



Austin City Council MINUTES

SPECIAL CALLED MEETING - JUNE 10, 1992
TOWN LAKE CENTER - 1:30 P.M.

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

WORKSESSION

1. Parks and Recreation Issue Paper

Postponed to June 24, 1992 at 9:00 A.M.

3. EXECUTIVE SESSION (Taken out of order at Council request)

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.

Land Acquisition - Section 2, Paragraph f

RECESS

Council recessed from 1:45 to 2:10 P.M. for executive session.

ORDINANCES

2. Approve third 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 and Revenue Bonds, and for the revocation of prior authority of certain revenue bonds.

After a presentation by Mr. Bill Stockton, Director of Public Works and Transportation, concerning proposals for the proposition, Mayor Todd announced: "As mentioned earlier, I'd like to go in order and then call for a motion at the end to provide for Third Reading on the Bond Election".

MOTIONS

PROPOSITION 1, Emergency Medical Service (EMS) Facilities, \$1,015,000.00. No amendments.

PROPOSITION 2, Fire Stations, \$8,760,000.00. There were no amendments.

PROPOSITION 3, Police Substations, \$5,580,000.00. There were no amendments.

PROPOSITION 4, Asbestos Abatement and ADA compliance' East Austin Health Clinic - (Amended from \$13,100,000 to \$18,800,000.)

Motion

Councilmember Larson "I'll move that we up the total from \$13,100,000 to \$18.8 million". Councilmember Garcia seconded the motion.

Mayor Todd said, "O.K. there is a motion which includes the additional \$5.7 million."

Roll Call

7-0 Vote

PROPOSITION 5, Erosion and Flood Control, \$21,100,000. - (Amended to \$21,570,000.)

Motion

Mayor Pro Tem Urdy made a motion "to raise that to the recommended \$21,570,000". Councilmember Nofziger seconded the motion.

Councilmember Nofziger said, "Briefly and for clarification, by adding that \$470,000, that would leave in tact the dollars for the east, west Bouldin Creek drainage process?" Mr. Stockton said, "There is no money to be transferred out of that project." Councilmember Garcia asked, "The \$470,000 is for various projects throughout the City?" Mr. Stockton answered, "There are three miscellaneous drainage projects that would be a total of \$470,000 short."

Friendly Amendment

Councilmember Reynolds said, "I'd rather be all inclusive and to make sure I'd rather someone come up and say, well, this money can only be used for erosion control and cannot be used for flood

control. I'd like to put that in there." Mr. Stockton told him, "We can do that." Councilmember Garcia asked, "So the only one that you are adding is Little Walnut flood and erosion control?" Councilmember Reynolds replied, "I'm adding the word, after Little Walnut Creek, erosion, to say and flood control."

City Manager Barnett gave explanation concerning the wording of the ballot. Councilmember Nofziger said "It would be helpful if we could list the specific projects on the ballot language". Dr. Barnett said that would be fine, "All you need to do is amend the Ordinance on Proposition 5, page 12, to so note, and we will draft that language for you."

Mayor Todd asked Mayor Pro Tem Urdy if there was any objection to adding those items specifically on the ballot itself. Mayor Pro Tem Urdy said no, and accepted the Friendly Amendment.

Councilmember Reynolds added, "On Proposition 5, it will list all, including the Shoal Creek channel improvements as well." Dr. Barnett said that would be her understanding.

Roll Call on Motion with Friendly Amendment

7-0 Vote

PROPOSITION 6, Street Reconstruction, Traffic Signals, \$27,500,000. No amendments.

PROPOSITION 7, Neighborhood Sidewalks, \$500,000. No amendments.

PROPOSITION 8, Parks and Recreation Facilities. (\$17,350,000)

Motion

Councilmember Nofziger made a motion to delete the climbing wall for the East Austin Recreation Center in the amount of \$60,000. Councilmember Larson seconded the motion. 7-0 Vote.

Councilmember Nofziger explained he would like to take the Parks Board recommendation and take this up during discussion of the budget for FY 92-93.

Motion

Councilmember Reynolds made a motion that "the \$252,000 to be used for acquisition of land for park and recreational facilities in Zone 1". Mayor Todd seconded the motion.

Amendment to Motion - FAILED

Councilmember Epstein offered an amendment, seconded by Councilmember Larson, to make this motion a separate ballot proposition. Motion FAILED by a vote of 2-5 with Councilmembers Nofziger and Reynolds, Mayor Todd, Mayor Pro Tem Urdy and Councilmember Garcia voting No.

Amendment to Motion - FAILED

Councilmember Larson made an amendment to the motion, seconded by Councilmember Epstein, to add \$200,000 to Zone 10. Motion failed by a vote of 3-3-1 with Mayor Todd, Councilmembers Nofziger and Reynolds voting No, Councilmember Garcia abstained.

Amendment to Motion - WITHDRAWN

Councilmember Garcia made an amendment to the motion, seconded by Mayor Todd to add \$1,748,000 for Bull Creek Greenbelt. Motion was withdrawn after discussion.

Motion

Councilmember Reynolds made a motion to "make it \$17,350,000, (for Proposition 8) and the additional \$1,000 comes under the roof replacement which is now at \$1,097,000 and it goes to \$1,098,000." Mayor Todd seconded the motion, which passed by a vote of 7-0.

Councilmember Garcia noted that "the language of the ballot, Proposition 9, the name Zaragoza is misspelled. It should be 'Zaragoza instead of sa' (Zaragoza)."

PROPOSITION 9, \$10,880,000 with some options presented by staff. - (Amended to \$16,395,000.)

Motion

Councilmember Reynolds moved Option 2, which would increase the amount to \$16,395,000. Councilmember Garcia seconded the motion, which passed by a vote of 7-0.

Councilmember Reynolds stated: Option 2 says we are going to increase the North Branch from land acquisition only to 15,000 square feet but the design and construction would be for 8,000, plus the books would only be for 8,000. I think this is the only prudent way. We do the same thing for Oak Hill. Both of those libraries. First of all there are no libraries there, number 2, it allows for an expansion and so I think it very appropriate that we

plan ahead so we can expand when appropriate. It also adds design and construction and books for the Windsor Park Library." Councilmember Garcia asked, "Did you also mention we included Dove Springs from from 1.2 to 1.8 and we move North Loop from 1.5 to 2.6, and we move Zaragoza from 1.3 to 2.1. Councilmember Garcia said that was for explanation. Councilmember Nofziger said Option 2 would provide for books at all facilities. Councilmember Garcia said "in Milwood and Oak Hill we are making a provision to expand. In Zaragoza and Windsor where those areas are pretty well built up, we are going to a larger facility, 8000 square feet, I know for Windsor Park that would be adequate and we're leaving that land at 8,000 square feet and that would be appropriate."

**PROPOSITION 10, Land for Balcones Canyonlands Conservation Plan.
(\$22,000,000.)**

Motion - FAILED

Councilmember Epstein made a motion seconded by Councilmember Larson, to amend the Ordinance language: "It amends the Proposition as follows. After the initial changes we adopted last week, that's underlined on your document on page 5 where it says plan, we add 'said bonds to be issued only after bonds or other obligations of public entity, other than the City of Austin, have been ordered to be issued by the governing bodies of such entities for the total of not less than \$29,400,000 for a combined total funding through bonds and other obligations at \$51,400,000 and after all other funding sources contained in the Balcones Canyonlands Conservation draft Plan of February 1992 have been obtained." Motion FAILED by a vote of 2-4-1 with Mayor Todd, Councilmembers Garcia, Nofziger and Reynolds voting No, Mayor Pro Tem Urdy abstained.

Substitute Motion WITHDRAWN

Councilmember Garcia offered a substitute motion, seconded by Councilmember Reynolds, "In the Proposition in the 4th line before the underlining that starts with paying costs, will be for the purpose of implementing the Balcones Canyonlands Conservation Program project, including, and then those four words would be added there, and then it goes several lines, nine lines, the ninth line underlined before Councilmember Epstein's amendment begins, after the word plan, we would add, as approved by all participating entities." The motion was withdrawn.

Mayor Todd said, "There is one word that needs to be added to the Proposition and that is, the sixth line down, after the word acquisition, the words 'and improvement' needs to be added." Council agreed, so it was added to the wording.

PROPOSITION 11, Land Acquisition

Motion

The Council, on Councilmember Garcia's motion, Councilmember Epstein's second, took Item 11 off the bond ballot. (7-0 Vote)

PROPOSITION 12, Open Space, \$25,000,000. - (Amended to \$20,000,000.)

Motion

Councilmember Epstein made a motion, seconded by Councilmember Larson to reduce the amount to \$20,000,000 and change the wording so it reads; In the principle amount of \$20,000,000 for the public purpose of acquiring and improving land identified in the Urban Natural Area section of National Park Services, Barton Creek Greenway Study of 1992 for park purposes for a project to be designated as the Barton Creek Wilderness Park, including land for public recreation and water quality preservation in the Barton Creek and Barton Springs area."

Friendly Amendment - Not Accepted

Councilmember Nofziger offered a friendly amendment to add "passive park purposes." The amendment was not accepted.

Roll Call on Motion - FAILED

3-3 Vote, Mayor Todd, Councilmembers Garcia and Nofziger voted No, Mayor Pro Tem Urdy out of the room.

Mayor Todd asked, "All right, that fails on a 3-3 tie. Is there any other motions to be made to Proposition 12? All right, it is acceptable to everybody that it goes to \$20,000,000? Anybody have a problem with that? Rather than the \$25,000,000 as was originally prepared? O.K. the \$20,000,000 stands."

Proposition 13 - Mexican American Cultural Center, Carver Museum, in the amount of \$10,500,000. No amendments.

Proposition 14 - \$650,000 for City Municipal building. No amendments.

Motion on Third Reading of Ordinance

Mayor Todd stated, "I will entertain a motion, for passage on third reading of Items 1-14 as amended today.

Motion - Withdrawn

Councilmember Garcia made a motion, seconded by Mayor Todd, to approve Proposition 1-14, as amended, excluding #11. The motion was withdrawn, to discuss Proposition 10.

PROPOSITION 10 - Land for Balcones Canyonlands Conservation Plan

Died for Lack of Second

Councilmember Reynolds offered a substitute motion "that on Proposition 10 we be given the opportunity to vote on whether to put it on the ballot and then we vote for the whole thing." Motion failed for lack of second.

Motion

Councilmember Garcia made a motion, seconded by Councilmember Reynolds to add to Proposition 10: "When approved by the participating governmental entities." Motion passed 6-0-1 with Mayor Pro Tem Urdy abstaining.

PROPOSITION 12 - (Changed to PROPOSITION 14)

Councilmember Garcia said, "Before you go into a whole motion, I want to put on the table another proposition that has to do with what we discussed in Executive Session. In this case it will be Proposition 14 because we are eliminating 11." City Manager Barnett explained that since Proposition 11 had been eliminated, it would be Proposition 12 or placed wherever Council wanted. Councilmember Garcia stated, "Well, I'll put it as 11 then and it will read as follows:....." Mayor Todd said, "That means we separate the two open spaces, that's why I have a problem with it...." Councilmember Garcia said, "O.K. let's put it as 12 and make 12, 11." Mayor Todd said, "All right, so Item 12, now referred to as Open Space for \$20,000,000 now becomes Item 11 because Item 11 was struck. The motion you are about to make will be Item 12." Councilmember Garcia said: "Proposition 12 and you all have copies and this is being read for the record:"

Motion

Councilmember Garcia made a motion, seconded by Councilmember Nofziger as follows: "Shall the City Council, of the City of Austin, Texas be authorized to expend \$1,968,132 unexpended proceeds of bonds, previously issued by the City, pursuant to Proposition 2, approved by the voters on January 19, 1985 for the purpose of purchasing, constructing, improving and renovating facilities for

cultural and performing arts instead of the purpose originally authorized, which can no longer be accomplished as voted, pursuant to Article 703 B, Vernon's Texas Civil Statutes, and the ballot language shall be as follows: 'Authorizing expenditure for purchasing, constructing, improving and renovating facilities for cultural and performing arts, \$1,968,132; unexpended proceeds of bonds previously issued pursuant to Proposition 2, approved by voters on January 19, 1985, and all this does as previously explained to you in Executive Session and could be explained after we put this on the table.'

Mayor Todd explained the previous bond authorization "did not give us the authority to purchase land and this takes care of that authority for the amount originally intended for renovation of arts facilities."

Councilmember Garcia said there was some clarifying language, which was read into the record. "Money will be used for the purpose of purchasing, constructing, improving, equipping, and renovating facilities for cultural and performing arts, and acquiring land and interest in land and property necessary therefor."

Friendly Amendment

Councilmember Reynolds offered a friendly amendment: "Such purpose having been for the renovation of performing arts facilities". The maker and second to the motion accepted the friendly amendment.

Mayor Pro Tem Urdy stated: "The only concern I have is probably the same as what Ronney was saying, this does not have anything to do with the MACC and the Carver and I am concerned about where we are placing it. I think it should be placed at the end."

Friendly Amendment

Mayor Pro Tem Urdy offered a friendly amendment to make this Proposition 14. His amendment was accepted by maker of the motion and the second to the motion.

Roll Call on Motion with Friendly Amendments

7-0 Vote

Motion

Councilmember Garcia made a motion to "pass through THIRD READING Propositions 1-22, with Item 14 (which was just added) through ALL THREE READINGS." Councilmember Nofziger seconded the motion.

Amendment to Motion - FAILED

Councilmember Larson offered an amendment to the motion to separate Items 10 and 11. Motion FAILED due to lack of a second.

Roll Call on Motion

6-1 Vote, Councilmember Larson voted No.

ADJOURNMENT

Council adjourned its meeting at 5:42, on Councilmember Epstein's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

