



Austin City Council MINUTES

**SPECIAL CALLED MEETING - SEPTEMBER 22, 1992
1:30 P.M. - THIRD READING OF BUDGET
AND OTHER ITEMS**

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

ITEMS CONTINUED FROM PREVIOUS MEETINGS

1:30 P.M. - REVENUE REFUNDING BONDS

1. 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.
2. Approve a resolution authorizing the execution of a Paying/Agent Registrar contract with Ameritrust Texas, N.A. in relation to such bonds.
3. Approve a resolution authorizing the redemption of certain outstanding bonds of the City of Austin.

#1-3 Postponed

PUBLIC IMPROVEMENT BONDS

4. Approve an ordinance authorizing the issuance of \$52,490,000 City of Austin, Texas, Public Improvement Bonds, Series 1992, suspending the rule requiring ordinances to be read on three separate days, and declaring an emergency.

On Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

5. Approve a resolution authorizing the execution of a paying agent/registrar agreement with Ameritrust Texas National

Association, and a letter of representations for issuance of book-entry obligations, with respect to the \$52,490,000 City of Austin, Texas, Public Improvement Bonds, Series 1992.

On Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

CERTIFICATES OF OBLIGATION

6. Approve an ordinance authorizing the issuance of \$5,405,000 City of Austin, Texas, Certificates of Obligation, Series 1992, suspending the rule requiring ordinances to be read on three separate days, and declaring an emergency.

On Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

7. Approve a resolution authorizing the execution of a paying agent/registrar agreement with Ameritrust Texas National Association and a letter of representations for issuance of book-entry obligations, with respect to the \$5,405,000 City of Austin, Texas, Certificates of Obligation, Series 1992.

On Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

CONTRACTUAL OBLIGATIONS

8. Approve an ordinance authorizing the issuance of \$4,195,000 City of Austin, Texas, Public Property Finance Contractual Obligations, Series 1992, suspending the rule requiring ordinances to be read on three separate days, and declaring an emergency.

On Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

9. Approve a resolution authorizing execution of a paying agent/registrar agreement with Ameritrust Texas National Association and a letter of representations for issuance of book-entry obligations, with respect to the \$4,195,000 City of Austin, Texas, Public Property Finance Contractual Obligations, Series 1992.

On Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

COMBINED UTILITY SYSTEMS REVENUE BOND DEFEASANCE

10. Approve a resolution authorizing the execution of a Special Escrow Agreement with Ameritrust Texas National Association in relation to

the defeasance of certain outstanding combined utility systems revenue bonds.

On Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

ORDINANCES

11. Approve third reading of an Ordinance adopting and approving the Operating Budget for the fiscal year beginning October 1, 1992 and terminating September 30, 1993, and making appropriations for each department, project and account, including the errata. (And including the friendly amendment accepted on September 21, 1992.)

Motion

Councilmember Nofziger made a motion, seconded by Councilmember Epstein to approve.

Councilmember Reynolds made the following statement: "I talked about, if I could talk for just a second, that I was looking into some dollars and some revenue sources and/or reduction in expenditures. I think that we are going to have a number of dollars available through ending balances. We will determine that at the end of the audit. The audit should be done before mid-year. I've been given assurances that there are also additional revenues that we possibly will be able to use. I will hope that we will use additional revenues, and I've gotten somewhat of a commitment from staff that we will definitely look into this, how it can help in the libraries and also how it can help in the Police Department. We also have a new Police Chief that's coming on board who will be reviewing the Police benefits, expenditures and the Police budget. I asked her when she came on board that she would fight for her Police officers. I'm going to give her that opportunity to fight for those Police officers and we will look at that in six months.

(First offered as an amendment to the motion, and then, at Councilmember Epstein's suggestion, changed to a Friendly Amendment.)

Friendly Amendment

Councilmember Reynolds offered a friendly amendment, seconded by Councilmember Garcia as follows: "My motion to amend the General Fund is to increase the beginning balance by \$50,000.00 and appropriate additional funds to the library department and authorize 3.75 positions for a total amount of \$50,000.00." The friendly amendment was seconded by Councilmember Garcia and accepted by the maker and the second to the motion.

Amendment to the Motion

Councilmember Nofziger offered "an amendment to the main motion", seconded by Councilmember Epstein, "through an amendment of the Cultural Arts funding. I'd like Council to consider four minor changes to that. Add \$2,559.00 to the Children's Museum to return them to their funding level of last year; Austin Contemporary Ballet, the Texas Youth Ballet, add \$2,150.00 to return to their funding level of last year; Austin Circle of Theaters, \$5,000 to operate their half price ticket booth; and fund Austin Acoustic Music Festival \$2,000.00. Funds would come from the contingency of the ending balance." Councilmember Epstein accepted this as a friendly amendment.

Mayor Todd stated: "Let me make the appeal that if there is desire by the Council to look specifically at two items, those arts groups, for whatever reason, were not funded at last year's level, sort of an appeal, if you will. And secondly, if there are political policy issues that we want to address to increase, say the ticket booth at the Austin Circle of Theaters, then we ought to address that together in a group, working together either through a sub-committee or some process as part of the process in holding the budget from getting out of hand, right now. That's the request I would make. Now that might be done by withdrawing the friendly amendment, or severing the motion."

Second to Friendly Amendment Withdrawn

Councilmember Epstein withdrew her second to the Friendly Amendment.

Mayor Todd asked, "Is there some consensus among the group, as we leave this issue that Councilmember Nofziger raises, we agree these issues will be addressed in the next thirty days as part of the process?" Councilmember Garcia agreed that this should be looked at more closely, "maybe a little bit later on". Mayor Todd said he would like Councilmember Nofziger to chair an ad hoc committee to work with all the other Councilmembers and bring back a formalized motion within the next 30 days.

Friendly Amendment Withdrawn

Councilmember Nofziger withdrew his motion and said "We can go with the Arts Commission recommendation on this and then I'll see to it that we bring an amendment back before the Council that we can take some action on."

Roll Call on Third Reading of Ordinance with Amendments

6-1 Vote, Councilmember Epstein voted No.

12. Approve third reading of an Ordinance adopting and approving the Capital Budget for the fiscal year beginning October 1, 1992 and terminating September 30, 1993, and making appropriations for each project and account, including the errata.

On Councilmember Garcia's motion, Councilmember Epstein's second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

13. Approve third reading of an Ordinance fixing and levying Municipal Ad Valorem taxes for the City of Austin, Texas, in the amount of 64.10 cents for fiscal year 1992-93; and for each year thereafter until otherwise provided; directing the assessment and collecting thereof; approval of property tax exemptions for historic property, persons with disabilities and elderly person; directing the assessment and collecting thereof; validating all prior Ad Valorem taxes.

On Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 6-1 Vote, Councilmember Epstein voted No.

14. Approve third reading of certain ordinances authorizing fees, rates and charges for City services and use of City facilities.

On Mayor Pro Tem Urdy's motion, Councilmember Garcia's second, 6-1 Vote, Councilmember Epstein voted No.

15. Approve third reading of an Ordinance adopting Water and Wastewater rates.

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

16. Approve third reading of an Ordinance providing for the number and rank of positions in the classified Civil Service of the Police Department and Fire Department.

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

RESOLUTIONS

17. Approve negotiation and execution of the Cultural Arts contracts.
(No citizen sign-up)

No Action

18. Adopt amendments to the Interagency Plan for the Balcones Canyonlands Conservation Plan proposed by Travis County.

No Action

EXECUTIVE SESSION (No Public Discussion on These Items)

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.

Land Acquisition, section 2, Paragraph f

19. Discussion of land purchase of Balcones Canyonlands Conservation Plan

Council did not hold an executive session. Action was taken on September 21, 1992.

ADJOURN

Council adjourned its meeting at 2:20 P.M. on Councilmember Epstein's motion, Councilmember Garcia's second, 7-0 Vote.