



# Austin City Council MINUTES

OCTOBER 29, 1992 - 1:00 P.M.

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

Mayor Todd called to order the meeting of the Council, noting the absence of Councilmember Reynolds.

## MINUTES APPROVED

1. Approval of Minutes for Regular Meeting of October 22, 1992 and Special Meetings of September 28, 29, October 15 and 22, 1992

On Councilmember Garcia's motion, Councilmember Larson's second, 6-0 Vote, Councilmember Reynolds absent, with one correction.

## SIGNING OF MANAGEMENT PLAN

City Manager Barnett asked the directors of each City Department, who were in the audience, to sign the Management Plan for 1993.

## CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Henry Ratliff, to discuss the importance of citizen communication.
3. Mr. R. Luthor Carpenter, to discuss Tales of the Crystal Palace - Scene 3.
4. Mr. Kirk Hunter, to discuss "no one is listening." Was not present.

## 1:30 P.M. - REVENUE REFUNDING BONDS

5. Approve an ordinance authorizing the issuance of City of Austin, Texas Combined Utility Systems Revenue Refunding Bonds, Series 1992B, including approval and authorization of a Purchase Contract and Special Escrow Agreement and the Official Statement pertaining thereto.

6. Approve a resolution authorizing the execution of a Paying/Agent Registrar contract with Ameritrust Texas, N.A. in relation to such bonds.
7. Approve a resolution authorizing the redemption of certain outstanding bonds of the City of Austin.

#5-7 Pulled off the agenda.

#### BOARD AND COMMISSION REPORTS

8. HUMAN RIGHTS COMMISSION - Ms. Alicia Taliaferro, Chair, to discuss the Equal Employment Opportunities Conference, Watersbend Apartments, and compliance with the Americans with Disabilities Act. Doris Stanley also spoke.

#### ITEMS CONTINUED FROM PREVIOUS MEETINGS

9. Authorize acceptance of \$47,193 in grant funds from the Texas Department of Health, Tuberculosis Elimination Division, for expanding outreach services to individuals who have or are at risk of developing tuberculosis; amend Ordinance No. 920922-E, the 1992-93 operating budget, by appropriating \$47,193 for the Health and Human Services Department Special Revenue Fund; authorizing one (1) grant funded full-time employee. (A City match is not required).

On Councilmember Garcia's motion, Councilmember Nofziger's second, 5-0 Vote, Mayor Pro Tem Urdy out of the room, Councilmember Reynolds absent.

#### ORDINANCE

26. Authorize acceptance of \$51,000 in grant funds from the Texas Department of Health, Immunization Division, to increase service delivery of immunization services to infants and preschool children; amend Ordinance No. 920922-e, the 1992-93 operating budget, by appropriating \$51,000 for Health and Human Services Department Special Revenue Fund; authorizing two (2) grant funded full-time employees. (A City match is not required).

On Mayor Pro Tem Urdy's motion, Councilmember Garcia's second, 6-0 Vote, Councilmember Reynolds absent.

#### RESOLUTIONS

10. Approve execution of a twelve (12) month supply agreement with MP MASONRY PRODUCTS, Austin, Texas, for the purchase of cement, in an amount not to exceed \$38,277.50 with the option to extend thereafter

for one (1) additional twelve (12) month period, in an amount not to exceed \$38,277.50, for a total amount not to exceed \$76,555. (Funding is available in the 1992-93 inventory budgets of the Financial Services Department, Water and Wastewater Utility, and Electric utility). Low bid of two (2). No M/WBE subcontracting opportunities were identified. Reference No. 921076-1B0.

11. Approve execution of a contract with T.G. MEDICAL, San Antonio, Texas, for the purchase of an Ilizarov External Fixation System to be used by orthopedic surgeons at Brackenridge Hospital for the fixation of fractures, limb strengthening, and correction of bone deformities, in an amount not to exceed \$53,773.10. (Funding is available in the 1992-93 operating budget of Brackenridge Hospital). Sole Source. No M/WBE subcontracting opportunities were identified. Reference No. BH2-241.
12. Approve execution of a twelve (12) month supply agreement with ABBOTT CRITICAL CARE, Mountain View, California, for disposable transducers (used to measure the blood pressure of neonatal, pediatric and adult patients), syringes and tubing for use by Brackenridge Hospital, in an amount not to exceed \$115,574.40, including an option to extend thereafter for up to one (1) additional twelve (12) month period, in an amount not to exceed \$115,574.40, for a total amount not to exceed \$231,148.80. (Funding in the amount of \$105,942 is available in the 1992-93 operating budget of Brackenridge Hospital; funding for \$9,632.40 will be requested in the 1993-94 operating budget; funding for the extension option is contingent upon available funding in future budgets.) Low bid of five (5) meeting specifications. No M/WBE subcontracting opportunities were identified.
13. Approve execution of a contract with LEICA, INC./WILD SURGICAL DIVISION, Rockleigh, New Jersey, for the purchase of an ophthalmic operating microscope used by Brackenridge Hospital to remove cataract material and correct retinal malfunctions, in an amount not to exceed \$54,505. (Funding is available in the 1992-93 operating budget of Brackenridge Hospital.) Low bid of three (3) meeting specifications. No M/WBE subcontracting opportunities were identified. Reference No. BH2-321.
14. Approve execution of a contract with ACUSON, The Woodlands, Texas, for the purchase of a bi-plane pedi-transesophageal cardiac ultrasound probe used by Brackenridge Hospital to identify heart defects, in an amount not to exceed \$39,500. (Funding is available in the 1992-93 operating budget of Brackenridge Hospital.) Sole Source. No M/WBE subcontracting opportunities were identified. Reference No. BH2-319.

#10-14 on Mayor Pro Tem Urdy's motion, Councilmember Garcia's second, 6-0 Vote, Councilmember Reynolds absent.

15. Approve execution and negotiation of a twelve (12) month lease agreement with METROPOLITAN LIFE, Austin, Texas, for the lease of 6,003 sq. ft. of office space at 400 W. 15th St. for certain Brackenridge functions, in an amount not to exceed \$90,045, with an option to extend for up to two (2) twelve (12) month periods, in an amount not to exceed \$90,045 per extension, for a total amount not to exceed \$270,135. (Funding in the amount of \$90,045 is available in the 1992-93 operating budget of Brackenridge Hospital; funding for \$7,503.75 will be requested in the 1993-94 operating budget; funding for the extension options is contingent upon availability of funding in future budgets.)

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

#### ITEMS FROM COUNCIL

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

Council discussed and will vote on November 12, 1992.

17. Amend the 1992-93 operating budget to increase Cultural Arts funding by \$44,215 and decrease the Cultural Arts Contingency Fund by \$44,215. (Councilmembers Michael "Max" Nofziger, Gus Garcia and Louise Epstein)

27. Approve a Resolution rescinding special services and privileges afforded to the Texas Legislature. (Mayor Bruce Todd)

#17 and 27 Mayor Pro Tem Urdy's motion, Councilmember Garcia's second, 6-0 Vote, Councilmember Reynolds absent.

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

18. C14-92-0089 - NOVELL, INC. (Barbara Etchieson), by Graves, Dougherty, Hearon (Ann E. Vanderburg), 5918 Courtyard Drive. From LO to LR. Planning Commission Recommendation: To grant LR-CO prohibiting all LR uses but allowing Financial Services limited to 16,000 sq. ft. within an existing building.

#### EMERGENCY PASSAGE OF ORDINANCE

On Councilmember Garcia's motion, Councilmember Larson's second, public hearing was closed and zoning change approved. 6-0 Vote, Councilmember Reynolds absent.

To be heard by Planning Commission on October 27, 1992;  
Recommendation to Follow

19. 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.

Postponed to November 12, 1992.

FINAL CITIZEN COMMUNICATIONS

Speakers were Paul Robbins, Robert Singleton, State Representative Libby Linebarger, Richard Emerson, Al St. Louis and Victor Aquino.

PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

20. 4:15 P.M. - Adopt amendments to the Electrical Code.  
(Recommended by Electrical Board)

Public hearing was closed, on Councilmember Garcia's motion, Councilmember Epstein's second, 6-0 Vote, Councilmember Reynolds absent.

Amendments approved on Councilmember Epstein's motion, Councilmember Larson's second, 6-0 Vote, Councilmember Reynolds absent.

Residential Tax Abatement (Items 21-23)

21. 4:30 P.M. - Approve an ordinance creating Residential Tax Abatement Zone No. 1 (RTAZ) for 6.79 acres comprising 18 home ownership lots and 26 rental lots in Phase I of the Scattered Cooperative Infill Housing Program (SCIP) in accordance with Section 312.02 of the Texas Code. (Projected value of the abatement is \$70,510 based on an estimated average value for the 44 homes over the five (5) year abatement period). (Recommended by Housing Subcommittee)

Public hearing closed on Councilmember Garcia's motion, Councilmember Epstein's second, 6-0 Vote, Councilmember Reynolds absent.

Ordinance approved, on Mayor Pro Tem Urdy's motion, Councilmember Larson's second, 6-0 Vote, Councilmember Reynolds absent.

22. Approve a resolution executing a Residential Tax Abatement Agreement between the Austin Housing Finance Corporation and the City of Austin. (Estimated value of taxes over the five (5) year period is \$28,845). [Recommended by Housing Subcommittee]

23. Approve a resolution executing a Residential Tax Abatement Agreement between Austin Inner City Redevelopment - Phase I, Ltd. and the City of Austin. (Estimated value of taxes over the five (5) year period is \$41,655). [Recommended by Housing Subcommittee]

#22-23 on Mayor Pro Tem Urdy's motion, Councilmember Garcia's second, 6-0 Vote, Councilmember Reynolds absent.

EXECUTIVE SESSION (No Public Discussion on These Items)

Mayor Todd announced that Council would go into Executive Session, 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.

Pending/Contemplated Litigation, Section 2, Paragraph e

24. Discussion of settlement of Carmen Cardenas, et al. v. City of Austin; Cause No. 91-17830.

ACTION ON THE FOLLOWING

25. Approve settlement of Carmen Cardenas et al. v. City of Austin; Cause No. 91-17830. In the amount of \$1,550,000.00.

On Councilmember Garcia's motion, Councilmember Epstein's second, 4-0 Vote, Mayor Pro Tem Urdy and Councilmember Nofziger out of the room, Councilmember Reynolds absent.

ADJOURN - Council adjourned at 5:15 P.M. on Councilmember Epstein's motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Councilmember Reynolds absent.