



Austin City Council MINUTES

FEBRUARY 2, 1995 - 1:00 P.M.

Mayor Pro Tem Nofziger called to order the meeting of the Council, noting the temporary absence of Mayor Todd.

MINUTES APPROVED

1. Approval of Minutes for Regular Meeting of January 26, 1995 and Special meetings of January 25 and 26, 1995

Approved on Councilmember Goodman's motion, Councilmember Garcia's second, 6-0 vote, Mayor Todd absent.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Jimmy A. Castro, to discuss "Connecting Government For the Future" Conference to be held February 13-17, 1995, at the Convention Center.
3. Mrs. Dorothy Jackson, to discuss Parks and Educational Planetarium.
4. Mr. Gus Pena, to discuss gang violence, juvenile issues, need for a juvenile detox center, relocation of soup kitchen to day labor site.
5. Mr. Henry Ratliff, address "Prospects for '95".

ITEMS CONTINUED FROM PREVIOUS MEETINGS

6. Approve a resolution creating the Joint Use Working Group and Joint Use Policy Committee to coordinate public facilities planning and use initiatives among local governments and educational institutions. (Councilmembers Brigid Shea and Gus Garcia)

Approved on Councilmember Shea's motion, Councilmember Garcia's second, 6-0 vote, Mayor Pro Tem Nofziger out of the room.

ORDINANCES

7. Amend Ordinance No. 940912-D, the 1994-95 operating budget, by increasing the General Fund budgeted Beginning Balance by \$922,373 and by increasing the appropriation of the Emergency Medical Service Department, to resolve backpay issues. (Funding is available in the 1994-95 General Fund Beginning Balance.)

Ordinance No. 950202-A approved on Councilmember Mitchell's motion, Councilmember Garcia's second, 7-0 vote.

RESOLUTIONS

8. Approve revising the City of Austin Financial Policies to authorize use of commercial paper by the Electric and Water/Wastewater utilities for routine capital improvements, and to authorize conversion to refunding bonds under certain terms and conditions.
Postponed to February 9, 1995
9. Approve execution of a five (5) year service agreement with CUMULUS, INC., Austin, Texas, for a Food and Drink Concession at Lions Municipal Golf Course at an estimated annual revenue of \$60,000, for an estimated total revenue of \$300,000, with the option to extend the contract for one (1) additional five (5) year period, for an estimated annual revenue of \$60,000, for a total estimated revenue of \$600,000. (Estimated annual revenue is \$60,000; \$6,000 over the 1994-95 budgeted amount or \$300,000 over the initial term of the contract.) Single bid. No M/WBE Subcontracting opportunities were identified.

Approved on Councilmember Reynolds' motion, Mayor Todd's second (withdrawn), Councilmember Goodman's second, with an amendment by Councilmember Garcia to require an audit and report back to Council, 5-1 vote, Mayor Todd voting NO, Councilmember Mitchell out of the room.

Substitute motion to continue contract for month to month and to complete an audit and then bring back within 90 days by Councilmember Shea, Mayor Todd's second, 3-1-2 vote, Councilmember Garcia voting NO, Councilmember Goodman and Reynolds abstaining, Councilmember Mitchell out of the room.

10. Approve negotiation and execution of a five (5) year contract with AUSTIN CANOE AND KAYAK, Austin, Texas, for the Canoe Rental Concession at Zilker Park, for an estimated annual revenue of \$5,300 with the option to extend the contract for one (1) additional five (5) year period. (Estimated annual revenue is \$5,300 or \$26,500 over the duration of the initial contract and \$26,500 over the extension period.) Best proposal of three (3). No M/WBE Subcontracting opportunities were identified. (Not Recommended by the Parks and Recreation Board)

Approve negotiation and execution of contract with Zilker Park Boat Rentals on Mayor Pro Tem Nofziger's motion, Councilmember Reynolds' second, with amendment that safety, ADA, revenue and erosion be addressed in the negotiations as well as an audit offered by Councilmember Goodman and accepted, 5-2 vote, Councilmembers Garcia and Shea voting NO.

11. Approve execution of one (1) twelve (12) month supply agreement with ALAMO CONCRETE, Austin, Texas, for the purchase of premixed concrete to be used for various construction projects at City parks, in an amount not to exceed \$132,000 with two (2) twelve (12) month extension options in an amount not to exceed \$132,000 per extension option, for a total amount not to exceed \$396,000. (Funding in the amount of \$124,800 was included in the 1994-95 Capital budget of the Parks and Recreation Department. Funding in the amount of \$7,200 is available in the 1994-95 operating budget of the Parks and Recreation Department.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified.
Approved

12. Approve execution of a contract with WAUKESHA-PEARCE INDUSTRIES, INC., Austin, Texas, for the purchase of one (1) rubber tire asphalt milling planer and preventative maintenance services for the Street and Bridge Division, in an amount not to exceed \$357,699. (Funding is available in the 1994-95 Transportation Fund.) Sole Source. No M/WBE Subcontracting opportunities were identified.
Approved

13. Approve execution of a twelve (12) month supply agreement with ALLIED COLLOIDS, INC., Suffolk, Virginia, for the purchase of 45,000 pounds of cationic polyelectrolytes (polymers) for use in water removal of treated sludge at the Ullrich Water Treatment Plant, in an amount not to exceed \$53,550 with options to extend for two (2) additional twelve (12) month periods in an amount not to exceed \$53,550 per option period for a total amount not to exceed \$160,650. (Funding in the amount of \$35,700 is available in the 1994-95 operating budget of the Water and Wastewater Utility. Funding in the amount of \$17,850 for the remainder of the contract period and extension options is contingent upon available funding in future budgets.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified. (Recommended by the Water and Wastewater Commission)
Approved

14. Ratify final payment of \$45,342.42 to NATIONAL HEALTH LABORATORIES, San Antonio, Texas, for Reference Pathology Laboratory Services, for a total contract amount of \$279,342.42 through September 30, 1994. (Funding is available in the 1994-95 operating budget of the Health and Human Services Department, Federally qualified Health Center Special Revenue Fund.)
Approved

Items 11-14 approved on Councilmember Mitchell's motion, Councilmember Garcia's second, 7-0 vote.

15. Approve execution of a twelve (12) month service agreement with LONGHORN SUPPLY, INC., Austin, Texas, to provide janitorial services at eight (8) branch libraries, in an amount not to exceed \$39,450.48 with two (2) twelve (12) month extension options in an amount not to exceed \$39,450.48 per extension option, for a total amount not to exceed \$118,351.44. [Funding in the amount of \$26,300.32 is available in the 1994-95 operating budget of the Library Department. Funding for the remaining four (4) months of the original contract and extension options will be contingent upon available funding in future budgets.] Second low bid of ten (10). No M/WBE Subcontracting opportunities were identified.

Approved on Councilmember Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Shea out of the room.

16. Approve execution of a twelve (12) month supply agreement with DX DISTRIBUTORS, INC., San Antonio, Texas, for the purchase of fifty-two thousand (52,000) gallons of liquid caustic soda to be used in the sewage treatment process, in an amount not to exceed \$78,520 with an option to extend for one (1) additional twelve (12) month period in an amount not to exceed \$78,520, for a total amount

not to exceed \$157,040. [Funding in the amount of \$52,347 for the first eight (8) months is available in the 1994-95 operating budget of the Water and Wastewater Utility. Funding for the remaining four (4) months and the extension options will be contingent upon available funding in future budgets.] Low bid of two (2). No M/WBE Subcontracting opportunities were identified. (Recommended by the Water and Wastewater Commission)
Approved

Austin-Bergstrom International Airport (Items 17-18)

17. Approve the filing of eminent domain proceedings to acquire fee simple interest to a parcel of land containing 2.816 acres of land out of The Santiago Del Valle Ten League Grant Survey, Abstract No. 24 in Travis County, Texas, owned by Edward Venegas and wife, Gladys Venegas for the Land Acquisition Program, New Austin Airport at Bergstrom Project. (Appraised value is \$85,000.00)
Approved
18. Authorize relocation benefits associated with the fee simple acquisition of real property located at 5104 Johnson Road, Del Valle, Texas, for Austin-Bergstrom International Airport, in the amount of \$84,908. (Funding was included in the 1993-94 Capital Budget of the Aviation Department.)
Approved

Brackenridge Hospital (Items 19-22)

19. Ratify a contract for emergency demolition services to SPECTRUM ENVIRONMENTAL, INC., Austin, Texas, for asbestos abatement of the Sabine Clinic at Brackenridge Hospital, in the amount of \$134,210. (Funding is available in the 1994-95 operating budget of Brackenridge Hospital.) Low bid of four (4). 0% MBE, 3.75% WBE Subcontractor participation.
Approved
20. Approve execution of a twelve (12) month contract with AMERICAN TRANSCRIBER CORPORATION, Houston, Texas, for additional medical record transcription services, in an amount not to exceed \$165,600 with the option to extend thereafter for up to two (2) twelve (12) month periods in an amount not to exceed \$165,600 for each extension, for a total amount not to exceed \$496,800. [Funding in the amount of \$110,400 is available in the 1994-95 operating budget of Brackenridge Hospital. Funding for the final four (4) months and the extension options is contingent upon available funding in future budgets.] Low bid of two (2). No M/WBE Subcontracting opportunities were identified.
Approved
21. Approve execution of a twelve (12) month supply agreement with ABBOTT CRITICAL CARE SYSTEMS, Mountain View, California, for transducer monitoring kits and tubing used in the treatment of patients, in an amount not to exceed \$52,733.76 with the option to extend thereafter for up to two (2) twelve (12) month periods in an amount not to exceed \$52,733.76 for each extension, for a total amount not to exceed \$158,201.28. [Funding in the amount of \$35,155.84 is available in the

1994-95 operating budget of Brackenridge Hospital. Funding for the final four (4) months and the extension options is contingent upon available funding in future budgets.] Low bid of five (5) meeting specifications. No M/WBE Subcontracting opportunities were identified.
Approved

22. Approve negotiation and execution of a seventh amendment to the contract with the Austin Hospital Authority to provide an extension from the current termination date of February 2, 1995 to February 28, 1995. (Funding is available in the 1994-95 operating budget of Brackenridge Hospital.)
Approved

Items 16-22 approved on Councilmember Mitchell's motion, Councilmember Garcia's second, 7-0 vote.

ITEMS FROM COUNCIL

23. Approve a resolution in support of improving the Zilker Park Train Concession to provide increased service and the use of non-polluting fuel source. (Mayor Pro Tem Michael "Max" Nofziger)

Approved on Mayor Pro Tem Nofziger's motion, Councilmember Goodman's second, 7-0 vote.

24. Approve a resolution creating a citizen advisory board consisting of City Council appointees and surrounding neighborhood representatives to study, analyze and recommend direction for the reuse and future development of Robert Mueller Municipal Airport. (Councilmembers Eric Mitchell, Ronney Reynolds and Jackie Goodman)
Approved

25. Set a public hearing on the Graffiti Ordinance. (Suggested date and time: March 2, 1995 at 5:30 p.m.) [Councilmember Gus Garcia]
Approved

Items 24-25 approved on Councilmember Mitchell's motion, Councilmember Garcia's second, 7-0 vote.

4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

26. C14-94-0038 - HAROLD C. ANDERSON, By Security Knowledge Center (Sammy Langford), 6604 Berkman Drive. From SF-3 to GR. Planning Commission Recommendation: To grant GO, General Office, zoning subject to the following conditions: (1) limited to business and trade school uses, and permitted NO Neighborhood Office uses; (2) minimum parking spaces required - 10.

Close public hearing and approve 1st reading only for GR-CO subject to the following provisions: 1) Personal Improvement Services as the only permitted GR use, 2) Business and Trade School as the only permitted GO use, 3) permitted NO uses, 4) minimum of ten (10) on-site parking spaces, 5) development limited to a density that would generate less than 2,000 vehicle trips-per-day to the site,

and 6) applicant is willing to enter into a Restrictive Covenant with the City of Austin and will not oppose a rollback in zoning to G0-C0 with the same conditions set out above if the GR use ceases on Councilmember Shea's motion, Councilmember Reynolds' second, 7-0 vote.

PUBLIC HEARINGS AND APPROVAL OF ORDINANCES/RESOLUTIONS

27. 4:30 P.M. - Public hearing and approve first reading of an ordinance to renew a charter bus franchise for the Kerrville Bus Company.
Close public hearing and approve on Councilmember Garcia's motion, Councilmember Shea's second, 6-0-1 vote, Councilmember Reynolds abstaining.
28. 5:00 P.M. - Public hearing and action on an application to increase the taxicab rate of fare. (Recommended by Urban Transportation Commission)
Close public hearing and approve Ordinance No. 950202-B on Councilmember Mitchell's motion, Councilmember Garcia's second, 6-0 vote, Mayor Todd absent.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive Session held from 4:46 p.m. until 5:02 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 the meeting agenda. Council would take any subsequent action in the open meeting as listed on the 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.

Pending/Contemplated Litigation - Section 551.071

29. Discuss South Cross Plaza v. City of Austin, Cause No. 94-06387.
Pulled

Advice from Counsel - Section 551.071

30. Seek advice from Counsel regarding contract claim of Certicare, Inc.

ADDENDUM

RESOLUTIONS (continued)

31. Approve changing the time of the public hearing on the Austin Metropolitan Area Transportation Plan, scheduled for February 9, 1995, from 5:00 p.m. to 6:30 p.m.
Approved on Councilmember Mitchell's motion, Councilmember Garcia's second, 7-0 vote.

ADJOURN at 6:14 p.m. on Councilmember Goodman's motion, Councilmember Shea's second, 4-0 vote, Mayor Todd, Mayor Pro Tem Nofziger and Councilmember Reynolds absent.

Approved this the 9th day of February, 1995, on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Mayor Pro Tem Nofziger temporarily absent.