



Austin City Council MINUTES

SEPTEMBER 26, 1996

Mayor Todd called the meeting to order, Councilmembers Griffith and Mitchell temporarily absent, Mayor Pro Tem Garcia absent.

1. Approval of Minutes for Regular Meeting of September 12, 1996.
Approved on, Councilmember Goodman's motion, Councilmember Griffith's second, 6-0 vote, Mayor Pro Tem Garcia absent.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Dale Johnson, to discuss freedom.
3. Mr. John Schroeder, to discuss unchecked development on our drinking water reservoir.
Absent
4. Mr. Roger Baker, to discuss matters arising.
5. Mr. Richard Troxell, to discuss homeless issues.
6. Mr. Neal Tuttrup, to discuss current events.
7. Mr. Samuel Joseph Tipple, to discuss the future of public utility in Austin.
Absent
8. Mr. Robert Justman, to discuss the bicycle helmet law.
9. Mr. Leonard Lyons, to discuss process and procedure: prior planning is the key to success.
10. Mr. Gus Pena, to discuss city and youth issues.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

11. Authorize negotiation and execution of a professional services agreement with BARNES ARCHITECTS, Austin, Texas, for Phase I architectural design services and construction phase services for the North Austin Service Center, located at 10414 McKalla Place, in the amount of \$225,000. (Funding was included in the 1995-96 Capital budget of the Solid Waste Services.) Best qualification statement of twelve. 20.0% MBE, 20.0% WBE Subconsultant participation. (Recommended by Water and Wastewater Commission)
Substitute motion by Councilmember Mitchell to award bid to number two bidder, Carter Burgess on, Councilmember Mitchell's motion, Councilmember Goodman's second, 3-3 vote, Mayor Todd, Councilmembers Griffith and Slusher voting "NO", Mayor Pro Tem Garcia absent.

Postponed to October 3, 1996

12. Approve negotiation and execution of a five year contract award with AUSTIN CONVENTION AND VISITORS BUREAU, INC., for tourism and convention promotion services, in an estimated amount not to exceed \$3,300,877. (Funding is included in the 1996-97 operating budget of the Tourism and Promotion Fund; funding for the final four years of the contract period is contingent upon available funding in future budgets.)

Substitute motion to go with the alternate proposal on, Councilmember Goodman's motion, Councilmember Griffith's second

Motion to postpone to worksession on October 2, 1996 on, Councilmember Reynolds' motion, Mayor Todd's second, 5-0 vote, Councilmember Mitchell off the dais, Mayor Pro Tem Garcia absent.

ORDINANCES

13. Approve second reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as East Stassney Lane and Wasson Road, Case No. C14-95-0118, from "RR", Rural Residence, "SF-6", Townhouse and Condominium Residence, "SF-3", Family Residence, and "MF-2", Multifamily Residence (low density) to "W/LO-CO", Warehouse/Limited Office-Conditional Overlay. The conditional overlay will achieve the following: (1) Limit land uses and intensities to a level which will not exceed 1,200 vehicle trips per day; (2) Prohibit the following uses - Lodginghouse Residential, Exterminating Services, Local Utility Services, Telecommunications Tower, and Equipment Repair Services, as well as above ground or below ground fuel storage tanks; (3) Require a Conditional Use Permit (CUP) for Limited Warehousing and Distribution and Convenience Storage uses; (4) Limit development in the Water Quality Transition Zone (WQTZ) to - (a) No development except for utilities, stormwater management and water quality structures in the 75 feet closest to the creek; (b) Development in the remainder WQTZ will be restricted to no more than thirty percent (30%) impervious cover and height of 20 feet. Additional conditions have been incorporated into a restrictive covenant. Note: The applicant withdrew their request for rezoning on Tract #2 prior to Planning Commission public hearing. T. DAVID YOUNG, by Paul M. Juarez and Kenneth W. Brown, AICP. First reading on September 5, 1996. Vote 4-3; Goodman, Slusher and Griffith voting "No". (The applicant withdrew all the floodplain and Critical Water Quality Zone as noted above prior to the last Planning Commission Public Hearing)

Motion to approve second reading on, Councilmember Reynolds' motion, Mayor Todd's second

Councilmember Reynolds withdrew motion

Substitute motion to postpone to October 3, 1996 on, Councilmember Mitchell's motion, Councilmember Reynolds' second, 6-0 vote, Mayor Pro Tem Garcia absent.

14. Approve second/third reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 7310 South Congress Avenue, Case No. C14-96-0057, from "DR", Development Reserve to "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 for Tract 2 (0.484 ± acres), 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) The construction of a solid fence along all parameters of the subject property will be a condition of the site plan approval and this fence will be constructed before any additional unit is fully built; (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 between the applicant and the neighborhood groups: (1) Access to Tract 2 shall be via a private driveway only; and (2) Prior to site plan approval for a multifamily development, the subject property shall be cleared of vehicle storage, chain link fencing, and other trash debris; BENTWOOD VILLAGE ENTERPRISES-A TEXAS PARTNERSHIP (Raj Goel). First reading on August 22, 1996; Vote 6-0, Mitchell off the dais. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council. A private restrictive covenant between the applicant and the neighborhood groups has been executed.

Ordinance No. 960926-A approved

15. Approve third reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as E. Parmer Lane and Harris Ridge Blvd., Case No. C14-95-0183, from "I-RR", Interim Rural Residence to "GR", Community Commercial zoning for Tracts 1, 3, and 4; "MF-2", Multifamily Residence (low density) zoning for Tract 2 as amended; "SF-2", Single Family Residence (standard lot) zoning for Tract 5; and "RR", Rural Residence zoning for Tract 6 with the following provisions of a restrictive covenant: 1) A north/south collector stub-out at the McAdams/Mueke property line; in the event that the staff recommended collector is not permitted by either the Texas Department of Transportation or the City of Austin, a local street stub-out will be provided at the McAdams/Mueke property line. (These conditions represent the minimal acceptable property connections between the subject property and the adjacent property to the north. The applicant is encouraged to work with the property owners to create a denser network). Note: these last statements in parenthesis would not be part of the conditional overlay. 2) An additional street stub-out be provided at a point midway between that property line and the proposed alignment of Heatherwilde Boulevard with the exact alignment to be subject to City of Austin approval; 3) The conditional overlay applies to single family development only (applicable to conditions 1 and 2); and all tracts will be subject to the recommendations included in the Transportation Impact Analysis (TIA) Memorandum dated March 19, 1996; RIDGE INVESTORS, LTD. (Darren B. Casey), by Paul M. Juarez and Kenneth W. Brown, AICP. First reading on May 16, 1996; Vote 4-0, Goodman, Mitchell and Nofziger off the dais. Second reading on August 15, 1996; Vote 7-0. Conditions met as follows: The execution of the restrictive covenant which incorporates these conditions is pending.

(continued from 9/12/96 - staff)

Ordinance No. 960926-B approved

16. Amend the Austin City Code by modifying the Basic Traffic Ordinance, Section 16-4-5 (A), (B), Speed Limits, to adjust the existing speed zone on Beckett Road from 30 mph to 35 mph from Convict Hill Road to Kiva Drive (south intersection), and to 40 mph from Kiva Drive (south intersection) to New Horizons Lane. (Funding in the amount of \$500 for the replacement and installation of speed limit signs is available in the 1995-96 operating budget of the Public Works and

Transportation Department.)
Ordinance No. 960926-C approved

Items 14 through 16 approved on, Councilmember Goodman's motion, Councilmember Griffith's second, 6-0 vote, Mayor Pro Tem Garcia absent.

17. Approve issuance by Fern Bluff Municipal Utility District of Waterworks and Sewer System Combination Unlimited Tax Revenue Bond Series 1996, in an amount not to exceed \$4,350,000; approving the terms, conditions and covenants of the Bond Resolution, Notice of Sale, Bid Instructions, Form of Bid, and the Preliminary Official Statement. (No fiscal impact. The City is not obligated for payment on District bonds unless District is annexed and dissolved.) [Recommended by Water and Wastewater Commission]
Ordinance No. 960926-D approved on, Councilmember Goodman's motion, Councilmember Griffith's second, 5-0-1 vote, Councilmember Slusher "ABSTAINING", Mayor Pro Tem Garcia absent.
18. Approve issuance of a free lifetime swim pass to F. Delmar Groos for Barton Springs Pool. (No fiscal impact.) [Recommended by Parks Board]
Ordinance No. 960926-E approved
19. Authorize acceptance of an additional \$15,000 in grant funds from the State of Texas, Texas Department of Transportation, for the funding of overtime, public information and education activities and materials, travel and mileage expenditures for the Austin Police Department's participation in the Speed Selective Traffic Enforcement Program; amend Ordinance 950911-A, the 1995-96 operating budget, appropriating \$15,000 in additional grant funds for the Police Department Special Revenue Fund. (A city match in the amount of \$131,889 is required and is available in the 1995-96 operating budget of the Police Department.)
Ordinance No. 960926-F approved
20. Authorize acceptance of an additional \$11,531 in grant funds from the Texas State Library to provide cooperative library services through the Austin Public Library, Central Texas Library System; amend Ordinance 950911-A, the 1995-96 operating budget of the Library Special Revenue Fund, by appropriating an additional \$11,531, for a total grant amount of \$799,531. (A City match is not required.)
Ordinance No. 960926-G approved
21. Authorize acceptance of an additional \$18,550 in grant funds from the Texas State Library to provide Major Urban Resource Library (MURL) programming; amend Ordinance 950911-A, the 1995-96 operating budget of the Library Special Revenue Fund, by appropriating an additional \$18,550, for a total grant amount of \$61,550. (A City match is not required)
Ordinance No. 960926-H approved
22. Authorize acceptance of \$5,618 in grant funds from the Texas Commission on the Arts for program expenses for the Dougherty Arts Center, Carver Museum, Elisabet Ney Museum and O. Henry Museum Youth at Arts program; amend Ordinance 950911-A, the 1995-96 operating budget of the Parks and Recreation Special Revenue Fund, by appropriating \$5,618 in grant funds. (A City match in the amount of \$5,618 is available in the 1996-97 operating budget of the Parks and Recreation

Department.)

Ordinance No. 960926-I approved

23. Authorize acceptance of \$3,378 in grant funds from the Texas Commission on the Arts for program expenses for the Dougherty Arts Center Young Playwrights program; amend Ordinance 950911-A, the 1995-96 operating budget of the Parks and Recreation Special Revenue Fund, by appropriating \$3,378 in grant funds. (A City match in the amount of \$3,378 is available in the 1995-97 operating budget of the Parks and Recreation Department.)

Ordinance No. 960926-J approved

Items 18 through 23 approved on, Councilmember Goodman's motion, Councilmember Griffith's second, 6-0 vote, Mayor Pro Tem Garcia absent.

24. Amend Ordinance 960910-G, the 1996-97 operating budget of the Health and Human Services Department Special Revenue Fund by recognizing revenue of \$2,000,000 associated with Medicaid administrative claiming and appropriating \$310,000 in expenditures to fund commissions payable to the vendor filing claims. (The vendor, Vertex, would receive a 15.5% commission on any administrative claim recoveries. Commissions paid to Vertex will reduce the net amount recovered, which could then be appropriated to the General Fund.) **[(Related to Item 25)]**

Approved first reading only

RESOLUTIONS

25. Approve execution of an Interlocal Agreement with Dallas County and a one year contract with VERTEX TARGETED OPPORTUNITIES, INC., Irving, Texas, with two one year extension options, for the implementation and administration of Medicaid administrative claiming, for an estimate net revenue of \$1,690,000 for the first year, and estimated net revenue of \$845,000 per extension, for a total net estimated revenue of \$3,380,000. (Vertex would receive a 15.5% commission on any administrative claim recoveries. Commissions paid to Vertex will reduce the net amount recovered, which could then be appropriated to the General Fund.) **[Related to Item 24]**

Approved first reading only

Items 24 and 25 approved first reading only on, Councilmember Reynolds' motion, Mayor Todd's second, 4-1-1 vote, Councilmember Griffith voting "NO", Councilmember Slusher "ABSTAINING", Mayor Pro Tem Garcia absent.

26. Approve a construction contract award to SALAS TRUCKING AND EXCAVATION COMPANY (MBE/MH), Austin, Texas, for construction of the Zilker Park lake water irrigation project, in the amount of \$289,475.50. (Funding in the amount of \$40,000 is available in the 1995-96 operating budget of the Planning, Environmental and Conservation Services Department Incentives Fund; \$40,000 is available in the 1995-96 operating budget of the Conservation Rebates and Incentives Fund; \$35,000 Parks and Recreation Department; and \$174475.50 was included in the Capital Budget of the Parks and Recreation Department (\$86,000 in the 1996-97 Approved, \$11,475.50 in the 1995-96 Amended, \$16,000 in the 1992-93 Amended, and \$61,000 in the 1991-92 Amended). Low bid of two. Prime participation: 85.6% MBE. 6% MBE, 8.4% WBE Subcontractor participation. **Approved on, Councilmember Goodman's motion, Councilmember Griffith's second, 6-0 vote, Mayor Pro Tem Garcia absent.**

27. Approve execution of a twelve month supply agreement with MARTIN'S UNIFORM COMPANY, San Antonio, Texas, for the purchase of sports shirts for City personnel, in an amount not to exceed \$58,759.50 with two twelve month extension options in an amount not to exceed \$58,759.50 per extension, for a total contract amount not to exceed \$176,278.50. (Funding is available in the 1996-97 operating budgets of the user departments. Funding for the extension options is contingent upon available funding in future budgets.) Single bid. No M/WBE Subcontracting opportunities were identified.
Approved on, Councilmember Reynolds' motion, Councilmember Griffith's second, 5-0 vote, Councilmember Reynolds' off the dais, Mayor Pro Tem Garcia absent.
28. Approve execution of a twelve month supply agreement with MILLER UNIFORMS AND EMBLEMS, INC., Austin, Texas, for the purchase of insulated coveralls for City personnel, in an amount not to exceed \$46,427.85 with two twelve month extension options in an amount not to exceed \$46,427.85 per extension, for a total contract amount not to exceed \$139,283.55. (Funding in the amount of \$3,868.98 is available in the 1995-96 operating budget of the user departments. Funding for the remaining \$42,558.87 and the extension options is contingent upon available funding in future budgets.) Low responsive bid of four. No M/WBE Subcontracting opportunities were identified.
Approved on, Councilmember Goodman's motion, Councilmember Griffith's second, 6-0 vote, Mayor Pro Tem Garcia absent.
29. Approve execution of a twelve month contract with IBM CORPORATION, Austin, Texas, for the purchase of licensing and maintenance of IBM mainframe software, in a amount not to exceed \$821,685. (Funding was included in the 1996-97 operating budget of the Information Systems Department.) Sole source. No M/WBE Subcontracting opportunities were identified.
Approved on, Councilmember Goodman's motion, Councilmember Griffith's second, 5-0-1 vote, Councilmember Reynolds voting "ABSTAINING", Mayor Pro Tem Garcia absent.
30. Approve execution of a twelve month contract with IBM CORPORATION, Austin, Texas, for hardware maintenance for IBM mainframe computers and peripherals, in an amount not to exceed \$388,342. (Funding was included in the 1996-97 operating budget of the Information Systems Department.) Sole source. No M/WBE Subcontracting opportunities were identified.
Approved on, Councilmember Goodman's motion, Councilmember Griffith's second, 5-0-1 vote, Councilmember Reynolds voting "ABSTAINING", Mayor Pro Tem Garcia absent.
31. Approve execution of a contract with BDSS COMPUTER SERVICES, Houston, Texas, for the purchase of twenty-six microcomputers to develop a Local Area Network for the Office of the City Auditor, in the amount of \$55,650. (Funding is available in the 1995-96 operating budget of the City Auditor's Office.) Low bid of twenty-seven. No M/WBE Subcontracting opportunities were identified.
Approved
32. Approve execution of a twelve month contract with the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES, Austin, Texas, for maintenance of VAX minicomputer hardware and software maintenance, in an amount not to exceed \$500,735.59 and two twelve month extension options in an amount not to exceed \$500,735.59 per extension option, for a total contract amount not to exceed \$1,502,206.77. (Funding in the amount of \$156,746.84 is available in the 1995-96

operating budgets of the Information Systems Fund, \$150,996.35 in the Infrastructure Support Services Fund, \$99,863.80 in the Water and Wastewater Utility; \$76,388.16 in the Electric Utility; and \$16,740.44 in the Fleet Operating Fund.)

Approved

Items 31 and 32 approved on, Councilmember Goodman's motion, Councilmember Griffith's second, 6-0 vote, Mayor Pro Tem Garcia absent.

33. Authorize negotiation and execution of a one year contract with AUSTIN COMMUNITY TELEVISION, INC., Austin, Texas, for community access television and media management services, in an amount not to exceed \$530,000 with two twelve month extension options in an amount not to exceed \$530,000 per extension, for a total contract amount of \$1,590,000. (Funding available by access payment from Austin CableVision to the Austin Cable Access Fund for 1996-97. Funding for the extension options is contingent upon available funding in future budgets.) Sole proposal. 1.8% MBE, 4.5% WBE Subcontractor paing opportunities were identified. (Recommended by Telecommunications Commission)

Motion to delay indefinitely on, Councilmember Mitchell's motion, Councilmember Goodman's second for discussion only

Substitute motion to approve as is on, Councilmember Slusher's motion, Councilmember Griffith's second, 5-1 vote, Councilmember Mitchell voting "NO", Mayor Pro Tem Garcia absent.

34. Approve execution of a contract with POWERSCREEN TEXAS, INC., La Grange, Texas, for the purchase of a reconditioned portable soil screening/conveying plant for the Water and Wastewater Department, in the amount of \$67,000. (Funding is available in the 1995-96 operating budget of the Water and Wastewater Utility.) Low bid of two meeting specifications. No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)

Approved

35. Approve execution of a twelve month supply agreement with JONES CHEMICALS, INC., Houston, Texas, for the purchase of approximately 250 tons of liquid sulfur dioxide used in the water treatment process by the Water and Wastewater Utility, in an amount not to exceed \$100,000 with two twelve month extension options in an amount not to exceed \$100,000 per extension option, for a total contract amount not to exceed \$300,000. (Funding is included in the 1996-97 operating budget of the Water and Wastewater Utility. Funding for 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

36. Approve execution of a contract with HOLT COMPANY OF TEXAS, San Antonio, Texas, for the purchase of a portable generator and transfer switch for the Water and Wastewater Department, in the amount of \$74,230. (Funding is available in the 1995-96 operating budget of the Water and Wastewater Utility.) Single bid. No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)

Approved

37. Approve execution of a twelve month supply agreement with JONES CHEMICALS, INC., Houston,

Texas, for the purchase of 1,741 tons of liquid chlorine used in the water treatment process by the Water and Wastewater Utility, in an amount not to exceed \$674,083.50 with two twelve month extension options in an amount not to exceed \$674,083.50 per extension, for a total contract amount not to exceed \$2,022,250.50. (Funding is available in the 1996-97 operating budget of the Water and Wastewater Utility. Funding for the extension option is contingent upon available funding in future budgets.) Low bid of two. No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)

Approved

38. Approve execution of a twelve month supply agreement with THE ROHAN COMPANY, Austin, Texas, for the purchase of PVC wastewater line fittings of various sizes for the Water and Wastewater Utility, in an amount not to exceed \$75,518 with two twelve month extension options in an amount not to exceed \$75,518 per extension option, for a total contract amount not to exceed \$226,554. (Funding is available in the 1996-97 operating budget of the Water and Wastewater Utility. Funding for the extension options is contingent upon available funding in future budgets.) Low bid of four. No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)

Approved

39. Approve execution of a twelve month supply agreement with UNITED STATES PIPE AND FOUNDRY COMPANY, Austin, Texas, for the purchase of approximately 25,726 feet of ductile iron pipe of various sizes for the Water and Wastewater Utility, in an amount not to exceed \$291,496 with two twelve month extension options in an amount not to exceed \$291,496 per extension, for a total contract amount not to exceed \$874,488. (Funding is available in the 1996-97 operating budget of the Water and Wastewater Utility. Funding for the extension options is contingent upon available funding in future budgets.) Low bid of two. No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)

Approved

40. Approve execution of twelve month service agreement with EXECUTIVE SECURITY SYSTEMS, INC., Austin, Texas, for armed security guard services for the Municipal Court Building, in an amount not to exceed \$72,072 with two twelve month extension options in an amount not to exceed \$72,072 per extension, for a total amount not to exceed \$216,216. (Funding is available in the 1996-97 operating budget of the Municipal Court. Funding for the extension options is contingent upon available funding in future budgets.) Low bid of five. No M/WBE Subcontracting opportunities were identified.

Approved

41. Approve ratification of an emergency purchase contract with SPECIAL EQUIPMENT SERVICES, INC., Kaufman, Texas, for the emergency repair of a City Fire Department ladder fire truck, in an amount not to exceed \$50,000. (Funding is available in the 1995-96 operating budget of Fleet Maintenance.) Low bid of two. No M/WBE Subcontracting opportunities were identified.

Approved

42. Approve execution of a twelve month service agreement with AIR SANITATION, INC., Austin, Texas, to provide heating, ventilation and air conditioning (HVAC) systems cleaning services for City owned buildings, in an amount not to exceed \$81,000 with two twelve month extension options

in an amount not to exceed \$81,000 per extension, for a total amount not to exceed \$243,000. (Funding is available in the 1996-97 proposed operating budget of the Building Services Division of the Finance and Administrative Services Department. Funding for the extension options is contingent upon available funding in future budgets.) Low bid of two. No M/WBE Subcontracting opportunities were identified.

Approved

43. Approve execution of a construction contract with AUSTIN FILTER SYSTEM, INC., Austin, Texas, for the construction of five erosion control projects (Congress Avenue, West 45th Street, Buckskin Pass, Coleman Street, and Roundup Trail), in the amount of \$561,953.36. (Funding was included in the 1995-96 Capital budget of the Drainage Utility.) Low bid of four. 14.8% MBE, 10.3% WBE Subcontractor participation.

Approved

44. Approve execution of a construction contract with AUSTIN FILTER SYSTEMS, INC., Austin, Texas, for the construction of seven erosion control projects (Fairlawn Lane, Alpine Road, Greenlawn Parkway, Helen Street, East Martin Luther King, Bennett Avenue, and Coronado Hill Drive), in an amount not to exceed \$446,213.70. (Funding was included in the 1995-96 Capital budget of the Drainage Utility.) Low bid of four. 21.4% MBE, 10.7% WBE Subcontractor participation.

Approved

45. Authorize negotiation and execution of Amendment #1 to the Professional Services Agreement with JOSE I. GUERRA, INC., (MBE/MH), Austin, Texas, for additional Phase I preliminary engineering services for the Center Street Reservoir Improvements project, in an amount not to exceed \$93,900, for a total contract amount of \$293,900. (Funding was included in the 1995-96 Capital budget of the Water and Wastewater Utility.) Prime participation 34.3% MBE. 0% MBE, 4.8% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)

Approved

Items 34 through 45 approved on, Councilmember Goodman's motion, Councilmember Griffith's second, 6-0 vote, Mayor Pro Tem Garcia absent.

46. 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 \$342,150. (Funding was included in the 1991-92 Capital budget of the Public Works and Transportation Department.)

Approved on, Councilmember Reynolds' motion, Councilmember Goodman's second, 4-0-2 vote, Councilmembers Griffith and Slusher "ABSTAINING" Mayor Pro Tem Garcia absent.

47. Approve execution of a construction contract with TECOM UST SYSTEMS, INC., Austin, Texas, for reconstruction of the existing vehicle fuel facility at Service Center 11, located at 3616 South First Street, in the amount of \$248,527. (Funding was included in the 1996-97 Capital budget of the Financial Services Department.) Low bid of three. 13.34% MBE, 1.54% WBE Subcontractor participation.

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

48. Approve ratification of an emergency purchase with DAVIS SECURITY AGENCY (DBE/MB), Austin,

Texas, for security services at Robert Mueller Municipal Airport, in the amount of \$69,676.13. (Funding is available in the 1995-96 operating budget of the Aviation Department.) 100% DBE/MBE Prime participation. No M/WBE Subcontracting opportunities were identified.

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

49. Authorize negotiation and execution of an agreement with ENTERGY SYSTEMS AND SERVICE, INC., Carrollton, Texas, for the construction, operation, and maintenance of a central heating and cooling plant facility at Austin-Bergstrom International Airport (ABIA). (No fiscal impact in 1996-97. Development costs in the amount of \$5,804,304 for the project are the responsibility of the selected company. It has proposed and is expected to request tax exempt financing through ABIA Development Corporation. Upon completion, the company will be paid the monthly operation and maintenance costs of the plant and reimbursement for utilities (at cost) from the operating budget of the Aviation Department, subject to the annual appropriation of funds.) Best proposal of five. 38.0% DBE participation: 33% MBE, 5% WBE.
Pulled due to a bid protest.

50. Approve execution of a twelve month supply agreement with UNIFORMS OF TEXAS, San Antonio, Texas, for the purchase of jackets for the Austin Fire Department, in an amount not to exceed \$68,967.45 with two twelve month extension options in an amount not to exceed \$6,896.75 per extension, for a total contract amount not to exceed \$82,760.95. (Funding is available in the 1995-96 operating budget of the Fire Department. Funding for the extension options is contingent upon available funding in future budgets.) Low responsive bid of two. No M/WBE Subcontracting opportunities were identified.
Approved

51. Approve execution of an Interlocal Agreement with Travis County for pharmacy services provided to County Medical Assistance Program (MAP) clients and jail inmates, effective September 1, 1996 thru September 30, 1997, in an amount not to exceed \$970,000, with the option for five annual renewals in an amount not to exceed \$899,000 per renewal, for a total amount not to exceed \$5,465,000. (Funding in the amount of \$71,000 is included as a reimbursement from Travis County in the 1995-96 operating budget of the Health and Human Services Department; the balance is included in the 1996-97 operating budget of the Travis County Reimbursed Fund.)
Approved

52. Authorize negotiation and execution of a six month contract to AUSTIN/TRAVIS COUNTY MHMR CARE UNIT for HIV related substance abuse treatment and counseling services as required under the Ryan White CARE Act, in an amount not to exceed \$78,615 with one six month extension options in an amount not to exceed \$58,385, for a total amount not to exceed \$137,000. [Funding is available in the 1995-96 Special Revenue Fund for the Health and Human Services Department, U.S. Department of Housing and Urban Development (HUD) Housing Opportunities for Persons with AIDS (HOPWA) grant program.] (Recommended by HIV Planning Council)
Approved

53. Approve execution of a twelve (12) month service agreement with EXECUTIVE SECURITY SYSTEMS, INC., Austin, Texas, for unarmed and armed security guard services for the Health and Human Services Department, in an amount not to exceed \$203,648, with two twelve month

extension options, in an amount not to exceed \$203,648 per extension, for a total contract amount not to exceed \$610,944. (Funding is available in the 1996-97 operating budget of the Health and Human Services Department; funding for the extension options will be contingent upon available funding in future budgets.) Low bid of five. No M/WBE Subcontracting opportunities were identified.

Approved

54. Approve an Interlocal Agreement with Travis County for interpreting services for Municipal Court and Health and Human Services Department customers, clients, and employees who are deaf or hard of hearing, in an amount not to exceed \$45,153, with seven (7) annual renewal options, in an amount not to exceed \$45,153 per renewal, for a total amount not to exceed \$361,224. (Funding is available in the 1996-97 operating

budget; \$30,000 is available in the 1996-97 operating budget of the Health and Human Services Department; and \$15,153 is available in the 1996-97 operating budget of Municipal Court.)

Approved

55. Approve negotiation and execution of a contract with Travis County for rural Neighborhood Center operations as part of the Community Services Block Grant (CSBG) program, in an amount not to exceed \$98,102, with two (2) annual renewal options, in an amount not to exceed \$98,102 per renewal, for a total amount not to exceed \$294,306. (Funding is available in the 1995-96 Special Revenue Fund for the Health and Human Services Department, Community Services Block Grant Program.)

Approved

Items 50 through 55 approved on, Councilmember Goodman's motion, Councilmember Griffith's second, 6-0 vote, Mayor Pro Tem Garcia absent.

56. Approve execution of an Interlocal Agreement with Travis County for an Integrated Client Management System for Primary Care Clinics and the Medical Assistance program through September 30, 1997, in an amount not to exceed \$98,040, with the option for eight annual renewals in an amount not to exceed \$31,080 per renewal, for a total contract amount of \$346,680. (\$98,040 in revenue from Travis County.)

Approved on, Councilmember Reynolds' motion, Councilmember Mitchell's second, 5-0 vote, Councilmember Reynolds off the dais, Mayor Pro Tem Garcia absent.

57. Authorize negotiation and execution of a contract between the City of Austin, Travis County and the Capital Area Workforce Development Board for the Tax Abatement job training program, in an amount of \$600,000 for the period of October 1, 1996 to September 30, 1997, with three twelve month extension options in an amount not to exceed \$600,000 per extension, for a total amount not to exceed \$2,400,000. (Funding in the amount of \$300,000 is included in the 1996-97 operating budget of the Health and Human Services Department; Travis County will pay a \$300,000 matching amount for their portion of the contract.)

Approved on, Councilmember Goodman's motion, Councilmember Griffith's second, 5-0-1 vote, Councilmember Slusher "ABSTAINING", Mayor Pro Tem Garcia absent.

58. Authorize the filing of eminent domain proceedings to acquire a Wastewater Easement containing 977 square feet of land, a Temporary Working Space Easement containing 440 square feet of land; and a Temporary Working Space Easement containing 162 square feet of land situated in the Henry Rhodes Survey No. 5 in the Williamson County, Texas, owned by Routh-Knap Investment Group, Inc., a Texas Corporation for the Balcones Lift Station Relief Main Project. (Appraised value is \$1,335.00)

Approved

59. Set a public hearing on an appeal by Mr. Joe R. Garcia, of the Planning Commission's decision to deny a request for compatibility standards waivers for the Rollins Martin Apartments, 1172 Webberville Road. (Suggested date and time: October 24, 1996 at 5:00 P.M.)

Approved

60. Set a public hearing to amend Title XIII (Land Development Code) of Austin City Code of 1992 by: 1)amending Section 13-1-491 to allow administrative approval of final plats with four or fewer lots from a preliminary plan; 2)amending Section 13-1-41 to allow administrative approval of amending plats with five or more lots; 3) amending Section 13-2-402.1 to expand the subdivision platting exception to existing tracts of land served a utility service; and 4) amending Section 13-1-481 to clarify the notice requirement when a portion of a tract is being subdivided. (Suggested date and time: October 24, 1996 at 5:30 p.m.)

Approved

ITEMS FROM COUNCIL

61. Approve entering into an Interlocal Assistance Agreement to participate in a regional Solid Waste Enforcement Task Force. (No fiscal impact.) (Councilmember Jackie Goodman)

Approved

62. Approve a resolution in support of regional coordination of planning efforts in the Greater Austin and Central Texas region. (No fiscal impact.) (Mayor Bruce Todd)

Approved

63. Approve the City of Austin's co-sponsorship with the Travis County Veteran's Day Parade Committee, of the Annual Capital City Veteran's Day Parade to be held on November 11, 1996. (Funding in the amount of \$1,650 is available in the 1996-97 operating budget of the Police Department.) (Mayor Pro Tem Gus Garcia and Councilmember Eric Mitchell)

Approved

Items 58 through 63 approved on, Councilmember Goodman's motion, Councilmember Griffith's second, 6-0 vote, Mayor Pro Tem Garcia absent.

64. Amend Chapter 2-2 of the City Code to provide rules for City Council meetings. (Councilmembers Ronney Reynolds and Eric Mitchell)

Motion to approve first reading only on, Councilmember Reynolds' motion, Councilmember Mitchell's second

Motion withdrawn

Substitute motion by Councilmember Goodman to postpone to November 7,

1996, Councilmember Slusher's second, 5-1 vote, Councilmember Mitchell voting "NO", Mayor Pro Tem Garcia absent.

3:30 P.M. - BOARD OF DIRECTORS 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. Items 65-68 are the AHFC items to be considered by the Austin Housing Finance Corporation's Board of Directors.

65. Approve the minutes of the October 5, 1995, February 8, 1996, February 15, 1996, June 13, 1996, August 1, 1996, and August 8, 1996, meetings of the Austin Housing Finance Corporation Board of Directors.
66. Approve the 1996-97 Budget for the Austin Housing Finance Corporation, in the amount \$4,683,157. (Funding in the amount of \$1,860,206 is provided through a grant from the City of Austin Community Development Block Grant; \$1,607,087 from City of Austin HOME Year 5 funds; \$1,012,864 from the Housing Assistance Fund; \$197,000 from interest on Housing Assistance Fund, SCIP 3; \$6,000 from multifamily bond monitoring fees.)
67. Approve the appointment of McCall, Parkhurst & Horton, L.L.P. as Bond Counsel for the Austin Housing Finance Corporation, and authorize the General Manager or his designee to negotiate and execute a professional services agreement on such terms and conditions as may be reasonable and appropriate to adequately represent the corporation, in the amount of \$22,500. (Funding is available in the 1996-97 operating budget of the Austin Housing Finance Corporation; legal/professional services related to bond issuances are paid by the applicant.)
68. Approve the financing application from FOUNDATION FOR SOCIAL RESOURCES, INC., (FSR) and evidence an intent to proceed with issuance of Multifamily Housing Revenue Bonds in a principal amount not to exceed \$8,385,000 to finance FSR's acquisition and rehabilitation of the Woodland Heights Apartments. (All fees and expenses are to be paid by the applicant borrower or out of bond proceeds. AHFC will receive a \$41,925 financing fee from bond proceeds at closing.)

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

69. C14-95-0168 - WILLOW/RIVERSIDE (A. Leon Thompson), Amelia Lopez-Phelps, Consulting, 2427 East Riverside Drive. From SF-3 to MF-3. Planning Commission Recommendation: To Grant MF-3-CO, Multifamily Residence (medium density)-Conditional Overlay, with the provisions of the overlay as follows: (1) limit development to generate less than 2,000

vehicle trips per day; (2) dedication up to 70 feet of right-of-way from the existing centerline of Willow Mill Drive; and (3) limited to a maximum of 22 units per acre.

Postponed to October 24, 1996

70. C14-95-0198 - BARKLEY FAMILY FARM PARTNERSHIP (Carolyn Barkley & Janet Barkley-Brooke), by Brown, McCarroll and Oaks Hartline (Jerry Harris), 2501 East St. Elmo. From I-SF-2 to LI. Planning Commission Recommendation: To Grant LI-CO, Limited Industrial Services-Conditional Overlay for Tract 1, and LO, Limited Office for Tract 2, subject to the provisions of the conditional overlay as follows: (1) limit development to uses and intensities assumed in the Transportation Impact Analysis (TIA); (2) prohibit access from adjacent residential streets; and (3) requires fiscal for a share of signalization costs at Burseson Road and Ben White Boulevard. In addition, also subject to: (1) a restrictive covenant must be executed requiring right-of-way dedication on Freidrich Lane and St. Elmo Road before any development occurs on the property; and (2) four copies of the final version of the TIA must be submitted.

Ordinance No. 960926-K approved

71. C14H-96-0001- SIMMS HOUSE, by Kenneth R. & Joann Diller, 212 West 33rd Street. From SF-3 to SF-3-H. Planning Commission Recommendation: To Grant SF-3-H, Family Residence-Historic, zoning based on designation criteria items (1), (2), (5), (8), (9), (11), and (13).

Ordinance No. 960926-L approved

72. C14H-96-0002 - ROCKY CLIFF HOUSE by Dr. John Brand, 802 Barton Boulevard. From SF-3 to SF-3-H. Planning Commission Recommendation: To Grant SF-3-H, Family Residence-Historic, zoning based on designation criteria items (1), (2), (5), (8), (9), (11) and (13).

Ordinance No. 960926-M approved

73. C14-96-0056(Tracts A-F) - C.O.A.-DEPT. OF DEVELOPMENT REVIEW & INSPECTIONS, TRACT A: 3000-3032 Sunridge Drive; 4700-4706 Sunridge Court; 2706-2916 Wickersham Lane; 4600-4608 Rivka Cove; 4500-4505 Ari Court; and 4500-4511 Elana Court. TRACT B: 2900-2916 Allison Drive; 2920-2928 Wickersham Lane; and 3001-3017 Sunridge Drive. TRACT C: 2713-2807 & 3021-3027 Sunridge Drive; 2801-2921 Allison Drive; 4808-4908 Allison Cove; and 4800 & 4806 Allison Drive. TRACT D: 4705-4811 East Oltorf Street. TRACT E: 4700-4706 & 4800-4810 East Oltorf Street; and 2500-2504 Linder Court. TRACT F: 4801, 4803 & 2800-2810 Allison Drive; 2927-2935 Wickersham Lane; and 2813-2909 Sunridge Drive. From MF-2 to SF-2. Planning Commission Recommendation: To Grant SF-2, Single Family Residence (standard lot), zoning on Tracts A, B, C, & F. (Note: Tracts D & E were excluded at Planning Commission)

Approved first reading only, excluding Tracts D & E

74. C14-96-0067 - ELLIOT PROPERTIES (Michael B. Elliot), by Jenkins & Gilchrist (Henry H. Gilmore), W. William Cannon Dr. & Westgate Blvd.

From SF-3 to LO. Planning Commission Recommendation: To Grant LO-CO, Limited Office-Conditional Overlay, with the provisions of the overlay as follows: (1) limit development to generate less than 2,000 vehicle trips per day; and (2) prohibit access to Watchwood Drive.

Ordinance No. 960926-N approved

75. C14-96-0104 - FRANK M. COVERT, by Bury & Pittman (Timothy J. Moltz, P.E.), Approximately 4525 South IH-35 Service Road NB. From SF-3 & GR-CO, Community Commercial-Conditional Overlay. Planning Commission recommendation: To grant GR-CO, Commercial-Conditional Overlay zoning with the provision of the overlay to limit development to generate less than 2,000 vehicle trips per day. 7-0.

Ordinance No. 960926-O approved

Items 69 through 75 approved on, Councilmember Reynolds' motion, Councilmember Goodman's second, 6-0 vote, Mayor Pro Tem Garcia absent.

76. Request by Ali Abed Abu-Safi (ALCORP., INC.), located at 3503 Webberville Road, to waive the minimum separation distance requirement of City Code Section 8-3-4, between the store, which intends to sell alcoholic beverages, and the Friendship Baptist Church.

Motion to deny on, Councilmember Mitchell's motion, Councilmember Goodman's second for discussion only

Councilmember Goodman withdrew second

Motion to approve item as is on, Councilmember Goodman's motion, Councilmember Griffith's second, 5-1 vote, Councilmember Mitchell voting "NO", Mayor Pro Tem Garcia absent.

PUBLIC HEARINGS

77. 6:30 P.M. - Public hearing for the full purpose annexation of the following areas: Lamplight Village/Tomanet Estates; North Park Estates; North Oaks Park; Wong Tract; Arnold Tract; Estates of Brentwood; Great Hills; Engling/Park West; Loop 360 ROW; Airport Acquisition area.

Motion to close public hearing on, Councilmember Mitchell's motion, Councilmember Griffith's second, 6-0 vote, Mayor Pro Tem Garcia absent.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held on the morning of this date.

Executive session held at 6:22 p.m. to 6:58 p.m. on item #79.

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.

Real Estate - Section 551.072

78. Discuss the negotiations for the relocation of the Del Valle Schools.

Advice of Counsel - Section 551.071

79. Discuss Gutierrez et al. v. Mobil Oil Corporation, et al, CA No. 92-04889, Travis County District Court.

80. Discuss Nigel Gusdorf, Martin, Thompson and Charles Wood v. City of Austin; CA No. 95-03722, Travis County District Court.

81. Discuss Galloway v. City of Austin, et al., CA No. 96-03029, Travis County District Court.

82. Discuss legal requirements for verification of charter amendment petition.

ACTION ON EXECUTIVE SESSION ITEMS

83. Authorize acquisition of the Del Valle Schools.

84. APPOINTMENTS

SOLID WASTE ADVISORY BOARD - PATRICIA L. ADAMS.

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

ADJOURNED at 10:00 p.m.

Approved on this the _____ day of _____, 1996, Special Called Meetings of September 9, 1996 and September 10, 1996 postponed to October 10, 1996. Regular Meeting of September 25, 1996 and September 26, 1996 approved on, Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 6-0 vote, Councilmember Goodman absent.