



## Austin City Council MINUTES

MARCH 4, 1993 - 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.

### APPROVAL OF MINUTES

1. Approval of Minutes for Regular Meeting of February 25, 1993 and Special Meeting of February 25, 1993.

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

### CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Dave Dobbs, to discuss the "Build Austin" program.
3. Mr. Steve Drenner, to discuss the Real Estate Council of Austin's position regarding the Bergstrom Airport Conversion.
4. Mr. Henry Ratliff, to subject Council to critical scrutiny.
5. Mr. Leonard Lyons, to discuss the Balcones Canyonlands Conservation Plan.
6. Mr. Max Kull, to discuss Oak Parke issues.
7. Mr. Richard Suttle, to discuss the arbitrary and discriminatory policies of the Water and Wastewater Department regarding the provision of utilities in certain areas of the City.  
Did not speak.

### ITEMS CONTINUED FROM PREVIOUS MEETINGS

8. Approve execution of a contract with ENFORCEMENT TECHNOLOGY, Tustin, California, for the purchase of eighteen (18) hand held computerized

parking ticket writers, in an amount not to exceed \$63,220.  
(Funding is available in the 1992-93 operating budget of the  
Department of Public Works and Transportation.) Low bid of three  
(3). No M/WBE subcontracting opportunities were identified.  
Reference No. RH93310005.  
Pulled off agenda.

#### ORDINANCES

9. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 9200-9220 Jollyville Road and 9000-9024 Mesa Drive, Case No. C14-92-0088, from "LO", Limited Office and "SF-3", Family Residence to "SF-4A-CO", Single Family Residence (Condominium), O MESA LLC (John H. Greenwood), by Nathan D. Smith. First reading on December 3, 1992; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council. (Related to Item 25) On Councilmember Nofziger's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.
10. Approve third reading of the renewal of Gold Cross Ambulance Service, Inc. nonemergency transfer franchise.  
On Councilmember Reynolds' motion, Councilmember Epstein's second, 7-0 Vote.
11. Approve naming the fire training facility at 4800 Shaw Lane, the "Bill Roberts Fire Training Center." (No fiscal impact.)  
[Recommended by Planning Commission]

#### RESOLUTIONS

12. Authorize negotiation and execution of a lease amendment with OPUS INVESTMENTS, Austin, Texas, for approximately 18,608 square feet of space at One Texas Center, located at 505 Barton Springs Road, for use by the Department of Public Works and Transportation, to provide space for personnel handling asbestos management, compliance with the Americans with Disabilities Act and capital projects, in the amount of \$58,420. (Funding in the amount of \$21,310 is available from savings in the 1992-93 operating budget of the Drainage Utility; \$37,110 is available from savings in the 1992-93 operating budget of the Department of Public Works and Transportation.)
13. Approve execution of twelve (12) month supply agreement with KENDALL HEALTHCARE, Mansfield, Massachusetts; and SOUTHERN SAFETY SALES, Austin, Texas, for bandages, sponges and gauze to be used by Brackenridge Hospital, in an amount not to exceed \$67,299.75 and \$43,850.73 respectively, including an option to extend thereafter for up to one (1) additional twelve (12) month period, in amounts not to exceed \$67,299.75 and \$43,850.73 respectively, for a total amount not to exceed \$222,300.96. (Funding in the amount of

\$64,837.78 is available in the 1992-93 operating budget of Brackenridge Hospital; funding for the final five (5) months of the original contract period and the extension option is contingent upon availability of funding in future budgets.) Low bid of nine (9) and seven (7) respectively, meeting Brackenridge Hospital requirements. No M/WBE subcontracting opportunities were identified.

14. Approve execution of a twelve (12) month service agreement with TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED, Georgetown, Texas, for mowing services at various parks and recreation locations throughout the city, in the amount of \$67,418, with the option to extend for two (2) additional twelve (12) month periods, in the amount of \$67,418 per year, for a total amount of \$202,254. (Funding for the initial contract is available in the 1992-93 operating budget of the Parks and Recreation Department; funding for the extension options is contingent upon available funding in future budgets.) Reference No. RX860JJC0001.
15. Approve execution of a twelve (12) month service agreement with MAINTENANCE MANAGEMENT, San Marcos, Texas; RED AND WHITE GREENERY, Georgetown, Texas; and AUSTIN LAND SERVICE, Austin, Texas, for mowing services at various parks and recreation locations throughout the city, in the amount of \$169,530, \$90,000 and \$42,000 respectively, with the option to extend for two (2) additional twelve (12) month periods, in the amount of \$169,530, \$90,000, and \$42,000 respectively, for a total amount of \$904,890. (Funding for the initial contracts is available in the 1992-93 operating budget for the Parks and Recreation Department; funding for the extension options is contingent upon available funding in future budgets.) Low bids of thirteen (13). No M/WBE subcontracting opportunities were identified. Reference No. CM93300012.
16. Authorize application of a grant in the amount of \$85,923 from the State of Texas Governor's Office, Criminal Justice Division, to establish the Victim Assistance Emergency Outreach to Children in Violent Homes Program. (City's match is \$3,630.)
17. Authorize application for and acceptance of a grant in the amount of \$17,696 from the State of Texas Governor's Office, Criminal Justice Division, to continue the Stolen Pawns Property Recovery Program. (City's match is \$24,616.)

#### ITEMS FROM COUNCIL

18. Approve an ordinance canceling the March 25, 1993 Council meeting. (Mayor Bruce Todd and Councilmember Ronney Reynolds)

19. Support legislation relating to the creation of the offenses of discriminant victimization and institutional vandalism and allowing civil actions for those crimes (TX73R House Bill 1120).  
(Councilmember Louise Epstein)
20. Amend the 1992-93 operating budget by accepting \$25,000 from the Advisory Board of the Senior Activity Center, increasing sales tax revenues by \$15,000, and appropriating \$40,000 to the Parks and Recreation Department for the purchase of a van to serve the Austin Senior Activity Center. (Councilmember Bob Larson and Mayor Pro Tem Charles Urdy)
21. Approve a resolution directing the City Manager to make available surplus City computers for use by patrons of Austin's public libraries and recreation centers. (Councilmember Louise Epstein)  
  
#10-21 on Councilmember Reynolds' motion, Councilmember Epstein's second, 7-0 Vote.
22. Approve a resolution directing the Economic Development Commission to evaluate re-use options for Robert Mueller Municipal Airport.  
(Councilmember Louise Epstein)

Refer to Aviation Subcommittee. (Unanimous approval by Council.)

(Councilmember Epstein made a motion to approve, seconded by Councilmember Garcia and then the motion was withdrawn.)

45. Approve a Resolution directing the City Manager to ensure that all Balcones Canyonland Conservation Plan (BCCP) land acquisition contracts allow the City of Austin to require written approval of a preserve map containing the subject tract(s) by United States Fish and Wildlife (USFW) as a condition of closing (Councilmember Louise Epstein)

Withdrawn

(Councilmember Epstein made a motion, seconded by Councilmember Larson, to amend the language. The motion was withdrawn.)

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

23. C14-93-0005 - TEXAS COMMERCE BANK-AUSTIN, NA, by Strasburger & Price, L.L.P., 14421-14500 IH 35 North and 14415-14421 Owen-Tech Boulevard. From SF-2 to L0. Planning Commission Recommendation: To Grant L0,

Limited Office, zoning as requested.  
First Reading

On Councilmember Nofziger's motion, Mayor Pro Tem Urdy's second, 6-0  
Vote, Councilmember Garcia abstained.

24. C14r-81-107 - ROBERT L. LANDFORD, by Vision Design Group (Andrew Guzman), 926 Ed Bluestein Boulevard and Bolm Road. Existing Zoning: LI, Limited Industrial Services. Request: To revise a previously approved Principal Roadway Area-Zoning site plan. Planning Commission Recommendation: To approve revision of a previously approved Principal Roadway Area-Zoning site plan.  
First Reading
  25. C14-84-378 - O MESA LLC. (John H. Greenwood), by Nathan D. Smith, 9200-9220 Jollyville Road and 9000-9024 Mesa Drive. Request to terminate a restrictive covenant. Planning Commission Recommendation: To approve termination of the restrictive covenant. (Related to Item 9)  
Approved
  26. C14-93-0003 - SMITHERS FAMILY PARTNERSHIP, 10400 North Lamar Boulevard. From I-AA and SF-2 to GR. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay, zoning, subject to: (1) dedication of up to 35 feet of right-of-way from the existing centerline of Neans Drive; (2) a six foot (6') privacy fence (solid) on the West side of the property; (3) prohibition of increased driveway access to Neans Drive, except as required in order for compliance with City standards; and (4) development limited to the following floor-to-area ratios (FARs): Retail Sales (General and Convenience) - 0.203, Restaurant (General and Limited) - 0.149, Fast Food Restaurant - 0.048, Food Sales - 0.172, Financial Services - 0.115.  
First Reading
  27. C14-93-0007 - PLANNED SOUTHWEST INVESTMENTS, by Urban Design Group, 7830-7860 U.S. Hwy. 290 West. From DR to SF-2. Planning Commission Recommendation: To Grant SF-2-CO, Single-Family Residence (Standard Lot) - Conditional Overlay, zoning, limiting development to a maximum of 209 units.  
Ordinance
- #24-27 on Councilmember Nofziger's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.
28. C14-93-0001 - DAVENPORT LTD., by Griffin Engineering Group, Loop 360 South and Westlake Drive. From SF-2 to MF-4-CO. Planning Commission Recommendation: To grant SF-6, Townhouse and Condominium

Residence, zoning as amended, subject to the Comprehensive Watershed Ordinance.  
Postponed to March 18, 1993.

29. C14-93-0012 - VAUGHN HOUSE, INC., by Site Specifics, 3815 South 1st Street. From LO to LR-CO. Planning Commission Recommendation: To deny LR-CO, Neighborhood Commercial-Conditional Overlay.

To be heard by Planning Commission on March 2, 1993; Recommendation to Follow  
Postponed to April 1, 1993.

30. C14-93-0009 - UNIVERSITY OF TEXAS, by Consort, Inc., 10909 Research Boulevard. From LO & P to GR.

To be heard by Planning Commission on March 2, 1993; Recommendation to Follow No recommendation due to cancellation of March 2, 1993 Planning Commission meeting due to lack of quorum.  
Postponed to March 18, 1993.

31. C14-93-0011 - IBM CORPORATION, by McGinnis, Lochridge & Kilgore, 2300-2312 and 2400-2410 Gracy Farms Lane. From LO & DR to MI. No recommendation due to cancellation of March 2, 1993 meeting due to lack of quorum.  
Postponed to March 18, 1993.

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

32. C14-93-0006 - GUARANTY FEDERAL SAVINGS BANK, by Strasburger & Price, L.L.P., 2300-2400 Gracy Farms Lane. From SF-6 to MF-3.  
Postponed to April 1, 1993.
33. C14-93-0004 - JAMES C. PHILLIPS, by Carson Planners, 5900-6000 Mopac Expressway South. From GR-CO to MF-2.  
Postponed to April 1, 1993.

#### FINAL CITIZEN COMMUNICATIONS

Speakers were Terry Parker, Robert Singleton, Al St. Louis, and Mark Moore.

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

Mayor Todd announced that Council will 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. Mayor Todd also announced Council would discuss #35, 36 and 37.

Pending/Contemplated Litigation - Section 2, Paragraph e

34. Discussion of Samuel Charles Salmon v. Roger Myers and the City of Austin, Cause No. 91-14481.

Land Acquisition - Section 2, Paragraph f

46. Discussion of applications of Garwood Irrigation Company, and Pierce Ranch/Lower River Authority to amend Certificates of Adjudication Nos. 14-5434, 14-5477, respectively, pending before the Texas Water Commission.
35. Discussion of real property acquisition for the North Loop area library site.
36. Discussion of real property acquisition of 86 acres of land and a leasehold interest in 165.236 acres of land for park and recreation purposes in the Montopolis neighborhood.
37. Discussion of a contract for the purchase of three (3) tracts of land for the Balcones Canyonland Conservation Plan.

Personnel Matters - Section 2, Paragraph g

38. Interview applicants for Municipal Court Relief Judge.

RECESS - Council recessed for Executive Session from 2:55 to 4:00 P.M.

ACTION ON THE FOLLOWING

39. Approve settlement of Samuel Charles Salmon v. Roger Myers and the City of Austin, Cause No. 91-14481.  
Cost to the City not to exceed \$155,000.
40. Approve fee simple acquisition of real property located at 2202 Hancock Drive, for the implementation of the North Loop area library site. (Recommended by Library Commission)  
Cost of acquisition \$285,000.
- #39-40 on Councilmember Reynolds' motion, Councilmember Epstein's second, 7-0 Vote.
41. Approve a resolution authorizing the negotiation and execution of a contract for the purchase of 86 acres of land and a term leasehold interest in 165.236 acres of land from the Trust for Public Land for

park and recreation purposes located in the Montopolis neighborhood.  
Project cost not to exceed \$1,100,401.

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

42. Approve negotiation and execution of a contract for the purchase of  
three (3) tracts of land from the Texas Nature Conservancy for the  
Balcones Canyonlands Conservation Plan.  
Purchase amount: \$809,055.25.

On Councilmember Garcia's motion, Councilmember Nofziger's second,  
6-1 Vote, Councilmember Epstein voted No.

43. Approve appointment of Municipal Court Relief Judge.

Appointed Gloria Vera, on Councilmember Garcia's motion,  
Councilmember Epstein's second, 7-0 Vote.

44. APPOINTMENTS

Council approved the following board and commission appointments, on  
Councilmember Nofziger's motion, Councilmember Reynolds' second, 7-0  
Vote.

Air Port Advisory Board - Veronica DeLa Garza and Hector Villegas

Arts Commission - Valarie Monard

Cable Commission - Dolores Eufracio

Child Care Commission - E. Len Doughty, Pauline Ericson, Pat  
Gamboa-Alvarez, Joene Grisson, Clare Hudspeth, Susan Johnson, Ronya  
Kozmetsky, Rhonda Paver, Linda Ruiz, Jeannette Watson

Community Development Commission - Patricia Ann Bushner, Dean Flinn,  
Jorge Guerra, Nancy Kozak, John Moore, Luther Simond, Margaret  
Uriegas

Downtown Commission - Raymond Martinez

Federally Qualified Health Center - Walt Wilson, Ruth Maldonado,  
Lorine Jackson, James Gunter, Celia Medrano, Dr. Norman Mason,  
Patricia Presley, Rita Gonzales-Garza, Dolores Diaz-Lopez, Juan  
Ochoa

Human Rights Commission - George Phifer

HBE/WBE - Michael Von Ohlen



Music Commission - Nirez Alvarado, Rosemary Follis, Tim Garbutt,  
Edward Guinn

ADJOURN The meeting was adjourned at 5:21 P.M. -

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