



## Austin City Council MINUTES

JANUARY 20, 1994 - 1:00 P.M.

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

### MINUTES APPROVED

1. Approval of Minutes for Regular Meeting of January 6, 1994 and Special Meetings of December 1 (4:00 P.M. & 6:30 P.M.), December 2, 13, 21 and 28, 1993

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

### CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Tim Curtis, to discuss the South Texas Project.  
withdrew
3. Mr. Chris Cortez, to discuss the South Texas Project.  
withdrew
4. Mr. Paul Robbins, to discuss the South Texas Project.  
withdrew
5. Ms. Susan Lee, to discuss the South Texas Project.  
withdrew
6. Mr. E. Dragon, to discuss the South Texas Project.  
withdrew
7. Mr. Don Gardner, to discuss the South Texas Project.  
withdrew
8. Mr. Victor Blane, to discuss the South Texas Project.  
withdrew
9. Mr. Scott Stevens, to discuss lifting moratorium on issuing shuttle service permits.  
Not present
10. Mr. Lance Winters, to support the City's proposed non-smoking ordinance and address matters of pertinence.

### ORDINANCES

11. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 9304 Burnet Road, Case No. C14-93-0101, from "P", Public District to "LI-CO", Limited Industrial Services-Conditional Overlay,

SAGE-WATERFORD, LTD. (Ralph Reed). First reading on October 21, 1993; Vote 7-0. Conditions met as follows: Conditional overlay incorporate conditions imposed by Council.

12. Approve third 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-2", Single Family Residence (standard lot) to "GR", Community Commercial, ST. LOUIS CATHOLIC CHURCH (Sylvia Mosqueda), by Maricopa Southern, Inc. (Richard Harris). First reading on August 26, 1993; Vote 7-0. Second reading on December 16, 1993; Vote: 6-0. Conditions met as follows: conditions imposed by Council have been incorporated into a conditional overlay and a restrictive covenant.
13. Repeal Ordinance No. 871210-G which declared the necessity for paving East 51st Street from Old Manor Road to New Manor Road. (The East 51st Street Project was funded by General Obligation Bonds authorized in 1984. Paving Assessment revenue for the project was never anticipated or budgeted, therefore there is no fiscal impact.)
14. Repeal Ordinance No. 880407-D which declared the necessity for paving Toney Burger Lane, Phase I from 1250' southwest of East St. Elmo Road to St. Elmo Road. (The Toney Burger Lane project is funded by General Obligation Bonds authorized in 1984. Paving assessment revenue for the project was never anticipated or budgeted, therefore there is no fiscal impact.)
15. Repeal Ordinance No. 920514-E which declared the necessity for paving Burleson Road from Ben White Boulevard to Montopolis Drive. (The Burleson Road project is funded by General Obligation Bonds authorized in 1984. Paving assessment revenue for the project was never anticipated or budgeted, therefore there is no fiscal impact.)
16. Amend Ordinance No. 930915-A, the 1993-94 operating budget, by decreasing the Austin Convention and Visitors Bureau ending balance by \$45,600 and increasing the Austin Convention and Visitors Bureau's budgeted transfer out to the CIP by \$45,600; amend Ordinance No. 930915-B, the 1993-94 Capital Budget by increasing the transfers into the CIP by \$45,600 and transferring \$110,000 from Public Works Contingency Project to the O.Henry Museum restoration. (Recommended by Historic Landmark Commission and Planning Commission) [Related to Item 24]

#11-16 on Councilmember Garcia's motion, Councilmember Goodman's second, 5-0 Vote, Mayor Todd out of the room, Councilmember Shea absent.

Humane Society (Items 17-23)

17. Amend Chapter 3-3 of the Code of the City of Austin, 1992, as amended, by deleting provisions relating to disposition of impounded animals and record keeping by the Humane Society. (No fiscal impact.)
18. Amend Ordinance No. 930915-A, the 1993-94 operating budget, by increasing the General Fund budgeted beginning balance by \$1,419,745; increasing the budgeted revenue by \$320,790; appropriating \$791,124 to the Health and Human Services Department to fund Animal Shelter operations through September, 1994; adding two (2.00) full-time equivalent (FTE) positions, and increasing the General Fund unreserved ending balance by \$949,411. (Funding in the amount of \$470,334 is available in the 1993-94 General Fund Beginning Balance, and \$320,790 in increased revenue from animal shelter services.)
19. Amend Ordinance No. 930915-D, the 1993-94 Fee Ordinance, to establish a Pet Adoption Fee; waiving the requirement of Section 2-2-3 of the Austin City Code of 1992, as amended; and providing an effective date. (This will result in increased revenue of \$87,300.) [Recommended by Animal Advisory Commission]
20. Amend Ordinance No. 930915-B, the 1993-94 Capital Budget, by increasing the appropriation by \$1,682,525 for the Health and Human Services Animal Control Shelter.

RESOLUTIONS

21. Amend the Interlocal Agreement for Public Animal Shelter Services with Travis County for the provision of animal shelter services for the period of January 1, 1994 to September 30, 1994, with two (2) twelve (12) month options to renew. (Revenue collected from Travis County for the remainder of the fiscal year is \$104,955.75; revenue for each of the renewal periods is \$139,941.)
22. Approve negotiation and execution of an agreement to purchase the improvements of the Humane Society of Austin and Travis County, Inc. (HSATC) at 1156 West Cesar Chavez Street, in an amount not to exceed \$1,682,525. (Funding to be reimbursed through the sale of Certificates of Obligation in September 1994.)

#17-22 on Councilmember Garcia's motion, Councilmember Reynolds' second, 5-0 Vote, Mayor Todd out of the room, Councilmember Shea absent.

23. Express the City's intent to reimburse eligible costs for purchase of improvements of the Humane Society of Austin and Travis County, Inc. (HSATC) at 1156 West Cesar Chavez Street. (Funding in the amount of \$1,682,525 to be funded through the issuance of Certificates of Obligation to be sold in September, 1994.)

On Councilmember Garcia's motion, Councilmember Reynolds' second, 5-0 Vote, Mayor Todd out of the room, Councilmember Shea absent.

24. Approve a construction contract award to SANTOS & ASSOCIATES, Austin, Texas, for exterior restoration of the O. Henry Museum, in the amount of \$185,645. [Funding is included in the 1993-94 amended Capital Budget for Parks and Recreation Department. (O. Henry Museum Project)] Low bid of two (2). 15.35% MBE, 5.00% WBE Subcontractor participation. (Recommended by Historic Landmark Commission) [Related to Item 16]
25. Approve the filing of eminent domain proceedings to acquire the following: (1) wastewater line easement containing 12,852 square feet of land; (2) wastewater line easement containing 8,857 square feet of land; (3) temporary work space easement containing 29,988 square feet of land; (4) temporary work space easement containing 10,355 square feet of land; (5) temporary materials and spoils site easement containing 5,014 square feet of land; (6) wastewater line easement containing 10,604 square feet of land; and (7) temporary work space easement containing 12,372 square feet of land in which all tracts are out of a 48.648 acre tract of land out of the Thomas Anderson League No. 17, and a portion of Lot 2 in the Buas and Gage Subdivision in Travis County, Texas, owned by the Federal Deposit Insurance Corporation (1/2 Interest), and T.O. Murphy, Jr., Trustee of the FGMP Management Trust (1/2 Interest) for the Oak Park/Oak Acres Wastewater Project. (Funding was included in the 1991-92 Capital Budget of the Water and Wastewater Utility.)
26. Approve execution of a twelve (12) month supply agreement with TEX-STYLE SCREEN PRINTING (WBE), Austin, Texas, for the purchase and screen printing of T-shirts and baseball caps to be used throughout the Parks and Recreation Department, in an amount not to exceed \$61,657.40, with two (2) twelve (12) month extension options, in an amount not to exceed \$61,657.40 per extension option, for a total amount not to exceed \$184,972.20. (Funding in the amount of \$41,104.96 is available in the 1993-94 operating budget of the Parks and Recreation Department; funding for the final four (4) months (\$20,552.44) of the original contract period and the extension options is contingent upon availability of funding in future budgets. All of expenses associated with the purchase and screen printing of T-shirts and baseball caps is covered by fee based revenues.) Low bid of four (4). No M/WBE Subcontracting opportunities were identified.

27. Approve selection of VICTOR H. BAEZ, ARCHITECTS (MBE), Austin, Texas, for negotiation and execution of a contract to provide architectural design and construction phase services for the Milwood Branch Library, in the amount of \$98,000. (Funding was included in the 1992-93 Capital Budget for the Library Department.) Best proposal of nineteen (19). 13% MBE, 5% WBE Subcontractor participation.
28. Approve execution of a twelve (12) month supply agreement with BOUND TO STAY BOUND BOOKS, INC., Jacksonville, Illinois, for prebound juvenile books for the Austin Public Library, in an amount not to exceed \$150,000, with two (2) twelve (12) month extension options, in an amount not to exceed \$150,000 per extension, for a total amount not to exceed \$450,000. (Funding in the amount of \$100,000 is available in the 1993-94 operating budget for the Library; funding for the final four months of the original contract period (\$50,000) and the extension options is contingent upon availability of funding in future budgets.) Single bid. No M/WBE Subcontracting opportunities were identified.
29. Approve a construction contract award to O'NEAL CONSTRUCTION, INC., Austin, Texas, for construction of the North Austin Police substation, in the amount of \$1,626,170. (Funding in the amount of \$1,514,370 was included in the 1993-94 Capital Budget of the Police Department; \$111,800 was included in the 1993-94 Capital Budget of the Environmental and Conservation Services Department.) Low bid of four (4). 10.11% MBE, 0% WBE Subcontractor participation.
30. Approve execution of a twelve (12) month supply agreement with WESTVACO ENVELOPE DIVISION, Dallas, Texas, for the purchase of envelopes for use by all City departments, in an amount not to exceed \$37,864.71, with two (2) twelve (12) month extension options in an amount not to exceed \$37,864.71 per extension, for a total amount not to exceed \$113,594.13. (Funding in the amount of \$28,398.51 is available in the 1993-94 operating budgets; funding for the remaining three (3) months (\$9,466.20) of the contract period and the extension options will be contingent upon availability of funding in future budgets.) Low bid of three (3). No M/WBE subcontracting opportunities were identified.
31. Approve execution of a twelve (12) month supply agreement with KOCH MATERIALS COMPANY, Austin, Texas, for emulsified asphalt to be used by the Street and Bridge Division of the Department of Public Works and Transportation, in an amount not to exceed \$75,000, with two (2) twelve (12) month extension options, in an amount not to exceed \$75,000, for a total amount not to exceed \$225,000. (Funding in the amount of \$56,250 is available in the 1993-94 operating budget of the Transportation Fund; funding for the remaining three (3) months (\$18,750) of the original contract and the extension options is

contingent upon availability of funding in future budgets.) Single bid. No M/WBE Subcontracting opportunities were identified.

32. Approve a construction contract award to HI-TECH GENERAL CONTRACTORS, INC., Cedar Park, Texas, for removal of architectural barriers in the Municipal Annex/Council Chambers to comply with the Americans with Disabilities Act (ADA), in the amount of \$41,300. (Funding was included in the 1993-94 Capital Budget of the Department of Public Works and Transportation.) Low bid of two (2). 0% MBE, 4.84% WBE Subcontractor participation.
33. Approve a construction contract award to GARCIA GENERAL CONSTRUCTION COMPANY, INC., (MBE), Austin, Texas, for removing accessibility barriers in the City's rights-of-way to comply with the Americans with Disabilities Act (ADA), in the amount of \$41,900. (Funding was included in the 1992-93 Capital Budget of the Department of Public Works and Transportation.) Low bid of two (2). 10.07% MBE, 6% WBE Subcontractor participation. Councilmember Garcia stated for the record that the owners of this company are not related to him.
34. Approve selection of three firms: L.M. HOLDER III, AIA, Austin, Texas; O'CONNELL ROBERTSON AND ASSOC., ARCHITECTS AND ENGINEERS, Austin, Texas; AUSTIN DESIGN ARCHITECTS, INC. (MBE), Austin, Texas, for an architectural Energy Conservation Rotation List to provide professional architectural services on a variety of energy conservation projects for a period of approximately two years or until available funding is expended, in the amount of \$180,000 (estimated amount approximately \$60,000 per firm.) [Funding is included in the 1993-94 Capital Budget of the Environmental and Conservation Services Department]. Best qualification statements of six (6). The recommended firms are committed to meeting or exceeding the City's M/WBE goals on this contract award, if the opportunity for subcontracting in the projects exist.
35. Approve selection of ALAN TANIGUCHI ARCHITECT & ASSOCIATES, INC. (MBE), Austin, Texas, for negotiation and execution of a contract to provide masterplan services for the new Solid Waste Services facilities, in the amount of \$80,000. (Funding was included in the 1993-94 Capital Budget of the Environmental and Conservation Services Department.) Best qualification statement of six (6). 10% MBE, 8% WBE Subcontractor participation.
36. Approve Change Order #3 to AUSTIN BRIDGE AND ROAD, INC., Austin, Texas, for replacing additional defective curb and gutter and driveways as part of the Montopolis Neighborhood Area Roadway Improvements Project, in the amount of \$8,369.10, for a total contract amount of \$825,470.10. (Funding was included in the 1993-94 Capital Budget of the Public Works and Transportation Department.) 73.53% MBE, 0% WBE Subcontractor participation.

37. Approve execution of a twelve (12) month supply agreement with LONGHORN INTERNATIONAL EQUIPMENT, INC., Austin, Texas, for the purchase of equipment repair parts for the Navistar/International trucks used for the City's fleet, in an amount not to exceed \$250,000, with options to extend the agreement for two (2) additional twelve (12) month periods in the amount of \$250,000 per extension, for a total contract amount not to exceed \$750,000. (Funding in the amount of \$166,667 is available in the 1993-94 operating budget of the Fleet and Radio Fund; funding for the remaining \$83,333 of the contract period and the extension options is contingent upon availability of funding in future budgets.) Single bid. No M/WBE Subcontracting opportunities were identified.
38. Approve execution of a contract award to MCGINNES BROTHERS, Austin, Texas, for construction of flood control improvements in Shoal Creek, between White Rock Drive and Shoal Creek Boulevard, in the amount of \$1,096,550.09 (Funding was included in the 1992-93 Capital Budget of the Drainage Utility.) 18.94% MBE, 6.68% WBE Subcontractor participation.
39. Approve selection of five firms: AUSTECH ROOF CONSULTANTS, INC., Austin, Texas; TRINITY ENGINEERING TESTING CORPORATION, Austin, Texas; AMTECH ROOFING CONSULTANTS, INC., Austin, Texas; LAW ENGINEERING, INC., Austin, Texas; and BARNES ARCHITECTS, Austin, Texas, for a rotation list to provide professional services on a variety of City projects addressing roofing and/or waterproofing problems, for a period of approximately two years or until available funding is expended, in the amount of \$200,000 (estimated amount approximately \$40,000 per firm.) [Funding for these services is available in the Capital and operating budgets for the various departments needing the services]. Best qualification statement of ten (10). The recommended firms are committed to meeting or exceeding the City's M/WBE goals on this contract award, if the opportunity for subcontracting in the projects exist.

Brackenridge Hospital (Items 40-45)

40. Approve negotiation and execution of a twelve (12) month contract with CENTRAL TEXAS MEDICAL FOUNDATION, Austin, Texas, for professional services for pediatric intensive care services in an amount not to exceed \$120,000, including an option to extend thereafter for up to two (2) additional twelve (12) month periods in an amount not to exceed \$120,000 per extension, for a total amount not to exceed \$360,000. (Funding in the amount of \$120,000 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.

41. Approve execution of a contract award with ABBOTT CRITICAL CARE, Mountain View, California, for a twelve (12) month supply agreement for pulmonary artery catheters, in an amount not to exceed \$67,590, including an option to extend thereafter for up to two (2) additional twelve (12) month periods in an amount not to exceed \$67,590 per extension, for a total amount not to exceed \$202,770. (Funding in the amount of \$45,060 is available in the 1993-94 operating budget of Brackenridge Hospital; funding for the remaining four (4) months of the original contract period and the extension options is contingent upon availability of funding in future budgets.) Sole Source. No M/WBE Subcontracting opportunities were identified.
42. Approve negotiation and execution of a twelve (12) month contract with NEONATOLOGY ASSOCIATES, P.A., Austin, Texas, for professional medical services for a pediatric developmentalist who will provide medical administrative oversight and developmental assessment for all patients referred to the Developmental Assessment Program at Brackenridge's Specialty Care Center, in an amount not to exceed \$55,000. (Funding is available in the 1993-94 operating budget of Brackenridge Hospital.) Single proposal. No M/WBE Subcontracting opportunities were identified.
43. Approve execution of a twelve (12) month supply agreement with SYNCOR INTERNATIONAL CORPORATION, Austin, Texas, for supply and management of radiopharmaceuticals, in an amount not to exceed \$179,107.90, including an option to extend thereafter for up to three (3) additional twelve (12) month periods in an amount not to exceed \$179,107.90 per extension, for a total amount not to exceed \$716,431.60. (Funding in the amount of \$119,405.26 is available in the 1993-94 operating budget of Brackenridge Hospital; funding for the final four (4) months of the original contract period and the extension options is contingent upon availability of funding in future budgets.) Sole Source. No M/WBE Subcontracting opportunities were identified.
44. Approve negotiation and execution of a contract with GENERAL ELECTRIC MEDICAL SYSTEMS, Austin, Texas, for a biplane digital upgrade (including software) to the existing General Electric Cardiac Catheterization Laboratory, in an amount not to exceed \$634,584.15. (Funding was included in the 1993-94 Capital Budget for Brackenridge Hospital through the proceeds of the sale of contractual obligations approved by Council on September 9, 1993.) Sole source. No M/WBE Subcontracting opportunities were identified. (Recommended by Hospital Board)
45. Approve execution of contracts for the purchase of furniture for the nursing floors and patient rooms at Brackenridge Hospital, with the following vendors: WILSON BUSINESS PRODUCTS SYSTEMS & SERVICES, INC., Austin, Texas, in the amount of \$61,930; OFFICE PAVILION



CORPORATE FURNISHINGS, Austin, Texas, in the amount of \$54,747.94; and HILL-ROM COMPANY, INC., Batesville, Indiana, in the amount of \$77,832.51, for a total amount not to exceed \$194,510.45. (Funding is available in the 1993-94 operating budget of Brackenridge Hospital.) Low bid of two for chairs and overbed tables; single bid for side chairs, sleeper chairs and overbed tables. 2.31% MBE, 0% WBE Subcontractor participation.

Aviation (Items 46-49)

46. Approve a contract award to HILMAN CONSTRUCTION, INC., Austin, Texas, for upgrading the terminal building at Robert Mueller Municipal Airport, in the amount of \$713,319. (Funding was included in the 1993-94 Capital Budget for the Department of Aviation; the project is eligible for future grant reimbursement at 75% of eligible costs from the Federal Aviation Administration.) Single bid. DBE Subcontractor participation: 16.01% (10.51% MBE, 4.51% WBE). [Recommended by Aviation Advisory Board]
47. Approve the selection of JONES AND NEUSE, INC., Austin, Texas, and authorize negotiations and execution of a professional services agreement for the design of water distribution and wastewater collection systems for the new airport, in an amount not to exceed \$345,000. (Funding was included in the 1993-94 Capital Budget for Aviation; the project is eligible for future grant reimbursement at 75% of eligible costs from the Federal Aviation Administration.) Best qualification statement of four (4). DBE Subcontractor participation: 30% (20% MBE, 10% WBE). [Recommended by Aviation Advisory Board]
48. Approve the selection of TURNER, COLLIE & BRADEN, INC., Austin, Texas, and authorize negotiations and execution of a professional services agreement for engineering design services for the Terminal Apron Pavement at the New Airport, in an amount not to exceed \$2,149,000. (Funding was included in the 1993-94 Capital Budget for Aviation; the project is eligible for future grant reimbursement at 75% of eligible costs from the Federal Aviation Administration.) Best qualification statement of four (4). DBE Subcontractor participation: 30% (22% MBE, 8% WBE). [Recommended by Aviation Advisory Board]
49. Approve the selection of ESPEY HUSTON & ASSOCIATES, INC., Austin, Texas, and authorize negotiation and execution of a professional services agreement for engineering design services for the East Runway System at the New Airport, in an amount not to exceed \$3,801,000. (Funding was included in the 1993-94 Capital Budget for Aviation; the project is eligible for future grant reimbursement at 75% of eligible costs.) Best qualification statement of four (4). DBE Subcontractor participation: 34% (34% MBE, 0% WBE) [Recommended by Aviation Advisory Board]

50. Authorize negotiation and execution of an amendment to the existing professional services agreement with CH2M-Hill, Inc., Austin, Texas, for engineering and associated services for Phase II of the Wastewater Treatment Plants Nutrient Removal Study, in the amount of \$1,500,000, for a total contract amount of \$1,550,000. (Funding was included in the 1993-94 Capital Budget of the Water and Wastewater Utility.) 10% MBE, 5% WBE Subcontractor participation. [Recommended by Water and Wastewater Commission]
51. Approve execution of a contract award to BRH-GARVER, INC., Houston, Texas, for the construction of the Slaughter Lane Transmission Main - Manchaca Road Segment, in the amount of \$1,070,149. (Funding was included in the 1991-92 Capital Budget for the Water and Wastewater Utility.) Low bid of six (6). 15.1% MBE, 1.2% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)
52. Approve an amendment to the existing Interlocal Agreement with Travis County for water and wastewater system adjustments on Howard Lane, in the amount of \$3,250, for a total amount of \$50,628.50. (Funding was included in the 1993-94 Capital Budget of the Water and Wastewater Utility.) (Recommended by Water and Wastewater Commission)
53. Approve ratification of a contract with SCARAB MANUFACTURING AND LEASING, INC., White Deer, Texas, for the emergency purchase of a compost turning machine located at Hornsby Bend Wastewater Treatment Plant, in the amount of \$175,993. (Funding was available in the 1992-93 operating budget of the Water and Wastewater Utility.) Low bid of three (3) meeting specifications. No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)
54. Approve execution of a twelve (12) month supply agreement with CALGON CARBON CORPORATION, Lisle, Illinois, for the purchase of approximately 265 tons of powdered activated carbon to be used by the Water and Wastewater Utility in the water treatment process, in an amount not to exceed \$246,450 with two (2) twelve (12) month extension options in an amount not to exceed \$246,450 per extension, for a total amount not to exceed \$739,350. (Funding is available in the 1993-94 operating budget of the Water and Wastewater Utility.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission)
55. Approve payment to SOUTHERN UNION GAS COMPANY for pipeline relocations required as part of the U.S. Highway 183 expansion project, in the amount of \$191,439.84. (Funding in the amount of \$19,143.98 was included in the 1991-92 Capital Budget of the Department of Public Works and Transportation; \$172,295.86 will be reimbursed by the State of Texas.)

56. Approve a Neighborhood Commercial Management Program Loan in the amount of \$573,826 to El Lago Tortillas, Inc., for the purchase of a building located at 1700 East 4th Street. (Funding is available in the 19th Year Community Development Block Grant/Neighborhood Commercial Management Program grant funds through the Special Revenue Fund of the Department of Planning and Development.) [Recommended by Housing Subcommittee]
57. Express the City of Austin's intent to reimburse eligible costs up to \$2,400,000 for real estate acquisition for the Balcones Canyonlands Conservation Plan Project. (Funding provided through the issuance of General Obligation Bonds authorized by Proposition 10 of the August 8, 1993 Bond Election, in future years.)
58. Approve paying off a note of \$2,380,026 plus accrued interest to date to the Texas Nature Conservancy for land in the Balcones Canyonlands Conservation Plan. (Funding in the amount of \$797,710 is available in the Balcones Canyonlands Conservation Plan Capital Project; an estimated \$1,588,674 will be funded through the September 1994 General Government Bond Sale.)
59. Confirm the appointment of Robin F. Paulsgrove as Fire Chief.
60. Approve revised Rules and Procedures related to Worksessions and deadlines for submission of agenda related material.
61. Set a public hearing to amend the Land Development Code by adding a definition of municipal solid waste landfill; adding Section 13-1-37 requiring a permit from the Texas Natural Resources Conservation Commission before final approval of certain applications for development on former landfill sites; and adopting a local amendment to the 1991 Uniform Building Code to provide inspection standards for such development. (Suggested date and time: February 10, 1994 at 6:45 p.m.)
62. Set a public hearing to amend Section 13-2-176 of the Land Development Code to amend the conditions for exemptions relating to the Convention Center Combining District. (Suggested date and time: February 10, 1994 at 4:30 p.m.)
63. Set a public hearing to levy paving assessments for Havana Street. (Suggested date and time: April 21, 1994 at 4:30 p.m.)

#### ITEMS FROM COUNCIL

64. Set public hearings on establishing a community curfew in the Dove Springs neighborhood. (Suggested dates and times: February 9, 1994

at Dove Springs Recreation Center, 5607 S. Pleasant Valley Road, at 6:00 p.m., and February 10, 1994 at 5:30 p.m.) [Councilmember Gus Garcia]

65. Set a public hearing on establishing a city-wide curfew. (Suggested date and time: February 10, 1994 at 6:45 p.m.) [Mayor Bruce Todd]

#24-65 on Councilmember Garcia's motion, Councilmember Goodman's second, 5-0 Vote, Mayor Todd out of the room, Councilmember Shea absent.

66. Accept the resignation of Mayor Pro Tem Charles E. Urdy, Place 6.  
(Mayor Pro Tem Charles Urdy)  
Deleted

67. Elect Mayor Pro Tem. (Mayor Bruce Todd)

Elected Michael (Max) Nofziger as Mayor Pro Tem, on Councilmember Garcia's motion, Councilmember Goodman's second, 6-0 Vote, Councilmember Shea absent.

3:00 P.M. - ELECTRIC UTILITY (Items 68-85)

68. Electric Utility Commission Report - Jim Cash, Chair Reported
69. Resource Management Commission Report - Glenn Crow, Chair Reported
70. Monthly Management Report John Moore reported

71. Authorize the issuance of solicitations for proposals/qualifications for resources to allow early closure of the Holly Street Power Plant.

On Councilmember Garcia's motion, Councilmember Reynolds' second, 5-0 Vote, Mayor Todd out of the room, Councilmember Shea absent.

72. Approve execution of a contract with MARTYN BROTHERS, INC., Garland, Texas, for upgrades and repairs at the Longhorn Dam on Town Lake, Holly Power Plant, in the amount of \$236,530. (Funding in the amount of \$192,530 was included in the 1993-94 Capital Budget for the Electric Utility Department; \$44,000 is available in the 1993-94 operating budget for the Electric Utility Department.) Low bid of three (3). 18.16% MBE, 0% WBE Subcontractor participation.
73. Approve execution of a contract with BARON USA, INC., Cookeville, Tennessee, for the purchase of oil purification system and oil filter cart used to dry out high voltage transformers and process oil in substation transformers and oil circuit breakers, in the

amount of \$340,000. (Funding was included in the 1993-94 Capital Budget for the Electric Utility Department.) Low bid of two (2) meeting specifications. No M/WBE Subcontracting opportunities were identified.

74. Approve execution of a twelve (12) month supply agreement with MEYER INDUSTRIES, Hager city Wisconsin, for the purchase of self-weathering steel poles used in the overhead distribution system for new and replacement poles where anchor guys are not an option, in the amount of \$555,812 with the option to extend for two (2) twelve (12) month periods in the amount of \$555,812 per extension, for a total amount of \$1,667,436. (Funding was included in the 1993-94 Capital Budget for the Electric Utility; funding for the final four (4) months of the original contract period (\$185,085) and the extension options is contingent upon availability of funding in future budgets.) Low bid of two (2). 4.28% MBE, 0% WBE Subcontractor participation.
75. Approve execution of a contract with TECHLINE, Austin, Texas, for the purchase of streetlight poles to permanently mount streetlights adjacent to and/or over the roadways at signalized intersections, in the amount of \$57,520. (Funding is available in the 1993-94 operating budget of the Electric Utility.) Low bid of four (4). No M/WBE Subcontracting opportunities were identified.
76. Approve execution of a contract with R.D. ERB INC., San Antonio, Texas, for various North American Transformer and Federal Pacific Electric load tap changer transformer parts used to maintain a constant voltage on the City's electric system, in the amount of \$50,358. (Funding is available in the 1993-94 operating budget for the Electric Utility Department.) Sole Source. No M/WBE Subcontracting opportunities were identified.
77. Approve execution of a contract with AIRWORKS, Milleville, New Jersey, for repair and modification services to the gas turbine generator engine located at the Decker Creek Power Plant, in an amount not to exceed \$81,500. (Funding is available in the 1993-94 operating budget for the Electric Utility.) Low bid of three (3) meeting specifications. No M/WBE Subcontracting opportunities were identified.
78. Approve execution of a contract with WASTE CONTROL SERVICES, Channelview, Texas, for the dismantling and removal of an acid storage tank at Seaholm Power Plant, in the amount of \$39,150. (Funding is available in the 1993-94 operating budget for the Electric Utility Department.) Single bid. No M/WBE Subcontracting opportunities were identified.  
#72-78 on Councilmember Garcia's motion, Councilmember Reynolds' second, 5-0 Vote, Mayor Todd out of the room, Councilmember Shea absent.

79. Approve execution of the following contracts through the State of Texas Cooperative Purchasing Program with the following for the purchase of various types of trucks, utility vehicles, sedans, vans and cabs and chassis for use by the Electric Utility: HENDRIX GMC, Austin, Texas, in the amount of \$260,250; SOUTHWAY FORD, INC., San Antonio, Texas, in the amount of \$283,414; MCMORRIS DOWNTOWN FORD, Austin, Texas, in the amount of \$87,251; BILL MUNDAY PONTIAC, INC., Austin, Texas, in the amount of \$91,888; WICKERSHAM FORD L-M, INC., Orange, Texas, in the amount of \$193,436; KNAPP CHEVROLET, INC., Houston, Texas, in the amount of \$146,947.44, for a total amount of \$1,063,186.41. (Funding was included in the 1993-94 Capital Budget of the Electric Utility.)

Delete

80. Approve execution of a contract with CENTRAL TEXAS CLARKLIFT, Austin, Texas, for the purchase of three (3) forklifts for the Warehouse and Supply section of the Electric Utility, in an amount not to exceed \$173,079. (Funding was included in the 1993-94 Capital Budget for the Electric Utility.) Low bid of five (5) meeting specifications. No M/WBE Subcontracting opportunities were identified.
81. Approve execution of a twelve (12) month supply agreement with ALLIED TUBE, Harvey, Illinois, for the purchase of traffic sign posts, in the amount of \$35,656, with the option to extend for one (1) twelve (12) month period, in the amount of \$35,656, for a total amount of \$71,312. (Funding is available in the 1993-94 operating budget for the Electric Utility Department; funding for the final four (4) months of the original contract and the extension options is contingent upon availability of funding in future budgets.) Low bid of three (3). No M/WBE Subcontracting opportunities were identified.
82. Approve a modification of the contract with PROLINE MACHINE AND REPAIRS, Houston, Texas, for the purchase of parts and services for the rebuilding of the traveling water screen towers at Decker Power Plant, in the amount of \$16,804.40, for a total contract of \$233,220.40. (Funding is available in the 1993-94 operating budget for the Electric Utility Department.) No M/WBE Subcontracting opportunities were identified.

80-82 on Councilmember Garcia's motion, Councilmember Reynolds' second, 5-0 Vote, Mayor Todd out of the room, Councilmember Shea absent.

RECESSED FOR BOARD MEETING, AHPC FROM 4:31 TO 4:36 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 will be reconvened. Items 83-85 are AHFC agenda items to be considered by the Austin Housing Finance Corporation's Board of Directors.

83. Approve Minutes of September 30, 1993 meeting and December 16, 1993 meeting.
84. Authorize issuance of up to \$7,000,000 aggregate principal amount of Austin Housing Finance Corporation Multifamily Housing Revenue Refunding Bonds, (Stassney Woods Apartments Project) Series 1994, to refund Austin Housing Finance Corporation Multifamily Mortgage Revenue Note (Stassney Woods Apartment Project) Series 1985; authorizing a loan agreement, deed of trust and other documents relating thereto.
85. Amend 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 Apartment Project) 1985.

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

86. C14-93-0116 - BRIDGE OAK LODGE (Kenneth L. Beall), by Lopez-Phelps and Young (Amelia Lopez-Phelps), 2433-2507 E. Oltorf Street (odd numbers only). From SF-3 & LR to MF-3. Planning Commission Recommendation: To Grant RR, Rural Residence, zoning for the portion of the site within the 100-year floodplain, and MF-3-CO, Multifamily Residence (medium density)-Conditional Overlay, zoning limited to a maximum of 72 units; further subject to: (1) impervious cover be limited to existing square footage and (2) implement an integrated pest management program to reduce or minimize pesticide use.  
APPROVED PLANNING COMMISSION RECOMMENDATION - 1ST READING ONLY
87. C14-93-0139 - BRIDGE OAK LODGE (Ken Beall), by Lopez-Phelps and Young (Amelia Lopez-Phelps), 2502 E. Oltorf St. and 2432 Pleasant Valley Road. From LR to MF-3. Planning Commission Recommendation: To Grant MF-3-CO, Multifamily Residence (medium density)-Conditional Overlay, zoning limited to a maximum of 29 units per acre; further subject to: (1) impervious cover be limited to

existing square footage and (2) implement an integrated pest management program to reduce or minimize pesticide use.  
**APPROVED PLANNING COMMISSION RECOMMENDATION - 1ST READING ONLY**

88. C14-93-0140 - BRIDGE OAK LODGE (Ken Beall), by Lopez-Phelps and Young (Amelia Lopez-Phelps), 2209-2433 S. Pleasant Valley Road (odd numbers only), 2514 E. Oltorf Street and 2513 Sherringham Drive. From MF-2 & LR to MF-3. Planning Commission Recommendation: To Grant RR, Rural Residence, zoning for the portion of the site within the 100-year floodplain, and MF-3-CO, Multifamily Residence (medium density)-Conditional Overlay, zoning limited to a maximum of 22 units per acre; further subject to: (1) impervious cover be limited to existing square footage and (2) implement an integrated pest management program to reduce or minimize pesticide use.  
**APPROVED PLANNING COMMISSION RECOMMENDATION - 1ST READING ONLY**

**ITEMS 86-88 - AT 2ND READING ECSD TO REPORT TO COUNCIL AS TO MITIGATION OF POLLUTION FROM APARTMENT SITES - SCHEDULED FOR 2/3/94 COUNCIL MEETING.**

89. C14H-93-0020 - BAILEY-NEWGREN HOUSE, by John H. and Martha B. Campbell, 4108 Speedway. From MF-4 to MF-4-H. Planning Commission Recommendation: To Deny the request for MF-4-H, Multifamily Residence (moderate-high density)-Historic, zoning.  
**POSTPONED TO 2/3/94 AT COUNCIL'S REQUEST**
90. C14-93-0113 - C.O.A.-PLANNING & DEVELOPMENT, 6203, 6206 & 6210 Spicebrush Cove; 9217, 9219, 9221, 9223, 9225, 9227, & 9229 Spicebrush Drive; 6000, 6001, 6003, 9109, 9111, 9201, 9203, 9205, 9207, 9209, 9211, & 9215 Satsuma Cove; and 6101 Greyfeather Drive. From I-RR to SF-2. Planning Commission Recommendation: To Grant SF-2, Single Family Residence (standard lot) as requested.  
**ORDINANCE - APPROVED PLANNING COMMISSION RECOMMENDATION**
91. C14-93-0166 - NEW MILESTONES FOUNDATION, INC. (Bill Cook), by LZT Associates (Herman Thun, Jr.), 3005 East 12th Street. From CS to MF-3. Planning Commission Recommendation: To grant MF-3.  
**ORDINANCE - APPROVED PLANNING COMMISSION RECOMMENDATION**

**#86-91 ON COUNCILMEMBER GARCIA'S MOTION, COUNCILMEMBER REYNOLDS' SECOND, 5-0 VOTE, MAYOR TODD OUT OF THE ROOM, COUNCILMEMBER SHEA ABSENT.**

**PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS**

92. 4:30 P.M. - 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.

No speakers.

After it had been determined that no harm would be done to the parkland, and that there is no reasonable alternative, council closed the public hearing and approved on Councilmember Garcia's motion, Councilmember Reynolds' second, 5-0 Vote, Mayor Todd out of the room, Councilmember Shea absent.

93. 5:00 P.M. Full purpose annexation of the R.W. Walling Tract on Farmer Lane. (Councilmember Jackie Goodman)

Speaker's cards on file.

Public hearing closed, on Councilmember Goodman's motion, Councilmember Garcia's second, 4-0 Vote, Mayor Todd and Mayor Pro Tem Urdy out of the room, Councilmember Shea absent.

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

Council held two executive sessions as follows:

1:25 to 2:25 P.M. and 5:25 to 8:08 P.M. discussion on Item 113.

5:25 to 8:08 P.M. - discussion on Item 113, 105, 106, and 107

**Advice from Counsel - Section 551.071**

94. Discuss legal issues related to proposed School District Development Agreements.
95. Discuss claim of the Resolution Trust Corporation relating to the Watersbend Apartments construction site.

**Pending/Contemplated Litigation - Section 551.071**

96. Discuss status of Jerry J. Quick, et al v. City of Austin, Cause No. 92-0637, in the 22nd Judicial District Court of Hays County, Texas.
97. Discuss status of Tommy Dollar et al. v. General Motors, Class Action No. 92-1089.
98. Discuss status of Roderick Tanner, et al. v. City of Austin et al.

99. Discuss status of Julia Menchaca, et al. v. City of Austin et al., Cause No. 92-15620, in the 200th Judicial District Court of Travis County, Texas.
100. Discuss status and possible settlement of Elizabeth & Adolpho Perez v. City of Austin, Cause No. 494,836, in the 345th Judicial District Court of Travis County, Texas.
101. Discuss City of San Antonio, Texas, et al. v. Westinghouse Electric Corporation, Cause No. 90-5-00684, in the 3rd District Court of Matagorda County, Texas.
102. Discuss Houston Lighting & Power Company, v. City of San Antonio, et al., Cause No. 88-923-E, in the 101st District Court of Dallas County, Texas.

Advice from Counsel - Section 551.071

103. Discuss ownership interest in South Texas Nuclear Plant.

Land Acquisition - Section 551.072

104. Discuss land acquisition for the Balcones Canyonlands Conservation Plan.
105. Discuss land acquisition for the U.S. 183 Project (East of U.S. 290 East to SH 71 East).
106. Discuss land acquisition for the U.S. 290/SH 71 Project (1826 to Brodie Lane).
107. Discuss land acquisition for the U.S. 290/SH 71 Project (Woodward Street to F.M. 973)

Personnel Matters - Section 551.074

113. Discuss performance evaluation, duties, assignments, continued employment and terms of employment of Dr. Camille Cates Barnett, City Manager, relative to the operation of Brackenridge Hospital.

ACTION ON THE FOLLOWING

108. Authorize settlement of Elizabeth & Adolpho Perez v. City of Austin, Cause No. 494,836 in the 345th Judicial District Court of Travis County, Texas.

In an amount not to exceed \$70,000, on Councilmember Garcia's motion, Councilmember Goodman's second, 5-0 Vote, Mayor Todd out of the room, Councilmember Shipman absent.

109. Approve payment to the State of Texas for participation in real property acquisition for the U.S. 183 project in accordance with an agreement dated June 27, 1986. (East of U.S. 290 East to SH 71). \$50,000
110. Approve payment to the State of Texas for participation in real property acquisition for the U.S. 290/SH 71 project in accordance with an agreement dated June 27, 1986. (FM 1826 to Brodie Lane) \$100,000
111. Approve payment to the State of Texas for participation in real property acquisition for the U.S. 290/SH 71 project in accordance with an agreement dated June 27,, 1986. (Woodward Street to FM 973) \$100,000

#109-111 on Councilmember Goodman's motion which included that the water wells be plugged according to Barton Springs/Edwards Aquifer Conservation District standards, Councilmember Reynold's second, 5-0 vote, Mayor Todd out of the room, Councilmember Shea absent.

114. Resolution regarding the evaluation, duties, assignments, continued employment and terms of employment of Dr. Camille Cates Barnett, City Manager, relative to the operation of Brackenridge Hospital.

On Councilmember Garcia's motion, Councilmember Reynolds' second to accepted the resignation of Dr. Camille Cates Barnett as City Manager, effective immediately, with six months severance pay and 788 hours of approved personal leave, 5-1-0 Vote, Councilmember Nofziger voted no, Councilmember Shea absent.

112. APPOINTMENTS

No action.

ADJOURN - 8:33 P.M. on Councilmember Reynolds' motion, Councilmember Goodman's second, 4-0 Vote, Mayor Todd, Mayor Pro Tem Urdy out of the room, Councilmember Shea absent.

APPROVED ON THE 3rd DAY OF February, 1994.  
On Councilmember Garcia's motion, Councilmember Goodman's second, 4-0 vote, Councilmember Reynolds and Shea out of the room, Councilmember Urdy absent.

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