



Austin City Council MINUTES

SEPTEMBER 16, 1993 - 1:00 P.M.

Mayor Todd called to order the meeting of the Council, noting the presence of all members.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Charles Waits, Jr., to discuss representing the will and the good of the people.
3. Mr. Brent White, to discuss "how the City can acquire Uplands and Sweetwater without the Mayor's illegal development agreement; to urge the Council to oppose the PUD in any form; and to explain why I might have to vote no to the County's BCCP bond package; and I hope that citizens will be allowed to donate their time at the PUD hearing and that opponent negotiations will be granted equal time."
4. Mr. Ira Calkins, to discuss Channel 6 - City Council required to set policy, but has not; has allowed Public Information to set own policy.
5. Ms. Rachel Cywinski, to discuss the City of Austin Municipal Court's illegal extortion of citizens to take 3 times the amount of money owed under the guise of parking ticket amnesty. NOT PRESENT.
6. Mr. Leonard Lyons, to discuss the \$1,800,000 settlement without a public hearing or budget consideration.
7. Ms. Charlene Shillman, to extend an invitation for The Museum of Fine Arts, Austin, second annual gala at the Four Seasons Hotel on October 9, 1993.
8. Mr. Lance Winters, to discuss "setting the record straight."
9. Mr. Paul A. Garlinghouse, to speak to citizens and Council about the bad deal we are making helping Jim Bob Moffett with his Barton Creek development.
10. Mr. Neal Tuttrup, to discuss ongoing pollution of Barton Creek by Freeport McMoran, and other reasons to oppose the development agreement.

11. Mr. Hank Erb, to discuss the development agreement.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

12. Approve execution of a construction contract award to GOLF WORKS, INC., Austin, Texas, for expansion of the Jimmy Clay Golf Course, in the amount of \$3,135,016. [Funding was included in the 1992-93 amended Capital Improvement Project (Jimmy Clay Expansion) for the Golf Fund of the Parks and Recreation Department.] Low bid of eight (8). 12.01% MBE, 1.78% WBE Subcontractor participation. (Reviewed by Environmental Board and Planning Commission.) On Councilmember Reynolds' motion, Councilmember Garcia's second, 5-1-0 Vote, Councilmember Goodman voted No, Councilmember Nofziger out of the room.
13. Approve a construction contract award to REDDICO CONSTRUCTION CON., INC., Leander, Texas,, for construction of dechlorination facilities at Govalle Wastewater Treatment Plant, in the amount of \$658,983.33. (Funding was included in the 1991-92 Capital Budget of the Water and Wastewater Department.) Low bid of five (5). 8.21% MBE, 1.44% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission.)

Motion

Councilmember Shea made a motion, seconded by Councilmember Goodman to delay action for two weeks.

Substitute Motion

Councilmember Garcia made a motion, seconded by Councilmember Reynolds to approve the contract. Motion passed by a 4-3 Vote, Mayor Pro Tem Urdy, Councilmembers Goodman and Shea voted No.

14. Approve a construction contract award to AUSTIN ENGINEERING, CO., INC., Austin, Texas, for drainage improvements and construction of a hike and bike trail along Waller Creek from East 1st Street to East 3rd Street, in the amount of \$381,670. (Funding in the amount of \$341,000 was included in the 1991-92 Capital Budget of the Public Works and Transportation Department; \$40,670 was included in the 1992-93 Capital Budget of the Drainage Utility.) Low bid of three (3). 11.79% MBE, 1.19% WBE Subcontractor participation. On Councilmember Garcia's motion, Councilmember Goodman's second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.
15. Authorize negotiation and execution of a contract with AUSTIN COMMUNITY TELEVISION, for community access television and media management services, in an amount not to exceed \$575,000, with the option to extend thereafter for up to two (2) additional twelve (12)

month extension options, in an amount not to exceed \$590,000 for the first extension, and in an amount not to exceed \$605,000 for the second extension, for a total amount of \$1,770,000. (Funding provided by annual access payment from Austin Cablevision to the Cable Access Fund for 1993-94; funding for the extension options is contingent upon funding in future budgets.) Sole proposal. No M/WBE Subcontracting opportunities were identified. (Recommended by Cable Commission and Council Committee for Cable Television.) Pulled off agenda.

ORDINANCES

16. Approve first reading to disannex the 2,433 acre Decker Creek area subject to dissolution of the Decker Creek MUDs by the Texas Water Commission and the filing of a restrictive covenant prohibiting the owner of the Decker Creek MUD site from seeking creation of or annexation to a water district without the City's written consent, for a period of five years following disannexation.
17. Approve third reading of an amendment to the franchise agreement between the City of Austin and the Texas Utilities Electric Company to increase franchise fees from 3% gross receipts to 4% gross receipts. (The 1% increase results in an estimated \$40,000 annual increase in revenue to the General Fund.) [Recommended by Audit and Finance Committee]
18. Amend the Austin City Code by modifying the Basic Traffic Ordinance, Chapter 16-4 Speed Limits, to increase the speed limit on West Slaughter Lane from South Congress Avenue to Manchaca Road from 40 mph to 45 mph, and on West Slaughter Lane from Manchaca to Roxana Drive from 30 mph to 35 mph. (Funding in the amount of \$600 for signs is available in the 1993-94 operating budget of the Department of Public Works and Transportation.)
19. Approve adoption of rules to regulate rates for basic service on Cable Television and for related equipment in accordance with Federal law. (Recommended by Council Committee on Cable Television.)
20. Amend Section 2-4-186 of the City Code to increase the Downtown Commission's membership from fifteen (15) to sixteen (16) to include a representative of the East 6th Street residents and merchants. (Recommended by Economic Development Subcommittee)
21. Amend Ordinance No. 920922-E, the 1992-93 operating budget, amending the O Henry Museum Trust and Agency Fund for the Parks and Recreation Department by increasing budgeted revenue and expenditures in the amount of \$2,064.50 in donation funds from the

Friends of the O Henry Museum, to fund the fall session of the Opportunities for Youth O Henry Writing Club. (To be reviewed by Parks Board on September 14, 1993.) Recommended by Parks Board.

22. Amend Ordinance No. 920922-E, the 1992-93 operating budget, by amending the General Fund increasing the transfer to the Support Services Fund by \$75,921; amend the Support Services Fund increasing the transfer from the General Fund by \$75,921 to offset budgeted Audit revenue not received.

#16-22 on Councilmember Garcia's motion, Councilmember Goodman's second, 6-0 Vote, Mayor Pro Tem Urduy out of the room.

101. Approve third reading of an Ordinance adopting and approving the Operating Budget for the fiscal year beginning October 1, 1993 and terminating September 30, 1994, and making appropriations for each department, project and account, including errata.
Pulled off agenda.
102. Approve third reading of an Ordinance adopting and approving the Capital Budget for the fiscal year beginning October 1, 1993 and terminating September 30, 1994, and making appropriations for each project and account, including the errata.
Pulled off agenda.
103. Approve third reading of an Ordinance fixing and levying Municipal Ad Valorem taxes for the City of Austin, Texas, for the fiscal year 1993-94; 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 persons; directing the assessment and collecting thereof; validating all prior Ad Valorem taxes.
Pulled off agenda.
104. Approve third reading of certain ordinances authorizing fees, fines and other charges for City services and use of City facilities.
Pulled off agenda.
105. Approve third reading of an Ordinance adopting Water and Wastewater rates.
Pulled off agenda.
106. 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.
Pulled off agenda.

RESOLUTIONS

23. Authorize the approval and execution of an Escrow Agreement with Ameritrust Texas, N.A. for the defeasance of certain outstanding Combined Utility System Revenue Bonds. (The amount of defeasance will not exceed \$42,100,000; \$31,700,000 from the Electric Utility and \$10,400,000 from the Water and Wastewater Utility.) On Councilmember Garcia's motion, Councilmember Goodman's second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.
24. Authorize the Austin Hospital Authority to proceed with Due Diligence review. On Councilmember Garcia's motion, Councilmember Nofziger's second, 7-0 Vote.
25. Approve entering into a maintenance agreement with the TEXAS DEPARTMENT OF TRANSPORTATION for the operation and maintenance of traffic signals located at U.S. 290 and F.M. 1826; RM 2222 and City Park Road; RM 2222 and Loop 360; I.H. 35 and F.M. 734 (Parmer Lane); I.H. 35 and Braker Lane; Loop 275 (North Lamar Boulevard) and Coxville Road; Loop 1 and Barton Skyway; F.M. 734 (Parmer Lane and Metric Boulevard; and F.M. 734 and Loop 275 (Lamar Boulevard), in the estimated amount of \$4,500 (\$500 per signal.) [Funding is available in the 1993-94 operating budget of the Department of Public Works and Transportation.]
26. Approve an Interlocal Agreement between Austin Community College and the City of Austin, Public Works Department, Radio Communications Division, to provide for maintenance of two-way radios and related equipment owned by Austin Community College. (Funding in the amount of \$4,000 to be paid by Austin Community College.)
27. Approve negotiation and execution of a twelve (12) month agreement with COLORADO RIVER WATCH FOUNDATION, INC., to conduct the second year of the Austin Youth River Watch Program; in an amount not to exceed \$82,076. (Funding in the amount of \$28,500 is available in the 1992-93 operating budget of the Water and Wastewater Utility; \$26,788 is available in the 1992-93 operating budget of the Electric Utility; and \$26,788 is available in the 1992-93 operating budget of the Environmental and Conservation Services Department.) 0% MBE, 3.4% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission.)
28. Approve Wastewater Service Extension Request No. 1452 and authorize cost reimbursement up to a maximum amount of \$1,101,708 to Advanced Micro Devices in accordance with Section 13-3-15 of the Code of the City of Austin, for construction of a 24-inch and 30-inch wastewater interceptor which is needed to provide service to Advanced Micro Devices and the Upper Country Club drainage basin. (Funding

provided from Service Extension Cost Participation Transfers from the Water and Wastewater Utility future operating budgets through a three (3) year payment plan from 1996 through 1998.) [Recommended by Water and Wastewater Commission.]

29. Authorize negotiation and execution of an Interlocal Agreement with Wells Branch MUD to allow wastewater to pass through the District's line in Howard Lane to a City line in Burnet Road to facilitate direct City retail wastewater service to Lawrence Barbecue and other customers adjacent to the District line. (All costs to be paid by customer; the Utility will receive annual wastewater revenue of approximately \$785.) [Recommended by Water and Wastewater Commission.]
30. Approve execution of a contract with SONEX, Richland, Washington, for sonic instrumentation used to detect corrosion in wastewater interceptors, in an amount not to exceed \$41,285. (Funding was included in the 1992-93 Capital Budget for the Water and Wastewater Utility.) Single bid. No M/WBE Subcontracting opportunities were identified. (Recommended by Water and Wastewater Commission.)

#25-30 on Councilmember Garcia's motion, Councilmember Goodman's second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

31. Authorize execution of an Interlocal Agreement with Travis County and the Austin-Travis County Private Industry Council setting forth the functions, responsibilities, roles and relationship of the three parties pursuant to the requirements of the Job Training Partnership Act. (No fiscal impact.)
Pulled off agenda.
32. Approve execution of a contract with RELIABLE COMPUTER CORPORATION,, Palatine, Illinois, for the purchase and installation of an IBM Mainframe computer memory upgrade for the Information Systems Department, in an amount not to exceed \$86,869. (Funding is available in the 1992-93 operating budget of the Information Systems Department.) Low bid of seven (7) meeting specifications. No M/WBE Subcontracting opportunities were identified.
33. Approve execution of a contract with AT&T, Austin, Texas, for the purchase, installation and a one (1) year warranty of an AT&T Definity telephone system for the Austin Convention and Visitors Bureau, in an amount not to exceed \$93,706, and the purchase of an AT&T PBX telephone system upgrade for the Austin Convention Center, in an amount not to exceed \$17,849, for a total amount of \$111,555. (Funding is available in the 1992-93 operating budget of the Austin Convention and Visitors Bureau.) Sole Source. No M/WBE Subcontracting opportunities were identified.

34. Approve execution of a contract with McDATA CORPORATION, Broomfield Colorado, for hardware and software to link the City's different types of computer networks together into a single unified network, in an amount not to exceed \$210,483. (Funding is available in the 1992-93 operating budgets of the Water and Wastewater Utility (\$51,000), and Environmental and Conservation Services Department (\$25,000); funding in the amount of \$134,483 was included in the 1992-93 Capital Budget for the Electric Utility.) Best proposal of three (3). No M/WBE Subcontracting opportunities were identified.
35. Approve execution of a contract with STATEKRAFT COMPUTING, Ann Arbor, Michigan, for the purchase, installation and testing of four (4) VAX office automation computers to be used as replacements for existing older computers, including a one (1) year warranty, for the Information Systems Department,, in an amount not to exceed \$115,925, and execution of a contract with AVNET COMPUTER PRODUCTS CORPORATION, Houston, Texas, for communications and VAX office system software for the Information Systems Department, in an amount not to exceed \$125,307 for a total amount not to exceed \$241,232. (Funding in the amount of \$184,588 is available in the 1992-93 operating budget of the Information Systems Department; funding in the amount of \$56,644 is available in the 1993-94 operating budget of the Information Systems Department.) Low bid of eleven (11) meeting specifications. No M/WBE Subcontracting opportunities were identified.
36. Approve execution of a twelve (12) month supply agreement with SEALANT SYSTEMS, Richmond, Texas, for the purchase of sealant to be used on traffic cables installed by the Department of Public Works and Transportation, in an amount not to exceed \$57,600, with one (1) twelve (12) month extension option, in an amount not to exceed \$57,600, for a total amount not to exceed \$115,200. (Funding was included in various projects the Capital Budget of the Department of Public Works and Transportation.) Single bid. No M/WBE Subcontracting opportunities were identified.
37. Approve execution of a contract with UNDERGROUND, INC., Pearland, Texas, for the purchase of one (1) heavy duty truck-mounted catch basin cleaner for the storm sewer system, in an amount not to exceed \$142,097. (Funding is available in the 1992-93 operating budget of the Drainage Utility.) Low bid of three (3). No M/WBE Subcontracting opportunities were identified.
38. Approve execution of a twelve (12) month supply agreement with DIVERSIFIED COMPUTER SUPPLIES (WBE), Austin, Texas, for the purchase of approximately 1,000 cases of printed, continuous form utility statements, and 200 cases of termination of service statements, in an amount not to exceed \$47,340, with two (2) twelve (12) month extension options, in an amount not to exceed \$47,340 per extension

option, for a total amount not to exceed \$142,020. (Funding in the amount of \$7,890 is available in the 1992-93 operating budget for the Utility Customer Service Office; funding for the remaining contract and extension options is contingent upon availability of funding in future budgets.) Low bid of eight (8). No M/WBE Subcontracting opportunities were identified.

39. Approve execution of a contract with TAB PRODUCTS COMPANY, Austin, Texas, for the purchase and installation of a visible record filing system for maintaining Class C misdemeanor and traffic violation records at Municipal Court, in an amount not to exceed \$52,353.56. (Funding is available in the 1992-93 operating budget for Municipal Court.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified.
40. Approve the sixth extension of the Interlocal Cooperation Agreement with Travis County to provide Home Care Services to eligible County Rural Medical Assistance Program (MAP) clients from October 1, 1992 to September 30, 1993, and approve the amendment to authorize the seventh twelve (12) month extension for the period October 1, 1993 to September 30, 1994. (No fiscal impact. The County will reimburse the City for the cost of providing home care services for Rural Medical Assistance Program clients and inmates.)
41. Approve a HOME Reconstruction Loan to Mr. Vernie Thompson for reconstruction of a one-story single family dwelling at 3001 Martin Luther King Blvd., in an amount not to exceed \$41,000. (Funding is available in HOME Year 1 Grant Funds budgeted in the Special Revenue Fund of the Department of Planning and Development.)
42. Authorize a HOME Investment Partnership Loan to HEM Properties, a Texas general partnership, for the rehabilitation of the Greentree Apartments located at 6103 Manor Road, in an amount not to exceed \$800,000. (Funding is available in 1st and 2nd Year HOME Investment Partnerships Program funds budgeted in the Special Revenue Fund of the Department of Planning and Development.)
43. Approve a HOME Reconstruction Loan to Mr. Jesus Hernandez for reconstruction of a one-story single-family dwelling at 906 Vargas Road, in an amount not to exceed \$41,000. (Funding is available in HOME Year 1 Grant funds budgeted in the Special Revenue Fund of the Department of Planning and Development.)
44. Approve a HOME Reconstruction Loan to Ms. Gloria Perez for reconstruction of a one-story single-family dwelling located at 1602 Willow St., in an amount not to exceed \$41,000. (Funding is available in HOME Year 1 Grant funds budgeted in the Special Revenue Fund of the Department of Planning and Development.)

45. Approve a HOME Reconstruction Loan to Mr. Casimira Reyes for reconstruction of a one-story single-family dwelling located at 2213 Santa Rita, in an amount not to exceed \$41,000. (Funding is available in HOME Year 1 Grant funds budgeted in the Special Revenue Fund of the Department of Planning and Development.)
46. Approve a HOME Reconstruction Loan to Ms. Irene Zapata for reconstruction of a one-story single-family dwelling located at 2907 E. 4th Street, in an amount not to exceed \$41,000. (Funding is available in HOME Year 1 Grant funds budgeted in the Special Revenue Fund of the Department of Planning and Development.)
47. Approve a HOME Reconstruction Loan to Estanislado and Oralia Flores for reconstruction of a one-story single-family dwelling at 6212 Ponca Street, in an amount not to exceed \$41,000. (Funding is available in HOME Year 1 Grant funds budgeted in the Special Revenue Fund of the Department of Planning and Development.)
48. Approve a Neighborhood Commercial Management Program Loan to Continental Concepts, dba Triumph Balloon Company for the purchase of a building located at 1804 Smith Road, in the amount of \$140,000. (Funding is available in the 18th Year Community Development block Grant/Neighborhood Commercial Management Program grant funds, budgeted in the Special Revenue Fund of the Department of Planning and Development.) [Recommended by Housing Subcommittee.]
49. Rescind a resolution adopted on May 20, 1993 authorizing a \$430,000 Housing Implementation Program grant from the City of Austin to the Austin Housing Finance Corporation; authorize a \$430,000 Housing Implementation Program grant to the Austin Housing Finance Corporation for various Community Development Block Grant (CDBG) eligible expenditures in connection with Scattered Cooperative Infill Housing Program I, A and III. (Funding is available in the 18th Year Housing Implementation Program CDBG funds, budgeted in the Special Revenue Fund of the Department of Planning and Development.) #32-49 on Councilmember Garcia's motion, Councilmember Goodman' second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.
50. Approve negotiation and execution of a concession contract for management of the operation and maintenance of the Golf Course at the New Austin Airport at Bergstrom. On Councilmember Reynolds' motion, Councilmember Garcia's second, 5-2 Vote, Councilmember Goodman and Shea voted No.
51. Approve the selection of S.A. GARZA/JOSE I. GUERRA, INC., TEAM, Austin, Texas, and authorize negotiations and execution of a professional services agreement to provide engineering services for Midfield Cross Taxiway facility at the New Austin Airport at Bergstrom, in an amount not to exceed \$1,347,000. (Funding is

included in the 1993-94 Capital Budget for Aviation.) Best qualification statement of nine (9). DBE Subconsultant participation: 75% (73% MBE, 2% WBE)
On Councilmember Garcia's motion, Councilmember Goodman's second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

52. Approve the selection of GIL ENGINEERING ASSOCIATES, INC., Austin, Texas, and authorize negotiations and execution of a professional services agreement to provide engineering services for the south access road design at the new Austin Airport at Bergstrom, in an amount not to exceed \$180,000. (Funding is included in the 1993-94 Capital Budget for Aviation.) Best qualification statement of six (6). DBE Subconsultant participation: 56% (56% MBE, 0% WBE)
On Mayor Pro Tem Urdy's motion, Councilmember Garcia's second, 7-0 Vote.
53. Set a public hearing to amend Title XIII (Land Development Code) of the City Code of 1992 to allow columbariums (a vault with niches for urns containing ashes of the deceased) as a permitted use under Section 13-2-3-6, Accessory Uses and Civic Use Types, when affiliated with religious assembly providing regular organized religious worship and religious education incidental thereto. (Suggested date and time: October 14, 1993 at 4:15 p.m.)
54. Set a public hearing to amend Title XIII (Land Development Code) of the Austin City Code of 1992 to allow Software Development as a permitted use in the following zoning districts: NO - Neighborhood Office, LO - Limited Office, GO - General Office, LR - Neighborhood commercial, GR - Community Commercial, CS - Commercial Services, CS-1 - Commercial Liquor Sales, CH - Commercial Highway; IP - Industrial Park, LI - Limited Industrial, and MI - Major Industrial, and Electronic Prototype Assembly as a permitted use in the W/LO Warehouse Limited Office, CS - Commercial Services, CS-1 - Commercial Liquor Sales, CH - Commercial Highway, IP - Industrial Park, LI - Limited Industrial and MI - Major Industrial. (Suggested date and time: October 14, 1993 at 4:30 p.m.)
55. Set a public hearing to amend Title XIII (Land Development Code) of the City Code of 1992 to add a definition under Section 13-2-3, "Special Use Historic" and to amend Section 13-2-221 to modify Use Tables to make "Special Use Historic" a conditional use in the GR, Community Commercial, and more restrictive districts. (Suggested date and time: October 14, 1993 at 4:45 p.m.)
56. Set a public hearing to amend Section 13-1-406 of the Land Development Code to establish an expiration date for zoning applications filed before January 1, 1988. (Suggested date and time: October 14, 1993 at 5:00 p.m.)

57. Set a public hearing pursuant to Texas Local Government Code, Chapter 395, to approve a proposed update to Impact Fee CIP and Land Use Assumptions; amendment of Impact Fee Service Area and Water and Wastewater Utility service area; and amendments to Chapter 13-3A, Land Development Code, approving and incorporating the amended Impact Fee CIP Land Use Assumptions. (Suggested date and time: October 21, 1993 at 5:00 p.m.)

#53-57 on Councilmember Garcia's motion, Councilmember Goodman's second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

107. Approve Fiscal Year 1993-94 Cultural Arts Services contracts in the amount of \$1,597,431. (Funding available in the Cultural Arts Fund.) Pulled off agenda.

3:00 P.M. - ELECTRIC UTILITY (Items 58-77)

58. Electric Utility Commission Report - Jim Cash, Chair, gave the report.
59. Resource Management Report - Peter Pfeiffer reported.
60. Monthly Management Report - John Moore, Director of the Electric Utility reported.
61. Amend Ordinance No. 920922-E, the 1992-93 operating budget by increasing budgeted revenue and expenditures for the Electric Utility Department in the amount of \$33,500,000 to reflect the increased cost of fuel resulting from the outages at the South Texas Project (STP).
62. Authorize negotiation and execution of an amendment to the professional services agreement with ROY F. WESTON, INC., Austin, Texas, for third phase construction services for the Holly Street Power Plant Vent Screen and Drainage System Remediation Project, in the amount of \$185,584, for a total amount of \$435,584. (Funding is available in the 1992-93 operating budget for the Electric Utility.) 30.17% MBE, 11.37% WBE Subcontractor participation.
63. Approve execution of a contract with VALVE SYSTEMS AND CONTROLS, INC., Houston, Texas, for the automation of main steam stop valves at the Holly Power Plant, in the amount of \$151,964. (Funding was included in the 1992-93 Capital Budget for the Electric Utility Department.) Low bid of five (5). No M/WBE subcontracting opportunities were identified.
64. Approve execution of a contract with SUMMIT TECHNOLOGIES, Austin, Texas, for twenty-five (25) personal computers to support the computer automated design work of Distribution Engineering, Project

Coordination and Surveying sections at the Kramer Lane Service Center, the St. Elmo Service Center and the Field Services Division at the Seaholm Power Plant, in an amount not to exceed \$63,750. (Funding was included in the 1992-93 Capital Budget for the Electric Utility.) Low bid of six (6). No M/WBE Subcontracting opportunities were identified.

65. Approve execution of a contract with SAFE ENGINEERING SERVICES AND TECHNOLOGIES, LTD., Montreal, Quebec, Canada, for the purchase of CDEGS (Current Distribution, Electromagnetics, Grounding and Soil Structure Analysis) software and training, in an amount not to exceed \$100,200. (Funding in the amount of \$20,200 is available in the 1992-93 operating budget for the Electric Utility; funding in the amount of \$80,000 was included in the 1992-93 Capital Budget for the Electric Utility.) Sole Source. No M/WBE Subcontracting opportunities were identified.
66. Approve execution of a fifteen (15) month service agreement with WEATHER-RITE OF AUSTIN (MBE), Austin, Texas, for weatherization and noise abatement services for approximately 50 houses in the Holly Street Power Plant neighborhood, in the amount of \$238,000. (Funding in the amount of \$225,000 is available in the 1992-93 Environmental and Conservation Services Energy Conservation Rebate and Incentives Fund. \$13,000 is available in the 1992-93 operating budget of the Environmental and Conservation Services Department. Low bid of two (2). No M/WBE Subcontracting opportunities were identified. (Recommended by Resource Management Commission.)
67. Approve execution of a contract with NORTH AMERICAN TRANSFORMER, Milpitas, California, for the purchase of two (2) 3-phase transformers for installation at the proposed Garfield Substation, in the amount of \$3,688,390. (Funding was included in the 1991-92 Capital Budget for the Electric Utility.) Low bid of six (6) meeting specifications.
68. Approve execution of a twelve (12) month service agreement with WOLLERY FENCE COMPANY, Elgin, Texas, for the rental and maintenance of erosion control fencing, in the amount of \$112,750, with the option to extend for one (1) twelve (12) month extension in the amount of \$112,750, for a total amount of \$225,500. (Funding is contingent upon availability of funding in the 1993-94 operating budget of the Electric Utility Department.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified.
69. Approve execution of a contract with GENERAL ELECTRIC COMPANY, Houston, Texas, for the overhaul and preventative maintenance of large motors for the Decker Power Plant, in the amount of \$62,694. (Funding is contingent upon availability of funding in the 1993-94 operating budget of the Electric Utility.) Single bid. No M/WBE Subcontracting opportunities were identified.

70. Approve execution of a contract with PRO-LINE MACHINE AND REPAIRS, Houston, Texas, for the purchase of parts and services to rebuild filter screens used to filter solids from the water prior to entering the Decker Power Plant, in the amount of \$195,696. (Funding is available in the 1992-93 operating budget of the Electric Utility Department.) Low bid of three (3). 3.5% MBE, 0% WBE Subcontractor participation.
71. Approve execution of three (3) twelve (12) month fuel oil supply agreements for low sulfur oil for use as standby fuel for the City's natural gas-fired electric generating plants, with the following: KOCH REFINING COMPANY, Austin, Texas; MANSFIELD OIL COMPANY, Gainesville, Georgia; and STAR ENTERPRISES, Irving, Texas, in an amount not to exceed \$5.5 million for all three (3) contracts, with the option to extend for up to two (2) additional twelve (12) month contracts, in an amount not to exceed \$5.5 million per extension, for a total amount not to exceed \$16.5 million. (Funding will be provided through Electric Fuel Charge revenue.) Three (3) lowest bids of five (5). No M/WBE Subcontracting opportunities were identified.
72. Approve execution of a contract with SOUTHWAY ELECTRIC UTILITY, Austin, Texas, for the purchase of transmission line insulators and hardware, in the amount of \$47,125. (Funding is included in the 1991-92 Capital Budget for the Electric Utility.) Low bid of six (6) meeting specifications. No M/WBE Subcontracting opportunities were identified.
73. Approve execution of a ten (10) year Interlocal Agreement with Lower Colorado River Authority (LCRA), Austin, Texas, for the purpose of joint purchasing of instrumentation and control devices, and for the sharing of technical services in support of the City's instrumentation and controls activities, in an estimated amount not to exceed \$250,000 per year, to be adjusted annually by the change in the Consumer Price Index for the remaining nine (9) years. (Funding was included in the 1992-93 Capital Budget for the Electric Utility Department.)
74. Approve execution of a contract with KLECK ENVIRONMENTAL CONTRACTORS, INC., San Antonio, Texas, to provide disposal of contaminated soil at the Oak Hill Substation, in the amount of \$103,210. (Funding was included in the 1991-92 Capital Budget of the Electric Utility Department.) Low bid of three (3). 12.31% MBE, 0% WBE Subcontractor participation.
75. Approve execution of a contract with COMARK VENTURES, DeSoto, Texas, for the purchase of a portable office building to be located at Decker Power Plant to relieve overcrowding of existing office space, in the amount of \$55,898. (Funding was included in the 1992-93

Capital Budget for the Electric Utility.) Low responsive bid of four (4). No M/WBE Subcontracting opportunities were identified.

76. Approve execution of a contract with SOUTHWAY ELECTRIC UTILITY SERVICE, Austin, Texas, for the purchase of insulated line post assemblies, in the amount of \$84,560. (Funding is contingent upon availability of funding in the 1993-94 operating budget of the Electric Utility Department.) Low bid of five (5). No M/WBE Subcontracting opportunities were identified.
77. Approve execution of a contract with TECHLINE, INC., Austin, Texas, for the purchase of 92,153 pounds of steel galvanized conductor wire, in the amount of \$36,953.35. (Funding is available in the 1992-93 operating budget for the Electric Utility Department.) Low bid of three (3). No M/WBE Subcontracting opportunities were identified.

#61-77 on Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Councilmember Reynolds out of the room.

78. 3:30 P.M. - MEETING OF THE AUSTIN HOUSING FINANCE CORPORATION

Council recessed from 3:50 to 3:55 P.M. for AHFC meeting.

ITEMS FROM COUNCIL

79. Approve an ordinance to rename First Street, from MoPac Boulevard to Highway 183, to Cesar Chavez Boulevard. (Councilmember Jackie Goodman)
On Councilmember Goodman's motion, Councilmember Garcia's second, with a friendly amendment by Councilmember Garcia to call it Street, not Boulevard. 7-0 Vote.

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

80. C14-93-0069 - H.C. BYLER, BY LZT Associates (Herman Thun Jr.), 2402 to 2406 South 4th Street. From LO to MF-3. Planning Commission Recommendation: To grant MF-3-CO, Multifamily Residence (medium density) Conditional Overlay, limited to a maximum of 11 units. First Reading
81. C14-93-0091 - W.M. INVESTMENTS #4 - SPECTRUM CENTER (Tim Wiley), by Common Interest, Inc., (Mack McKinley), 8440 Burnet Road. From CS,, CS-1 to CS-1 and CS. Planning Commission Recommendation: To grant CS-1 for Tract 1, CS for Tract 2. Ordinance
82. C14-93-0094 - SLUMBERLAND MEMORIAL PARK, Martha Rieger, et al, (Frank Scofield), by Strasburger and Price, IH-35 North and Dessau Road. From SF-2, IP to CS-1 and GR. Planning Commission

Recommendation: To grant CS-1-CO for Tract 1 and GR-CO for Tract 2 limiting floor-to-area ratios to the following: (1) 0.045 to 1.0 FAR (for 13,269 sq. ft.) for General Retail Sales (general and convenience); (2) 0.0108 to 1.0 FAR (or 3,613 sq. ft.) for Restaurant (drive-in, fast food); (3) 0.033 to 1.0 FAR (or 9,735 sq. ft.) for Restaurant (general); (4) 0.038 to 1.0 FAR (or 11,259 sq. ft.) for Food Sales; and (5) 0.043 to 1.0 FAR for 12,500 sq. ft.) for Financial Services. In addition,, the developed portion of CS-1 (for Tract 1) to be used for Commercial Liquor Sales shall not exceed 15,000 sq. ft. Both tracts are subject to the condition that the applicant enter into an agreement at the site plan stage limiting fertilizer use as acceptable by the Office of Environmental and Conservation Services.
Postponed to October 14, 1993.

#80-82 on Councilmember Garcia's motion, Councilmember Goodman's second, 7-0 Vote.

To be head by Planning Commission on September 14, 1993;
Recommendation to Follow

83. C14-93-0102 - FARMER METRIC ASSOCIATES (Ralph Reed), by Architectural Management TPSD (Ron L. Davis), 12421 to 12449 Lamplight Village Ave. From GR-MU-CO to P. Planning Commission recommendation: To grant "P" zoning. Consent vote.
Ordinance - on Councilmember Garcia's motion, Councilmember Goodman's second, 7-0 Vote.
84. C14-93-0079 - LOUIS MURRILLO, by AIC Designers (Adan I. Castaneda), 1110 Flores Street. From CS to CS-MU. Planning Commission recommendation: Forward to Council without a recommendation due to lack of a quorum vote. Motion to grant the requested zoning 3-3-2. Motion to deny requested zoning 3-3-2.

Motion

The Council, on Councilmember Garcia's motion, Councilmember Nofziger's second, closed the public hearing, 6-0 Vote, Councilmember Shea out of the room.

Motion to Deny

The Council, on Councilmember Goodman's motion, Councilmember Nofziger's second, voted to DENY the zoning change. 5-0-2 Vote, Councilmember Reynolds and Mayor Todd abstained.

EXECUTIVE SESSION (No Public Discussion on These Items)

Council did not hold an executive session. Items 85, 90, 91 and 93 were discussed during the executive session held on the morning of this date in the Mayor's office.

Advice from Counsel - Sec. 551.071

85. Seek legal advice concerning a proposed amendment to the Articles of Incorporation of the Austin Housing Finance Corporation (the "AHFC"), to provide for limitation on the liability of AHFC's Board of Directors and staff.
86. Discuss ownership interest in South Texas Nuclear Plant.

Pending/Contemplated Litigation - Sec. 551.071

87. Discussion of City of San Antonio, Texas, et al v. Westinghouse Electric Corporation, Cause No. 90-5-0684-C, in the 23rd District Court of Matagorda County, Texas.
88. Discussion of Houston Lighting & Power Company v. City of San Antonio, et al, Cause No. 88-6923-E, in the 101st District Court of Dallas County, Texas.
89. Discussion of contemplated litigation to recover overcharges under a fuel supply contract.

Land Acquisition - Sec. 551.072

90. Discuss real property acquisition for the Water and Wastewater Utility Loop 360 Elevated Storage Facility.
91. Discuss real property acquisition for the South Austin Senior Citizen Activity Center and park purposes.
92. Discuss acquisition of Bergstrom Air Force Base from United States Air Force and properties needed for the new Austin Airport site.
93. Discuss land acquisition for the Barton Creek Wilderness Park.

Personnel Matters - Sec. 551.075

94. Discuss personnel evaluations of City Council appointees: City Manager, City Clerk, Municipal Court Clerk, Municipal Court Judges and City Auditor.

ACTION ON THE FOLLOWING

95. Approve an amendment to the Articles of Incorporation of the Austin Housing Finance Corporation (the "AHFC") to provide for a limitation on the liability of AHFC's Board of Directors and staff and direct delivery of articles of amendment to the Texas Secretary of State.
96. Approve a resolution authorizing the purchase of real property located at 1610 and 1612 Barclay Drive from Thomas W. O'Brien, Mark Kathryn O'Brien, Bill B. Trimble and Betty Jane Trimble, for the Water and Wastewater Utility Loop 360 Elevated Storage Facility. In the amount of \$508,200.00.
97. Approve a resolution authorizing the negotiation and execution of a contract for the purchase of approximately 3.744 acres of land from Manuel and Jane Zuniga for the South Austin Senior Citizen Activity Center and park purposes. In the amount of \$172,000.00
98. Approve an ordinance amending the 1992-93 Capital Budget for Parks and Recreation to increase the appropriation for the Barton Creek Wilderness Park, from \$1,000,000 to \$2,650,000. (Funding was authorized as part of the 1992 bond election; \$1,000,000 of these bonds were sold in September 1992. Future cash needs will be funded from future bond sales.)
99. Approve a resolution authorizing the negotiation and execution of a contract for the lease purchase of 578 acres known as the Gaines Ranch through the Trust for Public Land, at a purchase price not to exceed \$2,600,000 for the Barton Creek Wilderness Park. (A \$520,000 down payment was funded from the 1992 bond sale; lease payments will be made from future bonds sales.)

#95-99 on Councilmember Garcia's motion, Councilmember Goodman's second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.
108. Approve the purchase of real property located at the corner of Pinnacle Road and Allen Road from L.G. and Ruby Friar, for the Water and Wastewater Utility Loop 360 Pump Station and Ground Storage Facility. (Recommended by Water and Wastewater Commission) [related to item 90]
\$160,000.00
109. Approve the purchase of real property located at the corner of Pinnacle Road and Allen Road from Dr. Max H. Faykus and Martha D. Faykus, for the Water and Wastewater Utility Loop 360 Pump Station

and Ground Storage Facility. (Recommended by Water and Wastewater Commission) [related to item. 90]
\$95,000.00

#108-109 on Councilmember Garcia's motion, Councilmember Goodman's second, 6-0 vote, Mayor Pro Tem Urdy out of the room.

100. APPOINTMENTS

RESOURCE MANAGEMENT COMMISSION - 1 (To expire 07/01/95)
No appointment made.

10:00 P.M. - ADJOURN