



Austin City Council MINUTES

For SEPTEMBER 17, 1987

Council Chambers, 307 West Second Street, Austin, Texas

Memorandum To:

Mayor Cooksey called to order the meeting of the Council, noting the absence of Councilmembers Humphrey and Shipman.

MINUTES APPROVED

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, approved the minutes for special meetings of August 31, 1987 (9:00 a.m. & 1:00 P.M.) and September 1 & 2, 1987. (5-0 Vote, Councilmembers Humphrey and Shipman absent)

CITIZEN COMMUNICATIONS

Ms. Betty Priest presented a resolution regarding William Cannon at Hwy. 290 West. Mr. Howard Chaikin did not appear. Mr. Wayne Gronquist discussed disannexation of Blue Goose Road and Aus-Tex Acres Lane. Mr. Louis L. Eckert, Mr. Herb Dieringer, Mr. William C. Kemp and Ms. Merlene Turner did not appear.

ELECTRIC UTILITY COMMISSION REPORT

Mr. Albert Fairweather presented the Electric utility Commission report on electric rates.

OLD BUSINESS - ORDINANCES

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, passed through second/third or third readings of the following ordinances, all in one motion. (5-0 Vote, Councilmembers Humphrey & Shipman absent)

Lone Star Gas Company Franchise

Passed third reading of an ordinance granting Lone Star Gas Company a Public Utility Franchise.

Zoning Ordinance

Approved second/third readings of ordinances amending Chapter 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes:

- (1) CALVIN WALLS 3404 Oak Springs From "SF-3"
By Ambrose W. Jackson, Jr. Drive to "W/LO"
C14-87-012

First reading on March 26, 1987, (6-0). Mayor Pro Tem John Trevino, Jr. absent. Conditions have been met as follows: Right-of-way on Oak Springs Drive has been dedicated by Street Deed.

- (2) ESTATE OF CLOVIS 13263 & 13265 From "I-SF-2"
BALLARD Research Boulevard to "GR"
By D. Edward Moore
C14r-86-319

First reading on February 26, 1987, (7-0). Conditions have been met as follows: Development restricted to that shown on the site plan attached as an exhibit to the ordinance.

- (3) BOSTON LANE G.L.S. Proposed Intersection From "I-RR"
JOINT VENTURE of Southwest Parkway to "IP"
By Robert R. Gunn and Covered Bridge
C14-85-288.166 Road

First Reading on June 18, 1986, (7-0). Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

CONSENT RESOLUTIONS

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, adopted the following resolutions in one consent motion: (5-0 Vote, Councilmembers Humphrey and Shipman absent)

Release of Easement

Authorized release of the following easement:

- a. A Drainage Easement of record in Volume 9427, Page 349, Travis County Real Property Records, located along Arterial No. 8.
(Request submitted by Mr. William G. Pembroke, of VanSickle, Mickelson and Klein, Inc., on behalf of Austin 360 Associates)

Eminent Domain Proceedings

- a. A 1.472 acre segment out of a 231.1274 acre tract of land, out of the Alex E. Patton Survey No. 541 and the Osborn Dalton Survey No. 467, both of Travis County, Texas, owned by the Beard Family Partnership, Ltd., and including temporary work space easements totaling approximately 1.47 acres of land.
- b. A 0.271 acre segment out of a 231.1274 acre tract of land, out of the Heirs of William Swain Survey No. 810 of Travis County, Texas, owned by the Beard Family Partnership, Ltd., and including temporary work space easements totaling approximately 0.27 acres of land.
- c. A 0.296 acre segment out of a 9.28 acre tract of land, out of the Heirs of William Swain Survey No. 810 and the Alex E. Patton Survey No. 541, both of Travis County, Texas, and owned by Mr. and Mrs. James B. Beard, and including temporary work space easements totaling approximately 0.29 acres of land.

Eminent Domain Proceedings

Approved filing eminent domain proceedings to acquire:

- a. 0.5074 acres of land of right of way in fee simple out of the James M. Mitchell Survey, No. 17, Abstract No. 521, in the City of Austin, Travis County, Texas, owned by James S. Grinnar and Jerry P. Jones for the Spicewood Springs Road Phase II Project. C.I.P. No. 73/62-31

Industrial Streets South Improvement Project

Approved acquisition of right-of-way for the Industrial Streets South Improvement Project. (Davidson Texas, Inc. owner) C.I.P. No. 85/62-62.

Contracts Approved

Approved the following contracts:

SOUTHWAY ELECTRIC UTILITY SERVICE, - INC. 9705 Beck Circle Austin, Texas	CAPITAL IMPROVEMENTS PROGRAM - Ten (10) Padmount Transformers, Electric Utility Department Total \$43,485.00 C.I.P. No. 87/15-01
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SIEMENS ENERGY & AUTOMATION
SERVICE COMPANY
1233 West 34th Street
Houston, Texas

- Remanufacture and Retrofit
of 480V Air Circuit Breakers
at Holly & Decker Power Plants,
Electric Utility Department
Total \$71,950.00 87-S384-13

9/17/87.

FMC CORPORATION
Materials Handling Systems Division
3400 Walnut Street
Colmer, Pennsylvania

- Traveling Water Screen for Holly Power Plant, Electric Utility Dept.
Item 1 - \$43,875.00 87-0345-LI

TEXAS DISPOSAL SYSTEMS
2906 Industrial Terrace
Austin, Texas

POSTPONED UNTIL SEPTEMBER 24, 1987

- Central Business District
Refuse Collection Services,
Transportation and Public Services
Department
Twelve (12) Month Service Agreement
Total \$159,341.04 87-S357-PS

TEXAS EMULSIONS, INC.
400 Perry Brooks Building
Austin, Texas

- Emulsified Asphalt, Transportation
and Public Services Department
Twelve (12) Month Supply Agreement
Item 1 - \$98,850.00 87-0363-DC

Bid award:

- Asphalt Concrete Materials,
Transportation and Public
Services and Water and Wastewater
Departments
Twelve (12) Month Supply Agreement
To be awarded by progressive
purchasing method from low to high
bid with recommended awards based
to the prime awardee.
Total \$1,932,719.00 87-0286-DC

(1) CAPITAL AGGREGATES, INC.
Bolm Road
Austin, Texas

- Items 2.0-2.3, 4, 6, & 7.0-7.3 -
\$1,327,900.00

(2) PIONEER AGGREGATES, INC.
8900 Ramirez Lane
Austin, Texas

- Back-up Vendor - \$425,119.00

(3) AUSTIN ROAD COMPANY
428 E. Anderson Lane
Austin, Texas

- Back-up Vendor - \$179,700.00

TELESPECTOR CORPORATION
1460 Opdyke Road
Auburn Hills, Michigan

- Three (3) Wastewater Line Inspection
Cameras and Accessories, Water &
Wastewater Department
Total \$37,650.00 87-0374-RD

L & L SERVICE COMPANY
900 Ed Bluestein Boulevard
Austin, Texas

- Anhydrous Ammonia, Water and
Wastewater Department
Twelve (12) Month Supply Agreement
Item 1 - \$45,000.00 87-0349-DC

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PIONEER AGGREGATES/AUSTIN
DIVISION
8900 Ramirez Lane
Austin, Texas

- Fill Sand and Sandy Loam Topsoil, Water and Wastewater, Electric, Parks and Recreation and Transportation and Public Services Departments
Twelve (12) Month Supply Agreement
Total \$77,399.00 87-0346-DC

ARROW INDUSTRIES, INC.
2625 Beltline Road
Carrollton, Texas

- Plastic, Disposable Can Liners, General Services Department
Twelve (12) Month Supply Agreement
Item 1-4 - \$83,909.00 87-0364-RD

COMMERCIAL BODY CORPORATION
142 Gembler Road
San Antonio, Texas

- One (1) 35' Aerial Tower and Body for maintenance and repair of electric transmission lines, General Services Department
Total \$47,139.00 87-0370-QM

Item Continued

Continued to September 21, 1987 is consideration of approval of a twelve month contract (RFP) with Personal Performance Consultants for an Employee Assistance Program in the amount of \$199,560.00.

License Agreement

Approved entering into the following License Agreement:

- To allow landscaping and a sprinkler system into the right-of-way of Koenig Lane and Burnet Road, 5901-6113 Burnet Road. (Request submitted by Mary Lib Thornhill on behalf of Frank Maloney)

Interlocal Agreement

Approved an Interlocal Agreement with Travis County for Exchange of Property Rights, to allow improvements along Oasis Bluff Drive.

Developer Participation Agreement

Approved a Developer Participation Agreement with C.E., Inc. for construction of the Travis County Wastewater Collection and Transfer System, and the Sunset Valley Wastewater Interceptor.

Water Service Agreement

Authorized a Water Service Agreement with the City of Sunset Valley.

Employee Benefits Program

Approved amending a contract with Coordinated Benefits Systems for the Employee Benefits Program, for an additional estimated \$103,000.00 to continue the contract from October 18, 1987 through September 17, 1987.

AIDS Report

Accepted the report entitled "The Impact of AIDS on the Austin-Travis County Community" and its recommendations which address the challenge of the AIDS epidemic.

Renewed the contract with the Texas Department of Health to partially fund AIDS-related testing, counseling, and education programs and services for the period May 1, 1987 through April 30, 1988.

Radiology Physician Services

Approved entering into a contract with Radiology Consultants for radiology physician services for the period of October 1, 1987 through September 30, 1988.

Emergency Housing Voucher Program

Established Service Agreements with local motels to provide temporary shelter under the Emergency Housing Voucher Program.

Rental Rehab Grant Funds

Authorized submission of an application and accepting additional Rental Rehabilitation grant funds from the United States Department of Housing and Urban Development in the amount of \$77,000.00 for Fiscal Year 1987-88.

Anti-Drug Abuse Grant

Authorized submission for an Anti-Drug Abuse Grant from the State of Texas, Governor's Office, Criminal Justice Division.

Architectural Excellence Commission

Amended the Architectural Excellence Commission enabling resolution to: (Recommended by Commission)

- a. Change the name of the Commission to the Design Commission.
- b. Establish two-year, staggered terms of office for the Commission, with the provision that no individual serve more than three consecutive terms.

Private Industry Council

Approved reappointing eleven Private Industry Council members for another two year term.

Comprehensive Homeless Assistance Plan

Authorized submission of a Comprehensive Homeless Assistance Plan to the United States Department of Housing and Urban Development (HUD), amend the Plan as needed, and provide certificates relative to the Plan.

Item Postponed

Postponed to September 24, 1987 is consideration of approval of the proposed guidelines for the Economic Development Endowment Trust Fund.

RECESS

The Council recessed its meeting from 2:30 to 3:10 p.m.

CDBG CONTRACTS

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, adopted a resolution authorizing the execution of contracts for implementation of the 13th Year Community Development Block Grant (CDBG) Program as follows: (5-0 Vote, Councilmembers Shipman and Humphrey absent)

13th Year CDBG Contract Awards

<u>Topic Area</u>	<u>Agency</u>	<u>Amount</u>
Rental Repair Assistance	Austin Tenants' Council	\$ 159,750
Emergency Repairs and Counseling	Austin Area Urban League	\$ 319,500
Architectural Barrier Removal	United Cerebral Palsy	\$ 314,175
Minority Procurement Assistance	Hispanic Chamber	\$ 202,000
Management and Technical Assistance/SBDL Administration	Austin Economic Development Corporation	\$ 250,000
Community Economic Development	Capital City Chamber	\$ 158,380

Community Economic Development	Greater Montopolis Corporation	\$ 67,564
Community Economic Development	Austin Area Urban League	\$ 65,000
Community Economic Development	National Business League	\$ 125,000
Community Economic Development	Austin Economic Development Corporation	\$ 40,000
Special Projects	House of Hope	\$ 35,000
Special Projects	Austin-Travis County Mental Health-Mental Retardation	<u>\$ 100,000</u>
TOTAL		\$1,836,369

PUBLIC HEARING - APPEAL OF BUILDING STANDARDS COMMISSION - POSTPONED

Postponed to October 15, 1987 is an appeal of the Building Standards Commission's order of repair on the historic landmark structure located at 1801 Nelms Drive. Hearing is set for 3:00 p.m.

ITEM POSTPONED

Council had before them for consideration approval of a professional services agreement between the City of Austin and Espey, Huston and Associates, Inc. for construction phase services for the East Austin Pump Station. C.I.P. No. 86/22-31. Council directed this be sent back to the Water and Wastewater Commission for review at October 7, 1987 meeting and bring it back to Council for consideration at the October 15, 1987 Council meeting.

CHANGE ORDER

The Council, on Councilmember Urdy's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving the following Change Order: (5-0 Vote, Councilmembers Humphrey and Shipman absent)

In the amount of \$76,129.59 to Peabody Construction Company for the Govalle and Hornsby Bend Wastewater Treatment Plant Improvements. (.39% increase in the original amount of \$19,281,700.00 - Total change orders to date equal to 23.84%)

CONTRACT APPROVED

The Council, on Councilmember Nofziger's motion, Mayor Pro Tem Trevino's second, adopted the following contract: (5-0 Vote,

Councilmembers Shipman and Humphrey absent)

RAMZEL-WADELL, INC.
13900 IH-35 North, Suite 2-1
Austin, Texas

- Removal of Asbestos Insulation
from Control Rooms No. 1 and
No. 2 at Holly Power Plant,
Electric Utility Department
Total \$88,201.00 87-C215-JJ

ITEMS FROM COUNCIL

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, set a public hearing for October 1, 1987 at 5:30 p.m. regarding proposed full service pharmacies at Rosewood-Zaragosa Health Clinic and East Austin Multi-Purpose Centers. (5-0 Vote, Councilmember Shipman and

PUBLIC HEARING - SIGN ORDINANCE

Mayor Cooksey opened the public hearing set for 4:00 p.m. on amending Chapter 13-13 of the Austin City Code (Sign Ordinance). Cards signed by speakers are on file in the City Clerk's office.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance amending Chapter 13-13 of the Austin City Code (Sign Ordinance) with amendments regarding free standing signs. (5-0 Vote, Councilmembers Shipman and Humphrey absent)

PUBLIC HEARING - PERMIT

Mayor Cooksey opened the public hearing set for an appeal from Mr. Paul J. Bury II, P.E. of the Office of Land Development's decision regarding permit for 717 East 7th Street, No. 87-06-4952. Cards signed by speakers are on file in the City Clerk's office. Les Pittman, representing Mobil Oil Company, told Council they want to remodel and upgrade their station.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, closed the public hearing, waived the requirement for three readings and granted the appeal. (5-0 Vote, Councilmembers Shipman and Humphrey absent.)

PUBLIC HEARING - FEE FOR SIGN OPERATING PERMITS

Mayor Cooksey opened the public hearing set for 4:30 p.m. on

establishing the fee to be paid for sign operating permits authorized under Section 515 of Chapter 13-13 of the Code of the City of Austin, 1981. No one appeared to speak.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance establishing the fee to be paid for sign operating permits authorized under Section 515 of Chapter 13-13 of the Code of the City of Austin, 1981. (5-0 Vote, Councilmembers Shipman and Humphrey absent)

EXECUTIVE SESSION

Mayor Cooksey announced Council would enter into executive session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation and for personnel matters. No final action, decision or vote by the City Council will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

1. Pending Litigation - Section 2, Paragraph e
 - a. City of Austin v. Houston Lightin and Power
 - b. Overton et al v. City of Austin
 - c. Water Treatment Plant #4
2. Land Acquisition - Section 2, Paragraph f
 - a. Aviation Issues
3. Personnel Matters - Section 2, Paragraph g
 - a. Selection of a Municipal Court Judge

RECESS

Council recessed its meeting from 4:50 to 5:40 p.m.

APPOINTMENT OF MUNICIPAL COURT JUDGE

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, appointed David Garza as Municipal Court Judge. (4-1 Vote, Councilmember Nofziger voted No, Councilmembers Humphrey and Shipman absent)

CITY MANAGER REPORTS

Jorge Carrasco presented the report on Gilbane Contract Update. Norman Standerfer, director of Planning & Growth Management, reported on Wells Branch Annexation.

PUBLIC HEARING

Mayor Pro Tem Trevino opened the public hearing set for 6:00 p.m. to consider action on long-term development options for Robert Mueller Municipal Airport. Cards signed by speakers are on file in the City Clerk's office.

Issues discussed were the renovation of the present airport and opinions concerning moving the airport to Manor.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, closed the public hearing.

ELECTION CALLED

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, waived the requirement for three readings and finally passed an ordinance calling an election to be held in the City of Austin on November 3, 1987, regarding the Municipal Airport and establishing the ballot language as follows: (5-0 Vote, Councilmembers Humphrey and Shipman absent) Council's decision was to move the airport.

PROPOSITION NUMBER 1RELOCATION AND CONSTRUCTION OF A NEW AIRPORT

"Shall the Austin City Council's decisions be affirmed to authorize construction of a new airport at a recommended site near Manor, Texas; to make interim improvements to Robert Mueller Municipal Airport; to authorize financing of these projects by the issuance of airport system revenue bonds in an amount which shall be limited to the airport's ability to repay the obligation and shall not exceed \$728,000,000 with the total amount of the bonds to be adjusted for financing costs and inflation and reduced by the amount received from Federal discretionary airport trust funds and by funds obtained by the City from the sale or lease of Robert Mueller Airport which shall be closed to aviation upon opening of the new airport; to not use property tax proceeds in moving, constructing or operating the new airport?"

PROPOSITION NUMBER 2LONGTERM EXPANSION OF ROBERT MUELLER AIRPORT

"Shall the Austin City Council be authorized to expand Robert Mueller Municipal Airport; be authorized to finance the project by issuing a maximum of \$1,118,000,000 for expansion and for interim improvements in airport system revenue bonds, with the total amount of the bonds to be adjusted for financing costs and inflation and reduced or retired by any proceeds from subsequent water and wastewater system bonds and general obligation bonds approved by voters?"

FRANCHISE AGREEMENT BETWEEN THE CITY AND SOUTHWESTERN BELL

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, waived the requirement for three readings and finally passed an ordinance amending the franchise agreement between the City of Austin and Southwestern Bell Telephone Company. (5-0 Vote, Councilmembers Shipman and Humphrey absent) (This should have been first reading only since it is a franchise. Ordinance was passed through first reading only at the October 22, 1987 Council meeting.)

ADJOURNMENT

Council adjourned its meeting at 9:30 p.m.