



Austin City Council MINUTES

SPECIAL CALLED MEETING - SEPTEMBER 14,
1998

CITY COUNCIL CHAMBERS - 9:00 A.M.

Mayor Watson called to order the meeting of the Council, noting the temporary absence of Mayor Pro Tem Garcia and Councilmember Spelman.

ORDINANCES

1. Approve first/second/third readings of an Ordinance adopting and approving the Operating Budget for the fiscal year beginning October 1, 1998 and terminating September 30, 1999, and making appropriations for each department, project and account, including the errata.
Approved on first and second reading as amended on Councilmember Goodman's motion, Councilmember Griffith's second, 7-0 vote.

Amendment to increase 1998-99 Beginning Balance to reflect an increase in the 1997-98 ending balance by \$3,021,628 and increase proposed revenue for Development Review and Inspections based on current year collections in amount of \$320,000 on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

Amendment to distribute \$176,000 in Community Court funds to Municipal Court; add 2 FTEs to Municipal Court; distribute \$121,000 in Community Court funds to the Health and Human Services Department; and deappropriate remaining \$703,000 from Community Court funds on Mayor Pro Tem Garcia's motion, Mayor Watson's second, 7-0 vote.

Amendment to increase transfer to the Support Services Fund for an increase in the City Clerk's budget for costs related to the November election in amount of \$67,944; to distribute from General Fund wage and benefit adjustment the living wage funds to appropriate departments of Support Services for \$24,110 (Office of the City Clerk for \$2,027 and Financial Services Dept. for \$22,083); Municipal Court for \$1,455, DRID for \$72, Public Works and Transportation for \$28,056, Fire for \$2,623. Library for \$14,027, Parks and Recreation Department for \$26,321, Police for \$24,801, Health and Human Services Department for \$29,833, and EMS for \$3,702 for a net adjustment of \$0; and increase the reserve contingencies based on budget increases in the amount of \$30,897 on Councilmember Goodman's motion, Councilmember Spelman's second, 7-0 vote.

Amendment to increase Police Department funding for 1 FTE for Junior Police Academy in amount of \$55,000; for 30 video cameras in an amount of \$180,000; for maintenance of the 911 and emergency communications equipment no longer funded by CAPCO in an amount of \$60,000; and increase the transfer to the CIP budget in amount for \$871,822 for Fire/EMS stations on Councilmember Goodman's motion, Mayor Watson's second, 7-0 vote.

Amendment to increase the Public Works and Transportation Department for 2 FTEs for the Neighborhood Parking Program in amount of \$94,485 on Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 7-0 vote.

Amendment to increase transfer to Support Services Fund for \$50,000 for supervisory training in the Human Resource Department on Councilmember Slusher's motion, Councilmember Lewis' second, 7-0 vote.

Amendment to add funding to the Health and Human Services Department in an amount of \$110,000 for After School program on Councilmember Lewis' motion, Councilmember Griffith's second, 6-0-1 vote, Councilmember Slusher ABSTAINING.

Amendment to add funding to extend pool closing hours in the Parks and Recreation Department in an amount of \$123,000 on Councilmember Griffith's motion, Councilmember Slusher's second, 7-0 vote.

Amendment to add \$100,000 to the Social Services Contracts for the Child Advocacy program on Councilmember Griffith's motion, Mayor Watson's second, 7-0 vote.

Amendment to transfer \$75,000 to the Planning, Environmental and Conservation Services Department for Smart Growth Transit Corridor Plan on Councilmember Goodman's motion, Councilmember Slusher's second, 7-0 vote.

Amendment to increase the transfer to the Strategic Planning Investment Fund for \$700,000 to image documents, \$100,000 for space planning at One Texas Center, and \$300,000 for outside legal fees for water quality on Councilmember Spelman's motion, Councilmember Slusher's second, 7-0 vote.

Amendment to transfer .5 FTE from Management Services to Office of the City Clerk and increase funding to make the position full-time for the Sister City activities in an amount of \$14,859 on Councilmember Slushers' motion, Mayor Watson's second, 7-0 vote.

Amendment to increase the transfer to the Planning, Environmental and Conservation Services Department for the production of the Design Commission Report in an amount of \$17,000 on Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 7-0 vote.

Amendment to increase the transfer to the CIP and create a new project, the Neighborhood Enhancement Project in an amount of \$70,000 on Councilmember Griffith's motion, Councilmember Lewis' second, 7-0 vote.

Amendment to add funding in the Social Services Contracts to develop the SmartGrrls program in the amount of \$50,000 on Councilmember Spelman's motion, Councilmember Goodman's second, 7-0 vote.

Amendment to add funding to the Health and Human Services Department for the Child Care Initiative in an amount of \$225,000 on Councilmember Goodman's motion, Councilmember Griffith's second, 7-0 vote.

Amendment to add funding and 1 FTE in the Small and Minority Business Resources Office in the amount of \$35,000 on Councilmember Goodman's motion, Councilmember Griffith's second, 7-0 vote.

Amendment to add funding for the Health and Human Services Department to the Social Services Contracts for matching funds to an AISD grant to buy Adult Workforce computers in amount of \$125,000 on Councilmember Spelman's motion, Councilmember Goodman's second, WITHDRAWN

Amendment to transfer to the Planning, Environmental and Conservation Services Department to raise the energy conservation cap in the Green Builders program in the amount of \$46,000 on Councilmember Goodman's motion, Councilmember Griffith's second, 7-0 vote.

Amendment to add funding in an amount of \$50,000 to the Social Services Contracts for Community Action Network operations on Councilmember Goodman's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

Amendment to add funding and 1 FTE to Management Services for intergovernmental relations in an amount of \$45,000 on Councilmember Goodman's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

Amendment in an amount of \$45,000 for the Community Gardens on Councilmember Slusher's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

Amendment to increase transfer to CIP in the Parks and Recreation Department for renovation of the restroom and concession at the Down-Mabson Little League field in an amount of \$150,000 on Councilmember Lewis' motion, Councilmember Griffith's second, 7-0 vote.

Amendment to set aside in the reserve contingencies an amount of up to \$50,000 for Immigration on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.

Amendment to increase reserve contingencies for increases in the budget in amount of \$378,621 on Councilmember Spelman's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

Amendment to make all amendments to the Operating budget that were approved part of the main motion on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.

Other Fund Amendments:

Amend the Water and Wastewater Fund by increasing contractuals by \$690,000 and decreasing the ending balance by this amount, amend the Planning, Environmental and Conservation Services Department by increasing the Green builder Program by \$401,000 and 3 FTEs, increasing transfers from General Fund by \$46,000, and Austin Energy Fund by \$355,000, amend the Conservation Rebates and Incentives Fund by decreasing the transfer from Austin Energy Fund by \$355,000 and decreasing the multi-family rebates by \$230,000 and the loan options by \$125,000 to fund Green Builder Enhancements, and amend the Austin Energy Fund accordingly as referenced in the General Fund action items; amend the Water and Wastewater Fund by reappropriating \$121,275 in current year savings to pay for November election costs and \$50,000 in current year savings for a fleet utilization study; amend the Convention Center Operating Fund by reappropriating \$100,00 in current year savings for parking garage equipment; amend the Transportation Fund by reappropriating \$600,000 in current year savings for 11th street overlay contract; amend the Strategic Planning Investment Fund by reappropriating \$50,000 in current year savings; amend the Federal Asset Forfeiture Fund to decrease the 1998-99 Beginning Balance by \$141,194, decrease expenditures by \$94,000 and decrease the 1998-99 Ending Balance by \$47,194; amend the Fleet Maintenance Fund by increasing the transfer to the Capital Budget by \$65,000 for a total of \$625,000 and decreasing the 1998-99 Ending Balance by \$65,000 to \$121,216; and amend the Child Safety Fund by reappropriating \$89,000 as a grant for an ISTE grant match on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

Special Revenue Funds Amendments:

Amend the Special Revenue Fund for the Austin Municipal Court by adding \$225,000 for a Department of Justice Community Court grant and amend the Special Revenue Fund for the Austin Police Department by adding \$172,651 for a State of Texas Criminal Justice grant for DNA lab equipment on Councilmember Spelman's motion, Councilmember Griffith's second, 7-0 vote.

Increase the appropriations for contracts with cultural agencies in the amount of \$112,857 from ending fund balance for a total amount of \$2,924,531 with a reserve of \$268,285 on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.

Motion to reconsider original motion on Operating Budget on Councilmember Spelman's motion, Mayor Watson's second, 7-0 vote.

Amendment to reduce the reserve contingency fund and increase the Social Services Contracts for matching funds to buy computers in amount of \$125,000 for educational purposes on Councilmember Spelman's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

Amendment to increase the appropriations for contracts with cultural agencies by \$209,085 for a total amount of \$3,020,759 with a reserve of \$172,057 on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second,

Friendly amendment to increase funding to Friends of the Summer Musical by \$15,000 for a one-time expense making the total increase of \$224,085 with a reserve of \$157,057 for a total amount of \$3,035,759 by Councilmember Griffith, ACCEPTED

Original motion becomes contracts with cultural agencies, with an increase in the amount of \$224,085 (as listed below) and a reserve of \$157,057 for a total amount of \$3,035,759; 7-0 vote.

Dance

Believe In Me Project, Inc	\$22,180
CWTW: Kathy Dunn Hamrick	\$5,700
Dance Umbrella	\$41,435
DU: Deborah Hay	\$7,027
DU: Jimmy Turner (Deafdancedeaf)	\$11,500
Sharir Dance Co.	\$62,096
Sharir: Bryan Green	\$2,719
Tapestry Dance Company	\$41,699

Literature

Teatro Humanidad Cansada: Red Salmon Press	\$22,726
Outreach Productions	\$20,971

Mixed Arts

AFM: Cuban Cultural Arts Cncl./ Cine Las Americas	\$7,000
Austin Latino/a Lesbian Gay Organization	\$3,392
Austin Children's Museum	\$82,430
AWL: Reel Women	\$4,500
Center for Women and Their Work	\$73,393
CWTW: Diverse Arts (Harold McMillan)	\$48,000
CWTW: Day Without Art	\$9,000
Darla Johnson/ Andrew Long & Company	\$31,547
DU: Boyd Vance	\$41,000
DU: Auspicious, Inc	\$6,000
DU: Bravo/Kinesis	\$10,195
DU: Carl Settles / Blue Jazz Workshop	\$11,000
La Pena, Inc.	\$57,880
La Pena: The Legend Project... /Gonzales	\$6,067
La Pena: Hartt Stearns/One World (no sponsor needed)	\$23,000
Mexic-Arte	\$103,097
Mexic-Arte: Deaf Art and Craft Festival	\$5,000
Mexic-Arte: Gomez	\$8,000
Mexic-Arte: Kenju' Lee' Performing Arts	\$16,333
Mexic-Arte: Mexican Community Cultural Center	\$7,000
Texas Folklife Resources	\$38,000
TFR: AISD Native American Parents Committee	\$16,000

Music

Austin Civic Chorus	\$12,900
Austin Federation of Musicians	\$38,944
Austin Jazz Workshop	\$10,000
Austin Symphonic Band	\$13,598
Creative Opportunity Orchestra	\$34,200
CWTW: Women in Jazz / Hart	\$24,500
La Pena: Delia Perez Meyer	\$10,000
Mexic-Arte: Alex Ramirez	\$10,060
Mexic-Arte: Centro De Arte y Cultura Nahualli	\$11,000
Mexic-Arte: Austin Bolivian Association	\$10,000
Mexic-Arte: Johnny Degollado	\$16,000
Mexic-Arte: Robert Rodriguez	\$10,000

Mexic-Arte: Struble	\$7,600
TFR: Texas Gospel Announcers	\$12,500
Jamal	\$1,000
Asociacion Cultural	\$2,000

Theatre

ACOT: Austin Musical Theatre	\$33,008
ACOT: Austin Script Works	\$4,000
ACOT: First Stage Productions	\$16,500
ACOT: Our Story	\$12,000
ACOT: Remembrance Through the Performing Arts	\$3,500
AIL: Cultural Warriors	\$4,650
Austin Circle of Theatres /Austix	\$52,076
Austin Shakespeare Festival	\$11,012
Different Stages	\$10,238
Friends of the Summer Musical / Zilker Theatre Productions	\$51,169
Frontera/Hyde Park Theatre	\$40,000
Mexic-Arte: Teatro Comunitario en Espanol	\$12,000
Public Domain	\$20,857
Zachary Scott Theatre Center	\$59,906
Eutsey	\$1,500

Visual Arts

Austin Museum of Art/Laguna Gloria Art Museum	\$178,760
La Pena: Sam Coronado	\$31,000
Mexic-Arte: C21	\$5,000
Mexic-Arte: Patricia Greene / Castrejon	\$9,000
Mexic-Arte: Ruben Salazar	\$6,000
Mexica-Arte: Adrienne Isom	\$12,000
Texas Fine Arts Association	\$44,000
Texas Alliance Conference	\$10,000

Motion to approve amending General Fund to allow \$30,000 for maintenance for the SPLASH exhibit on Councilmember Goodman’s motion, Councilmember Griffith’s second, 2-5 vote, Mayor Watson, Mayor Pro Tem Garcia and Councilmembers Lewis, Slusher and Spelman voting “NO”.

Motion to reappropriate \$600,000 from current year savings for the Health Disproportionate Share fund on Mayor Pro Tem Garcia’s motion, Councilmember Spelman’s second, 7-0 vote.

Approve on first and second reading as amended Operating Budget on Councilmember Goodman’s motion, Councilmember Spelman’s second, 7-0 vote.

2. Approve first/second/third readings of an Ordinance adopting and approving the Capital Budget for the fiscal year beginning October 1, 1998 and terminating September 30, 1999, and making appropriations for each project and account, including the errata.
Approve on Mayor Pro Tem Garcia’s motion, Councilmember Lewis’ second, 5-0 vote, Councilmembers Griffith and Spelman off the dais.

Motion to reconsider on Councilmember Slusher’s motion, Councilmember Goodman’s second, 7-0 vote.

Approve on first and second reading as amended on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.

Amend the Capital Budget to reflect the amendments approved in the Operating Budget on Councilmember Spelman's motion, Councilmember Goodman's second, 7-0 vote.

Amend for Public Works and Transportation to appropriate an additional \$117,000 to the Build Austin Program-Mobility account, for a total appropriation of \$1,384,791; appropriate an additional \$705,200 to the Build Austin Program FY99 account, for a total appropriation of \$5,794,110; appropriate \$342,864 and create a new project known as "Boggy Creek Trail"; appropriate \$400,000 to the Howard Lane Improvements IH35 to Desseau project account; appropriate \$81,600 and create a new project known as "Bicycle Route Improvements"; appropriate \$76,000 to the Traffic Signal Synchronization project account; appropriate \$762,400 and create a new project known as "15th Street/IH35 to Lamar Blvd."; reallocate \$86,000 from the Stassney/Nichols Crossing-Burleson project account; \$19,247 from the McCarty-Convict Hill project account; \$42,753 from the Excess Funds/Completed project account and \$148,000 to the Sidewalk and Sidewalk Improvements project account on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

Appropriate \$65,000 to the Fuel Tanks Management Plan project account in General Government Support Services on Councilmember Slusher's motion, Councilmember Griffith's second, 7-0 vote.

Reduce the contingency fund of \$480,000 and place this amount in interior renovation project in the University Hills Branch Library on Councilmember Lewis' motion, WITHDRAWN

3. Approve first/second/third readings of an Ordinance fixing and levying Municipal Ad Valorem taxes for the City of Austin, Texas for the fiscal year 1998-99; and for each year thereafter until otherwise provided, directing the assessment and collection thereof; approval of property tax exemptions for agriculture, historic property, persons with disabilities and elderly persons; validating all prior Ad Valorem taxes.

Approve on first and second reading a tax rate of 51.42 cents on Councilmember Slusher's motion, Councilmember Goodman's second, 6-1 vote, Councilmember Lewis voting "NO".

Substitute motion to set the tax rate at 52.42 cents on Councilmember Lewis, FAILED DUE TO LACK OF SECOND

4. Approve first/second/third readings of an Ordinance authorizing fees, fines and other charges for City services and use of City facilities.

Approve on first and second reading the fee, fines and other charges with the amendments of addition of a Patrol Support fee for Police Cadets for the Austin Police Department in the amount of \$21; addition of an off airport annual rental car permit fee of \$100 plus eight (8%) percent of annual gross revenues for the Aviation Department; the first \$25,000 of annual gross revenues are exempt; additional of an off airport annual parking services permit fee of \$100 plus \$1.25 per month for each average number of spaces used each month in excess

of twenty-five (25) for the Aviation Department; and eliminate increase to the Zilker Park parking fee at soccer fields, retaining the current \$1 fee on Councilmember Spelman's motion, Councilmember Lewis' second, 7-0 vote.

5. Approve first/second/third readings of certain Ordinances adopting Rates, as follows:

a) Water and Wastewater Retail Rates

Approve on first and second reading of an average 5.4% increase on Mayor Pro Tem Garcia's motion, Mayor Watson's second, 7-0 vote.

Substitute motion of increase of 2.7% increase on Councilmember Spelman's motion, Councilmember Griffith's second, 1-4-2 vote, Mayor Watson, Mayor Pro Tem Garcia, Councilmembers Lewis and Slusher voting "NO", Councilmembers Goodman and Griffith ABSTAINING.

b) Water and Wastewater Wholesale Rates

Approve on first and second reading increase of 6.4% on water rates and 10% on wastewater rates on Mayor Pro Tem Garcia's motion, Mayor Watson's second, 7-0 vote.

6. Approve first/second/third readings of an Ordinance adopting the Capital and Operating Budgets for Austin Energy, for the fiscal year beginning October 1, 1998 and terminating September 30, 1999, and making appropriations for each project and account, including the errata.

Ordinance No. 980914-A approved with amendment on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.

Motion to amend the original motion with direction to the City Manager to have Austin Energy pay the Library Department up to \$127,000 to pay for the out of city card holders who are also non-resident customers of Austin Energy on Councilmember Goodman, Councilmember Spelman's second,

Friendly amendment to allow for payment of ½ of the price for the card holders from Councilmember Spelman, ACCEPTED, 4-3 vote, Mayor Watson, Mayor Pro Tem Garcia and Councilmember Slusher voting "NO".

7. Approve first/second/third readings of an Ordinance providing for the classifications and number of positions in each classification of the classified Civil Service of the Police Department.

Ordinance No. 980914-B approved with a number of 780 classifications on Councilmember Goodman's motion, Mayor Watson's second, 7-0 vote.

8. Approve first/second/third readings of an Ordinance providing for the classifications and number of positions in each classification of the classified Civil Service of the Fire Department.

Ordinance No. 980914-C approved on Mayor Pro Tem Garcia's motion, Councilmember Spelman's second, 7-0 vote.

RESOLUTIONS

9. Approve Fiscal Year 1998-99 Cultural Arts Services contracts in the amount of \$2,811,674 (Funding available in the Cultural Arts Fund.)

Resolution No. 980914-9 approved for the Cultural Arts Services contracts as amended in the amount of \$3,035,759 on Mayor Pro Tem Garcia's motion, Councilmember Lewis' second, 7-0 vote.

10. Approve the defeasance of certain outstanding Combined Utility Systems Revenue Bonds including the execution of an escrow agreement and all related documents. (Approximately \$20,000,000 from the Water and Wastewater Utility Department.)

Resolution No. 980914-10 approved on Mayor Pro Tem Garcia's motion, Mayor Watson's second, 7-0 vote.

11. Approve a resolution to cancel the City Council meetings of September 23 & 24, 1998, October 7 & 8, 28 & 29, 1998, and reinstate the previously canceled meetings of October 14 & 15.

Resolution No. 980914-11 approved with an amendment to not cancel October 7 & 8 meetings, to cancel December 16 & 17 meetings and to not reinstate the October 14 & 15 meetings on Councilmember Slusher's motion, Councilmember Goodman's second, 7-0 vote.

ITEMS FROM COUNCIL

12. Approve a resolution to appoint Councilmembers William Spelman and Jackie Goodman to a task force for the purpose of resolving outstanding issues related to the provision of wastewater services to the City of Westlake and the City of Rollingwood. (Mayor Kirk Watson)

Pulled off agenda

13. Approve a resolution directing the City Manager to examine the City budget to find projects or portions of projects that can be implemented by a youth job corps to be developed in conjunction with a local non-profit group or groups. (Councilmembers Daryl Slusher and Willie Lewis, and Mayor Pro Tem Gus Garcia)

Resolution No. 980914-13 approved on Councilmember Slusher's motion, Councilmember Lewis' second 7-0 vote.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive Session from 12:40 p.m. until 1:38 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 matter 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

14. To discuss water rights applications in the Colorado River Basin currently pending before the Texas Natural Resource Conservation Commission.

Motion to recess at 9:32 a.m. until 12:30 p.m. on Councilmember Griffith's motion, Councilmember Goodman's second, 5-0 vote, Mayor Pro Tem Garcia and Councilmember Spelman temporary absent.

Recessed at 3:45 p.m. until 4:00 p.m. on Councilmember Slusher's motion, Councilmember Griffith's second, 7-0 vote.

ADJOURNED at 6:12 p.m. on Councilmember Griffith's motion, Councilmember Spelman's second, 7-0 vote.

Approved on this the 1st day of October, 1998 on Councilmember Slusher's motion, Councilmember Goodman's second, 6-0 vote, Mayor Pro Tem Garcia off the dais.