



Sept 6 1990

Austin City Council MINUTES

For 9-6-90

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

MINUTES APPROVED

1. Approved Minutes for Regular Meeting of August 30, 1990 and Special Meetings of August 27, 28, & 29, 1990

On Councilmember Epstein's motion, Councilmember Nofziger's second, 4-0 Vote, Mayor Pro Tem Urdy, Councilmembers Barnstone and Carl-Mitchell out of the room.

CITIZEN COMMUNICATIONS

2. Mr. Fred Ebner discussed current City issues.
3. Mrs. Susan Schorer discussed current City issues.
4. Mr. Mike Dewvall discussed an update of City services provided or not provided in the Slaughter Lane area in South Austin & submission of disannexation petition.
5. Mr. David Elliott discussed current City issues.
6. Mr. Richard Lillie requested Council consideration of a request by Vintage Partners.

BOARD AND COMMISSION REPORTS

7. Brackenridge Advisory Board

Report was heard.

ITEMS CONTINUED FROM PREVIOUS MEETING

8. Approved second reading of an ordinance amending Chapter 2, Code of the City of Austin, 1981, by adding a designated Area 2 to the Alcohol Consumption Ordinance (Ordinance 900816-D), and adding south to Holly street. [Councilmember Bob Larson]

On Councilmember Larson's motion, Mayor Cooke's second, 4-2 Vote, Councilmember Carl-Mitchell and Epstein voted No, Mayor Pro Tem Urdy out of the room.

(This item was discussed at 9:00 P.M.. During the discussion there was a fire alarm alert in the Council Chambers and Mayor Cooke recessed the meeting from 9:10 to 9:21 P.M. while the Fire Department investigated.)

9. APPOINTMENTS

Council approved the following board and Commission appointments:

CABLE COMMISSION - 4 TO EXPIRE 7/1/92; 1 TO EXPIRE 7/1/91

Ken Grays, Michael Kuhn, Dean Langston, Quincy Lowman and Gloria Souhami.

EMPLOYEE'S RETIREMENT SYSTEM OF THE CITY OF AUSTIN - 1

William Rowley

HISTORIC LANDMARK COMMISSION - 1 TRAVIS COUNTY BAR ASSOC. REP.; 6 INTERESTED CITIZENS

Julia Bunton, James Christianson, Jim Fowler, Ribhard Meyer and Jerry Shaw

ME/MR CENTER BOARD OF TRUSTEES - 1

Michael Smith

ORDINANCES

10. Approved an amendment to the Austin City Code to modify the speed limit on East 1st Street between Pleasant Valley Road and 45 feet east of Shady Lane to 40 m.p.h. The current speed limit for this area is 35 m.p.h.

Section 11-2-100(a) 35 m.p.h.

Delete: East 1st Street from Pleasant Valley Road to Shady Lane.

Section 11-2-100(B) 40 m.p.h.

Add: East 1st Street from Pleasant Valley Road to 45 feet east of Shady Lane.

11. Authorized acceptance of a grant from the Texas Department of Community Affairs (TDCA), for the Emergency Community Services Homeless Program and amend the Health & Human Services Department budget by increasing expenditures by \$24,508.00, and expense refunds by the same amount. (The Health and Human Services Department will utilize the funds to provide health screening and/or minor emergency treatment at the Salvation Army, housing assistance to prevent homelessness through a contract with Travis County, and information and referral for homeless or near homeless persons through a Housing and Employment Fair sponsored by the Austin Travis County Mental Health and Mental Retardation Center.)

#10 and 11, on Mayor Pro Tem Urdy's motion, Councilmember Nofziger's second, 7-0 Vote.

12. Amended the 1989-90 Operating Budget by appropriating \$43,000.00 from the

Liability Reserve Fund ending balance to fund unanticipated claims and damage expenses. (Funding included in the Liability Reserve Fund Ending balance).

On Councilmember Epstein's motion, Councilmember Nofziger's second, 5-0 Vote, Councilmembers Barnstone and Carl-Mitchell out of the room.

13. Amended the Austin Convention Center Budget, C.I.P. Project No. 493-827-1000, by appropriating \$105,500.00 from the Electric Utility Department (EUD) and \$350,000.00 from the General Services Department (GSD).

On Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 7-0 Vote.

Utility Debt Service Management (Items 14-16)

14. Amend FY 1989-90 Water and Wastewater Utility Operating Budget and CIP program to reduce authorized expenditures and expend \$20 million to an escrow for debt service on Combined Utility System Revenue Bonds for the Water and Wastewater Utility. Approve CIP program deferrals and associated \$9.7 million C.I.P. transfer reduction.

Postponed to September 13, 1990.

15. Appropriate \$9 million from the Brown & Root Settlement Fund for debt service on Combined Utility System Revenue Bonds for the purpose of meeting the Debt Management Plan of the Electric Utility.

Postponed to September 13, 1990.

16. Authorize the execution of an Escrow Agreement with Ameritrust for debt service on certain outstanding Combined Utility System Revenue Bonds.

Postponed to September 13, 1990.

17. Authorized an increase to the original appropriation for architectural professional services to the AUSTIN COLLABORATIVE VENTURE for work performed on the Austin Convention Center, in the amount of \$340,500.00. (Funding included in C.I.P. Project No. 493-827-1000 from Convention Center Bonds).

On Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Barnstone out of the room.

Eminent Domain - U.S. Hwy. 183/290 (Items 18-22)

18. Authorized the filing of Eminent Domain Proceedings to acquire a Wastewater Easement containing 1,886 square feet of land out of Lot 7, Block C of Summit Oaks Subdivision in Austin, Travis County, Texas, owned by Ruben Greinert, S.H. Morrison, Jr., Wayne Laymon, Wayne Laymon Construction Co., Wayne Laymon Builder, and Margaret Pauline Martin, Individually and as Independent Executrix of the Estate of Roy Y. Martin, Deceased, as their interests may be determined for the U.S. Highway 183 Improvements Project.
19. Authorized the filing of Eminent Domain Proceedings to acquire title to 13,011 square feet (0.299 acre) of land out of the James Roger Survey No. 19 in Austin,

Travis County, Texas, owned by Startex Petroleum Corporation for the U.S. Highway 183 Improvements Project.

20. Authorized the filing of Eminent Domain Proceedings to acquire title to 0.998 acre of land out of Lots 9 and 10, Commerce Square, a subdivision in Austin, Travis County, Texas, owned by Capitol City Construction Company for the U.S. Highway 183 Improvement Project.
 21. Authorized the filing of Eminent Domain Proceedings to acquire title to 2.361 acres of land and a drainage easement containing 0.014 acre of land out of the James D. Goode Survey No. 30 in Austin, Travis County, Texas, owned by Franklin Federal Bancorp, a Federal Savings Bank for the U.S. Highway 183 Improvement Project.
 22. Authorized the filing of Eminent Domain Proceedings to acquire title to 0.149 acre of land out of the Isaac Decker League in Austin, Travis County, Texas, owned by Joe Camarillo, Ernest Camarillo, Linda Camarillo Shapa, Irma Camarillo Janda, Shirley Camarillo Ray, Sylvia Camarillo Brittain, David Camarillo, Rubin Camarillo, Rudy Camarillo, Irving Camarillo and Charles Camarillo for the U.S. Highway 290 West/SH 71 Improvement Project.
 23. Authorized the filing of Eminent Domain Proceedings to acquire a waterline easement containing 0.388 acre (1,691 square feet) of land and a temporary construction easement containing 6,678 square feet of land out of the Patterson Moore Survey No. 70, Abstract No. 560 in Austin, Travis County, Texas, owned by Cardinal Savings and Loan Association for the Woods of Westlake Waterline Project.
 24. Authorized the release of a portion of the 5' public utility easement across the southern part of Lot 5, White Plains, Sect. I, recorded in Blk. 7, Pg. 4, Travis County Plat Records, locally known as 901 Kramer Lane. (The \$250.00 application fee has been paid).
 25. Authorized the release of a portion of the 5' public utility easement across the north end of Lot 6, Block C, White Plains, Section 5, recorded in Blk. 26, Pg. 22, Travis County Plat Records, locally known as 826 Prairie Trail. (The \$250.00 application fee has been paid).
 26. Authorized the release of a portion of the 5' public utility easement along the east side of Lot 2, White Plains, Section I, recorded in Blk. 7, Pg. 4, Travis County Plat Records, locally known as 825 Kramer Lane. (The \$250.00 application fee has been paid).
 27. Authorized release of a portion of a twenty feet wide water and wastewater easement on and across Lot 3, Shepard Mountain, Ph. I, recorded in Blk. 83, Pg. 200A & 200B, Travis County Plat Records, locally known as 6001 Shepard Mountain Cove. (The \$250.00 application fee has been paid)
- #18 through 27, on Councilmember Barnstone's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Carl-Mitchell out of the room.
28. Approved a License Agreement to allow the pavers in the median in the 2000 Block of University Avenue for the purpose of parking motorcycles. (2007-2010 University Avenue) [The \$250.00 application fee has been paid. The Department of

Public Works and Transportation recommends that no annual fee be assessed since the encroachment is enhancing the right-of-way].

On Councilmember Carl-Mitchell's motion, Councilmember Epstein's second, 6-0 Vote, Mayor Pro Tem Urdy, Councilmember Barnstone out of the room.

29. Accepted a grant in the amount of \$80,961.00 from the Urban Consortium Energy Task Force, to develop a Sustainable Systems Rating Program for new residential construction. (Acceptance of this grant will require changes to the City Manager's proposed FY 1990-91 Budget by adding one (1) FTE) [100% grant funded].
30. Accepted a \$157,920.00 grant from the Office of the Governor for a Small Business Energy Action Directive Program. (Acceptance of this grant will require changes to the City Manager's Proposed FY 1990-91 Budget by adding three FTEs) [100% grant funded for one year].

On Councilmember Nofziger's motion, Councilmember Carl-Mitchell's second, 6-0 Vote, Councilmember Larson out of the room.

31. Approved execution of a contract with 3M COMPANY, 3M Centre, Bldg. 223-3N, TCM, St. Paul, MN, for a twelve month supply agreement for reflective sheeting in an amount not to exceed \$29,625.00 to include the option to extend thereafter for up to two (2) additional twelve (12) month periods in an amount not to exceed \$29,625.00 for each extension period, for a total amount not to exceed \$88,875.00. (Funding included in FY 1989-90 budget for the Public Works and Transportation Department). Low bid of four (4). 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference IFB File No. 900393-1LI.
 32. Approved execution of a contract with HITACHI DATA SYSTEMS (HDS), Austin, Texas, for a monthly rental of an HDS XL 90 (256 megabytes/64 channels) mainframe computer processor, in an amount not to exceed \$500,000.00. (Funding included in Utility Customer Service Office Billing System Project Fund). The prime did not identify any subcontracting opportunities.
- On Councilmember Barnstone's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Carl-Mitchell out of the room.
33. Approved execution of a contract with LINDSAY OFFICE PRODUCTS, INC., Austin, Texas, for a twelve (12) month supply agreement contract for the purchase of processing information, ribbons, tapes & cassettes, in an amount not to exceed \$37,573.00 with the option to extend for one (1) additional twelve (12) month period in an amount not to exceed \$39,827.00 for a total amount not to exceed \$77,400.00. (Funding included in the 1989-90 budget for the General Services Department). Low bid of seven (7). 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference IFB No. 900681-1B0.

On Councilmember Nofziger's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

34. Approve execution of a contract with CASWELL INTERNATIONAL CORP., 1221 Marshall Street NE, Minneapolis, MN, for the purchase of a bullet trap, in the total

amount of \$65,748.00. (Funding included in the FY 1989-90 budget for the Police Department) Sole bidder. 13.7% MBE, 0% WBE Subcontractor participation. Reference IFB No. 900537-1LI.

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

35. Approved execution of a contract with PERTEX TEXTILE PRODUCTS, INC., Franklin MI, for a twelve (12) month supply agreement for the purchase of work uniforms, trousers and shirts, in an amount not to exceed \$93,335.00, with the option to extend for one (1) additional six (6) month period, in an amount not to exceed \$46,668.00 for a total amount not to exceed \$140,003.00. Funding included in the FY 1989-90 budget for the General Services Department) Low bid of five (5). 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference IFB File 900680-1B0.

Postponed to September 20, 1990.

36. Authorized a construction contract award to AMERICAN ROOFING AND METAL COMPANY, INC., 9200 South IH 35, #B-1, Austin, Texas, for reroofing the City Council Chambers, located at 301 West 2nd Street, Austin, Texas, in the amount of \$59,100.00. (Funding included in the FY 1989-90 Operating budget for the General Services Department). Low bid of three (3) bids. 2% MBE, 0% WBE Subcontractor participation.

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

37. Approved a construction contract award to AMERICAN ROOFING & METAL COMPANY, 9200 South I.H. 35, Suite D1, Austin, Texas, for the reroofing of City Hall, in the amount of \$228,075.00. (Funding included in the FY 1989-90 budget for the General Services Department). Low bid of two (2) bids. 9.63% MBE, 0% WBE Subcontractor participation. Reference File No. 528 780 7210.
38. Approved a contract award to ACOUSTIC SYSTEMS, INC, 415 East St. Elmo Road, Austin, Texas, for the purchase of four (4) Safety Storage Buildings to be used for storage of chemicals and hazardous materials seized from clandestine lab operations, in an amount not to exceed \$85,000.00. (Funding included in the FY 1989-90 Operating budget for the Police Department) Low bid of four (4) bids. 0% MBE/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference IFB No. 900293-1JD.
39. Approved an amendment to the Interlocal Cooperation Agreement between the City of Austin and Travis County to allow the City of Austin to bill Rural Medical Assistance Program (RMAP) for homecare services at rates that correspond to allowable Medicare/Medicaid charges updated by Medicaid in February 1990. (No City funding is required. Travis County reimburses on a fee-for service basis.)

37-39 on Councilmember Barnstone's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Carl-Mitchell out of the room.

40. Approve issuance of a letter of intent and payment to ADVANCED MICRO DEVICES-AUSTIN, 5204 East Ben White Blvd, Austin, Texas, for installation of energy-saving lighting fixture replacements in the amount of \$33,780.00. (Funding budgeted in the Environmental Conservation Services Department C.I.P. for FY 1989/90).

Pulled off the agenda

41. Set a public hearing to consider adoption of wastewater rates applicable to customers of Valley View Acres Wastewater Treatment Plant in accordance with the agreed judgment in State of Texas v. Glenn Neans, Cause No. 479,539.: September 20, 1990 at 3:30 p.m.

On Councilmember Barnstone's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Carl-Mitchell out of the room.

PUBLIC HEARINGS AND APPROVAL OF ORDINANCES/RESOLUTIONS

42. 3:00 P.M. - Public Hearing on an ordinance amending Title XIII (Land Development Code) of the Austin City Code of 1981 relating to the Building Code definition of Residential Group Care Facilities; and passage of ordinance.

There were no speakers. Public hearing closed and ordinance approved on Councilmember Carl-Mitchell's vote, Councilmember Epstein's second, 6-0 Vote, Councilmember Barnstone abstained.

43. 3:30 P.M. - Public Hearing on an ordinance amending Title XIII (Land Development Code) of the Austin City Code of 1981 relating to Building Code requirements for separate rest room facilities in Group B Occupancy buildings; and passage of ordinance.

Public Hearing closed and ordinance approved on Councilmember Carl-Mitchell's motion, Councilmember Epstein's second, 5-0 Vote, Mayor Pro Tem Urdy, Councilmember Barnstone out of the room.

44. 4:30 P.M. - Public Hearing on 1990-91 Operating and Capital Budget, including Cultural Arts Funding.

Public hearing closed ~~and ordinance approved on Mayor Pro Tem Urdy's motion~~, Councilmember Larson's second, 5-0 Vote, Councilmembers Barnstone and Carl-Mitchell out of the room.

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

ZONING DISTRICTS

Recommended As Requested

45. C14-90-0034 - PRINCE OF PEACE LUTHERAN CHURCH, by Blake Cotton, 1711 East Oltorf Street, from "SF-3" to "GR".
ORDINANCE APPROVED
46. C14-90-0035 - LEWIS ARLEDGE, by Philip Stoval, 7315-7317 McNeil Drive, from "SF-3" to "LI".
FIRST READING

Recommended As Requested, With Conditions

47. C14-90-0036 - UNIVERSITY FEDERAL SAVINGS, by Cencor Realty, 6405 IH-35 South, from "GR" & "GR-CO" to "GR-CO" with conditions.
FIRST READING
48. C14-90-0038 - TEXAS COMMERCE BANK, by Larry Toth, 10504-10510 Research Blvd, from "GO" to "GR- CO" with conditions.

ORDINANCE

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

ITEMS FROM COUNCIL

49. Amend the Anti-Apartheid Ordinance including additional definitions under the Ordinance, tightened controls for existing exemptions and certain exemptions for library books and other publications. (Mayor Lee Cooke)

Postponed to September 20, 1990.

50. Direct the City Manager to initiate studies to determine the size of the problem of the uninsured population in Austin, Texas, the options for providing solutions to the problem and the costs and funding sources for each option. (Councilmember Louise Epstein) also refer to SPAC.

On Councilmember Epstein's motion, Councilmember Carl-Mitchell's second, 4-0 Vote, Mayor Pro Tem Urdy, Councilmembers Barnstone and Nofziger out of the room.

51. Adopt a resolution creating and appointing a citizens task force to develop a plan for the re-use of Bergstrom Air Force Base with amendments. (Councilmembers Bob Larson and Michael "Max" Nofziger)

On Councilmember Nofziger's motion, Councilmember Barnstone's second, 7-0 Vote.

52. Discuss and establish a procedure to create an ordinance controlling the use of ozone depleting chemicals. (Councilmember Michael "Max" Nofziger)

Staff is to review existing ordinances and report back in 60 days.

53. Adopted a resolution to bring all City Boards, Commissions or Committees into compliance with the membership requirements of Section 2-4-6 of the Austin Code. (Councilmember Louise Epstein)

On Councilmember Epstein's motion, Councilmember Barnstone's second, 6-0 Vote, Councilmember Carl-Mitchell out of the room.

ADJOURN

The Council adjourned its meeting at 12:25 P.M.