



Austin City Council MINUTES

CITYCOUNCIL AGENDA
JUNE 4, 1998

Mayor Pro Tem Garcia called the meeting to order, Mayor Watson absent.

Approval of Minutes for Meetings of April 22, May 20 & 21, 1998.

Minutes for May 20, 1998 and May 21, 1998 approved on Councilmember Spelman's motion, Councilmember Lewis' second, 5-0 vote, Councilmember Goodman off the dais, Mayor Watson absent. Minutes for April 22, 1998 postponed to June 11, 1998.

CITIZEN COMMUNICATIONS: GENERAL

1. Gus Pena, to discuss health clinics, City issues, and the budget process.
2. Greg Ericson, to discuss Free Press International.
3. Richard Knowlton, to discuss citizen/firefighter safety.
4. Joe Quintero, to discuss East Austin conditional overlaying.
5. Jennifer Gale, recall '98: progress report.
Absent
6. Horace E. Willis, to discuss Little Walnut Creek.
7. A. N. Delgado, to discuss mid-block crosswalk.
8. Robert M. Hecker, to discuss mid-block crosswalk.
9. Eric Mitchell, to convey community message.
10. Richard R. Troxell, to discuss fair/living wage.

READING OF CONSENT AGENDA

READING OF DISCUSSION AGENDA

CITIZEN COMMUNICATIONS: CONSENT AGENDA

ACTION ON CONSENT AGENDA

ITEMS CONTINUED FROM PREVIOUS MEETINGS

12. Approve a resolution authorizing negotiation and execution of a twelve month service agreement with THE BUCK GROUP, Helotes, Texas, to provide housing accessibility compliance monitoring services, in an amount not to exceed \$60,000 with four twelve month extension options in an amount not to exceed \$60,000 per extension, for a total contract not to exceed \$300,000. (Funding is available from the 1997-98 Community Development Block Grant Administration Budget of Neighborhood Housing and Community Development Office. Funding for the extension options is contingent upon available funding in future budgets.) Best proposal of six. No M/WBE Subcontracting opportunities were identified.
Resolution No. 980604-12 approved on Councilmember Spelman's motion, Councilmember Lewis' second, 5-0-1 vote, Councilmember Lewis "ABSTAINING", Mayor Watson absent.

Telecommunications and Regulatory Affairs

13. Approve a resolution authorizing a license agreement with OUTERNET CONNECTION STRATEGIES, INC., for placement of antennas and equipment on City property. (No fiscal impact.) [Recommended by Telecommunications Commission]
Resolution No. 980604-13 approved

Watershed Protection

14. Amend Ordinance 970917-A, amending the 1997-98 Operating Budget of the Watershed Protection Department, by: 1) increasing the budgeted beginning balance by \$819,827, to \$2,534,603, the audited beginning balance; 2) increasing the transfer to Drainage CIP by \$183,000 for Maintenance Equipment Replacement; 3) eliminate requirements for GIS Contour Mapping by \$200,000 and adding a transfer to the Financial and Administrative Services Department GIS Development CIP of \$200,000; 4) increasing the budgeted ending balance by \$636,827.

Amend Ordinance 970915-A, amending the 1997-98 Capital budget of the Watershed Protection Department by: 1) increasing transfers in from the Drainage Utility Fund by \$183,000; 2) reducing appropriations for Spoils Disposal Dewatering Facility by \$130,000; 3) increasing appropriations to Maintenance Equipment Replacement by \$313,000.

Amend Ordinance 970915-A, amending the 1997-98 Capital budget of the Financial and Administrative Services Department by: 1) increasing transfers in from the Drainage Utility Fund by \$200,000; 2) increasing appropriations to the Geographic Information System Development project by \$200,000 for enhancements to the City GIS mapping.

(Funding in the amount of \$183,000 is available in the 1997-98 audited beginning balance of the Drainage Utility Fund; \$200,000 is available in the operating budget requirements of the Drainage Utility Fund; \$130,000 is available in the Spoils Disposal Dewatering Facility project.)
[Recommended by Environmental Board and Planning Commission]

Ordinance No. 980604-A approved

15. Amend Ordinance 970915-A, the 1997-98 Capital budget of the Watershed Protection Department, creating a new project named Walnut Creek Improvements and appropriating \$485,000 for preliminary engineering and design of flood control and storm sewer improvements in the Walnut Creek watershed. (Funding to be reimbursed from proceeds of long-term debt issuance.)

[Recommended by Environmental Board and Planning Commission]

Ordinance No. 980604-B approved

16. Approve a resolution authorizing official intent to reimburse eligible costs related to the preliminary engineering and design of flood control and storm sewer improvements in the Walnut Creek watershed, in the amount of \$485,000. (Funding is available through the issuance of long-term debt to be sold in September, 1998.)
Resolution No. 980604-16 approved

Items 13 through 16 approved on Councilmember Spelman's motion, Councilmember Lewis' second, 6-0 vote, Mayor Watson absent.

17. Approve a resolution authorizing acquisition of 5.874 acres of land for a water quality and detention pond easement and 66,241 square feet of land for a temporary construction easement located near the intersection of South Congress Avenue and Woodward Street, from St. Edward's University for the construction and operation of a regional stormwater detention and water quality control pond, in the amount of \$595,808. (Funding is included in the 1996-97 Amended Capital budget of the Watershed Protection Department.)
Resolution No. 980604-17 approved on Councilmember Spelman's motion, Councilmember Lewis' second, 6-0 vote, Mayor Watson absent.

Public Works

18. Amend Ordinance 970915-A, amending the 1997-98 Capital budget of the Public Works and Transportation Department, by creating a new project named Build Austin CBD Mobility Improvements and appropriating \$98,924 for design and construction. (Funding is available from Capital Metropolitan Transit Authority reimbursements.)
Ordinance No. 980604-C approved
19. Approve a resolution authorizing execution of a construction contract with JAY-REESE CONSTRUCTORS, INC., Austin, Texas, for sidewalk and curb ramp renovations at the corner of 6th Street and Brazos as necessary to comply with the American with Disabilities Act standards, in the amount of \$621,300 plus \$93,195 to be used as a contingency fund for change orders, for a total amount not to exceed \$714,495. (Funding was included in the 1995-96, 1996-97, and 1997-98 Amended Capital budgets of the Public Works and Transportation Department.) Low bid of three. 3.50% MBE, 1.50% WBE Subcontractor participation.
Postponed to June 11, 1998
20. Approve an ordinance adopting new ground transportation service regulations, amending parking provisions, and amending Ordinance 970917-C, the 1997-98 fee ordinance by adding additional limousine license permit category fees. (No fiscal impact.) [Recommended by Urban Transportation Commission]
Postponed to June 25, 1998

Planning, Environmental & Conservation Services

21. Amend Ordinance 970917-A, the 1997-98 Operating Budget, by transferring \$50,800 from the General Fund Contingency Reserve and increasing the appropriation for the Planning Environmental and Conservation Services Department to fund an interlocal agreement with the University of Texas for the Montopolis Charrette.
Ordinance No. 980604-D approved
22. Approve an ordinance amending Ordinance 971016-F, to extend the term of the Annexation Transition Team to November 15, 1998. (No fiscal impact.)
Ordinance No. 980604-E approved

Finance and Administrative Services

23. Approve a resolution authorizing execution of contracts with MCCOMBS FLEET SERVICES, Austin, Texas, in the amount of \$73,937; LEIF JOHNSON FORD TRUCK CITY, Buda, Texas, in the amount of \$386,177.40; PHILPOTT MOTORS, INC., Port Neches, Texas, in the amount of \$174,155 for the purchase of seventeen various light duty trucks with mounted bodies and truck cab/chassis to be used by various City departments. (Funding in the amount of \$211,594 was included in the 1997-98 Vehicle Acquisition Fund; \$37,901 is available in the amended 1997-98 operating budget and \$37,747.80 was included in the 1997-98 operating budget of the Public Works and Transportation Department; \$34,831 is available in the amended 1997-98 operating budget of the Health and Human Services Department; \$7,000 is available in the 1997-98 operating budget of the Water and Wastewater Utility; \$114,587.40 was included in the 1997-98 Capital budget of the Water and Wastewater Utility Department, Water Division; \$39,568 was included in the 1997-98 Water and Wastewater Utility Department, Wastewater Division; \$84,544.60 was included in the 1997-98 Capital budget of the Public Works and Transportation Department; \$69,495.60 is available in the 1997-98 Amended Capital budget of the Watershed Protection Department.) Low bids of four. No M/WBE Subcontracting opportunities were identified.
Resolution No. 980604-23 approved
24. Approve a resolution authorizing execution of a twelve month service agreement with LOUIS PRINTING SERVICES, INC., Austin, Texas, for the printing of business cards for all City departments, in an amount not to exceed \$53,150.63 with two twelve month extension options in an amount not to exceed \$53,150.63 per extension, for a total contract amount not to exceed \$159,451.89. (Funding in the amount of \$13,287.66 is available in the 1997-98 operating budgets for all City departments. Funding for the remaining nine months and the extension options is contingent upon available funding in future budgets.) Low bid of seven. No M/WBE Subcontracting opportunities were identified.
Resolution No. 980604-24 approved

Health and Human Services

25. Approve an ordinance authorizing acceptance of \$2,191 in additional grant funds from the Texas Department of Health Ryan White Title II Consortium grant program for HIV related services; amend Ordinance 970917-A, the 1997-98 Operating budget, by appropriating an additional \$2,191

in grant funds for the Health and Human Services Department Special Revenue Fund, for a total grant amount of \$474,191. (A City match is not required.)
Ordinance No. 980604-F approved

Emergency Medical Services

26. Approve second reading of an ordinance granting a non-emergency medical transport franchise for American Medical Response of Texas, Inc., under Chapter 6-3 of the Austin City Code. (No fiscal impact.)
Approved second reading only

Development Review and Inspection

27. C14-97-0134 - Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code by zoning property locally known as Monterey Oaks Blvd. at Brush Country Road from "RR", Rural Residence District to "MF-1-CO", Multi-Family Residence (limited density)-Conditional Overlay District zoning with conditions. First reading on April 7, 1998; Vote 4-2, Slusher and Griffith no, Watson absent. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council at first reading. Applicant: Williamson Creek Farms, Ltd. (Rick Coleman); Agent: Conley Engineering, Inc. (Carl Conley). City Staff: Joe Arriaga, 499-2308.
Postponed to June 11, 1998

Items 18 through 27 approved on Councilmember Spelman's motion, Councilmember Lewis' second, 6-0 vote, Mayor Watson absent.

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

28. C14-98-0027 ? Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 11320 FM 2222 Road, from "I-SF-2", Interim Single Family Residence (standard lot) to "GR", Community Commercial. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial-Conditional Overlay District zoning with conditions. Applicant: Joel H. & Elena Smith, Agent: Amelia Lopez-Phelps. City Staff: David Wahlgren, 499-6455 (continued from 5/14/98, 5/21/98).
Postponed one week to June 11, 1998 to 1) check status of site plan; 2) what is the 1704 status of site? 3) Why is the proposed impervious cover at 58% per Amelia Phelps (check SP-95-0183D); 4) how does the hill country ordinance apply to the site? on Councilmember Spelman's motion, Councilmember Slusher's second, 6-0 vote, Mayor Watson absent.
29. C14-97-0148 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 13401 to 13471 N. US Hwy. 183 from "I-RR", Interim-Rural Residence to "GR", Community Commercial. Planning Commission Recommendation: To Grant "GR-CO", Community Commercial-Conditional Overlay with conditions. Applicant: Michael & Rose T. Wong; Agent: CFX, Inc. (Carroll Faulkner). City Staff: David Wahlgren, 499-6455.
Postponed to June 25, 1998 (state on summary sheet which water basin the site is in)

30. C14-97-0155 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as approx. 1600' along the east side of Cameron Loop, north from its intersection with Davis Lane, previously known as Southland Oaks Municipal Utility District No. 1 (Cherry Creek 9), from "I-RR", Interim Rural Residence and "I-SF-2", Interim Single Family Residence (standard lot) to "RR", Rural Residence; "SF-1", Single Family Residence (large lot); "SF-2", Single Family Residence (standard lot); "SF-3", Family Residence; "SF-4A", Single Family Residence (small lot); "SF-5", Urban Family Residence; "SF-6", Townhouse and Condominium Residence; "MF-1", Multifamily Residence (limited density); "MF-2", Multifamily Residence (low density); "MF-3", Multifamily Residence (medium density); "MF-4", Multifamily Residence (moderate-high density); "NO" Neighborhood Office; "LO" Limited Office; "GO" General Office; "LR", Neighborhood Commercial; "GR", Community Commercial; "CS", General Commercial Services; and "P", Public District. Planning Commission Recommendation: To Grant "SF-2", Single Family Residence (standard lot) District; "SF-3", Family Residence District; "MF-2", Multifamily Residence (low-density) District; "LR", Neighborhood Commercial District; and "P", Public District zoning with conditions. Applicant: City of Austin. Agent: Development Review and Inspection Department. City Staff: Greg Guernsey, 499-2387.

Postponed to July 9, 1998 neighborhood's request

31. C14-98-0029 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 7800 North Capital of Texas Highway from "SF-2", Single Family Residence (Standard Lot) to "LO", Limited Office. Planning Commission Recommendation: To Grant "LO-CO", Limited Office - Conditional Overlay zoning with conditions. Applicant: Carpenter & Associated, Inc. (Ron Reue). Agent: Urban Design Group (Norma Pena Raven). City Staff: Don Perryman, 499-2786.

Postponed indefinitely, applicant will pay a renotification fee when he is ready to proceed.

32. C14-98-0030 - Public hearing to amend Chapter 13-2 of the Austin City General Commercial Services known as 1513 S. Lamar Blvd. From "CS" General Commercial Services to "CS-1", Commercial-Liquor Sales. Planning Commission Recommendation: To Grant "CS-1", Commercial-Liquor Sales zoning with conditions. Applicant: Daisy Chapman Fulton Shepherd (George B. Shepherd, Jr.); Agent: Locke Purnell Rain Harrell (Henry H. Gilmore). City Staff: Ivan Naranjo, 499-2724.

Approved Planning commission recommendation, first reading only

33. C14-98-0038 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 606 Rio Grande from "GR", Community Commercial to "CBD", Central Business District. Planning Commission Recommendation: To Grant "CBD", Central Business District zoning. Applicant: Powers Engineering Group, Inc. (Forrest T. Powers); City Staff: Antonio Gonzalez, 499-2243.

Approved Planning Commission recommendation, first reading only

Items 29 through 33 approved on Councilmember Lewis' motion, Councilmember Spelman's second, 6-0 vote, Mayor Watson absent.

34. C14-98-0042 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 1910 West Koenig Lane from "SF-3", Family Residence to "LO", Limited Office. Planning Commission Recommendation: To Grant "LO", Limited Office zoning with conditions.

Applicant: Charles T. Holcomb; Agent: Billie Jean Holcomb. City Staff: Antonio Gonzalez, 499-2243.

Approved LO zoning subject to dedication of 10 fee to ROW for W. Koenig Lane, first reading only on Councilmember Spelman's motion, Councilmember Slusher's second, 6-0 vote, Mayor Watson absent.

5. 6:00 P.M. Public hearing on the City's 1998-99 proposed Community Development Program and Federal Annual Consolidated Plan (ACP). The Annual Consolidated Plan serves as the application and plan for use of four entitlement grants from the U.S. Department of Housing and Urban Development (HUD). The grants included in the ACP are: the Community Development Block Grant (CDBG); the HOME Investment Partnership Program; the Emergency Shelter Grant; and Housing Opportunities for Person with AIDS (HOPWA).
Motion to close public hearing on Councilmember Slusher's motion, Councilmember Griffith's second, 6-0 vote, Mayor Watson absent.

ACTION ON PUBLIC HEARINGS

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held at 12:24 p.m. to 1:35 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 Consultation with Attorney Section 551.071

36. Discuss settlement of contract claims of the Lower Colorado River Authority and the City against Union Pacific Railroad Company.
37. Discuss Michael W. Huber, et al. V. Joanne G. Adams, D.O., et al., Cause No. 97-00758, in the Travis County District Court.
38. Discuss Jerry Neuse and Rose Neuse v. City of Austin, et al., Cause No. 95-11258, in the Travis County District Court.
39. Discuss acquisition of 0.548 acre Water Line easement for a Subterranean Tunnel, 1.476 acre and 0.556 acre Temporary Workspace, Staging and Stockpile Easement, out of the Daniel J. Gilbert Survey No. 8 for the Ullrich Medium Service Transmission Main Project.
40. Discuss fee simple acquisition of approximately 12.4 acres out of the Henry P. Hill League Survey No. 21, for the Ullrich Water Treatment Plant Expansion Project.

Private Consultation with Attorney Section 551.071

41. Discuss Alan Hamilton and Robert Barnhart v. The City of Austin, Bruce Babbitt, Secretary, Department of Interior, and Jamie Rappaport Clark, Director of the U.S. Fish and Wildlife Service, Civil Action No. A 98CA317SS, In the United States District Court for the Western District of Texas, Austin Division.@
42. Discuss Reagan National Advertising v. The City of Austin, Cause No. 98-01417, in the Travis County District Court.

ACTION ON EXECUTIVE SESSION ITEMS

43. Approve settlement proposal in Michael W. Huber, et al. V. Joanne G. Adams, D.O., et al., Cause No. 97-00758, in the Travis County District Court.
Approved in an amount not to exceed \$50,000.
44. Approve settlement proposal in Jerry Neuse and Rose Neuse v. City of Austin, et al., Cause No. 95-11258, in the Travis County District Court.
Approved in an amount not to exceed \$49,000

Items 43 and 44 approved on Councilmember Spelman's motion, Councilmember Lewis' second, 6-0 vote, Mayor Watson absent.

45. Approve settlement of contract claims of the Lower Colorado River Authority and the City against Union Pacific Railroad Company concerning transportation of coal to the Fayette Power Project.
Pulled from agenda
46. Approve a resolution authorizing acquisition of 0.548 acre Water Line easement for a Subterranean Tunnel, 1.476 acre and 0.556 acre Temporary Workspace, Staging and Stockpile Easement, out of the Daniel J. Gilbert Survey No. 8, located at the southeast corner of Lake Austin Boulevard and Red Bud Trail, with additional frontage along Kermit, Nocona Cove, Memphis Street and Lufkin Street, from the Board of Regents of the University of Texas at Austin, for the Ullrich Medium Service Transmission Main Project.
Resolution No. 980604-46 approved in an amount not to exceed \$192,430.
47. Approve a resolution authorizing fee simple acquisition of approximately 12.4 acres out of the Henry P. Hill League Survey No. 21, located on the north side of Red Bud Trail, west of and adjacent to Town Lake, from the Board of Regents of the University of Texas at Austin, for the Ullrich Water Treatment Plant Expansion Project.
Resolution No. 980604-47 approved in an amount not to exceed \$68,500.

ADJOURNED at 6:30 p.m. on Councilmember Slusher's motion, Councilmember Spelman's second, 6-0 vote, Mayor Watson absent.

Minutes for June 4, 1998 approved on this the 11th day of June, 1998 on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 6-0 vote, Councilmember Lewis off the dais. Minutes for June 3, 1998 postponed.

