



Austin City Council MINUTES

NOVEMBER 12, 1992

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

Mayor Todd called to order the meeting of the Council, noting the presence of all members.

MINUTES APPROVED

1. Approval of Minutes for Regular Meeting of November 5, 1992 and Special Meeting of October 28, 1992

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

CITIZEN COMMUNICATIONS: GENERAL

2. Ms. Lynn Goodman-Strauss Sanders, to discuss lack of City services at Austin Day Laborers work corner; suggested action.
3. Mr. Don Pace, to discuss homelessness. Not present.
4. Mr. Michael Mahel, to discuss the homeless. Not present.
5. Mr. Cicero Folley, to discuss the work corner. Not present.
6. Ms. Karen Heikkala, to discuss homelessness.
7. Mr. Donald Hultman, to discuss the homeless and the work corner. Not present.
8. Mr. Doug Zachary, to discuss "whim." Not present.
9. Mr. Henry Ratliff, to discuss "wrestling the difficulties."
10. Mr. Lance Winters, to discuss the City's proposed legislative package. Not present.
11. Mr. Luthor Carpenter, to discuss Tales of the Crystal Palace - Scene 5.

BOARD AND COMMISSION REPORTS

12. BRACKENRIDGE HOSPITAL BOARD - Mr. Chris Eakle, Secretary, to discuss Brackenridge Hospital Restructuring

Pulled off agenda.

43. HEALTH CARE TASK FORCE - Mr. Kevin Reed, Chair, to provide update on Committee recommendation on Health Care delivery and financing.

Pulled off agenda.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

13. Approve a resolution adopting the City of Austin Legislative Program for the 73rd Session of the Texas Legislature. (Legislative Subcommittee)

Pulled off agenda.

RESOLUTIONS

14. Approve the execution of a contract with COMPUTER ASSOCIATES, Islandia, New York, for the purchase of maintenance and a continuing licensing of database software for the Police Department, in an amount not to exceed \$34,510. (Funding is available in the 1992-93 operating budget of the Police Department.) Sole Source. No M/WBE subcontracting opportunities were identified. Reference No. B700013484.
15. Approve execution of a contract with SERVING SOFTWARE INC., Walnut Creek, California, for enhanced centralized patient scheduling software license, installation, and support for Brackenridge Hospital, in an amount not to exceed \$122,885, including an option to extend the support services agreement thereafter for up to three (3) additional twelve (12) month periods, in an amount not to exceed \$21,200 per extension, for a total amount not to exceed \$186,485. (Funding for \$122,885 is available in the 1992-93 operating budget of Brackenridge Hospital; execution of the extension options is contingent upon availability of funding in future budgets.) Sole Source. Reference No. BC7-309.
16. Approve negotiation and execution of a contract with the GILBERT X-RAY COMPANY, Austin, Texas, for the purchase of two (2) mobile image intensifiers used in the radiographic diagnosis of patients at Brackenridge Hospital, in an amount not to exceed \$264,012. (Funding is available in the 1992-93 operating budget of

Brackenridge Hospital.) Best proposal of five (5). No M/WBE subcontracting opportunities were identified. Reference No. BH2-089. (Recommended by Hospital Board)

17. Approve negotiation and execution of a contract award with R.P. KINCHELOE COMPANY, Austin, Texas, for the purchase of a Radiographic/Fluoroscopic System (to allow viewing of internal body structures) for Brackenridge Hospital, in an amount not to exceed \$386,500. (Funding is available in the 1992-93 operating budget of Brackenridge Hospital.) Best proposal of five (5). No M/WBE subcontracting opportunities were identified.
18. Approve a construction contract award to DEAN JOHNSON, Austin, Texas, for electrical renovation in the boiler room of Brackenridge Hospital, in the amount of \$66,496. (Funding is available in the 1992-93 operating budget of Brackenridge Hospital.) Low bid of two (2). 2.03% MBE, 1.27% WBE Subcontractor participation.
19. Approve negotiation and execution of a thirty-six (36) month lease agreement with Metropolitan Life, First Sate Bank Tower, Austin, Texas, for 6,003 sq. ft. of office space, located at 400 W. 15th St. to be used by Brackenridge Hospital functions, in an amount not to exceed \$270,135, with two (2) one (1) year options to extend at the then current market rate up to \$20 per square foot. (Funding in the amount of \$90,045 is available in the 1992-93 operating budget of Brackenridge Hospital; funding for the remaining terms and the extension option is subject to appropriation of funds in future budgets.)
20. Approve negotiation and execution of a twelve (12) month contract with ERISA ADMINISTRATIVE SERVICES, INC., (MBE), Austin, Texas, for third party administrator services for employee benefits, in an amount not to exceed \$1,335,493 with the option to extend the contract for two (2) twelve (12) month periods, in an amount not to exceed \$1,472,509 and \$1,623,507, respectively, per extension option, for a total amount not to exceed \$4,431,509. (Funding in the amount of \$1,001,620 is available in the 1992-93 operating budget of the Employee Benefits Fund; the remaining \$333,873 will be requested in the 1993-94 operating budget; funding for the extension option will be contingent upon available funding in future budgets.) Best proposal of six (6). 0% MBE, 2.02% WBE Subcontractor participation.
21. Approve first amendments to the professional services agreements with APPRAISAL ASSOCIATES OF AUSTIN INC., Austin, Texas; SOUTHWEST PROPERTY CONSULTANTS, Austin, Texas; TEXAS REAL ESTATE COUNSELORS, INC., Austin, Texas; and CONSORT INC., Austin, Texas, in a total amount not to exceed \$72,000, for a total contract amount not to

exceed \$200,000, to provide expert witness services in the United States District Court lawsuit, Cause No. A-90-CA-357, styled Forrest Smock et al v. City of Austin. (Funding is available in the 1992-93 operating budget of the Aviation Department.)

22. Approve issuance of a letter of intent and a rebate in the amount of \$63,770 to the Larry Peel Company for the installation of energy savings measures at the Hard Rock Canyon Apartments, located at 10300 Jollyville Road. (Funding in the amount of \$33,020 included in the Energy Rebates and Incentive Fund and \$30,750 included in Southern Union Gas Conservation funds.)
23. Approve execution of a contract award to J.C. EVANS CONSTRUCTION CO., INC., Austin, Texas, for construction of intersection improvements at South Lamar Boulevard and Barton Springs Road, in the amount of \$1,734,329.38. (Funding in the amount of \$1,614,050.38 included in CIP 825-607-2071-Public Works; \$48,883 included in CIP 439-237-0862-Wastewater Fund; and \$71,394 included in CIP 388-227-0825-Water Fund.) Low bid of three (3). 28% MBE, 5% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)
24. Approve Change Order No. 4 to REDDICO CONSTRUCTION COMPANY, Leander, Texas, to upgrade a cast iron water main in Hamilton Road as part of the U.S. 183 48-inch Water Transmission Main Relocation Phase II Project, in the amount of \$25,095, for a total contract amount of \$902,890.50. (Funding included in CIP 388-227-0997-Water and Wastewater). [Recommended by Water and Wastewater Commission]
25. Approve the selection of COTERA, KOLAR & NEGRETE ARCHITECTS, (MBE), Austin, Texas, for negotiation and execution of a contract to provide architectural design and construction phase services at the Robert Mueller Municipal Airport Terminal Building, to maintain safe operations and to meet service requirements for the public and tenants during the remaining life of the Airport, in the amount of \$152,000. (Funding included in the 1992-93 Capital Budget of the Aviation Department.) Best qualification statement of thirteen (13). DBE Subconsultant participation: 30% (5% MBE, 25% WBE).
26. Approve the selection of ESPEY, HUSTON & ASSOCIATES, INC., Austin, Texas, to provide professional engineering and associated services for the Robert Mueller Municipal Airport Drainage Master Plan and Drainage Improvements Project, in the amount of \$129,000. (Funding included in the 1992-93 Capital Budget for the Aviation Department; the project is eligible for 75% reimbursement of approved costs from the Federal Aviation Administration). Best qualification statement of ten (10). DBE Subconsultant participation: 25% (25% MBE, 0% WBE).

Colorado Room (old Rathskeller Room) from 9:00 AM until 4:00 PM.

27. Approve the selection of TURNER, COLLIE & BRADEN, INC., Austin, Texas, to provide professional engineering and associated services for the Robert Mueller Municipal Airport Airfield Pavement Rehabilitation and Improvements Project, in the amount of \$185,000. (Funding included in the 1992-93 Capital Budget for the Aviation Department; the project is eligible for 75% reimbursement of approved costs from the Federal Aviation Administration.) Best qualification statement of seven (7). DBE Subconsultant participation: 25% (7.5% MBE, 17.5% WBE)

#14-27 on Councilmember Epstein's motion, Councilmember Reynolds second, 7-0 Vote.

ITEMS FROM COUNCIL

28. Approve a resolution to sponsor a "Community Crime Prevention and Victim Awareness Exposition" to be held at the Austin Convention Center on December 6, 1992. (Councilmember Louise Epstein and Mayor Pro Tem Charles Urdy)

On Councilmember Epstein's motion, Councilmember Reynolds' second, 6-1 Vote, Mayor Todd voted No.

29. Approve a resolution directing the City Auditor to perform a review of the Barton Springs/Edwards Aquifer Conservation District (BS/EACD) and requesting the cooperation of the BS/EACD in facilitating this review. (Recommended by Water and Wastewater Commission) (Councilmembers Louise Epstein and Bob Larson)

Motion

Councilmember Epstein made a motion, seconded by Councilmember Larson as follows: "The City Council Audit Subcommittee is hereby directed to arrange a review of the Barton Springs/Edwards Aquifer Conservation District and report the results of the examination to the City Council and request the cooperation of the Board of Directors of the District to facilitate that review". It is to be designated as a Special Purpose Audit.

At this point, Mayor Todd asked Mayor Pro Tem Urdy to take the Chair.

Mayor Todd stated: "There is an added whereas which makes it clear to me and necessary for my support".

Substitute Motion

Mayor Todd offered the following in the form of a substitute motion, seconded by Councilmember Nofziger: "Whereas the City Council is

committed to resolving these issues in an objective and fair manner, free of political bias, and Whereas be it resolved that the City Council refer this matter to the Audit Subcommittee and ask interested parties to submit written documentation to the Subcommittee, and request the Subcommittee, after review, to determine scope of the investigation and order its completion, if appropriate.

Friendly Amendment to Substitute Motion

Councilmember Garcia offered the following friendly amendment, which was accepted:

"The City Council refers this matter to the Audit Subcommittee for its review and asks for interested parties to submit written documentation to the Subcommittee and request that the Subcommittee, after review, determine the scope of a special purpose audit, if appropriate, and order its completion and report to the City Council."

Roll Call on Motion with Friendly Amendment - FAILED

3-4 Vote, Councilmember Larson and Reynolds, Mayor Pro Tem Urdy and Councilmember Epstein voted No.

Roll Call on Main Motion

4-3 Vote, Councilmembers Garcia and Nofziger and Mayor Todd voted No.

30. Approve a resolution to modify the order of the regular City Council agenda to include live music following the Call to Order.
(Councilmember Michael "Max" Nofziger and Mayor Bruce Todd)

Postponed to November 19, 1992.

31. Approve a resolution endorsing the sale by the Parks and Recreation Department of Treaty Oak mementos and certificates. (Councilmember Michael "Max" Nofziger)

Pulled off agenda.

32. Approve a resolution referring the approval of the construction of the South Austin Outfall Phase II CIP Project to the voters of the City of Austin for consideration at the election of May 1, 1993.
(Councilmembers Michael "Max" Nofziger and Gus Garcia)

No action.

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

33. C14-92-0005 - PEARL COLLINS NORRIS, by Ada Anderson, 1805 Airport Boulevard. From SF-3 to GR. Planning Commission Recommendation: To deny GR, Community Commercial zoning.

Refer to Planning Commission, examine ways to make compatibility standards work. Action within 30 days, on Councilmember Reynolds' motion, Councilmember Epstein's second, 7-0 Vote.

34. C14-81-215 - PEARL COLLINS NORRIS, by Ada Anderson, 1805 Airport Boulevard. Request to terminate Restrictive Covenant. Planning Commission Recommendation: To deny the request to terminate the restrictive covenant which would result in commercial traffic access to East 18th Street, a residential street.

DENIED, on Mayor Pro Tem Urdy's motion, Councilmember Nofziger's second, 7-0 Vote.

To be heard by Planning Commission on November 10, 1992;
Recommendation to Follow

35. C14-92-0081 - RESOLUTION TRUST COMPANY, by Pat Scudder, Quarry Lake Parkway and U.S. Hwy 183 North. From LI and LO to MF-2-CO.

FIRST READING - Approved Planning Commission recommendation for 302 units, on Councilmember Reynolds' motion, 7-0 Vote.

FINAL CITIZEN COMMUNICATIONS

Speakers were Jimmy Castro, Robert Singleton, Al St. Louis, Ed Ducak, Jack Chambers and John Johnson.

PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

36. 4:15 P.M. - Amend Title XIII (Land Development Code) related to modification of appeal hearing procedures.

Motion

The Council, on Councilmember Reynolds' motion, Councilmember Epstein's second, closed the public hearing. 7-0 Vote.

Motion

The Council, on Councilmember Garcia's motion, Councilmember Epstein's second, approved. 7-0 Vote.

37. 5:00 P.M. - Adoption of the 1992 Uniform Building Code with local amendments.

Motion

The Council, on Councilmember Garcia's motion, Councilmember Reynolds' second, closed the public hearing. 7-0 Vote.

Motion

The Council, on Councilmember Garcia's motion, Councilmember Reynolds' second, voted approval. 7-0 Vote.

38. 5:30 P.M. - Appeal of the Planning Commission's decision to deny a conditional use permit site plan for Child Inc. - Twin Crest Day Care, located at 7202-7204 Twin Crest Drive.

Motion

The council, on Councilmember Reynolds' motion, Councilmember Nofziger's second, closed the public hearing and upheld the appeal. 7-0 Vote.

Motion

The Council, on Councilmember Garcia's motion, Councilmember Nofziger's second, reconsidered the item. 7-0 Vote.

Motion

The Council, on Councilmember Reynolds' motion, Councilmember Nofziger's second, closed the public hearing and upheld the appeal. 7-0 Vote.

39. 6:30 P.M. - Full purpose annexation of the following areas: South Lamar area, Parmer Lane right-of-way, Burleson Road right-of-way, FM 2222 right-of-way, River Oaks/Tanglewild area, Coxville area, Brodie Lane South area.

The Council, on Councilmember Reynolds' motion, Councilmember Garcia's second, closed the public hearing, 4-0 Vote, Mayor Pro Tem Urdy, Councilmembers Larson and Nofziger out of the room.
South Austin Outfall (Items 40-42)

40. 6:45 P.M. - Approve a 2.363 acre sanitary sewer and a 6.147 acre temporary workspace easement for the construction of and maintenance of the South Austin Outfall Relief Main, Phase II

through dedicated parkland known as Town Lake Park and Zilker Park, in accordance with Sec. 26.001 of the Texas Parks and Wildlife Code. (Reviewed by Water and Wastewater Commission; to be reviewed by Parks Board on November 10, 1992)

Motion

The Council, on Councilmember Epstein's motion, Councilmember Reynolds' second, voted to continue the public hearing to 5:00 P.M., November 19, 1992. (7-0 Vote)

Motion

The Council, on Councilmember Garcia's motion, Councilmember Nofziger's second, voted to allow additional people to sign up for the public hearing from 5:00 to 5:15 P.M. on November 19, 1992. 4-3 Vote, Mayor Pro Tem Urdy, Councilmembers Epstein and Reynolds voted No.

41. Approve a construction contract to OSCAR RENDA CONTRACTING, INC., Roanoke, Texas, for construction of a 48-inch interceptor for the South Austin Outfall Relief Main, Phase II, in the amount of \$2,652,205. (Funding is included in the 1991-92 Capital Budget of the Water and Wastewater Utility.) Low bid of seven (7). 39.88% MBE, 5.05% WBE Subcontractor participation. (Reviewed by Parks Board, Environmental Board and Water and Wastewater Commission)

No action.

42. Approve Supplemental Amendment #2 to the Agreement with the University of Texas Archaeological Research Laboratory, Austin, Texas, for archaeological monitoring of the construction of the South Austin Outfall, in the maximum amount of \$40,000, for a total amount of \$131,794.70. (Funding is included in the 1992-93 Capital Budget of the Water and Wastewater Utility.) (Reviewed by Water and Wastewater Commission)

No action.

10:15 P.M. - ADJOURN - On Councilmember Nofziger's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

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