



Austin City Council MINUTES

REGULAR MEETING
THURSDAY, AUGUST 6, 1998

Mayor Watson called the meeting to order, Councilmembers Griffith and Spelman temporarily absent.

1. Approval of Minutes for Regular Meetings of July 22 & 23, 1998.
Approved on Councilmember Lewis' motion, Mayor Pro Tem Garcia's second, 5-0 vote, Councilmembers Griffith and Spelman temporarily absent.

CITIZEN COMMUNICATIONS: GENERAL

2. Richard Strickert, support for diving boards and platforms for Austin citizens.
Absent
3. Gus Pena, to discuss City budget and health clinics.
4. Richard Knowlton, to discuss fire department staffing.
5. Jimmy Castro, time to rock enroll back to school.
6. Amalia Rodriguez-Mendoza, to discuss the Austin History Center.
7. Sharmyn Lilly, full restoration of budget of Austin History Center.
8. John K. McMillan, Austinites contributing financially toward tourism development within a 100 mile radius of Austin.
9. Mary Aleshire, to discuss Whitley Strieber's May, 1998 new book Confirmation on Implants.
10. Joseph Chalko-Bush, discrimination and abuse of "differently able" citizens.
Absent
00. Horace Willis, to discuss neighborhood concerns.

READING OF CONSENT AGENDA

READING OF DISCUSSION AGENDA

CITIZEN COMMUNICATIONS: CONSENT AGENDA

ACTION ON CONSENT AGENDA

CITY MANAGER REPORT

11. City/County Health and Human Services Department issues.
Postponed

ITEMS CONTINUED FROM PREVIOUS MEETINGS

12. Approve an ordinance authorizing amendments to the City's Financial Policies. (No fiscal impact.)
[Recommended by Audit & Finance Committee]
Ordinance No. 980806-H approved on Councilmember Spelman's motion, Councilmember Goodman's second, 6-1 vote, Councilmember Slusher voting "NO".
The ordinance number above should be 980806-F
13. Amend Ordinance 970915-A, the 1997-98 Capital budget for Telecommunications, by increasing the appropriations by \$376,000 for Greater Austin Area Telecommunications Network (GAATN) Initiative. (Funding is available from various local governmental entities in accordance with the Interlocal Agreement between the City and GAATN Partners; Austin Independent School District (\$75,000), Travis County (\$113,000), Austin Community College (\$113,000), and the State of Texas (\$75,000). **(Related to Item 14)**
Ordinance No. 980806-A approved
14. Approve a resolution authorizing execution of a contract with COMPLETE COMMUNICATION SERVICES INC., dba CO COM CABLING SYSTEMS (WBE/FR), Pflugerville, Texas, for the purchase, installation and connection of fiber optic cable to extend the Greater Austin Area Telecommunications Network to Austin-Bergstrom International Airport, in an amount not to exceed \$576,000. (Funding in the amount of \$476,000 was included in the 1998-99 Telecommunications Amended Capital budget; \$100,000 was included in the 1998-99 Capital budget of the Aviation Department.) Sole source. 100% WBE Prime participation. **(Related to Item 13)**
Resolution No. 980806-14 approved
15. Amend Ordinance 970915-A, the 1997-98 Police Department Capital budget, by increasing transfers in from the Federal Asset Forfeiture Fund and appropriating \$103,190 to provide additional funding for the replacement of the bullet trap at the Police Training Academy; amend Ordinance 970917-A, the 1997-98 Operating budget, amending the Federal Asset Forfeiture Fund, by increasing the transfers to the Capital budget of the Police Department by \$103,190 and decreasing expenditures by \$103,190. [Recommended by Planning Commission] **(Related to Item 16)**
Ordinance No. 980806-B approved
16. Approve a resolution authorizing negotiation and execution of a contract with SUPER TRAP BULLET CONTAINMENT SYSTEMS, dba SUPER TRAP, Temecula, California, for the purchase and installation of a replacement outdoor bullet trap system to be used in training of Police personnel, in an amount not to exceed \$288,758. (Funding was included in the 1997-98 Amended Capital budget of the Police Department.) Best proposal of four. No M/WBE Subcontracting opportunities were identified. **(Related to Item 15)**
Resolution No. 980806-16 approved
17. Approve a resolution authorizing the execution of a contract with ASCOM TRINDEL CORPORATION, Norcross, Georgia, for the installation and maintenance of the Public Parking

Revenue Control System at Austin-Bergstrom International Airport, in the amount of \$1,833,730 plus a contingency fund of \$183,373, for a total contract amount of \$2,017,103 for the construction portion of the project and the initial year of system maintenance under warranty, with four optional additional years of maintenance service at the following annual fees: Year two \$197,121, Year three \$205,006, Year four \$213,206, and Year five \$221,735. The total maintenance service costs for four years will be \$837,068, for a total amount of project (including installation with one year of warranty maintenance) and four additional years maintenance cost not to exceed \$2,854,171. (Funding is included in the 1997-98 amended Capital budget of the Aviation Department. Funding in the amount of \$837,068 for extended maintenance will be included in the Aviation Department operating budget in future years for services provided in the option years of the agreement.) Low bid of two. 14% DBE participation: 14% MBE, 0% WBE Subcontractor participation. [Recommended by Airport Advisory Board]
Resolution No. 980806-17 approved

18. Approve a resolution authorizing official intent relating to the ADS/Aero Austin LP project at Austin-Bergstrom International Airport in order to qualify expenditures for tax exemption. (No fiscal impact.)
Resolution No. 980806-18 approved

Items 13 through 18 approved on Councilmember Spelman's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

Finance and Administrative Services

19. Approve an Ordinance ordering an election on September 26, 1998 to authorize the issuance of Revenue Bonds and General Obligation Bonds.
Withdraw both motions made August 5, 1998 from table on Councilmember Spelman's motion, Councilmember Slusher's second, 7-0 vote.

Ordinance No. 980806-G approved on Councilmember Spelman's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

Councilmember Spelman and Councilmember Slusher withdrew substitute motion.

Mayor Pro Tem Garcia and Mayor Watson withdrew original motion.

20. Approve a resolution authorizing the scheduling of future projects to be funded from cash flow.
Resolution No. 980806-20 approved with an amendment of changing the word discussed in paragraph 4 to adopted on Councilmember Goodman's motion, Councilmember Spelman's second, 7-0 vote.
21. Set a public hearing on the Proposed 1998-99 Operating and Capital Budgets. (Suggested date and time: August 20, 1998 at 7:00 p.m.)
Action taken on August 5, 1998
22. Approve an ordinance authorizing the issuance by Northwest Austin Municipal Utility District No. 1 of Unlimited Tax Refunding Bonds, Series 1998, in an amount not to exceed \$3,925,000;

approving a substantial draft of the Bond Resolution and the Preliminary Official Statement. (No fiscal impact. The City is not obligated for payment on these District bonds for this In-City District unless the District is dissolved.)

Ordinance No. 980806-C approved

23. Approve a resolution authorizing execution of a contract with LANFORD EQUIPMENT COMPANY, INC., Austin, Texas, for the purchase of four replacement diesel-powered tractors for use by the Parks and Recreation Department, in the amount of \$58,220. (Funding was included in the 1997-98 Vehicle Acquisition Fund.) Low bid of four meeting specifications. No M/WBE Subcontracting opportunities were identified.

Resolution No. 980806-23 approved

24. Approve a resolution authorizing execution of two twelve month supply agreements with CAPITOL AGGREGATES, LTD., Austin, Texas, and INDUSTRIAL ASPHALT, INC., (WBE/FR), Buda, Texas, for the purchase of Hot Mix Asphaltic Concrete to be used for pavement repair and street resurfacing by the Public Works and Transportation Department, in an amount not to exceed \$1,081,800 each and \$1,081,800 combined with two twelve month extension options in an amount not to exceed \$1,081,800 each and combined per extension, for a total amount not to exceed \$3,245,400 each and combined. (Funding in the amount of \$180,300 was included in the 1997-98 Operating budget of the Public Works and Transportation Department Transportation Fund. Funding for the remaining ten months and the extension options is contingent upon available funding in future budgets.) Low bid of two. No M/WBE Subcontracting opportunities were identified.

Resolution No 980806-24 approved

25. Approve a resolution authorizing execution of a contract with LONGHORN INTERNATIONAL EQUIPMENT, INC., Austin, Texas, for the purchase of one replacement heavy duty truck tractor with mounted fifth wheel and hydraulic winch including extended warranties on the power train, engine and transmission for use by the Street and Bridge Division, in the amount of \$95,190. (Funding was included in the 1997-98 Transportation Fund.) Low bid of two. No M/WBE Subcontracting opportunities were identified.

Resolution No. 980806-25 approved

26. Approve a resolution authorizing execution of a contract with LONGHORN INTERNATIONAL EQUIPMENT, INC., Austin, Texas, for the purchase of two replacement and one additional medium duty truck chassis with mounted brush chipper bodies including extended warranties on the power train, engine, and transmission for use by Solid Waste Services Department, in the amount of \$161,853. (Funding in the amount of \$53,861 is available in the 1997-98 amended Operating budget of the Solid Waste Services Department. \$107,722 is available in the 1997-98 Capital budget of the Solid Waste Services Department.) Low bid of two. No M/WBE Subcontracting opportunities were identified.

Resolution No. 980806-26 approved

27. Approve a resolution authorizing negotiation and execution of a contract with KPMG PEAT MARWICK LLP, Austin, Texas, for the acquisition and implementation of a Document Imaging and Text Management/Retrieval System for use by the City Clerk's Office, in an amount not to exceed \$188,366 which includes hardware, software, training, implementation and one year

support and maintenance, and backfile conversion costs of \$199,842 with an option to extend the maintenance and support for up to two twelve month periods in amounts not to exceed \$15,757 and \$15,359 respectively, for a total amount not to exceed \$419,324. Best proposal of seven. No M/WBE Subcontracting opportunities were identified. (Funding is available in the Capital budget for Year 2000. Funding for the remaining items is contingent upon available funding in future budgets.)

Resolution No. 980806-27 approved

28. Approve a resolution authorizing execution of a contract with LONGHORN INTERNATIONAL EQUIPMENT, INC., Austin, Texas, for the purchase of sixteen replacement and five additional heavy duty cab chassis with mounted dump bodies for use by various City departments, in the amount of \$1,364,032. (Funding in the amount of \$112,787 was included in the 1997-98 Vehicle Acquisition Fund. \$541,677 is available in the amended 1997-98 Transportation Fund, Street and Bridge Division. \$133, 648 was included in the 1997-98 Operating budget of the Watershed Protection Department. \$63,343 is available in the 1997-98 Operating budget of the Water and Wastewater Utility Department, Wastewater Division. \$378,929 was included in the 1997-98 Capital budget of the Public Works and Transportation Department. \$133,648 is available in the amended 1997-98 Capital budget of the Watershed Protection Department.) Low bid of four. No M/WBE Subcontracting opportunities were identified.

Resolution No. 980806-28 approved

29. Approve a resolution authorizing execution of a contract with LONGHORN INTERNATIONAL EQUIPMENT, INC., Austin, Texas, for the purchase of one replacement and one additional medium duty truck chassis with mounted construction platform bodies for use by the Public Works and Transportation and Watershed Protection Departments, in the amount of \$104,661. (Funding in the amount of \$47,986 was included in the 1997-98 Transportation Fund; \$56,675 is available in the amended 1997-98 Capital budget of the Watershed Protection Department.) Single bid. No M/WBE Subcontracting opportunities were identified.

Resolution No. 980806-29 approved

30. Amend Ordinance No. 970917-A, the 1997-98 Operating Budget by transferring appropriations for personnel costs between departments within the General Fund and Support Services Fund for a net impact of \$0 in order to fund the cost of departmental salary adjustments resulting from the implementation of market studies on employee positions.

Ordinance No. 980806-D approved

31. Approve a resolution authorizing the issuance by the Austin Industrial Development Corporation of \$4,425,000 Austin Industrial Development Corporation Adjustable Rate Industrial Development Revenue Refunding Bonds, Series 1998 (Scarborough Building Project.) [Recommended by Audit & Finance Committee] **(Related to Item 55)**

Resolution No. 980806-30 approved

Water and Wastewater

32. Approve a resolution authorizing execution of a construction contract with CASH CONSTRUCTION COMPANY OF TEXAS, INC., Pflugerville, Texas, for the construction of 8" and 12" water and wastewater lines in the Barton Hills area in the amount of \$1,670,810 plus

\$167,081 to be used as a contingency fund for change orders, for a total amount not to exceed \$1,837,891. (Funding is available in the 1997-98 amended Capital budget of the Water and Wastewater Utility.) Low bid of eight. 24% MBE, 9% WBE Subcontractor participation. [Recommended by Water and Wastewater Commission]
Resolution No. 980806-32 approved

33. Approve a resolution authorizing negotiation and execution of a professional services agreement with HARTUNIAN ENGINEERING INCORPORATED (WBE/FR), Austin, Texas, for the Walnut Creek Wastewater Treatment Plant and Hornsby Bend Sludge Management Facility Plant Process Control Improvements, in an amount not to exceed \$750,000. (Funding is available in the 1991-92 Amended Capital budget of the Water and Wastewater Utility.) Best qualification statement of four. 87% WBE Prime participation. 9% MBE, 0% WBE Subcontractor participation. [Recommended by Water and Wastewater Commission]
Resolution No. 980806-33 approved

34. Approve a resolution authorizing negotiation and execution of Amendment #4 to the Professional Services Agreement with COMMUNITY ENVIRONMENTAL SERVICES, INC., (WBE/FR), Austin, Texas, for the development of procedural and technical standards for the selection, design, construction, operation and maintenance of decentralized wastewater systems to be implemented by the Water and Wastewater Utility, and to provide technical guidance and assistance towards the development of the public information and public education components in the Alternative Wastewater Management Program, in the amount of \$82,140, for a total agreement not to exceed \$547,815. (Funding is available in the 1997-98 Amended Capital budget of the Water and Wastewater Utility.) 92% MBE Prime participation. 0% MBE, 5% WBE Subconsultant participation. [Recommended by Water and Wastewater Commission]
Resolution No. 980806-34 approved

35. Approve a resolution authorizing modification of the professional services agreement with WESTIN ENGINEERING, INC., Spicewood, Texas, for Phase II design and Phase II construction engineering services to expand and integrate the Utility's lift stations monitoring systems into one centralized Supervisory Control and Data Acquisition system, in the amount of \$884,883, for a total contract amount not to exceed \$1,312,196. (Funding is included in the 1995-96 Amended Capital budget of the Water and Wastewater Utility.) 10.3% MBE, 5.2% WBE Subconsultant participation. [Recommended by Water and Wastewater Commission]
Resolution No. 980806-35 approved

36. Approve a resolution authorizing negotiation and execution of an agreement with AUSTIN COMMUNITY COLLEGE, for the construction of an 18-inch wastewater main and appurtenances to provide permanent wastewater service within and near the proposed East Austin Campus with City cost reimbursement, in an amount not to exceed \$340,000. (Funding is contingent upon approved funding in future budgets.) [Reviewed by Water and Wastewater Commission]
Resolution No. 980806-36 approved

Items 22 through 36 approved on Councilmember Spelman's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

37. Approve a resolution authorizing negotiation and execution of a contract with CLARK AND CLARKE ASSOCIATES, San Antonio, Texas, to act as a rate advocate for the Water and Wastewater Utility's Service Rate Study, in an amount not to exceed \$135,699. (Funding is available in the 1997-98 Operating Budget for the Water and Wastewater Utility.) Best proposal of four. No M/WBE Subcontracting opportunities were identified. [Not Recommended by Water and Wastewater Commission]
Postponed to August 13, 1998
38. Approve a resolution authorizing negotiation and execution of a contract with BLACK AND VEATCH, San Antonio, Texas, to conduct a comprehensive cost of service analysis and development of service rates for the Water and Wastewater Utility, in an amount not to exceed \$284,500. (Funding was included in the 1997-98 Operating Fund of the Water and Wastewater Utility.) Best proposal of four. 15% MBE, 15% WBE Subcontractor participation. [Reviewed by Water and Wastewater Commission]
Postponed to August 13, 1998

Aviation

39. Approve a resolution authorizing Supplemental Agreement #8 to the Professional Services Agreement with MAXIM TECHNOLOGIES, INC., Austin, Texas, for development of a Pavement Management System for the Airfield, and continuation of the Environmental Oversight Services under the Geotechnical Testing and Engineering Services for Austin-Bergstrom International Airport, in the amount of \$200,000, for a total contract amount of \$2,350,000. (Funding was included in the 1997-98 amended Capital budget of the Aviation Department. The project is eligible for future reimbursement from FAA at 75% of eligible costs.) 21% MBE, 6% WBE Subconsultant participation. [Recommended by Airport Advisory Board]
Resolution No. 980806-39 approved
40. Approve a resolution authorizing execution of a contract with PELZEL & ASSOCIATES (DBE/FH), INC., Austin, Texas, for the Parking Management Building and Entry/Exit Plazas at Austin-Bergstrom International Airport, in the amount of \$823,248 plus a contingency fund of \$82,324.80, for a total contract amount not to exceed \$905,572.80. (Funding was included in the 1997-98 amended Capital budget of the Aviation Department.) Single bid. 100% WBE Prime participation. No M/WBE Subcontracting opportunities were identified. [Recommended by Airport Advisory Board]
Resolution No. 980806-40 approved
41. Approve a resolution authorizing the execution of a contract with PELZEL & ASSOCIATES (DBE/FH), Austin, Texas, for renovation of the Parking Management and Landside Operations Building at Austin-Bergstrom International Airport, in the amount of \$904,165 plus a contingency fund of \$90,417, for a total contract amount not to exceed \$994,582. (Funding was included in the 1997-98 amended Capital budget of the Aviation Department.) Single bid. 100% WBE Prime participation. No M/WBE Subcontracting opportunities were identified.

[Recommended by Airport Advisory Board]
Resolution No 980806-41 approved

42. Approve a resolution authorizing the negotiation and execution of an agreement with AMPCO PARKING JOINT VENTURE, Los Angeles, California, for the right to manage and operate the public automobile parking facilities and shuttle busses/trams at Austin-Bergstrom International Airport. (ABIA parking facilities are projected to generate first-year gross revenue of approximately \$18.85 million. First year operating expenses, which include shuttle bus operating costs, operation/maintenance, and the recommended Proposer's \$189,200 management fee, are projected to be approximately \$3.0 million. Projected parking revenues and expenses are included in the proposed fiscal year 1998/99 budget.) Best proposal of five. 40% DBE participation (40% MBE, 0% WBE Subcontractor participation.) [Recommended by Airport Advisory Board]

Resolution No. 980806-42 approved with amendment by Councilmember Slusher that the contract will address City of Austin living wage policy.

Items 39 through 42 approved on Councilmember Spelman's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

43. Approve a resolution authorizing the negotiation and execution of revenue-generating agreements with PARADISE-AUSTIN JOINT VENTURE, Atlanta, Georgia, and CA ONE SERVICES, INC. – JMP ENTERPRISES/THE ROBENA JACKSON AGENCY JOINT VENTURE, Buffalo, New York, to operate one newsstand and one specialty retail shop each at Austin-Bergstrom International Airport. (These revenue-generating agreements are expected to produce approximately \$4.03 million in City revenue during the five-year term.) Best proposal of seven. DBE Participation: 35.45% (35.45% MBE, 0% WBE Subcontractor participation.) [Recommended by Airport Advisory Board]

Postponed to August 13, 1998

Housing

44. Approve a resolution authorizing a tri-party agreement with the U.S. Department of Housing and Urban Development and Neighborhood and Housing Services of Austin, Inc., to develop fifteen housing units in the St. John's neighborhood and developing the capacity of the non-profit organization, in an amount not to exceed \$1.4 million. (Funding is available in the 1997-98 Operating budget of the Special Revenue Fund of the Neighborhood Housing and Community Development Office Homeownership Opportunities for People Everywhere (HOPE 3) Grant Sales Proceeds.)

Resolution No. 980806-44 approved

45. Approve a resolution to adopt the 1998-99 Community Development Program, as required by Chapter 373, Local Government Code and the Annual Consolidated Plan (ACP) which serves as the application for and acceptance of four entitlement grants from the U.S. Department of Housing and Urban Development (HUD). The grants included in the ACP are the Community Development Block Grant, the HOME Investment Partnerships Program, the Emergency Shelter Grant, and Housing Opportunities for Persons with AIDS, in the amount of \$14,582,425. (Funding in the amount of \$11,997,000 is available from the four HUD entitlement grants: \$8,057,000 from CDBG, \$2,913,000 from HOME, \$316,000 from ESG, and \$711,000 from HOPWA. These funds will be included in the 1998-99 proposed budget. The 1998-99 proposed budget will also include: \$1,420,000 of anticipated CDBG 1998-99 program income, \$510,000 of anticipated HOME 1998-

99 program income, and \$655,425 of General Fund local match.) [Recommended by Community Development Commission]

Resolution No. 980806-45 approved

Items 44 and 45 approved on Councilmember Spelman's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

Solid Waste Services

46. Approve a resolution authorizing negotiation and execution of two 30 year contracts with the following: (1) WASTE MANAGEMENT OF TEXAS, INC., for landfill services based on a unit price of \$11.85 per ton with unit prices increasing or decreasing annually in accordance with changes in the Consumer Price Index (estimated annual cost of \$1,148,703; and (2) TEXAS DISPOSAL SYSTEMS LANDFILL, INC., based on unit price varying from \$15.75 per ton to \$14.00 per ton depending on annual volume, increasing according to a table set out in the contract in each of the subsequent three years, with unit prices increasing or decreasing in accordance with changes in the Consumer Price Index (estimated annual cost of \$161,343.) [To be reviewed by Solid Waste Advisory Commission on August 3, 1998.]

Postponed to August 13, 1998

47. Set a public hearing to consider increasing the refuse container fee associated with the Commercial and Multi-family Recycling Ordinance. [Suggested date and time: August 27, 1998 at 7:30 P.M.]

Resolution No. 980806-47 approved

Planning, Environmental and Conservation Services

48. Approve a resolution authorizing Amendment #5 of the contract with METZLER & ASSOCIATES, Deerfield, Illinois, to expand the scope of work for implementing the energy services business performance contracting enterprise, in an amount not to exceed \$260,000, for a revised total contract amount not to exceed \$7,105,000. (Funding is included in the 1997-98 PECSD Operating budget.) No M/WBE Subcontracting opportunities were identified. (Recommended by Resource Management Commission)

Resolution No. 980806-48 approved

Items 47 and 48 approved on Councilmember Spelman's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

49. Approve a resolution authorizing negotiation and execution of a contract with AQUACRAFT, INC., Boulder, Colorado, to conduct an evaluation of the City's ultra-low flush toilet programs and an assessment of customer opinion, in an amount not to exceed \$74,904. (Funding was included in the 1997-98 Operating budget of the Planning, Environmental and Conservation Services Department.) Best proposal of five. No M/WBE Subcontracting opportunities were identified.

Pulled off agenda

Infrastructure Support Services

50. Set a public hearing for a proposed street name change of the entire length of Rosewood Avenue to Dorothy Turner Boulevard. (Suggested date and time: August 27, 1998 at 7:00 p.m.)
Resolution No. 980806-50 approved

Police

51. Amend Ordinance No. 970917-A, the 1997-98 Operating Budget, by establishing a new fund, the First Step, A Community Project Fund, for the purpose of funding scholarships, job training, a counseling and therapy program and other grant programs relevant to community relations, reconciliation and safety in East Austin; transferring \$410,000 from the General Fund Contingency Reserve to the new fund and amending the new fund accordingly. (Funding is available in the General Fund Contingency Reserve.)
Ordinance No. 980806-E approved
52. Approve a resolution authorizing execution of a contract with MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC., Austin, Texas, for the purchase of various types of two-way radio equipment for use by the Police Department, in the amount of \$114,540. (Funding was included in the 1997-98 Operating budget of the Police Department.) Sole source. No M/WBE Subcontracting opportunities were identified.
Resolution No. 980806-52 approved

Human Resources

53. Approve a resolution authorizing negotiation and execution of a two twelve month contracts with ECKERD HEALTH SERVICES, Pittsburgh, Pennsylvania, to provide pharmacy services and pharmacy management for employees and their dependents enrolled in the City of Austin's Self-Funded Medical Plan and for enrollees of the City of Austin and Travis County Medical Assistance Programs, in an amount not to exceed \$3,126,500 and \$2,964,570 respectively, with four twelve month extension options, in amounts not to exceed \$3,592,800 and \$3,083,153 respectively for the first extension, \$4,128,900 and \$3,201,736 respectively for the second extension, \$4,745,300 and \$3,320,318 respectively for the third extension, and \$5,454,000 and \$3,438,901 respectively for the fourth extension, for total contract amounts not to exceed \$21,047,500 and \$16,008,678 respectively. (Funding in the amount of \$2,344,875 for the first nine months of the contract is proposed in the 1998-99 Operating budget for the Employee Benefits fund for the Human Resources Department; funding for the remaining three months of the original contract period and extension options will be contingent upon approval of the 1998-99 budget and available funding in future budgets.) Best and lowest proposal of nine. No M/WBE Subcontracting opportunities were identified.
Resolution No. 980806-53 approved

Items 50 through 53 approved on Councilmember Spelman's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

Parks and Recreation

54. Set a public hearing on the Town Lake Comprehensive Plan Roundtable Advisory Group's Guiding Principles for the development of parkland at Auditorium Shores, including Palmer Auditorium and the City Coliseum. (Suggested date and time: August 20, 1998 at 7:30 p.m.)
No action taken

3:30 P.M. – AUSTIN INDUSTRIAL DEVELOPMENT CORPORATION

The Mayor will recess the City Council meeting. A Board meeting of the Austin Industrial Development Corporation will be conducted. Following adjournment of the AIDC Board meeting, the City Council will be reconvened. Item 55 is the AIDC item to be considered by the Austin Industrial Development Corporation.

55. Public hearing and approval of a resolution authorizing issuance and sale of \$4,425,000 of Austin Industrial Development Corporation Adjustable Rate Industrial Development Revenue Refunding Bonds, Series 1998 (Scarborough Building Project). [Recommended by Audit & Finance Committee] **(Related to Item 31)**
Close public hearing and Resolution No. 980806-55 approved on Councilmember Slusher's motion, Councilmember Spelman's second, 7-0 vote.

Motion to adjourn AIDC at 6:36 p.m. on Councilmember Goodman's motion, Councilmember Lewis' second, 7-0 vote.

ITEMS FROM COUNCIL

56. Approve a resolution directing the City Manager to review and address the feasibility of implementing the proposed goals of the Sustainable Building Working Group and report back to Council within 21 days. (Mayor Pro Tem Gus Garcia, Councilmembers Jackie Goodman and William Spelman)
Resolution No. 980806-56 approved on Councilmember Spelman's motion, Mayor Pro Tem Garcia's second, 7-0 vote.
57. Direct the City Manager to negotiate and execute a parking contract with the Austin Lyric Opera. (Councilmembers Jackie Goodman and William Spelman, and Mayor Kirk Watson)
Resolution No. 980806-57 approved with amendments of:
- 1) Whereas, the Town Lake Comprehensive Plan calls for much of the surface parking surrounding Palmer auditorium and City Coliseum to be removed to make way for a landscaped park; and**
 - 2) Whereas, the ultimate parking configuration for Palmer auditorium and other nearby cultural facilities has yet to be determined.**
 - 3) Be it further resolved that this contract express as mutual understanding that future surface parking availability is subject to the development of the parkland at the city's discretion and at the city's convenience**
on Councilmember Griffith's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

4:30 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

58. C14-83-098 - Public hearing to amend Chapter 13-2 of the Austin City Code by amending a restrictive covenant for the property locally known as 3501 West William Cannon Drive. Planning Commission Recommendation: To deny request to amend the restrictive covenant. Applicant: Bannockburn Baptist Church (Herb Ingram); Agent: Garrett/Associates Engineering (Michael Simmons-Smith). City Staff: Joe Arriaga, 499-2308. (Continued from 6/25/98 and 7/23/98)
Withdrawn by applicant

59. C14-98-0068 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 5707 River Place Drive from "DR" Development Reserve District to "SF-1" Single Family Residence (large lot) District. Planning Commission Recommendation: To Grant "RR" Rural Residence District zoning. Applicant: Rio Dinero Ltd.; Agent: Blake Magee Company (Blake Magee). City Staff: Antonio Gonzalez, 499-2243.
Motion to close public hearing on Mayor Pro Tem Garcia, Councilmember Spelman's second, 7-0 vote.

Approved staff recommendation, SF-1 subject to a minimum 30,000 square foot lot size and a maximum of 49 residential units over the entire site. Staff to include storm water capture volume information at 2nd/3rd reading in backup material on Councilmember Spelman's motion, Mayor Pro Tem Garcia's second, 7-0 vote.

60. C14-98-0067 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as Harris Ridge Blvd. & East Parmer Lane from "RR", Rural Residence District; "GR", Community Commercial District; "MF-3", Multi-Family Residence (medium density) District; "SF-6", Townhouse & Condominium Residence District; "LI", Limited Industrial Service District; "LR", Neighborhood Commercial District to "GR", Community Commercial District; "MF-2", Multi-Family Residence (low density) District; "RR", Rural Residence District; "P", Public District. Planning Commission Recommendation: Approve "GR", Community Commercial; "MF-2", Multi-Family Residence (low density); "RR", Rural Residence District; and "P", Public District zoning, with conditions. Applicant: The Gottesman Company (Sandy Gottesman); Agent: The Liverman Company (Bob Liverman). City Staff: David Wahlgren, 499-6455.
Close and approved Planning Commission recommendation: Tract 1: GR, Tract 2: MF-2, Tract 3: P, and Tract 4: RR, first reading only on Councilmember Goodman's motion, Councilmember Spelman's second, 7-0 vote.

PUBLIC HEARINGS

61. 6:00 P.M. - Public hearing on an appeal by Mr. Joe Quintero and Ms. Cathy Vasquez of the Planning Commission's decision to approve a Conditional Use Permit for the Arnold Oil Company located at 1645 East 6th Street. File #SPC-97-0441C.
Postponed to September 3, 1998 @ 7:00 p.m. on Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 7-0 vote.
62. 6:30 P.M. - Public hearing on a request to waive the minimum separation distance requirement of City Code Section 8-3-4, between a proposed restaurant (Outback Steakhouse) at

5501 U.S. Highway 290 West which intends to sell alcoholic beverages and a public school (Patton Elementary School and the site of the new C.C. Small Middle School). File #SP-98-0222 (AW). Applicant: Madera Production Company (Mr. Louis R. Williams); Agent: Small, Craig & Werkenthin, P.C. (Jim Nias).

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

ACTION ON PUBLIC HEARINGS

63. Approve/deny an appeal by Mr. Joe Quintero and Ms. Cathy Vasquez of the Planning Commission's decision to approve a Conditional Use Permit for the Arnold Oil Company located at 1645 East 6th Street. File #SPC-97-0441
Postponed to September 3, 1998 @ 7:00 p.m. on Mayor Pro Tem Garcia's motion, Councilmember Slusher's second, 7-0 vote.
64. Approve a request to waive the minimum separation distance requirement of City Code Section 8-3-4, between a proposed restaurant (Outback Steakhouse) at 5501 U.S. Highway 290 West, which intends to sell alcoholic beverages and a public school (Patton Elementary School and the site of the new C.C. Small Middle School). File #SP-98-0222 (AW). Applicant: Madera Production Company (Mr. Louis R. Williams); Agent: Small, Craig & Werkenthin, P.C. (Jim Nias).
Resolution No. 980806-64 approved on Councilmember Spelman's motion, Mayor Pro Tem Garcia's second, 5-1 vote, Councilmember Slusher voting "NO", Councilmember Goodman temporarily absent.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held at 12:28 p.m. to 1:50 p.m.

Executive session held at 3:04 p.m. to 6:32 p.m.

Executive session held at 7:20 p.m. to 9:00 p.m.

The City Council will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda. The City Council may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Private Consultation with Attorney – Section 551.071

65. Discuss W.W. Deerfield, Ltd. v. City of Austin, Cause No. 96-13413, in the Travis County District Court, (Litigation concerning application of land use and development regulations to a tract of land in the area subject to the SOS "Save Our Springs Initiative Ordinance" and the Court's ruling construing the Texas Open Meetings Act.)
66. Discuss City of Austin v. Horse Thief Hollow Ranch, Ltd., et al., CA No. 98-00248, Travis County District Court.

67. Discuss Circle C Land Corp. v. City of Austin, CA No. 97-13994, Travis County District Court.
68. Discuss LS Ranch, Ltd., et al v. City of Austin, CA No. 97-1048, Travis County District Court.
69. Discuss legal issues regarding Onion Branch Lift Station.
70. Discuss Martha Cotera v. State of Texas, et al, Civil Action No. A-98-CA-346JN, In the United States District Court for Western District of Texas, Austin Division.

Real Property – Section 551.072

71. Discuss proposed groundlease of the Poleyard property to Post Properties.

72. APPOINTMENTS

Charter Revision Committee - 2

Solid Waste Operations Task Force – 3 (Commercial User, Rate Advocate & Solid Waste Industry User)

No action taken

ADDENDUM

August 6, 1998

ITEMS FROM COUNCIL

73. Approve a resolution directing the City Manager to consider a funding mechanism in the 1998-99 budget to reward city employees for identifying cash saving opportunities in their departments. (Councilmembers Daryl Slusher, William Spelman, and Beverly Griffith.)
Postponed to August 13, 1998

ADJOURNED at 10:22 p.m. on Councilmember Slusher's motion, Councilmember Lewis' second, 7-0 vote.

Approved on this the 13th day of August, 1998 on Councilmember Spelman's motion, Councilmember Goodman's second, 6-0 vote, Mayor Pro Tem Garcia absent.