



Austin City Council MINUTES

MAY 18, 1995
1:00 P.M.

Mayor Todd called the meeting to order, Councilmember Mitchell off the dais, Councilmember Garcia absent.

1. Approval of Minutes for Regular Meetings of April 27, 1995 and Special Meeting of April 26, 1995, Special called Meetings of May 3 and 4, and May 11, 1995 and Special Meeting of May 10 and Regular Meeting of May 11, 1995.

Approved on Mayor Pro Tem Nofziger's motion, Councilmember Goodman's second, 5-0 vote, Councilmember Shea temporarily absent, Councilmember Garcia absent.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Gus Pena, to request that the City of Austin join Travis County to help combat homeless issue in Austin and Travis County; increase funding for summer youth job program; to direct the Human Resource Department to make hiring an older veteran a top priority as the State of Texas does.
3. Mr. John Nyfeler, to share with the Mayor and Council recommendations from AIA Austin on the subject of the planning process for a possible City Hall.
4. Mr. Kurt Jobson, to ask the Council to agree to leasing back Brackenridge Hospital employees with 20 years and more of service.

ORDINANCES

5. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 8400 E. U.S. Hwy. 290, Case No. C14-95-0009, from "DR", Development Reserve, to "GR-CO", Community Commercial-Conditional Overlay, FIRST STATE BANK (Roger W. Weiland), by Dunagan, Weichert & Assoc. (Glenn Weichert). First reading on March 30, 1995; Vote 6-0, Councilmember Shea absent. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council. A restrictive covenant incorporating conditions imposed by Council has been executed. [There is a valid petition of 100% opposing this rezoning request, therefore six votes of Council will be required to grant the applicant's request.]

Postponed for two weeks on Councilmember Goodman's motion, Mayor Pro Tem Nofziger's second, 6-0 vote, Councilmember Garcia absent.

6. Authorize acceptance of \$8,707 in additional grant funds from the National Council of Senior Citizens for the provision of job placement and training for older adults; Amend Ordinance 940912-D, the 1994-95 operating budget, amending the Special Revenue Fund by appropriating an additional \$8,707 in grant funds for the Parks and Recreation Department's Special Revenue Fund, for a total grant amount of \$267,580. (City's in-kind match is \$69,581 - Funding is available in the 1994-95 operating budget of the Parks and Recreation Department.)
Ordinance No. 950518-A approved on Councilmember Shea's motion Councilmember Goodman's second, 5-0 vote, Mayor Pro Tem Nofziger off the dais, Councilmember Garcia absent.

Health and Human Services (Items 7-8)

7. Amend Ordinance No. 940912-D, the 1994-95 operating budget, Health and Human Services Disproportionate Share Fund, by increasing the transfers to the Capital Budget by \$1,867,000; amend ordinance 940912-E, the 1994-95 Capital Budget for the Health and Human Services Department by appropriating \$1,867,000 for the acquisition and renovation of a facility located at 1111 East Cesar Chavez Street (was recommended by the Planning Commission. 7-0.)
Ordinance No. 950518-B approved on Councilmember Goodman's motion, Councilmember Shea's second, 5-0 vote, Mayor Pro Tem Nofziger off the dais, Councilmember Garcia absent.

RESOLUTIONS

8. Authorize the acquisition of real property located at 1111 East Cesar Chavez for the Medical Assistance Program and public health programs of the Health and Human Services Department, in the estimated amount of \$330,000. (Funding is included in the 1994-95 Capital Budget for the Health and Human Services Disproportionate Share Fund.)
Approved

Brackenridge Hospital (Items 9-16)

9. Approve execution of a twelve (12) month supply agreement with BRACCO DIAGNOSTICS, Princeton, New Jersey, to provide non-ionic radiographic contrast media products used in the diagnosis and treatment of patients, in an amount not to exceed \$274,869.90 with an option to extend thereafter for up to two (2) additional twelve (12) month periods in an amount not to exceed \$274,869.90 for each extension, for a total amount not to exceed \$824,609.70. [Funding in the amount of \$114,529.13 is available in

the 1994-95 operating budget of Brackenridge Hospital. Funding for the remaining seven

(7) months 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

10. Approve execution of a twelve (12) month agreement with TRANS-MED (WBE/FR), Austin, Texas, to provide medical transcription services for the Emergency Room of Brackenridge Hospital, in an amount not to exceed \$184,800 with two (2) twelve (12) month extension options in an amount not to exceed \$184,800, for a total amount not to exceed \$554,400. [Funding in the amount of \$77,000 is available in the 1994-95 operating budget of Brackenridge Hospital. Funding for the remaining seven (7) months and the extension options is contingent upon available funding in future budgets.] Low bid of two (2). No M/WBE Subcontracting opportunities were identified.

Approved

11. Approve execution of a twelve (12) month supply agreement with SOUTHERN SAFETY SALES, Austin, Texas, to provide sterile disposable surgical procedure prep trays, in an amount not to exceed \$36,378.98 with two (2) twelve (12) month extension options in an amount not to exceed \$36,378.98 per extension, for a total amount not to exceed \$109,136.94. [Funding in the amount of \$15,157.90 is available in the 1994-95 operating budget of Brackenridge Hospital. Funding for the remaining seven (7) months and the extension options is contingent upon available funding in future budgets.] Low bid of seven (7). No M/WBE Subcontracting opportunities were identified.

Approved

12. Approve execution of a twelve (12) month supply agreement with MEDI+PHYSICS, INC., San Antonio, Texas, to provide radiopharmaceutical products used in the diagnosis and treatment of patients, in an amount not to exceed \$43,405 with an option to extend thereafter for up to three (3) additional twelve (12) month periods in an amount not to exceed \$43,405 per each extension, for a total amount not to exceed \$173,620. [Funding in the amount of \$18,085.42 is available in the 1994-95 operating budget of Brackenridge Hospital. Funding for the remaining seven (7) months and the extension options is contingent upon available funding in future budgets.] Sole Source. No M/WBE Subcontracting opportunities were identified.

Approved

13. Approve execution of a twelve (12) month supply agreement with GENERAL ELECTRIC MEDICAL SYSTEMS, Austin, Texas, for preventive maintenance and repair services for the Bi-Plane Angiocardigraphic System (Cardiac Cath Lab) of Brackenridge Hospital, in an amount not to exceed \$88,316 with an option to extend thereafter for up to four (4) additional twelve (12) month periods in an amount not to exceed \$88,316 per each extension, for a total amount not to exceed \$441,580. [Funding in the amount of

\$29,438.67 is available in the 1994-95 operating budget of Brackenridge Hospital.

Funding for the remaining eight (8) months and the extension options is contingent upon available funding in future budgets.] Sole Source. No M/WBE Subcontracting opportunities were identified.

Approved

14. Approve execution of two (2) twelve (12) month supply agreements with 3M INFUSION THERAPY, St. Paul, Minnesota, to provide Interlink pump sets with check valves that when utilized together form a needleless intravenous administration system, in an amount not to exceed \$61,206.72, and BAXTER HEALTHCARE CORPORATION, Round Lake, Illinois, to provide intravenous administration sets and components to Brackenridge Hospital, in an amount not to exceed \$318,258.50 with an option to extend thereafter for up to two (2) additional twelve (12) month periods in an amount not to exceed \$61,206.72 and \$318,258.50 respectively for each extension, for a total amount not to exceed \$1,138,395.66. [Funding in the amount of \$126,488.41 is available in the 1994-95 operating budget of Brackenridge Hospital. Funding for the remaining eight (8) months and the extension options is contingent upon available funding in future budgets.] Low bid of six (6) meeting specifications. No M/WBE Subcontracting opportunities were identified.

Approved

15. Approve execution of a twelve (12) month service agreement with A-1 ELEVATOR SERVICE, INC., San Antonio, Texas, to provide elevator maintenance service for Brackenridge Hospital, in an amount not to exceed \$61,740 with an option to extend for up to four (4) additional twelve (12) month periods in an amount not to exceed \$61,740 per extension, for a total amount not to exceed \$308,700. [Funding in the amount of \$20,580 is available in the 1994-95 operating budget of Brackenridge Hospital. Funding for the remaining eight (8) months and the extension options is contingent upon available funding in future budgets.] Low bid of four (4). No M/WBE Subcontracting opportunities were identified.

Approved

Items 8-15 approved on Councilmember Shea's motion, Councilmember Goodman's second, 5-0 vote, Mayor Pro Tem Nofziger off the dais, Councilmember Garcia absent.

16. Ratify a six (6) month extension and approve an additional three (3) months for a total nine (9) month contract extension with SHERRY MATTHEWS ADVERTISING AND PUBLIC RELATIONS (WBE/FR), Austin, Texas, for advertising and marketing services for Brackenridge Hospital, in an amount not to exceed \$270,000.00. (Funding is available in the 1994-95 operating budget of Brackenridge Hospital.) 0% MBE, 15.68% WBE Subcontractor participation.

Approved on Councilmember Goodman's motion, Mayor Pro Tem Nofziger's second, 4-2 vote, Mayor Todd and Councilmember Mitchell Voting "NO", Councilmember Garcia absent.

17. Approve execution of a twelve (12) month supply agreement with ARNOLD OIL COMPANY, Austin, Texas, for the purchase of automotive repair parts for all makes of

sedans, light, medium and heavy-duty trucks in the City's fleet, in an amount not to exceed \$500,000 with two (2) twelve (12) month extension options in an amount not to exceed \$500,000 per each extension, for a total amount not to exceed \$1,500,000. [Funding in the amount of \$166,667 is available in the 1994-95 operating budget of the Fleet and Radio Maintenance Fund. Funding for the final eight (8) months and the extension options is contingent upon available funding in future budgets.] Low bid of eight (8). No M/WBE Subcontracting opportunities were identified.

Approved

18. Approve execution of a twelve (12) month supply agreement with ADVANCE BATTERY COMPANY, Austin, Texas, for the purchase of automotive batteries used in automotive and special equipment for the Fleet Maintenance Division, in an amount not to exceed \$150,000 with two (2) twelve (12) month extension options in an amount not to exceed \$150,000 per extension, for a total amount not to exceed \$450,000. [Funding in the amount of \$50,000 is available in the 1994-95 operating budget of the Fleet and Radio Maintenance Fund. Funding for the final eight (8) months and the extension options is contingent upon available funding in future budgets.] Low bid of four (4). No M/WBE Subcontracting opportunities were identified.

Approved

19. Approve execution of a contract with THE PLANK COMPANY, INC., Austin, Texas, for the purchase of hydraulic vertical shores (personnel protective devices specifically designed and engineered to provide excavation safety protection) for the field operations of the Water and Wastewater Utility, in the amount of \$37,197.54. (Funding is available in the 1994-95 operating budget of the Water and Wastewater Utility.) Low bid of four (4). No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)

Approved

Items 17-19 approved on Councilmember Shea's motion, Councilmember Goodman's second, 5-0 vote, Mayor Pro Tem Nofziger off the dais, Councilmember Garcia absent.

Austin-Bergstrom International Airport (Item 20)

20. Approve the selection of RMT/JONES & NEUSE, INC., Austin, Texas, and authorize negotiation and execution of a contract to provide investigation of buildings (Air Force Industrial buildings, three-story dormitories and two-story multiplex housing) for materials requiring remediation and the preparation of remediation and demolition contracts for the Austin-Bergstrom International Airport, in an amount not to exceed \$1,000,000. (Funding was included in the 1994-95 Capital budget of the Aviation Department.) Best proposal of ten (10). 30% DBE Participation: 25% MBE, 5% WBE. (Reviewed by Airport Advisory Board)

Approved to split \$1,000,000 evenly between 2nd and 3rd ranked bidders on Councilmember Goodman's motion, Councilmember Reynolds' second, 5-0 vote, Mayor Todd temporarily absent, Councilmember Garcia absent.

21. Approve a Neighborhood Commercial Management Program (NCMP) loan to Micro-Media

Solutions, Inc., for the purchase of equipment and leasehold improvements at 501 Waller Street, in an amount not to exceed \$75,000. (Funding is available in the 1990-91 Special Revenue Fund of the Planning and Development Department.) [Recommended by Housing Subcommittee]

Approved on Councilmember Shea's motion, Councilmember Goodman's second, 5-0 vote, Mayor Pro Tem Nofziger off the dais, Councilmember Garcia absent.

22. Authorize a Community Development Block Grant (CDBG) Housing Implementation Program (HIP) Loan to the Center for Battered Women for the acquisition of a five (5) acre parcel of land on Grove Boulevard for the development of a supportive housing facility, in an amount not to exceed \$275,000. [Funding is available in the Special Revenue Fund of the Planning and Development Department for the Housing Implementation Program (HIP) 19th year CDBG Fund.] (Recommended by Housing Subcommittee)

Approved on Councilmember Shea's motion, Councilmember Goodman's second, 4-1 vote, Councilmember Mitchell voting "NO", Mayor Pro Tem Nofziger off the dais, Councilmember Garcia absent.

3:30 P.M. - BOARD OF DIRECTOR'S MEETING OF AUSTIN HOUSING FINANCE CORPORATION

The Mayor will recess the City Council meeting. A Board meeting of the Austin Housing Finance Corporation (AHFC) will be conducted. Following adjournment of the AHFC Board meeting, the City Council will be reconvened. Items 23-25 are AHFC items to be considered by the Austin Housing Finance Corporation's Board of Directors.

Postponed to May 25, 1995

23. Approve minutes of March 23, 1995 meeting.
24. Approve the sale and delivery of Single Family Mortgage Revenue Refunding Bonds, Series 1995A, in an amount not to exceed \$3,210,000, for restructuring of the Issuer's Single Family Mortgage Revenue Single Family Bonds, Series 1985, and authorize the president or his designee to execute the necessary documents to complete the transaction. (Recommended by Audit and Finance Committee and Housing Subcommittee)
25. Presentation to the Board by Samuel Biscoe, President, Travis County Housing Finance Corporation (TCHFC) on the status of TCHFC's 1994 Single Family Mortgage Revenue Refunding Bonds Series A and B.

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

26. C14-95-0031 - INTERNATIONAL BANK OF COMMERCE (Peter Dwyer), by Bury & Pittman (Greg Strmiska), Approximately 3400 block Robert F. Morrison Drive. From I-RR to LR (Tract 1) and SF-6 (Tract 2). Planning Commission Recommendation: To Grant LR-CO, Neighborhood Commercial-Conditional Overlay, zoning for Tract 1, and SF-6-CO, Townhouse and Condominium Residence-Conditional Overlay, zoning for Tract 2. The

provisions of the overlay are follows: (1) limit development to less than 2,000 vehicle trips per day for both tracts; and (2) Tract 2 shall not be developed until Robert Morris Drive is complete with the following conditions - require a 75 foot setback; require a 25 foot vegetative buffer within the 75 foot building setback; limit the height limitation to 25 feet east of the easement that runs north and south; and height limitation for another 50 feet (from 75 to 125) be limited to 25 feet.

Postponed until June 1, on Councilmember Shea's motion, Councilmember Goodman's second, 4-0 vote, Councilmember Mitchell temporarily off the dais, Mayor Todd and Councilmember Garcia absent.

PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

27. 4:30 P.M. - Public hearing action on a request by Gold Cross Service, Inc. to increase nonemergency ambulance transfer rate from \$100 to \$125 and to increase the mileage fee from \$3.00 to \$3.50 per transport mile. (No fiscal impact.)
[Recommended by EMS Quality Assurance Team]

Approved on Councilmember Goodman's motion, Councilmember Shea's second, 5-0 vote, Mayor Todd and Councilmember Garcia absent.

28. 6:00 P.M. - Public hearing on Brackenridge Hospital/Seton Lease Agreement.

Speaker cards on file at City Clerk's Office.

Motion to close Brackenridge Hospital/Seton Lease Public hearing on Councilmember Reynolds' motion, Councilmember Goodman's second, 4-0 vote, Mayor Pro Tem Nofziger temporarily off the dais, Councilmember Mitchell and Councilmember Garcia absent.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive Session held on the morning of this day on all other items.

Executive session held at 2:37 P.M. to 3:24 P.M. on items 31 and 34.

Executive session held at 10:20 P.M. to 11:34 P.M. on item 28.

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 this 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 on this agenda.

Pending/Contemplated Litigation - Section 551.071

29. Discuss FM Properties v. City of Austin; Cause No. A-94-CA-647-JN, in the United States District Court, Western District, Austin, Texas.

Real Estate - Section 551.072

30. Discuss possible real estate transactions related to Brackenridge Hospital.

Real Estate Acquisition - 551.072

31. Discuss fee simple acquisition of real property and improvements for the Austin-Bergstrom International Airport.

ACTION ON THE FOLLOWING

32. Authorize fee simple acquisition of real property and improvements located at 6006 FM Road 973 South, Del Valle, Texas, for the Austin-Bergstrom International Airport.
Approved on Councilmember Shea's motion, Councilmember Reynolds' second, 5-0 vote, Mayor Todd and Councilmember Garcia absent.

33. APPOINTMENTS

CHILD CARE COUNCIL - RONYA KOZMETSKY
DOWNTOWN COMMISSION - GEORGE VILLALVA
MINORITY AND WOMEN-OWNED BUSINESS PROCUREMENT ADVISORY
COMMITTEE - JOSE JUAN MUNIZ
MUSIC COMMISSION- RICHARD MAY
PARKS & RECREATION SUB COMMITTEE - ELDON SUTTON
RESOURCE MANAGEMENT COMMISSION - AARON DEL POZO, PAUL WILLIAMS
URBAN FORESTRY - JAMES EBERT
WATER & WASTEWATER COMMISSION - WILLIAM SPELLMAN

Board and Commissions Appointees approved on Councilmember Goodman's motion, Councilmember Shea's second, 5-0 vote, Mayor Todd temporarily absent, Councilmember Garcia absent.

ADDENDUM

EXECUTIVE SESSION (No Public Discussion on These Items) [continued]

Staff Briefing - Section 551.075

34. Status report on Austin Police Department's re-engineering proposals. (City Council deliberation is not permitted under Section 551.075.)

35. APPOINTMENTS (continued)

ECONOMIC DEVELOPMENT COMMISSION - 1 (TO EXPIRE 10/31/95)
Postponed indefinitely

NOTE: The above items will be considered under their respective categories, but follow the last number on the Austin, Texas, City Council Agenda for May 18, 1995.

ADJOURNED at 11:38 P.M. on Councilmember Reynolds' motion, Councilmember Shea's second, 4-0 vote, Mayor Pro Tem Nofziger temporarily off the dais, Councilmember Mitchell and Councilmember Garcia Absent.

Approved on this 25th day of May, 1995, on Councilmember Goodman's motion, Mayor Pro Tem Nofziger's second, 5-0 vote, Councilmember Reynolds temporarily absent, Councilmember Mitchell absent.