: 8.6% MBE, 18.2% WBE Subcontractor participation; LOC Consultants: 65% MBE Prime Participation, 0% MBE, 35% WBE Subcontractor participation; Malone-Wheeler Inc.: 9% MBE, 20% WBE Subcontractor participation. (Funding is included in the 1997-98 Amended Capital Budget of the Department of Public Works and Transportation).

Resolution No. 980108-10 approved on, Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

11. Approve a resolution authorizing execution of a contract with COOPER EQUIPMENT CO., INC., San Antonio, Texas, for the purchase of one 9-wheel, pneumatic tire, twelve-ton roller for use by the Street & Bridge Division, in the amount of \$43,499. (Funding was included in the 1997-98 Operating Budget of the Public Works and Transportation Department, Transportation Fund.) Low bid of 8 meeting specifications. No M/WBE Subcontracting opportunities were identified.

Resolution No. 980108-11 approved

12. Approve a resolution authorizing execution of a contract with CON-EQUIP SA INC., Converse, Texas, for the purchase of one front-end loader tractor for the Street & Bridge Division, including a three year extended warranty for power train items (engine, transmission and drive-line parts), in the amount of \$74,445. (Funding was included in the 1997-98 Operating Budget of the Public Works and Transportation Department, Transportation Fund.) Low bid of seven. No M/WBE Subcontracting opportunities were identified.

Resolution No. 980108-12 approved

13. Approve a resolution authorizing execution of a contract with RIVER CITY MACHINERY CO., INC., (WBE/FR), Austin, Texas, for the purchase of 11 walk-behind vibratory rollers to be used by the Street & Bridge Division, in the amount of \$83,984.78. (Funding was included in the 1997-98 Operating Budget of the Public Works and Transportation Department, Transportation Fund.) Low bid of five. No M/WBE Subcontracting opportunities were identified.

Resolution No. 980108-13 approved

Drainage Utility

14. Approve a resolution authorizing execution of a contract with HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS COOPERATIVE PURCHASING PROGRAM, Houston, Texas, for the purchase of one extra heavy-duty front-end loader/backhoe tractor for use in storm sewer repair, in the amount of \$110,903.43. (Funding was included in the 1997-98 Operating Budget of ;the Drainage Utility Department.)
Resolution No. 980108-14 approved

Fire

15. Approve a resolution authorizing execution of a contract with SPECIAL EQUIPMENT SERVICES, INC., Kaufman, Texas, for the repair services of an aerial ladder, in an amount not to exceed \$53,700. (Funding was included in the 1997-98 Operating Budget of the Fire Department.) Sole Source. No M/WBE Subcontracting opportunities were identified.
Resolution No. 980108-15 approved

Health and Human Services Department

16. Approve a resolution authorizing execution of Change Order #4 to the construction contract with BRAUN & BUTLER CONSTRUCTION, INC., Austin, Texas, for handicap ramps, sign modifications, and landscape irrigation changes at the Rosewood Zaragosa Health Clinic located at 2802 Weberville Road and the South Austin Clinic located at 2529 South First Street, in the amount of \$13,539, for a total contract amount of \$2,221,159. (Funding was included in the 1994-95 Capital Budget of the Health and Human Services Department.) 0% MBE, 40.99% WBE Subcontractor participation.
Resolution No. 980108-16 approved

Police

17. Approve a resolution authorizing execution of an Interlocal Agreement between the City of Austin and Travis County for the purpose of providing prosecutorial support for auto theft cases, in the amount of \$68,362. (Funding is provided through a grant from the Texas Department of Transportation, Texas Automobile Theft Prevention Authority and is included in the Special Revenue Fund of the Police Department for the grant period of September 1, 1997 - August 31, 1998.)
Resolution No. 980108-17 approved

Development Review and Inspection

18. Approve an ordinance waiving the following fees for property annexed into the City effective December 19, 1997 and December 31, 1997: application fee for initial non-single family zoning; application fee for land use site plan for sites with approved unbuilt development permit site plans and sites with development permit site plans under review on December 31, 1997;

and conditional use permit site plan fee for stables. (This action will result in foregone revenue estimated at \$50,000. This revenue was not included in the estimated revenue for the 1997-98 budget.)

Ordinance No. 980108-B approved

19. Set a public hearing on an Ordinance to amend Chapter 13-8 of the Land Development Code repealing the Uniform Mechanical Code, 1991 edition, with local amendments and adopting the Uniform Mechanical Code, 1997 with local amendments. [Suggested date and time: February 5, 1998 at 6:30 p.m.]

Approved

20. Set a public hearing on an Ordinance to amend Chapter 13-8 of the Land Development Code repealing the Uniform Plumbing Code, 1991 edition, with local amendments and adopting the Uniform Plumbing Code, 1997 edition, with local amendments. [Suggested date and time: February 5, 1998 at 6:45 p.m.]

Approved

21. C14-97-0110 - Approve third reading of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 2505 Steck Avenue, from "MF-3", Multifamily Residence (medium density) to "GR-CO", Community Commercial-Conditional Overlay zoning with conditions. First reading on October 30, 1997; Vote 7-0. Second reading on November 20, 1997; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at second reading. Applicant: Estate of Mildred Hancock (Whit Hanks/Roger Hanks); Agent: Graves, Dougherty, Hearon & Moody (Ann Vanderburg). City Staff: Don Perryman, 499-2786.

Ordinance No. 980108-C approved

22. C14-97-0115 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 4404 West William Cannon Drive, from "LR", Neighborhood Commercial to "GR-CO", Community Commercial-Conditional Overlay zoning with conditions. First reading on November 6, 1997; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: William Cannon/Brush Country (Louis R. Williams); Agent: Richard Crank. City Staff: Deborah Reyes, 499-6369.

Ordinance No. 980108-D approved

23. C14-97-0121 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by rezoning property locally known as 7113 McNeil Road, from "SF-3", Family Residence to "CS-CO", General Commercial Services-Conditional Overlay zoning with conditions. First reading on November 20, 1997; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: David Cersonsky. City Staff: Craig Alter, 499-2769.

Ordinance No. 980108-E approved

ITEMS FROM COUNCIL

24. Approve a resolution requesting a zoning and land-use survey for a portion of Far South Central Austin. (Councilmembers Jackie Goodman, Beverly Griffith and Daryl Slusher)
Resolution No. 980108-24 approved
25. Set a public hearing to rename Washington Avenue to S.L. Davis Avenue. (Suggested date and time: February 5, 1998 at 6:00 p.m.) [Councilmember Willie Lewis]
Approved
26. Approve a resolution directing the City Manager to address the feasibility of developing a reasonably priced housing initiative in the Montopolis area. (Mayor Pro Tem Gus Garcia)
Resolution No. 980108-26 approved

Items 11 through 26 approved on, Councilmember Spelman's motion, Councilmember Lewis' second, 7-0 vote.

27. Approve a resolution directing the City Manager to examine the feasibility of providing resources for the Mexic-Arte Museum feasibility study. (Mayor Pro Tem Gus Garcia)
Postponed two weeks

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

28. C14-86-132 - Public hearing to amend Chapter 13-2 of the Austin City Code by amending a restrictive covenant for property locally known as 4701 Monterey Oaks Boulevard. Existing zoning "MF-2", Multifamily Residence (low density); "MF-1", Multifamily Residence (limited density); "RR", Rural Residence; and "W/LO", Warehouse/Limited Office. Planning Commission Recommendation: To Approve the request. Applicant: Williamson Creek Farms (Janet Linden); Agent: Conley Engineering, Inc. (Carl Conley). City Staff: Deborah Reyes, 499-6369.
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.
29. C14-94-0157 - Public hearing to amend Chapter 13-2 of the Austin City Code by amending a restrictive covenant for property locally known as 7700-8900 East Riverside Drive. Existing zoning "LI", Limited Industrial Services and "RR", Rural Residence. Planning Commission Recommendation: To Approve the request. Applicant: Met Center NYCTEX, Ltd.; Agent: Howard Yancy. City Staff: Deborah Reyes, 499-6369.
Approved
30. C14-97-0086 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 4700 Block of Spicewood Springs Road from "SF-3", Family Residence and "PUD", Planned Unit Development to "GO", General Office. Planning Commission Recommendation: To Grant "GO-CO", General Office-Conditional Overlay zoning with conditions. Applicant: John E. Joseph, Larry Peel; Agent: Sovereign Senior Care Corp. (J. Anthony Sisk). City Staff: Don Perryman, 499-2786.
Approved first reading only

31. C14-97-0126 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 1607 Dessau Ridge Lane from "DR", Development Reserve to "GR", Community Commercial. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial-Conditional Overlay zoning with conditions. Applicant: Dessau Partnership (Scott Sayers, Jr.); Agent: Crocker Consulting (Sarah Crocker). City Staff: Don Perryman, 499-2786.

Postponed to February 5, 1998

32. C14-97-0133 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as Brodie Lane and Paisano Trail from "SF-2", Single Family Residence (standard lot) to "SF-4A", Single Family Residence (small lot). Planning Commission Recommendation: To Grant "SF-4A", Single Family Residence (small lot) for Tract 1 and "RR", Rural Residence for Tract 2, zoning with conditions. Applicant: Joe W. McDaniel; Agent: The Faust Group (Bill Faust). City Staff: Deborah Reyes, 499-6369.

Postponed to January 22, 1998

Items 29 through 32 approved on, Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.

PUBLIC HEARINGS

33. 5:00 p.m. - Public hearing to consider full purpose annexation of a 5 acre tract of land, more or less, out of the Samuel Hamilton Survey No. 16 in Travis County being described in a deed from Polly Blanton Brooks to Ira Jon Yates, trustee of record in Volume 10009 at Page 349 of the real property records of Travis County, Texas.

Motion to close public hearing on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 7-0 vote.

34. 7:00 p.m. - Public hearing to amend the City Code to rename the Drainage Utility to the "Watershed Protection Department", incorporate references, duties and name changes of the Development Review and Inspection Department, and Planning and Environmental and Conservation Services Department, as approved by Council on June 13, 1996, and amend Chapter 14-3 to conform to changes in administration of the chapter. (No fiscal impact.)

Motion to close public hearing on, Councilmember Spelman's motion, Councilmember Griffith's second, 4-0 vote, Mayor Watson, Mayor Pro Tem Garcia and Councilmember Lewis absent.

ACTION ON PUBLIC HEARINGS

35. Approve an ordinance amending the City Code to rename the Drainage Utility to the "Watershed Protection Department", incorporate references, duties and name changes of the Development Review and Inspection Department, and Planning and Environmental and Conservation Services Department, as approved by Council on June 13, 1996, and amend Chapter 14-3 to conform to changes in administration of the chapter. (No fiscal impact.)

[Recommended by Planning Commission and Environmental Board]

Approved first reading only on, Councilmember Griffith's motion, Councilmember Slusher's second, 4-0 vote, Mayor Watson, Mayor Pro Tem Garcia and Councilmember Lewis absent.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held at 12:21 p.m. to 1:35 p.m. on the items listed below.

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

36. Discuss legal issues relating to annexation.
37. Briefing concerning state and federal laws that affect annexation of territory by the City of Austin.
38. Discuss LULAC of Texas, et al. v. City of Austin, Cause No. A 97 CA 980 SS, United States District Court for the Western District of Texas, Austin Division
39. Discuss Circle C Land Corp. v. City of Austin, CA 97-13394, 53rd District Court, Travis County
40. Discuss L.S. Ranch, Ltd., et al. v. City of Austin, CA 97-1048, 207th District Court, Hays County
41. Discuss Circle C Municipal Utility District No. 1, et al. v. City of Austin, CA 97-13397, 250th District Court, Travis County

Real Estate - Section 551.072

42. Discuss potential acquisition of property for Health and Human Services Department.
43. Discuss purchase of easements for the Oakhill Regional Stormwater Detention Facility.
44. Discuss Possible Lease of City-Owned Downtown Property

ACTION ON EXECUTIVE SESSION ITEMS

45. Approve a resolution authorizing the purchase of three drainage easements (0.572, 4.121 and 0.349) and two access easements (0.548 and 0.861 acres) located in the Whitecrowe Addition on Hwy. 71 South from John Dudley White, Jr., to complete the final purchase of land required for the Oakhill Regional Stormwater Detention Facility.

Pulled from agenda

46. APPOINTMENTS

Airport Advisory Board - KIT KRANKEL (COUNCILMEMBER GOODMAN)
Citizens Bond Committee - RON YAM (CONSENSUS), AZIE TAYLOR-MORTON (CONSENSUS).
City of Austin Employee's Retirement System Board of Trustees - EDWIN GOLDEN (CONSENSUS)
Design Commission - JANA MCCANN (COUNCILMEMBER SPELMAN)
EMS Quality Assurance Team - DR. JEFF RUBIN (CONSENSUS)
Library Commission - CLIFTON GRIFFIN (COUNCILMEMBER GRIFFITH)
Medical Assistance Program Advisory Board - DR. MARIAN AGUILAR (CONSENSUS), DR. MARY ADAMS (CONSENSUS)
Parks & Recreation Board - CAROL KIM (COUNCILMEMBER GRIFFITH)
Police Retirement Board - COUNCILMEMBER WILLIAM SPELMAN (CONSENSUS)
Resource Management Commission - MICHAEL OSBORNE (COUNCILMEMBER SLUSHER)
Solicitation Board - PAMELA BODOIN (CONSENSUS), PATRICIA JACKSON (CONSENSUS)
Approved on, Councilmember Slusher's motion, Councilmember Lewis' second, 7-0 vote.

ADDENDUM

JANUARY 8, 1998

47. Authorize a change in title for the assumed municipal utility district bank accounts listed in Exhibit A, to City of Austin, Bank Accounts, and approve the execution of new signature cards for the accounts, in accordance with Charter procedures.
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

ADJOURNED at 7:15 p.m. on, Councilmember Slusher's motion, Councilmember Griffith's second, 4-0 vote, Mayor Watson, Mayor Pro Tem Garcia and Councilmember Lewis absent.

Approved on this the 15th day of January, 1998, on Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-0 vote, Councilmember Lewis and Spelman off the dais.