



## Austin City Council MINUTES

SEPTEMBER 17, 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 the absence of Mayor Todd.

### MINUTES APPROVED

1. Approval of Minutes for Regular Meeting of September 10, 1992.

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

### CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Nicholas Weeks, to request assistance of City Council in giving voice to the community standards of those who would rather take vitamins than drugs.
3. Mr. Henry Ratliff, to discuss "progress."
4. Mr. William Johnson, to discuss stepping up construction and providing more cut curbsides for disabled persons in wheelchairs so that they may have better accessibility to downtown areas; remove telephone and electric poles from middle of handicap ramps for wheelchair and blind individuals and not make handicap ramps so steep.
5. Ms. Cathy Johnson, to discuss providing more handicap ramps in the downtown area; provide better structural and safer handicap ramps; give more accessibility for disabled individuals.
6. Mr. Luthor Carpenter, to discuss the last in a series of speeches on management, budget and Council concerns.
7. Mr. Robert Brandes, to discuss the Balcones Canyonlands Conservation Plan.

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

8. 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.
9. Approve a resolution authorizing the execution of a Paying/Agent Registrar contract with Ameritrust Texas, N.A. in relation to such bonds.
10. Approve a resolution authorizing the redemption of certain outstanding bonds of the City of Austin.

#8-10 postponed to September 21 and/or 22, 1992.

**BOARD AND COMMISSION REPORTS**

11. URBAN RENEWAL BOARD - Ms. Margaret Uriegas, Chair

Report was presented to Council.

**ITEMS CONTINUED FROM PREVIOUS MEETINGS**

12. Approve execution of a twelve (12) month supply agreement with WASHING EQUIPMENT OF TEXAS, Austin, Texas, for the purchase of batteries and flashlights for use by all City departments, in an amount not to exceed \$34,584, with one (1) twelve (12) month extension option, in an amount not to exceed \$34,584 per extension, for a total amount not to exceed \$69,168. (Funding in the amount of \$2,799 is available in the 1991-92 inventory account of Financial Services/Material Management Services and various City departments operating budgets; funding for the final eleven (11) months of the original contract period and the extension options will be contingent upon future available funding in the 1992-93 and 1993-94 budgets.) Low bid of six (6). The prime did not identify any subcontracting opportunities. Reference No. 920822-3RH.

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

## ORDINANCES

13. Amend ordinance No. 910912-A, the 1991-92 operating budget, by appropriating \$150,000 from the General Fund unreserved Ending Balance to the City Clerk's Office for expenditures associated with the August 8, 1992 election, increasing expenditures.

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

14. Amend ordinance No. 910912-A, the operating budget, by transferring the \$17,424,000 from the Brackenridge Hospital Disproportionate Share Fund and appropriating the same amount to the Brackenridge Hospital Operating Fund. (Recommended by Hospital Board)

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

## RESOLUTIONS

15. Approve execution of a twelve (12) month supply contract with ARNOLD OIL CO., Austin, Texas, for the purchase of automotive parts for all sedans and light trucks in the City's fleet, in an amount not to exceed \$209,000, with an option to extend the contract for one (1) additional twelve (12) month period in an amount of \$209,000, for a total contract amount not to exceed \$418,000. (Funding is contingent upon approval of the proposed 1992-93 operating budget of the Fleet Services Division; funding for the extension options will be contingent upon available funding in future budgets.) Low bid of seven (7). No subcontracting opportunities were identified. Reference No. 920865-1RF.

On Councilmember Garcia's motion, Councilmember Reynolds' second, 5-0 Vote, Councilmember Larson abstained, Mayor Todd absent.

16. Approve execution of a twelve (12) month contract with CLOUD JANITORIAL SERVICE (MBE), Austin, Texas, for custodial services at Municipal Court Building, in an amount not to exceed \$38,400, with one (1) twelve (12) month extension option, in an amount not to exceed \$38,400 per extension, for a total amount not to exceed \$76,800. (Funding is contingent upon approval of the proposed 1992-93 operating budget of the Department of Public Works and Transportation; funding for the extension options will be subject to availability of funds.) Low bid of eleven (11). No subcontracting opportunities were identified. Bid price is \$40,000.00 less than direct costs incurred by the City to perform the work.

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

17. Approve negotiation and execution of a twelve (12) month service agreement with SOUTHSIDE WRECKER, INC., Austin, Texas, to provide certain exclusive wrecker services to haul, impound and store certain vehicles as directed by the Austin Police Department. (No cost to the City. It is a revenue producing contract estimated to generate \$54,500 the first year, with at least the same amount for the three (3) twelve (12) month extension options, for a total of \$218,000 in estimated revenue.) Best proposal of three (3). 20.18% MBE, 2.75% WBE (estimated) Subcontractor participation. Reference No. 920755-3MN.

On Councilmember Epstein's motion, Councilmember Reynolds' second, 5-1-0 Vote, Councilmember Garcia voted No, Mayor Todd absent.

Councilmember Garcia made and then withdrew a motion, seconded by Councilmember Nofziger to approve negotiation and execution of a twelve month service agreement with Flash.

18. Approve execution of a twelve (12) month supply agreement with AUSTIN WHITE LIME COMPANY, Austin, Texas, for the purchase of 16,829 tons of quicklime to be used in the water treatment process, in an amount not to exceed \$912,300.09, with two (2) twelve (12) month extension options, in an amount not to exceed \$912,300.09 per extension, for a total amount not to exceed \$2,736,900.27. (Funding in the amount of \$74,159.79 is available in the 1991-92 operating budget for Water and Wastewater Utility; funding for the remainder of the original contract period and the extension options will be contingent upon approval of funding in future budgets.) Low bid of two (2). No subcontracting opportunities identified. Reference No. 921003-1R0. (Recommended by Water and Wastewater Commission)
19. Approve negotiation and execution of a contract with SIGNET PARTNERS, Austin, Texas, for the purchase and three (3) years maintenance of two (2) database servers for use at the treatment plants and electric generating plants of the Water and Wastewater Utility, in an amount not to exceed \$131,240. (Funding in the amount of \$48,120 included in water funds; \$48,120 is included in wastewater funds; \$17,500 is available in Water operating funds; and \$17,500 is available in the wastewater operating funds.) Low bid of two (2) meeting specifications. No subcontracting opportunities were identified. Reference No. 920871-3VC. (Recommended by Water and Wastewater Commission.)
20. Approve the negotiation and execution of a contract with 3COM CORPORATION, Houston, Texas, for the purchase of data communications network equipment, support services and one (1) year of maintenance, for the Information Systems Department, Electric Utility Department and the Water and Wastewater Utility, in an amount not to exceed \$365,974. (Funding included in the 1991-92 Capital Budgets for

Water and Wastewater and the Electric Utility.) Best and lowest proposal of four (4). No subcontracting opportunities identified. Reference No. 920774-3JR. (Recommended by Water and Wastewater Commission.)

21. Approve intent to reimburse \$70,930 to the General Fund from the sale of contractual obligations for the acquisition of a PBX Telephone System for the Northeast Austin Health Center. (Related to Item 22)
22. Approve negotiation and execution of a contract with WILTEL COMMUNICATIONS SYSTEMS, INC., Austin, Texas, for the purchase and installation of a PBX telephone system at the Health and Human Services Department's Northeast Health Center, located at 7112 Ed Bluestein Blvd., in an amount not to exceed \$70,930. (Funding is available in the 1991-92 General Fund to be reimbursed through the sale of contractual obligations.) Best proposal of five (5). 1.97% MBE, 0% WBE Subcontractor participation. (Related to Item 21)
23. Approve the purchase of electrical equipment for upgrading the Brackenridge Hospital electrical distribution system with GRAYBAR ELECTRIC, Austin, Texas, in the amount of \$95,770, and to HOLT COMPANY OF TEXAS, San Antonio, Texas, in the amount of \$33,385. (Funding is contingent upon approval in the proposed 1992-93 operating budget of Brackenridge Hospital.) Low bid of ten (10). No subcontracting opportunities identified. Reference No. 921020-1RH. (Recommended by Hospital Board)
24. Approve execution of a contract with LONE STAR MILWORK, Austin, Texas, for millwork renovations for the Central Texas Cancer Center at Brackenridge Hospital, in the amount of \$83,780. (Funding is contingent upon approval of the proposed 1992-93 operating budget of Brackenridge Hospital.) Single bid. 1.07% MBE, 0% WBE Subcontractor participation. (Recommended by Hospital Board)
25. Approve execution of a contract award with GRINNELL FIRE PROTECTION SYSTEMS COMPANY, INC., Austin, Texas, for fire sprinkler renovations for the Central Texas Cancer Center at Brackenridge Hospital, in the amount of \$35,567. (Funding is contingent upon approval of the 1992-93 operating budget of Brackenridge Hospital.) Single bid. 0.84% MBE, 0% WBE Subcontractor participation. (Recommended by Hospital Board)
26. Approve a construction contract award to BIGGS PLUMBING CO., Austin, Texas, to renovate the laundry hot water system at Brackenridge Hospital, in the amount of \$101,925. (Funding is contingent upon approval of the proposed 1992-93 operating budget of Brackenridge Hospital.) Low bid of six (6). 5.79% MBE, 0% WBE Subcontractor participation. (Recommended by Hospital Board)

27. Approve the purchase of twelve (12) months of intrastate long distance voice telephone services through the State of Texas Purchasing and General Services Commission's contract, in an estimated amount not to exceed \$56,000. (Funding is available in the 1991-92 operating budget for one (1) month; funding for the final eleven (11) months of the contract is contingent upon approval of the proposed 1992-93 operating budget for each City department.)

#18-27 on Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Todd absent.

28. Approve a supplemental amendment to a service agreement with KPMG PEAT MARWICK for airport financial consulting services, for one (1) twelve (12) month period, in an amount not to exceed \$200,000, with two (2) twelve (12) month extension options, in an amount not to exceed \$200,000 each, for a total supplemental amendment in the amount of \$600,000. (Funding is contingent upon approval of the 1992-93 Capital Budget for the Aviation Department; funding for the extension options is contingent upon approval in future Aviation CIP budgets.) [Recommended by Aviation Subcommittee]

Motion

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

Motion to Reconsider

Councilmember Garcia made a motion, seconded by Mayor Pro Tem Urdy to reconsider the vote in order to allow a citizen to speak. 6-0 Vote, Mayor Todd absent.

Motion

The Council, on Councilmember Reynolds' motion, Councilmember Epstein's second, approved. 6-0 Vote, Mayor Todd absent.

29. Authorize acceptance of \$150,000 from the U.S. Department of Defense Community Planning Assistance Funds to aid in planning the re-use of Bergstrom Air Force Base.
30. Authorize application for and acceptance of a Federal Aviation Administration (FAA) grant, estimated at \$937,500 for 75% reimbursement of eligible costs for certain pavement rehabilitation and airfield lighting projects at Robert Mueller Municipal Airport.
31. Approve execution of an amendment to an existing lease for extension of the lease term, and expansion of the leased premises of the Riverside Drive Branch Library, located at 2410 E. Riverside Drive. (Total contract amount for the expanded lease is \$50,507 for FY

1992-93; \$36,317 is contingent upon approval of the proposed 1992-93 operating budget of the Library Department; the remaining \$14,190 will be offset by expense refunds from enterprise departments that use the Workplace Literacy program.) [Recommended by Library Commission.]

32. Approve execution of a twelve (12) month supply agreement contract with BOUND TO STAY BOUND BOOKS, INC., for the purchase of pre-bound juvenile books, in an amount not to exceed \$75,000, with the option to extend thereafter for up to two (2) additional twelve (12) month periods, in an amount not to exceed \$75,000 per extension, for a total amount not to exceed \$225,000. (Funding is contingent upon approval of the proposed 1992-93 operating budget of the Library Department.) Low bid of three (3) meeting specifications. No subcontracting opportunities identified. Reference No. 920890-1SS.
33. Authorize negotiation and execution of a Second Amendment to the Excursion Rail Passenger Service Agreement between the Austin Steam Train Association, Inc., the City of Austin and Capital Metropolitan Transportation Authority, to provide temporary rail access to the Austin Junction wye ("y") for turnaround purposes. (No fiscal impact.) [Recommended by Capital Metro Board]

#29-33 on Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Todd absent.

34. Approve a construction contract to NBS CONSTRUCTION, INC., Austin, Texas, for the reconstruction of Concho Street from E. 8th to E. 11th Streets and to create cul-de-sacs on E. 9th and E. 10th Streets between Comal and Chalmers Streets, in the amount of \$417,039. (Funding in the amount of \$255,000 included in CIP 825-607-2043 - Public Works; \$74,625 included in CIP 388-227-0742 - Water; and \$63,899 included in CIP 439-237-0667 - Wastewater). \$23,515 in Account 759-532-2017 (Austin Housing Finance Corporation) Low bid of five (5). 12% MBE, 5.6% WBE Subcontractor participation. (Reviewed by Planning Commission; Recommended by Water and Wastewater Commission.)

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

35. Approve a construction contract to POOL AND ROGERS PAVING CO., INC., Buda, Texas, for overlay of William Cannon Drive and Riverside Drive, in the amount of \$950,126.10. [Funding in the amount of \$935,961.10 included in CIP 837-607-2312 - (Public Works); \$9,090

included in CIP 388-227-0996 (Water); and \$5,075 included in CIP 439-237-0918 (Wastewater)] Low bid of two (2). 5.83% MBE, 10.23% WBE Subcontractor participation.

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

36. Approve a construction contract to ELLA CONTRACTING INC., Austin, Texas, for water distribution improvements in University Hills/Windsor Park, in the amount of \$1,445,637.85. (Funding included in the 1991-92 Capital Budget of the Water and Wastewater Utility.) Low bid of nine (9). 3.84% MBE, 4.09% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission.)

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

37. Approve a construction contract award to BJI, INC., dba B.J. ELECTRIC, Pflugerville, Texas, for the installation of a diesel-engine driven standby electric generating system at Emergency Vehicle Service Center #5, located at 8th Street and I.H. 35, in the amount of \$65,691. (Funding is available in the 1991-92 operating budget of the Public Works and Transportation Department.) Low bid of three (3). No subcontracting opportunities were identified.
38. Approve Change Order No. 6 to WAGNER CONSTRUCTION CO., San Antonio, Texas, for various utility adjustments and field modifications for the Sixth Street Streetscape Improvements, Phase I, in the amount of \$36,640, for a total contract amount of \$2,669,062. (Funding included in CIP 825-607-2045.)
39. Approve the fifth extension of the Interlocal Cooperation Agreement with Travis County to provide Home Care Services to eligible County Rural Medical Assistance Program (RMAP) clients from October 1, 1991 to September 30, 1992. (The County will reimburse the City for the cost of providing home care services for Rural Medical Assistance Program clients.)
40. Authorize a Rental Rehabilitation Program loan to Stephen C. Spada and Chris H. Heidrick for the rehabilitation of 2208 South Fifth Street, in the amount of \$45,000. (Funding provided by the Rental Rehabilitation Program.) [Recommended by Housing Subcommittee]
41. Authorize a Rental Rehabilitation Program loan to the Doris B. and E.A. Varner Mineral Trust No. 2, for the rehabilitation of 4709, 4711 and 4717 Blueberry Trails, in the amount of \$38,410. (Funding provided by the Rental Rehabilitation Program.) [Recommended by Housing Subcommittee]



42. Authorize a Rental Rehabilitation Program loan to Ron Sanford for the rehabilitation of 2606 Wheless Lane, in the amount of \$50,000. (Funding provided by Rental Rehabilitation Program.) [Recommended by Housing Subcommittee]
43. Authorize a Rental Rehabilitation Program loan to the Blackland Community Development Corporation for the rehabilitation of 2000-2010 Chicon, in an amount not to exceed \$60,000. (Funding provided by the Rental Rehabilitation Program.) [Recommended by Housing Subcommittee]
44. Approve a Neighborhood Commercial Management Program loan to Dr. Dan Necker, D.D.S., dba Central Family Dental Clinic, for the purchase of dental equipment and the relocation of the clinic to 2785 East Seventh Street, located within the Seventh Street Commercial Redevelopment Area, in the amount of \$58,800. (Funding provided by 17th Year Community Development Block Grant Funds.) [Recommended by Housing Subcommittee]
45. Authorize a Housing Implementation Program loan to the Central Texas Mutual Housing Association to fund the acquisition of duplexes located at 4905-5015 Sunset Trail and 2712 Jones Road, in the amount of \$100,000. (Funding provided by 17th Year Community Development Block Grant Funds.) [Recommended by Housing Subcommittee]

#37-45 on Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Todd absent.

**3:00 P.M. - ELECTRIC UTILITY (Items 46-49)**

46. Electric Utility Commission - John Moore, Director, Electric Utility, presented the report for the Commission and said they were in favor of items recommended.
47. Resource Management Commission - Mr. Glenn Crow, Chair Report was presented.
48. Monthly Management Report  
John Moore reported to Council.
49. Approve execution of a contract with POWER DISTRIBUTION SERVICE, West Chester, Ohio, for the purchase and installation of submersible cases for thirty-one (31) network protectors, in the amount of \$149,088. (Funding is available in the 1991-92 Capital Budget for the Electric Utility.) Low bid of three (3). No subcontracting opportunities were identified. Reference No. 920935-3CM.

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

**3:30 P.M. - MEETING OF THE AUSTIN HOUSING FINANCE CORPORATION**

Council recessed from 3:55 to 3:57 P.M. for the meeting, on Councilmember Reynolds' motion, Councilmember Nofziger's second, 5-0 Vote, Mayor Pro Tem Urdy out of the room, Mayor Todd absent.

**ITEMS FROM COUNCIL**

50. Approve a resolution requesting the Texas Council on Offenders with Mental Impairments (TCOMI) to continue funding the Association for Retarded Citizens Project CHANCE, and include this issue as a part of their legislative agendas. (Councilmembers Gus Garcia and Louise Epstein)

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

51. FAILED TO approve a resolution offering an abatement of property taxes on new improvements and equipment to Touche' Manufacturing Company as an inducement to locate a new manufacturing facility in Austin, Texas. (Up to 100% abatement for up to 6 years subject to compliance with Guidelines and Criteria for Tax Abatement.) [Councilmember Gus Garcia]

A motion to approve by Councilmember Garcia and seconded by Councilmember Reynolds, FAILED by a vote of 3-3-0 with Councilmembers Epstein, Larson and Nofziger voting No, Mayor Todd absent.

63. Consider amendments to the rules and Procedures of City Council Meeting. (Rules and Procedures Subcommittee)

Pulled from agenda.

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

To be heard by Planning Commission on September 15, 1992; Recommendation to Follow

52. C14H-92-0002 - ARMSTRONG-ODOM HOUSE, 614 Blanco Street. From MF-4 to MF-4-H. (Planning Commission recommendation was to Grant MF-4-H, vote 9-0)

ORDINANCE APPROVED, on Councilmember Epstein's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Todd absent.

**FINAL CITIZEN COMMUNICATIONS**

Speakers were Robert Singleton, Ed Ducak, Victor Aquino, Mary Dent

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

53. 4:30 P.M. - Amend Title XIII (Land Development Code: 1-2-303, 12-2-305, 13-2-608) Austin City Code of 1992 to allow dwelling units accessory to commercial and industrial warehouses and permitted exceptions to maximum height requirements for electronic receiving and transmitting antennas.

The Council, on Councilmember Epstein's motion, Councilmember Larson's second, closed the public hearing and approved, 6-0 Vote, Mayor Todd absent.

54. 5:00 P.M. - Balcones Canyonlands Habitat Conservation Plan (continued from September 15, 1992; comment will be taken from persons who signed up to speak on September 10, 1992, but did not speak on September 10 or September 15, 1992; no additional sign-up.)

The Council, on Councilmember Garcia's motion, Councilmember Reynolds' second, closed the public hearing and approved, 4-0 Vote, Councilmembers Epstein and Nofziger out of the room, Mayor Todd absent.

55. Approve adoption of the Balcones Canyonlands Habitat Conservation Plan.

No action taken.

**EXECUTIVE SESSION (No Public Discussion on These Items)**

The Executive Session was held in the Mayor's office on the morning of this date.

The City Council will announce that it will go 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.

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

56. Discussion of real property acquisition for U.S. Highway 290 Expansion Project, Account 8014-70.
57. Discussion of real property acquisition for Burleson Road Improvement Project, Parcel #2949-33.
58. Discussion of real property acquisition for North Lamar Blvd./Rutland Drive intersection improvements.

Personnel Matters, Section 2, Paragraph f

59. Discuss performance evaluations for Municipal Court Judges.

Advice From Counsel, Section 2, Paragraph e

64. Discuss service agreement with Southside Wrecker, Inc.

Pulled from agenda, issue resolved.

ACTION ON THE FOLLOWING

60. Authorize supplemental payment to the State of Texas for the U.S. Highway 290 Expansion Project, Account 8014-1-70.

In the amount of \$257,600.

61. Authorize easement acquisition for Burleson Road Improvement Project, Parcel #2949-33.

In the amount of \$99,800.

62. Authorize real property acquisition for North Lamar Blvd./Rutland Drive intersection improvements.

In the amount of \$47,150.

#60-62 - On Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Todd absent.

ADJOURN - Motion to adjourn at 7:25 P.M. was made by Councilmember Reynolds and seconded by Councilmember Garcia, 5-0 Vote, Councilmember Epstein out of the room, Mayor Todd absent.