



Austin City Council MINUTES

DECEMBER 16, 1993 - 1:00 P.M.

Mayor Todd called to order the meeting of the Council, noting the absence of Councilmember Nofziger. Mayor Pro Tem Urdy was absent following the Executive Session.

1. Approval of Minutes for Regular Meeting of December 2, 1993 and December 9, 1993.

Approved Minutes, with correction, for December 2, 1993 (Minutes of December 9, 1993 not ready for approval) on Councilmember Garcia's motion, Councilmember Goodman's second, 5-0 Vote, Councilmember Nofziger absent, Mayor Pro Tem Urdy out of the room.

SIGNING OF CITY OF AUSTIN COMMITMENT

City Manager Barnett introduced the City of Austin commitment and invited the Mayor, Councilmembers and staff to sign it.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Lawrence Smith, to present an award of appreciation to Mayor Pro Tem Urdy.
3. Mr. Mike Workman, to invite the Council and community to events on Monday, December 27th and 30th to commemorate Stephen F. Austin on the anniversary of his death. ABSENT
4. Ms. Charlene Shillman, to discuss "Christmas is coming and the cider is in the keg." Support the Museum of Fine Arts, Austin. ABSENT
5. Mr. Leonard Fuller, to discuss recycling. ABSENT
6. Mr. Paul Robbins, to discuss the South Texas Nuclear Project.

1:30 P.M. - REVENUE REFUNDING BONDS

7. Approve an Ordinance authorizing the issuance of City of Austin, Texas Hotel Occupancy Tax Revenue Refunding Bonds, Series 1993A, including approval and authorization of a Purchase Contract, Special

Escrow Agreement, Paying Agent/Registrar Agreement, Notice of Redemption and Official Statement pertaining thereto. (Reviewed by Audit and Finance Committee)

8. Approve an Ordinance authorizing the issuance of City of Austin, Texas, Convention Center Revenue Refunding Bonds, Series 1993B, including approval and authorization of a Purchase Contract, Special Escrow Agreement, Paying Agent/Registrar Agreement, Notice of Redemption and Official Statement pertaining thereto. (Reviewed by Audit and Finance Committee)
9. Approve the redemption of certain outstanding bonds of the City of Austin.

#7, 8 and 9 on Councilmember Reynolds' motion, Councilmember Garcia's second, 5-0 Vote, Councilmember Nofziger absent, Mayor Pro Tem Urdy out of the room.

ITEMS CONTINUED FROM PREVIOUS MEETING

10. Approve an Interlocal Agreement with the Austin Independent School District for the Development of a schedule and master plan to renovate the Sunken Gardens in Zilker Park by the Project ESOS (Educating Students through Opportunity & Service) Academy, in the amount of \$6,000. (Councilmember Brigid Shea)
~~DELETED FROM AGENDA~~

ORDINANCES

11. Approve issuance by North Austin Municipal Utility District No. 1 of Contract Revenue Refunding Bonds Series 1994, in an amount not to exceed \$16,750,000; approving the terms, conditions and covenants of the Bond Resolution and Preliminary Official Statement. (The City would realize its pro rata share (65.19%) of the Contract Revenue Bonds, a present value savings of \$498,222 based on current market conditions.)
12. Repeal Ordinance No. 931007-B which declared the necessity for paving Teri Road from IH-35 to Freidrich Lane. (The Teri Road project is funded by General Obligation bonds authorized in 1984. Paving assessment revenues for the Teri Road project were never anticipated or budgeted, therefore there is no fiscal impact.)
13. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 2700 Gracy Farms Lane, Case No. C14-93-0138, from "RR", Rural Residence and "LO", Limited Office to "GR-CO", Community Commercial-Conditional Overlay, ADEL ELDAHMY, by Resolutions

Planning and Design Services, Inc. (Lauretta Dowd). First reading on December 2, 1993; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council.

14. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 6266 Hwy. 290 West, Case No. C14-93-0133, from "DR", Development Reserve to "GR-CO", Community Commercial-Conditional Overlay, JAMES M. WHITE, by Dan Shanahan. First reading on December 2, 1993; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council.
15. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as Pansy Lane and Avenue N, Case No. C14-93-0068, from "LR", Neighborhood Commercial, "R&D", Research and Development, and "P", Public District to "SF-6-CO", Townhouse and Condominium Residence-Conditional Overlay, zoning for Planning areas 3 and 12B (Tracts 1 & 2), "RR", Rural Residence, zoning for Planning Area 25G (Tract 3), and "MF-1", Multifamily Residence (limited density), zoning for Planning Area 12A (Tract 4), MELLON PROPERTIES CO. (Blake Magee), by Graves, Dougherty, Bearon & Moody (Anne E. Vanderburg). First reading on October 7, 1993; Vote 6-0, Councilmember Garcia out of the room. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council. Restrictive covenant incorporating conditions imposed by Council has been executed.

#11-15 on Councilmember Reynolds' motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Councilmember Nofziger absent.

16. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 1000-1032 Capital Parkway, Case No. C14-92-0137, from "LO", Limited Office to "MF-2-CO", Multifamily Residence (low density)-Conditional Overlay, AUSTIN TREEMONT, INC. (Larry Peel, President), by Land Strategies, Inc. (Paul Linehan). First reading on April 15, 1993; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council.

On Councilmember Reynolds' motion, Mayor Pro Tem Urdy's second, 5-0-1 Vote, Councilmember Nofziger absent, Councilmember Goodman abstained.

17. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 1088 Park Place, Case No. C14-93-0134, from "SF-3", Family Residence to "MF-3-CO", Multifamily Residence (medium density)-Conditional Overlay and "RR", Rural Residence for the area in the floodplain,

EDWARD JOSEPH DEVELOPMENTS (Evan M. Williams). First reading on December 2, 1993; Vote 7-0. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council.

18. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 11665-11671 Jollyville Road, Case No. C14-93-0070, from "LO", Limited Office to "LI-PDA", Limited Industrial Services-Planned Development Area, ASOMA TOWER, INC. (E.B. King), by Sherrill Riley. First reading on August 5, 1993; Vote 6-0, Councilmember Nofziger absent. Conditions met as follows: The conditions imposed by Council have been incorporated into the combining zoning district provisions of the ordinance and a Restrictive Covenant.
19. Approve second reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 7601 Burnet Road, Case No. C14-93-0075, from "SF-3", Family Residence to "GR-CO", Community Commercial-Conditional Overlay, JOHN McCARTHY, BISHOP OF AUSTIN, by Maricopa Southern, Inc. (Richard Harris). First reading on August 26, 1993; Vote 7-0. Conditions met as follows: The conditions imposed by Council have been incorporated into a Conditional Overlay and a Restrictive Covenant.
20. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 4430 Manchaca Road and 2000-2098 Redd Street (even numbers only) Case No. C14-92-0097, from "CS", Commercial Services and "SF-3", Family Residence to "LO", Limited Office, CHRISTIAN REFORMED BOARD OF HOME MISSIONS, by Mattie Dixon. First reading on December 17, 1992; Vote 6-0, Councilmember Garcia absent. Conditions met as follows: a street deed has been executed to satisfy the condition imposed by Council.

RESOLUTIONS

21. Approve the filing of eminent domain proceedings to acquire fee simple title in a parcel containing 1,151 square feet of land, and a temporary construction easement containing 639 square feet of land out of and a part of Lot 11, Block 20 of the Louis Horst's Subdivision of Lot 20, Division "D" in Austin, Travis County, Texas, owned by George C. Robinson and Jennie Oleta Robinson for the Traffic Systems Management design plans for Martin Luther King at Guadalupe Project. (Estimated cost of this action is \$30,000 - funding was included in the 1992-93 Capital Budget of the Public Works and Transportation Department.)
22. Approve the use of an Executive Search/Placement Firm for the position of Director, Austin Convention and Visitors Bureau, in an

estimated amount not to exceed \$35,000. (Funding is available in the 1993-94 operating budget of the Austin Convention and Visitors Bureau)

23. Authorize giving official notice to Travis County Rural Fire Prevention Districts 1, 5, 6, 7, 10 and Emergency Services District No. 4 of full-purpose annexations by the City of Austin in calendar year 1993. (No fiscal impact.)
 24. Approve the selection of JASTER-QUINTANILLA & ASSOCIATES, Austin, Texas, and authorize negotiations and execution of a professional services agreement for a Design Engineer for the Terminal Access Road at the new Airport, in an amount not to exceed \$2,600,000. (Funding was included in the 1993-94 Capital Budget for Aviation. The project is eligible for 75% future grant reimbursement of eligible costs.) Best proposal of seven (7). DBE Subcontractor participation: 56% (56% MBE, 0% WBE) [Reviewed by Airport Advisory Board]
 25. Amend the Interlocal Agreement with Travis County for provision of Emergency Medical Services and Helicopter Services to revise ground ambulance dispatch protocols and annual fee adjustments. (Funding in the amount of \$4,000 for increased helicopter support fees is available in the 1993-94 operating budget of Brackenridge Hospital.)
 26. Authorize Brackenridge Hospital to join the Texas Hospital Association endorsed Medicare disproportionate share group appeal and approve the negotiation and execution of a combined contingency fee agreement with Bennett & Bigelow, P.S., Seattle, Washington, and Medical Reimbursement Advisors, Inc., Seattle, Washington, for legal and accounting services, in a total amount not to exceed 26% of any increase in reimbursement for 1986 through the current fiscal year. (Funding for a \$2,000 pro rata share of expenses is available in the 1993-94 operating budget of Brackenridge Hospital; the contingency fee would be funded through a budget amendment that increased revenue as a result of reimbursement.) (Recommended by Hospital Board)
- #17-26 on Councilmember Reynolds' motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Councilmember Nofziger absent.
27. Consider negotiation and execution of a first amendment to the contract with the Austin Hospital Authority to provide a time extension from the current termination date of January 3, 1994. (Funding is available in the 1993-94 operating budget of Brackenridge Hospital; funding for the Austin Hospital Authority was approved by Council in the amount of \$643,500 on February 4, 1993;

\$243,717 was expended in 1992-93 and \$399,783 was included in the 1993-94 operating budget.)

By acclamation, 5-0 Vote, Mayor Pro Tem Urdy out of the room, Councilmember Nofziger absent.

28. Approve execution of a twelve (12) month contract with COMPUTER ASSOCIATES, Austin, Texas, for the purchase of IDMS (Integrated Database Management System) software, which will enable the transfer of information generated by Police officers on laptop computers to the mainframe data base, including licensing and maintenance, in the amount of \$123,040. (Funding is available in the 1993-94 operating budget of the Police Department.) Sole Source. No M/WBE Subcontracting opportunities were identified.
29. Approve execution of a twelve (12) month contract with COMPUTER ASSOCIATES, Austin, Texas, for the purchase of annual computer software licensing and maintenance support of two (2) products to ensure continued operation of the City's mainframe computer applications for the Information Systems Department, in the amount of \$83,075. (Funding is available in the 1993-94 operating budget for the Information Systems Department.) Sole Source. No M/WBE Subcontracting opportunities were identified.
30. Approve execution of a twelve (12) month contract with IBM CORPORATION, Austin, Texas, for the purchase of continued licensing and maintenance of IBM mainframe software, in an amount not to exceed \$1,024,675, with two (2) twelve (12) month extensions, in an amount not to exceed \$1,127,142, and \$1,239,856 respectively, for a total amount not to exceed \$3,391,673. (Funding in the amount of \$471,207 is available in the 1993-94 operating budget of the Information Systems Department; \$372,408 is available in the 1993-94 operating budget of the Police Department; \$181,060 is available in the 1993-94 operating budget of Brackenridge Hospital; funding for the extension options is contingent upon availability of funding in future budgets.) Sole Source. No M/WBE Subcontracting opportunities were identified.
31. Approve execution of a nine (9) month contract with IBM CORPORATION, Austin, Texas, and the STATE OF TEXAS PURCHASING AND GENERAL SERVICES COMMISSION, for IBM mainframe computer and peripheral hardware assistance, in an estimated amount not to exceed \$283,507, with the option to extend for two (2) twelve (12) month extensions in the amount of \$577,647 per extension, for a total amount not to exceed \$1,438,801. (Funding is available in the 1993-94 operating budgets of the following departments: \$44,551 of the Information Systems Department; \$106,147 of Brackenridge Hospital; and \$132,809 of the Police Department; funding for the extension options is contingent upon availability of funding in future budgets.)

32. Authorize negotiation and execution of an amendment to the professional services agreement with BOB OLTMAN & ASSOCIATES, Chandler, Arizona, for additional construction phase irrigation review services for the new 18-hole golf course adjacent to Jimmy Clay Golf Course, in the amount of \$14,001, for a total contract amount of \$47,988. [Funding was included in the 1993-94 Capital Budget of the Golf Enterprise Fund (Jimmy Clay Expansion)]. No M/WBE Subcontracting opportunities were identified.
33. Approve execution of a twelve (12) month supply agreement with AUSTIN CRUSHED STONE COMPANY, Austin, Texas, for the purchase of flexible base material for use by the Parks, Public Works and Transportation and Electric Departments, in an amount not to exceed \$573,045.46, with one (1) twelve (12) month extension option, in an amount not to exceed \$573,045.46 per extension, for a total amount not to exceed \$1,146,090.92. (Funding in the amount of \$295,781.58 is available in the 1993-94 operating budget of the Transportation Fund; \$95,175 is available in the 1993-94 operating budget of the Electric Utility; \$38,827.44 is available in the 1993-94 operating budget of the Parks Department; funding for the final three (3) months of the original contract period and the extension option is contingent upon availability of funding in future budgets.) Low bid of two (2). 10% MBE, 0% WBE Subcontractor participation.
34. Approve negotiation and execution of a contract for the Fair Housing and Tenant Counseling Program with the Austin Tenant's Council, in an amount not to exceed \$165,000, with two (2) twelve (12) month extension options, in an amount not to exceed \$165,000 per extension, for a total amount not to exceed \$495,000. (Funding is available in 19th Year (1993-94) Community Development Block Grant (CDBG) funds; funding for the extension options is contingent upon availability of CDBG funding in future years.) Single proposal. No M/WBE Subcontracting opportunities were identified. (RECOMMENDED by Housing Subcommittee on December 14, 1993.)
35. Approve a \$40,500 Neighborhood Commercial Management Program Loan to Leon Hernandez Sr., dba Hernandez Cafe, for the purchase of a building located at 1201 E. 6th Street. [Funding is available in the 19th Year Community Development Block Grant (CDBG)/Neighborhood Commercial Management Program grant funds, budgeted in the Special Revenue Fund of the Department of Planning and Development.] (To be reviewed by Housing Subcommittee on December 14, 1993.)
36. Set a public hearing to approve a 0.134 square acre (5,846 sq. ft.) permanent wastewater use agreement and 0.752 acre (32,856 sq. ft.) temporary use agreement to allow the construction of the Williamson Creek Wastewater Interceptor Tunnel through dedicated parkland known as Williamson Creek Greenbelt in accordance with Sec. 26.0001 of the Texas Parks and Wildlife Code. (Suggested date and time: January 20, 1994 at 4:30 p.m.)

37. Set a public hearing pursuant to Chapter 395 of the Texas Local Government Code to consider approval of proposed update to Impact Fee CIP and Land Use Assumptions; amendment of Impact Fee Service Area and Water and Wastewater Service area; and consider amendments to Chapter 13-3A, Land Development Code, approving and incorporating the amended Impact Fee CIP and Land Use Assumptions. (Suggested date and time: FEBRUARY 3, 1994 at 4:30 p.m.)

#28-37 on Councilmember Reynolds' motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Councilmember Nofziger absent.

ITEMS FROM COUNCIL

38. Approve an ordinance establishing prohibitions against loitering for the purpose of illegal drug activities or prostitution. (Councilmembers Brigid Shea and Gus Garcia, and Mayor Bruce Todd)

PUT ON FEBRUARY 3, 1994 AGENDA.

39. Approve a resolution supporting the Dietary Supplement Health and Education Act of 1993. (Councilmembers Jackie Goodman and Brigid Shea)

On Councilmember Reynolds' motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Councilmember Nofziger absent.

40. Amend Ordinance No. 930915-D, the 1993-94 Fee Ordinance, to affect certain fees, rates and charges relating to the Austin Convention Center Department. (Councilmembers Brigid Shea and Jackie Goodman)

Councilmember Shea stated that the above ordinance will be brought back at a later date. She substituted a Resolution for Council to vote on, which, she said, "Is a statement of Council's intent". Councilmember Goodman offered a friendly amendment to change the language in "Be it Further Resolved" to read quarterly report. The friendly amendment was accepted by Councilmember Shea. Council also directed the City Manager to come back to them with a proposal as to how to calculate profitability.

Motion

The Council, on Councilmember Shea's motion, Councilmember Goodman's second, adopted a RESOLUTION concerning Council's intent to clarify the negotiation authority on fees and charges provided to the Austin Convention Center Department Director in the Council-approved booking policies, with the friendly amendment by Councilmember Goodman to include a quarterly report. 5-0 Vote, Mayor Pro Tem Urdy and Councilmember Nofziger absent.

41. Direct the Planning Commission, the Parks and Recreation Board and the Environmental Board to review and make recommendations to the City Council on projects envisioned for Zilker Park and on advisable revisions to the Town Lake Park Comprehensive Plan as it pertains to Zilker Park. (Councilmember Jackie Goodman)
POSTPONED TO JANUARY 6, 1994.

42. Approve a resolution to assist American Institute for Learning in its submission of an application to the United States Department of Housing and Urban Development for a Youthbuild grant. RECOMMENDED BY THE HOUSING SUBCOMMITTEE ON DECEMBER 14, 1993 (Councilmember Gus Garcia)

On Councilmember Reynold's motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Councilmember Nofziger absent.

43. Consider giving direction to the City Manager and Planning Commission regarding the processing of development applications. (Councilmember Jackie Goodman)
WITHDRAWN

44. Amend Ordinance No. 931209-H (Bull Creek and West Bull Creek Regulations) by amending Part 2, Part 3, and/or Part 5; extending ordinance requirements citywide. (Councilmembers Jackie Goodman and Ronney Reynolds)

On Councilmember Reynolds' motion, Councilmember Goodman's second, 5-0 Vote, Councilmember Nofziger absent, Mayor Pro Tem Urdy out of the room.

45. Set public hearings on the full purpose annexation of the R.W. Walling Tract on Parmer Lane. (Suggested date and time: January 20, 1994 and February 3, 1994 at 5:00 p.m.) (Councilmember Jackie Goodman)

On Councilmember Reynolds' motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Councilmember Nofziger absent.

46. Approve a resolution directing the City Manager to take all measures immediately necessary to account for all program income received by appropriate subrecipients and to secure remittance of program income by the affected subrecipients to the City to conform to HUD requirements. (Mayor Bruce Todd and Councilmember Gus Garcia)
[Related to Item 76]

On Councilmember Shea's motion, Councilmember Garcia's second, 5-0 Vote, Mayor Pro Tem Urdy out of the room, Councilmember Nofziger absent.

86. (ADDENDUM) Approve an ordinance canceling the City Council meeting of January 13, 1994. (Councilmembers Shea and Goodman)
~~DELETED FROM AGENDA~~

3:00 P.M. - ELECTRIC UTILITY (Items 47-60)

47. Electric Utility Report - Jim Cash, Chair Report presented.
48. Resource Management Report - Glenn Crow, Chair Report presented.
49. Monthly Management Report Report presented by John Moore, Director of Electric Utility.
50. Approve execution of a contract with APPLIED ENERGY COMPANY, San Antonio, Texas, for the purchase of seven (7) oil filtration systems for the Decker #2 Turbine generator, in the amount of \$36,785. (Funding was included in the 1993-94 Capital Budget for the Electric Utility Department.) Sole Source. No M/WBE Subcontracting opportunities were identified.
51. Approve a contract award with ENVIRONMENTAL EQUIPMENT SERVICE CORPORATION, Jefferson, Indiana, for the construction of the Superheater Outlet Header and Deaerator Modifications at the Holly Power Plant, in the amount of \$297,777. (Funding was included in the 1993-94 Capital Budget for the Electric Utility.) Low bid of two (2). 41.8% MBE, 5.5% WBE Subcontractor participation.
52. Approve execution of a contract award to TEXAS INDUSTRIAL WASTE CONTROL, INC., Round Rock, Texas, for the demolition and removal of fuel storage tanks No. 44 and 45 and associated piping and cleaning and inspection of fuel oil storage tank No. 42 at Holly Power Plant, in the amount of \$249,000. (Funding was included in the 1993-94 Capital Budget for the Electric Utility Department.) Low bid of five (5). 6.30% MBE, 0% WBE Subcontractor participation.
53. Approve a contract award with RIZZO CONSTRUCTION, Austin, Texas, for the Holly Good Neighbor Action Plan II, for the construction and reconditioning of youth ballfields adjacent to the Holly Plant, in the amount of \$518,473. (Funding was included in the 1993-94 Capital Budget for the Electric Utility.) Single bid. 18.02% MBE, 5.03% WBE Subcontractor participation.
54. Approve execution of a contract with SIEMENS ENERGY & AUTOMATION, INC., San Antonio, Texas, for the purchase of four (4) circuit switchers for use at the new Ed Bluestein Substation, in the amount of \$142,000. (Funding was included in the 1991-92 Capital Budget for the Electric Utility.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified.

55. Approve the negotiation and execution of a three (3) year lease with two (2) twelve (12) month extension options, with INDUSTRIAL PROPERTIES, INC., for approximately 41,428 square feet of warehouse space located at 2515 Brockton Drive, for use as warehouse space by the Electric Utility, in the amount of \$188,911.68. (Funding is available in the 1993-94 operating budget for the Electric Utility; funding for the final 27 months of the original lease period and the extension options is contingent upon availability of funding in future budgets.)
56. Approve execution of a contract with ABB C/O WESTINGHOUSE, San Antonio, Texas, for the purchase of six (6) metal-clad switchgear units for use at the Patton Lane substation, in the amount of \$932,289. (Funding was included in the 1993-94 Capital Budget of the Electric Utility.) Low bid of eight (8). No M/WBE Subcontracting opportunities were identified.
57. Approve execution of a revenue generating contract with SWIFT ENERGY COMPANY, Houston, Texas, for an oil and gas lease covering the City's interest in a 4,058.2 acre tract of land at the Fayette Power Project, for a three (3) year primary term for a bonus payment of \$710,185 and a 22.5% royalty interest. High bid of five (5). No M/WBE Subcontracting opportunities were identified.
58. Approve execution of a twelve (12) month supply agreement with CUSTOM CRETE, INC., Austin, Texas, for the purchase of various types and classes of ready-mix concrete used for streetlight and pier foundations, in the amount of \$793,950, with the option to extend for two (2) twelve (12) month periods, in the amount of \$793,950 per extension, for a total contract of \$2,381,850. (Funding is available in the 1993-94 operating budget for the Electric Utility; funding for the extension options is contingent upon availability of funding in future budgets.) Low bid of three (3). No M/WBE Subcontracting opportunities were identified.
59. Approve execution of a contract with ALAMO TRANSFORMER SUPPLY, San Antonio, Texas, for the purchase of six (6) power transformers to be installed at the Patton Lane and Ed Bluestein Substations, in the amount of \$2,014,200. (Funding was included in the 1993-94 Capital Budget for the Electric Utility.) Low bid of nine (9). No M/WBE Subcontracting opportunities were identified.
60. Approve execution of a contract with WESTINGHOUSE ELECTRIC SUPPLY, San Antonio, Texas, for the purchase of network transformers for use in upgrading the downtown distribution system, in the amount of \$707,834.88. (Funding was included in the 1993-94 Capital Budget for the Electric Utility.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified.

#50-60 on Councilmember Garcia's motion, Councilmember Goodman's

second, 5-0 Vote, Councilmember Nofziger absent, Mayor Pro Tem Urdy out of the room.

RECESS - Council recessed at 3:40 P.M. for the following. They resumed the regular meeting of the Council at 3:45 P.M.

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

The Mayor will recess the City Council meeting. A Board meeting of the Austin Housing Finance Corporation (AHFC) will be conducted. Following adjournment of the AHFC Board meeting the City Council meeting will be reconvened. Items 61-64 are AHFC agenda items to be considered by the Austin Housing Finance Corporation's Board of Directors.

61. Approve Minutes of September 16, 1993 meeting.
62. Authorize issuance of up to \$7,000,000 aggregate principal amount of Austin Housing Finance Corporation Multifamily Housing Revenue Refunding Bonds, (Stassney Woods Apartment Project), Series 1994 to refund Austin Housing Finance Corporation Multifamily Mortgage Revenue Note (Stassney Woods Apartments Project) Series 1985; authorizing a loan agreement, deed of trust and other documents relating thereto. (All fees paid by owner or out of bond proceeds.) [To be reviewed by Housing Subcommittee on December 14, 1993.]
POSTPONED TO JANUARY 1994 BY THE HOUSING SUBCOMMITTEE.
63. Amend the Austin Housing Finance Corporation 1993-94 budget by increasing revenue and appropriations by \$36,000 as a result of the restructuring of the \$13,300,000 Austin Housing Finance Corporation's Multifamily Mortgage Revenue Bonds (Stassney Woods Apartments Project) 1985. [All fees paid by owner or out of bond proceeds.] (To be reviewed by Housing Subcommittee on December 14, 1993.)
POSTPONED TO JANUARY 1994 BY THE HOUSING SUBCOMMITTEE
64. Elect William R. Cook as Secretary/Treasurer of the Austin Housing Finance Corporation. (RECOMMENDED by Housing Subcommittee on December 14, 1993.)

ITEMS 61-64 ARE NOT A PART OF THE REGULAR COUNCIL MEETING AND ARE NOT RECORDED IN THESE MINUTES.

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

65. C14-90-0017 - IVANHOE, INC. (Claude Maynard), by Richardson Verdoorn (Nancy Riviere), FM 2222 and N. FM 620. From DR to RR (Tract 1) and SF-2 (Tract 2). Planning Commission Recommendation: To Grant RR, Rural Residence for Tract 1 and SF-2, Single Family Residence

(standard lot) for Tract 2, subject to the following provisions: (1) provide access to the west through the Ribelin Tract from the McNeil Road; (2) provide a minimum 2 @ 24' roadway access from McNeil Road; (3) dedication of 75' of right-of-way and 150' of right-of-way reserved from the existing centerline of RM 2222 in accordance with the roadway plan; and (4) provision of signalization at McNeil Road and FM 2222 if staff study deems this is necessary.
FIRST READING

66. C14-93-0022 - IVANHOE, INC. (Claude Maynard), by Richardson Verdoorn (Nancy Riviere), FM 2222. From DR to SF-1. Planning Commission Recommendation: To Grant SF-1-CO, Single Family Residence (large lot)-Conditional Overlay, limited to a maximum of 82 units and 90 feet of right-of-way dedication for the extension of Arterial 8 in accordance with the roadway plan.
FIRST READING

REFER #65-66 BACK TO THE PLANNING COMMISSION 1/4/94 FOR INPUT REGARDING 1) CUMULATIVE TRAFFIC IMPACT AND ENVIRONMENTAL IMPACT (HAVE FISH AND WILDLIFE MAKE A PRESENTATION TO EXPLAIN 10-A PERMIT PROCESS), AND 2) APPROPRIATE LAND USE FOR SUBJECT TRACTS.

#65-66 on Councilmember Shea's motion, Councilmember Garcia's second, 6-0 Vote, Councilmember Nofziger absent.

67. C14H-93-0019 - COOK-SIFUENTES, 1009 East 9th Street. From SF-3 to SF-3-H. Planning Commission Recommendation: To grant SF-3-H zoning.
ORDINANCE
68. C14H-93-0023 - ZILLER-WALLACE HOUSE, 1110 Blanco. From SF-3 to SF-3-H. Planning Commission Recommendation: To grant SF-3-H zoning.
ORDINANCE
69. C14H-93-0025 - FINCH-KRUGER HOUSE, 3300 Duval. From SF-3 to SF-3-H. Planning Commission Recommendation: To grant SF-3-H zoning.
ORDINANCE
70. C14-93-0119 - MELLON PROPERTIES CO. (Blake Magee), by Graves, Dougherty, Hearon (Anne E. Vanderburg), 11828 to 11910 Metric Boulevard and 11947 to 11955 Stonehollow Drive. From GR-CO to GR. Planning Commission Recommendation: To grant GR-CO zoning with the following prohibited uses: (1) automotive sales; (2) automotive rentals; (3) commercial off-street parking; (4) automotive washing; (5) automotive repair services; (6) exterminating services; (7) hotel/motel (8) pawn shops; and the following conditions: limiting

the height to 25 feet and subject to the conditions of the Transportation Impact Analysis.

ORDINANCE

#67-70 On Councilmember Garcia's motion, Councilmember Reynolds' second, 5-0 Vote, Councilmember Nofziger absent, Mayor Pro Tem Urdy out of the room.

PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

71. **4:30 P.M.** - Public hearing to approve construction of the Oak Hill Branch Library on approximately 12 acres of Dick Nichols Park in accordance with Chapter 26 of the State Parks and Wildlife Code. (Recommended by Parks Board)

The Council, on Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, closed the public hearing, 6-0 Vote, Councilmember Nofziger absent.

Site approved on Councilmember Shea's motion, Councilmember Garcia's second, 4-0-2 Vote, Councilmember Nofziger absent, Mayor Pro Tem Urdy and Councilmember Goodman abstained.

72. **5:00 P.M.** - Public hearing on Austin Downtown Public Improvement assessments; approval of assessment roll and levy of assessments. (Related to Item 73)

The Council, on Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, closed the public hearing. 6-0 Vote, Councilmember Nofziger absent.

73. Amend Ordinance No. 930915-A, the 1993-94 operating budget, by increasing revenue and appropriations for the Planning and Development Special Revenue Fund for the Downtown Public Improvement District (PID) by \$656,758.34. (Funding in the amount of \$506,758.34 will be provided through 1994 assessments; \$100,000 is available in the 1993-94 General Fund operating budget; \$25,000 is available from the Travis County annual contribution and \$25,000 is available from the Capital Metro annual contribution.) [Related to Item 72]

On Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Councilmember Nofziger absent.

74. **5:30 P.M.** - Amend Ordinance No. 920312-A, the Ozone Depleting Chemicals Ordinance, controlling sales of "substitute refrigerants, amending chiller leak repair requirements, amending hardship request language and time period, requiring compliance with all Federal rules governing Class I and Class II refrigerants, including recovery/recycling equipment standards and technical certification

requirements, and requiring persons or businesses which solicit for service or repair to have a permit. (Recommended by Plumbing and Solar Board and Environmental Board)

Public hearing closed, on Councilmember Garcia's motion, Councilmember Reynolds' second, 5-0 Vote, Mayor Pro Tem Urdy out of the room, Councilmember Nofziger absent.

Approved, on Councilmember Garcia's motion, Councilmember Shea's second, 5-0 Vote, Mayor Pro Tem Urdy and Councilmember Nofziger absent.

75. 6:45 P.M. - Public Hearing and approve an ordinance waiving the Water Capital Recovery Fee, in the amount of \$1,308 and Water Connection Fee, in the amount of \$375, for Buck Gonzales, 14911 Vevey Drive; waiving the portion of the Capital Recovery Fee Ordinance requiring that an equivalent amount of City funds be deposited in the Capital Recovery Fee account. (Councilmembers Gus Garcia and Jackie Goodman)
~~DELETED FROM AGENDA~~

RECESS - Council recessed for executive session at 6:30 P.M.

EXECUTIVE SESSION (No Public Discussion on These Items)

Advice from Counsel - Section 551.071

76. Discuss legal issues related to Community Development Block Grant Funds disbursed to neighborhood based organizations and potential litigation. (Related to Item 46)
77. Discussion of Mabel Davis Park landfill issues.
78. Discuss real property located within the 504.9 contour line.

Land Acquisition - Section 551.072

79. Discuss real property and slope easement acquisitions for Teri Road improvements.
80. Discuss land acquisition for the Barton Creek Wilderness Park.
81. Discuss real property acquisitions for the Balcones Canyonland Conservation Plan.

ACTION ON THE FOLLOWING

82. Approve a resolution authorizing real property and slope easement acquisitions of Real Property for Teri Road improvements.

In the amount of \$76,634.40, on Councilmember Shea's motion, Councilmember Reynolds' second, 4-0-1 Vote, Councilmember Nofziger and Mayor Pro Tem Urdy absent, Councilmember Garcia abstained.

83. Authorize the negotiation and execution of a contract for the acquisition of 19.8 acres known collectively as the Stanzel tract through the Trust for Public Land for the Barton Creek Wilderness Park.

Postponed to December 21, 1993.

84. Authorize in accordance with the Interagency Agreement, the negotiation and execution of a contract for the purchase of of approximately 820 acres of land known as the Reicher Ranch from the Catholic Church of Central Texas through the Texas Nature Conservancy for the Balcones Canyonland Conservation Plan.

In the amount of \$2,500,000, on Councilmember Garcia's motion, Councilmember Goodman's second, 4-1-0 Vote, Councilmember Reynolds voted No, Councilmember Nofziger and Mayor Pro Tem Urdy absent.

85. **APPOINTMENTS**

URBAN FORESTRY - 1 (TO EXPIRE 6/1/94)

Appointed Kevin Casey, on Councilmember Garcia's motion, Councilmember Reynolds' second, 5-0 Vote, Mayor Pro Tem Urdy out of the room, Councilmember Nofziger absent.

ADJOURN Council adjourned its meeting at 11:00 P.M. on Councilmember Shea's motion, Councilmember Reynolds' second, 5-0 Vote, Mayor Pro Tem Urdy and Councilmember Nofziger absent.