



Austin City Council MINUTES

JULY 16, 1992 - 1:00 P.M.

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

Mayor Todd called to order the meeting of the Council, noting the absence of Councilmembers Epstein and Garcia.

MINUTES APPROVED

1. Approval of Minutes for Regular Meetings of June 25, and July 9, 1992 and Special Meetings of June 25, 1992, July 1, and 9, 1992.

On Councilmember Larson's motion, Councilmember Nofziger's second, 5-0 Vote, Councilmembers Epstein and Garcia absent.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Charles Heimsath, to speak in support of the Austin Downtown Management Organization and the Property Improvement District.
3. Mr. Luthor Carpenter, to present another in a series of speeches on management, budget and Council concerns.
4. Mr. Henry Ratliff, to discuss the Save Our Springs Ordinance.
5. Mr. Nicholas Weeks, to suggest a need for flashing yellow lights at the 6th Street/I.H. 35 northbound exit. Not present.
6. Mr. David Elliott, to discuss the need for a Debt Reduction Plan - all that is needed is leadership and use of the three I's: Imagination, Ingenuity and Initiative.
7. Ms. Jane Basey, to urge a visit to Austin Groups for the Elderly and to urge appointment to the City slot vacancy of A/TC MHRM PRC.
8. Mr. Charlie Waits, to speak in opposition to buying land in the Barton Creek Watershed.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

9. Authorize execution of an Interlocal Agreement with Travis County to share election facilities and equipment. (No fiscal impact.)

On Councilmember Larson's motion, Councilmember Reynolds' second, 5-0 Vote, Councilmembers Epstein and Garcia absent.

10. Approve execution of a four (4) twelve (12) month supply agreements for optical power ground wire and accessories with the following vendors: TECHLINE, INC., Austin, Texas, in an amount not to exceed \$1,326,758.40; PRIESTER-MELL & NICHOLSON, INC., Austin, Texas, in an amount not to exceed \$131,118; WESTINGHOUSE ELECTRIC, San Antonio, Texas, in an amount not to exceed \$44,860; FIBER LINK SUPPLY, Lufkin, Texas, in an amount not to exceed \$51,309, for a total amount not to exceed \$1,554,045.40, with two (2) additional twelve (12) month extension options for each agreement, in an amount not to exceed \$1,326,758.40, \$131,118, \$44,860 and \$51,309 respectively per extension, for a total amount not to exceed \$4,662,136.20. Low bids of nine (9). (Funding in the amount of \$476,338.40 is available in the Electric Utility Operating Budget; the remaining \$1,077,707 of the original contract period and the extension options will be contingent upon future available funding in the 1992-93 and 1993-94 budgets.) The primes did not identify any subcontracting opportunities. Reference No. 920516-1CM.

On Councilmember Nofziger's motion, Councilmember Reynolds' second, 4-0 Vote, Mayor Pro Tem Urdy out of the room, Councilmembers Epstein and Garcia absent.

ORDINANCES

11. Approved third reading of a franchise agreement with Texas Utilities Electric Company. (No fiscal impact.)

On Councilmember Larson's motion, Councilmember Reynolds' second, 5-0 Vote, Councilmembers Epstein and Garcia absent.

12. Amend Ordinance No. 910912-A, the operating budget, by transferring \$1,268,417 from the Convention Center Operating Reserve Account to the Convention Center Department for use in the parking garage purchase.

On Councilmember Larson's motion, Councilmember Reynolds' second, 5-0 Vote, Councilmembers Epstein and Garcia absent.

RESOLUTIONS

13. Approve execution of a contract with AIR-SHIELDS VICKERS, Charlotte, North Carolina, for the purchase of five (5) birthing room warmers for use in the labor and delivery rooms of Brackenridge Hospital, in an amount not to exceed \$35,262. (Funding available in the 1991-92 operating budget of Brackenridge Hospital.) Single bid. The prime did not identify any subcontracting opportunities. Reference No. BH2-159.
14. Approve execution of a twelve (12) month supply agreement with 3M/AVI, St. Paul, Minnesota, for administration sets (intravascular devices used to administer fluids into a patient's vascular system through a needle or catheter) for Brackenridge Hospital, in an amount not to exceed \$83,727, including an option to extend thereafter for up to one (1) additional twelve (12) month period, in an amount not to exceed \$83,727, for a total amount not to exceed \$167,454. (Funding in the amount of \$20,932 is available in the 1991-92 operating budget of Brackenridge Hospital; funding for the remaining \$62,795 of the original contract period and the extension options will be contingent upon future available funding in the 1992-93 and 1993-94 budgets.) Single bid. The prime did not identify any subcontracting opportunities. Reference No. BS2-148.
15. Approve execution of a contract award with TRI-ANIM, Houston, Texas, for the purchase of three (3) neonatal/pediatric/adult ventilators for Brackenridge Hospital, in an amount not to exceed \$36,000. (Funding available in the 1991-92 operating budget of Brackenridge Hospital.) Low bid of two (2). The prime did not identify any subcontracting opportunities. Reference No. BH2-182.
16. Approve negotiation and execution of a contract with LANYARD BUSINESS SYSTEMS, Austin, Texas, for the purchase and installation of hardware and software for a time and attendance system used to document employee work hours at Brackenridge Hospital, in an amount not to exceed \$61,430. (Funding available in the 1991-92 operating budget of Brackenridge Hospital.) Best proposal of four (4). The prime did not identify any subcontracting opportunities. Reference No. BC2-098.
17. Approve execution of a twelve (12) month agreement with GENERAL MEDICAL, Austin, Texas, for sterile latex powderless examination gloves for use throughout Brackenridge Hospital, in an amount not to exceed \$167,918, including an option to extend thereafter for up to one (1) additional twelve (12) month period, in an amount not to exceed \$167,918 for a total amount not to exceed \$335,836. (Funding in the amount of \$83,959 is available in the 1991-92 operating budget of Brackenridge Hospital; funding for the remaining \$83,959 of the original contract period and the extension options will be

contingent upon future available funding in the 1992-93 and 1993-94 budgets.) Low bid of four (4) meeting specifications. The prime did not identify any subcontracting opportunities. Reference No. BS1-276.

18. Approve execution of a twelve (12) month supply agreement with McKESSON MEDICAL, San Antonio, Texas, for sterile surgeons' gloves, in an amount not to exceed \$47,314, including an option to extend thereafter for up to one (1) additional twelve (12) month periods, in an amount not to exceed \$47,314, for a total amount not to exceed \$94,628. (Funding in the amount of \$23,657 is available in the 1991-92 operating budget of Brackenridge Hospital; funding for the remaining \$23,657 of the original contract period and the extension options will be contingent upon future available funding in the 1992-93 and 1993-94 budgets.) Low bids of eight (8) meeting specifications. The prime did not identify any subcontracting opportunities. Reference No. BS1-276.
19. Approve execution of a contract with NELLCOR INCORPORATED, Hayward, California, for the purchase of eighteen (18) pulse oximeters (devices used to evaluate arterial blood oxygen content), with a one (1) year warranty, in an amount not to exceed \$32,454. (Funding is available in the 1991-92 operating budget of Brackenridge Hospital.) Low bid of four (4) meeting specifications. The prime did not identify any subcontracting opportunities. Reference No. BH2-139.
20. Approve negotiation and execution of a contract with MEDICUS SYSTEMS CORPORATION, Tulsa, Oklahoma, for the purchase of encoder/optimizer data management software for use by the Medical Records Department of Brackenridge Hospital, in an amount not to exceed \$82,910. (Funding is available in the 1991-92 operating budget of Brackenridge Hospital.) Best proposal of three (3). The prime did not identify any subcontracting opportunities. Reference No. BC2-070.
21. Approve cancellation of a contract award to SOUTHWEST MEDICAL PACKAGING, Houston, Texas, and approve execution of the remaining eight (8) months of the supply agreement with BAXTER CONVERTERS, McGaw Park, Illinois, for open heart packs, in an amount not to exceed \$24,953, including an option to extend thereafter for up to one (1) additional twelve (12) month period, in an amount not to exceed \$37,430, for a total amount not to exceed \$62,383. (Funding in the amount of \$12,477 is available in the 1991-92 operating budget of Brackenridge Hospital; funding for the remaining \$12,476 of the original contract period and the extension option will be contingent upon future available funding in the 1992-93 and 1993-94 budgets.) Low bid of four (4) meeting specifications. The prime did not identify any subcontracting opportunities. Reference No. BSI-283.

22. Approve a construction award to INSITUFORM TEXARK, INC., Dallas, Texas, for the Bull Creek Pipe-Within-A-Pipe Rehabilitation Project, located near the intersection of Salton Drive and Taylor Draper Lane, in the amount of \$278,960. (Funding is available in the 1991-92 operating budget of the Water and Wastewater Utility.) Single bid. 0% MBE, 0.34% WBE Subcontractor participation. Reference No. 92-0465-2SA. (Recommended by the Water and Wastewater Commission.)
23. Approve the execution of a contract with STORAGE TECHNOLOGY CORPORATION, Austin, Texas, for the purchase of two (2) mainframe cartridge tape drives and a tape drive controller for use by the Information Systems Department for the mainframe computer, in an amount not to exceed \$46,000, and three (3) years of maintenance for all three pieces of equipment, in an amount not to exceed \$9,837.08 for the first year, \$11,375.24 for the second year, and \$12,057.76 for the third year, for a total contract amount not to exceed \$79,270.08. (Funding included in the Electric Utility Capital Budget.) Single bid. The prime did not identify any subcontracting opportunities. Reference No. 920631-3JR.
24. Approve execution of a six (6) month service agreement with NDRC LABORATORIES, Richardson, Texas, for chemical analytical testing of water, wastewater, and industrial discharges as required by the Clean Water Act, in an amount not to exceed \$40,000, with the option to extend the agreement for up to four (4) additional six (6) month periods, in an amount not to exceed \$40,000 per extension, for a total amount not to exceed \$200,000. (Funding in the amount of \$10,000 is available in the 1991-92 operating budget of the Water and Wastewater Utility; funding for the remaining \$30,000 of the original contract period and the extension options will be contingent upon future available funding.) Best proposal of three (3). The prime did not identify any subcontracting opportunities. Reference No. 920166-3R0. (Recommended by Water and Wastewater Commission.)
- #13-24 on Councilmember Larson's motion, Councilmember Reynolds' second, 5-0 Vote, Councilmembers Garcia and Epstein absent.
25. Approve execution of a twelve (12) month service agreement with BURNS INTERNATIONAL, Austin, Texas, for armed and unarmed security guard services for the Convention Center Department, in an amount not to exceed \$283,906.74, with the option to extend the agreement for up to four (4) twelve (12) month periods, in an amount not to exceed \$283,906.74 per option, for a total amount not to exceed \$1,419,533.70. (Funding in the amount of \$47,317.79 is available in the 1991-92 operating budget of the Convention Center Department; funding for the remaining \$236,588.95 of the original contract

period and the extension option will be contingent upon available funding in future budgets.) Best bid of four (4). 0% MBE, 5% WBE Subcontractor participation. Recommended by Downtown Subcommittee on July 13, 1992.

On Councilmember Nofziger's motion, Councilmember Larson's second, 5-0 Vote, Councilmembers Epstein and Garcia absent.

26. Authorize application for and acceptance of a grant in the amount of \$100,000 from the U.S. Department of Housing and Urban Development to promote financial self-sufficiency for non-profit organizations and small businesses in low income neighborhoods. (A City Match is not required.) [Recommended by Housing Subcommittee]
27. Approve a Rental Rehabilitation Program loan to Jerry Box totaling \$58,104 for the rehabilitation of 3304, 3306, 3308, 3310 Hycreek Drive, located within the Pecan Springs neighborhood. (Funding is available in the Rental Rehabilitation Program.) [Recommended by Housing Subcommittee]
28. Approve a Neighborhood Commercial Management Program loan to Glenn M. Foore and Paula V. Foore dba Texas Trees and Landscapes, for the purchase of land and equipment in the Confluence Commercial Redevelopment area, in the amount of \$54,970. (Funding provided by 16th Year Community Development Block Grants/Neighborhood Commercial Management Program funds.) [Recommended by Housing Subcommittee]

#26-28 on Councilmember Larson's motion, Councilmember Reynolds' second, 5-0 Vote, Councilmembers Garcia and Epstein absent.

3:00 P.M. - MEETING OF THE AUSTIN HOUSING FINANCE CORPORATION

Council recessed from 3:05 to 3:10 P.M. for the Austin Housing Finance Corporation Meeting.

3:30 P.M. - ELECTRIC UTILITY (Items 29-41)

29. Electric Utility Commission Report - Milton Lee, Chief Operating Officer, Electric Utility Department, presented the report.
30. Resource Management Commission Report - No report was presented.
31. Monthly Management Report (Fiscal, Operations, Fuel) - Milton Lee, Chief Operating Officer, Electric Utility Department, presented the report.
32. Monthly Utility Receivable Report - Report was given by Betty Dunkerley, Director of Financial Services.

33. Approve selection of three firms: RADIANT CORPORATION, Austin, Texas; BURNS & MCDONNELL, INC., Austin, Texas, ROY WESTON, Austin, Texas, for environmental, consultation, engineering and project management services for miscellaneous environmental mitigation projects, in the amount of \$1,500,000. (Funding of \$400,000 is available in the 1991-92 Capital Budget for the Electric Utility; funding for the extension options will be contingent on available funding in future budgets. The annual proration of maximum amount to each firm will be dependent on project needs.) Best qualifications of nine (9). M/WBE Subcontractor participation: Radian: 10% MBE, 5% WBE; Burns & McDonnell: 10% MBE, 10% WBE; Roy Weston: 16% MBE, 5% WBE.

On Councilmember Larson's motion, Councilmember Reynolds' second, to approve and: "Consider all three but when there is no discernible difference between all three, give the contract to the local firm." 4-1 Vote, Councilmember Nofziger voted No, Councilmembers Epstein and Garcia were absent. (Councilmember Reynolds added the comment that dollars should also be a deciding factor.)

A substitute Motion, offered by Councilmember Nofziger and seconded by Mayor Todd to approve staff recommendation, FAILED to pass on a vote of 2-2-1, with Councilmembers Larson and Reynolds voting No, Mayor Pro Tem Urdy abstained.

34. Approve execution of Change Order No. 2 to a contract with ESPEY, HUSTON AND ASSOCIATES, Austin, Texas, for continued comprehensive routing and environmental studies for 138KV transmission projects, in an amount not to exceed \$28,854.38, for a total contract amount not to exceed \$279,723.56. (Funding available in the 1991-92 Capital Budget for the Electric Utility.)
35. Approve execution of a contract with COMMERCIAL BODY CORPORATION, San Antonio, Texas, for the purchase of one (1) twenty-nine (29) foot and two (2) thirty-three (33) foot truck-mounted aerial towers and bodies for use by the Electric Utility Department, in an amount not to exceed \$113,142. (Funding in the amount of \$75,660 is available in the Vehicle Acquisition Fund; funding in the amount of \$37,482 is available in the 1991-92 Capital Budget for the Electric Utility Department.) Low bid of five (5) meeting specifications. The prime did not identify any subcontracting opportunities. Reference No. 920606-1RF.
36. Approve execution of a contract with COMMERCIAL BODY CORPORATION, San Antonio, Texas, for the purchase of three (3) 40 foot truck-mounted aerial towers and bodies for use by the Electric Utility Department, in an amount not to exceed \$132,285. (Funding is

available in the 1991-92 Vehicle Acquisition Fund.) Single bid. The prime did not identify any subcontracting opportunities. Reference No. 920607-1RF.

37. Approve execution of a contract with COMMERCIAL BODY CORPORATION, San Antonio, Texas, for the purchase of a 68 foot, truck mounted aerial tower and body for use by the Electric Utility Department, in an amount not to exceed \$111,831. (Funding is available in the 1991-92 Vehicle Acquisition Fund.) Low bid of two (2). The prime did not identify any subcontracting opportunities. Reference No. 920609-1RF.
38. Approve execution of a contract with TECO, INC., Fort Wayne, Indiana, for the purchase of four (4) fifty-five (55) foot truck-mounted aerial towers and bodies for use by the Electric Utility Department, in an amount not to exceed \$323,486. (Funding in the amount of \$300,525 is available in the 1991-92 Vehicle Acquisition Fund; funding in the amount of \$22,961 is available in the 1991-92 Capital Budget for the Electric Utility Department.) Low bid of four (4) meeting specifications. The prime did not identify any subcontracting opportunities. Reference No. 920608-1RF.
39. Approve execution of a contract with CERTIFIED ABATEMENT SYSTEMS, INC., (MBE), Houston, Texas, to provide lead based paint abatement services for the renovation of the Electric Utility Department's Relay Construction Building, located at 300 West Avenue, in an amount not to exceed \$134,791. (Funding is available in the 1991-92 Capital Budget for the Electric Utility Department.) Low bid of two (2). The prime identified one area of subcontracting; there were no M/WBES available or qualified to perform the scope of work. Reference No. 920766-3CM.
40. Approve execution of a contract with WASTEWATER CONCEPTS INC., Stafford, Texas, for the purchase and installation of an acid storage tank at the Decker Power Plant, in an amount not to exceed \$48,600. (Funding is available in the 1991-92 Electric Utility Capital Budget.) Low bid of two (2). The prime did not identify any subcontracting opportunities. Reference No. 920770-1CM.
41. Approve negotiation and execution of contracts with the following vendors: WILTEL COMMUNICATIONS, Austin, Texas, for digital PBX telephone systems and premise wiring, in an amount not to exceed \$619,608; SOUTHWESTERN BELL TELECOM, Austin, Texas, for telephone switch management hardware and software, in an amount not to exceed \$89,764.78; and COMTEX (MBE), San Antonio, Texas, for voice processing system, in an amount not to exceed \$126,969, for a total amount not to exceed \$836,341.78 (Funding is available in the 1991-92 Electric Utility Capital Budget.) Best proposals of three

(3). M/WBE Subcontractor participation: Wiltel: 7.26% MBE, 0% WBE; Southwestern Bell Telecom: 0%; Comtex: 0%.

#34-41, on Councilmember Nofziger's motion, Councilmember Reynolds' second, 4-0 Vote, Mayor Pro Tem Urdy out of the room, Councilmembers Epstein and Garcia absent.

ITEMS FROM COUNCIL

42. Discuss legal obligations of City Attorney and City Council regarding Initiative and Referendum issues. (Councilmember Ronney Reynolds)

This issue was discussed by Council.

43. Approve an amendment to the Interlocal Cooperation Agreement with Travis County for security patrol services at Palm Park, increasing payment to the City in the amount of \$2,839.69, for a total of \$9,255.44, for service until August 23, 1992; amend Ordinance No. 910912-A, the 1991-92 operating budget, amending the General Fund operating budget for the Parks and Recreation Department, increasing revenues and expenditures, and appropriating \$2,839.69 from Travis County for security patrols in the Palm Park area. (Councilmembers Michael "Max" Nofziger and Ronney Reynolds)

On Councilmember Larson's motion, Councilmember Reynolds' second, 5-0 Vote, Councilmembers Garcia and Epstein absent.

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

ZONING DISTRICTS

To be heard by Planning Commission on July 14, 1992; Recommendation to Follow

44. C14-92-0054 - HASKEL G. HUDSON, by W. B. Howell, 7924 and 7936 U.S. Hwy. 290 West. From LR to GR-CO. Planning Commission granted GR-CO with conditions. 7-0 Vote.

Ordinance

45. C14-90-0058 - CROW GOTTESMANN HILL #37, by Consort, Inc., 12007 Technology Boulevard. From GR to LI.

180 day extension approved.

#44-45 on Mayor Pro Tem Urdy's motion, Councilmember Larson's second, 5-0 Vote, Councilmembers Epstein and Garcia absent.

FINAL CITIZEN COMMUNICATIONS

Ryan Green and Robert Singleton spoke.

PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

46. 4:45 P.M. - Appeal by Mark Clark of the Building Standards Board order to demolish the buildings located at 2511 Durwood Street.

The Council, on Councilmember Larson's motion, and Mayor Todd's second, closed the public hearing and DENIED the appeal. 5-0 Vote, Councilmembers Epstein and Garcia absent.

EXECUTIVE SESSION (No Public Discussion on These Items)

Council did not have an Executive Session.

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.

Personnel Matters - Section 2, Paragraph g

47. Interview and discussion of candidates for position of City Auditor.

ACTION ON THE FOLLOWING

48. Appointment of City Auditor.

No action.

BOARD AND COMMISSION APPOINTMENTS

49. ETHICS COMMISSION - 1 (Place 3) Pulled off agenda.

ADJOURN - 5:36 P.M.