



Austin City Council MINUTES

For March 8, 1990

Council Chambers, 307 West Second Street, Austin, Texas

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

MINUTES APPROVED

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Nofziger's second, approved minutes for regular meeting of March 1, 1990 and special meeting of February 27, 1990. (5-0 Vote, Councilmembers Urdy and Carl-Mitchell out of the room)

CITIZEN COMMUNICATIONS

Ms. Diana L. Waite, discussed Hazardous Material Permit requirements for apartment pool chemicals. Mr. Sam Griswold talked about municipal aviation topics. Mr. Mark Weaver discussed prostitution in Austin. Mr. On Haralson Carlson suggested the new airport be named after Mrs. "Lady Bird" Johnson. Mr. Tim Jones discussed ecological concerns and appropriate action.

BOARD AND COMMISSION REPORTS

The Downtown Commission report on Regional Urban Design Assistance Team Update was presented by John Worrall and John Nyfeler. Peggy Vasquez reported on Family Violence for the Austin Commission For Women.

LIDLAW TRANSIT INC. CHARTER BUS FRANCHISE

The Council, on Mayor Pro Tem Shipman's motion, Mayor Cooke's second, approved third reading of an ordinance for renewal of the Laidlaw Transit Inc. Charter Bus Franchise. Source - Charter Bus Franchise Fee of 10% of gross revenue. (7-0 Vote)

CONSENT RESOLUTIONS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, adopted the following resolutions all in one consent motion: (7-0 Vote)

Electric Easement

Released a portion of the Electric Easement running across Lot 7, Lot 8, Lot 9, Lot 10, and Lot 14, Rainbow's End Estates Section II, recorded in Book 88, Pages 189-192 of the PRTCT, 707 Bulian Lane, 706 Split Rail Trail 705 Split Rail Trail and 608 Rainbow's Cove. (Request submitted by Brad Shearer on behalf of Bradmark Corporation.)

Eminent Domain

Approved the filing of Eminent Domain Proceedings to acquire a wastewater easement containing 2,984 square feet of land and a temporary work space easement containing 1,990 square feet of land out of Lots 6 and 7 of the Broz Addition, a subdivision in Austin, Travis County, Texas, owned by James C. Collins for the Cameron Acres Water and Wastewater Project.

License Agreement

Approved a License Agreement to allow placement of retaining walls and landscaping between curb line and property line, 3703 through 3715 Cherry Lane. (Request submitted by Ash Creek Homes, Inc.)

Contracts

Approved the following contracts:

Twelve month supply agreement to Old Dominion Brush Co., North Kansas City, Missouri, and to Industrial Disposal Supply Co., San Antonio, Texas, for street sweeper parts in the annual estimated amount not to exceed \$100,000.00 - General Services Department.

Twelve month supply agreement contract to Arrow Industries, Dallas, Texas, for disposable plastic can liners in the estimated annual dollar amount not to exceed \$89,195.00 - included in the 1989-90 budget for General Services Department.

Twelve month supply agreement contract to Strauss-Frank Co., San Antonio, Texas for automotive parts in the estimated annual amount of \$139,000.00 and Arnold Oil Co., Austin, Texas, in the estimated annual amount of \$65,000.00 for the total estimated annual amount not to exceed \$204,000.00 - included in the 1989-90 budget for General Services Department.

Mennin Medical, Inc., 234 Glenmere Dr., Highland Village, Texas, for the purchase of cardiac cath lab system for a total cost of \$215,000.00 (\$40,000.00 included in the 1989-90 budget for Brackenridge Hospital; \$175,000.00 provided by the Brackenridge Foundation.)

Construction contract to Cash Construction Co., Pflugerville, Texas, for Section I of the Pilot Knob Transmission Main Project in the amount of \$2,974,822.00. (\$2,889,639.40 included in C.I.P. No. 377-227-0500 and \$85,182.60 included in No. 502-220-1559)

RESCHEDULING OF ISSUE PAPERS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, adopted a resolution to reschedule Issue Papers (as adopted by resolution on December 14, 1989); they will now be heard during the regular Thursday Council Meetings at 2:00 P.M., with reporting to last up to two hours. (6-0 Vote, Councilmember Barnstone out of the room.)

SOUTH AUSTIN GROWTH CORRIDOR MUD

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Barnstone's second, waived the requirement for three readings and finally passed an ordinance amending the South Austin Growth Corridor MUD Consent Agreement authorizing the district to replace the collection of the special base rate (pre-annexation surcharge) with ad valorem taxes. (7-0 Vote)

CONTRACT FOR ASBESTOS REMOVAL

The Council, on Councilmember Barnstone's motion, Councilmember Urdy's second, adopted a resolution approving a contract award to Delta O Services, Inc., P.O. Box 27590, Austin, Texas, for the removal of asbestos containing materials from existing building, Austin Convention Center Site, in the amount of \$32,507.00. C.I.P. Project No. 493-827-1000. (7-0 Vote)

BILINGUAL STIPEND

The Council, on Councilmember Barnstone's motion, Mayor Cooke's second, instructed the City Manager to develop a plan for adopting a policy of adding a bilingual stipend for City employees that must utilize a second language in the performance of their job duties, directing this to nurses at the MAP clinics. (7-0 Vote)

NURSES FOR BRACKENRIDGE

The Council, on Councilmember Barnstone's motion, Mayor Cooke's second, requested that the City Manager develop plans implementing a policy to allow nurses employed by the Health Department to work part time at Brackenridge Hospital. (7-0 Vote)

RECESS

Council recessed its meeting from 2:35 to 3:00 P.M.

PUBLIC HEARING - AMENDMENT TO THE PLUMBING CODE

Mayor Cooke opened the public hearing set for 3:00 P.M. on adoption of a local amendment to the Plumbing Code mandating low flush water closets in new construction. Speaker's cards are on file in the City Clerk's office.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance adopting a local amendment to the Plumbing Code mandating low flush water closets in new construction. (7-0 Vote)

ITEM TABLED

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, tabled an item to discuss and clarify the City's position

regarding the Creedmoor landfill and examine commitments and representations made by Texas Disposal Systems. (5-2 Vote, Councilmember Barnstone and Mayor Cooke voted No.)

RECESS

Council recessed its meeting from 3:35 to 5:10 P.M.

PUBLIC HEARING - CAPITAL RECOVERY FEES

Mayor Cooke opened the public hearing on three alternative amendments: (a) 25% discount for single family homes built in Austin's corporate limits in 1990; (b) 25% discount for all classes of property built in Austin's corporate limit's in 1990; and (c) elimination of the Capital Recovery Fee, to the Land Development Code regarding Capital Recovery Fees for water and wastewater service. Speaker's cards are on file in the City Clerk's office.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, closed the public hearing. (7-0 Vote)

Motion- DIED FOR LACK OF SECOND

Councilmember Barnstone made a motion to "adopt the staff recommendation, that we discuss a 60% reduction in the Capital Recovery Fee and fold it into the on-going process in accordance with State law, and the effective date change of this would be June 19, 1990; we further direct the staff to review the cost reimbursement policy, which is an offset to this in conjunction with this request and that this elimination be permanent rather than temporary; so in summary, the discount would be 50% for in-City rate payers, a review of the cost participation policies, and all of it would be subject to the processing right now, that would be brought back on June 19, 1990 and it would be in accordance to State law."

There was no second to the Motion, so Motion DIED.

Motion

Councilmember Humphrey made a motion to waive the requirement for three readings and finally pass an ordinance approving "Option B in conjunction with the staff recommendation of 25% Capital Recovery Fee discount for all businesses and homes built in the City of Austin, in conjunction with the State Law that will kick in June 19, 1990, and working with the staff and that would go for one year and be flexible. If we decide we want to cut it off in one year we could, if we wanted to leave it that way, we could, and if we wanted to increase the discount, we could".

Friendly Amendment - Accepted

Councilmember Urdy offered a friendly amendment that the date be struck. The amendment was accepted by Councilmember Humphrey.

Second to the Motion

Mayor Cooke seconded the motion.

Roll Call on Motion with Friendly Amendment

5-2 Vote, Councilmembers Carl-Mitchell and Nofziger voted No.

ANNOUNCEMENT CONCERNING MEASLES

Mayor Cooke announced that the measles epidemic in Austin is increasing. He urged all parents to check with their child's physician or the Health and Human Services Department, City of Austin, concerning immunization.

MOVING OF AUSTIN'S AIRPORT

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, adopted a resolution confirming the City's commitment to move the Austin Airport from the Mueller site by December 31, 1996. (7-0 Vote)

AVIATION ITEMS

Master Plan for Manor Site

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, adopted a resolution approving the Master Plan for the Manor Site for the new Austin Municipal Airport and forward to the Federal Aviation Administration for review. (6-1 Vote, Councilmember Barnstone voted No.)

Review Appraisal Services

Council had before them for consideration to approve the award of a contract to Milton A. Morse Jr. & Associates, Inc. for Review Appraisal Services for the new Austin Airport land acquisition. (\$625,000.00 [estimate] - Airport Revenue Bonds)

Motion

Councilmember Carl-Mitchell made a motion, seconded by Councilmember Urdy to adopt the above as a resolution with the agreement the amount is not to be exceeded and that both contracts can be canceled if Bergstrom is approved for the new Austin Airport, with the City of Austin only paying for services rendered.

Friendly Amendment

Councilmember Humphrey offered a friendly amendment that appraisals would not exceed 25 per month until the Bergstrom study is complete.

Motion Withdrawn

Discussion followed and Councilmember Carl Mitchell WITHDREW HIS MOTION and Councilmember Urdy WITHDREW HIS SECOND, until Council's questions are

answered concerning the length of time an appraisal is valid.

Action Postponed - Council directed the City Manager to direct staff to post this item for action only on March 15, 1990.

Aerial Mapping

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, adopted a resolution approving selection and award of first phase of a contract, in the amount of \$59,000.00, to United Aerial Mapping for Surveying and Aerial Topographic Mapping Services for the new Austin Airport; contract can be canceled if Bergstrom is approved for the new Austin Airport and City will pay only for services rendered. (Total contract price for Phases A & B - \$172,323.00 - Source: Airport Revenue Bonds)

Mueller Airport Interim Terminal Improvements

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, adopted a resolution approving \$30,565.00 to Cahaba Construction Co., 13430 N.W. Freeway, Suite 750, Houston, Texas, for the Robert Mueller Municipal Airport Interim Terminal Improvements: Phase III. - (0.36% increase to the original amount of \$8,430,700.00 - Total change orders to date equal to \$324,888.00 or 3.85%) Funding is provided in C.I.P. Project No. 881-817-0503 - Department of Aviation and Department of Public Works and Transportation. (4-2-1 Vote, Councilmembers Barnstone and Humphrey voted No, Mayor Pro Tem Shipman abstained)

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, adopted a resolution approving \$88,000.00 to Cahaba Construction Co., 13430 N.W. Freeway, Suite 750, Houston, Texas, for the handicap improvements for the Robert Mueller Municipal Airport Interim Terminal Improvements: Phase III. Funding is provided in C.I.P. Project No. 881-817-0503 -Department of Aviation and Public Works and Transportation. (6-0 Vote, Mayor Pro Tem Shipman abstained.)

The Council on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, adopted a resolution to approve \$68,067.00 to Cahaba Construction Co., 13430 N.W. Freeway, Suite 750, Houston, Texas, for the Robert Mueller Municipal Airport Interim Terminal Improvements: Phase III. Funding is provided in C.I.P. Project No. 881-817-0503 - Department of Aviation and Public Works and transportation. (4-2-0 Vote, Councilmembers Humphrey and Barnstone voted No, Mayor Pro Tem Shipman abstained)

CITIZEN COMMUNICATIONS

Mr. Sato, Mr. Larson and Mr. Peak spoke at the conclusion of the meeting.

ADJOURNMENT

Council adjourned its meeting at 11:30 P.M.