



Austin City Council MINUTES

JUNE 16, 1994 - 1:00 P.M.

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

MINUTES APPROVED

1. Approval of Minutes for Special Meetings of June 6, 1994; June 8, 1994; May 6, 1994; May 26, 1994, and Regular Meetings of April 28, 1994; May 26, 1994; and June 9, 1994.

Approved with correction to: items 16, 23 and 24 on Regular Meeting of April 28, 1994; items 41 and 45 on Regular Meeting of May 26, 1994; and item 3 on Special meeting of June 8, 1994 on Councilmember Shea's motion, Mayor Pro Tem Nofziger's second, 7-0 vote.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Shaun Stenshel, to discuss the dangerous, leaky and poorly managed South Texas Nuclear Plant.
 3. Ms. Susan Lee, to request the City replace power from STNP & Holly with solar & wind, and vastly expand the conservation program.
 4. Mr. Rodney Doerscher, to discuss the South Texas Nuclear Plant.
 5. Mr. Ricky Bird, to discuss the Holly Power Plant.
 6. Mr. Roger Baker, to discuss matters arising.
 7. Mr. Leonard Lyons, to discuss Becky Gadell's use of Channel 6 to influence election results and to enhance personal relationships.
- Not present

ORDINANCES

8. Approve rearranging and renumbering certain sections and paragraphs of the City Charter of the City of Austin. (No fiscal impact).

Ordinance No. 940616-A approved on Councilmember Goodman's motion, Mayor pro Tem Nofziger's second, 7-0 vote.

9. Approve Third Amendment to Agreement Concerning Creation and Operation of Wells Branch MUD ("Consent Agreement"); Consenting to the annexation by the MUD of 218.91 acres comprising the Willow Run and Bratton Park Subdivisions; deleting the prohibition against District rates that are less than rates for comparable customers within the City; providing terms and conditions to govern the annexation of the District by the City and setting forth agreed terms for collection of the post-annexation surcharge. (No fiscal impact.)

Ordinance No. 940616-B approved on Councilmember Goodman's motion, Mayor Pro Tem Nofziger's second, 6-0-1 vote, Councilmember Shea abstained.

10. Amend Ordinance No. 930915-A, the 1993-94 Operating budget, to decrease the General Fund Unreserved Ending Balance by \$188,415, and increase the Emergency Medical Services Department's expenses by \$188,415 to fund the costs of upgrading new emergency vehicles, adding four Communications personnel, purchasing protective vests, and a statistical analysis project. (Related to Item 11)
Ordinance No. 940616-C

RESOLUTIONS

11. Approve execution of a contract with TAYLOR MADE AMBULANCES, Newport, Arkansas, for the initial purchase of two (2) replacements and one (1) additional ambulance in an amount not to exceed \$331,788, including an agreement to purchase up to ten (10) additional units for two (2) twelve (12) month extension options, in the amount of \$1,060,043 for the first extension, and \$1,112,993 for the second extension, for a total contract amount not to exceed \$2,504,824. (Funding in the amount of \$221,192 is available in the 1993-94 Vehicle Replacement Fund; \$110,596 is available in the 1993-94 operating budget of the Emergency Medical Services Department; funding for the extension options will be contingent upon available funding in future budgets.) Low bid of four (4). No M/WBE Subcontracting opportunities were identified. (Related to Item 10)

Items 10 and 11 approved on Councilmember Goodman's motion, Mayor Pro Tem Nofziger's second, 7-0 vote.

12. Approve execution of a contract through the State of Texas Cooperative Purchasing Program with CELLULARONE, Austin, Texas, for cellular phone airtime and services for seven-hundred, fifty-one (751) cellular telephones used by City of Austin employees, in the amount of \$392,100, with two (2) twelve (12) month extension options in an estimated amount of \$411,075 per extension, for a total amount of \$1,214,250. (Cellular service under this contract will cost approximately \$98,025 the last three months of FY 1993-94. Funding in the amount of \$98,025 is available in the 1993-94 operating budgets as follows: Convention Center \$400, Aviation \$2,125, Brackenridge Hospital \$5,000, ECSD \$5,250, Electric Utility \$35,000, and Water and Wastewater \$1,625, Support Services Fund Departments \$4,100, General Fund Departments \$43,775, Information Systems \$300, and the Planning special Revenue Fund \$450. Funding for the remaining \$294,075 amount of the contract period and the extension options will be contingent upon available funding in future budgets.)

Postponed until July 14, 1994

13. Approve the filing of eminent domain proceedings to acquire a wastewater easement containing 11,620 square feet of land and a temporary construction easement containing 763 square feet of land out at the J. C. Tannehill League in Austin, Travis County, Texas, owned by Estate of Willie Cora Thompson Davis, Everette Douglas Davis, Francis Elaine Davis, Iris Davis Laryea, Akaimi Davis, Calasca Dimple Davis Murphy, Ogereda Marion Davis Bowman, Willie Ray Davis, Vessie Vivian Davis Tutt, Scottie Lee Davis Ivory, Agenes Teresia Davis Lewis, Floyd Andrew Davis, Barbara Jean Davis Dotson, Nikki Fonne Simmons Hall, Ronald Knowlton Davis, and James S. L. Davis, Jr., as Their Interest May Appear for the Fort Branch of Boggy Creek Phase II Drainage Project. (Appraised value is \$200.)

Postponed one week at the request of Dr. Davis

Brackenridge Hospital (Items 14-18)

14. Approve execution of a twelve (12) month supply agreement with AVI, INC., 3M HEALTH CARE, St. Paul, Minnesota, for disposable intravenous (IV) pump check valve sets used with electronic infusion pumps, in an amount not to exceed \$51,916.92, with the option to extend for up to two (2) additional twelve (12) month periods in an amount not to exceed \$51,916.92 per extension, for a total amount not to exceed \$155,750.76. [Funding in the amount of \$12,979.23 is available in the 1993-94 operating budget of Brackenridge Hospital. Funding for the final nine (9) months on the original contract period and the extension options is contingent upon available funding in future budgets.] Sole Source. No M/WBE Subcontracting opportunities were identified.
Approved
15. Approve execution of a twelve (12) month supply agreement with GENERAL MEDICAL CORPORATION, Austin, Texas, for intravenous (IV) catheters, in an amount not to exceed \$56,008.88, with the option to extend for up to two (2) additional twelve (12) month periods, in an amount not to exceed \$56,008.88 per extension, for a total amount not to exceed \$168,026.64. [Funding in the amount of \$14,002.22 is available in the 1993-94 operating budget of Brackenridge Hospital; funding for the final nine (9) months of the original contract period and the extension options is contingent upon available funding in future budgets.] Low bid of four (4). No M/WBE Subcontracting opportunities were identified.
Approved
16. Approve execution of a twelve (12) month maintenance agreement with OHMEDA, Madison, Wisconsin, for anesthesia equipment, in an amount not to exceed \$96,096.84, with the option to extend for up to three (3) additional twelve (12) month periods, in an amount not to exceed \$96,096.84 per extension, for a total amount not to exceed \$384,387.36. [Funding in the amount of \$24,024.21 is available in the 1993-94 operating budget of Brackenridge Hospital; funding for the final nine (9) months of the original contract period and the extension options is contingent upon available funding in future budgets.] Sole Source. No M/WBE Subcontracting opportunities were identified.
Approved

17. Approve negotiation and execution of a twelve (12) month agreement with CAPITAL AREA PERFUSIONISTS, INC., Austin, Texas, for perfusionist services (operate the heart/lung machine and cell saver equipment during open heart surgery or trauma cases), in an amount not to exceed \$195,100, with the option to extend for up to four (4) additional twelve (12) month periods in an amount not to exceed \$204,855 for the first extension, \$215,098 for the second extension, \$225,853 for the third extension, and \$237,146 for the fourth extension; for a total amount not to exceed \$1,078,052. [Funding for an estimated \$48,774.99 is available in the 1993-94 operating budget of Brackenridge Hospital; funding for the final nine (9) months of the original contract period and the extension options is contingent upon available funding in future budgets.] Best proposal of two (2). No M/WBE Subcontracting opportunities were identified.

Approved

18. Approve execution of a twelve (12) month supply agreement with PILLING WECK, Research Triangle Park, North Carolina, for skin staplers used in the Surgery Department, in an amount not to exceed \$54,675.60, with the option to extend for up to two (2) additional twelve (12) month periods in an amount not to exceed \$54,675.60 per extension, for a total amount not to exceed \$164,026.80. [Funding in the amount of \$13,668.90 is available in the 1993-94 operating budget of Brackenridge Hospital; funding for the final nine (9) months of the original contract period and the extension options is contingent upon available funding in future budgets.] Low bid of four (4) meeting specifications. No M/WBE Subcontracting opportunities were identified.

Approved

Items 14-18 approved on Councilmember Goodman's motion, Mayor Pro Tem Nofziger's second, 7-0 vote.

19. Approve execution of a six (6) month service agreement with VALDEZ REMODELING (MBE), Austin, Texas, to provide weatherization and minor energy related repairs, and installation of security measures to a minimum of sixty (60) low-to-moderate income households in southeast Austin neighborhoods having City Electric Utility services, in the amount of \$85,000, with the option to extend for one (1) six (6) month period, in the amount of \$80,000, for a total amount of \$165,000. (Funding is available in the 1993-94 Environmental and Conservation Services Department's Energy Conservation Rebates and Incentives Fund; \$5,000 is available in the 1993-94 operating budget of the Police Department; funding for the extension option is contingent upon available funding in future budgets.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified. (Recommended by Resource Management Commission)

Approved on Councilmember Goodman's motion, Mayor Pro Tem Nofziger's second, 6-0-1 vote, Councilmember Mitchell abstained.

20. Ratify an amendment to a professional service agreement with Lloyd, Gosselink, Fowler, Blevins and Matthews, P.C. for legal representation of the City of Austin in water and wastewater rate matters, in the amount of \$1,360.58, for a total contract amount of \$36,360.58. (Funding is available in the 1993-94 operating budget of the Water and Wastewater Utility.)

Approved

21. Set a public hearing to amend the Austin City Code by adding Section 13-2-489(c) to the Land Development Code to require developers to provide street name signs in new subdivisions. (Suggested date and time: July 14, 1994 at 4:30 p.m.)
Approved

Items 20-21 approved on Councilmember Goodman's motion, Mayor Pro Tem Nofziger's second, 7-0 vote.

ITEMS FROM COUNCIL

22. Direct the City Manager to prepare the proposed budget at the effective tax rate. (Mayor Bruce Todd, Mayor Pro Tem Michael "Max" Nofziger and Councilmember Gus Garcia)

Approved on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 7-0 vote.

23. Approve a resolution to co-sponsor the Juneteenth Celebration Parade on June 19, 1994 with the Central Texas Juneteenth Committee. (Councilmembers Eric Mitchell and Gus Garcia)

Approved with date change of June 18, 1994 on Councilmember Goodman's motion, Mayor Pro Tem Nofziger's second, 7-0 vote.

EXECUTIVE SESSION (No Public Discussion on These Items)

Recessed from 2:40 p.m. until 4:45 p.m. for item 28.

The City Council will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation and personnel matters as specifically listed on the meeting agenda. Council would take any subsequent action in the open meeting as listed on the agenda. The City Council may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item listed on this agenda.

24. Discuss legal issues concerning lease of property at 1156 West Cesar Chavez Street to Humane Society of Austin and Travis County.
25. Discuss legal issues concerning the valuation of the City's rights-of-way.
26. Discuss legal issues concerning possible litigation with Austin Cablevision.
27. Discuss settlement in Cause No. 92-04889, Philip Gutierrez, et al v. Mobil Oil Corporation, et al.
28. Interview and deliberation on the appointment, employment and duties of the City Manager. (Mayor Bruce Todd, Mayor Pro Tem Michael "Max" Nofziger and Councilmember Gus Garcia)

ACTION ON THE FOLLOWING

29. Amend the 1993-94 operating budget to transfer \$318,875 from the General Fund Ending Balance and appropriating \$318,875 to the Department of Law operating budget for a consulting contract.
Ordinance No. 940616-D
30. Approve an amendment to the existing contract with Exploration Technologies, Inc., for an additional sum of \$318,875 to conduct a soil vapor-survey on the undeveloped properties (containing "inactive" product pipelines) adjacent to the terminals and integrate this data with data obtained in Govalle Park and adjacent residential areas, for a total contract amount of \$433,875.
Approved

Items 29-31 approved on Councilmember Goodman's motion, Mayor Pro Tem Nofziger's second, 7-0 vote.

31. Approve the appointment and salary and benefits package for the City Manager. (Mayor Bruce Todd, Mayor Pro Tem Michael "Max" Nofziger and Councilmember Gus Garcia)

No Action

ADDENDUM

RESOLUTION

32. Authorize negotiation and execution of a contract with BLEDSOE, BROWN, EVANS, & MCCOLLOUGH (MBE), Austin, Texas, to serve as contract consumer advocate in the electric utility rate process, in an amount not to exceed \$105,049. (Funding is available in the 1993-94 operating budget of the Electric Utility.) Best proposal of three (3). 4.05% MBE, 0% WBE Subcontractor participation.

Approved on Councilmember Goodman's motion, Mayor Pro Tem Nofziger's second, 7-0 vote.

ADJOURN At 5:17 p.m. on Councilmember Reynolds' motion and Councilmember Mitchell's second, 6-0 vote, Mayor Todd out of the room.

APPROVED this the 23rd day of June, 1994 on Councilmember Garcia's motion, Councilmember Shea's second, 6-0 vote, Councilmember Reynolds absent.