



Austin City Council MINUTES

AUGUST 22, 1996

Mayor Todd called the meeting to order.

1. Approval of Minutes for Joint Meeting of August 7, 1996, Special Called Meeting of August 14, 1996, and Regular Meeting of August 15, 1996.
Motion to approve Minutes for Joint Meeting of August 7, 1996 and Meeting of August 14, 1996 and to postpone Meeting of August 15, 1996 on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 6-0 vote, Councilmember Mitchell off the dais.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Zegub, to discuss repeal of the helmet law.
3. Mr. Phillip Strong, to request a waiver of all applicable City of Austin Fees for the construction of Capital Area Food Bank's new facility on South Congress.
4. Mr. Kirk Becker, to reiterate the request for funding for computers for public use at the library and at the entertainment center.
5. Mr. Gus Pena, to discuss the City of Austin budget, senior citizens and youth issues.
6. Mr. Donald Baker, to discuss the resolution regarding the APA/police employees.
Absent
7. Mr. Joe Munoz, to discuss the resolution regarding APA Police Meet and Confer.
Absent
8. Mr. Ernest Pedraza, to discuss the APA resolution.
Absent
9. Mr. Paul Robbins, to discuss the City charter.
10. Mr. Richard Suttle, to discuss opportunities for sustainable communities (New Urbanism).
Absent

1:30 P.M. - BOND SALE

11. Authorize the issuance of approximately \$275,000,000 of City of Austin, Texas, Combined Utility Systems Revenue Refunding Bonds, Series, 1996, including approval and authorization of a Purchase Contract, Escrow Agreement, Paying Agent/Registrar Agreement, and Official Statement

pertaining thereto.

Ordinance No. 960822-A approved

12. Approve the redemption of certain outstanding Combined Utility Systems Revenue bonds of the City of Austin. (Associated costs will be provided from the proceeds of the related issuance of Combined Utility Systems Revenue Refunding Bonds, Series 1996.)
Approved

Items 11 and 12 approved on, Mayor Pro Tem Garcia's motion, Councilmember Reynolds' second, 7-0 vote.

ORDINANCES

13. Approve third reading on an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as North Lamar Blvd. and Yager Lane, Case No. C14-96-0054, from "LO", Limited Office to "CS-CO", Commercial Services-Conditional Overlay, zoning subject to: (1) dedication of 35 feet of right-of-way from the existing centerline of Yager Lane; (2) prohibit the following uses - Adult Oriented Businesses, Arts & Craft Industry, Automotive Repair, Automotive Sales, Automotive Rentals, Automotive Washing, Outside Storage, Agriculture Sales & Services, Nursery, Convenience Store, Drop-Off Recycling, Equipment Repairs & Sales, Extermination Services, Indoor Entertainment, Kennels, Outdoor Entertainment, Outdoor Sports and Recreation, Pawn Shops, Restaurant (fast food), Vehicle Storage, and Custom Manufacturing; and (3) a restrictive covenant requiring - a three foot tall landscaped berm to screen all parking along Lamar Boulevard and Yager Lane; and 50% increase in number of required trees within Lamar Boulevard street yard; JOHN KING, INC. (John King), by Abbe/Garrett Engineering (Michael Simmons-Smith). First reading on June 6, 1996; Vote 6-0, Goodman absent. Second reading on August 15, 1996; Vote 7-0. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council. Note: At second reading of the ordinance, the City Council modified the restrictive covenant to allow a three foot wrought iron fence and landscaping, instead of a three foot tall landscape berm along Lamar Blvd. In addition, the City Council requested at third reading the applicant address whether sidewalks will be installed along Yager Lane and Lamar Blvd.

Motion to approve on, Mayor Pro Tem Garcia's motion, Councilmember Reynolds' second

Motion withdrawn

Motion to postpone two weeks on, Councilmember Griffith's motion, Councilmember Slusher's second, 7-0 vote.

14. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as E. Parmer Lane and Scofield Farms Drive, Case No. C14-96-0062, from "LR", Neighborhood Commercial to "GR-CO", Community Commercial-Conditional Overlay, with the provisions of the overlay to limit development to generate less than 2,000 vehicle trips per day; MELLON PROPERTIES (Blake Magee), by Key Group Engineering, Inc. (Keith Young, P.E.). First reading on July 11, 1996; Vote 6-1, Goodman voting "No". Conditions met as follows: Conditional overlay incorporates conditions imposed by

Council.

Ordinance No. 960822-I approved on, Mayor Pro Tem Garcia's motion, Councilmember Reynolds' second, 5-2 vote, Councilmembers Goodman and Slusher voting "NO".

15. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 3400 S. Lamar Boulevard, Case No. C14-96-0077, from "I-SF-2", Interim Single Family Residence (standard lot) to "GR-CO", Community Commercial-Conditional Overlay on Tract 1; NO-CO, Neighborhood Office-Conditional Overlay on Tract 2; and SF-6-CO, Townhouse and Condominium Residence-Conditional Overlay on Tract 3; subject to the following: (1) prohibit access from Tracts 1, only, to Westland Drive; and (2) limit land uses and intensities to that which will generate less than 2,000 vehicle trips per day (Note: The acquisition of additional right-of-way along South Lamar Boulevard will be acquired at the subdivision stage); WESTERN LIVESTOCK (Elizabeth Small), by Arthur Stone. First reading on July 11, 1996; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council.

Ordinance No. 960822-B approved

16. Approve acceptance of the work for improvements to Oltorf Street, from University Business Park to Montopolis Drive. (No fiscal impact.)

Ordinance No. 960822-C approved

Items 15 and 16 approved on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 7-0 vote.

17. Authorize the negotiation and execution of an agreement with WR Joint Venture, for the construction of a 16-inch water main and appurtenances to provide permanent water service within and near Travis County Subdivision with City cost participation in an amount not to exceed \$760,300 and approving waiver of certain requirements under Sections 13-3-5 and 13-3-8 of the 1992 Austin City Code relating to the rate of reimbursement and the payment schedule. (Cost reimbursement in an amount not to exceed \$760,300 will be paid from the Water and Wastewater Utility's operating fund.) [Recommended by Water and Wastewater Commission]

Ordinance No. 960822-H approved on, Councilmember Reynolds' motion, Councilmember Mitchell's second, 7-0 vote.

18. Approve issuance by Southland Oaks Municipal Utility District of Unlimited Tax and Revenue Bond, Series 1996, in an amount not to exceed \$1,720,000; approving a substantial draft of the Bond Order, Notice of Sale and Bid Instructions, Form of Bid, and the Preliminary Official Statement. (No fiscal impact to the City. The City is not obligated for payment of District bonds unless District is annexed and dissolved.) [Recommended by Water and Wastewater Commission]

Ordinance No. 960822-D approved on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 6-0-1 vote, Councilmember Slusher abstaining.

19. Amend Ordinance 950911-A, the 1995-96 Operating Budget, by reducing the appropriation for Health and Human Services by \$939,903 and increasing the appropriation for Hospital Contracted Services by \$939,903, with no impact on the General Fund ending balance. (Funding in the amount of \$939,903 is included in the Health and Human Services 1995-96 operating budget line item for ancillary services for Medical Assistance Program clients. There is no net impact on the

General Fund.)

Ordinance No. 960822-E approved

20. Authorize acceptance of additional grant funds from the Texas Department of Health in the amount of \$8,981 for community outreach activities; amend Ordinance 950911-A, the 1995-96 operating budget, amending the Special Revenue Fund by appropriating an additional \$8,981 in grant funds in the Health and Human Services Department's Special Revenue Fund, for a total grant amount of \$211,900.

Ordinance No. 960822-F approved

21. Confirm the submittal of a grant application for \$45,000 from the State of Texas, Governor's Office, Criminal Justice Division, Texas Narcotics Control Program for the purchase of report writing software to assist the Police Department in analyzing crime data from the National Incident Based Report System. (City's match of \$15,000 is available in the 1995-96 operating budget of the Information Systems Department.) **Approved**
22. Confirm the application for \$35,800 in grant funds from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, to enhance the planning and development of the proposed Juvenile Intake Facility. ((A City match is not required.)
Approved
23. Confirm the application for \$60,839 in grant funds from the U.S. Department of Justice, Office of Community Oriented Policing Services, Problem Solving Partnerships Grant Program to partner with the South Congress Coalition to develop strategies for reducing prostitution in the South Congress area. (A City match is not required.)
Approved

Items 19 through 23 approved on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 7-0 vote.

Steam Train Railroad Line Improvements (Items 24-26)

24. Authorize acceptance of an Intermodal Surface Transportation Efficiency Act (ISTEA) Grant in the amount of \$821,307.20 from the Texas Department of Transportation (TxDot) for Railroad Line Improvements from McNeil Road to Downtown Austin; Amend Ordinance 950911-B, the 1995-96 Capital Budget for the Department of Public Works and Transportation by appropriating \$821,307 to the ISTEA Railroad Line Improvements Project from McNeil Road to Downtown Austin. (City's match of \$164,261.40 were included in the 1994-95 Capital Budget.) [Recommended by Planning Commission]

Ordinance No. 960822-G approved

RESOLUTIONS

25. Approve execution of a contract with Pioneer Concrete of Texas, Inc., Houston, Texas, for the purchase of railroad ballast, in an amount not to exceed \$73,800. Low Bid of two. No M/WBE Subcontracting opportunities were identified. (Funding is available in the amended Capital Budget for Public Works and Transportation Department.)

Approved

26. Approve execution of a contract with A & K Railroad Materials, Inc., New Orleans, Louisiana, for the purchase of railroad materials and supplies, in an amount not to exceed \$241,757.20. Low bid of six. No M/WBE Subcontracting opportunities were identified. (Funding is available in the amended Capital Budget for Public Works and Transportation Department.)

Approved

Items 24 through 26 approved on, Councilmember Reynolds' motion, Councilmember Slusher's second, 6-0 vote, Mayor Pro Tem Garcia off the dais.

27. Approve execution of a twelve month supply agreement with WESTVACO ENVELOPES, Dallas, Texas, for the purchase of utility customer service envelopes for use in the mailing and receipt of utility bills, in an amount not to exceed \$98,410.10, with two twelve month extension options in an amount not to exceed \$98,410.10 per option, for a total contract amount not to exceed \$295,230.30. (Funding in the amount of \$8,200.94 is available in the 1995-96 operating budget of the Utility Customer Service Office; funding for the remaining eleven months (\$90,209.26) and the extension options is contingent upon available funding in future budgets.) Low bid of two. No M/WBE Subcontracting opportunities were identified.

Approved

28. Approve execution of an amendment to a contract with Houston-Galveston Area Council of Governments Cooperative Purchasing Program (H-GAC) for the purchase of one additional pumper fire truck, in an amount not to exceed \$277,469.81, for a total contract amount not to exceed \$2,219,758.48. (Funding is available in the 1995-96 Vehicle Acquisition Fund.)

Approved

29. Approve execution of a contract with ORR SAFETY CORPORATION, Texas City, Texas, for the purchase of distress alarm devices to be installed on existing air breathing apparatus used by the City's fire department, in the amount of \$93,111. (Funding was included in the 1995-96 operating budget of the Austin Fire department.) Low bid of four. No M/WBE Subcontracting opportunities were identified.

Approved

30. Approve execution of an amendment to an Interlocal Agreement with LOWER COLORADO RIVER AUTHORITY (LCRA), Austin, Texas, for maintenance, repairs and testing services for the City's fleet of aerial tower trucks, in the amount of \$150,000, for a total amount not to exceed \$300,000 (1996 contract year), and \$150,000, for a total amount not to exceed \$300,000 (1997 contract year), for a total contract amount not to exceed \$750,000. (Funding in the amount of \$25,000 is available in the 1995-96 operating budget of the Fleet Maintenance Fund. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.)

Approved

31. Approve execution of a twelve month supply agreement with DAVIS TRUCK & EQUIPMENT COMPANY, INC., San Antonio, Texas, for the purchase of captive repair parts for Heil refuse equipment in the City's fleet in an amount not to exceed \$75,000 with two twelve month extension

options in an amount not to exceed \$75,000 per extension, for a total amount not to exceed \$225,000. (Funding in the estimated amount of \$6,250 is available in the 1995-96 Fleet Maintenance Fund. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) Sole bid. No M/WBE Subcontracting opportunities were identified.

Approved

32. Approve execution of a twelve month supply agreement with WASTE SYSTEMS EQUIPMENT, INC., Houston, Texas, for the purchase of captive repair parts for Leach refuse equipment in the City's fleet, in an amount not to exceed \$60,000 with two twelve month extension options in an amount not to exceed \$60,000 per extension, for a total contract amount not to exceed \$180,000. (Funding in the amount of \$5,000 is available in the 1995-96 operating budget of the Fleet Maintenance Fund. Funding for the remainder of the contract and the extension option is contingent upon available funding in future budgets.) Sole bid. No M/WBE Subcontracting opportunities were identified.

Approved

33. Approve execution of a twelve month supply agreement with AUSTIN FORD TRACTOR, Pflugerville, Texas, for the purchase of captive repair parts for Mott brand mowers used to perform grounds maintenance activities by various City departments, in an amount not to exceed \$63,500 with two twelve month extension options in an amount not to exceed \$63,500 per extension, for a total contract amount not to exceed \$190,500. (Funding in the amount of \$5,292 is available in the 1995-96 operating budget of the Fleet Maintenance Fund. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) Low bid of three. No M/WBE Subcontracting opportunities were identified.

Approved

34. Approve execution of a twelve month service agreement with BROWNING FERRIS INDUSTRIES, INC., Austin, Texas, for the provision of waste collection and disposal service at various departmental facilities, in an amount not to exceed \$262,815.68 with four twelve month extension options in amounts not to exceed \$262,815.68, for a total amount not to exceed \$1,314,078.40. (Funding in the amount of \$43,802.62 is available in the 1995-96 operating budget of various departments. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) Low bid of three. No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)

Approved

Items 27 through 34 approved on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 7-0 vote.

35. Approve negotiation and execution of a contract with IBM CORPORATION, Austin, Texas, for the purchase of a Mainframe Disk Storage Subsystem (DASD) to replace the older DASD at Waller Creek Center which is used to store records from both the City's billing and financial systems, in an amount not to exceed \$217,800. (Funding is available in the 1995-96 operating budget of the Information Services Department.) Best proposal of six. No M/WBE Subcontracting opportunities were identified.

Approved on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 6-0-1 vote,

Councilmember Reynolds abstaining.

36. Approve execution of a contract with TENNANT COMPANY, Grand Prairie, Texas, for the purchase of one riding scrubber/sweeper to be used by the Aviation department, in the amount of \$72,869.58. (Funding is available in the 1995-96 operating budget of the Aviation Department.) Sole source. No M/WBE Subcontracting opportunities were identified.

Approved

37. Approve execution of Change Order #1 to the construction contract with AUSTIN BRIDGE & ROAD, INC., Austin, Texas, for the Robert Mueller Municipal Airport Runway 13R-31L, Runway 17-35, Taxiway Delta and Taxiway Hotel Pavement Maintenance, increasing the contract in the amount of \$124,364, for a total contract amount of \$631,746. (Funding is available in the 1995-96 Capital Budget of the Department of Aviation.) 10.88% MBE, 4.83 WBE Subcontractor participation.

Approved

38. Approve execution of a contract with COMMERCIAL BODY CORPORATION, San Antonio, Texas, for the purchase of four aerial devices and bodies mounted on truck cab and chassis for use by the Park's Department's Forestry Division and Public Works' Signals Division, in the amount of \$307,458. (Funding is available in the 1995-96 Vehicle Acquisition Fund.) Low bid of five. No M/WBE Subcontracting opportunities were identified.

Approved

39. Approve execution of a construction contract with UNITED PUMP SUPPLY, INC., Austin, Texas, for reconstruction of the existing vehicle fuel facility at the Parks and Recreation Department's Central Maintenance Complex, located at 2525 S. Lakeshore Blvd., in the amount of \$144,781.52. (Funding was included in the 1995-96 Capital Budget of the Financial Services Department.) Low bid of four (4). 5.36% MBE 2.37% WBE Subcontractor participation.

Approved

40. Approve execution of a construction contract award with MISCOE CONSTRUCTION, INC., Austin, Texas, for accessibility improvements at the Bartholomew Park toilet #3, in the amount of \$66,758. (Funding was included in the Amended Capital budget of the Parks and Recreation Department.) Low bid of four. 24.57% MBE, 8.46% WBE Subcontractor participation.

Approved

41. Approve a construction contract award to INDUSTRIAL CONSTRUCTION COMPANY, (MBE/MB), Universal City, Texas, for accessibility improvements at the Monroe "Lefty" Krieg Complex, in the amount of \$74,652. (Funding was included in the 1994-95 Amended Capital budget of the Parks and Recreation department.) Low bid of four. 72.15% MBE Prime participation. 9.16% WBE Subcontractor participation.

Approved

42. Approve execution of a contract with PROFESSIONAL TURF PRODUCTS OF TEXAS, INC., Carrollton, Texas, for the purchase of two riding rotary mowers to be used by the Parks and Recreation department, in the amount of \$97,000. (Funding is available in the 1995-96 Vehicle Acquisition Fund.) Sole source. No M/WBE Subcontracting opportunities were identified.

Approved

43. Approve execution of a service contract with USPCI-LAIDLAW ENVIRONMENTAL SERVICES, San Antonio, Texas, to provide transportation and disposal of hazardous and non-hazardous solid waste for the Transportation and Signals Division of the Department of Public Works and Transportation, as required by the Environmental Protection Agency and Department of Transportation, in the amount of \$78,931.25. (Funding is available in the 1995-96 operating budget of the Public Works and Transportation Department.) Low responsive bid of four. No M/WBE Subcontracting opportunities were identified.

Approved

44. Authorize payment to the STATE OF TEXAS for participation in real property acquisition for the U.S. 290/SH 71 Project, in the amount of \$69,000. (Funding was included in the 1991-92 Capital Budget of the Public Works and Transportation Department.)

Approved

Items 36 through 44 approved on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 7-0 vote.

45. Approve execution of a construction contract to RICHARD H. WATERS CONSTRUCTION, Austin, Texas, for construction of the 16-inch Water Line at Mopac and Bartons Bluff Lane, in the amount of \$172,837. (Funding was included in the 1995-96 Capital budget of the Water and Wastewater Utility.) Low bid of five. 23.8% MBE, 8.4% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)

Approved on, Councilmember Goodman's motion, Councilmember Reynolds' second, 6-0 vote, Mayor Todd off the dais.

46. Approve Change Order #6 to the contract with AUS-TEX PLUMBING, HEATING AND AIR-CONDITIONING, INC., Pflugerville, Texas, for the installation of air-conditioning system improvements for the Walnut Creek Wastewater Treatment Plant Administration Building modifications project, increasing the contract in the amount of \$24,408.90, for a total contract amount of \$498,958.95. (Funding in the amount of \$24,408.90 was included in the 1991-92 Capital budget of the Water and Wastewater Utility.) 0% MBE, 12.46% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)

Approved on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 7-0 vote.

47. Approve execution of a construction contract with INDUSTRIAL CONSTRUCTION COMPANY, (MBE/MB), Universal City, Texas, for a natural gas powered back-up generator and other improvements to the Bee Cave Lift Station, in the amount of \$132,470. (Funding was included in the 1991-92 Capital budget of the Water and Wastewater Utility.) Low bid of six. 90.11% MBE Prime participation. 9.89% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)

Approved on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 7-0 vote.

48. Approve execution of a construction contract with J.C. EVANS CONSTRUCTION, COMPANY, INC., Austin, Texas, for the Springdale Road Water Transmission Main Project, from Cesar Chavez to MLK Boulevard, in the amount of \$5,656,967.45 plus \$565,696.55 to be used as a

contingency fund for change orders, for a total contract amount of \$6,222,664. (Funding in the amount of \$6,222,664 was included in the 1991-92 Capital budget of the Water and Wastewater Utility.) Low bid of nine. 10.71% MBE, 4.33% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)

Motion to approve on, Councilmember Goodman's motion, Councilmember Reynolds' second

Motion withdrawn

Motion to postpone to September 5, 1996 on, Councilmember Slusher's motion, Councilmember Goodman's second, 3-3 vote, Mayor Pro Tem Garcia, Councilmembers Mitchell and Reynolds voting "NO", Mayor Todd off the dais.

Motion to approve item 48 as is on, Councilmember Reynolds' motion, Mayor Pro Tem Garcia's second 4-0-2 vote, Councilmembers Griffith and Slusher abstaining, Mayor Todd off the dais.

49. Approve execution of a construction contract with D. GUERRA CONSTRUCTION, (MBE/MH), Austin, Texas, for replacement of deteriorated storm sewers and water and wastewater lines for the Miscellaneous Pipe Replacement, Group II Project, in the amount of \$822,210.35. (Funding in the amount of \$380,409.85 was included in the 1995-96 Capital budget of the Drainage Utility; \$60,000 is available in the 1995-96 operating budget of the Drainage Utility; \$303,621.50 was included in the 1991-92 Capital budget of the Water and Wastewater Utility; and \$78,179 was included in the 1995-96 Capital budget of the Water and Wastewater Utility.) Low bid of four. 82.99% MBE Prime Participation; 1.82% MBE, 8.64% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)

Approved

50. Approve Change Order #5 to the contract with CHASCO CONTRACTING, Round Rock, Texas, for construction of additional erosion and flood control improvements at Givens Park and near Martin Luther King Boulevard as part of the Tannehill Branch Drainage Improvements, Phase II project, increasing the contract in the amount of \$127,184.55, for a total contract amount not to exceed \$2,843,148.56. (Funding was included in the 1991-92 Capital budget and \$66,329.61 was included in the 1995-96 Capital budget of the Public Works and Transportation Department.) 1.70% MBE, 4.33% WBE Subcontractor participation.

Approved

51. Approve negotiation and execution of eight month contracts for HIV related services with AIDS SERVICES OF AUSTIN, in an amount not to exceed \$106,219 and PROJECT TRANSITIONS, INC., in an amount not to exceed \$53,000, for a total amount of \$159,219. (Funding is available in the Health and Human Services Department, Special Revenue Fund, Ryan White grant program.) [Recommended by HIV Planning Council]

Approved

52. Approve the negotiation and execution of a secured grant agreement with PROJECT TRANSITIONS, Austin, Texas, for the acquisition of residential housing, in an amount not to exceed \$250,000, and a first year operating expense contract, in an amount not to exceed \$20,000, for a total contract amount not to exceed \$270,000. (Funding is included in the Health and Human Services Department Special Revenue Fund from the U.S. Department of Housing and

Urban Development (HUD) Housing Opportunities for Persons with AIDS grant (FY 94-95 Appropriations).

Approved

Items 49 through 52 approved on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 7-0 vote.

53. Authorize negotiation and execution of three Provider Participation Agreements between the City of Austin and Travis County, and (1) PCA Health Plans of Texas, Inc.; (2) Foundation Health Corporation Affiliates; and (3) Seton Health Plan, Inc., for the provision of health services to Texas Department of Health Medicaid recipients by the Austin/Travis County Health and Human Services Department for the period September 1, 1996 to August 31, 1997, with three twelve month extension options. [\$4,093,274 in Medicaid revenue. \$76,033 is included in the FQHC 1995-96 operating budget, \$3,992,679 is in the FQHC 1996-97 proposed operating budget, \$1,667 is in the 1995-96 General Fund operating budget for the Austin/Travis County Health and Human Services Department (HHSD), and \$22,895 is in the HHSD 1996-97 proposed operating budget.]
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 6-0-1 vote, Councilmember Mitchell abstaining.
54. Approve execution of four twelve month contracts with (1) AETNA LIFE INSURANCE COMPANY, Houston, Texas, to provide basic life insurance and supplemental and dependent life insurance in an amount not to exceed \$891,000 with two twelve month extension options in an amount not to exceed \$891,000 per extension, for a total amount not to exceed \$2,763,000; (2) PROVIDENT LIFE AND ACCIDENT INSURANCE COMPANY, Dallas, Texas, to provide stop-loss insurance, in an amount not to exceed \$436,000 with two twelve month extension options in an amount not to exceed \$436,000 per extension, for a total amount not to exceed \$1,308,000; (3) STANDARD INSURANCE COMPANY, Houston, Texas, to provide short-term disability and long-term disability insurance in an amount not to exceed \$1,234,000 with two twelve month extension options in an amount not to exceed \$1,234,000 per extension, for a total amount not to exceed \$3,702,000 and; (4) AIG LIFE INSURANCE COMPANY, Houston, Texas, to provide accidental death and dismemberment insurance in an amount not to exceed \$159,000 with two twelve month extension options in an amount not to exceed \$159,000 per extension, for a total amount not to exceed \$477,000. Total amount of the four contracts is an amount not to exceed \$8,160,000. (Funding in the amount of \$2,040,000 is included in the proposed 1996-97 Employee Benefits Fund Budget. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) Low bids of twenty-one meeting specifications. No M/WBE Subcontracting opportunities were identified.
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 6-0-1 vote, Councilmember Mitchell abstaining.
55. Approve negotiation and execution of a twelve month contract with THE HOBBS GROUP, Austin, Texas, through ARKWRIGHT INSURANCE COMPANY, for the purchase of City property and boiler and machinery insurance and loss prevention services, in an amount not to exceed \$684,000 with three twelve month extension options in an amount not to exceed \$684,000 per extension, for a total amount not to exceed \$2,736,000 and JOHN L. WORTHAM AND SON, L.L.P., Houston, Texas, through INDEMNITY INSURANCE COMPANY OF NORTH AMERICA (CIGNA) for the purchase of electric utility property and boiler and machinery insurance and loss prevention

services, in an amount not to exceed \$749,760 with three twelve month extension options in an amount not to exceed \$749,760 per extension, for a total amount not to exceed \$2,999,040. Total amount for both contracts is an amount not to exceed \$5,735,040. (Funding was included in the proposed 1996-97 operating budgets of various City departments. Funding for the extension options is contingent upon available funding in future budgets.)

Approved on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 6-0-1 vote, Councilmember Mitchell abstaining.

ITEMS FROM COUNCIL

56. Approve an ordinance authorizing conditional reimbursement of an amount equivalent to the Water and Wastewater Capital Recovery Fees paid for a maximum of 190 single-family homes in Fairway Ridge Subdivision if such housing units are sold to a "qualifying purchaser" under the regulations governing the federal HOME Affordable Housing Program guidelines; establishing conditions for reimbursement; establishing a special Trust Fund; amend ordinance No. 950911-A, the operating budget, by appropriating \$298,538 from the ending balance of the Water and Wastewater Utility operating fund, transferring said amount to the special Trust Fund and decreasing the ending balance by the same amount. (Recommended by Water and Wastewater Commission) (Councilmember Jackie Goodman and Mayor Pro Tem Gus Garcia)
Ordinance No. 960822-J approved on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 7-0 vote.

57. Approve a resolution providing guidance to the City Manager regarding principles for conducting labor relations and negotiating ground rules for the Meet and Confer process. (Councilmember Eric Mitchell)
Motion to approve on, Councilmember Mitchell's motion, Councilmember Goodman's second, 3-1-2 vote, Councilmember Slusher voting "NO", Mayor Pro Tem Garcia and Councilmember Griffith abstaining, Mayor Todd off the dais.

Recessed from 4:50 p.m. to 5:20 p.m.

3:30 P.M. - BOARD OF DIRECTOR'S MEETING OF AUSTIN HOUSING FINANCE CORPORATION

The Mayor will recess the City Council meeting. A Board meeting of the Austin Housing Finance Corporation (AHFC) will be conducted. Following adjournment of the AHFC Board meeting, the City Council will be reconvened. Item 58 is the AHFC item to be considered by the Austin Housing Finance Corporation's Board of Directors.

58. Endorse the concepts expressed in the Greater Austin Chamber of Commerce's report on Affordable Housing and direct the City Manager to work with the Chamber's Affordable Housing Task Force to develop recommendations for action plans and report back to Council within 60 days. (Councilmember Jackie Goodman and Mayor Bruce Todd)

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

59. C14-96-0061 - ALLANDALE PARTNERS (Steven Carlitz), by Amelia Lopez-Phelps Consulting (Amelia Lopez-Phelps), 7101 Burnet Road. From MF-3 & MF-4 to GR. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay zoning subject to limiting development to generate less than 2,000 vehicle trips per day, and subject to the following conditions agreed upon between the Neighborhood and the Applicant: (1) maintain driveway access to Burnet Road for the existing condominium complex located to the east of the zoning tract; (2) provide a 25 foot undisturbed buffer along the southern property line, except for stormwater detention facilities; (3) compliance with compatibility standards for the entire site; (4) subject to LR, Neighborhood Commercial, site development standards; (5) prohibit Off-Site Parking for any use less restrictive than GR; (6) prohibit the following GR uses: Automotive Rentals, Automotive Sales, Automotive Repair Services, Automotive Washing (all), Kennels, Hotel-Motel, Adult Oriented Businesses, Indoor Entertainment, Indoor Sports and Recreation, Outdoor Entertainment, Outdoor Sports and Recreation, and Pawn Shop Services. (Continued from 7/11/96 by applicant & 7/25/96 by applicant)) Note: The applicant and neighborhood have agreed to amend condition #4 to include only the height and setback requirements of the LR zoning district.

Approved Planning Commission recommendation, first reading only, subject to deleting words "off-site" under condition #5.

60. C14-94-0168 (part 3) - PARMER RIDGE LTD. (John Lloyd), by Espey, Huston & Associates (Danny R. Martin), Josh Ridge Boulevard and Harrisglenn Drive. From I-RR to LR and SF-2 on Tract #3. Planning Commission Recommendation: To Grant SF-2-CO, Single Family Residence (standard lot)-Conditional Overlay and LR-CO, Neighborhood Commercial-Conditional Overlay, subject to Harrisglenn Drive remain a through street, and Tract 3 be subject to current development regulations.

Approved Planning Commission recommendation, first reading only.

61. C14-96-0027 - MV WALNUT CREEK LTD (Robert Shepard, Jr.), by Cook-Steinman & Associates (Charles Steinman, P.E.), 8105 Cross Park Drive. From LI, LI-CO, I-RR, GR to LI and MF-4. Planning Commission Recommendation: To Grant LI, Limited Industrial Services for Tracts 1 and 2, and MF-4, Multifamily Residence (moderate-high density) for Tracts 3 and 4, subject to Traffic Impact Analysis recommendation contained in Ivan Naranjo's Transportation Section memorandum dated July 12, 1996. The applicant is required to post fiscal prior to third reading based on a pro-rata share of the estimated traffic control improvements as a result of the proposed development.

Postponed to September 5th, applicant should meet with inter-parties (Rich Harden) and if applicant wants a longer postponement should attend the September 5th meeting and explain why.

62. C14-96-0057 - BENTWOOD VILLAGE ENTERPRISES-A TEXAS PARTNERSHIP (Raj Goel), 7310 S. Congress Avenue. From DR to MF-4. Planning Commission Recommendation: To Grant MF-2-CO, Multifamily Residence (low density)-Conditional Overlay for Tract 1 (2.95 ± acres); and SF-6-CO, Townhouse and Condominium Residence-Conditional Overlay (0.484 ± acres) for Tract 2, subject to the following provisions of a conditional overlay agreed by the applicant and the following parties: The Far South Austin Community Association, Williams School Neighborhood Association, South Boggy Creek Neighborhood Association, and Sector 11: (1) limit density on Tract 1 to a maximum of 18 units per acre; (2) provide a 25' undisturbed buffer (except for utility crossing and construction of a fence) along the westernmost property line; (3) construction of a

solid fence along all parameters of the subject property; (4) restrict access to Congress Avenue only; (5) limit Tract 2 to two single-family dwelling units; and (6) prohibit duplexes, condominiums and townhouses on Tract 2. Note: The following conditions will be incorporated into a private restrictive covenant: (1) access to tract 2 shall be via private driveway only; and (2) prior to site plan approval for a new multifamily development, the subject property shall be cleared of vehicle storage, chain link fencing, and other trash debris.

Approved Planning Commission recommendation, first reading only.

63. C14-96-0071 - KATHERINE REYNOLDS (William Shepherd), by Dunagan, Weichert, Houston (Glenn K. Weichert), 3003 West 35th Street. From SF-3 to SF-6. Planning Commission Recommendation: To Grant SF-6-CO, Townhouse and Condominium, zoning with the provisions of the conditional overlay as follows, subject to a 10 foot minimum building setback from all adjoining properties.

Postponed to September 5th

64. C14-96-0082 - AARON CONCRETE (Aaron Cabaza), by L.O.C. (Sergio Lozano), 4600 Nixon Lane. From SF-2 to CS. Planning Commission Recommendation: To Grant CS-CO, Commercial Services-Conditional Overlay zoning subject to: (1) limit development to generate less than 2,000 vehicle trips per day; (2) dedication of 35 feet of right-of-way from the existing centerline of Nixon Lane; and (3) the applicant and the City enter into a restrictive covenant to allow occupancy of the site only after construction of a new bridge or a temporary alternative approved by the Department of Public Works and Transportation.

Approved Planning Commission recommendation, first reading only.

Items 59 through 64 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Mitchell off the dais.

PUBLIC HEARINGS

65. 4:30 P.M. - Public hearing to approve a permanent Wastewater Line Use Agreement for approximately 26,800 SF (0.614 acres) and a Temporary Construction Use Agreement for approximately 41,500 SF (0.953 acres), and a temporary staging area use agreement approximately 16,900 SF (0.39 acres) allowing the construction of an 18-inch diameter gravity wastewater line through dedicated parkland known as Mary Moore Searight Park in accordance with Section 26.001 of the Texas Parks and Wildlife Code. (No fiscal impact.) [Recommended by Parks Board and Water and Wastewater Commission]

Motion to close public hearing on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 7-0 vote.

66. 5:00 P.M. - Public hearing for the full purpose annexation of the Bilbrook Place Annexation area.

Motion to close public hearing on, Councilmember Griffith's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

67. 5:30 P.M. - Public hearing on Bicycle Helmet Ordinance. (Councilmembers Jackie Goodman and Daryl Slusher)

Substitute motion to continue public hearing on September 5, 1996, giving only 30 minutes to

divide between both sides, on Councilmember Reynolds' motion, Councilmember Mitchell's second, 7-0 vote.

68. 6:30 P.M. - Public hearing on issues related to financing and provision of health care services in Austin and Travis County, preparatory to establishing a Joint Work Group with Travis County to study those issues. (Councilmember Daryl Slusher)
Motion to close public hearing on, Councilmember Mitchell's motion, Councilmember Slusher's second, 6-0 vote, Mayor Todd off the dais.

ACTION ON PUBLIC HEARINGS

69. Approve a permanent Wastewater Line Use Agreement for approximately 26,800 SF (0.614 acres) and a Temporary Construction Use Agreement for approximately 41,500 SF (0.953 acres), and a temporary staging area use agreement approximately 16,900 SF (0.39 acres) allowing the construction of an 18-inch diameter gravity wastewater line through dedicated parkland known as Mary Moore Searight Park in accordance with Section 26.001 et seq. of the Texas Parks and Wildlife Code. (No fiscal impact.) (Recommended by Parks Board and Water and Wastewater Commission)
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.
70. Approve an Ordinance amending the Bicycle Helmet Ordinance. (Councilmembers Jackie Goodman and Daryl Slusher)
Postponed to September 5, 1996

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held on the morning of this date.

Executive session held at 2:10 p.m. to 4:35 p.m. on item 74.

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

71. Discuss Public Utility Commission Docket No. 15645- City of Austin Filing in Compliance with Subst. R. 23.67.
72. Discuss City of Austin v. Power Clearinghouse, Inc., Lloyd Latham, d/b/a Park Place on the Lake Apartments, and Park Place on the Lake Apartments Limited, 250th District Court, Travis County, Cause No. 96-08447 and Complaint of Power Clearinghouse Against the City of Austin Electric Utility Department for Denial of Transmission Service, PUC Docket No. 16147.

Pending Litigation - Section 551.071

73. Discuss City of Austin v. Quick, No. 03-95-00164-CV before the Third Court of Appeals.

Personnel Matters - Section 551.074

74. Discuss compensation and benefits package for City Manager. (Mayor Bruce Todd, Mayor Pro Tem Gus Garcia and Councilmember Ronney Reynolds)

ACTION ON EXECUTIVE SESSION ITEMS

75. Approve an ordinance relating to water quality regulations in the Barton Creek Zone.
Postponed to September 5, 1996

76. Approve compensation and benefits package for City Manager. (Mayor Bruce Todd, Mayor Pro Tem Gus Garcia and Councilmember Ronney Reynolds)
Motion to approve compensation and benefits package for City Manager on, Mayor Pro Tem Garcia's motion, Councilmember Reynolds' second, 6-0-1 vote, Councilmember Slusher abstaining.

77. APPOINTMENTS

ELECTRICAL BOARD - AMELIA LOPEZ-PHELPS.
TELECOMMUNICATION COMMISSION - DOLORES EUFRACIO.

ADJOURNED at 12:15 a.m. on Councilmember Mitchell's motion, Councilmember Slusher's second 6-0 vote, Mayor Todd absent.

Approved on this the 12th day of September, 1996 on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.