



## Austin City Council MINUTES

JANUARY 21, 1993 - 1:00 P.M.

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

1. Approval of Minutes for Regular Meeting of January 14, 1993

On Councilmember Garcia's motion, Councilmember Larson's second, 6-0 Vote, Councilmember Epstein out of the room.

### CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Henry Ratliff, to discuss "There's always a problem to resolve."
3. Mr. Mike Workman, to discuss legal posting procedures for meetings of boards and commissions.
4. Mr. Leonard Lyons, to discuss "Promises Promises." Not present.

### 1:30 P.M. - REVENUE REFUNDING BONDS (Items 5-7)

5. Approve an ordinance authorizing the issuance of City of Austin, Texas Combined Utility Systems Revenue Refunding Bonds, Series 1993, 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.

#5,6,7 On Councilmember Reynolds' motion, Councilmember Garcia's second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

## BOARD AND COMMISSION REPORTS

8. MUSIC COMMISSION - Nancy Coplin, Chair - to discuss Music-related issues. (Related to Item 12) Council heard the report from Nancy Coplin.

## ITEMS CONTINUED FROM PREVIOUS MEETINGS

9. Amend the River Place Municipal Utility District (MUD) consent agreement to change 4.25 acres of Village Cluster use to Marina use on the MUD land plan. (No fiscal impact.) Planning Commission Recommendation: (1) limit gasoline pumps to two; (2) limit impervious cover to 45%; (3) prohibit maintenance facilities for boats; (4) limit number of boat slips to 90; (5) prohibit 2-story stacking of boats; and (6) environmental mitigation material should be kept on site. (Related to Item 37)

Pulled from agenda.

10. Approve the selection of BLGY, INCORPORATED ARCHITECTS, ENGINEERS AND PLANNERS (MBE), Austin, Texas, for negotiation and execution of a contract to provide architectural design and construction phase services for the Central Austin Medical Center, in an estimated amount of \$561,000. (Funding is available in the 1992-93 operating budget of Brackenridge Hospital.) Best proposal of nineteen (19). 13% MBE, 5% WBE Subcontractor participation. (Recommended by Hospital Board) [Related to Item 46]

On Councilmember Epstein's motion, Councilmember Larson's second, 7-0 Vote.

## ORDINANCES

11. Establish a Citizens Task Force and a Governmental Advisory Committee to develop proposals for the long term protection of the Barton Creek Watershed; waiving the financial disclosure provisions of Section 2-3-72, and the provisions of Section 2-4-1, 2-4-6, 2-4-8, and 2-4-9 of the City Code of the City of Austin.

### Motion

Councilmember Nofziger made a motion, seconded by Councilmember Garcia, to approve.

### Friendly Amendment - Accepted

Councilmember Larson offered the following friendly amendment: "In Part 1b, where it alludes to the make-up of the Citizen's Task Force, we have here four environmentalists. I would like to add in

there two other environmentalists, at the Mayor's discretion". The friendly amendment was accepted by the maker and second to the motion.

Friendly Amendment - Accepted

Councilmember Larson stated: "I would like to see some sunset provision for both groups that could be extended by this Council, if deemed necessary, but with that time frame I would like for the Mayor to decide on how many days or months that you would like to see this group set for". After discussion the wording of the friendly amendment, as agreed upon by Councilmember Larson and Mayor Todd is: Ordinance shall be sunsetted at the discretion of the Mayor. Friendly amendment was accepted by the maker and second to the motion.

Friendly Amendment - NOT Accepted

Councilmember Reynolds offered the following friendly amendment, which was not accepted: "I would like for the Advisory Committee, in each one of these particular groups, to elect or choose their own representatives to be on this particular committee".

Friendly Amendment - Accepted

Councilmember Reynolds offered the following friendly amendment: "My friendly amendment under Part 2, Number 2, says that the Advisory Committee will identify each issue and make recommendations and provide assistance to the Citizen's Task Force". Friendly Amendment was accepted by the maker and second to the motion.

Friendly Amendment - Accepted

Councilmember Reynolds offered the following friendly amendment, which was accepted by the maker and second to the motion: Under Part 3, "The Advisory Committee will meet within 14 days after the passage of this ordinance to make recommendations or to give advice to the Citizen's Task Force".

Friendly Amendment - Accepted

Councilmember Reynolds offered a Friendly Amendment to change the name of the Governmental Advisory Committee to Advisory Committee. Friendly Amendment was accepted by the maker and second to the motion.

Roll Call on Motion with Friendly Amendments

6-1 Vote, Councilmember Epstein Voted No.

12. Amend Chapter 10-5 of the City of Austin Code, 1992, as amended, suspending the application of the provisions of the Noise Ordinance in a certain area to be known as the Sixth Street Entertainment area. (Related to Item 8)

Pulled from agenda.

13. Authorize acceptance of \$42,500 in grant funds from the Center for Women's Business Enterprise of Texas for management and technical assistance city-wide to women owned businesses; and amend Ordinance 920922-E, the 1992-93 operating budget, by creating a Special Revenue Fund in the Department of Planning and Development, and appropriating the \$42,500 into the Department of Planning and Development Special Revenue Fund. (City's match is \$42,500 (half cash, half in-kind.) [Related to Item 14]

#### RESOLUTIONS

14. Approve the negotiation and execution of a grant agreement with the Center for Women's Business Enterprise (CWBE) of Texas to fund a City program which will provide management and technical assistance for women-owned businesses, in the amount of \$85,000. [Funding in the amount of \$42,500 (half cash, half in-kind) is available in 16th and 18th Year Community Development Block Grant funds; \$42,500 available from a grant from the Center for Women's Business Enterprise.] (Related to Item 13)
15. Approve an amendment to the City's two year contract with KPMG Peat Marwick, for compilation of Austin Housing Finance Corporation's (AHFC) 1991 and 1992 financial statements, in the amount of \$69,967, and for a separate opinion on the September 30, 1992 Water and Wastewater financial statements, in the amount of \$6,000, for a total contract amount of \$439,515; and authorize negotiation and execution of amendments to the contract with the AHFC for reimbursement of audit expenses. (Funding in the amount of \$69,967 is available in the 1992-93 operating budget of the Austin Housing Finance Corporation; \$6,000 is available in the 1992-93 operating budget of the Water and Wastewater Department.)
16. Approve amendments to the Neighborhood Commercial Management Program (NCMP) Guidelines to make financing available for small businesses. (Funding is available in the 18th Year Community Development Block Grant). [Recommended by Housing Subcommittee]
17. Approve execution of a twelve (12) month supply agreement with AVANTI INTERNATIONAL, Webster, Texas, for the purchase of chemical grout which is utilized to seal leaks in sewer pipes and manholes, in an amount not to exceed \$48,357, with two (2) twelve (12) month extension options, in an amount not to exceed \$48,357 per extension, for a total amount not to exceed \$145,071. (Funding in the amount

of \$32,205 is available in the 1992-93 operating budget of the Water and Wastewater Utility; funding for the final four (4) months of the original contract period and the extension options will be contingent upon future available funding in future budgets.) Low bid of three (3). No M/WBE subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)

18. Approve execution of a contract through the State of Texas Cooperative Purchasing Program with GOLDTHWAITES OF TEXAS, INC., Fort Worth, Texas, for the purchase of eleven (11) Series 186 Toro riding lawn mowers for use by the Parks and Recreation Department to maintain City parks and golf courses, in the amount of \$95,084. (Funding in the amount of \$77,796 is available in the 1992-93 operating budget of the Parks and Recreation Department; \$17,288 is available in the Golf Enterprise Fund.) Reference No. RX 8600016940.
19. Approve execution of a contract with HOLT COMPANY, Austin, Texas, for the rebuilding of two (2) Caterpillar 816 compactors located at the FM 812 Landfill, in the amount of \$249,225. (Funding is available in the 1992-93 operating budget of Solid Waste Services.) Single bid. No M/WBE Subcontracting opportunities identified. Reference No. SS93300001.
20. Ratify a contract with TEMPCRAFT, INC., Austin, Texas, for temporary laborers at Brackenridge Hospital for remodeling of the ninth floor of Brackenridge Hospital as an advanced cancer treatment center, in an amount not to exceed \$230,000. (Funding in the amount of \$201,086.40 is available in the 1992-93 operating budget of Brackenridge Hospital; funding for \$28,913.60 was expended in the 1991-92 operating budget of Brackenridge Hospital.) No M/WBE subcontracting opportunities were identified. Reference No. BC2-121.
21. Approve appointment of two (2) City representatives to Animal Shelter of Austin, Inc. Missy McCullough and Patricia Valls-Trelles.
22. Set a public hearing on the renewal of Gold Cross Ambulance Services, Inc.'s non-emergency transfer franchise. (Existing Ordinance allows for the recovery of any oversight expenses up to \$5,000 per year.) [Recommended by Quality Assurance Team and Urban Transportation Commission.] Date and time: January 28, 1993 at 4:30 p.m.)

#13-22 on Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 Vote.

**3:00 P.M. - ELECTRIC UTILITY (Items 23-33)**

- 23. Electric Utility Commission Report - Jim Cash, Chair**

John Moore, Director of Electric Utility, presented the report.

- 24. Resource Management Commission - Glenn Crow, Chair**

Council heard the report.

- 25. Utility Receivable Report**

Charles Curry, Acting Financial Services Director, reported.

- 26. Monthly Management Report**

John Moore reported.

- 27. Approve an ordinance amending the 1992-93 Electric Utility Operating Budget by converting eighteen (18) temporary employees to permanent full-time equivalents and increasing permanent full-time equivalents by eleven (11) positions. (Funding in the amount of \$286,000 is available in the 1992-93 operating budget of the Electric Utility Department.)**

- 28. Approve negotiation and execution of an Interlocal Agreement between the City of Austin and Travis County for the design and construction of the Brackenridge Substation Expansion wall, in an amount not to exceed \$90,000. (Funding is included in the 1991-92 Capital Budget for the Electric Utility Department.)**

- 29. Approve execution of a contract with OEI, Springfield, New Jersey, for the purchase of electronic spare parts to repair and construct remote computer terminals used to monitor equipment at the Electric Utility substations, in an amount not to exceed \$61,887. (Funding is included in the 1991-92 and 1992-93 Capital Budgets of the Electric Utility Department.) Sole Source. No M/WBE subcontracting opportunities were identified. Reference No. 1170012890.**

- 30. Approve execution of a twelve (12) month supply agreement with ROHAN COMPANY, Austin, Texas, for the purchase of manhole frames, covers and rings, in the amount of \$72,204, with the option to extend for one (1) additional twelve (12) month period, in the amount of \$72,204, for a total amount of \$144,408. (Funding in the amount of \$48,136 is available in the 1992-93 operating budget of the Electric Utility Department; funding for the final four (4) months of the**

original contract period and the extension option is contingent upon availability of funding in future budgets.) Low bid of three (3). No M/WBE subcontracting opportunities were identified. Reference No. 930066-1CM.

31. Approve execution of a twelve (12) month service agreement with BAKER/MO SERVICES INC., Cypress, Texas, for the overhaul of the Holly #4 steam turbine generators, and to allow for scheduled overhauls of Holly Unit #1 and Decker Unit #1, in the amount of \$407,816, with the option to extend for two (2) additional twelve (12) month periods, in the amount of \$407,816 per year, for a total amount of \$1,223,448. (Funding is available in the 1992-93 operating budget of the Electric Utility Department; funding for the extension options is contingent upon available funding in future budgets.) Low responsive bid of six (6). No M/WBE Subcontracting opportunities were identified.
32. Approve an amendment to the Professional Engineering Services Agreement with BROWN & ROOT U.S.A., INC., Houston, Texas, for power plant piping analysis at the Decker Power Plant, in the amount of \$75,000, for a maximum agreement amount of \$142,000. (Funding is included in the Capital Budget of the Electric Utility Department.)
33. Approve execution of a twelve (12) month supply agreement with DOBLE ENGINEERING COMPANY, Watertown, Massachusetts, for professional and technical services to test oil-filled equipment and surge arrestors, in the amount of \$100,000, with the option to extend for two (2) additional twelve (12) month periods, in the amount of \$100,000 per extension, for a total amount of \$300,000. (Funding in the amount of \$66,666.67 is available in the 1992-93 operating budget of the Electric Utility; funding for the final four (4) months of the original contract period and the extension options is contingent upon available funding in future budgets.) Sole Source. No M/WBE subcontracting opportunities were identified.

#27-33 on Councilmember Epstein's motion, Councilmember Garcia's second, 6-0 Vote, Councilmember Nofziger out of the room.

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

Council recessed its regular meeting from 3:35 to 3:45 P.M. to meet as directors of AHFC, on Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 Vote, Councilmember Nofziger out of the room.

#### RECESS

Council recessed from 3:45 to 4:45 on Councilmember Reynolds' motion, Councilmember Garcia's second, 4-0 Vote, Mayor Todd, Councilmembers Epstein and Larson out of the room.

#### ITEMS FROM COUNCIL

34. Approve an ordinance waiving the provisions of Sections 2-4-330(b) to permit the appointment of a nonresident to the Mayor's Committee for People with Disabilities. (Mayor Bruce Todd and Councilmember Bob Larson)
35. Direct the City Manager to develop appropriate CIP projects to complete needed improvements on Ralph Ablanado Drive. (Councilmembers Louise Epstein and Ronney Reynolds)

#34-35 on Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 Vote.

36. Approve a resolution declaring "June is Jazz" in Austin. (Councilmember Michael "Max" Nofziger and Mayor Pro Tem Charles Urdy)

On Councilmember Nofziger's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

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

37. C14-92-0127 - FIRST RIVER PLACE RESERVE, LTD. (BILL GRAVENOR), BY STRASBURGER & PRICE, L.L.P. (David Armbrust), Leonard East Road and Lake Austin. From LA to SF-5 (Tract 1) & GR (Tract 2). Planning Commission recommendation: (1) limit gasoline pumps to two; (2) limit impervious cover to 45%; (3) prohibit maintenance facilities for boars; (4) limit number of boat slips to 90; (5) prohibit 2-story stacking of boats; and (6) environmental mitigation material should be kept on site. (Related to Item 9)  
Postponed - Applicant request

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The following cases will be postponed to February 25, 1993. Posting of these cases on this agenda is required due to a previous notification for this date.

38. C14-92-0078 - AUSTIN TREEMONT DEVELOPMENT, LTD. (Rhett Dawson), by Land Strategies, Inc. (Paul Linehan), 1300-1400 Block of Capital Parkway, and 2800 Block of Montebello. From GR, LR & LO to SF-2.
39. C14-92-0136 - AUSTIN TREEMONT DEVELOPMENT, LTD. (Rhett Dawson), by Land Strategies, Inc. (Paul Linehan/Jim Bechtol), 1001-1921 Capital Parkway and 1000-1920 Mopac South. From GO, LO & LR to MF-1.
40. C14-92-0137 - AUSTIN TREEMONT DEVELOPMENT, LTD. (Rhett Dawson), by Land Strategies, Inc. (Paul Linehan/Jim Bechtol), 1000-1032 Capital Parkway. From GO, LO & LR to MF-2.

RECESS - Council recessed for dinner from 7:25 to 8:03 P.M.

FINAL CITIZEN COMMUNICATIONS

Robert Singleton, Al St. Louis, Brett White, R. Brandeis, R. Baker,  
Mr. Renteria

PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

41. 4:30 P.M. - Grant an oil and gas lease on a 38.54 acre tract of land owned by the City of Austin in Fayette County, Texas. (Holman Substation).

The Council, on Mayor Pro Tem Urdy's motion, Councilmember Garcia's second, closed the public hearing, 6-0 Vote, Councilmember Reynolds out of the room.

42. Approve execution of a three (3) year contract with WEBER ENERGY CORPORATION, Dallas, Texas, for an oil and gas lease on a 38.54 acre tract of City owned land located in Fayette County (Homan Substation), for estimated revenues of \$3,661. Single bid.

On Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Councilmember Reynolds out of the room.

43. 5:00 P.M. - Appeal by Mr. William F. Driscoll of the Historic Landmark Commission's decision on a sign permit under Section 13-2-866 of the Land Development Code (LDC) for the structure located at 602 Brazos Street.

Motion

The Council, on Councilmember Nofziger's motion, Councilmember Larson's second, closed the public hearing, 7-0 Vote.

Motion

The Council, on Councilmember Nofziger's motion, Councilmember Reynolds' second granted the appeal, with a friendly amendment by Councilmember Reynolds, which was accepted, to keep the sign the same size and inside the window and door. 7-0 Vote.

44. 6:45 P.M. - Approve third reading amending Chapter 6-1 of the City Code to create the Austin Hospital Authority to operate Brackenridge Hospital. (Recommended by Brackenridge Hospital Board)

On Mayor Pro Tem Urdy's motion, Councilmember Garcia's second, 7-0 Vote.

45. Discussion of the creation of the Health Services Financing District.

No discussion.

**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.

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

46. Discussion of Central Austin Medical Center. (Related to Item 10)

RECESS - Council recessed from 2:33 to 3:07 for executive session.

**9:27 P.M. - ADJOURN**