



Austin City Council MINUTES

OCTOBER 15, 1992 - 1:00 P.M.

MEETING CALLED TO ORDER - 1:00 P.M.

Mayor Todd called to order the meeting of the Council, noting that Mayor Pro Tem Urdy was not yet in the Council Chamber.

MINUTES APPROVED

1. Approval of Minutes for Regular Meeting of October 1, 1992 and Special Meetings of August 12 and 24 and September 21 and 22, 1992.

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

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Michael Francis, to introduce himself as Mayor of Sunset Valley.
3. Ms. Melinda Barber, to introduce herself as the new Mayor Pro Tempore of Sunset Valley.
4. Mr. Henry Ratliff, to discuss "facing the problems candidly."
5. Mr. Luthor Carpenter, to discuss Tales of the Crystal Palace - Scene 1.
6. Mr. Eric Samson, to present comments concerning the citizens of Austin's effect to recall two City Council members and outline questions regarding the Council's procedures in this matter.

Not present.

7. Mr. Richard Trachtenberg, to discuss yet another example of how Austin's governing elite appropriates then squanders public assets: a case study of the Public Information's office Management of Cable Channel 6.

8. Mr. Leonard Lyons, to discuss current City affairs.
9. Mr. Terry Toler, to discuss crowd control on Sixth Street on Halloween.

Not present.

1:30 P.M. - REVENUE REFUNDING BONDS

10. Approve an ordinance authorizing the issuance of City of Austin, Texas Combined Utility Systems Revenue Refunding Bonds, Series 1992B, including approval and authorization of a Purchase Contract and Special Escrow Agreement and the Official Statement pertaining thereto.
11. Approve a resolution authorizing the execution of a Paying/Agent Registrar contract with Ameritrust Texas, N.A. in relation to such bonds.
12. Approve a resolution authorizing the redemption of certain outstanding bonds of the City of Austin.

#10-12 postponed to October 22, 1992.

ORDINANCES

13. Authorize acceptance of a grant in the amount of \$154,000 from the United States Environmental Protection Agency (EPA) for monitoring, modeling, and the development of a retrofit plan for the Waller Creek Basin; and amend Ordinance No. 920922-E, the 1992-93 operating budget, by appropriating \$154,000 to the Environmental and Conservation Services Department Special Revenue Fund and adding 1.0 FTE for the grant period. (A City match is not required.)
[Recommended by Environmental Board]
14. Amend Ordinance No. 920922-E, the 1992-93 operating budget by increasing the number of County Health positions converted to City full-time employees from 50.5 to 72.75; amending the Health & Human Services Department appropriation by \$638,719 and expense refunds by the same amount. (No net effect on the General Fund. The County reimburses the actual cost for these positions per the Interlocal Health Authority Agreement.)

#13-14 on Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 Vote.

RESOLUTIONS

Owner Controlled Insurance Program (Items 15-17)

15. Approve negotiation and execution of a two (2) year contract with the HOBBS GROUP, INC., The Woodlands, Texas, to provide administration and implementation of a Rolling Owner Controlled Insurance Program (ROCIP), in the amount of \$9,033,668 (\$807,600 estimated for administration and \$8,247,826 estimated for the maximum insurance premiums, with an option to extend for one (1) additional twelve (12) month period, in the amount of \$21,760, for a total estimated amount not to exceed \$9,055,428. (Funding will be from selected Capital Improvement Program Projects totaling \$18,800,000 in payroll costs from contractors participating in the ROCIP.) Sole proposal. 25% MBE, 0% WBE Subcontractor participation. (Recommended by Affirmative Action/MBE Subcommittee)

On Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

16. Approve negotiation and execution of a twelve month contract with the NATIONAL COUNCIL OF CONTRACTORS ASSOCIATION, Austin, Texas, to provide technical assistance, bonding, financing and education services to small contractors and construction suppliers, in an amount not to exceed \$613,513, with one (1) twelve (12) month extension option, in an amount not to exceed \$613,513 for a total amount not to exceed \$1,227,026. (Funding will be available from selected Capital Improvement Program projects designated for participation in this program. Funding for the extension period will be contingent upon Council approval following review of program experience by a team of staff and industry representatives.) Best proposal of seven (7). 13.4% MBE, 5.3% WBE Subcontractor participation. (Recommended by Affirmative Action/MBE Subcommittee)
17. Approve negotiation and execution of a two (2) year contract with BUSINESS RESOURCE CONSULTANTS, Austin, Texas, to provide marketing and outreach services to and on behalf of small contractors and construction suppliers, in an amount not to exceed \$176,914, with one (1) twelve (12) month extension option in an amount not to exceed \$176,914, for a total amount not to exceed \$353,828. (Funding will be available from selected Capital Improvement Program Projects designated for participation in this program. Funding for the extension option will be contingent upon Council approval following review of program experience by a team of staff and industry representatives.) Best proposal of seven (7). 25% MBE, 9.5% WBE Subcontractor participation. (Recommended by Affirmative Action/MBE Subcommittee)

18. Approve execution of a twelve (12) month supply agreement with BAXTER HOSPITAL SUPPLY, Grand Prairie, Texas, for the purchase of suction canister liners and tubing for Brackenridge Hospital, in an amount not to exceed \$62,213.17, including an option to extend thereafter for up to one (1) additional twelve (12) month period, in an amount not to exceed \$62,213.17, for a total amount not to exceed \$124,426.34. (Funding is available in the 1992-93 operating budget of Brackenridge Hospital; funding for the extension option is contingent upon availability of funding in future budgets.) Low bid of three (3) meeting specifications. No M/WBE subcontracting opportunities were identified. Reference No. BS2-318.
19. Approve execution of a twelve (12) month supply agreement with BAXTER CONVERTERS, McGaw Park, Illinois, for heart cath trays and angiography trays for use by Brackenridge Hospital, in an amount not to exceed \$51,762.72, including an option to extend thereafter for up to one (1) additional twelve (12) month period, in an amount not to exceed \$51,762.72, for a total amount not to exceed \$103,525.44. (Funding is available in the 1992-93 operating budget of Brackenridge Hospital; funding for the extension option is contingent upon availability of funding in future budgets.) Low bid of seven (7) meeting specifications. No M/WBE subcontracting opportunities were identified. Reference No. BC2-309.
20. Approve execution of a twelve (12) month supply agreement with BOISE CASCADE OFFICE PRODUCTS, Austin, Texas, for computer supplies (floppy disks, printer ribbons, recording tape and diskettes) for use by all City departments, in an amount not to exceed \$79,067, including two (2) twelve (12) month extension options, in an amount not to exceed \$79,067 per extension, for a total amount not to exceed \$237,201. (Funding is available in the 1992-93 operating budget of Financial Services Department/Materials Management Services; funding for the extension options is contingent upon availability of funding in future budgets.) Low bid of two (2). No M/WBE subcontracting opportunities were identified. Reference No. 921015-1RH.
21. Approve execution of a twelve (12) month supply agreement with DIGITAL EQUIPMENT CORP. Austin, Texas, for digital printer supplies (tapes, ribbons and maintenance kits), to be used by all City departments, in an amount not to exceed \$99,786.36, with one (1) twelve (12) month extension option, in an amount not to exceed \$99,786.36, for a total amount not to exceed \$199,572.72. (Funding is available in the 1992-93 operating budget of Financial Services Department/Materials Management Services; funding for the extension option is contingent upon availability of funding in future budgets.) Low bid of six (6). No M/WBE subcontracting opportunities were identified. Reference No. 920904-1RH.

22. Approve the selection of UNITED AERIAL MAPPING, INC., San Antonio, Texas, and authorize negotiations and execution of a professional services agreement to provide aerial topographic mapping and surveying services for the redevelopment of Bergstrom as Austin's new airport, in an amount not to exceed \$225,000. (Funding included in the 1992-93 Airport CIP. This project is eligible for 75% reimbursement from the Federal Aviation Administration contingent upon moving the airport to Bergstrom.) Best proposal of eight (8). 30% DBE subcontractor participation (13% MBE, 17% WBE) [Recommended by Aviation Subcommittee and Airport Advisory Board]
23. Approve execution of a construction contract award to KINSEL INDUSTRIES INC., Bastrop, Texas, to install wastewater line and fire hydrants at South First Street, Slaughter Lane, Peaceful Hill Lane and Swanson Lane for the Slaughter Lane Area III, Phase 2, service to annexed areas, in the amount of \$1,121,747.50. ((Funding in the amount of \$1,093,797.50 included in CIP 443-237-0789 (wastewater); \$27,950 included in CIP 388-227-0772 (water). Low bid of seven (7). 10.7% MBE, 6.5% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)
- #16-23 on Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 Vote.
24. Approve Supplemental Amendment No. 1 to the Professional Services Agreement with PARKHILL, SMITH AND COOPER, INC., Lubbock, Texas, for additional project planning studies and final project design for the Barton Springs Road improvements from west of South Lamar Boulevard to near Robert E. Lee Road, in an estimated amount of \$160,000, for a total amount of \$272,100. (Funding included in CIP 825-607-2033 - Public Works.)
- On Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 Vote.
25. Approve Supplemental Amendment No. 4 to the Professional Services Agreement with PAGE SOUTHERLAND PAGE, Austin, Texas, for design and survey work to improve the existing water distribution system in the University Hills-Windsor Park neighborhoods, in the amount of \$24,566, for a total of \$257,616.32. (Funding included in CIP 381-227-0461 - Water). [Recommended by Water and Wastewater Commission]
26. Approve Change Order No. 10 to PELZEL & ASSOCIATES, INC., Austin, Texas, for architectural field modifications for the Trinity Street Sidewalk Improvements Project, in the amount of \$35,011, for a total contract amount of \$1,541,344. (Funding in the amount of \$22,838 included in CIP 825-607-2005 - Public Works; \$12,173 included in CIP 485-617-4100 - Drainage Utility.)

27. Set a public hearing to create Residential Tax Abatement Zone No. 1 (RTAZ) for 6.79 acres comprising 18 home ownership lots and 26 rental lots in Phase I of the Scattered Cooperative Infill Housing Program (SCIP) in accordance with Section 312.202 of the Texas Code. (Projected value of the abatement is \$70,510 based on an estimated average value for the 44 homes over the five (5) year abatement period.) (Suggested date and time: October 29, 1992 at 4:30 p.m.) [To be reviewed by Housing Subcommittee on October 14, 1992.]
28. Set a public hearing to approve a 2.363 acre sanitary sewer and a 6.147 acre temporary workspace easement for the construction and maintenance of the South Austin Outfall Relief Main, Phase II through dedicated parkland known as Town Lake Park and Zilker Park, in accordance with Sec. 26.001 of the Texas Parks and Wildlife Code. (Suggested date and time: November 12, 1992 at 6:45 p.m.) [Reviewed by Parks Board and Water and Wastewater Commission.]
29. Set public hearings on the full purpose annexation of the following areas: South Lamar area, Parmer Lane right-of-way, Burleson Road right-of-way, FM 2222 right-of-way, River Oaks/Tanglewild area, Coxville area, Brodie Lane South area. (Suggested dates and times: November 5, 1992 and November 12, 1992 at 6:30 p.m., and additional on-site public hearings on the following dates: November 9, 1992 at 6:30 p.m. at Kocurek Elementary School, 9800 Curlew Drive for the Brodie Lane South area, and November 10, 1992 at 6:30 p.m. at Parmer Lane Elementary School, 1800 Parmer Lane for the River Oaks/Tanglewild area.)

#25-29 on Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 Vote.

3:30 P.M. - ELECTRIC UTILITY (Items 30-43)

30. Electric Utility Commission Report - Jim Cash, Chair
Mr. Cash reported the Commission, at their last meeting, voted in favor of passage of items 33-43 on this agenda.
31. Resource Management Commission Report - Glenn Crow, Chair
Report given by Mr. Crow.
32. Monthly Management Report (Fiscal, Operations, Fuel)
Report given by Director of Electric Utility, John Moore.
33. Monthly Utility Receivable Report
Report given by Betty Dunkerley, Director of Finance.

34. Approve execution of a contract with DANIEL FLOW PRODUCTS INC., Houston, Texas, for the purchase of two (2) gas chromatograph systems to analyze content and chemical composition of fuel gases supplied to Holly and Decker Power Plants, in an amount not to exceed \$71,039. (Funding is included in the 1992-93 Capital Budget for the Electric Utility Department.) Low bid of two (2). No M/WBE subcontracting opportunities were identified. Reference No. 921007-1CM.
35. Approve execution of a contract with INGERSOLL RAND COMPANY, San Antonio, Texas, for the purchase of two (2) instrument air systems for the Decker Power Plant, in an amount not to exceed \$156,530. (Funding is included in the 1992-93 Capital Budget for the Electric Utility Department.) Low bid of two (2). No M/WBE subcontracting opportunities were identified. Reference No. 921092-1CM.
36. Approve a construction contract to PITTS CONSTRUCTION, INC., Austin, Texas, to stabilize a portion of the earthen embankment dam on Walter E. Long Lake, remedy distress of concrete panels in the dam spillway, and repaint steel structures on the dam, in the amount of \$337,110. (Funding is included in the 1992-93 Capital Budget of the Electric Utility Department.) Low bid of four (4). 10.41% MBE, 1.49% WBE Subcontractor participation.
37. Approve execution of a a twelve (12) month supply agreement with PRIESTER-MELL & NICHOLSON, INC., Austin, Texas, in the amount of \$80,256, and with POLELINE ELECTRIC SUPPLY, Austin, Texas, in the amount of \$62,966, for the purchase of underground electrical supplies, with the option to extend for one (1) twelve (12) month period in the amounts of \$80,256 and \$62,966 respectively, for a total amount of \$286,444. (Funding is available in the 1992-93 operating budget of the Electric Utility; funding for the extension option is contingent upon available funding in future budgets.) Low bid of ten (10). No M/WBE subcontracting opportunities were identified. Reference No. 920790-1CM.
38. Approve the selection of THOMAS ENGINEERING INC., Austin, Texas, for the planning and design of underground and overhead electrical distribution and street lighting facilities for new and existing residential subdivision and commercial/industrial developments, in the maximum amount of \$700,000. (Funding included in the 1992-93 Capital Budget of the Electric Utility Department.) Best Qualification Statement of six (6). 10% MBE, 5% WBE Subcontractor participation.
39. Approve Supplemental Amendment No. 1 to the Professional Services Agreement with ROBUCK & ASSOCIATES, Atlanta, Georgia, for the development of additional labor and material standards, personnel training, and development of a procedures manual for the Electric Utility's Transmission and Distribution groups, in an estimated

amount of \$84,000, for a total contract amount of \$233,931.96. (Funding is available in the 1992-93 operating budget of the Electric Utility Department.) 8.4% MBE, 13.2% WBE Subcontractor participation.

40. Approve execution of a contract with POLELINE ELECTRIC SUPPLY, INC., Austin, Texas, for the purchase of transmission line conductors, in the amount of \$240,468.39. (Funding is available in the 1992-93 Capital Budget for the Electric Utility.) Low bid of five (5). No M/WBE subcontracting opportunities identified.
41. Approve execution of three (3) eleven (11) month supply contracts for natural gas with TENNGASCO MARKETING CORPORATION, Houston, Texas, in the estimated amount of \$4.429 million; MOBIL NATURAL GAS, Houston, Texas, in the estimated amount of \$4.494 million; and NATURAL GAS MARKETING AND STORAGE CO., Houston, Texas, in the estimated amount of \$4.599 million, to provide fuel for the City's electric generating plants over the eleven month term commencing on November 1, 1992, for a total estimated amount of \$13.522 million, with the option to extend for one (1) twelve (12) month period, in the following estimated amounts: Tenggasc Marketing Corp., \$4.984 million; Mobil Natural Gas, \$5.056 million; and Natural Gas Marketing and Storage Co., \$5.163 million, for a total of \$28.725 million. (Funding will be provided through the 1992-93 Electric Utility operating budget and fuel charge revenues.) Lowest responsive bids of four (4). No M/WBE Subcontracting opportunities were identified.
42. Approve amendment of a contract with SAF-T-GREEN, Austin, Texas, for scaffolding rental to increase the original contract amount by \$6,982.50 (25%), from \$27,930 to \$34,912.50. (Funding for the amendment is available in the 1992-93 Capital Budget for the Electric Utility.)
43. Approve an amendment to the professional engineering services agreement with D'APPOLONIA ENGINEERING, Monroeville, Pennsylvania, to provide construction management for the first phase of construction resulting from the Geotechnical and Structural Investigation and Remediation design for Decker Power Plant, in the amount of \$56,474, for a total amount not to exceed \$906,474. (Funding is available in the 1991-92 Capital Budget for the Electric Utility Department.)

#34-43, on Councilmember Larson's motion, Councilmember Reynolds' second, 7-0 Vote.

ITEMS FROM COUNCIL

44. Approve a Fiscal Agent contract between the Austin Transportation Study Policy Advisory Committee and the City of Austin. (Mayor Bruce Todd, Mayor Pro Tem Charles Urdy and Councilmember Michael "Max" Nofziger)
45. Approve a budget amendment to add six positions to the Department of Planning and Development operating budget with a net budget of \$0.00 as outlined in the Austin Transportation Study Unified Planing Work Program for 1992-93. (Mayor Bruce Todd, Mayor pro Tem Charles Urdy and Councilmember Michael "Max" Nofziger)
46. Approve a resolution to recess the October 22, 1992 Council meeting from 5:30 p.m. to 6:30 p.m. to allow Council members to greet the Sister City Delegation from Koblenz, Germany. (Mayor Bruce Todd and Councilmember Ronney Reynolds)
47. Approve an ordinance amending Chapter 2-4, Section 375 of the Austin City Code of 1992 by reducing the number of members of the MBE/WBE Advisory Committee from eleven (11) to seven (7). [Mayor Pro Tem Charles Curdy and Councilmember Gus Garcia]
48. Approve a resolution supporting the planning of and City participation in a Community Symposium on national models of collaboration related to social services. (mayor Bruce Todd)

#44-48 on Councilmember Larson's motion, Councilmember Reynolds' second, 7-0 Vote.

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

49. C14-92-0077 - AMWEST SAVINGS (Scott Ramsey), by Griffin Engineering (Greg Griffin) 4800 Convict Hill Road. From NO to SF-2. Planning Commission Recommendation: To Grant SF-2, Single Family Residence (standard lot) zoning.

ORDINANCE - On Councilmember Epstein's motion, Councilmember Garcia's second, 7-0 Vote.

To be heard by Planning Commission on October 13, 1992;
Recommendation to Follow

50. C14-92-0081 - Resolution Trust Company, by Pat Scudder, Quarry Lake Parkway and U.S. Hwy. 183 North. From LI and LO to MF-2.

POSTPONED to October 29, 1992, on Councilmember Epstein's motion, Councilmember Garcia's second, 7-0 Vote.

RECESS - Council recessed from 4:30 to 5:00 P.M.

FINAL CITIZEN COMMUNICATIONS

The following people spoke: Robert Singleton, Al St. Louis, T. Paul Robbins, Raoul Rosa and Hope Perez.

EXECUTIVE SESSION (No Public Discussion on These Items)

The Executive Session was held at 10:00 A.M. in the Mayor's office, the morning of this date.

The City Council will announce that it will go into Executive Session, if necessary, pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation and personnel matters. No final action will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

Pending/Contemplated Litigation, Section 2, Paragraph e

51. Discussion of Jerry J. Quick, Kaira G. Quick, F.L. "Tag" Freitag, Jane McCray Freitag and Eli Garza v. City of Austin, in the 22nd Judicial District Court of Hays County, Texas; Cause No. 92-0637.

52. City of Austin v. Houston Lighting and Power Company, et al

Personnel Matters, Section 2, Paragraph g

53. Discussion of compensation and benefits package for individual Municipal Court Judges.

ACTION ON THE FOLLOWING

54. Approve compensation and benefits package for Municipal Court Judges.

Motion

Councilmember Larson made a motion, seconded by Councilmember Garcia, to set the Municipal Court Judge's salaries effective January 1, 1993 as follows: Presiding Judge, \$64,584.00 annually; Associate Judges, \$54,250.00 annually; Part Time Relief Judges, \$26.08 per hour. Funding source is the 1993 Wage and Benefit Adjustment.

Councilmember Reynolds asked for an explanation of the 1993 Wage and Benefit Adjustment. Councilmember Larson stated, "I think we had staff plug this in at the last minute. We were discussing several different funding sources and this is the one that came from staff at the last minute, and it is a change." Councilmember Reynolds said, "Also, I would like to discuss that which came out of your

sub-committee, giving people with a certain amount of experience, not just legal but maybe judicial experience, a different salary as compared to a person who becomes a first-year judge." Councilmember Larson said that was discussed and there are different views on that, "but I think we decided, as a group, to go with the more traditional as is done in most of the cities in Texas."

Betty Dunkerley, Director of Finance, explained the adjustment as follows: "The funding source, the wage and benefit adjustment, is across the board G.W.I. that we did for all City employees and we simply accounted for it during the budget process in one line item and distributed it to each fund and each organization unit. We put a little bit extra in that line item to cover Council appointee salary adjustments, and I do have enough to cover \$43,463 so we don't have to go to the ending balance. We can use the general wage adjustment that we did for all City employees."

After further discussion concerning the total amount of money for departments, the roll was called.

Roll Call

7-0 Vote

55. APPOINTMENTS

ARTS COMMISSION - Eldon Sutton, Sharon Watkins, James Oliver, Olga Pina, Marily Good.

BOARD OF ADJUSTMENT - Diane Winterowd, John Hernandez

BUILDING AND FIRE CODE BOARD OF APPEALS - Jack Drummond, Gary Jaster, Billy Wheless, Philip Haught

CONSTRUCTION ADVISORY COMMITTEE - Santiago Cantu

ECONOMIC DEVELOPMENT COMMISSION - Dr. Edward Baldwin, Delores Lenzy

EMPLOYEE RETIREMENT SYSTEM OF AUSTIN - Elizabeth Gonzales

ETHICS REVIEW COMMISSION - Marsha Ozer - confirmed

MH/MR CENTER BOARD OF TRUSTEES - Michelle Brinkman and Robert Chapa

MEXICAN AMERICAN CULTURAL CENTER TASK FORCE - Rudy Mendez, Blanca Leahy and Emma Barrientos

SOLICITATION BOARD - Gina Vasquez

ADJOURN - 5:10 P.M.

