



## Austin City Council MINUTES

AUGUST 6, 1992 - 1:00 P.M.

### MEETING CALLED TO ORDER - 1:00 P.M.

Mayor Pro Tem Urdy called to order the meeting of the Council, noting that Mayor Todd, Councilmembers Garcia and Reynolds were not yet in the Council Chamber.

### MINUTES APPROVED

1. Approval of Minutes for Regular Meeting of July 30, 1992.

On Councilmember Epstein's motion, Mayor Pro Tem Urdy's second, 4-0 Vote, Mayor Todd and Councilmembers Garcia and Reynolds, not yet in the Council Chamber.

### CITIZEN COMMUNICATIONS: GENERAL

2. Ms. Portia A. Watson, to discuss drug trafficking, prostitution and youths roaming the street at all hours of the night in the E. 12th street area. Not present.
3. Mr. Timothy Deforest Jones, to present a video presentation substantiating the wisdom of the SOS Initiative.
4. Mr. Robert Singleton, to discuss life after SOS.
5. Mr. John Lewis, to discuss taxpayer needs in the budget process.
6. Ms. Betsy Fath, to discuss Barton Springs.
7. Mr. Luthor Carpenter, to present another in a series on management, budget and Council concerns.
8. Ms. Christi Stevens, to discuss the Balcones Canyonlands "Conservation" Plan.
9. Mr. Henry Ratliff, to discuss "August 8th is day after tomorrow."
10. Mr. Richard Buratti, to discuss the Public Improvement District (PID) and location of the downtown branch of the U.S. Post Office.

11. Mr. Charlie Waits, to acknowledge those responsible for Pay As You Throw and a few words about the bond package.

#### BOARD AND COMMISSION REPORTS

12. BERGSTROM CONVERSION TASK FORCE - James Steed, Chair, to present the Second Interim Report.

#### ORDINANCES

13. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 2820 E. Martin Luther King Jr. Blvd., Case No. C14-92-0028, from "LI", Limited Industrial Services to "GO", General Office, CHRISTOPHER HOUSE, by Carol Cody. First reading on June 11, 1992; Vote 6-0, Councilmember Reynolds absent. Conditions met as follows: Street deed satisfying right-of-way dedication requirement has been executed.
14. Amend Ordinance No. 910912-A, the 1991-92 operating budget, by transferring \$98,000 from the unresolved ending balance to the Human Resources Department for expenditure increases arising from support activities for compliance with Title I of the Americans with Disabilities Act, legal counsel for the Austin Civil Service Commission, and unemployment compensation claims.
15. Authorize acceptance of a \$6,500 grant from the Governor's On-Site Wastewater Treatment Research Council for support of a symposium on On-Site Wastewater Treatment Technology; amend Ordinance No. 910912-A, the 1991-92 operating budget and amending the Special Revenue Fund for the Water and Wastewater Utility by \$6,500, increasing revenues and expenditures by the same amount. (Reviewed by Water and Wastewater Commission.)

#13-15 on Councilmember Epstein's motion, Councilmember Larson's second, 7-0 Vote.

#### RESOLUTIONS

16. Approve execution of a construction contract award to J.D. EVANS OF AUSTIN, INC., Austin, Texas, for park and playground improvements (basketball court, open field play area, sand volleyball courts, playscape, 18-hole Frisbee golf course, picnic facilities, etc.) at Slaughter Creek Metropolitan Park, in the amount of \$195,984.97. (Funding included in CIP 873-867-0813.) Low bid of five (5). 12.06% MBE, 2.61% WBE Subcontractor participation.

Pulled off agenda.

17. Approve execution of a twelve (12) month supply agreement with AUSTIN SCREEN PRINTING, Austin, Texas, for the purchase and screen printing of T-shirts and miscellaneous items to be used throughout the Parks and Recreation Department (Barton Springs Pool, City Olympics, athletic events, Pioneer Farms, Outdoor Nature Program and all special events), in an amount not to exceed \$67,000, with the option to extend thereafter two (2) additional twelve (12) month periods, in an amount not to exceed \$67,000 per extension, for a total amount not to exceed \$201,000. (Funding available in the 1991-92 operating budget for the Parks and Recreation Department through fee based revenues which cover all costs.) Low bid of three (3). The prime did not identify any subcontracting opportunities.

Pulled off agenda.

18. Approve execution of a contract with COMPUTER ASSOCIATES, Austin, Texas, for the renewal, licensing and maintenance of software used to protect data bases that support the utility billing system, financial information system and retirement system, for a three (3) year period, in an amount not to exceed \$50,032. (Funding available in the 1991-92 operating budget of the Information Systems Department.) Sole Source. The prime did not identify any subcontracting opportunities. Reference No. 5600007346.
19. Approve execution of a twelve (12) month maintenance agreement with DUN & BRADSTREET SOFTWARE SERVICES, INC., Dallas, Texas, to support the financial software system installed at Brackenridge Hospital, in an amount not to exceed \$64,850 to include an option to extend thereafter for up to three (3) additional twelve (12) month periods, in an amount not to exceed a ten percent (10%) increase for each year; \$71,335, \$78,469 and \$86,316 respectively, for a total amount not to exceed \$300,970. (Funding available in the 1991-92 operating budget of Brackenridge Hospital; funding for the extension options will be requested in future budgets.) Sole Source. The prime did not identify any subcontracting opportunities. Reference No. BC8-297.

#18-19 on Councilmember Epstein's motion, Councilmember Larson's second, 7-0 Vote.

#### ITEMS FROM COUNCIL

20. Set a public hearing to approve an ordinance waiving water capital recovery fees in the amount of \$981 for property located at 3306 Blumie Street, and waiving that portion of ordinance 900607-F(c) requiring that an equivalent amount of city funds be deposited in the Capital Recovery Fee Account.) Date and time: August 13, 1992 at 5:30 p.m. (Mayor Bruce Todd and Councilmember Gus Garcia)

21. Approve an Ordinance canceling the August 27, 1992 City Council meeting. (Councilmembers Michael "Max" Nofziger and Mayor Pro Tem Charles Urdy)  
#20-21 on Councilmember Epstein's motion, Councilmember Larson's second, 7-0 Vote.
37. Discussion and possible action on release of legal counsel opinions related to the SOS petition, pursuant to an open records request, by waiving the attorney-client privilege. (Councilmember Bob Larson)

Pulled off agenda.

#### RECESS

The Council, on Councilmember Epstein's motion, Mayor Pro Tem Urdy's second, recessed the meeting from 2:35 to 4:13 P.M. (7-0 Vote)

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

22. C14-92-0060 - ALAIN P. REVEILHAC, by Blazier, Rutland & Lerner, 8708-8732 and 8800-8808 S. Congress Ave. From DR to GR. Planning Commission Recommendation: To Grant GR, Community Commercial zoning as requested.  
Ordinance
23. C14-92-0061 - BENCHMARK LAND DEVELOPMENT, by Gebhard Sarma Group, Inc., Convict Hill Road and Escarpment Boulevard. From NO to SF-2. Planning Commission Recommendation: To Grant SF-2, Single Family Residence (standard lot) zoning as requested.  
Ordinance
24. C14-92-0057 - AUSTIN STORAGE TRAILERS, by The Faust Group, Approximately the 16,200 Block of Bratton Lane. From SF-2 to LI. Planning Commission Recommendation: To Grant LI-CO, Limited Industrial Services-Conditional Overlay zoning prohibiting the following uses: General Retail Sales (Convenience and General), Restaurants (Drive-in, Limited and General), Food Sales, and Financial Services.  
Ordinance
25. C14-92-0059 - ALAIN P. REVEILHAC, by Blazier, Rutland & Lerner, 8707-8733 and 8801-8813 S. Congress Ave. From DR to CS. Planning Commission Recommendation: To Grant CS-CO, Commercial Services-Conditional Overlay zoning prohibiting Campgrounds and Vehicle Storage uses.  
Ordinance

26. C14-92-0062 - BAILEY SQUARE CORPORATION, 3418 North Hills Drive. From LO to MF-3. Planning Commission Recommendation: To Grant MF-3-CO, Mutli-family Residence (medium density)-Conditional Overlay zoning with the provision that structures not exceed three stories or forty feet, six inches (40' 6"), whichever is less, and a density limitation of 200 dwelling units. Ordinance #22-26 on Councilmember Garcia's motion, Councilmember Larson's second, 7-0 Vote.

27. C14-92-0063 - GUARANTY FEDERAL SAVINGS BANK, by Strasburger & Price, Armbrust, 2519 & 2609 Gracy Farms Lane. From GR to MF-3. Planning Commission Recommendation: To Grant MF-3-CO, Multi-family Residence (medium density)-Conditional Overlay zoning limiting development to no greater than 308 multi-family dwelling units.

**Ordinance**

On Councilmember Garcia's motion, Councilmember Larson's second, 6-0-1 Vote, Councilmember Reynolds abstained.

28. C14-92-0064 - GUARANTY FEDERAL SAVINGS BANK, by Strasburger & Price, Armbrust, 2609, 2621 and 2707 Gracy Farms Lane. From GR to MF-3. Planning Commission Recommendation: To Grant MF-3-CO, Multi-family Residence (medium density)-Conditional Overlay zoning limiting development to no greater than 308 multi-family dwelling units.

**Ordinance**

On Councilmember Garcia's motion, Councilmember Larson's second, 6-0-1 Vote, Councilmember Reynolds abstained.

29. C14-92-0055 - TOM W. BRADFIELD, by Heiser Development Corp., 1827-2025 MoPac Expressway South. From LO to MF-2. Planning Commission Recommendation: To grant MF-2-COM Multi-family Resident (low density) Conditional Overlay zoning with a limitation of fifteen (15) units per acre.

**First Reading**

30. C14-92-0056 - FRANKLIN CAPITAL CORPORATION, by Heiser Development Corp., 1719-1823 MoPac Expressway South and 1801-1859 Spyglass Drive. From LO to MF-2. Planning Commission Recommendation: To grant MF-2-CO, Multi-family Residence (low density) Conditional Overlay zoning with a limitation of fifteen (15) units per acre.

**First Reading**

#29-30 on Councilmember Garcia's motion, Councilmember Nofziger's second, 7-0 Vote.

To be heard by Planning Commission on August 4, 1992; Recommendation to follow.

31. C14-92-0050 - REX SHIELDS, 1504 East 4th Street, From MF-2 to LI. (This case was referred back to Planning Commission by the Council for reconsideration.) (No planning Commission recommendation due to lack of quorum vote.)

Postponed to August 20, 1992 at 6:30 P.M. on Councilmember Reynolds' motion, Councilmember Epstein's second, 7-0 Vote, with a request by Councilmember Reynolds for the chronological order of zoning as the buildings were put on the property.

To be heard by Planning Commission on August 4, 1992; Recommendation to follow.

32. C14-92-0066 - SAMUEL PAYNE, by Consort, Inc., 11912 Arabian Trail. From SF-3 to GR. Valid petition in opposition.

Postponed to September 3, 1992.

#### FINAL CITIZEN COMMUNICATIONS

Speakers were Brent White, Leonard Lyons, Gail Gemberling, Jimmy Castro, Mark Moore and Kathy Berry.

#### PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

##### Solid Waste Removal and Recycling Services (Items 33-34)

33. 5:00 P.M. - Repeal Ordinance No. 910425-R and amend Ordinance No. 910912-F regarding the establishment of rates and service levels for solid waste removal in the four pilot neighborhoods. (Reviewed by Solid Waste Advisory Commission)

Public hearing closed, on Councilmember Garcia's motion, Councilmember Reynolds' second, 5-0 Vote, Mayor Pro Tem Urdy and Councilmember Epstein out of the room.

34. Approve a resolution adopting recommendations for implementation of service changes in the City's Solid Waste removal and recycling services (implementation recommendations based on the City's "Pay as You Throw" pilot collection program.) (Reviewed by Solid Waste Advisory Commission)

On Councilmember Nofziger's motion, Councilmember Reynolds' second, variable rates over three years 5-0 Vote, Mayor Pro Tem Urdy and Councilmember Epstein out of the room.

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At this point, Mayor Todd left the Council Meeting.  
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DINNER RECESS

The Council, on Councilmember Garcia's motion, Councilmember Epstein's second, recessed from 6:00 to 6:30 P.M.  
7-0 Vote.

35. 5:30 P.M. - Consider the permanent closure of Walter Street.  
(Councilmember Gus Garcia)

The public hearing was closed, on Councilmember Garcia's motion, Councilmember Epstein's second, 5-0 Vote, Mayor Todd absent, Councilmember Larson out of the room.

36. APPOINTMENTS

The following appointments were approved, on Councilmember Epstein's motion, Councilmember Reynolds' second, 7-0 Vote.

BERGSTROM CONVERSION TASK FORCE - Darla Allcorn, Girard Kinney,  
Raul Rosa

CABLE COMMISSION - Brian Lynch

COMMUNITY DEVELOPMENT COMMISSION - Dean Flinn

EMPLOYEE'S RETIREMENT SYSTEM - Ed Golden

ENVIRONMENTAL BOARD - Sabino Renteria

HISTORIC LANDMARK COMMISSION - Julia Bunton, James Christianson, William Holford, Jerry Shaw and Jim Fowler, who was appointed on Councilmember Nofziger's motion, Councilmember Garcia's second, 6-0-1 Vote, Councilmember Larson abstained. A substitute motion to appoint William Tucker, on Councilmember Larson's motion, Councilmember Epstein's second, FAILED by a vote of 2-2-3 with Councilmembers Garcia and Nofziger voting No, and Mayor Todd, Mayor Pro Tem Urdy and Councilmember Epstein abstaining.

MECHANICAL, PLUMBING AND SOLAR BOARD - Thomas Alexander

RENAISSANCE MARKET COMMISSION - Carl Betancourt, Robert Edgecomb, Janis Morgan, Morna Seiders

RESOURCE MANAGEMENT COMMISSION - Roger Duck

SOLID WASTE ADVISORY COMMISSISON - Jesse Dillard, Jesse Sepulveda

WATER AND WASTEWATER COMMISSION - David Malish, Darwin McKee, Martin  
Plishka

ADJOURN - The meeting was adjourned at 8:25 P.M.