



Austin City Council MINUTES

AUGUST 11, 1994 - 1:00 P.M.

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

MINUTES APPROVED

1. Approval of Minutes for Special Meetings of June 22, 1994; July 26, 1994; July 27, 1994; August 2, 1994 and August 3, 1994. Regular Meeting of July 28, 1994. Approved minutes of Special Meetings of June 22, 1994 and July 27, 1994 on Councilmember Garcia's motion, Councilmember Goodman's second, 7-0 vote.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Jimmy Castro, to discuss "Students it's time to rock enroll back to school."
3. Mr. Les Gage, to express his amazement and gratitude to the Department of Public Works for opening up Redbud Trail on time and for resurfacing the old bumpy asphalt.
4. Ms. Dena Stegel, to update the City Council on new services at Connections and introduce Friends of Connections Resource Center.
5. Ms. Melissa Amice & Friends of Connections, to update the City Council on new services at Connections and introduce Friends of Connections Resource Center.
6. Ms. Elizabeth Morgan, to introduce Jeannete Watson, Chair, Child Care Council, who will present letters of support from Connections patrons and speak about funding for Connections.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

7. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 705-707 Woodward Street, Case No. C14-93-0111, from "LR", Neighborhood Commercial to "RR", Rural Residence for Tracts 1 and 2, and "MF-3-CO", Multifamily Residence (medium density)-Conditional Overlay for Tract 3, JOHN J. STOKES (Beth Wavak), by Conley Engineering, Inc. (Carl Conley). First reading on May 26, 1994; Vote 5-0. Conditions met as follows: conditional overlay incorporates conditions imposed by Council. Restrictive covenant incorporating conditions imposed by Council has been executed. Approve second reading with conditional use permit for site plan on Councilmember Mitchell's motion, Councilmember Reynolds' second, 6-0-1 vote, Councilmember Mitchell abstained.

Amendment to have a 150 foot setback from seep and wetlands on Councilmember Goodman's motion, Councilmember Shea's second, 5-2-0 vote, Councilmembers Mitchell and Reynolds voting NO.

8. Approve second/third readings of an ordinance amending the Land Development Code to extend deadlines for updates to applications. (Councilmembers Ronney Reynolds and Eric Mitchell)
Postponed until August 18, 1994

ORDINANCES

9. Authorize acceptance of \$6,080 in additional grant funds from the Texas Department of Health for the Women, Infants and Children's Nutrition Program (WIC); amend Ordinance No. 930915-A, the 1993-94 Operating budget, amending the Special Revenue Fund by appropriating an additional \$6,080 in grant funds for the Health and Human Services Department Special Revenue Fund for a total grant amount of \$398,558; and adding two (2) grant funded full-time equivalents (FTEs).
Ordinance No. 940811-A approved
10. Authorize acceptance of an increase of \$798 in grant funds from the Texas Department of Housing and Community Affairs for the Emergency Community Services for the Homeless Grant Program (EHP); amend Ordinance No. 930915-A, the 1993-94 Operating budget, amending the Special Revenue Fund for the Health and Human Services Department by appropriating an additional \$798, for a total EHP grant amount of \$21,849.
Ordinance No. 940811-B approved
11. Amend Section 8-3-5 of the City Code to allow for interim approvals of applications for alcoholic beverage permits for incomplete structures, but requiring Code compliance prior to conducting business. (No fiscal impact).
Ordinance no. 940811-C approved

Items 9-11 approved on Councilmember Mitchell's motion, Councilmember Garcia's second, 7-0 vote.

12. Authorize execution of development agreements with Austin Independent School District pursuant to Local Government Code Section 212.902. (No fiscal impact)

Ordinance No. 940811-F approved on Councilmember Garcia's motion, Mayor Todd's second, 7-0 vote.
13. Authorize execution of development agreements with Eanes Independent School District (ISD), Round Rock ISD, Del Valle ISD, Leander ISD and Pflugerville ISD pursuant to Local Government Code Section 212.902. (No fiscal impact).
Postponed until August 18, 1994

RESOLUTIONS

14. Approve second modification of a contract with CATALYST CAREER CONSULTANTS (MBE), Austin, Texas, to complete initial diversity training for employees of the Environmental and Conservation Services Department, and to help design and conduct a second diversity training session, in the amount of \$26,250, for a total contract amount of \$61,000. (Funding in the amount of \$7,500 is available in the 1993-94 Operating budget of the Solid Waste Services Fund; the remaining \$18,750 is contingent upon approval of the proposed 1994-95 operating budget of the Solid Waste Services Fund.)
Approved

15. Approve execution of a twelve (12) month supply agreement with BAKER AND TAYLOR, INC., Charlotte, North Carolina, for the purchase of books for the Library Department-Central Texas Library System, in an amount not to exceed \$250,000, with two (2) twelve (12) month extension options in an amount not to exceed \$250,000 per extension, for a total amount not to exceed \$750,000. (Funding in the amount of \$250,000 is available in the 1993-94 grant budget of the Library Department. Funding in the amount of \$250,000 per extension option will be contingent upon available state and federal grant funding in future budgets of the Library Department.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified.
Approved
16. Approve a construction contract to AUSTIN ALARM ASSOCIATES (WBE), Austin, Texas, for installation of fire alarm and security systems at ten (10) City owned branch libraries in the amount of \$60,543. (Funding was included in the 1993-94 Capital budget of the Austin Public Library.) Low bid of five (5). No M/WBE Subcontracting opportunities were identified.
Approved
17. Approve execution of contracts for the purchase of golf course mowers and equipment for the new Roy Kizer Golf Course with the following: WATSON DISTRIBUTING COMPANY, INC., San Antonio, Texas, in the amount of \$129,772 and GOLDTHWAITE'S OF TEXAS, INC., San Antonio, Texas, in the amount of \$43,087 for a total amount of \$172,859 (Funding was included in the 1992-93 Capital budget of the Parks and Recreation Department.) Low bid of four (4) meeting specifications. No M/WBE Subcontracting opportunities were identified.
Approved
18. Approve execution of a contract award with BRAUN AND BUTLER CONSTRUCTION INC., Austin, Texas, for construction of the South Austin Senior Activity Center at 3911 Manchaca Road in the amount of \$1,270,000. (Funding was included in the 1993-94 Capital budget of the Parks and Recreation Department.) Low bid of six (6). 6.35% MBE, 1.71% WBE Subcontractor participation.
Approved
19. Approve execution of a twelve (12) month supply agreement with LOUIS PRINTING SERVICES, INC., (WBE), Austin, Texas, for forms production/forms management for the Health and Human Services Department, in an amount not to exceed \$68,576.47, with two (2) twelve (12) month extension options in an amount not to exceed \$68,576.47 per extension, with a maximum inventory buyout option of \$15,644.12, for a total amount not to exceed \$221,373.53. (Funding in the amount of \$8,572.06 is available in the 1993-94 operating budget of the Health and Human Services Department, \$2,857.35 is available in the 1993-94 operating budget of the Federally Qualified Health Center Fund. Funding in the amount of \$57,147.06 for the remaining ten months of the original contract period and the extension options is contingent upon available funding in future operating budgets of the Health and Human Services Department and Federally Qualified Health Center.) Low bid of two (2). 13.82% MBE, 30% WBE Subcontractor participation.
Approved

20. Approve execution of a twelve (12) month supply agreement with MALLINCKRODT MEDICAL, INC., St. Louis, Missouri, for Ionic contrast media (dyes used by Radiology for injections into patients to define peripheral vessels in arms and legs), in an amount not to exceed \$59,250.70, to include an option to extend thereafter for up to two (2) additional twelve (12) month periods in an amount not to exceed \$59,250.70 for each extension, for a total amount not to exceed \$177,752.10. [Funding in the amount of \$9,875.12 is available in the 1993-94 operating budget of Brackenridge Hospital. Funding for the final ten (10) months of the original contract period and the extension options is contingent upon available funding in future budgets.] Low bid of three (3) meeting specifications. No M/WBE Subcontracting opportunities were identified.
Approved
21. Approve execution of a contract with SAULSBURY FIRE EQUIPMENT CORPORATION, Preble, New York, for the purchase of two (2) hazardous material response and emergency rescue trucks in an amount not to exceed \$507,289.54. (Funding is available in the 1993-94 Fleet Acquisition Fund.) Low bid of five (5). No M/WBE Subcontracting opportunities were identified.
Approved
22. Approve negotiation and execution of Agreement setting forth terms and conditions for termination of existing Wastewater Disposal Agreement between Austin, Round Rock and the Brushy Creek Water Control and Improvement District No. 1 of Williamson and Milam Counties ("Brushy Creek WCID"), relating to the Brushy Creek Regional Wastewater System, providing for payment of termination-related expenses not to exceed \$60,000 and for transfer of all Regional System Assets and Obligations to Austin and Round Rock. (Funding is available in the 1993-94 operating budget of the Water and Wastewater Utility.) [Recommended by the Water and Wastewater Commission]
Approved
23. Ratify an amendment to a professional service agreement with JENKENS & GILCHRIST, P.C., Austin, Texas, for legal service related to hospital agreements in the amount of \$53,000, for a total amount of \$87,000. (Funding is available in the Brackenridge Hospital 1993-94 budget.)
Approved
24. Approve a contract award to COLEMAN CONSTRUCTION COMPANY, Austin, Texas, for the construction of the Rutland Detention Pond and Park Improvements at the intersection of Mearns Meadow Boulevard and Rutland Drive (Little Walnut Creek Watershed) in the amount of \$595,804.20. [Funding in the amount of \$430,000 was included in the 1991-92 Capital budget of the Public Works and Transportation Department (Quail/Little Walnut Creek Confluence); \$165,804.20 was included in the 1993-94 Capital budget of the Public Works and Transportation Department (Little Walnut and Other Creeks, Flood and Erosion Control)]. Low bid of eight (8). 15.85% MBE, 12.03% WBE Subcontractor participation. (Recommended by the Environmental Board)
Approved

25. Approve execution of a contract award to PRISM DEVELOPMENT, INC., (MBE), Austin, Texas, for construction of curb ramps along South Congress Avenue between Riverside Drive and West Oltorf, to comply with the Americans with Disabilities Act (ADA), in the amount of \$41,593.36. (Funding was included in the 1991-92 Capital budget of the Public Works and Transportation Department.) Low bid of four (4). 0% MBE, 6.01% WBE Subcontractor participation.
Approved

26. Authorize the negotiation and execution of an amendment to the Lease with LIBERTY LUNCH & WAGON YARD, INC., to include the outside area adjoining the Schneider Store located at 401 West 2nd Street. (No fiscal impact.) [Recommended by the Historic Landmark Commission]
Approved

Items 14-26 approved on Councilmember Mitchell's motion, Councilmember Garcia's second, 7-0 vote.

27. Consent to the financing by the Bell County Health Facilities Development Corporation of a Health Facility located in the City of Austin. (No fiscal impact.)

Approved conditional upon County's consent on Councilmember Garcia's motion, Mayor Pro Tem Nofziger's second, 7-0 vote.

28. Approve the award of a remediation/demolition contract to SOUTHWEST CONSTRUCTORS, INC., Austin, Texas, for the remediation and demolition of facilities in areas planned for new airport construction, in the amount of \$344,440. (Funding was included in the 1993-94 Capital budget for Aviation.) Low bid of two (2). DBE Subcontractor participation: 50.57% (29.42% MBE, 21.15% WBE). [Reviewed by the Airport Advisory Board]

Approved on Councilmember Mitchell's motion, Councilmember Garcia's second, 7-0 vote.

29. Secure direction from the City Council regarding Advanced Micro Devices' (AMD) proposal for multi-family housing.

Approved as recommended by Housing Subcommittee with a directive to create a task force made up from inter-governmental groups to study the health facility and appointing Councilmembers Garcia and Mitchell to the task force as the City of Austin council representatives on Councilmember Goodman's motion, Mayor Todd's second, 5-0 vote, Councilmembers Mitchell and Reynolds out of the room.

ITEMS FROM COUNCIL

30. Direct the City Manager to establish control procedures concerning requests by Council Members to the City Manager and/or City staff. (Councilmember Ronney Reynolds)
Postponed for 2 weeks

31. Approve waiving the provisions of Section 2-4-1 of the City Code to permit the appointment of a non-resident to the Child Care Council. (Councilmembers Ronney Reynolds, Jackie Goodman and Eric Mitchell)

Ordinance No. 940811-D approved

32. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 300 to 428 East Stassney Lane, Case No. C14-94-0074, from "MF-2", Multifamily Residence (low density) and "SF-3", Family Residence to "MF-2-CO", Multifamily Residence (low density)-Conditional Overlay, CAPITAL COMMERCIAL INVESTMENT (Doug Agawar), by Minter, Joseph & Thornhill (Kenneth E. Brown). First reading on July 28, 1994; Vote 7-0. Conditions met as follows: Conditions have not been met. (Councilmembers Ronney Reynolds and Eric Mitchell)

Ordinance No. 940811-E approved

33. Approve a resolution supporting the State Cemetery enhancement application to the Statewide Transportation Enhancement Program (STEP) through the Texas Department of Transportation. (Mayor Bruce Todd and Councilmember Brigid Shea)
Approved

Items 31-33 approved on Councilmember Mitchell's motion, Councilmember Garcia's second, 7-0 vote.

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

34. C14-94-0068 - JAMES H. ARNOLD, by Richard Crank, Centennial Trail and Beckwood Drive. From DR to SF-1. Planning Commission Recommendation: To grant SF-1-CO, Single Family Residence (large lot)-Conditional Overlay and RR, Rural Residence for areas within the 100-year floodplain. Provisions of the conditional overlay are as follows: (1) Restrict Randy Road to a maximum of three single family lots, and restrict the total number of single family lots for the proposed development to 63; (2) Prohibit the extensions of Beckwood Drive and Gilcrest Lane subject to notifying the City Council prior to final action of any concerns expressed by the County.

Approved 1st reading of Planning Commission recommendation on Councilmember Reynolds' motion, Councilmember Garcia's second, 6-0 vote, Mayor Pro Tem Nofziger out of the room.

PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

35. 5:00 P.M. - Public hearing on the full purpose annexation of the following areas: Lakeline Area, Parkline Area, Pecan Park Area, Davis Springs West Area, Lake Creek Area, Adey Subdivision Area, Harris Ridge/McAdams Area, Silverstone Area, Woods of Westlake/Renaissance Heights, Canyon Ridge Area, Great Hills XXIV/Westhill Estate Sec. II.

Close public hearing on Councilmember Reynolds' motion, Councilmember Goodman's second, 6-0 vote, Mayor Todd out of the room.

36. 5:30 P.M. - Public hearing on the 1994-1995 Operating and Capital budgets.

Close public hearing on Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 vote, Mayor Todd out of the room.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive Session was held on the morning of this date.

The City Council will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel to discuss matters of land acquisition, litigation and personnel matters as specifically listed on the meeting agenda. Council would take any subsequent action in the open meeting as listed on the agenda. The City Council may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item listed on the agenda.

Land Acquisition - Section 551.072

- 37. Discuss the real property acquisition of the U.S. 290/SH 71 project. (Westgate Blvd. to Brodie Lane)**
- 38. Discuss fee simple acquisition of real property located at 4108 Todd Lane for a Solid Waste Vehicle Maintenance Facility for the Environmental & Conservation Services Department.**
- 39. Discuss fee simple acquisition of real property located in the 4000 block of Todd Lane for a Solid Waste Vehicle Maintenance Facility for the Environmental & Conservation Services Department, and additional parking and storage for the Service Center No. 5 of the Water and Wastewater Utility.**

ACTION ON THE FOLLOWING

- 40. Authorize City of Austin participation with the State of Texas in real property acquisition of the U.S. 290/SH 71 project.
Approved \$60,500.00 for the participation of the City of Austin with the State of Texas**
- 41. Authorize fee simple acquisition of real property located at 4108 Todd Lane for a Solid Waste Vehicle Maintenance Facility for the Environmental & Conservation Services Department.
Approved \$220,000.00 for fee simple acquisition**
- 42. Authorize fee simple acquisition of real property located in the 4000 block of Todd Lane for a Solid Waste Vehicle Maintenance Facility for the Environmental & Conservation Services Department, and additional parking and storage for the Service Center No. 5 of the Water and Wastewater Utility.
Approved \$436,536.00 for fee simple acquisition**

Items 40-42 approved on Councilmember Mitchell's motion, Councilmember Garcia's second, 7-0 vote.

43. APPOINTMENTS

CABLE COMMISSION - John Horrigan
ENVIRONMENTAL BOARD - George Avery and Sabino Renteria
ETHICS REVIEW COMMISSION - Walt McCool
LIBRARY COMMISSION - Jesus Dela Teja
WATER & WASTEWATER COMMISSION - Trinidad Botello and Macenroe McQuade

Approved on Councilmember Garcia's motion, Councilmember Shea's second, 7-0 vote.

ADJOURN at 9:20 p.m. on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Mayor Todd out of the room.

Approved this the 15th day of September, 1994, on Councilmember Garcia's motion, Councilmember Goodman's second, 7-0 vote.

Correction approved this the 29th day of September, 1994, to show item #7 to be 2nd and 3rd reading and Ordinance No. 940811-G approved, on Councilmember Garcia's motion, Councilmember Goodman's second, 7-0 vote.