



# Austin City Council MINUTES

SPECIAL CALLED MEETING  
DECEMBER 6, 1995

Mayor Todd called the meeting to order, Councilmembers Shea, Mitchell and Councilmember Reynolds temporarily absent.

## PREVIEW OF ITEMS FOR NEXT COUNCIL MEETING

1. Review of Proposed Agenda Items from City Manager for December 14, 1995.
2. Review of Proposed Agenda Items from Council for December 14, 1995.

## BOARD AND COMMISSION REPORTS

3. Mayor's Committee for People with Disabilities  
**Presentation by Mike Brockway**
4. Electric Utility Commission Report - Marilyn Jones, Chair  
**Presentation by Marilyn Jones**
5. Resource Management Commission Report - Glee Ingram, Chair  
**Presentation by Max Woodlin**
6. Real Estate Council - Options for Municipal Office Space.  
**Presentation by John Nyfeler, David Bodenman, Barbara Johnson and Mike Kennedy**

## BRIEFINGS AND DISCUSSIONS

7. Monthly Electric Utility Report  
**Presentation by John Moore**
8. Alternative Fuels at Austin-Bergstrom International Airport  
**Presentation by Garry Mauro, Charles Gates and Holland Young**
9. Take Home Vehicles for Police Officers  
**Postponed**

## EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held at 4:05 p.m. to 4:55 p.m.

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.

### Advice of Counsel - Section 551.071

10. Discuss City of San Antonio, Texas et al v. Westinghouse Electric Corp., Cause No. 90-5-00684-C, in the 23rd District Court of Matagorda County, Texas.
11. Discuss Houston Lighting and Power Company v. City of San Antonio, et al, Cause No. 88-923-E, in the 101st District Court of Dallas County, Texas.
12. Discuss City of Austin v. Houston Lighting and Power Company, Cause No. 94-007946, in the 164th District Court of Harris County, Texas.
13. Discuss ownership interest in South Texas Nuclear Plant.

### Pending/Contemplated Litigation - Section 551.071

14. Discuss settlement of LCRA v. Mechanical Dynamics and Analysis, Inc., Civil Action No. H-94-3522 and Michigan Mutual Insurance Co. v. Mechanical Dynamics and Analysis, Inc., et al., Civil Action No. H-94-2231 in the United States District Court for the Southern District of Texas, Houston Division.

### Staff Briefing - Section 551.075

15. Staff briefing on the electric revenue requirements, rate comparisons, and competition in the electric utility industry. (City Council deliberation is not permitted under Section 551.075)
16. Staff briefing on Third Amendment to Coal Transportation Contract with Union Pacific Railroad. (City Council deliberation is not permitted under Section 551.075)
17. Staff briefing on options for Municipal Office space. (City Council deliberation is not permitted under Section 551.075)

### Personnel Matters - Section 551.074

18. Discuss personnel evaluations of City Council Appointees: Municipal Court Clerk and Municipal Court Judges.  
**Postponed**

## ACTION ON THE FOLLOWING

19. Approve settlement of LCRA v. Mechanical Dynamics and Analysis, Inc., Civil Action NO. H-94-3522, and Michigan Mutual Insurance Company v. Mechanical Dynamics and Analysis, Inc., et als, Civil Action No. H-94-2231, U.S. District Court for the Southern District of Texas, Houston, Division.  
**Approved**

## ORDINANCES

20. Authorize acceptance of a grant from the International Council for Local Environmental Initiatives (ICLEI) to install energy efficiency improvements in the City's wastewater collection pump lift stations and recruit private sector companies to the Climate Wise program, in the amount of \$45,000; amend Ordinance 950911-A, the 1995-96 operating budget, by increasing budget revenue and expenditures by \$45,000 in the Environmental and Conservation Services Special Revenue Fund. (Recommended by Resource Management Commission)  
**Ordinance No. 951206-A approved**

## RESOLUTIONS

21. Approve the proposed route and authorize the Electric Utility Department to proceed with the Onion Creek to Bergstrom 138kV Transmission Line Project. (No fiscal impact.) (Recommended by Environmental Board and Planning Commission)  
**Approved**
22. Approve the issuance of a Letter of Intent and rebate to Guaranty Federal Bank at Temple-Inland Financial Services, located at MoPac and Barton Skyway, for the installation of high efficiency variable frequency drives, electric motors, water-cooled centrifugal chillers, and interior lighting, in the amount of \$72,386. Energy improvements qualifying for this rebate will save an estimated 522 kilowatts at a program cost of \$139 per kilowatt saved. (Funding is available in the 1995-96 operating budget of the Conservation Rebates and Incentives Fund.) (Recommended by Resource Management Commission)  
**Approved**
23. Approve execution of a twelve (12) month supply agreement with UNIFIRST CORPORATION, Austin, Texas, for the purchase of blue denim work shirts, in the amount of \$57,049.50 with the option to extend for two (2) twelve (12) month periods in the amount of \$57,049.50 for each period, for a total amount of \$171,148.50. (Funding in the amount of \$47,541.30 is available in the 1995-96 operating budget of the Electric Utility Department. Funding for the final two (2) months of the original contract and the extension options is contingent upon available funding in future budgets.) Low bid of two (2) meeting specifications. No M/WBE Subcontracting opportunities were identified.  
**Approved**
24. Approve execution of a contract with THE BERGIN COMPANY, Austin, Texas, for the purchase of one (1) indoor metalclad switchgear to provide service to the Thomas Green Water Treatment Plant, in the amount of \$349,691. (Funding was included in the 1995-96 Capital Budget for the Electric Utility Department.) Low bid of seven (7). No M/WBE

Subcontracting opportunities were identified.

**Approved**

25. Approve execution of a twelve (12) month service agreement with MARCELO'S SAND AND LOAM, (MBE/MH), Austin, Texas, for the purchase of sandy/loam topsoil used in various construction, repair and landscaping projects, in the amount of \$154,176 with the option to extend for two (2) twelve (12) month periods in the amount of \$154,176 for each extension period, for a total amount of \$462,528. (Funding in the amount of \$115,632 is available in the 1995-96 operating budget of the Water and Wastewater Utility (\$24,282.72), Electric Utility (\$83,255.04), Transportation Fund (\$4,625.28) and the Parks and Recreation Department (\$4,625.28). Funding for the remaining three (3) 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**

26. Approve execution of a contract with POWER SUPPLY, INC., Austin, Texas, for the purchase of four (4) three-phase transformers, in the amount of \$167,172. (Funding was included in the 1995-96 Capital budget of the Electric Utility Department.) Low bid of four (4) meeting specifications. No M/WBE Subcontracting opportunities were identified.

**Approved**

27. Approve modification of a twelve (12) month supply agreement with SOUTHWAY ELECTRIC UTILITY SERVICE, INC., Austin, Texas, to provide additional substation and transmission materials, in the amount of \$48,076, for a total amount of \$240,381. (Funding is available in the 1995-96 operating budget of the Electric Utility Department.) No M/WBE Subcontracting opportunities were identified.

**Approved**

28. Approve execution of a twelve (12) month supply agreement with FORT BEND SERVICES, Inc., Stafford, Texas, for the purchase of surfactant anionic chemical solution form used to treat lake water required for cooling of power plant equipment, in an amount not to exceed \$45,036 with the option to extend for two (2) twelve (12) month periods in the amount of \$45,036 for each extension option, for a total amount of \$135,108. (Funding in the amount of \$37,530 is available in the 1995-96 operating budget of the Electric Utility Department. Funding for the final two (2) months and the extension options is contingent upon available funding in future budgets.) Single bid. No M/WBE Subcontracting opportunities were identified.

**Approved**

29. Approve Third Amendment to Fayette Power Project Coal Transportation Agreement among the City of Austin, the Lower Colorado River Authority and the Union Pacific Railroad Company. (The amendment is expected to reduce the City's cost to transport coal to the Fayette Power Project.)

**Approved**

Items 19 through 29 approved on Councilmember Goodman's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

30. Approve execution of a contract with SMIT TRANSFORMATOREN B.V., Nijmegen, The Netherlands, for the purchase of three (3) autotransformers, in the amount of \$8,718,000. (Funding was included in the 1995-96 Capital budget of the Electric Utility Department.) Low bid of seven (7) meeting specifications. No M/WBE Subcontracting opportunities were identified.  
Pulled off agenda

Included in the consent motion was the following action on Agenda Item No. 10:

"That the City Council hereby authorizes and approves execution of a settlement agreement and related documents necessary to settle the lawsuit styled City of Austin, City of San Antonio, Texas, et al., v Westinghouse Electric Corp., Cause No. 90-5-00684-C, in the 23rd District Court of Matagorda County, Texas."

CITIZEN COMMUNICATIONS (A maximum of 10 citizens to speak on posted action items. Each citizen will be given 3 minutes to speak.)

No Speakers

ADJOURNED at 5:00

Approved on this the 14<sup>th</sup> day of December, 1995, on Mayor Pro Tem Garcia's motion, Mayor Todd's second, 5-0 vote, Councilmember Nofziger off the dais, Councilmember Shea absent.

