



## Austin City Council MINUTES

JANUARY 19, 1995 - 1:00 P.M.

Mayor Todd called to order the meeting of the Council, noting the absence of Councilmember Reynolds.

### MINUTES APPROVED

1. Approval of Minutes for Regular Meetings of November 3, 1994 and January 12, 1995 and Special Meetings of January 5, 11 and 12, 1995

Approved Minutes of Regular Meeting of January 12, 1995 and Special Meetings of January 5, 11 and 12, 1995, on Councilmember Garcia's motion, Mayor Todd's second, 6-0 vote, Councilmember Reynolds absent.

### CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Gus Pena, juvenile crime, need for juvenile detox center, inhalant abuse, concerns relayed from the community.  
Not Present
3. Mr. Mark Skiles, discussion of crime/panhandling/transient problem for merchants on Barton Springs Road.
4. Mr. Roger Baker, to discuss matters arising.
5. Mr. Henry Ratliff, address prospects for '95.
6. Mr. Robert L. Thomas, that this year will our surge for employment at Rosewood as athletic programmers and land developers. I will need help from the City Manager and Council to acquire a job at the facility to initiate defense for the youth and businesses that are to come.

### BOARD AND COMMISSION REPORTS

7. PLANNING COMMITTEE - Mr. Ben Heimsath, Chair, to present Final Report.  
Report presented by Mr. Heimsath

### ITEMS CONTINUED FROM PREVIOUS MEETINGS

8. Approve execution of a contract with AT&T CORPORATION, Austin, Texas, for the purchase and installation of an AT&T Definity PBX Telephone system for Municipal Court, in an amount not to exceed \$300,000. (Funding was included in the 1994-95 Capital Budget of the Austin Municipal Court.) Sole source. No M/WBE Subcontracting opportunities were identified.  
Postponed one week

## ORDINANCES

9. Approve third reading to renew the taxicab franchise for YCC Austin Limited, Inc., dba Yellow Checker Cab Company, Inc. (Taxicab permit fee of \$400 per year per permit. Expected annual revenue is \$56,000)  
Ordinance No. 950119-A approved
10. Approve third reading to renew the taxicab franchise for Roy's Taxi, Inc. (Taxicab permit fee of \$400 per year per permit. Expected annual revenue is \$30,000)  
Ordinance No. 950119-B approved
11. Approve third reading to renew the taxicab franchise for Greater Austin Transportation Company, dba American Cab Company. (Taxicab permit fee of \$400 per year per permit. Expected annual revenue is \$55,600.)  
Ordinance No. 950119-C approved
12. Authorize acceptance of a grant in the amount of \$1,875,000.00 over three years, from the U.S. Justice Department, Bureau of Justice Assistance, Police Hiring Supplement Program, and amend Ordinance NO. 940912-D, the 1994-95 operating budget by increasing the appropriation for the Police Department to fund 25 additional officers. (Related to Item 13)  
Ordinance No. 950119-D approved
13. Amend Ordinance No. 940912-D, the 1994-95 operating budget by reducing the General Fund Contingency Reserve by \$347,137.00 and by increasing the appropriation for the Police Department by \$347,137.00, to add 14 non-sworn full-time equivalent positions. (Related to Item 12)  
Ordinance No. 950119-E approved

## RESOLUTIONS

14. Approve execution of a twelve (12) month service agreement with WESTERN TEMPORARY SERVICES, INC., Austin, Texas, to provide temporary personnel services on a "as needed" basis for the Data Entry Division of the Austin Police Department, in an amount not to exceed \$37,290.00 with two (2) twelve (12) month extension options in an amount not to exceed \$37,290.00 for the first option and \$37,290.00 for the second option, for a total not to exceed \$111,870. [Funding in the amount of \$24,860 for the first eight months (8) is available in the 1994-95 operating budget of the Police Department. Funding for the remaining four (4) months of the original contract period and the extension options is contingent upon available funding in future budgets.] Low bid of eight (8). No M/WBE Subcontracting opportunities were identified.  
Approved

Items 9-14 approved on Councilmember Garcia's motion, Mayor Pro Tem Nofziger's second, 6-0 vote, Councilmember Reynolds absent.

**Austin-Bergstrom International Airport (Item 15)**

15. Approve the award of a construction contract to Capital Excavation Company, Austin, Texas for the South Access Road Construction for Austin-Bergstrom International Airport, in an amount of \$3,733,411.11 plus a contingency fund of \$373,000.00 for change orders, for a total contract amount of \$4,106,411.11. (Funding in the amount of \$4,106,411.11 was included in the 1994-95 Capital budget of the Aviation Department.) Low bid of seven (7). 30.37% DBE Subcontracting Participation: 27.63% MBE, 3.03% WBE. (Reviewed by the Airport Advisory Board) Postponed one week
16. Approve a resolution authorizing payment of annual membership in the Capital Area Planning Council, in the amount of \$46,562.20. (Funding is available in the 1994-95 operating budget of the Financial Services Department.)  
Approved
17. Approve execution of a twelve (12) month supply agreement with AUSTIN CRUSHED STONE, for crushed stone and rip rap rock, used for insulation of water and wastewater pipes, for the Water and Wastewater Utility, in an amount not to exceed \$115,235.60 with two (2) twelve (12) month extension options in an amount not to exceed \$115,235.60 per extension option, for a total amount not to exceed \$345,706.80. [Funding in the amount of \$76,823.73 is available in the 1994-95 operating budget of the Water and Wastewater Utility. Funding in the amount of \$38,411.87 for the remaining four (4) months of the original contract and extension options are contingent upon available funding in future operating budgets.] Low bid of two (2). 10% MBE, 0% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)  
Approved
18. Approve selection of the firm of EMCON BAKER-SHIFLETT, INC., Austin, Texas, for negotiation and execution of a professional services agreement to provide engineering and associated services for the Springdale Park Environmental assessment, in the estimated amount of \$75,000.00 (Funding was included in the 1994-95 Capital Budget for Solid Waste Services.) Best qualification statement of thirteen (13). 10% MBE, 0% WBE Subcontractor participation.  
Approved

Items 16-18 approved on Councilmember Garcia's motion, Mayor Pro Tem Nofziger's second, 6-0 vote, Councilmember Reynolds absent.

19. Authorize the negotiation and execution of an amendment to a contract and a long term lease on a tract of land of approximately 23 acres out of a 53 acre tract from the Trust for Public Land for the Colorado River Park. (This will result in a \$82,000.00 savings from release of Lease Purchase approved on March 3, 1993.)  
Postponed
20. Set a public hearing on the Balcones Canyonlands Conservation Plan. (Suggested date and time: March 9, 1995 at 4:30 p.m.)

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

**3:00 P.M. - ELECTRIC UTILITY (Items 21-37)**

21. Electric Utility Commission Report - Marilyn Jones, Chair presented report
22. Resource Management Commission Report - Glee Ingram, Chair presented report
23. Monthly Management Report - John Moore presented report
24. Approve execution of a contract with GENERAL ELECTRIC SUPPLY COMPANY, Austin, Texas, for the purchase of twenty-nine (29) 3-phase pad mounted transformers used to provide electrical distribution by converting electrical power from the distribution system voltage to the utilization voltage for new commercial underground service customers, in the amount of \$355,458. (Funding was included in the 1994-95 Capital budget of the Electric Utility Department.) Low bid of six (6). No M/WBE Subcontracting opportunities were identified.  
Approved
25. Approve ratification of an emergency purchase with FARMER'S COPPER & INDUSTRIAL SUPPLY, INC., Galveston, Texas, in the amount of \$36,850 and POLELINE ELECTRIC SUPPLY, INC., Austin, Texas, in the amount of \$62,251.50 for the purchase of aluminum bus tubing (a conductor bar that carries heavy currents to supply several electric circuits) for the Garfield Station, for a total amount of \$99,101.50. (Funding was included in the 1994-95 Capital budget of the Electric Utility Department.) Single bids. No M/WBE Subcontracting opportunities were identified.  
Approved
26. Approve ratification of a change order to a contract with BASIC INDUSTRIES, Houston, Texas, for additional services required for the removal of asbestos containing material and reinsulation of equipment and piping at Decker Power Plant, in the amount of \$6,440, for a modified contract total of \$41,017. (Funding was included in the 1994-95 Capital budget of the Electric Utility Department.) No M/WBE Subcontracting opportunities were identified.  
Approved
27. Authorize an amendment to the professional services agreements with HAYNES AND BOONE, L.L.P., and FULBRIGHT & JAWORSKI, for legal services related to the Westinghouse steam generator lawsuit brought jointly by the South Texas Project owners, in the amount of \$225,000.00, for a total contract amount of \$648,000.00. (Funding is available in the 1994-95 operating budget of the Electric Utility Department.)  
Approved
28. Approve amendment of a contract with ADAMS & ZOTARELLI, Austin, Texas, to provide additional funding for lobbying services for the City of Austin Electric Utility issues during the 74th Session of the Texas Legislature, in an amount not to exceed \$130,000, for a total contract amount not to exceed \$445,000. (Funding is available in the 1994-95 operating budget of the Electric Utility Department.) No M/WBE Subcontracting opportunities were identified.  
Approved
29. Approve modification of a contract with LEWIS ENVIRONMENTAL SERVICES, Gladewater, Texas, to provide lead based paint abatement and disposal for the Decker Creek

Power Plant, in the amount of \$87,500 for a modified contract total of \$119,500. (Funding is available in the 1994-95 operating budget of the Electric Utility Department.) 1.99% MBE, 0% WBE Subcontractor participation.

Approved

30. Approve ratification of the following contracts through the State of Texas Cooperative Purchasing Program with Hendrix GMC Trucks, Austin, Texas, in the amount of \$365,298; McMorris Ford, Inc., Austin, Texas, in the amount of \$393,409; Maxwell Chrysler/Plymouth, Austin, Texas, in the amount of \$155,338; Knapp Chevrolet Inc., Houston, Texas, in the amount of \$1,492,865.69, for the purchase of various types of trucks, utility vehicles, sedans, vans, and cabs and chassis. (Funding in the amount of \$1,158,440.65 was included in the 1994-95 Capital budget of the Electric Utility Department, \$178,772.60 was included in the 1994-95 Capital budget of the Water and Wastewater Utility. The remaining \$1,069,697.44 is available from various departmental funds.)

Approved

31. Approve execution of a twelve (12) month supply agreement with ALLIED TUBE & CONDUIT, Harvey, Illinois, for the purchase of galvanized steel traffic sign posts, in the amount of \$40,976 with the option to extend for two (2) additional twelve (12) month periods in the amount of \$40,976 for each extension period, for a total amount of \$122,928. (Funding in the amount of \$27,317.33 is available in the 1994-95 operating budget of the Public Works and Transportation Department. Funding for the final four (4) months of the original contract period and the extension options is contingent upon available funding in future budgets.) Single bid. No M/WBE Subcontracting opportunities were identified.

Approved

#### Energy Rebates (Items 32-37)

32. Approve the issuance of a Letter of Intent and a rebate in the amount of \$64,356.40 to Mepallion Hotels, Inc., for the installation of a high efficiency lighting system located at the Hilton Hotel, 6000 Middle Fiskville Road. This equipment will save an estimated 171 kilowatts at a cost of \$376 per kilowatt saved. (Funding is available in the 1994-95 operating budget of the Conservation Rebates and Incentives Fund.)

Approved

33. Approve the issuance of a Letter of Intent and a rebate in the amount of \$39,924.00 to Radisson Hotel, 111 E. Cesar Chavez Street, for the installation of a high efficiency lighting system. This equipment will save an estimated 99 kilowatts at a cost of \$403 per kilowatt saved. (Funding is available in the 1994-95 operating budget of the Conservation Rebates and Incentives Fund.)

Approved

34. Approve the issuance of a Letter of Intent and a rebate in the amount of \$43,865.60 to Trammel Crow Central Texas, Inc., for the installation of a high efficiency lighting conversion system at the Arboretum Point, 9442 Capital of Texas Highway North. This equipment will save an estimated 118 kilowatts at a cost of \$370.00 per kilowatt saved. (Funding is available in the 1994-95 operating budget of the Conservation Rebates and Incentives Fund.)

Approved

35. Approve the issuance of a Letter of Intent and a rebate in the amount of \$37,160.00 to JMB Properties for the installation of a high efficiency lighting system at their office complex, 8303 Mopac. This equipment will save an estimated 104 kilowatts at a cost of \$355.00 per kilowatt saved. (Funding is available in the 1994-95 operating budget of the Conservation Rebates and Incentives Fund.)  
Approved

Items 24-35 approved on Councilmember Mitchell's motion, Councilmember Garcia's second, 6-0 vote, Councilmember Reynolds absent.

36. Approve the issuance of a Letter of Intent and a rebate in the amount of \$61,620.00 to the General Services Commission/State of Texas for the installation of a high efficiency lighting system at the William P. Hobby Building located at 333 Guadalupe. This equipment will save an estimated 414 kilowatts at a cost of \$149.00 per kilowatt saved. (Funding is available in the 1994-95 operating budget of the Conservation Rebates and Incentives Fund.)  
Postponed

37. Approve the issuance of a Letter of Intent and a rebate in the amount of \$187,860.00 to JPI Multifamily, Inc., for the installation of high efficiency heat pump air conditioning equipment at the Jefferson at Stonehollow Apartments, a 606-unit complex currently under construction at 11900 Stonehollow Drive. Energy improvements qualifying for this rebate will save an estimated 311 kilowatts at a program cost of \$604.00 per kilowatt saved. Each heat pump air conditioner will save the resident between \$62.00 and \$103.00 per cooling season in energy costs. (Funding is available in the 1994/95 operating budget of the Conservation Rebates and Incentives Fund.)

Item 37 approved on Councilmember Mitchell's motion, Councilmember Garcia's second, 6-0 vote, Councilmember Reynolds absent.

#### ITEMS FROM COUNCIL

38. Support a proposal for the intergenerational use of the Travis State School.  
(Councilmember Eric Mitchell)

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

39. Approve a resolution mandating the phased closure of the Holly Power Plant.  
(Mayor Pro Tem Michael "Max" Nofziger and Councilmember Gus Garcia)

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

40. Set a public hearing on the Rosewood Entertainment Center. (Suggested date and time: February 9, 1995 at 5:30 p.m.) (Councilmember Eric Mitchell)

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

41. Direct the City Manager to prepare a Blunn Creek Watershed Master Plan to address issues of water quality, flood control and erosion. (Councilmember Jackie Goodman)

Approved with additional language of "this data will include seeking information and comment from affected landowners and neighborhood's interests" added to end of first paragraph. On Councilmember Goodman's motion, Councilmember Shea's second, 6-0 vote, Councilmember Reynolds absent.

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

42. C14-94-0158 - 4TH STREET LIMITED (Gary Stillwell), by William J. Scudder, (Pat Scudder), 1165 Airport Boulevard. From LO to GR. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay, zoning with the provision of the overlay to limit development that will generate less than 2,000 vehicle trips-per-day.

Ordinance No. 950119-F approved on Councilmember Garcia's motion, Councilmember Goodman's second, 6-0 vote, Councilmember Reynolds absent.

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

Executive Session held on the morning of this date.

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 the meeting agenda. Council would take any subsequent action in the open meeting as listed on the agenda. The City Council may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

#### Advice from Counsel - Section 551.071

43. Discuss pole rental agreements with Southwestern Bell and Austin Cablevision and effect of proposed utility infrastructure usage ordinance.

#### Land Acquisition - Section 551.072

44. Discuss real property acquisition for the Balcones Canyonlands Conservation Plan.

#### 45. APPOINTMENTS

AIRPORT ADVISORY BOARD - Girard Kinney, Bob Binder  
BOARD OF ADJUSTMENT - Sylvia Herrera, Beverly Landers  
BUILDING STANDARDS COMMISSION - Mark Rogers  
CHILD CARE COUNCIL - Vanessa McKee

ECONOMIC DEVELOPMENT COMMISSION - Jack Kilcrease, Dolores Lenzy  
LIBRARY COMMISSION - Chip Harris, Harley Wied  
MEDICAL ASSISTANCE PROGRAM ADVISORY BOARD - Dolores Diaz-Lopez, James Gunter, Carl Siegenthaler  
MENTAL-HEALTH/MENTAL-RETARDATION - PUBLIC RESPONSIBILITY COMMITTEE - Shirley Goff, Claudette Carr  
SOLID WASTE ADVISORY BOARD - Kitty Coley  
URBAN TRANSPORTATION COMMISSION - John Hickman, Jimmy Castro, Dena Linn Chen

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

ADJOURN at 5:25 p.m. on Councilmember Mitchell's motion, Councilmember Shea's second, 5-0 vote, Mayor Pro Tem Nofziger out of the room, Councilmember Reynolds absent.

Approved Minutes on this the 26<sup>th</sup> day of January, 1995, on Councilmember Garcia's motion, Councilmember Goodman's second, 5-0 vote, Mayor Todd absent, Councilmember Mitchell temporarily absent