Austin City Council
MINUTES

MAY 20, 1993 - 1:00 P.M.

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

1. Approval of Minutes for Regular Meeting of May 13, 1993 and Special Meeting of May 13, 1993

   Not ready.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Henry Ratliff, to discuss "Council Members have limitless capacity for change and growth."

3. Mr. Robert Thomas, to step up the policies of departmental decisions for employment in the Parks and Recreation Department; to speed up the termination process at the Rosewood Recreation Center of the present declining site management; to activate police protection for our demands.

4. Mr. Horace Willis, to discuss neighborhood concerns.

5. Mr. Ron Lane, to discuss hospital issues. Not present.

BOARD AND COMMISSION REPORTS

6. AUSTIN COMPREHENSIVE ARTS PLAN TASK FORCE - Maxine Barkan, Chair - to present the Comprehensive Arts Plan. Report was presented. (Related to Item 40)

ITEMS CONTINUED FROM PREVIOUS MEETINGS

7. Approve execution of an Interlocal Agreement with Austin Community College, Austin Independent School District and Travis County, for installation of an area-wide high-speed fiber optic telecommunications network. (No fiscal impact for FY 92/93 and 93/94.) Recommended by Cable Subcommittee.

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

ORDINANCES

8. Approve second readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 11900 Stonehollow Drive, Case No. C14-93-0025, from RR, Rural Residence and SF-6, Townhouse and Condominium Residence to MF-2-CO, Multi-family residence (low density)-Conditional Overlay, BLUEBONNET SAVINGS BANK FSB (Margaret Menta), by Land Strategies, Inc. (Paul Linehan). First reading on May 6, 1993; Vote 5-0-1, Councilmember Nofziger absent and Larson abstained. Conditions met as follows: Applicant has requested that Council clarify conditions imposed at first reading.

APPROVED 2ND READING WITH MODIFICATIONS TO CONDITIONS PRIOR TO 3RD READING AS FOLLOWS: 1) APPLICANT AGREES TO PAY THEIR PROPORTIONATE SHARE AT THE TIME OF OBTAINING SITE PLAN APPROVAL FOR THE TRAFFIC SIGNALS AT STONEHOLLOW/METRIC AND STONEHOLLOW/GRACY FARMS AT SUCH TIME SUCH SIGNALS ARE WARRANTED; 2) RESTRICT DEVELOPMENT TO 337 TOTAL UNITS; 3) DEVELOPMENT WITHIN TRACT B RESTRICTED TO VEHICULAR AND PEDESTRIAN CROSSINGS AND UTILITY LINES.

9. Approve second readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known at 9100 Stonehollow, Case No. C14-93-0028, from LO, Limited Office to MF-2-CO, Multi-family Residence (low density)-Conditional Overlay,, BLUEBONNET SAVINGS BANK FSB (Margaret Menta), by Land Strategies, Inc. (Paul Linehan). First reading on May 6, 1993; Vote 5-0-1, Councilmember Nofziger absent and Larson abstained. Conditions met as follows: Applicant has requested that Council clarify conditions imposed at first reading.

APPROVED 2ND READING WITH MODIFICATIONS TO CONDITIONS PRIOR TO 3RD READING AS FOLLOWS: 1) APPLICANT AGREES TO PAY THEIR PROPORTIONATE SHARE AT THE TIME OF OBTAINING SITE PLAN APPROVAL FOR THE TRAFFIC SIGNALS AT STONEHOLLOW/METRIC AND STONEHOLLOW/GRACY FARMS AT SUCH TIME SUCH SIGNALS ARE WARRANTED; 2) RESTRICT DEVELOPMENT TO 324 TOTAL UNITS; 3) DEVELOPMENT WITHIN TRACT B RESTRICTED TO VEHICULAR AND PEDESTRIAN CROSSINGS AND UTILITY LINES.

#8-9 on Councilmember Reynolds' motion, Councilmember Epstein's second, 7-0 Vote.

10. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 9100-9106 and 9108-9116 (even numbers only) South Interstate Highway 35 Service Road Southbound ,Case No. C14-92-0132, from "SF-2", Single Family Residence (standard lot) to "CS-CO", Commercial Services-Conditional Overlay, GEORGIA LUCAS, by Akin, Gump, Hauer &

Feld L.L.P. (Daniel Nelson). First reading on February 25, 1993; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council.

11. Amend Ordinance No. 930513-L to change early voting locations for the June 5, 1993 election.

12. Amend Ordinance N. 920922-E, the 1992-93 operating budget of the Water and Wastewater Utility, by converting nine temporary positions to full time positions, which increases full-time equivalent positions from 994 to 1003. (Fiscal impact is $11,250 - funding is available in the 1992-93 operating budget of the Water and Wastewater Utility.) (Reviewed by Water and Wastewater Commission)

13. Amend Ordinance No. 920922-E to increase the 1992-93 operating budget of the Water and Wastewater Utility by increasing expenses by $43,125 for residential and small commercial rate consulting services for the FY 1993-94 water and wastewater rate setting process, and reducing the Water and Wastewater Utility ending balance by $43,125. (Reviewed by Water and Wastewater Commission) [Related to Item 16]

14. Amend Ordinance No. 920922-E, to increase the 1992-93 operating budget of the Water and Wastewater Utility, by increasing expenses by $395,679 for contracting de-watering of digested sludge in two drying basins at the Hornsby Bend Sludge Facility. (Reviewed by Water and Wastewater Commission) [Related to Item 15]

RESOLUTIONS

15. Approve a service contract award to CDR ENVIRONMENTAL, INC., Houston, Texas, for the Sludge Drying Basin De-watering Project at the Hornsby Bend Sludge Management Facility, in the amount of $385,679. (Funding is available in the 1992-93 operating budget of the Water and Wastewater Utility.) Low bid of five (5). 25% MBE, 6% WBE Subcontractor participation. (Reviewed by Water and Wastewater Commission.) [Related to Item 14]

16. Approve negotiation and execution of a contract with ELLEN BLUMENTHAL, Austin, Texas, to provide residential and small commercial rate consulting services for the 1993-94 water and wastewater rate setting process, in an amount not to exceed $43,125. (Funding is available in the 1992-93 operating budget of the Water and Wastewater Utility.) Best proposal of six (6). .9% MBE, 7% WBE subcontractor participation. Reference No. SH93300016. (Reviewed by Water and Wastewater Commission) [Related to Item 13]

17. Approve execution of a twelve (12) month supply agreement with CUSTOM-CRETE, INC., Austin, Texas, for the purchase of approximately 760 cubic yards of concrete and 40 hours of concrete pumping service

for use by the Water and Wastewater Utility, in an amount not to exceed $56,800 with two (2) twelve (12) month extension options, in an amount not to exceed $56,800 per extension, for a total amount not to exceed $170,400. (Funding in the amount of $18,933.33 is available in the 1992-93 operating budget of the Water and Wastewater Utility; funding for the final eight (8) months of the original contract period and the extension options is contingent upon availability of funding in future budgets.) Low bid of five (5). No M/WBE Subcontracting opportunities were identified. (Reviewed by Water and Wastewater Commission.)

18. Authorize negotiation and execution of an agreement with DAVIS SPRINGS PROPERTIES, LTD., a Texas Limited Partnership, providing for dissolution of the Davis Spring MUD, termination of the Consent Agreement, and extension of water and wastewater facilities to serve the property comprising the former district. (Funding for wastewater facilities is provided from Service Extension Cost Participation Transfers through three (3) annual installments estimated at a total of $1,416,000; funding for water facilities is from quarterly reimbursements equivalent to Water Capital Recovery Fees not to exceed $673,000, contingent on collections in the area. Based on current build-out projections, dissolution will have a cumulative positive impact on the Utility by 1999 of approximately $30,000. This positive impact would accumulate to approximately $8.0 million by 2022.) (Reviewed by Water and Wastewater Commission)

19. Approve execution of a nine (9) month service agreement with STANLEY SMITH SECURITY, INC., Austin, Texas, to provide armed uniformed security guard services at Utility Customer Service Branch Offices, in an amount not to exceed $35,371.35. (Funding in the amount of $15,720.60 is available in the 1992-93 operating budget of the Utility Customer Service Office; funding for the remaining $19,650.75 of the original contract period is contingent upon available funding in future budgets.) Low bid of seven (7). 27% MBE, 0% WBE Subcontractor participation. Reference No. MN9330031.

#10-19 on Councilmember Epstein's motion, Councilmember Larson's second, 7-0 Vote.

20. Authorize the negotiation and execution of an Interlocal Agreement with Capital Metro for continued use of "Dillo" park-and-ride lot for a three-year term with an option to renew for an additional three-year term. (All costs to be paid by Capital Metro) [Recommended by Parks Board]

Postponed to May 27, 1993 on Councilmember Reynolds' motion, Councilmember Nofziger's second, 7-0 Vote.

21. Authorize a $430,000 Housing Implementation Program Grant to the Austin Housing Finance Corporation to reimburse the Corporation for its acquisition of 8.65 acres of land at the northwest corner of East Second Street and Tillery Street, for the Scattered Cooperative Infill Housing Project, Phase III (SCIP III) . (Grant funding from 18th Year Housing Implementation program Community Development Block Grant funds - funding is available in the Department of Planning and Development's Special Revenue budget.) [Recommended by Housing Subcommittee on May 11, 1993.]

22. Set a public hearing to adopt an ordinance amending the Land Development Code to allow two religious assembly uses which do not have services on the same day to share off-site parking facilities without the need for GO or less restrictive zoning and without the need to submit a site plan; and eliminate a reference to appeal off-site parking plans. (Recommended by Planning Commission) [Suggested date and time: June 10, 1993 at 4:30 p.m.]

#21-22 on Councilmember Epstein's motion, Councilmember Larson's second, 7-0 vote.

RECESS - Council recessed from 2:54 to 3:00 P.M.

3:00 P.M. - ELECTRIC UTILITY (Items 23-38)

23. Electric Utility Commission Report - Jim Cash, Chair, reported the Commission recommended approval of items #26-38.

24. Monthly Management Report - Report given by Director of Electric Utility John Moore.

25. Monthly Utility Receivable Report - Charles Curry, Budget Director, gave the report.

26. Approve execution of a contract with CENTRAL TEXAS CLARKLIFT, Austin, Texas, for the purchase of three (3) diesel powered fork-lifts for use by the Electric Utility to assist in moving heavy electrical supplies at the storage yards, in an amount not to exceed $147,547. (Funding included in the 1992-93 Capital Budget for the Electric Utility Department.) Low bid of three (3). No M/WBE Subcontracting opportunities were identified. Reference No. RF93100025.

27. Approve execution of a contract with AUSTIN FORD TRACTOR, Austin, Texas, for the purchase of one (1) tractor/loader/backhoe for use by the Electric Utility for construction and maintenance around the power plants, in an amount not to exceed $36,573.60. (Funding included in the 1992-93 Capital Budget for the Electric Utility.)

Low bid of three (3). No M/WBE Subcontracting opportunities were identified. Reference No. RF93100030.

28. Approve execution of a contract with LINE POWER MANUFACTURING CORPORATION, Bristol, Virginia, for the purchase of a 12.47 kv metal-clad switchgear unit for the Summit Substation, in an amount not to exceed $144,700. (Funding included in the 1991-92 Capital Budget for the Electric Utility.) Low bid of eight (8). No M/WBE Subcontracting opportunities were identified. Reference No. CM93100080.

29. Approve execution of a twelve (12) month supply agreement with 3-D WELDING & INDUSTRIAL SUPPLY, INC., San Marcos, Texas, for the purchase of high quality breathing air, nitrogen, and SF6 gases used to allow personnel to enter substation transformers to perform equipment maintenance and repairs, in the amount of $46,580, with the option to extend for up to two (2) twelve (12) month periods, in the amount of $46,580 per period, for a total amount of $139,740. (Funding in the amount of $15,527 is available in the 1992-93 operating budget for the Electric Utility; funding for the final eight (8) months of the original contract period and the extension options is contingent upon availability of funding in future budgets.) Low bid of seven (7). No M/WBE Subcontracting opportunities were identified. Reference No. CM93100068.

30. Approve the selection of POWER ENGINEERS, INC., Hailey, Idaho, for a contract to provide planning and design services for upgrading existing substation facilities and upgrading and constructing transmission lines, in the amount of $500,000, with the option to extend for up to two (2) twelve (12) month periods, in the amount of $500,000 per extension, for a total amount of $1,500,000. (Funding included in the 1991-92 Capital Budget for the Electric Utility.) Best qualification statement of twelve (12). 10% MBE, 5% WBE Subcontractor participation.

31. Approve a construction contract award to A.J.W. SHEET METAL & ROOFING CO., INC., Converse, Texas, for re-roofing of the Electric Utility Service Building, located at 300 West Avenue, in the amount of $82,455. (Funding included in the 1992-93 Capital Budget for the Electric Utility Department.) Low bid of four (4). 6.67% MBE, 9.52% WBE Subcontractor participation.

32. Approve execution of a contract with ENERGY VENTURES ANALYSIS, INC., Arlington, Virginia, for the development of coal and gas price forecasting models used for the annual budget cycle and for the development of resource plans and fuel procurement plans for the Electric Utility, in the amount of $69,040. (Funding is available in the 1992-93 operating budget for the Electric Utility.) Best proposal of ten (10). No M/WBE Subcontracting opportunities were identified. Reference No. CM93300003.

33. Approve amendment of a contract with CUSTOM CRETE, INC., Austin, Texas, for additional funds for the purchase of ready-mix concrete used to provide street light and pier foundations, bases for pull boxes, protective cover for major ductline work and substation slabs, in the amount of $58,788. (Funding is available in the 1992-93 operating budget of the Electric Utility.) No M/WBE Subcontracting opportunities were identified. Reference N. CA643-92.

34. Approve execution of a contract with COMPUTER SUPPORT, INC., Austin, Texas, for the purchase of one (1) uninterruptible power system to provide filtered and emergency power back-up for critical voice and data processing requirements at the Electric Utility's Kramer Lane Service Center, in the amount of $54,754. (Funding included in the 1992-93 Capital Budget for the Electric Utility.) Low bid of five (5). No M/WBE Subcontracting opportunities were identified. Reference No. CM93100040.

35. Approve execution of a twelve (12) month service agreement with BLUME TREE SERVICES, INC., Conroe, Texas, for tree trimming services for the north Austin service area, which includes removal and disposal of tree limbs and brush from power lines, in the amount of $1,920,594, with the option to extend for two (2) additional twelve (12) month periods, in an amount not to exceed $1,920,594 per extension, for a total amount of $5,761,782. (Funding in the amount of $800,247.50 is available in the 1992-92 operating budget of the Electric Utility; funding for the final seven (7) months of the original contract period and the extension options is contingent upon availability of funding in future budgets.) Low bid of three (3). 10% MBE, 16% WBE Subcontracting opportunities were identified.

36. Approve execution of four (4) one (1) year natural gas supply agreements for natural gas with MOBIL NATURAL GAS, INC., Houston, Texas, in the amount of $5.967 million; ANTHEM ENERGY COMPANY L.P., Houston, Texas, in the amount of $6.035 million; GULF ENERGY MARKETING COMPANY, Houston, Texas, in the amount of $6.151 million; and TENNGASCO MARKETING CORPORATION, Houston, Texas, in the amount of $6.153 million, to provide fuel for the City's electric generating plants over the one (1) year term commencing on June 1, 1993, in the estimated amount of $24.3 million, with the option to extend for up to two (2) additional one (1) year terms, in the amount of $24.5 million for the second year, and $24.7 million for the third year (based on current price forecasts), for a total amount of $73.5 million. (Funding will be provided through Electric

Fuel Charge revenues.) Low bids of twelve (12). No M/WBE Subcontracting opportunities were identified. Reference No. CM93300038.

#26-36 on Councilmember Nofziger's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

37. Approve execution of a seven (7) month spot coal supply contract with EXXON COAL U.S.A., INC., Houston, Texas, for the purchase of coal for the Fayette Power Project, in an estimated amount of $474,375. (Funding will be provided through Electric Fuel Charge revenues.) Low bid of five (5). No M/WBE Subcontracting opportunities were identified. Reference No. 1100TC00020.

    On Councilmember Nofziger's motion, Councilmember Reynolds' second, 5-1-0 Vote, Councilmember Nofziger voted No, Mayor Pro Tem Urdy out of the room.

38. Approve the purchase of 15.946 acres of land located at 1011 Cardinal Lane for the relocation of the existing City of Austin Cardinal Lane Electric Substation, in the amount of $137,000. (Funding included in the 1991-92 Capital Budget of the Electric Utility Department.)

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

3:30 P.M. - AUSTIN HOUSING FINANCE CORPORATION (Regular meeting recessed to hold the AHFC meeting.)

ITEMS FROM COUNCIL

39. Approve negotiation and execution of a concession contract with Carousel Associates, Ltd., for a traditional wooden carousel in Zilker Park, for a period of five (5) years with one (1) five (5) year extension option, with estimated revenues to the City of approximately $131,500 for the first five years;, and $131,500 estimated for the option period, for a total estimated revenue of $263,000. (Councilmember Bob Larson)

    Pulled off agenda.

40. Designate the Cultural Affairs Division of the Parks and Recreation Department as the agency responsible for operating and administering the community arts plan program to be submitted for funding to the National Endowment for the Arts, and approve submission of a Letter of Intent. (Councilmember Michael "Max" Nofziger) (Related to Item 6)

    Approve submission of a Letter of Intent to the National Endowment

for the Arts for funding of an NEA Locals Grant, on Councilmember Epstein's motion, Councilmember Larson's second, 7-0 Vote.

51. (ADDENDUM) Approve a Resolution in support of the City staff's contract negotiations to obtain a fair share contribution from Austin Humane Society to Animal Shelter of Austin for care of stray and neglected animals. (Councilmembers Michael "Max" Nofziger & Bob Larson)

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

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

41. C14-93-0044 - EDWARD R. RATHGEBER, JR. (John Moran), by Capital Metro (Michael Ouimet), 1616 E. William Cannon Drive. From GR to P. Planning Commission Recommendation: To grant P, Public District, zoning as requested.

ORDINANCE - Planning Commission recommendation, on Councilmember Reynolds' motion, Councilmember Larson's second, 7-0 Vote.

42. C14-93-0045 - NASH PHILLIPS/COPUS, INC., (James A. Howard), by Urban Design Group (Laura Toups), 12100 Metric Boulevard. From LO to MF-3. Planning Commission Recommendation: To grant MF-1, limited to 12 units per acre.

PUBLIC HEARING CLOSED and postponed to May 27, 1993, on Councilmember Garcia's motion, Councilmember Nofziger's second, 7-0 Vote.

43. C14-93-0035 - HEALTHVEST (Gregory Herring), by Minter, Joseph & Thornhill, P.C. (Ken Brown), 1110 East 32nd Street. From NO-H to GO-H. Planning Commission Recommendation: To grant GO-H-CO, General Office-Historic-Conditional Overlay, zoning with conditions agreed to by the applicant, and with the provisions of the overlay as follows: (1) prohibition of access to Hollywood Avenue; (2) uses limited to those permitted in the LO district; and (3) the only permitted GO use would be guidance services. The applicant agreed to a Restrictive Covenant which would allow the City to roll the property back to NO zoning if the GO use ceased.

POSTPONED TO MAY 27, 1993, on Councilmember Reynolds' motion, Councilmember Larson's second, 7-0 Vote. (Applicant's first request.)

44. C14-93-0001 - DAVENPORT LTD., by Griffin Engineering Group (Greg Griffin), 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.

GRANT SF-6 ZONING ON FIRST READING, DELETING PC CONDITION OF "SUBJECT TO CWO", on Councilmember Reynolds' motion, Mayor Pro Tem Urdy's second, 4-3 Vote, Mayor Todd, Councilmembers Garcia and Nofziger voted No.

To be heard by Planning Commission on May 18, 1993; Recommendation to Follow

45. C14H-93-0005 - LAMAR BOULEVARD BRIDGE (State of Texas, Department of Transportation), by City of Austin, Between North and South Lamar Boulevard. From UNZ to P-H.

Postponed to June 10, 1993 on Councilmember Reynolds' motion, Councilmember Larson's second, 7-0 Vote. [Planning Commission had not yet considered.]

To be heard by Planning Commission on May 18, 1993; Recommendation to Follow

46. C14-93-0053 - TEXAS COMMERCE BANK (Roger Bott), by RTG/Partners Inc. (Martha Nelson), 12559 Research Boulevard. From SF-2 to GR. Planning Commission recommendation GR, Community Commercial, Vote 7-0.

ORDINANCE - GRANTED GR ZONING, on Councilmember Reynolds' motion, Councilmember Larson's second, 6-0-1 Vote, Councilmember Garcia abstained.

47. C14-90-0017 - IVANHOE, INC. (Claude Maynard), by Richardson Verdoorn (Nancy Riviere), F.M. 2222. From DR to RR (Tract 1) and SF-2 (Tract 2). Planning Commission did not consider.

POSTPONED TO JULY 15, 1993.

48. C14-93-0022 - IVANHOE, INC. (Claude Maynard), by Richardson Verdoorn, F.M. 2222. From DR to SF-1. Planning Commission did not consider.

POSTPONED TO JULY 15, 1993.

#47-48 on Councilmember Reynolds' motion, Councilmember Larson's second, 7-0 Vote.

PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

49. 4:30 P.M. - Amend the Land Development code, Section 13-1-332, providing alternatives for posting fiscal surety for independent school districts and community college projects. (Recommended by Planning Commission)

Hearing continued to June 10, 1993 at 5:00 P.M. No speakers at this hearing.

50. 5:30 P.M. - Amend Title XIII (Land Development Code) of the Austin City Code of 1992 by establishing and defining "microbrewery" use and the zoning districts in which such use is authorized, and other site development regulations related to the microbrewery use. (Recommended by Planning Commission.)

Public hearing closed, on Councilmember Garcia's motion, Councilmember Reynolds' second, 5-0 Vote, Mayor Todd and Councilmember Epstein out of the room. No other action taken.

ADJOURN -