



Austin City Council MINUTES

JANUARY 22, 1998
REGULAR MEETING

1. Approval of Minutes for Regular Meetings of January 14 and 15, 1998.
Postponed

CITIZEN COMMUNICATIONS: GENERAL

2. Robert Thomas, to discuss Rosewood Recreation Center.
3. Howard Kells, to discuss development agreements with the City of Austin.
4. Gus Pena, to discuss health clinics.
5. Richard Troxell, to discuss homeless issues in Austin.

READING OF CONSENT AGENDA

READING OF DISCUSSION AGENDA

CITIZEN COMMUNICATIONS: CONSENT AGENDA

ACTION ON CONSENT AGENDA

ITEMS CONTINUED FROM PREVIOUS MEETINGS

6. Approve a resolution authorizing execution of a four year supply agreement with E Z GO TEXTRON, Austin, Texas, to provide a lease purchase of 4-wheeled electric golf carts in an amount not to exceed \$230,596.80. (Funding in the amount of \$43,236.90 was included in the 1997-98 operating budget of the Golf Enterprise Fund. Funding for the remaining thirty-eight months of the contract is contingent upon available funding in future budgets.) Low bid of four meeting specifications. No MWBE Subcontracting opportunities were identified.
Resolution No. 980122-6 approved

7. Approve a resolution authorizing execution of a construction contract with AUSTIN BRIDGE AND ROAD, INC., Austin, Texas, for street reconstruction, water line and storm sewer replacement on Martin Luther King Jr., Blvd., from Pearl Street to Guadalupe Street and San Jacinto Street to I.H. 35, in the amount of \$2,483,416.50 plus \$248,341.65 to be used as a contingency fund for change orders, for a total contract amount not to exceed \$2,731,758.15. (Funding in the amount of \$1,416,404.55 is included in the 1996-97 and 1997-98 amended Capital Budget of the Public Works and Transportation Department; \$1,180,389.10 is included in the 1991-92 amended Capital Budget of the Water and Wastewater Utility; \$7,480 is included in the 1997-98 Capital Budget for the Electric Utility; \$127,484.50 is included in the 1997-98 Capital Budget of the Drainage Utility.) Low bid of three. 23.86% MBE, 43.88% WBE Subcontractor participation. (Recommended by Electric Utility Commission and Water and Wastewater Commission).
Resolution No. 980122-7 approved

8. Approve an ordinance to authorize entering into Land Development Agreements with the Lake Travis Independent School District and the Manor Independent School District in accordance with Section 212.902 of the Local Government Code and Section 13-2-620 of the Land Development Code.
Postponed to February 5, 1998

Items 6 through 8 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

Parks and Recreation

9. Approve a resolution authorizing execution of a construction contract with MANLEY CONSTRUCTION, Pflugerville, Texas, for construction of Pecan Springs School Playscape Renovation, in an amount not to exceed \$46,600. (Funding was included in the 1997-98 Capital budget of the Parks and Recreation Department.) Low bid of six. 3.4% MBE, 0.9% WBE Subcontractor participation.
Resolution No. 980122-9 approved on Councilmember Lewis' motion, Councilmember Goodman's second, 6-0 vote, Mayor Pro Tem Garcia off the dais.
10. Approve a resolution authorizing execution of a construction contract with MANLEY CONSTRUCTION, Pflugerville, Texas, for construction of Balcones District Park and Lucy Read Playground Improvements, in an amount not to exceed \$93,000. (Funding was included in the 1991-92 and 1997-98 Capital budgets of the Parks and Recreation Department.) Low bid of four. 2.5% MBE, 5.7% WBE Subcontractor participation.
Resolution No. 980122-10 approved

11. Approve a resolution authorizing execution of a construction contract with MANLEY CONSTRUCTION, Pflugerville, Texas, for construction of Rosewood Park Playscape Renovation, in an amount not to exceed \$70,945. (Funding was included in the 1997-98 Capital budget of the Parks and Recreation Department.) Low bid of three. 5.7% MBE, 7.5% WBE Subcontractor participation.
Resolution No. 980122-11 approved

Financial Services

12. Approve a resolution authorizing execution of a twelve month stockless purchase agreement with OFFICE DEPOT, Austin, Texas, for the purchase of standard office supplies for all City departments, in an amount not to exceed \$1,500,000 with two twelve month extension options in an amount not to exceed \$1,500,000 per extension, for a total contract amount not to exceed \$4,500,000. (Funding in the amount of \$1,125,000 was included in the 1997-98 operating budgets of City departments. Funding for the remaining three months of the contract and the extension options is contingent upon available funding in future budgets.) Best discount of five. No M/WBE Subcontracting opportunities were identified.
Resolution No. 980122-12 approved

13. Approve a resolution authorizing a nine month subscription agreement with Austin Free-Net, Austin, Texas, to provide public access to the Internet and other emerging technologies for a fee of \$4,333 per month in an amount not to exceed \$38,997 with four twelve month extension options in an amount not to exceed \$51,996 per extension, for a total contract amount not to exceed \$246,981. (Funding was included in the 1997-98 operating budget of the Financial and Administrative Services Department. Funding for the extension options is contingent upon available funding in future budgets.) Sole source. No M/WBE Subcontracting opportunities were identified. [Recommended by Telecommunications Infrastructure Committee]
Resolution No. 980122-13 approved

Water and Wastewater Utility

14. Approve a resolution authorizing execution of a contract with DIONEX CORPORATION, Houston, Texas, for the purchase of an Ion Chromatography System used to analyze water by Water and Wastewater Utility, in the amount of \$42,675. (Funding was included in the 1997-98 operating budget of the Water and Wastewater Utility.) Sole bid. No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)
Resolution No. 980122-14 approved

Fire

15. Approve a resolution authorizing execution of a construction contract with RODRIGUEZ BARR, INC., (MBE/FH), Austin, Texas, for remodeling of the Austin Fire Department's Training Facility located at 4800-B Shaw Lane, in the amount of \$82,786. (Funding in the amount of \$52,786 was included in the 1997-98 Approved Capital budget; \$30,000 is available in the Special Revenue Fund of the Fire department.) Low bid of five. 38% Prime MBE participation. 6.18%

MBE, 8.39% WBE Subcontractor participation.
Resolution No. 980122-15 approved

Items 10 through 15 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

Police

16. Approve a resolution authorizing execution of a twelve month supply agreement with THE POLICE PLACE, Universal City, Texas, or J.B. BATTLE UNIFORM COMPANY, Oklahoma City, Oklahoma, for the purchase of soft body armor vests, in an amount not to exceed \$64,395 with two twelve month extension options in an amount not to exceed \$64,395 per extension, for a total contract amount not to exceed \$193,185. (Funding in the amount of \$48,296.25 was included in the 1997-98 operating budget of the Police Department. Funding for the remaining three months of the contract and the extension options is contingent upon available funding in future budgets.) Low bids of ten. No M/WBE Subcontracting opportunities were identified.

Motion to approve The Police Place for the purchase of soft body armor vests on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

Convention Center

17. Approve a resolution authorizing Amendment #4 to the contract with the CAPITAL CITY CHAMBER OF COMMERCE, Austin, Texas, for tourism and convention sales to African-American markets in the amount of \$44,910, for a total contract amount of \$784,211. (Funding was included in the 1997-98 operating budget of the Tourism and Promotion Fund.)

Postpone to February 12, 1998 on Councilmember Lewis' motion, Councilmember Griffith's second, 7-0 vote.

18. Approve a resolution authorizing Amendment #6 to the contract with the AUSTIN HISPANIC CHAMBER OF COMMERCE, Austin, Texas, for tourism and convention sales to Hispanic markets in the amount of \$44,910, for a total contract amount of \$784,211. (Funding was included in the 1997-98 operating budget of the Tourism and Promotion Fund.)

Resolution No. 980122-18 approved

19. Approve the Austin Convention and Visitors Bureau's Marketing Plan and proposed budget in the amount of \$3,027,036 for the fiscal year beginning October 1, 1997, and ending September 30, 1998, and ratify payments made to the Bureau in the amount of \$391,217 prior to this action. (Funding is included in the 1997-98 Operating Budget for the Tourism and Promotion Fund.)

Approved

Planning Environmental and Conservation Services

20. Authorize execution of a Letter of Intent outlining a public-private cooperative effort between the City of Austin, Third & LLC, AMLI Residential Properties Trust and Bonner Carrington Corporation, for the development of Block 4, Original City of Austin. (No fiscal impact.)
Approved with amendment by Councilmember Griffith to delete paragraph 2, line 4.

Annexation

21. Amend Ordinance 970917-A, the 1997-98 operating budget for the General Fund, increasing budgeted revenue for sales tax and franchise fees by \$897,513, increasing budgeted expenditures by \$675,106 for the Fire Department, and increasing the unreserved ending balance by \$222,407; amend Ordinance 970917-A, the 1997-98 operating budget of the Solid Waste Services Department, increasing budgeted revenue by \$115,813 and budgeted expenditures by \$115,813. (\$897,513 is available in increased General Fund revenue from sales tax and franchise fees; \$115,813 is available in increased Solid Waste Services Fund revenue from residential garbage charges.)
Ordinance No. 980122-A approved
22. Approve a resolution authorizing execution of two five year service agreements with TEXAS DISPOSAL SYSTEMS, INC., Austin, Texas, in an amount not to exceed \$480,871.40 with two twelve month extension options in an amount not to exceed \$96,174.28 per extension, for a total contract amount not to exceed \$673,219.96 and with INDEPENDENT ENVIRONMENTAL SERVICES, INC., DBA MID-TEX WASTE SYSTEMS, Austin, Texas, in an amount not to exceed \$730,332.95 with two twelve month extension options in an amount not to exceed \$146,066.59 per extension, for a total contract amount not to exceed \$1,022,466.13 to provide solid waste services to portions of the recently annexed areas and nearby areas currently serviced by the City. (Funding in the amount of \$85,205.54 is available in the 1997-98 operating budget of the Solid Waste Services Department. Funding for the remaining 53 months of the contract and the extension options is contingent upon available funding in future budgets.) Low bids of four. No M/WBE Subcontracting opportunities were identified.
Resolution No. 980122-22 approved
23. Approve a resolution authorizing a purchase option of a Lease/Purchase Agreement between GE CAPITAL PUBLIC FINANCE, INC., and NORTHWEST TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT Number 1 (inherited by the City of Austin) for the acquisition of a custom fire vehicle, in the amount of \$92,857.96. (Funding was included in the amended 1997-98 operating budget of the Fire department.)
Resolution No. 980122-23 approved
24. Approve a resolution authorizing execution of an Interlocal Agreement with Travis County Emergency Services District Number 2 for the provision of First Responder Fire and Emergency Medical Services to the 1997 North IH 35 Annexation Area for an initial term of five years and for one renewal term of five years, in the amount of \$27,506.90 (Funding in the amount of \$20,631 was included in the amended 1997-98 operating budget of the Fire

Department. Funding for the remainder of the agreement and the extension option is contingent upon available funding in future budgets.)

Resolution No. 980122-24 approved

25. Approve a resolution authorizing execution of an Agreement with the Oak Hill Volunteer Fire Department, Inc. for the provision of First Responder Fire and Emergency Medical Services to the Circle C Annexation Area for an initial term of three years and for one renewal term of two years, in the amount of \$183,232 (Funding in the amount of \$137,424 is available in the amended 1997-98 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.)

Resolution No. 980122-25 approved

26. Approve a resolution authorizing execution of an Agreement with the Jollyville Volunteer Fire Department, Inc., for the provision of First Responder Fire and Emergency Medical Services to the U.S 183 East Annexation Area for an initial term of five years and for two renewal terms of three years and two years each, in the amount of \$151,311.64. (Funding in the amount of \$113,484 is available in the amended 1997-98 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.)

Resolution No. 980122-26 approved

27. Approve an ordinance waiving the street cut permit fee, right-of-way usage fee, and inspection fees for street cuts required to prevent the spread of Oak Wilt disease. [Estimated revenue loss for 1997-98 is \$2,500. \$20 per permit; \$180 per inspection fee, \$5 per lane, per day, right-of-way usage fee.]

Ordinance No. 980122-B approved

28. Approve an Ordinance amending Sections 13-3-6(D) and 13-3A-10 of the City Code waiving Tap Fees and Capital Recovery Fees for 10 years for certain properties annexed in 1997 using wells or septic systems. (Utility revenue from water and wastewater rates will be used to fund the connection costs and major facility debt service otherwise covered by the connection and impact fees.)

Ordinance No. 980122-C approved

Office of Small Minority Business Resources

29. Approve a resolution authorizing negotiation and execution of a twelve month contract with BUSINESS RESOURCES CONSULTANTS (MBE/FB), Austin, Texas, for development assistance services for minority-owned businesses, in an amount not to exceed \$119,210, with two twelve month extension options in an amount not to exceed \$117,910 per option, for a total contract amount not to exceed \$355,030. (Funding in the amount of \$100,000 was included in the 1997-98 Operating Budget of the Department of Small Minority Business Resources; funding for the remaining four months of the contract and extension option will be contingent upon available funding in future budgets.) Best proposal of two. No M/WBE Subcontracting opportunities were identified. Prime Participation: 69,18%; 30.82% MBE, 0% WBE

Subcontractor Participation.
Resolution No. 980122-29 approved

30. Approve a resolution authorizing execution of an amendment to the contract with the TEXAS CENTER FOR WOMEN'S BUSINESS ENTERPRISE (WBE/FR), Austin, Texas, a Texas non-profit corporation, to extend the contract for one additional twelve month period for the provision of a support network and mechanical assistance needed to succeed in competitive markets to women and minority-owned business enterprises is not a (WBE) minority owned firm, in an amount not to exceed \$76,000, for a total contract not to exceed \$119,000. (Funding was included in the 1997-98 Operating Budget of the Department of Small and Minority Resources.) No M/WBE Subcontracting opportunities were identified.
Resolution No. 980122-30 approved

ITEMS FROM COUNCIL

31. 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 indefinitely

Items 18 through 31 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

32. Presentation of video, "Marketing Austin" by Austin Convention and Visitors Bureau. (Councilmember Jackie Goodman)
Presentation given, no action taken.
33. Direct the City Manager to study the feasibility of providing recycling receptacles in public parks, on public streets, and in other public locations. (Councilmembers Daryl Slusher, Beverly Griffith and William Spelman)
Approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.
34. Direct the City Manager to present to the City Council a long range strategic annexation plan in 60 days that includes an evaluation of a Del Valle initiative. (Mayor Kirk Watson, Mayor Pro Tem Gus Garcia, and Councilmember Willie Lewis)
Approved on Councilmember Goodman's motion, Councilmember Slusher's second, 7-0 vote.
35. Direct the City Manager to implement the Council recommended funding mechanism for the Waller Creek Tunnel pursuant to the resolution approved by Council on November 6th, 1997. (Mayor Kirk Watson, Mayor Pro Tem Gus Garcia, and Councilmember Jackie Goodman)
Direction to City Manager to set public hearing for February 5, 1998 at 4:00 p.m.

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

36. C14-97-0091 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 2108 to 2110 Thrasher Lane and 6505 to 6601 E. Riverside Drive from "MF-2", Multifamily Residence (low density), "LR", Neighborhood Commercial, and "SF-3", Family Residence to "MH", Mobile Home Residence. Planning Commission Recommendation: To Grant "MH", Mobile Home Residence District zoning. Applicant: Aus-Tex Parts & Service LLC (Don H. Dempsey); Agent: Jim Bennett. City Staff: Ivan Naranjo, 499-2724. (continued from 10/30/97, 12/11/97 & 12/18/97)
Postponed to February 12, 1998
37. C14-97-0130 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 905 South Lamar Boulevard from "CS", General Commercial Services and "SF-3", Family Residence to "CS", General Commercial Services. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial-Conditional Overlay zoning with conditions. Applicant: Robert L. Ogden. City Staff: Ivan Naranjo, 499-2724.
Approved first reading only
38. C14-97-0111 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as East U.S. Hwy. 290 and Tuscany Way from "I-RR", Interim Rural Residence to "GR", Community Commercial and "LI", Limited Industrial Services. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial-Conditional Overlay zoning for Tracks 1 and 2; and "LI-CO", Limited Industrial Services-Conditional Overlay zoning for Track 3, with conditions. Applicant: Jim Mattox; Agent: Jon Aune. City Staff: Ivan Naranjo, 499-2724.
Ordinance No. 980122-D approved
39. 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) District zoning for Tract 1 and "RR", Rural Residence District zoning for Tract 2, with conditions. Applicant: Joe W. McDaniel; Agent: The Faust Group (Bill Faust). City Staff: Deborah Reyes, 499-6369. (continued from 1-8-98)
Postponed to February 5, 1998
40. C14R-85-020 - Public hearing to amend Chapter 13-2 of the Austin City Code by amending a restrictive covenant for property locally known as 5401-5515 East Riverside Drive. Existing zoning "IP", Industrial Park and "LO", Limited Office. Planning Commission Recommendation: To Approve the request to terminate restrictive covenant for the subject property. Applicant: Cera Partnership (Robert Fontana); Agent: Del Valle Independent School. City Staff: Deborah Reyes, 499-6369. (continued from 1-15-98)
Ordinance No. 980226-E approved

Items 36 through 40 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman'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

41. Discuss legal issues relating to annexation.
42. Discuss W.W. Deerfield, Ltd. v. City of Austin, Cause No. 96-13413, Travis County District Court, Texas (litigation concerning application of land use and development regulations to a tract of land in the area subject to the SOS "Save Our Springs Initiative Ordinance" and the Court's ruling construing the Texas Open Meetings Act.)

Staff Briefing - Section 551.075

43. Staff briefing on status of airline negotiations and discussions with the FAA on the closure of Robert Mueller Municipal Airport.

ACTION ON EXECUTIVE SESSION ITEMS

44. Approve a resolution authorizing the execution of a Memorandum of Understanding with the Federal Aviation Administration concerning the closure and disposition of Robert Mueller Municipal Airport.
Resolution 980122-44 approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

A press conference was held by Councilmembers Griffith and Slusher on this item.

ADJOURNED at 6:15 p.m. on Councilmember Griffith's motion, Councilmember Slusher's second, 7-0 vote.

Approved on this the 5th day of March, 1998, minutes for January 22, 1998, February 12, 1998 approved, minutes for February 5, 1998 previously approved on February 26, 1998, minutes for February 26 postponed to March 12, 1998, on Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 5-0 vote, Councilmember Lewis off the dais, Councilmember Goodman absent.