



# Austin City Council MINUTES

REGULAR MEETING  
THURSDAY, AUGUST 13, 1998

Mayor Watson called the meeting to order, noting the absence of Mayor Pro Tem Garcia.

1. Approval of Minutes for Special Called Meeting of August 4, 1998, and Regular Meetings of August 5 & 6, 1998.  
Approved on Councilmember Spelman's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Lewis off the dais, Mayor Pro Tem Garcia absent.

## CITIZEN COMMUNICATIONS: GENERAL

2. Greg Ericson, to discuss open government.  
**Absent**
3. Stace Alfstad, traffic safety concern.
4. Gus Pena, to discuss budget process and City issues.
5. Mike Alexander  
**Absent**
6. Leonard Lyons, to discuss requests for proposal.

## READING OF CONSENT AGENDA

## READING OF DISCUSSION AGENDA

## CITIZEN COMMUNICATIONS: CONSENT AGENDA

## ACTION ON CONSENT AGENDA

## BOARD AND COMMISSION REPORTS

7. ELECTRIC UTILITY COMMISSION – Teresa Reel, Chair  
Presentation given by Milton Lee.
8. RESOURCE MANAGEMENT COMMISSION – Peter Pfeiffer, Chair  
Presentation given by Peter Pfeiffer.
9. CHILD CARE COUNCIL - (2:30 P.M. – Time Certain)  
Presentation given by Rhonda Paver, Leonard Saenz and Ralph Carver.

#### CITY MANAGER REPORT

10. MONTHLY AUSTIN ENERGY MANAGEMENT REPORT  
Presentation given by Milton Lee and Steve Bartley.

#### ITEMS CONTINUED FROM PREVIOUS MEETINGS

11. Approve a resolution authorizing the negotiation and execution of revenue-generating agreements with PARADIES-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]  
Resolution No. 980813-11 approved with a motion by Councilmember Slusher to go with CA One Services, Inc. and News & Gifts International, JV, Councilmember Griffith's second, with a friendly amendment by Councilmember Spelman to have each one operate one newsstand/bookstore and one retail, friendly amendment accepted by maker and seconder,  
  
Substitute motion by Councilmember Lewis to go with Option 2, with Paradies-Austin Joint Venture and News & Gifts International, Councilmember Spelman's second, 2-4 vote, Mayor Watson, Councilmembers Goodman, Griffith and Slusher voting "NO", Mayor Pro Tem Garcia absent.  
  
Original motion also stating giving CA One Services, Inc. units 9 and 11, News and Gifts International units 10 and 12, 5-1 vote, Councilmember Lewis voting "NO", Mayor Pro Tem Garcia absent.
12. 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 prices increasing or decreasing annually in accordance with changes in the Consumer Price Index (estimated annual cost of \$1,063,775; 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 \$274,113.) [To be reviewed by Solid Waste Advisory Commission on August 12, 1998]

**Motion to postpone for two weeks by Councilmember Griffith, Councilmember Spelman's second, 6-0 vote, Mayor Pro Tem Garcia absent.**

13. 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]  
**Resolution No. 980813-13 approved Burny Birnbaum to act as a rate advocate for the Water and Wastewater Utility's Service Rate Study.**

14. 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]  
**Resolution No. 980813-14 approved**

**Items 13 and 14 approved on Councilmember Spelman's motion, Councilmember Slusher's second, 5-0 vote, Councilmember Goodman off the dais, Mayor Pro Tem Garcia absent.**

15. Set a public hearing on the Town Lake Comprehensive Plan Roundtable Advisory Group's Guiding Principles for the development and management of parkland at Auditorium Shores, including Palmer Auditorium and the City Coliseum. (Suggested date and time: Wednesday, August 19, 1998 at 5:00 p.m. and September 3, 1998 at 7:30 p.m.)  
**Resolution No. 980813-15 approved for Council briefing on August 19, 1998**
16. 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)  
**Resolution No. 980813-16 approved**

### **Austin Energy**

17. Approve a resolution authorizing execution of a construction contract with O'NEAL CONSTRUCTION, INC., Austin, Texas, to construct the St. Elmo Service Center Warehouse and loading dock, located at 4411 Meinardus Drive, in the amount of \$1,358,000. (Funding was included in the 1997-98 Capital budget of Austin Energy.) Single bid. 19.15% MBE, 4.89% WBE Subcontractor participation. [Recommended by Electric Utility Commission]  
**Postponed one week**
18. Approve a resolution authorizing execution of a construction contract with BRAUN AND BUTLER CONSTRUCTION, INC., Austin, Texas, for renovation of the Austin Energy Call Center in Town Lake Center located at 721 Barton Springs Road, in the amount of \$1,250,000.

(Funding was included in the 1997-98 Capital budget of Austin.) Low bid of two. 6.96% MBE, 1.38% WBE Subcontractor participation. [Recommended by Electric Utility Commission]  
**Postponed one week**

19. Approve a resolution authorizing a twelve month supply agreement with THOMAS & BETTS CORPORATION, Memphis, Tennessee, for self-weathering steel distribution poles used to construct electric distribution facilities, in an amount not to exceed \$101,271 with four twelve month extension options in an amount not to exceed \$101,271 per extension, for a total contract amount not to exceed \$506,355. (Funding was included in the 1997-98 Capital budget of Austin Energy.) Single bid. No M/WBE Subcontracting opportunities were identified. [Recommended by Electric Utility Commission]  
**Resolution No. 980813-19 approved**
20. Approve a resolution authorizing execution of a contract with GEC ALSTHOM c/o POWER REPS, INC., Austin, Texas, for five outdoor 145 kV candlestick circuit switchers to be installed at Justin Lane, Jollyville, Trading Post and Seaholm Substations, in the amount of \$211,940. (Funding was included in the 1997-98 Capital budget of Austin Energy.) Low responsive bid of four. No M/WBE Subcontracting opportunities were identified. [Recommended by Electric Utility Commission]  
**Resolution No. 980813-20 approved**
21. Approve a resolution authorizing execution of a twelve month service agreement with DISCOVERY ENVIRONMENTAL RESOURCES, LTD., Austin, Texas, for hazardous and non-hazardous sampling services, in an amount not to exceed \$41,788 with three twelve month extension options in an amount not to exceed \$41,788 per extension, for a total contract amount not to exceed \$167,152. (Funding in the amount of \$3,482 was included in the 1997-98 Operating budget of Austin Energy. 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 Electric Utility Commission]  
**Resolution No. 980813-21 approved**
22. Approve a resolution authorizing execution of a licensing agreement with BLACK DOG PRODUCTIONS, Houston, Texas, for production of the "Our House" energy conservation television program series, in the amount of \$88,000. (Funding is available in the 1997-98 Operating budget of the Austin Energy.) No M/WBE Subcontracting opportunities were identified. [Recommended by Electric Utility Commission]  
**Resolution No. 980813-22 approved**
23. Approve a resolution authorizing execution of a twelve month supply agreement with HIGH VOLTAGE SUPPLY, INC., Dallas, Texas, for extra low resistance contacts for transformers used at various substations, in an amount not to exceed \$281,818 with the option to extend for two additional twelve month periods in an amount not to exceed \$281,818 per extension, for a total amount not to exceed \$845,454. (Funding in the amount of \$23,485 was included in the 1997-98 Operating budget of the Austin Energy. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) Sole source. No M/WBE Subcontracting opportunities were identified. [Recommended by Electric Utility Commission]  
**Resolution No. 980813-23 approved**

24. Approve a resolution authorizing execution of a twelve month supply agreement with DX DISTRIBUTORS, San Antonio, Texas, for the purchase of caustic soda used in the production of demineralized water for pressure boilers and gas turbines, in an amount not to exceed \$58,242 with the option to extend for two additional twelve month periods in an amount not to exceed \$58,242 per extension option, for a total amount not to exceed \$174,726. (Funding in the amount of \$4,853 was included in the 1997-98 Operating budget of the Austin Energy. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) Low bid of five meeting specifications. No M/WBE Subcontracting opportunities were identified. [Recommended by Electric Utility Commission]  
**Resolution No. 980813-24 approved**
25. Approve a resolution authorizing execution of a contract with GEC ALSTHOM c/o POWER REPS, INC., Austin, Texas, for nine outdoor 145kv power circuit breakers to installed at Daffin Gin, Decker Plant, Jollyville, Justin Lane, and Seaholm Substations, in the amount of \$549,430. (Funding was included in the 1997-98 Capital budget of the Austin Energy.) Low bid of four. No M/WBE Subcontracting opportunities were identified. [Recommended by Electric Utility Commission]  
**Resolution No. 980813-25 approved**

#### Finance and Administrative Services

26. Approve a resolution authorizing ratification of payment to HART INFORMATION SERVICES, INC., Austin, Texas, for the purchase of voting ballots for the May 2, 1998 special election, in the amount of \$76,655.15. (Funding is available in the 1997-98 Operating budget of the City Clerk's Office. Barton Springs/Edwards Aquifer Conservation District will reimburse \$15,331.03 and the Austin Independent School District will reimburse \$25,551.71. Net cost to the City is \$35,772.41.) Sole source. No M/WBE Subcontracting opportunities were identified.  
**Resolution No. 980813-26 approved**
27. Approve a resolution authorizing execution of a contract with SEED RESEARCH OF OREGON, Dallas, Texas, for the purchase of 51,900 pounds of winter grass seed for the City's golf courses, in the amount of \$41,758. (Funding was included in the 1997-98 Operating budget of the Golf Enterprise Fund.) Low bid of three. No M/WBE Subcontracting opportunities were identified.  
**Resolution No. 980813-27 approved**

**Items 15 through 27 approved on Councilmember Spelman's motion, Councilmember Goodman's second, 6-0 vote, Mayor Pro Tem Garcia absent.**

28. Approve a resolution authorizing execution of a contract with ANCHOR FENCE, New Braunfels, Texas, for the purchase and installation of a chain link fence at the Balcones Canyonlands Preserve, in an amount not to exceed \$97,762.70. (Funding was included in the 1992-93 Capital Budget of the Parks and Recreation Department.) Low bid of three. No M/WBE Subcontracting opportunities were identified.  
**Postponed to August 27, 1998**

29. Approve a resolution authorizing execution of a contract with STAR TRAC BY UNISEN, INC., Tustin, California, for the purchase of twenty-four Star Trac treadmills for the Austin Fire Department, in the amount of \$83,400. (Funding is available in the 1997-98 Operating budget of the Austin Fire Department.) Low bid of nine meeting specifications. No M/WBE Subcontracting opportunities were identified.

**Resolution No. 980813-29 approved**

30. Approve a resolution authorizing execution of a twelve month supply agreement with MILLER UNIFORMS AND EMBLEMS, INC., Austin, Texas, for the purchase of uniforms and jackets for the Emergency Medical Services Department, in an amount not to exceed \$85,222 with two twelve month extension options in an amount not to exceed \$85,222 per extension, for a total contract amount not to exceed \$255,666. (Funding in the amount of \$4,917 was included in the 1997-98 Operating budget of the Emergency Medical Services Department. Funding for the remainder of the contract 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. 980813-30 approved**

**Items 29 and 30 approved on Councilmember Spelman's motion, Councilmember Goodman's second, 6-0 vote, Mayor Pro Tem Garcia absent.**

31. Approve a resolution authorizing execution of a contract with LONGHORN INTERNATIONAL EQUIPMENT, INC., Austin, Texas, for the purchase of one replacement and one additional heavy duty truck chassis including extended warranties on the power train, engine and transmission for use by Solid Waste Services' Brush and Bulky Pickup, in the amount of \$138,998. (Funding in the amount of \$69,499 is available in the amended 1997-98 Operating budget of the Solid Waste Services Department; \$69,499 was included 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. 980813-31 approved on Councilmember Lewis' motion, Councilmember Spelman's second, 6-0 vote, Mayor Pro Tem Garcia absent.**

32. Approve a resolution authorizing execution of a contract with HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS Cooperative Purchasing Program, Houston, Texas, for the purchase of four additional medium tractor loader/backhoes to be used by Water and Wastewater Utility in the maintenance of underground water and wastewater lines, in the amount of \$169,118.85. (Funding is available in the amended 1997-98 Operating budget of the Water and Wastewater Utility Department.)

**Resolution No. 980813-32 approved**

33. Approve a resolution authorizing execution of a contract with COMMERCIAL BODY CORPORATION, San Antonio, Texas, for the purchase of three replacement medium duty trucks with mounted aerial devices and service bodies for use by the Signal Division of the Public Works and Transportation Department, in the amount of \$227,290. (Funding was included in the 1997-98 Vehicle Acquisition Fund.) Single bid. No M/WBE Subcontracting opportunities were identified.

**Resolution No. 980813-33 approved**

34. Approve a resolution authorizing execution of a contract with NOVALYNX SYSTEMS, INC., Rancho Cordova, California, for the purchase of sixty Alert data transmitters for the Flood Early Warning System, in the amount of \$89,700. (Funding was included in the 1997-98 Amended Capital budget of the Watershed Protection Department.) Low bid of two. No M/WBE Subcontracting opportunities were identified.  
**Resolution No. 980813-34 approved**
35. Approve a resolution authorizing execution of an extension to the contract with PSI TECHNOLOGIES, CORPORATION, Austin, Texas, for the transcription of financial reports to CD-ROM's (Computer Disk Read Only), in an amount not to exceed \$115,000 with three twelve month extension options in an amount not to exceed \$115,000 per extension, for a total contract amount not to exceed \$850,000. (Funding in the amount of \$9,584 is available in the 1997-98 Operating budget of the Financial Services Department. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.) No M/WBE Subcontracting opportunities were identified.  
**Resolution No. 980813-35 approved**
36. Approve a resolution authorizing execution of a contract with DATA RESEARCH ASSOCIATES (DRA), Saint Louis, Missouri, for hardware and software upgrades for the automated library system, in the amount of \$191,193 with three years of maintenance on the software and non-central site hardware in the amount of \$285,754, for a total contract amount not to exceed \$476,947. (Funding was included in the 1997-98 Capital budget of the Library Department. Funding for maintenance will be contingent upon available funding in future budgets.) Sole source. No M/WBE Subcontracting opportunities were identified.  
**Resolution No. 980813-36 approved**
37. Approve a resolution authorizing execution of a contract with WPTC, Austin, Texas, for the purchase of seventy-one licenses of AutoDesk ArcView software for various City departments, in the amount of \$40,825. (Funding in the amount of \$27,025 was included in the 1997-98 Operating budget of the Development Review and Inspection Department; \$1,725 was included in the 1997-98 Operating budget of the Watershed Protection Department; \$8,625 was included in the 1997-98 Operating budget of the Water and Wastewater Utility; and \$3,450 was included in the 1997-98 Operating budget of the Police Department.) Low bid of five. No M/WBE Subcontracting opportunities were identified.  
**Resolution No. 980813-37 approved**
38. Approve a resolution authorizing execution of a contract with COMPUTER ASSOCIATE INTERNATIONAL, INC., Islandia, New York, for the renewal licensing and maintenance of the Top Secret MVS software for computer access security throughout the Information Systems Office's mainframe data processing community, in an amount not to exceed \$52,316.28. (Funding is available in the 1997-98 Operating budget of the Information Systems Department.) Sole source. No M/WBE Subcontracting opportunities were identified.  
**Resolution No. 980813-38 approved**



39. Approve a resolution authorizing modification to the contract with JOHN L. WORTHAM AND SONS, Houston, Texas, through INDEMNITY INSURANCE OF NORTH AMERICA to cover increased costs for Electric Utility Property and Boiler and Machinery Insurance and loss prevention services, in the amount of \$118,000 for the second and third extension options, for a total of \$867,760 per year with a total contract amount not to exceed \$3,235,040. (Funding was included in the 1998-99 Electric Utility Department. Funding for the extension options is contingent upon available funding in future budgets.) No M/WBE Subcontracting opportunities were identified. [Recommended by Electric Utility Commission]  
**Resolution No. 980813-39 approved**
40. Approve a resolution authorizing execution of a contract with NETWORK ASSOCIATES, INCORPORATED, Dallas, Texas, for the purchase of Zero Administration Client Suite Software, including a two-year site license and product maintenance, training, initial configuration and implementation, in an amount not to exceed \$197,500. [Funding in the amount of \$97,611.25 was included in the 1997-98 Capital Budget for Year 2000. Funding will be provided from various City departments: Police Department (\$24,960); Austin Energy (\$49,968.75); Water (\$12,480); and Wastewater (\$12,480); funding for \$49,968.75 was included in the 1997-98 Capital Budget of Austin Energy.] Sole Source. No M/wBE Subcontracting opportunities were identified.  
**Resolution No. 980813-40 approved**

**Items 32 through 40 approved on Councilmember Spelman's motion, Councilmember Goodman's second, 6-0 vote, Mayor Pro Tem Garcia absent.**

41. Approve a resolution authorizing negotiation and execution of a thirty-six month management agreement with THE MUSIC MANAGEMENT COMPANY, Austin, Texas, for the management and operation of the Austin Music Network, in an amount not to exceed \$800,000 with two thirty-six month extension options, for a total contract amount not to exceed \$800,000. (Funding in the amount of \$41,667 is available in the 1997-98 Operating Budget of the Finance and Administrative Services Department. Remaining funds will be charged to the 1998-1999 Operating Budget of the Finance and Administrative Services Department.) Best proposal of four. No M/WBE Subcontracting opportunities were identified.  
**Postponed to August 20, 1998**

#### **Health and Human Services**

42. Approve an ordinance authorizing acceptance of \$37,850 in grant funds from the Texas Department of Health for the Refugee Transition Project and amend Ordinance 970917-A, the 1997-98 Operating budget, by appropriating \$37,850 in grant funds for the Health and Human Services Department Special Revenue Fund. (No matching funds are required.)  
**Ordinance No. 980813-A approved**
43. Approve an Interlocal Cooperation Agreement with Austin Independent School District for Adult Basic Education effective October 1, 1997 through September 30, 1998, for a total amount not to exceed \$50,000. (Funding was included in the 1997-98 Neighborhood Housing and

Community Development Office Special Revenue Fund, Community Development Block Grant.)

**Resolution No. 980813-43 approved**

44. Approve a resolution authorizing ratification of the fifth amendment to the Interlocal Cooperation Agreement with the Austin Independent School District to change the term of the Agreement, and provide funding for additional services in three programs: Community Education (\$7,573 increase); Summer Camp/Teen Camp (\$37,597 increase); and 78744 After School Enrichment (\$4,488 increase). The agreement term will be changed to end on September 30, 1998, to coincide with the City's fiscal year. (\$42,085 is available in the Austin/Travis County Health and Human Services Special Revenue Fund for the Texas Department of Protective and Regulatory Services grant. \$7,573 is available in the Health and Human Services Department Special Revenue Fund for the Title V grant. Renewal of this Interlocal Agreement will be subject to Council appropriation of funds for this agreement for the City's 1998-99 fiscal year.)

**Resolution No. 980813-44 approved**

45. Approve a resolution authorizing execution of Change Order #8 to the construction contract with BRAUN & BUTLER CONSTRUCTION, INC., Austin, Texas, for electrical and corner guard improvements as part of the Rosewood Zaragosa and South Austin Clinics Additions and Renovations project, in the amount of \$14,604, for a total contract amount not to exceed \$2,327,929. (Funding was included in the 1996-97 amended Capital budget of the Health and Human Services Department.) No M/WBE Subcontracting opportunities were identified.

**Resolution No. 980813-45 approved**

#### **Water and Wastewater Utility**

46. Approve a resolution authorizing execution of a construction contract with FALCON DIVERSIFIED COATINGS, INC., (MBE/MH), Elgin, Texas, for recoating the exterior and constructing inlet pipe improvements for the Water and Wastewater Utility's Jollyville Reservoir, in the amount of \$242,092. (Funding is available in the 1996-97 Amended Capital budget of the Water and Wastewater Utility.) Low bid of seven. 63.69% MBE Prime participation. 0% MBE, 36.31% WBE Subcontractor participation. [Recommended by Water and Wastewater Commission]

**Resolution No. 980813-46 approved**

#### **Watershed Protection**

47. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement with the AUSTIN INDEPENDENT SCHOOL DISTRICT to allow construction of a Waller Creek stormwater detention facility at the Reilly Elementary School site, located at 405 Denson Drive. (No fiscal impact. The estimated construction cost of the stormwater detention facility including associated playground and landscaping improvements is \$900,000. Funding is available from the associated Capital budget of the Watershed Protection Department.) [Recommended by Environmental Board]

**Resolution No. 980813-47 approved**

48. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement with the AUSTIN INDEPENDENT SCHOOL DISTRICT to provide transportation for students participating in Earth Camp and the Watershed Protection/Green Classroom collaboration for fiscal year 1998-99, in the amount of \$8,500 and to include two additional one year extension options for fiscal years 1999-2000 and 2000-2001. (Funding was included in the proposed 1998-99 Watershed Protection Department Operating budget.)

**Resolution No. 980813-48 approved**

49. Approve a resolution authorizing execution of a construction contract with MANLEY CONSTRUCTION COMPANY, Pflugerville, Texas, for an erosion control construction project at Shipe Park located along 45<sup>th</sup> Street between Avenue G and Avenue F, in the amount of \$210,715.45. (Funding was included in the 1996-97 amended Capital budget of the Watershed Protection Department.) Low bid of three. 1.67% MBE, 9.22% WBE Subcontractor participation. [Recommended by Environmental Board]

**Resolution No. 980813-49 approved**

**Telecommunications and Regulatory Affairs**

50. Approve a resolution authorizing a license agreement with NOBELL COMMUNICATIONS, INC., for placement of antennas and equipment on City property to provide Internet services to small businesses. (No fiscal impact.) [Recommended by Council Committee for Telecommunications Infrastructure]

**Resolution No. 980813-50 approved**

**Law**

51. Approve a resolution authorizing the filing of eminent domain proceedings to acquire a Permanent Wastewater line Easement containing 20,347.2 square feet of land, and a Temporary Work Space Easement containing 29,035.8 square feet of land, situated in the Henry Rhodes Survey A-522 in Williamson County, Texas, owned by Emile Jamail and Springwoods Corporation for the Balcones Lift Station Relief Main Project, in the amount of \$1,090. (Funding was included in the 1991-92 Amended Capital budget of the Water and Wastewater Department.) [Recommended by Water and Wastewater Commission]

**Resolution No. 980813-51 approved**

## Public Works

52. Approve a resolution authorizing participation with the State of Texas in real property acquisition of the Woodward Street to FM 973 at Del Valle for the US 290/SH 71 Project, in the amount of \$3,100,000. (Funding is available in the 1991-92 Amended Capital budget of the Public Works and Transportation Department.)  
**Resolution No. 980813-52 approved**
53. Approve a resolution authorizing a construction contract with ASPHALT PAVING COMPANY OF AUSTIN, INC., Buda, Texas, for construction overlay of Stassney Lane from South Congress Avenue to Rosehill Circle, in the amount of \$490,938.31. (Funding in the amount of \$477,902.67 was included in the 1997-98 Operating budget of the Public Works and Transportation Department, Transportation Fund; \$9,840.64 was included in the 1995-96 Amended Capital budget of the Water and Wastewater Utility; \$3,195 was included in the 1997-98 Operating budget of the Watershed Protection Department.) Single bid. 24.3% MBE, 51.6% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)  
**Resolution No. 980813-53 approved**
54. Approve a resolution authorizing the fee simple acquisition of .084 acres of land out of Lot 1, Route Subdivision, Travis County, Texas, locally known as 13701 North IH-35 from M. L. R. Joint Venture for the project known as Howard Lane Improvements from IH-35 to Dessau Road, parcel 1, in the amount of \$49,567.52. (Funding is included in the 1997-98 Amended Capital budget of the Public Works and Transportation Department.)  
**Resolution No. 980813-54 approved**
55. Approve a resolution authorizing fee simple acquisition of 1.212 acres of land and a 0.341 acre Temporary Workspace Easement out of and a part of the L.C. Cunningham Survey No. 68 in Travis County, Texas, same being a portion of Lot 1, Wildflower Section Four, Recorded in Book 101, Page 172 of the Plat Records of Travis County, Texas, conveyed to SVW Harris Ridge Ltd. Partnership by deed filed for record on January 3, 1995, in Volume 12345, Page 797 of the Real Property Records of Travis County, Texas and a portion of said SVW Harris Ridge Ltd. Partnership Tract for the Howard Lane Improvements Projects from IH 35 to Dessau Road in the amounts of \$197,320 for the fee acquisition and \$1,150 for the Temporary Workspace, for a total amount of \$198,470. (Funding was included in the 1997-98 Amended Capital Budget of the Department of Public Works and Transportation.)  
**Resolution No. 980813-55 approved**

## Library

56. Approve a resolution authorizing execution of a construction contract with PEAK PURE AIR MECHANICAL CONTRACTING, INC., Jonestown, Texas, for heating and air conditioning replacement at the Manchaca Road Branch Library, located at 5500 Manchaca Road, in the amount of \$106,400. (Funding is available in the 1997-98 approved Capital budget of the Finance and Administrative Services Department.) Low responsive bid of two. No M/WBE Subcontracting opportunities were identified.

Resolution No. 980813-56 approved

Items 42 through 56 approved on Councilmember Spelman's motion, Councilmember Goodman's second, 6-0 vote, Mayor Pro Tem Garcia absent.

#### Parks and Recreation

57. Approve a resolution authorizing execution of Change Order #4 to the existing construction contract with SOUTHWEST CONSTRUCTORS, INC., Austin, Texas, and AUSTIN ROSEWOOD COMMUNITY DEVELOPMENT CORPORATION, to incorporate additional site improvements as part of Central City Entertainment Center Bid Package 1, Site Work Project, located at 1156 Hargrave Street, in the amount of \$95,832, for a total contract amount of \$1,038,648.02. (Funding is included in the 1997-98 amended Capital budget of the Parks and Recreation Department.) 7.61% MBE, 0% WBE Subcontractor participation.

Resolution No. 980813-57 approved on Councilmember Lewis' motion, Councilmember Spelman's second, 6-0 vote, Mayor Pro Tem Garcia absent.

#### Aviation

58. Approve an ordinance changing the street names of the following three streets located at the Austin-Bergstrom International Airport: Presidential Boulevard to Captain Bergstrom Loop; McWhirk Boulevard to Golf Course Road; and Terminal Drive to Spirit of Texas Drive. (Funding in the amount of \$700 for street signs is available in the 1997-98 Operating budget of the Aviation Department.) [Recommended by Airport Advisory Board]  
Postponed to August 20, 1998

#### Planning, Environmental and Conservation Services

59. Approve a resolution authorizing negotiation and execution of an agreement with Lamar-Sixth-Austin, Inc., for the purpose of providing development fee waivers and infrastructure participation consistent with the Smart Growth Matrix project score and business case analysis, in an amount not to exceed \$2,200,000 for the incentive package and fee waivers.  
Resolution No. 980813-59 approved with friendly amendment by Councilmember Spelman to set maximum amount at \$2,156,989 on Councilmember Goodman's motion, Mayor Watson's second, 6-0 vote, Mayor Pro Tem Garcia absent.

#### Police

60. Set a public hearing on the continuation of Chapter 10-7, the Curfew Ordinance. (Suggested date and time: August 20, 1998 at 8:00 p.m.)  
Resolution No. 980813-60 approved on Councilmember Spelman's motion, Councilmember Goodman's second, 6-0 vote, Mayor Pro Tem Garcia absent.

Recessed at 4:41 to conduct the AHFC Board of Director's meeting on Councilmember Griffith's motion, Councilmember Goodman's second, 4-0 vote, Councilmember Slusher and Spelman off the dais.

### 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. Items 61-62 are the AHFC items to be considered by the Austin Housing Finance Corporation's Board of Directors.

61. Public hearing on the issuance of up to \$15,000,000 of 501[c] (3) multi-family non-recourse bonds by the Austin Housing Finance Corporation, to finance the acquisition and rehabilitation of a 294-unit reasonably priced rental housing complex known as Rutland I and Rutland II Apartments located at 1647-1711 Rutland Drive to be owned and operated by a newly formed single-purpose Texas non-profit corporation affiliated with San Antonio Alternative Housing Corporation. (Funding is available from the requestor and bond funds.)  
**Motion to close public hearing on Boardmember Griffith's motion, Boardmember Lewis' second, 4-0 vote, Boardmembers Slusher and Spelman off the dais, Vice President Garcia absent.**

62. Approve a reimbursement resolution authorizing the issuance of up to \$15,000,000 of 501[c] (3) multi-family non-recourse bonds by the Austin Housing Finance Corporation, to finance the acquisition and rehabilitation of a 294-unit reasonably priced rental housing complex known as Rutland I and Rutland II located at 1647-1711 Rutland Drive. (Funding is available from the requestor and bond funds.)  
**Motion to approve by Boardmember Griffith, Boardmember Goodman's second, 3-1 vote, Boardmember Lewis voting "NO", Boardmembers Slusher and Spelman off the dais, Vice President Garcia absent.**

**Motion fails**

**Motion to approve with friendly amendment offered by Mayor Watson on definition of reserve for specific clarification as to who the apartments could be rented to, Boardmember Griffith, Boardmember Goodman's second, 6-0 vote, Vice President Garcia absent.**

**Adjourned AHFC at 4:53 p.m. on Boardmember Slusher's motion, Boardmember Griffith's second, 6-0 vote, Vice President Garcia absent.**

### ITEMS FROM COUNCIL

63. Approve an ordinance-amending Chapter 18-3 of the Austin City Code by extending the exemption from drainage utility fees for churches that join in a coalition to assist the homeless to September 30, 1999. (Councilmember Jackie Goodman and Mayor Pro Tem Gus Garcia)

Ordinance No. 980813-B approved on Councilmember Spelman's motion, Councilmember Goodman's second, 6-0 vote, Mayor Pro Tem Garcia absent.

64. Approve a resolution to provide funding for the American Institute for Learning. (Councilmember Jackie Goodman)  
**Pulled from the agenda**
65. Authorize the closure of 4th Street between Colorado and Lavaca on October 2nd and 3rd for a fee-paid event (1<sup>st</sup> Annual Dublin Blues Festival) between the hours of 3:00 p.m. and midnight of each day. (Councilmembers Jackie Goodman and Willie Lewis)  
**Approved on Councilmember Spelman's motion, Councilmember Goodman's second, 6-0 vote, Mayor Pro Tem Garcia absent.**

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

66. C14-85-314 & C14-85-322 - Public hearing to amend Chapter 13-2 of the Austin City Code by amending a restrictive covenant for the property locally known as East Yager Lane and North IH-35 Service Road (northbound). Existing zoning: "CH", Commercial Highway, "LR" Neighborhood Commercial, "GR", Community Commercial, "GO", General Office, "CS", General Commercial Services, "LI", Limited Industrial Services, "MF-2", Multifamily Residence (low density), and "RR", Rural Residence District zoning. Planning Commission Recommendation: To Approve the Restrictive Covenant Amendment. Applicant: Metrotech; Agent: Quentin Corporation (Paul Juarez). City Staff: David Wahlgren, 499-6455.  
**Postponed to August 20, 1998, applicant's first request**
67. C14-98-0018 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 1706 West 6th Street from "SF-3", Family Residence to "LO-MU", Limited Office-Mixed Use. Planning Commission Recommendation: To grant "NO-MU-CO", Neighborhood Office-Mixed Use-Conditional Overlay District zoning with conditions. Applicant: Oxford Custom Homes, Inc. (Rick Linda); Agent: Austin Permit Service (Melissa Whaley). City Staff: Don Perryman, 499-2786. (Continued from 6/25/98) A valid petition has been filed in opposition to this zoning request.  
**Postponed to August 20, 1998, Council's request**
68. C14-98-0028 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 2515 Quarry Road from "SF-3", Family Residence to "SF-5", Urban Family Residence. Planning Commission Recommendation: To deny "SF-5", Urban Family Residence District zoning. Applicant: Steve Buerlein. City Staff: Don Perryman, 499-2786. (Continued from 6/25/98, 7/23/98)  
**Postponed to August 20, 1998, applicant's first request**
- Items 66 through 68 approved on Councilmember Spelman's motion, Councilmember Goodman's second, 6-0 vote, Mayor Pro Tem Garcia absent.**

69. C14-98-0041 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 900 Willow Street from "SF-3", Family Residence to "LO", Limited Office.

Planning Commission Recommendation: To deny "LO" Limited Office district zoning. Applicant: Courtland L. Logue; Agent: Ron Beard & Associates (Ron Beard). City Staff: Ivan Naranjo, 499-2724. (continued from 7/9/98)

Close public hearing on Councilmember Goodman's motion, Councilmember Slusher's second, 4-0 vote, Councilmember Griffith and Spelman off the dais, Mayor Pro Tem Garcia absents.

Postponed for no more than six months to February 25, 1998 or until after Planning Commission and City Council have had an opportunity to review the neighborhood plan. Applicant will pay a renotification fee on Councilmember Goodman's motion, Councilmember Lewis' second, 5-0 vote, Councilmember Spelman off the dais, Mayor Pro Tem Garcia absent.

70. C14-98-0046 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 800' West of Parmer Lane & Dessau Road intersection from "DR", Development Reserve to "GR", Community Commercial. Planning Commission Recommendation: To grant "GR", Community Commercial-Conditional Overlay District zoning with conditions. Applicant: Capital City Christian Church (Truman Whitaker); Agent: Republic Commercial properties (Doug Hodge). City Staff: Ivan Naranjo, 499-2724.

Approved first reading only on Councilmember Spelman's motion, Councilmember Goodman's second, 6-0 vote, Mayor Pro Tem Garcia absent.

71. C14-98-0069 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 1315 to 1429 East Wells Branch Pkwy. from "I-RR", Interim-Rural Residence District to "CS-CO", General Commercial Services-Conditional Overlay district. Planning Commission Recommendation: To grant "GR", Community Commercial District zoning. Applicant: C. Aubrey Smith, Jr., Steve & Michele Turnquist; Agent: Jim Bennett. City Staff: David Wahlgren, 499-6455.

Motion to close public hearing by Councilmember Goodman, Councilmember Spelman's second, 4-0 vote, Councilmembers Lewis and Slusher off the dais, Mayor Pro Tem Garcia absent.

Approved CS-CO (consider at least a 50 foot buffer of NO development to the rear of the property (for council consideration at 2<sup>nd</sup> and 3<sup>rd</sup> readings), first reading only on Councilmember Spelman's motion, Councilmember Griffith's second, 5-0 vote, Councilmember Slusher off the dais, Mayor Pro Tem Garcia absent.

72. C14-98-0071 - Public hearing to amend Chapter 13-2 of the Austin City Code zoning property locally known as 4525 South I-35 Service Road (northbound) from "SF-3", Family Residence, to "GR-CO" Community Commercial-Conditional Overlay. Planning Commission Recommendation: To grant "GR-CO" Community Commercial-Conditional Overlay District zoning with conditions. Applicant: Frank Covert; Agent: Longaro and Clarke (Alex Clarke). City Staff: Debra Williams, 499-2987.

Approved Planning Commission recommendation first reading only

73. C14-98-0072 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 6301 U.S. Highway 290 East from "CS" General Commercial Services District to "CS-1" Commercial-Liquor Sales District. Planning Commission Recommendation: To Deny "CS-1" Commercial-Liquor Sales District zoning. Applicant: Crockett Partners, Ltd.; Agent: Minter, Joseph & Thornhill P.C. (Michele C. Haussman). City Staff: Ivan Naranjo, 499-2724.



**Postponed to September 10, 1998, applicant's request.**

74. C14-98-0075 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 6108 Bolm Road from "LI", Limited Industrial Services to "W/LO", Warehouse Limited Office. Planning Commission Recommendation: To grant "W/LO", Warehouse/Limited Office District zoning. Applicant: G & M Texas, Inc. (Michael W. Girtton). City Staff: Ivan Naranjo, 499-2724.

**Postponed to September 3, 1998, request by PODER; People Organized in Defense of Earth and Her Resources.**

75. C14-98-0076 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 1205 Wells Branch Parkway from "I-RR", Interim-Rural Residence District to "LI", Limited Industrial Services. Planning Commission Recommendation: To grant "W/LO", Warehouse/Limited Office District zoning with conditions. Applicant: David Campbell. City Staff: David Wahlgren, 499-6455.

**Postponed to September 3, 1998 applicant's first request.**

**Items 72 through 75 approved on Councilmember Spelman's motion, Councilmember Goodman's second, 6-0 vote, Mayor Pro Tem Garcia absent.**

76. C14-98-0077 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 11617 Research Blvd. from "GR-CO, Community Commercial-Conditional Overlay District zoning to "GR-CO, Community Commercial-Conditional Overlay district, in order to delete a previous condition of zoning. Planning Commission Recommendation: To grant "GR-CO", Community Commercial-Conditional Overlay District zoning with conditions. Applicant: Tri-Roads II, Ltd. (Henry B. Mayes, Jr.); Agent: Lopez-Phelps, Vaughn & Associates, Inc. (Amelia Lopez-Phelps). City Staff: David Wahlgren, 499-6455.

**Close public hearing and approve Ordinance No. 980813-E on Councilmember Spelman's motion, Councilmember Goodman's second, 6-0 vote, Mayor Pro Tem Garcia absent.**

77. C14-98-0090 - Public hearing to amend Chapter 13-2 of the Austin City Code by zoning property locally known as 12151 Hunters Chase Drive from "I-RR", Interim Rural Residence to "GR", Community Commercial. Planning Commission Recommendation: (To grant "GR" Community Commercial District Zoning. Applicant: Bethany Place 1, Ltd. (Tom Craddick); Agent: Jim Bennett. City Staff: David Wahlgren, 499-6455.

**Ordinance No. 980813-F approved on Councilmember Spelman's motion, Councilmember Goodman's second, 6-0 vote, Mayor Pro Tem Garcia absent.**

## **PUBLIC HEARINGS**

78. **6:00 P.M.** - Public hearing on proposed 1998-99 Budget: Transportation and Infrastructure. (Councilmember William Spelman and Mayor Kirk Watson)  
**Motion to close public hearing by Councilmember Griffith, Councilmember Goodman's second, 4-0 vote, Councilmembers Lewis and Slusher off the dais, Mayor Pro Tem Garcia absent.**
79. **6:30 P.M.** - Public hearing on a variance request by the Parks and Recreation Department to construct a parking lot for Red Bud Isle in the 25-year floodplain.

Motion to close public hearing by Councilmember Griffith, Councilmember Lewis' second, 5-0 vote, Councilmember Spelman off the dais, Mayor Pro Tem Garcia absent.

#### ACTION ON PUBLIC HEARINGS

80. Approve a variance request by the Parks and Recreation Department to construct a parking lot for Red Bud Isle in the 25-year floodplain. (Recommended by Parks Board and Water and Wastewater commission.)  
Approved on Councilmember Lewis' motion, Mayor Watson's second, 5-0-1 vote, Councilmember Griffith abstaining, Mayor Pro Tem Garcia absent.

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

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

81. Discuss Twinkle Hinderer Acord, et al. v. Thomas Sidney Bones, II, et al., Cause No. 96-06194, Travis County District Court.
82. Discuss City of Austin v. Southwestern Bell Video Services, Docket No. A-98-CA-028, U.S. District Court for the Western District Texas.
83. Discuss John Mount, et al. v. City of Austin, Cause No. 95-14287, Travis County District Court.
84. 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.)
85. Discuss City of Austin v. Horse Thief Hollow Ranch, Ltd., et al., CA No. 98-00248, Travis County District Court.

#### Real Estate – Section 551.072

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

87. Discuss fee simple acquisition of Lot 1, L.G. Dement Subdivision, locally known as the Blackstock Clinic, for the relocation of the David Powell Clinic.

#### ACTION ON THE FOLLOWING

88. Approve a resolution authorizing fee simple acquisition of Lot 1, L.G. Dement Subdivision, locally known as the Blackstock Clinic, located at 4614 North IH-35, Austin, Texas, from CTMF, INC., for the relocation of the David Powell Clinic and authorize CTMF Inc., to lease back from the City of Austin the Blackstock Clinic for an interim period at a rate between \$7.00 to 11.50 per square foot with CTMF, Inc., paying all expenses.

**Resolution No. 980813-88 approved in an amount not to exceed \$800,000**

89. Consider an ordinance to adopt a settlement agreement in W.W. Deerfield, Ltd. v. City of Austin, Cause No. 96-13413 in the Travis County District Court, waiving board and commission review, and providing for a case specific amendment to the SOS Ordinance

**Ordinance No. 980813-C approved**

**Items 88 and 89 approved on Councilmember Spelman's motion, Councilmember Goodman's second, 6-0 vote, Mayor Pro Tem Garcia absent.**

90. APPOINTMENTS

Airport Advisory Board – **WILLIAM (BILL) MARTIN (COUNCILMEMBER GOODMAN)**

Federally Qualified Health Center Board – **HAL KATZ (ATTORNEY REPRESENTATIVE-CONSENSUS)**

MBE/WBE Advisory Committee – **VELVA PRICE (REAPPOINTMENT-PROFESSIONAL ORGANIZATION REPRESENTATIVE-CONSENSUS)**

Urban Forestry Board – **SCOTT JOHNSON (CONSENSUS)**

Water & Wastewater Commission – **ROBERT HINOJOSA (REAPPOINTMENT-MAYOR Pro Tem Garcia); CHIEN LEE (COUNCILMEMBER GOODMAN)**

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

#### ADDENDUM

AUGUST 13, 1998

91. City/County Health and Human Services Department issues.  
**Presentation given by Marsha Conner and David Lurie, no action taken.**
92. Approve an ordinance authorizing amendments to the City's Financial Policies. (No fiscal impact.)  
[Recommended by Audit & Finance committee]  
**Ordinance No. 980813-D approved to delete the words "capital improvement projects that are located in a "Desired Development Zone" and the related plant expansions as well as for" from paragraph (7) and the words "those projects located in the "Desired Development Zone" within the**

full and limited purposes areas of the City and plant improvements and rehabilitation's do not require voter approved revenue bonds" from paragraph (8) of Part 3 of Ordinance No. 980806-H by Councilmember Spelman, Councilmember Slusher's second, 6-0 vote, Mayor Pro Tem Garcia absent.

EXECUTIVE SESSION (No Public discussion on These Items)

Private Consultation with Attorney – Section 551.071

93. Discuss Janice Bailey, et al. V. City of Austin, Cause No. 03-97-00789-CV, in the court of Appeals for the third Judicial District of Texas at Austin.

NOTE: The above items will be considered under their respective category, but follow the last number on the Austin, Texas, City Council Agenda for August 13, 1998.

ADJOURNED at 9:10 p.m. on Councilmember Lewis' motion, Councilmember Griffith's second, 6-0 vote, Mayor Pro Tem Garcia absent.

Approved on this the 20<sup>th</sup> day of August, 1998 the minutes for regular meeting of August 13, 1998, meeting of August 12, 1998 postponed on Councilmember Lewis' motion, Councilmember Slusher's second, 4-0-1 vote, Councilmember Goodman abstaining, Councilmember Griffith off the dais, Mayor Pro Tem Garcia absent.