



Austin City Council MINUTES

APRIL 30, 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 would be arriving soon.

APPROVAL OF MINUTES

1. Approval of Minutes for Regular Meeting of April 23, 1992 and Special Meetings of April 21, 22 and 23, 1992

On Councilmember Garcia's motion, Councilmember Larson's second, 6-0 Vote, Mayor Todd absent.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Richard Halpin, to discuss gangs and HSRT funding for the coming fiscal year.
3. Ms. Mary Hausmann, to discuss problems caused by lack of notification to neighbors, lack of proof of pre-existing use by applicant for a non-conforming use.
4. Mr. Henry Ratliff, to discuss "We Shall Overcome."
5. Mr. Leonard Lyons, to discuss current City events. Did not speak.
6. Mr. Luthor Carpenter to discuss the third in a series on management, budget and Council concerns.
7. Mr. David Elliott, to discuss costly City management and the City of Austin's horrendous bond debt.

1:30 P.M. - BOND SALES

8. Authorize the issuance of City of Austin, Texas, Public Improvement Refunding Bonds, Series 1992, calling for redemption prior to maturity of certain outstanding obligations of the City, enacting other provisions relating thereto.

9. Authorize the execution of a Paying Agent/Registrar Agreement and a Letter of Representations for issuance of book-entry obligations, with respect to the City of Austin, Texas, Public Improvement Refunding Bonds, Series 1992.

#8-9 postponed to May 7, 1992

BOARD AND COMMISSION REPORTS

10. HOSPITAL BOARD - Betty Himmelblau, Chair, to discuss Disproportionate Share Funds. (Related to Item 15)

Postponed to May 21, 1992

ITEMS CONTINUED FROM PREVIOUS MEETINGS

Energy Conservation (Items 11-13)

11. Approved second/third reading to amend Ordinance No. 890615-E revising the Financial Policy for the City of Austin to establish a yearly transfer of electric service area sales to the Environmental and Conservation Services Department for energy efficiency programs as part of the annual budget process. (Reviewed by Resource Management Commission; Recommended by Electric Utility Commission.)
12. Approved policy goals for energy efficient investments, replace previous multi-family, commercial and thermal storage energy systems program guidelines and approve new program guidelines for energy efficient investments. (Recommended by Resource Management Commission and Electric Utility Commission.)

#11-12 on Councilmember Reynolds' motion, Mayor Todd's second, 6-0 Vote, Councilmember Garcia out of the room.

13. Direct the City Manager to provide for in the proposed 1992-92 budget, and in proposed budgets thereafter through 2002-2003, sufficient funding from Electric Utility revenues to be used by the Environmental and Conservation Services Department to achieve a savings of a minimum of 21 megawatts per year until the goals for energy conservation initiatives jointly established by the Electric Utility Department and Environmental and Conservation Services Department for the year 2002 are reached. (Councilmember Gus Garcia)

Postponed indefinitely.

ORDINANCES

14. Approved second/third readings of an Ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 3200 Red River Street, Case No. C14-92-0018, from "G0", General Office to "GR-CO" Community Commercial-Conditional Overlay, AUSTIN BELL TOWER INVESTMENT CO., INC., by Strasburger & Price, Armbrust & Brown. First reading on April 2, 1992; Vote 6-0, Mayor Todd absent. Conditions met as follows: Conditional Overlay and Restrictive Covenant incorporate conditions imposed by Council. (Public Hearing Closed - No Citizen Sign-Up)

On Councilmember Reynolds' motion, Mayor Todd's second, 6-0 Vote, Councilmember Garcia out of the room.

Health and Hospital (Items 15-22)

15. Amended the 1991-92 Operating Budget, Ordinance No. 910912-A, for Brackenridge Hospital by increasing revenues by \$466,866 and increasing operating expenses by \$6,519,017 to allow Brackenridge Hospital to add new programs, enhance services, and fund an additional 61.6 full-time employees (FTEs) (The increase in operating expenses will be funded from increased revenues of \$306,866 generated by the Professional Building, \$160,000 generated by the Specialty Care Developmental Program, and \$1,013, 527 from the budgeted 1991-92 increase in the hospital's fund balance from operating results. Capital expenditures of \$5,038,624 will be funded through increased Medicaid payments in the Brackenridge Hospital Disproportionate Share Fund.) [Recommended by Hospital Board]

On Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 Vote.

16. Authorized acceptance of \$7,723 grant supplement from the Texas Department of Health, for a total community and Rural Health grant amount of \$87,618 for the purchase of computer and video equipment for public education and public health promotion in Environmental Health programs; amend Ordinance No. 910912-A, the 1991-92 Operating Budget, amending the Special Revenue Fund for the Health & Human Services Department by appropriating \$7,723, increasing revenues and expenditures.
17. Amended the 1991-92 Operating Budget by increasing the expenditure appropriation for the Health and Human Services Department by \$400,000, authorizing 10.5 additional full-time employee (FTE)

positions, and reducing the expenditure appropriation for Hospital Contracted Services to fund medical care and related expenses. (Savings in hospital inpatient costs associated with the Diagnostic Related Group (DRG) payment system. No net impact on the General Fund.)

RESOLUTIONS

18. Authorized the negotiation and execution of a seven (7) month service agreement with PCA HEALTH PLANS OF TEXAS, INC., to provide medical services to certain Medical Assistance Program (MAP) clients and to perform related administrative duties, in an estimated amount of \$400,000, with two (2) twelve month extension options, in an estimated amount of \$687,000 each, for a total amount of \$1,774,000. (Funding included in the 1991-92 Operating Budget of the Health and Human Services Department. Increased funding will be requested in subsequent budgets.) Best proposal of two (2). The prime did not identify any subcontracting opportunities.
19. Approved negotiation and execution of a twelve (12) month contract award with MARRIOTT MANAGEMENT SERVICES CORPORATION, Washington, D.C., for management of the Dietary Department of Brackenridge Hospital on a fixed fee basis, in an amount not to exceed \$1,696,865, including an option to extend thereafter for up to three (3) additional twelve (12) month periods, in amounts not to exceed \$1,781,708; \$1,870,794, and \$1,964,333 respectively, for a total amount not to exceed \$7,313,700. (Funding in the amount of \$707,027 included in the 1991-92 Operating Budget of Brackenridge Hospital; \$989,838 will be requested in the 1992-93 Budget.) Best offer of three (3). The prime did not identify any subcontracting opportunities. Reference No. BCI-106. (Recommended by Hospital Board)
20. Approved execution of a five (5) month service contract with AUSTIN ORAL SURGERY ASSOCIATES, Austin, Texas, for the provision of oral surgery services to Medical Assistance Program (MAP) clients of the Health and Human Services Department, in an amount not to exceed \$27,500, with an option to extend services for two (2) additional twelve (12) month periods, in an amount not to exceed \$47,500 per extension, for a total amount not to exceed \$122,500. (Funding included in the 1991-92 Operating Budget of Health and Human Services Department. Funding for renewals will be requested in each respective fiscal year budget.) Sole proposal. The prime did not identify any subcontracting opportunities. Reference No. 920457-3SA.
21. Approved execution of a contract with AUS-TEX PLUMBING, HEATING AND AIR CONDITIONING INC., Austin, Texas, to provide labor and materials for Phase III of energy conservation measures at the Operating and Emergency room areas of Brackenridge Hospital, in an amount not to

exceed \$233,503. (Funding in the amount of \$233,503 included in the Capital Budget for the Environmental and Conservation Services Department, of which \$116,751.50 is a grant from the U.S. Department of Energy which is administered by the Governor's Energy Office.) Low bid of three (3). The prime did not identify any subcontracting opportunities. Reference No. 920478-2SA.

22. Approved negotiation and execution of a contract with TRANE CO., San Antonio, Texas, to provide labor and materials for Phase IV of energy conservation measures at Brackenridge Hospital, in an amount not to exceed \$218,788. (Funding in the amount of \$218,788 included in the Capital Budget for the Environmental and Conservation Services Department, of which \$44,069 is a grant from the U.S. Department of Energy which is administered by the Governor's Energy Office.) Best proposal of four (4). The prime did not identify any subcontracting opportunities. Reference No. 920479-3SA.
23. Approved execution of a contract with WATSON DISTRIBUTION, San Antonio, Texas, for the purchase of four (4) Cushman Trucksters for the maintenance of golf courses, in an amount not to exceed \$35,022. (Funding included in the 1991-92 Golf Enterprise Operating Budget of the Parks and Recreation Department.) Sole bid. The prime did not identify any subcontracting opportunities. Reference No. 920366-1SS.

Relocation of Computer Center (Items 24-27)

24. Approved execution of a contract with PRODIGY SYSTEMS INC., Austin, Texas, for the purchase of four (4) multimedia access centers to connect workstations at the new data center and Information Systems Department offices to the City's computer networks, in the amount of \$98,200. (Funding included in the Capital Budget for the Water and Wastewater Utility.) Low bid of two (2). The prime did not identify any subcontracting opportunities.

#16-24 on Councilmember Reynolds' motion, Mayor Todd's second, 6-0 Vote, Councilmember Garcia out of the room.

25. Approved the execution of a contract with WESTINGHOUSE ELECTRIC SUPPLY COMPANY, San Antonio, Texas, for the purchase of fiber optic cable and related installation materials for the construction of a new fiber optic link between the Municipal Building and the Avante Building, in an amount not to exceed \$44,384.39. (Funding included in the Capital Budget for the Water and Wastewater Utility.) Low bid of two (2). The prime did not identify any subcontracting opportunities. Reference No. 920429-3JR.

On Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 Vote, Councilmember Nofziger out of the room.

26. Approved the negotiation and execution of a contract with McDATA CORPORATION, Richardson, Texas, for the purchase of mainframe computer channel extenders to connect user workstations at the Utility Customer Service Office and the City Annex to the mainframe computer, in an amount not to exceed \$46,004. (Funding included in the Capital Budget for the Water and Wastewater Utility.) Best proposal of five (5). The prime did not identify any subcontracting opportunities. Reference No. 920441-3JR.
27. Approved the execution of a contract with McDATA CORPORATION, Richardson, Texas, for the purchase of computer terminal controllers to support the new data center and Informations Systems Department offices, in an amount not to exceed \$37,031. (Funding included in the Capital Budget for the Water and Wastewater Utility.) Low bid of two (2). The prime did not identify any subcontracting opportunities. Reference No. 920500-3JR.
28. Authorized negotiation of an agreement with the Federal Emergency Management Agency (FEMA) to acquire one flood-damaged real property for subsequent transfer of the property by FEMA to the City. (Estimated expense to the City is \$25,350. Funding included in the Miscellaneous Drainage CIP 824-607-1905.)
29. Authorized application for and acceptance of a Major Urban Resource Libraries grant in the amount of \$43,028 from the Texas State Library and Archives Commission for the purchase of library reference materials for support of the Business Information Center for the period of September 1, 1992 to August 31, 1993. (No City match required.) (Recommended by Library Commission.)
30. Approved the filing of eminent domain proceedings to acquire a drainage and detention pond easement containing 121,645 square feet (2.793 acres) of land and a temporary workspace easement containing 12,152 square feet of land (.279 acres) out of the Santiago Del Valle grant in Austin, Travis County, Texas, owned by Paul Radnitz, Bill Becker and Gary Harstein, commonly known as the Texas National Theaters, Inc. for the Vargas Road Drainage Project. (Estimated cost of this action is \$124,324. Funding provided by CIP 824-607-1909.)
31. Approved the filing of eminent domain proceedings to acquire 1.088 acres of land in fee simple and a drainage easement containing 4,704 square feet (0.108 acre) of land out of the Isaac Decker League situated in the City of Austin, Travis County, Texas owned by Bruce F. Beard for the U.S. Highway 290/SH 71 Improvement Project. (Estimated cost of this action is \$1,354,718. In accordance with the agreement between the City and the State of Texas, the City will pay 10% of the cost and the State will pay 90%. Based on this estimate, \$135,471.80 will be funded by CIP 825-607-2075; \$1,219,246.20 will be funded by the State of Texas.)

32. Approve the filing of eminent domain proceedings to acquire a water and wastewater easement containing 6,707 square feet of land out of the Summit Oaks Subdivision in Austin, Travis County, Texas owned by Citizens State Bank of Georgetown for the U.S. Highway 183 Improvement Project. (Estimated cost of this action is \$6,915. Funding will be provided by the Water and Wastewater Capital Budget. Based on this estimate, \$3,457.50 will be charged to CIP 388-227-0939; \$3,457.50 will be charged to CIP 439-237-0926.)

#26-32 on Councilmember Reynolds' motion, Mayor Todd's second, 6-0 Vote, Councilmember Garcia out of the room.

33. Amend the Joint Resolution passed by the City Council and Travis County endorsing possible City/County consolidations and partnerships to include coordination of subdivision policies and regulations.

Postponed to May 7, 1992.

34. Set a public hearing to amend Title XIII (Land Development Code; Sections 13-2-3, 13-2-221, 13-2-232, 13-5-107) Austin City Code of 1981, to modify the definition of Arts & Crafts Studio (Limited) to include photographic studios and to permit this use in the L0, Limited Office, district with certain performance standards. Date and time: May 14, 1992 at 6:45 p.m. (Recommended by Planning Commission)

On Councilmember Reynolds' motion, Mayor Todd's second, 6-0 Vote, Councilmember Garcia out of the room.

35. Set a public hearing to amend Title XIII (Land Development Code: Sections 13-2-5, 13-2-221, 13-2-267, 13-2-731 and 13-5-107) Austin City Code of 1981 to allow indoor and outdoor recreational facilities used by the general public as a conditional use in residential districts and a permitted use in the commercial districts. Date and time: May 14, 1992 at 7:00 p.m. (Recommended by Planning Commission)

On Councilmember Epstein's motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Councilmember Garcia out of the room.

ITEMS FROM COUNCIL

36. Adopted a Resolution creating the Downtown Subcommittee. (Sixth Street Subcommittee and Convention Center Subcommittee)

37. Approved a Resolution directing the City Manager to review the issues and options regarding mitigation of environmental concerns associated with the former Brinkley-Anderson Landfill site.
(Councilmember Louise Epstein and Mayor Pro Tem Charles Urdy)

#36-37 on Councilmember Reynolds' motion, Mayor Todd's second, 6-0 Vote, Councilmember Nofziger out of the room.

3:00 P.M. - SAVE OUR SPRINGS (SOS) INITIATIVE

38. Board and Commission Reports
Planning Commission - Dr. Gail Gemberling, Chair
Water and Wastewater Commission - Larry Deuser - Chair
Economic Development Commission - John McKinnerney - Chair

The above reports were presented. The Environmental Board report which was to be given by Jack Goodman, Chair, was not presented.

39. Approve an Ordinance to amend the 1991-92 General Fund Operating Budget by increasing development revenues by \$170,000, increasing Financial Services expenses by \$290,000 and expense refunds by \$120,000; amend the 1991-92 Drainage Fund Operating Budget by increasing development revenues by \$120,000 and increasing expenses by \$120,000 to fund an impact study of the Save Our Springs (SOS) Initiative. (Funding to be provided from anticipated increases in development revenues.)

No action

40. Approve a Resolution authorizing implementation of a work plan to review and analyze the SOS Initiative Petition, in the amount of \$290,000. (Funding to be provided from anticipated increases in development revenues.)

No action

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

41. C14-92-0031 - CITY OF AUSTIN, by Department of Planning and Development, 6810 to 6910 Comanche Trail, 13101 to 13105 Lake View Drive, 6700 to 6920 Oasis Pass, 6906 to 6914 Oasis View, 6901 to 6909 Bullick Bluff. From DR, Development Reserve to SF-2, Single Family Residence (standard lot). Planning Commission Recommendation: To grant SF-2.

Ordinance approved on Mayor Pro Tem Urdy's motion, Councilmember Reynolds' second, 5-2 Vote, Councilmembers Epstein and Nofziger voted No.

FINAL CITIZEN COMMUNICATIONS

Robert Singleton, Mark Moore, Daryl Smith, Bill Bunch and Eric Sampson spoke.

EXECUTIVE SESSION (No Public Discussion on These Items)

The Mayor announced that Council would enter into Executive Session, if necessary, pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation and personnel matters. No final action will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

42. **Land Acquisition, Section 2, Paragraph f**

Discuss property acquisition for City office space.

Advice from Counsel, Section 2, Paragraph e

Tax Assessment of 504.9 Contour Line Area

RECESS

Council recessed from 2:37 to 3:30 P.M. for Executive Session

ADJOURN - Council adjourned at 5:45 P.M.

