



# Austin City Council MINUTES

SPECIAL CALLED MEETING  
MAY 8, 1996

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

## PREVIEW OF ITEMS FOR NEXT COUNCIL MEETING

1. Review of Proposed Agenda Items from City Manager for May 16, 1996.
2. Review of Proposed Agenda Items from Council for May 16, 1996.

## BOARD AND COMMISSION REPORTS

3. Electric Utility Commission Report - Marilyn Jones, Chair (10 minutes)  
Presentation given by Marilyn Jones.
4. Resource Management Commission Report - Glee Ingram (10 minutes)  
Presentation given by Glee Ingram.
5. Mayor's Committee on People with Disabilities (15 minutes)  
Presentation given by Dolores Gonzales and

## BRIEFINGS AND DISCUSSIONS

6. Montopolis Sports Complex and Grove Boulevard (Mayor Pro Tem Gus Garcia) (20 minutes)  
Presentation given by Peter Rieck, Richard Kroger and Jesus Olivares.
7. Affordability: Program Reviews (1 hour)  
Presentation given by Michael Parks and John Stevens.
8. Discuss policies regarding littering in the City's right-of-way.  
(Mayor Bruce Todd) (20 minutes)  
Presentation given by Andy Martin, Gayle Posey and Ron Zimmerman.

- 8a. Monthly Electric Utility Management Report (20 minutes)  
Presentation given by John Moore.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held at 4:30 p.m. to 5:45 p.m. on item 14.

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

9. Discuss City of Austin v. Houston Lighting and Power Company, Cause No. 94-007946, in the 11th District Court of Harris County, Texas.
10. Discuss contract dispute with North American Transformer, Inc.
11. Discuss legal decisions that affect electric utility rates.
12. Discuss legal issues related to debt financing.

Staff Briefing - Section 551.075

13. Staff briefing on the effects of competition on the Electric Utility Department. (No City Council deliberation permitted under Section 551.075)

ACTION ON THE FOLLOWING

14. Approve settlement of contract dispute with North American Transformer, Inc.  
**Approved with settlement terms:** (1) City to receive \$2.95 million in settlement of claim to be paid in credit toward purchases of equipment, goods and services, and in cash. (2) EUD to order 4 138/12.5 power transformers for delivery by end of 1997. Estimated price of the 4 transformers is 2.2 million, depending on how the transformers are equipped. EUD then has option to take the balance of the \$2.95 million less the price of the power transformers in cash, or in additional equipment from North American. (3) North American to take back and remove the transformer that was delivered to Lytton Springs by 9/96. (4) Mutual release of all claims. Austin's release of North American is subject to their performance of their obligations under the Settlement Agreement. (5) Obligations of North American under Settlement Agreement guaranteed by its parent corporation, Rockwell International Corporation, a Fortune 100 company, on Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 4-0 vote, Councilmembers Shea, Mitchell and Nofziger absent.

RESOLUTIONS

15. Authorize negotiation and execution of Amendment #2 to the professional services agreement with DENNIS WORLEY & ASSOCIATES, Austin, Texas, for additional professional engineering services for the development of bidding specifications for a maintenance and service contract and safety inspection services for the City's natural gas pipeline facilities, in the estimated amount of \$10,000, for a total amount of \$45,804. (Funding is available in the 1995-96 operating budget of the Electric Utility Department.) No M/WBE Subconsulting opportunities were identified.

**Approved**

16. Approve an amendment to a contract with ASCENSION TECHNOLOGY, INC., Lincoln Center, Massachusetts, to provide equipment and services for forty eight rooftop solar photovoltaic systems to be installed on local homes and businesses, in the additional amount of \$230,460, for a total contract amount not to exceed \$771,874. (Funding was included in the 1995-96 Capital budget of the Electric Utility Department.)

**Approved**

17. Authorize the negotiation and execution of a twelve month Interlocal Agreement with Texas Department of Information Resources, Austin, Texas for the installation, maintenance, consulting and training for Phases I and II of a Communications Upgrade for a total not to exceed \$1,000,000, with one 12 month extension option not to exceed \$1,500,000 for a total contract amount not to exceed \$2,500,000. (Funding was included in the 1995-96 Capital budget of the Electric Utility Department.)

**Approved**

18. Approve execution of a twelve month service agreement with ASPLUNDH TREE EXPERT COMPANY, Conroe, Texas, for tree pruning services for the electric utility north service area, in an amount not to exceed \$1,938,731 with the option to extend for three additional twelve month periods in an amount not to exceed \$1,938,731 for the extension options, for a total amount not to exceed \$7,754,924. (Funding in the amount of \$1,550,985 is available in the 1995-96 operating budget of the Electric Utility. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) Low bid of three. 14.1% MBE, 15.2% WBE Subcontractor participation.

**Approved**

19. Approve execution of a twelve month service agreement with ASPLUNDH TREE EXPERT COMPANY, Conroe, Texas, for tree pruning services for the electric utility south service area, in an amount not to exceed \$1,941,521 with the option to extend for three additional twelve month periods in an amount not to exceed \$1,941,521 for the extension options, for a total amount not to exceed \$7,766,084. (Funding in the amount of \$1,553,217 is available in the 1995-96 operating budget of the Electric Utility Department. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) Low bid of three. 14.1% MBE, 15.18% WBE Subcontractor participation.

**Approved**

20. Approve execution of a contract with GENERAL ELECTRIC SUPPLY COMPANY, Austin, Texas, for the purchase of thirty-six pad mounted transformers, in the amount of \$324,772. (Funding

was included in the 1995-96 Capital budget of the Electric Utility Department.) Low bid of five. No M/WBE Subcontracting opportunities were identified.

**Approved**

21. Approve execution of a twelve month supply agreement with GIFFORD-HILL, INC., Austin, Texas, for the purchase of pullboxes, manhole covers and rings, in an amount not to exceed \$144,175 with the option to extend for an additional two twelve month periods, in an amount not to exceed \$144,175 for the extension options, for a total amount not to exceed \$432,525. (Funding in the amount of \$60,073 is available in the 1995-96 operating budget of the Electric Utility Department. Funding for the final seven months and the extension options is contingent upon available funding in future budgets.) Sole bid. No M/WBE Subcontracting opportunities were identified.

**Approved**

22. Approve execution of a twelve month service agreement with AMERICAN PRESSURE WASH & MAINTENANCE, INC., Austin, Texas, for hydrocleaning of condenser tubes at Holly and Decker Power Plants, in an amount not to exceed \$50,206 with the option to extend for two additional twelve month periods in an amount not to exceed \$50,206 per extension option, for a total amount not to exceed \$150,618. (Funding in the amount of \$20,919 is available in the 1995-96 operating budget of the Electric Utility. Funding for the final seven months of the contract and the extension options is contingent upon available funding in future budgets.) Low bid of five. No M/WBE Subcontracting opportunities were identified.

**Approved**

23. Approve execution of a contract with RFL ELECTRONICS, INCORPORATED, Boonton, New Jersey, for the purchase of current differential relays, in the amount of \$51,870. (Funding was included in the 1995-96 Capital budget of the Electric Utility Department.) Low bid of four meeting specifications. No M/WBE Subcontracting opportunities were identified.

**Approved**

24. Approve negotiation and execution of a contract with ANALYTICAL AUTOMATION SPECIALISTS, INC., Baton Rouge, Louisiana, to purchase a laboratory information management system including a twelve month warranty in an amount not to exceed \$66,830 with four twelve month extensions for post-warranty maintenance in an amount of \$7,375 per extension, for a total contract amount not to exceed \$96,330. (Funding was included in the 1995-96 Capital budget of the Electric Utility Department.) Best proposal of three. No M/WBE Subcontracting opportunities were identified.

**Approved**

25. Approve the issuance of a Letter of Intent and a rebate in the amount of \$51,800 to Belco Equities, Inc., for the installation of high-efficiency air conditioning equipment at the Arrowhead Park Apartments, a 290-unit complex currently under construction located at 605 Masterson Pass. Energy improvements qualifying for this rebate will save an estimated 175 kilowatts at a program cost of \$295 per kilowatt saved. Each high efficiency air conditioner will save residents between \$67.00 and \$113.00 per cooling season in energy costs. (Funding is available in the 1995-96 operating budget of the Conservation Rebates and Incentives Fund.) (Recommended by the Resource Management Commission)

**Approved**

26. Approve the issuance of a Letter of Intent and a rebate in the amount of \$128,800 to Belco Equities, Inc., for the installation of high-efficiency air conditioning equipment at the Chevy Chase Apartments, a 320-unit complex located at 7581 Chevy Chase Drive. Energy improvements qualifying for this rebate will save an estimated 436 kilowatts at a program cost of \$295 per kilowatt saved. Each high efficiency air conditioner will save the residents between \$170 and \$340 per cooling season in energy costs. (Funding is available in the 1995-96 operating budget of the Conservation Rebates and Incentives Fund.) (Recommended by the Resource Management Commission)

**Approved**

27. Approve the issuance of a Letter of Intent and a rebate in the amount of \$40,400 to the Central Texas Mutual Housing Association for the installation of high-efficiency air conditioning equipment at the Sierra Ridge Apartments, a 100-unit complex located at 201 West St. Elmo Road. Energy improvements qualifying for this rebate will save an estimated 97 kilowatts at a program cost of \$417 per kilowatt saved. Each high efficiency air conditioner will save the residents between \$143 and \$191 per cooling season in energy costs. (Funding is available in the 1995-96 operating budget of the Conservation Rebates and Incentives Fund.) (Recommended by Resource Management Commission)

**Approved**

28. Approve the issuance of a Letter of Intent and a rebate in the amount of \$45,600 to Housing Preservation Associates, Inc., for the installation of high-efficiency air conditioning equipment at the Bergstrom Arms Apartments, a 98-unit complex located at 2419 Cardinal Loop. Energy improvements qualifying for this rebate will save an estimated 131 kilowatts at a program cost of \$349 per kilowatt saved. Each high efficiency air conditioner will save the residents between \$143 and \$240 per cooling season in energy costs. (Funding is available in the 1995-96 operating budget of the Conservation Rebates and Incentives Fund.) (Recommended by Resource Management Commission)

**Approved**

Items 15 through 28 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Nofziger absent.

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

ADJOURNED at 6:00 p.m.

Approved on this the 16<sup>th</sup> day of May, 1996, on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-0 vote, Councilmembers Shea and Reynolds temporarily absent.