



# Austin City Council MINUTES

JUNE 11, 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 June 4, 1992 and Special Meeting of June 3, 1992.

Postponed to June 25, 1992

CITIZEN COMMUNICATIONS: GENERAL

2. Ms. Raye Carrington, to present a gift to the Council on the first birthday of the Umlauf Sculpture Garden.
3. Ms. Nellie Plourde, to discuss the celebration of Umlauf Sculpture Garden's first birthday.
4. Mr. David Elliott, to discuss the three "I's" to reduce Austin's Horrendous Bond Debt - imagination, ingenuity and initiative.
5. Mr. Henry Ratliff, to discuss "The people united cannot be divided."
6. Mr. Nicholas Weeks, to continue the presentation on approval voting.
7. Ms. Karen Hadden, to discuss the Earth Summit.
8. Ms. Pamela Ouereynder, to discuss the Earth Summit.
9. Ms. Claire Saxton, to discuss the Earth Summit.
10. Ms. Susana Almanza, to discuss the Earth Summit.
11. Mr. Bill Jackson, to discuss the Earth Summit.
12. Mr. Doug Zachary, to discuss the Earth Summit and environmental racism.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

13. Adopt a Resolution creating a Charter Revision Committee. (Mayor Pro Tem Charles Urdy, and Councilmembers Bob Larson and Louise Epstein)

Postponed indefinitely.

ORDINANCES

14. Approve first reading of a franchise agreement with Texas Utility Electric Company.

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

15. Adopt Solicitation Fees in the Solicitation Registration Fee Program charged by the City Clerk. [To be reviewed by Solicitation Board on June 9, 1992.] (Related to Item 16)

16. Amend the 1991-92 General Fund Operating Budget (Ordinance 910912-A) by increasing City Clerk's Office Revenues by \$10,325 and increasing appropriations by \$8,800, and adding one (1) full-time employee (FTE) to support a change in the Solicitation Registration. (Funding for three months in the amount of \$8,000 to be provided from increased Solicitation Registration fees; funding for 1992-93 will be included in the Operating Budget of the City Clerk's Office.) [To be reviewed by Solicitation Board on June 9, 1992.] (Related to Item 15)

#15 and 16 on Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Councilmember Reynolds absent.

RESOLUTIONS

Investment Policy (Items 17-19)

17. Approve amendments to the City of Austin's Investment Policy to incorporate changes in State Law and which allow additional investment opportunities. (No fiscal impact.) [Recommended by the Policy, Planning and Budget Committee.]

18. Approve execution of a Participation Agreement with the Texas Treasurer to establish an account with the Texas Treasury Safekeeping Trust Company to authorize investment in a local government investment pool (TEXPOOL), a local government investment pool organized under provisions of the Interlocal Cooperation Act and the Public Funds Investment Act. (No fiscal impact.) [Recommended by Policy, Planning and Budget Committee.]

19. Approve execution of a common investment contract with participants to authorize investment in the Local Government Investment Fund for Texas, a local government investment pool organized under provisions of the Interlocal Cooperation Act and the Public Funds Investment Act. (No fiscal impact.) [Recommended by the Policy, Planning and Budget Committee.]
20. Approve execution of a four (4) month professional services agreement with KIMBERLY QUALITY CARE, Austin, Texas, to assist homebound clients with various intravenous therapies for the Health and Human Services Department Medical Assistance Program clinics, in an amount not to exceed \$30,000, with an option to extend services for two (2) additional twelve (12) month periods, in an amount not to exceed \$75,000 per year for a total amount not to exceed \$180,000. (Funding included in the 1991-92 Operating Budget of the Health & Human Services Department. Funding for renewal options will be requested in future year budgets.) Low bid of three (3). The prime did not identify any subcontracting opportunities. Reference No. 920543-3SA.
21. Approve negotiation and execution of a five (5) month contract with LANDY, JACOBS AND ASSOCIATES, INC., State College, Pennsylvania, to conduct a job/task analysis and develop a job description and physical skills test for entry-level City of Austin Police Officers, in an amount not to exceed \$39,400. (Funding provided by the Seized Funds Account.) Best proposal of four (4). The prime did not identify any subcontracting opportunities. Reference No. 920461-3MN.
22. Approve execution of a twelve (12) month rental contract with HOLT COMPANY OF TEXAS, Austin, Texas, for the rental of four (4) Caterpillar 615C Scrapers for use at the City landfill, in an amount not to exceed \$308,160, with one (1) twelve (12) month extension option, in an amount not to exceed \$308,160, for a total amount not to exceed \$616,320. (Funding in the amount of \$102,720 included in the 1991-92 Operating Budget for Environmental and Conservation Services Department - Solid Waste Services Division; the remaining \$205,440 for the remaining contract period and the extension option will be contingent upon future available funding in the 1992-93 and 1993-94 budgets of the Environmental and Conservation Services Department - Solid Waste Services Division.) Low bid of two (2). The prime did not identify any subcontracting opportunities. Reference No. 920623-1SS.
23. Approve execution of a contract with NUECES POWER EQUIPMENT, Corpus Christi, Texas, for the purchase of a fork-lift with a trash loader for the Solid Waste Services Brush/Bulky Collection Program, in an amount not to exceed \$55,699.85. (Funding provided by the issuance of Contractual Obligations approved by Council on September 19,

1991.) Low bid of two (2). The prime did not identify any subcontracting opportunities. Reference No. 920612-1RF.

24. Approve execution of a contract with KUENSTLER MACHINERY CO., San Antonio, Texas, for the purchase of a front-end loader tractor for the loading of debris collected by the street sweepers of the Solid Waste Services Division, in an amount not to exceed \$35,116. (Funding included in the 1991-92 Vehicle Acquisition Fund.) Low bid of two (2). The prime did not identify any subcontracting opportunities.
25. Approve execution of a twelve (12) month supply agreement with the following vendors for the purchase of compound type water meters, fire demand service meters, turbine type water meters and fire hydrant water meters: MUELLER CO., San Antonio, Texas, in an amount not to exceed \$51,768; and SENSUS TECHNOLOGIES, INC., Uniontown, Pennsylvania, in an amount not to exceed \$38,890.35, for a total amount not to exceed \$90,658.35, with the option to extend thereafter for an additional two (2) twelve (12) month extension options, in the amounts of \$51,768 and \$38,890.35 respectively per extension, for a total amount of \$271,975.05. (Funding in the amount of \$30,219.45 included in the 1991-92 Capital Budget for the Water and Wastewater Utility; funding for the remaining \$60,438.90 of the original contract period and the extension option will be contingent upon future available funding in the 1992-93 and 1993-94 budgets.) Low bid of four (4). The prime did not identify any subcontracting opportunities. Reference No. 920278-1SH. (Recommended by Water and Wastewater Commission.)
26. Approve execution of a contract with KUENSTLER MACHINERY CO., San Antonio, Texas, for the purchase of six (6) tractor/loader/backhoes for the installation and repair work of underground water and sewage lines, in an amount not to exceed \$181,048. (Funding included in the 1991-92 Vehicle Acquisition Fund as a purchase for the Water and Wastewater Utility.) Low bid of three (3). The prime did not identify any subcontracting opportunities. (Recommended by Water and Wastewater Commission.)
27. Approve execution of a contract with COLLINS AMBULANCE SALES AND SERVICE, Mansfield, Texas, for the purchase of two (2) new cabs and chassis for the remounting of two (2) existing Emergency Medical Services Department supervisor vehicles, in an amount not to exceed \$55,556. (Funding included in the 1991-92 Vehicle Acquisition Fund.) Low bid of three (3). The prime did not identify any subcontracting opportunities. Reference No. 920611-1RF.
28. Approve execution of a twelve (12) month supply agreement with LINVATEC CORPORATION, Largo, Florida, for surgical skin rotating staplers for Brackenridge Hospital, in an amount not to exceed \$44,437, including an option to extend thereafter for up to one (1)

additional twelve (12) month period, in an amount not to exceed \$44,437, for a total amount not to exceed \$88,874. (Funding in the amount of \$14,812 included in the 1991-92 Operating Budget for Brackenridge Hospital; funding for the remaining \$29,625 of the original contract period and the extension options will be contingent upon future available funding in the 1992-93 and 1993-94 budget.) Low bid of five (5). The prime did not identify any subcontracting opportunities. Reference No. BS2-157.

29. Approve execution of a twelve (12) month supply agreement with NELLCOR INC., Hayward, California, for oxisensors (disposable probes used with Pulse Oximeters, devices that evaluate arterial blood oxygen content) for Brackenridge Hospital, in an amount not to exceed \$299,457, including an option to extend thereafter for up to one (1) additional twelve (12) month period, in an amount not to exceed \$299,457, for a total amount not to exceed \$598,914. (Funding in the amount of \$124,774 included in the 1991-92 Operating Budget of Brackenridge Hospital; funding for the remaining \$174,683 of the original contract period and the extension options will be contingent upon future available funding in the 1992-93 and 1993-94 Operating Budgets.) Sole Source. The prime did not identify any subcontracting opportunities. Reference No. BS2-130.
30. Approve execution of a contract award with SIEMENS MEDICAL SYSTEMS, Stafford, Texas, for the purchase of two (2) operating tables and accessories for Brackenridge Hospital, in an amount not to exceed \$70,138. (Funding provided by the issuance of Contractual Obligations approved by Council on February 28, 1991.) Low bid of two (2) meeting Hospital's requirements. The prime did not identify any subcontracting opportunities. Reference No. BH2-107.
31. Approve execution of a twelve (12) month supply agreement with BURRON MEDICAL, INC., Bethlehem, Pennsylvania, for needleless intra venous fluid administration sets and reflux valves, in an amount not to exceed \$96,240, including an option to extend thereafter for up to one (1) additional twelve (12) month period, in an amount not to exceed \$96,240, for a total amount not to exceed \$192,480. (Funding for \$32,080 included in the 1991-92 Operating Budget of Brackenridge Hospital; funding for the remaining \$64,160 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 bid of two (2) meeting the Hospital's requirements. The prime did not identify any subcontracting opportunities. Reference No. BS2-101.
32. Approve execution of a construction contract award to CHASCO CONTRACTING, Round Rock, Texas, for channel and bridge construction in the Angus Valley Channel, Part 2, in the amount of \$529,442.50. (Funding in the amount of \$488,052 included in CIP 825-607-2074 - Public Works; \$23,840 included in CIP 388-227-6948 - Water);

\$17,550.50 included in CIP 439-237-6948 - wastewater.) Low bid of five (5). 6.04% MBE, 11.47% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission.)

33. Approve a construction contract award to AUSTIN ENGINEERING COMPANY, INC., Austin, Texas for the rehabilitation of Nixon Lane, in the amount of \$107,935. (Funding included in CIP 439-237-0666 - Water and Wastewater). Low bid of five (5). 7.91% MBE, 2.31% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission.)
34. Approve execution of a twelve (12) month supply agreement with TEXAS READY MIX, Austin, Texas, for the purchase of ready mixed Class A concrete for construction of Parks and Recreation Department Capital Improvements Projects, in an amount not to exceed \$117,000, with one (1) twelve (12) month extension option, in an amount not to exceed \$117,000, for a total contract amount not to exceed \$234,000. (Funding is included in the 1991-92 Capital Budget for the Parks and Recreation Department.) Low bid of six (6) meeting specifications. The prime did not identify any subcontracting opportunities. Reference No. 920387

#17-34 on Councilmember Garcia's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Reynolds absent.

35. Approve the selection of RJN ENVIRONMENTAL ASSOCIATES, INC., Dallas, Texas, to provide engineering services for the Upper Walnut Creek Drainage Basin Wastewater System Infiltration/Inflow Study and Improvements Project, in the amount of \$300,000. (Funding included in CIP 430-237-0416.) Best proposal of seven (7). 10% MBE, 10% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission.)

Postpone to June 25, 1992.

36. Approve the selection of CAMP, DRESSER & MCKEE, INC., Austin, Texas, for the Drainage Utility Cost of Service Study, in the amount of \$400,000. (Funding included in the Drainage Utility Fund.) Best proposal of six (6). 12% MBE, 5% WBE Subcontractor participation.
37. Approve a Supplemental Amendment to the Professional Services Agreement with JONES & NEUSE, INC., Austin, Texas, Environmental and Engineering Consultants, for design of Cat Mountain and Shepherd Mountain water system improvements, in the amount of \$53,300, for a total contract amount of \$70,753.95 (Funding in the amount of \$23,300 included in CIP 392-227-6748; \$30,000 included in CIP 392-227-6747.) (Recommended by Water and Wastewater Commission.)
38. Approve Supplemental Amendment No. 5 to the Professional Services Agreement with CAMP, DRESSER & MCKEE, INC., Austin, Texas, to

provide professional engineering services for the Ullrich Water Treatment Plant Improvements, in the estimated amount of \$3,660,000, for a total contract amount not to exceed \$4,660,000. (Funding included in CIP 385-227-0935.) [Recommended by Water and Wastewater Commission.]

39. Approve Change Order No. 5 to SCHROEDER CONSTRUCTION COMPANY, Austin, Texas, for the reconstruction of Oakwood Drive in Ludwig Subdivision Wastewater Improvements, Phase I, in the amount of \$9,583.40, for a total contract amount of \$298,472.36 (cumulative total of change orders to date exceeds the administrative approval level established by Council). (Funding included in CIP 443-237-0748 - Wastewater). [Recommended by Water and Wastewater Commission.]
40. Approve execution of a twelve (12) month service agreement with INDUSTRIAL LABOR SERVICE, Austin, Texas, to provide temporary labor service to be used at the Convention Center, in an amount not to exceed \$119,000, including an option to extend the service for one (1) additional twelve (12) month period, in an amount not to exceed \$119,000, for a total amount not to exceed \$238,000. (Funding included in the 1991-92 Operating Budget of the Convention Center Department.) Low bid of four (4). The prime did not identify any subcontracting opportunities. Reference No. IFB 920706-3RW.
41. Approve a construction contract award to BRAUN & BUTLER CONSTRUCTION, INC., Austin, Texas, for installation of fire sprinklers, an emergency generator and interior plaster repairs, for the Lower Level and Stage area of Palmer Auditorium, in the amount of \$172,150. (Funding included in CIP 890-807-0017.) Low bid of two (2). 0.11% MBE, 0% WBE Subcontractor participation.

#36-41 on Councilmember Garcia's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Reynolds absent.

42. Authorize execution of a contract award with DRAGLINE SERVICES OF AUSTIN, Austin, Texas, for the removal of debris at Barton Springs Pool, in the amount of \$40,000. (Funding in the amount of \$35,000 included in the 1991-92 Operating Budget of the Drainage Utility Fund; an additional \$5,000 has been identified within the same fund as savings from Parks related drainage projects.) Sole bid. The prime did not identify any subcontracting opportunities. Reference No. 920722-3SA.

On Councilmember Garcia's motion, Councilmember Epstein's second, 5-0-1 Motion, Councilmember Reynolds absent, Councilmember Epstein abstained.

43. Authorize negotiation and execution of an Interlocal Agreement with the Texas Department of Transportation for construction of Farmer

Lane, FM 734, across City-owned railroad right-of-way at Milepost 75.69. (All costs to be paid for by the Texas Department of Transportation.)

44. Authorize negotiation and execution of a Water Service Agreement between the City of Austin and High Valley Water Supply Corporation to supply wholesale water services within the Spring Valley Subdivision, located in Southern Travis County off F.M. 1826. (This contract will generate additional water revenue, estimated annually to be at least \$15,000.) [Recommended by Water and Wastewater Commission.]
45. Authorize acceptance of a Federal Aviation Administration (FAA) grant offer for supplemental environmental studies for an air carrier airport at Bergstrom Air Force Base. (Costs for the Supplemental Environmental Studies should not exceed \$500,000; FAA's grant offer will cover 75% of the costs associated with this project.)
46. Set a public hearing to gather citizen input on setting a "Level One" commercial water quality facility operating permit fee and annual renewal fee of \$625 for the first water quality control, and \$75 for each additional water quality control, with a maximum fee of \$775, pursuant to City Code Section 13-7-11. (Required for multi-family and commercial developments subject to operating permit requirements of the Barton Creek and Barton Springs Zone Amendments to the Comprehensive Watersheds Ordinance.) Date and Time: June 25, 1992 at 5:00 p.m.

#### ITEMS FROM COUNCIL

47. Approve a Resolution approving the City of Austin's co-sponsorship with the Austin Chapter of the AFL-CIO of the Labor Day Parade. (Mayor Pro Tem Charlene Jody)
48. Refer Case C14-91-0016, the Josie Champion tract, 5600-5720 F.M. 2222, 6200-6210 Lakewood Drive, and 6101-6409 S. Capital of Texas Highway, back to the Planning Commission for further consideration due to revisions in the plans for the tract. (Councilmembers Bob Larson and Michael "Max" Nofziger)

#43-48 on Councilmember Garcia's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Reynolds absent.

#### Opportunities for Youth (Items 49-50)

49. Approve an Ordinance amending the 1991-92 City of Austin Operating Budget by accepting \$425,343 from the Friends of East Austin Youth Benefit Golf Tournament proceeds, establishing a trust fund by the same name and appropriating \$370,975 to fund opportunities for youth



services, and appropriating \$54,368 to pay outstanding expenses from the golf tournament. (Acceptance of the donation is conditioned upon the payment of an amount not to exceed \$55,000 incurred by the donors.) [Opportunities for Youth Subcommittee]

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

50. Approve a Resolution approving awarding of contracts in the amount of \$358,087 for youth services. (Opportunities for Youth Subcommittee) [Funding provided by proceeds from Friends of East Austin Youth Benefit Golf Tournament.]

On Councilmember Garcia's motion, Councilmember Epstein's second, 5-0-1 Vote, Councilmember Reynolds absent.

51. Approve an Ordinance suspending the approval of Section 2-4-9 of the City Code to members of the Mexican American Cultural Center (MACC) Task Force who also serve on other City Boards, Commissions or Committees. (Councilmember Gus Garcia and Mayor Pro Tem Charles Urdy)

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

#### RECESS

Council recessed from 3:38 to 3:40 P.M. for the Austin Housing Finance Corporation meeting, on Councilmember Garcia's motion, Councilmember Larson's second, 6-0 Vote, Councilmember Reynolds absent.

#### 3:00 P.M. - SPECIAL MEETING OF THE AUSTIN HOUSING FINANCE CORPORATION

#### RECESS

Council recessed from 3:40 to 4:02 P.M.

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

#### ZONING DISTRICTS

52. C14-92-0017 - CARLSON ENGINEERING CO., 3415 Slaughter Lane. From: I-SF-2 to GR, General Retail. Planning Commission Recommendation: To grant LO, Limited-Office zoning.

#### FIRST READING

#### Motion - Died for Lack of Second

Mayor Pro Tem Urdy made a motion to postpone this case until June

25, 1992. There was no second, so motion died for lack of a second.

Motion

Councilmember Larson made a motion, seconded by Councilmember Epstein to close the public hearing. 6-0 Vote, Councilmember Reynolds absent.

Motion

Councilmember Larson made a motion, seconded by Councilmember Epstein to grant "LO" zoning. Motion passed by a vote of 6-0 with Councilmember Reynolds absent.

To be heard by Planning Commission on June 9, 1992; Recommendation to Follow

53. C14-92-0028 - CHRISTOPHER HOUSE, 2820 East Martin Luther King. From LI to GO. (Planning Commission recommendation GO, 5-0 Vote)

FIRST READING - Approved Planning Commission recommendation of GO.

54. C14-92-0049 - TREBLE ENTERPRISES INC., 2207 Lake Austin Blvd. From SF-3 to NO. (Planning Commission recommendation GO, 5-0 Vote)

ORDINANCE - Approved Planning Commission recommendation of GO.

#53-54 on Councilmember Garcia's motion, Councilmember Larson's second, 6-0 Vote, Councilmember Reynolds absent.

FINAL CITIZEN COMMUNICATIONS

Robert Singleton, Al St. Louis and Brent White spoke.

RECESS

Council, on Councilmember Garcia's motion, Councilmember Nofziger's second, recessed the meeting from 4:43 to 5:03 P.M.

PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

55. 5:00 P.M. - Amend Chapter 9-3, Charitable Solicitations of the Code of the City of Austin of 1981; adding definitions and related provisions of the Charitable Raffle Enabling Act. (Related to Items 15 & 16)

Motion

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

Motion

The Council, on Councilmember Epstein's motion, Mayor Pro Tem Urdy's second, waived the requirement for three readings and finally passed an ordinance amending Chapter 9-3, Charitable Solicitations of the Code of the City of Austin of 1981; adding definitions and related provisions of the Charitable raffle Enabling Act, and further amending (on page 17) by changing the age from ten (10) to twelve (12) years of age and adding "and accompanied by a responsible person". 6-0 Vote, Councilmember Reynolds absent.

Council also directed the Solicitation board to research the cost of goods as it counts in the criteria. Councilmember Larson said he would like a study and information re "cost of goods sold doesn't count in the 25% criteria".

EXECUTIVE SESSION (No Public Discussion on These Items)

The Council held its Executive Session earlier in the day.

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.

Pending/Contemplated Litigation, Section 2, Paragraph e

56. Discussion of State of Texas v. City of Austin, Cause No. 477,213

6:25 P.M. - ADJOURN - On Councilmember Garcia's motion, Councilmember Larson's second, 6-0 Vote.

