



## Austin City Council MINUTES

JUNE 4, 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 presence of all members of the Council.

### MINUTES APPROVED

1. Approval of Minutes for Regular Meeting of May 28, 1992 and Special Meetings of May 27 and 28, 1992.

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

### CITIZEN COMMUNICATIONS

2. Mr. Henry Ratliff, to discuss "We're on our way."
3. Mr. C. Nicholas Weeks, to discuss Section 6, Article VI, Charter of the City of Austin providing for one or the other ballot wording, and how the voting methodology of Condorcet could provide for not only this common sense approach, but allow seven different approaches to an issue to be canvassed without any draining votes from another.
4. Mr. Calvin Lee, to present information concerning police operations, criminal justice complaints and concerns, and the introduction of the Austin Police Chief recommendations.
5. Ms. Iris Lav, to discuss APD chief and procedure.
6. Mr. LeWayne Kelly, to discuss selection of the police chief.
7. Mr. Jeff Travillis, to discuss appointment of police chief.

8. Mr. Louis White, to discuss appointment of police chief. Not present.
9. Ms. Melba Garcia, to discuss APD chief and procedure.
10. Mr. Monem A. Salam and Howard Merkie to brief Council on upcoming Capital Metro Board of Directors appointments and emphasize why student friendly boardmember is necessary.
11. Mr. David Elliott, to discuss Austin's horrendous bond debt and the need for better City management - we need to reduce the City budget.

#### ITEMS CONTINUED FROM PREVIOUS MEETINGS

12. Approve execution of a twelve (12) month service agreement with UNIVERSAL ELECTRIC CONSTRUCTION COMPANY, Diboll, Texas, for overhead construction and maintenance of electric lines, in an amount not to exceed \$3,341,217.23, including the option to extend for an additional three (3) twelve (12) month periods, in an amount not to exceed \$3,341,217.23 per extension, for a total amount not to exceed \$13,364,868.92. (Funding included in the 1991-92 Capital Budget for the Electric Utility Department. Funding for extensions in future fiscal years will be contingent upon appropriation of funding.) Low bid of four (4). 10.29% MBE, 4.72% WBE Subcontractor participation.

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

13. Approve an Ordinance authorizing transfer of ownership of American Television and Communications Corporation (ATC) assets, which include the Austin Cable Television franchise, to Time Warner Entertainment, a Delaware Limited Partnership. (Cable Television Subcommittee). (Related to Item 31)

On Councilmember Garcia's motion, Councilmember Larson's second, 5-2 Vote, Mayor Pro Tem Urdy and Councilmember Nofziger voted No.

#### ORDINANCES

14. Adopt the recodification of all general ordinances of the City as The Code of the City of Austin, 1992. (No fiscal impact.)
15. Authorize acceptance of \$2,250 in grant funds from the Texas Commission on the Arts for professional development of Parks and Recreation Department staff; amend Ordinance No. 910912-A, the 1991-92 Special Revenue Budget of the Parks and Recreation Department by increasing revenues and expenditures, and by appropriating \$2,250 to the Parks and Recreation Department. (The

City's match of \$750 is funded by the Human Resources Department Training Fund.) (Recommended by Parks Board.)

#14-15 on Councilmember Nofziger's motion, Councilmember Reynolds' second, 7-0 Vote.

#### RESOLUTIONS

16. Authorize negotiation and execution of a Wastewater Reuse agreement between the City of Austin, Motorola Inc., and National Linen Service, Inc. (NLS) for the monthly delivery of up to 24 million gallons of Motorola's used process water to NLS for use in its commercial laundering process. (No fiscal impact in FY 1991-92. Estimated fiscal impact in future years ranges from a net reduction to the Water and Wastewater Utility Fund ranging from \$273,712 in FY 1992-93 to \$368,476 in FY 1996-97, and a net reduction to the General Fund from revenue transfers ranging from \$9,200 in FY 1992-93 to \$39,835 in FY 1996-97.) (Recommended by Water and Wastewater Commission.)

Pulled off agenda.

17. Approve negotiation and execution of a twelve (12) month service agreement with MARRIOTT FACILITIES MANAGEMENT, Houston, Texas, for the management of Brackenridge Hospital's Housekeeping Department, in an amount not to exceed \$162,425, including the option to extend thereafter for up to two (2) additional twelve (12) month periods, in an amount not to exceed \$162,425 per extension, for a total amount not to exceed \$487,275. (Funding included in the 1991-92 Operating Budget of Brackenridge Hospital. Funding for the remaining \$108,283 of the original contract period and the extension options will be contingent upon future available funding in the 1992-93 and 1993-94 budgets.) Best proposal of five (5). The prime did not identify any subcontracting opportunities.

Postponed for three weeks.

18. Approve execution of a contract award with LINVATEC CORPORATION, Largo, Florida, for the purchase of a video system (endocholecystoscopy) used for visual inspection during surgical procedures at Brackenridge Hospital, with a two (2) year warranty, in an amount not to exceed \$54,958. (Funding included in the 1991-92 Operating Budget of Brackenridge Hospital.) Sole bid of six (6) meeting specifications. The prime did not identify any subcontracting opportunities. Reference No. BH2-114.
19. Approve execution of a contract with METRO PAVING COMPANY (MBE), Austin, Texas, for the installation of asphalt overlay to repair existing golf cart paths at Lions Golf Course, in an amount not to exceed \$33,550. (Funding included in the Capital Budget for the

Parks and Recreation Department.) Low bid of two (2). 11% MBE, 0% WBE Subcontracting participation. Reference No. IFB 20585-3SS.

20. Approve execution of a ten (10) month contract with VALDEZ REMODELING (MBE), Austin, Texas, for weatherization services for low-to-moderate income households in the Southern Union Gas and City of Austin Utility service area, in an estimated amount not to exceed \$140,000. (Funding in the amount of \$140,000 provided by surcharges previously collected from Southern Union Gas. Low bid of two (2). .01% MBE, 0% WBE Subcontractor participation. Reference No. 920584-3SS.

#18,19,20 on Councilmember Nofziger's motion, Councilmember Reynolds' second, 7-0 Vote.

21. Approve execution of a construction contract award to JIMMY EVANS CO., Austin, Texas, for the construction of a 3.1 mile veloway (bicycle track), and neighborhood park improvements at Slaughter Creek Metropolitan Park, in the amount of \$576,056.38. (Funding included in CIP 873-867-0813.) Low bid of four (4). 13.9% MBE, 5.5% WBE Subcontractor participation.

#### Motion

Mayor Pro Tem Urdy made a motion, seconded by Councilmember Reynolds to approve.

#### Substitute Motion - Died for Lack of Second

Councilmember Nofziger offered a substitute motion, seconded by Councilmember Garcia to postpone for six days. After discussion, Councilmember Garcia withdrew his second.

#### Substitute Motion - Died for Lack of Second

Councilmember Larson made a motion to postpone for one week. There was no second, so motion died for lack of a second.

#### Roll Call on Motion

Vote on main motion was approval, 5-2 with Councilmembers Larson and Epstein voting No.

22. Authorize execution of an Interlocal Agreement with the Travis County Commissioners Court for security patrols in the Palm Park area, in the amount of \$6,416. (Total cost is \$12,473.60; City's cost is \$6,057.60 - funding included in the 1991-92 Operating Budget of the Parks and Recreation Department.) (Recommended by Parks Board)

23. Set a public hearing to amend Chapter 9-3, Charitable Solicitations of the Code of the City of Austin on 1981; adding definitions and related provisions of the charitable raffle enabling act. Date and time: June 11, 1992 at 5:00 p.m.

#22-23 on Councilmember Nofziger's motion, Councilmember Reynolds' second, 7-0 Vote.

#### ITEMS FROM COUNCIL

24. Adopt a Resolution concerning the membership of the Mexican American Cultural Center (MACC) Task Force, and providing for financial disclosure requirements of Task Force members. (Councilmember Gus Garcia)

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

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

##### ZONING DISTRICTS

25. C14-92-0036 - COMMERCE SAVING ASSOCIATION, by JPI, 3032 Tamarron Boulevard. From LR to SF-6. Planning Commission Recommendation: To Grant SF-6-CO, Townhouse and Condominium Residence District-Conditional Overlay, subject to the following conditions: (1) Density limited to a total of 210 units (6 units per acre (u.p.a)), and (2) Access to Doris Anne Boulevard/Capital Parkway is prohibited from this site; (3) A building setback of 100 feet or up to the top of the embankment, whichever is greater, parallel and measured from the rear of the lots abutting Apricot Drive; (4) If secondary access is required to Tamarron Boulevard, by the Fire Department, it will be through the use of a crashgate.

Postponed to June 25, 1992

26. C14-92-0033 - NORTHWEST HILLS UNITED METHODIST CHURCH, by Lichter/Jameson & Assoc., 7017 Hart Lane. From SF-3 to GR. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay, zoning subject to restricting the floor to area ratio for the following: Retail (0.087); Financial Services (0.082); Restaurant/Fast Food (0.017); General Restaurant (0.066); Food Sales (0.10); and Medical Office (0.038); further subject to rollback to SF-3 should Religious Assembly use cease.

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

To be heard by Planning Commission on June 2, 1992 Recommendation to Follow

27. C14-92-0037 - SWIM PAK CORPORATION, by Austin Professionals, 2403-2411 Thornton Road. From MF-2 to GR. Planning Commission recommendation was to deny GR, by a 7-0 Vote.

Postponed Indefinitely.

RECESS

Council recessed its meeting from 4:07 to 5:00 P.M., on Councilmember Garcia's motion, Councilmember Reynolds' second, 4-0 Vote, Councilmembers Nofziger and Epstein and Mayor Pro Tem Urdy out of the room.

PUBLIC HEARINGS AND APPROVAL OF RESOLUTIONS/ORDINANCES

Bond Package Proposal

28. 5:00 P.M. - Public Hearing on Bond Election

The Council, on Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, closed the public hearing. 7-0 Vote. Speaker's cards are on file in the City Clerk's office.

29. Approve first/second reading of an Ordinance calling an Election to be held August 8, 1992, in conjunction with that Election called pursuant to Ordinance No. 920512-A (which ordered an election for consideration of the SOS Initiative Petition Ordinance and Water Quality Plan Ordinance), and establishing a ballot for the authorization of General Obligation Bonds, and for the revocation of prior authority of certain revenue bonds.

Motion

Councilmember Garcia made a motion, seconded by Mayor Todd to approve Option E, Propositions 1-9 as follows:

Proposition 1	\$1,015,000	
2	8,760,000	
3	5,580,000	
4	13,100,000	
5	16,400,000	
	plus possibly 4,700,000	at the time of the third reading
6	27,500,000	
7	500,000	

8

17,097,000

Councilmember Garcia at first stated the figure \$17,597,000 for Proposition 8 and then said he wanted to delete \$500,000 for youth services because the Opportunity for Youth Subcommittee had not yet had a chance to review the proposal. Councilmember Garcia said it could be added at third reading after it had been reviewed.

9

10,880,000

Friendly Amendment

Councilmember Epstein offered a friendly amendment to add \$60,000 for a climbing wall for the East Austin Recreation Center, under Proposition 8. The amendment was accepted.

Friendly Amendment

Councilmember Reynolds offered a friendly amendment to add specificity to Proposition 5 by stating funds are for Little Walnut/Ft. Tannehill, Branches of Boggy Creek for erosion control. His amendment was accepted.

Friendly Amendment

Mayor Pro Tem Urdy offered a friendly amendment to fund Proposition 5 for a total of \$21,100,000, to include \$15,000,000 for erosion control, specified in friendly amendment by Councilmember Reynolds, plus \$1,400,000 for Shoal Creek Channel Improvements, \$4,700,000 for Ft. Tannehill Branches of Boggy Flood Control. The friendly amendment was accepted.

Roll Call on Main Motion, (Propositions 1-9) with Friendly Amendments

7-0 Vote

Motion

Councilmember Garcia made a motion, seconded by Councilmember Nofziger to approve Proposition 11, funding for MACC and Carver. 7-0 Vote.

Motion

The Council, on Councilmember Garcia's motion, Councilmember Nofziger's second, approved Proposition 12, \$650,000 for City Hall land. 6-1 Vote, Councilmember Epstein voted No.

- The following motions were considered as 10a, 10b, 10c, but the ballot language will have these in whole numbers and in their appropriate order.

Motion

Councilmember Garcia made a motion, seconded by Mayor Todd, to approve 10a in the amount of \$22,000,000 for Balcones Canyonland Conservation Plan and 10b in the amount of \$11,000,000 for Water Quality/Public Recreation.

Friendly Amendment - Not Accepted

Councilmember Epstein offered a friendly amendment to identify \$25,000,000 for the National Parks Service Barton Creek Greenway Study of 1992. The friendly amendment was not accepted.

Amendment to Motion

Councilmember Epstein offered an amendment to the motion, seconded by Councilmember Larson to have 10c on the ballot, designating \$25,000,000 for National Parks Service Barton Creek Greenway Study of 1992. Motion passed by a vote of 4-3 with Mayor Todd, Councilmembers Garcia and Nofziger voting No.

Councilmember Nofziger requested to divide the question.

Roll Call on 10a and 10b

6-1 Vote, Councilmember Larson voted No.

Motion

Councilmember Larson made a motion, seconded by Councilmember Epstein to include 10c on the ballot. Motion passed 6-1 with Councilmember Nofziger voting No.

Motion

The Council, on Councilmember Garcia's motion, Mayor Todd's second, passed through FIRST AND SECOND READING an Ordinance calling an election to be held August 8, 1992, in conjunction with that election called pursuant to Ordinance No. 920512-A (which ordered an election for consideration of the SOS Initiative Petition Ordinance and Water Quality Plan Ordinance), and establishing a ballot for the authorization of General Obligation bonds and Revenue Bonds, in the amount of \$174,000,000, and for the revocation of prior authority of certain revenue bonds. (7-0 Vote)



### Motion

The Council, on Mayor Pro Tem Urdy, Councilmember Reynolds' second, passed through FIRST AND SECOND READING of an ordinance approving putting Propositions 13-20 on the ballot of the August 8, 1992 election. 7-0 Vote.

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

Mayor Todd announced that Council would enter 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.

31. Discussion of proposed transfer of Austin Cablevision franchise. (Related to Item 13)

### RECESS

Council recessed from 3:18 to 3:36 P.M. for executive session.

### 32. APPOINTMENTS

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

AIRPORT ADVISORY BOARD - Richard Chapa  
ANIMAL ADVISORY COMMISSION - Danielle Jaussaud, Nancy T. Parkinson, Ed Piner, Ron Stried, Patricia Valls-Trelles  
CABLE COMMISSION - Carlos Contreras, Kurt Jobe  
CHILD CARE COUNCIL - Dr. Lila Carl, Danny Castro, Suzanne Cavares-Plyer, Debra Keith -Clinton, Priscilla Flawn, Jill Gronquist, Sandra Hamilton, Leslie Lanham, Susan Syler  
COMMUNITY DEVELOPMENT COMMISSION - Dr. Gonzalo Garza, David Molina  
CONSTRUCTION ADVISORY COMMITTEE - Santiago Cantu  
HUMAN RIGHTS COMMISSION - Cynthia Crowley  
MAYOR'S COMMITTEE FOR PEOPLE WITH DISABILITIES - Janice Arnold, Alicia Lane  
MH/MR PUBLIC RESPONSIBILITY COMMITTEE - Shirley Goff  
MEXICAN-AMERICAN CULTURAL CENTER TASK FORCE - Diana Castaneda, Dr. Gonzalo Garza, Blanca Leahy, Maria Elena Martinez, Rodolfo Mendez, Sabino Renteria, Cathy Vasquez Revilla, Amalia Rodriguez-Mendoza, Dr. Ricardo Romo  
MUSIC COMMISSION - David Noriega  
PARKS AND RECREATION BOARD - Albert Black Aubrey (Ron) Cartlidge, James Crump, Ermalinda Cruz-Torres, Eleanor McKinney  
URBAN TRANSPORTATION COMMISSION - Eddie Reeves and Michael Rivera

**ADJOURN** - Council adjourned its meeting at 11:28 P.M. on Councilmember Epstein's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.