



Austin City Council MINUTES

JULY 14, 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 Regular Meeting of June 23, 1994 and Special Meetings of June 22 and 23, 1994

Postponed

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Kenneth Galloway, to discuss signs on rights-of-way and on poles.
3. Mr. James "Tink" Hill, to discuss the International Association of Official Human Rights Agencies; award to Mr. Marco Salinas.
4. Mr. Gavino Fernandez, to discuss shutting down Holly Power Plant immediately for the sake of the health and safety of our community.
5. Mr. Roberto Ramirez, to discuss closing the Holly Power Plant.
6. Mr. Paul Hernandez, to discuss "environmental racism must be stopped; close Holly Power Plant; You cannot put a dollar price on a life."
7. Ms. Maria Govea, to discuss "closing Holly Power Plant; our children's hearing is being affected every day because of the loud noise."
Not present
8. Mr. Robert Donley, to discuss "closing Holly Power Plant; the lives of our people are in danger every day the plant is operating."
9. Ms. Diana Castaneda, to discuss "Holly Power Plant must be closed."
10. Mr. Marcos DeLeon, to ask all elected officials to join him in calling for the closure of Holly Street Power Plant.
11. Mr. Rick Luna, to inquire about the position at Austin Housing Authority and why a Hispanic was not selected.
Not present

ITEMS CONTINUED FROM PREVIOUS MEETINGS

12. Amend Ordinance No. 930915-A, the 1993-94 General Fund operating budget, by reducing the appropriation for Reappropriation of Departmental Savings by \$92,000 and increasing the appropriation for the Planning and Development Department operating budget by \$92,000 to fund professional services related to downtown development services. (Related to Item 13)
Postponed to July 21, 1994

13. Approve negotiation and execution of a twelve (12) month contract with KEYSER MARSTON ASSOCIATES, INC., San Francisco, California, for consultant services on downtown development, in an estimated amount not to exceed \$92,000, with one (1) twelve (12) month extension option in an estimated amount not to exceed \$92,000, and three (3) twelve (12) month extension options in an estimated amount not to exceed \$150,000 per extension, for a total estimated amount not to exceed \$634,000 over the five (5) year period. (Funding is available in the 1993-94 operating budget of the Planning and Development Department. Funding for the remaining extension options will be contingent upon available funding in future budgets.) Best proposal of fifteen (15). 10.6% MBE, 5.4% WBE Subcontractor participation. (Related to Item 12)
Postponed to July 21, 1994

14. Approve the reappointment of Dr. Raleigh Maurice Hood to the Civil Service Commission.
Approved

15. Authorize the City Manager to negotiate and execute an agreement with Crescent Southland Oaks Associates for construction of a 16-inch water main, wastewater lift station, force main, and gravity wastewater system, with cost reimbursement not to exceed \$1,399,060 by the City of Austin for oversizing of these facilities. (Cost reimbursements of approximately \$700,000 will be paid from the Water and Wastewater Utility's operating fund (Approach Main/Refund Contracts). Depending on the rate of development, 2-3 annual installments beginning on March 1, 1996 will be made. The remaining \$700,000 will be paid in quarterly reimbursements equivalent to the Utility's collection of Capital Recovery Fees as development occurs in the area to be served by these system improvements. Funding for the cost reimbursements is contingent upon available funding in future budgets.) [Recommended by the Water and Wastewater Commission]
Approved

Items 14-15 approved on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 7-0 vote.

16. 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 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 to July 28, 1994

17. Authorize negotiation and execution of a twelve (12) month contract with NATIONAL HEALTH LABORATORIES, INC., San Antonio, Texas, for Reference Pathology Laboratory Services in the amount of \$307,000, with the option to renew for two (2) additional twelve (12) month periods in the amount of \$322,350 and \$338,468 respectively for a total contract amount of \$967,818. (Funding in the amount of \$76,750 is available in the 1993-94 Federally Qualified Health Center Fund

Operating Budget and in the 1993 Special Revenue Fund for the Health and Human Services Department. Funding for the balance of the initial contract and renewal periods will be contingent upon available funding in future budgets.) Best proposal of two (2). No M/WBE Subcontracting opportunities were identified.

Approved authorization of negotiation and execution of a twelve (12) month contract with CLINICAL PATHOLOGY LABORATORIES (CPL) on Councilmember Garcia's motion, Councilmember Shea's second, 6-1 vote, Councilmember Reynolds voting NO.

18. 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 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.)

Mayor Pro Tem Nofziger's motion to approve with a limit to 100 telephones did not receive a second. A friendly amendment offered by Councilmember Shea to set the limit at 20% was not accepted by Mayor Pro Tem Nofziger.

Approval of the staff recommendation on Councilmember Reynolds' substitute motion, Councilmember Mitchell's second, 5-2 vote, Mayor Pro Tem Nofziger and Councilmember Shea voting NO.

ORDINANCES

19. Approve second reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 10400 North Lamar Boulevard, Case No. C14-93-0003, from "SF-2", Single Family Residence (standard lot) to "GR-CO", Community Commercial-Conditional Overlay, SMITHERS FAMILY PARTNERSHIP (Ben F. Smithers). First reading on March 4, 1993; Vote 7-0. Conditions met as follows: conditional overlay incorporates conditions imposed by Council.
Approved
20. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 10200 North Lamar Boulevard, Case No. C14-93-0158, from "LR-CO", Neighborhood Commercial-Conditional Overlay to "CS-CO", Commercial Services-Conditional Overlay, KFL LAMAR BUSINESS PARK (Robert L. Foster), by Holford Group (Charles Dunn). First reading on February 24, 1994; Vote 5-0. Conditions met as follows: conditional overlay incorporates conditions imposed by Council.
Ordinance No. 940714-A

Items 19-20 approved on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 7-0 vote.

21. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 705-707 Woodward Street, Case No. C14-93-0111, from "LR", Neighborhood Commercial to "RR", Rural Residence for Tract 1 and 2, and "MF-3-CO", Multifamily Residence (medium density)-Conditional Overlay for Tract 3, JOHN J. STOKES (Beth Wavak), by Conley Engineering, Inc. (Carl Conley). First reading on May 26, 1994; Vote 5-0. Conditions met as follows: conditional overlay incorporates conditions imposed by Council. Restrictive covenant incorporating conditions imposed by Council has been executed.

Postponed to August 11, 1994 on Councilmember Shea's motion, Mayor Pro Tem Nofziger's second, 4-3 vote, Mayor Todd and Councilmembers Mitchell and Reynolds voting NO.

22. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 505-507 East Riverside Drive, Case No. C14-93-0100, from "GO-NCCD", General Office-Neighborhood Conservation Combining District to "SF-3-NCCD", Family Residence-Neighborhood Conservation Combining District, DAVID RICHARDS. First reading on February 17, 1994; Vote 5-0. Conditions met as follows: No conditions to be met.
Ordinance No. 940714-B
23. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 5510 Fernview Road, Case No. C14-93-0041, from "SF-3", Family Residence to "NO-CO", Neighborhood Office-Conditional Overlay, CHERRY CREEK MUTUAL HOUSING (Francie Ferguson). First reading on June 10, 1993; Vote 5-0, Mayor Todd absent. Conditions met as follows: conditional overlay incorporates conditions imposed by Council. Restrictive covenant incorporating conditions imposed by Council has been executed.
Ordinance No. 940714-C
24. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as U.S. Hwy. 290 East and U.S. Hwy. 183 East, Case No. C14-94-0004, from "I-RR", Interim Rural Residence to "LI", Limited Industrial Services, M.V. WALNUT CREEK, LTD. (Rick Marcellin), by The Faust Group (William Faust). First reading on March 24, 1994; Vote: 5-0. Conditions met as follows: Restrictive covenant incorporating conditions imposed by Council will be executed.
Ordinance No. 940714-D
25. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as U.S. Hwy. 290 East and U.S. Hwy. 183 East, Case No. C14-94-0006, from "I-RR", Interim Rural Residence to "LI-CO", Limited Industrial Services-Conditional Overlay, M.V. WALNUT CREEK, LTD. (Rick Marcellin), by The Faust Group (William Faust). First reading on March 24, 1994; Vote: 5-0. Conditions met as follows: conditional overlay incorporates conditions imposed by Council. Restrictive covenant incorporating conditions imposed by Council will be executed.
Ordinance No. 940714-E

26. Amend Ordinance No. 930506-D by correcting the legal description of the property locally known as 5010 U.S. Hwy. 290 West, Case No. C14-92-0149, from "RR", Rural Residence District to "GR-CO", Community Commercial-Conditional Overlay Combining District, K-MART CORPORATION, by Bury & Pittman (Greg Strmiska).
Ordinance No. 940714-F
27. Approve changing twenty-four (24) street names and providing City street signs on all new and existing private streets at the new airport. (Funding in the amount of \$8,550 for signs is available in the 1993-94 operating budget of the Aviation Department.)
Ordinance No. 940714-G

Items 22-27 approved on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 7-0 vote.

28. Amend Ordinance No. 930915-D, the 1993-94 Fee Ordinance, to establish a Brady Bill Application Fee; amend Ordinance No. 930915-A, the 1993-94 operating budget, increasing budgeted General Fund Revenue by \$21,700.
Deleted
29. Amend Ordinance No. 920604-A to adopt a supplement to the Code of the City of Austin, 1992, to include ordinances enacted since April, 1994. (Funding in the amount of \$5,000 per supplement is available in the 1993-94 operating budget of the Law Department.)
Ordinance No. 940714-H
30. Amend Chapter 2-3 of the City Code to add a prohibition against salaried City officials and certain employees from contracting with the City. (No fiscal impact.)
Ordinance No. 940714-I

Items 29-30 approved on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 7-0 vote.

31. Authorize negotiation and execution of the Fourth Amendment of the Utility Construction Contract between the City of Austin and North Austin Municipal Utility District #1 to modify the agreement regarding the financing of repairs, modifications and replacement of portions of the existing Rattan Creek Lift Station, in the amount of \$260,000. (Funding provided by contract revenue bond funds which were authorized but not designated for these specific facility improvements in the 1984 Construction Contract.) [Recommended by the Water and Wastewater Commission]
Deleted
32. Approve execution of a mutual aid agreement with Travis County for emergency management services when a local state of disaster has been declared. (No fiscal impact.)
Approved

33. Authorize acceptance of \$3,000 in grant funds from the Texas Division of Emergency Management; amend Ordinance No. 930915-A, the 1993-94 operating budget, by appropriating \$3,000 in grant funds to the Fire Department Special Revenue Fund, for improvements to planning responses to hazardous material emergencies. Ordinance No. 940714-J

Health and Human Services (Items 34-38)

34. Authorize acceptance of an increase of \$8,128 in grant funds from the Texas Department of Health, Tuberculosis Elimination Division, for outreach services for minority males; amend Ordinance No. 930915-A, the 1993-94 operating budget, amending the Special Revenue Fund by appropriating an additional \$8,128 for the Health and Human Services Department, for a total grant amount of \$39,590. Ordinance No. 940714-K
35. Authorize acceptance of an increase of \$5,768 in grant funds from the Texas Department of Health for the HIV Counseling, Testing, Referrals and Partner Notification Grant; amend Ordinance No. 930915-A, the 1993-94 operating budget, amending the Special Revenue fund by appropriating an additional \$5,768 for the Health and Human Services Department, for a total grant amount of \$105,705. Ordinance No. 940714-L
36. Authorize acceptance of an increase of \$1,821 in grant funds from the Texas Department of Health for the HIV Surveillance Grant; amend Ordinance No. 930915-A, the 1993-94 operating budget, amending the Special Revenue Fund by appropriating an additional \$1,821 for the Health and Human Services Department, for a total HIV grant amount of \$80,446. Ordinance No. 940714-M
37. Authorize acceptance of \$160,361 in additional grant funds from the Texas Department of Health for the Housing Opportunities for Persons with AIDS program; amend Ordinance No. 930915-A, the 1993-94 operating budget, amending the Special Revenue Fund by appropriating an additional \$160,361 for the Health and Human Services Department, for a total grant amount of \$385,438. (Related to Item 38) Ordinance No. 940714-N

RESOLUTIONS

38. Approve negotiation and execution of an amendment to the contract with AIDS SERVICES OF AUSTIN to administer the Housing Opportunities for Persons with HIV/AIDS program, in an amount not to exceed \$158,816, for a total contract amount not to exceed \$380,571. (Funding is available from the Texas Department of Health, Housing opportunities for Persons with HIV/AIDS grant program.) [Related to Item 37]
Approved

Items 32-38 approved on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 7-0 vote.

39. Approve a City Charity Care Policy. (No fiscal impact.)

Approved on Councilmember Reynolds' motion, Councilmember Goodman's second, 6-0 vote, Councilmember Mitchell out of the room.

40. Approve amendment of a twelve (12) month supply agreement with BOUND TO STAY BOUND BOOKS, INC., Jacksonville, Illinois, for the purchase of pre-bound juvenile books for the Library Department, in the amount of \$8,621.25, for a total contract amount not to exceed \$41,250, with two (2) twelve (12) month extension options in an amount not to exceed \$41,250 per extension, for a total amount not to exceed \$123,750. (Funding in the amount of \$8,621.25 is available in the 1993-94 Special Revenue Fund of the Library Department; funding for the extension options is contingent upon available grant funding for the Library Department.) No M/WBE Subcontracting opportunities were identified.
Approved
41. Approve execution of a construction contract to DELTA-O-SERVICES, INC. (WBE), Austin, Texas, for asbestos abatement at the North Loop Branch Library (Americana Theatre), in the amount of \$90,277. (Funding was included in the 1993-94 Capital budget of the Library Department.) Low bid of six (6). 0% MBE, 5.49% WBE Subcontractor participation.
Approved
42. Approve Change Order No. 4 to HILMAN CONSTRUCTORS, INC., Austin, Texas, for the Terminal Rehabilitations Project at Robert Mueller Airport as required by the Americans with Disabilities Act, in the amount of \$5,777.37, for a total contract amount of \$752,503.02. (Funding was included in the 1993-94 approved Capital budget of the Aviation Department.) No DBE Subcontracting opportunities were identified.
Approved
43. Approve execution of a contract award to AUSTIN BRIDGE & ROAD, Austin, Texas, for construction of Robert Mueller Municipal Airport Taxiway B, M & P Pavement Rehabilitation and Improvements, in the amount of \$349,988. (Funding was included in the 1993-94 Capital budget of the Aviation Department; the project is eligible for 75% grant reimbursement of eligible costs from the Federal Aviation Administration.) Low bid of three (3). 15.24% MBE, 8.15% WBE Subcontractor participation.
Approved
44. Approve a construction contract to R. L. WADE CONSTRUCTION COMPANY, INC., Austin, Texas, for the reroof and heating, ventilation, and air conditioning (HVAC) replacement at Doris Miller Auditorium, in the amount of \$277,875. (Funding in the amount of \$21,500 was included in the 1991-92 Capital budget of the Parks and Recreation Department; \$28,000 was included in the 1992-93 Capital budget of the Parks and Recreation Department; \$188,375 was included in the 1993-94 Capital budget of the Parks and Recreation Department, and \$40,000 was included in the 1993-94 Capital budget of the Environmental & Conservation Services Department.) Low bid of two (2). 47.79% MBE, 0.20% WBE Subcontractor participation.
Approved
45. Approve execution of a twelve (12) month supply agreement with QUIK PRINT PRINTING AND COPYING, Austin, Texas, for the printing of business cards for all City departments, in an amount not to exceed \$40,034.07, with two (2) twelve (12) month extension options in an amount not to exceed \$40,034.07 per extension, for a total amount not to exceed \$120,102.21. (Funding in the amount of \$8,340.43 is available in the 1993-94 operating budgets for all City departments; funding in

the amount of \$31,693.64 for the remaining 9 1/2 months of the contract and the extension options is contingent upon available funding in future budgets for all City departments.) Low bid of seventeen (17). No M/WBE Subcontracting opportunities were identified.

Approved

46. Approve execution of a contract with ATLAS COPCO COMPTEC, INC., Voorheesville, New York, for the purchase of repair parts for a blower at the South Austin Regional Wastewater Treatment Plant, in an amount not to exceed \$37,399.70. (Funding is available in the 1993-94 operating budget of the Water and Wastewater Utility.) Sole Source. No M/WBE Subcontracting opportunities were identified. (Recommended by the Water and Wastewater Commission)

Approved

47. Approve execution of a twelve (12) month supply agreement with BADGER METER, INC., Dallas, Texas, for the purchase of approximately 4,500 5/8 x 3/4 inch water meters for the Water and Wastewater Utility, in an amount not to exceed \$84,150, with two (2) twelve (12) month extension options in an amount not to exceed \$84,150 per extension, for a total amount not to exceed \$252,450. [Funding for an estimated \$21,037.50 is available in the 1993-94 operating budget for Water and Wastewater Utility; 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 three (3). No M/WBE Subcontracting opportunities were identified. (Recommended by the Water and Wastewater Commission)

Approved

48. Approve execution of a twelve (12) month supply agreement with SENSUS TECHNOLOGIES, INC., Uniontown, Pennsylvania, for the purchase of repair parts for water meters for the Water and Wastewater Utility, in an amount not to exceed \$100,000, with two (2) twelve (12) month extension options in an amount not to exceed \$100,000 per extension, for a total amount not to exceed \$300,000. [Funding for an estimated \$25,000 is available in the 1993-94 operating budget of the Water and Wastewater Utility; 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. (Recommended by the Water and Wastewater Commission)

Approved

49. Approve a construction contract award to J. C. EVANS CONSTRUCTION COMPANY, INC., Austin, Texas, for the relocation of water and wastewater facilities along the U.S. 183 corridor, from West of I. H. 35 easterly to Blessing Avenue, to accommodate the widening of U.S. 183, in the amount of \$255,149. (Funding was included in the 1991-92 Capital budget of the Water and Wastewater Utility.) Low bid of three (3). 2.94% MBE, 4.31% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)

Approved

50. Authorize execution of Phases II (design) and III (construction management) of the Professional Services Agreement with TURNER COLLIE & BRADEN, INC., Austin, Texas, for design, construction management and post-construction phase services for the South Austin Regional Wastewater Treatment Plant Miscellaneous Improvement Project, in the estimated maximum amount of \$607,750, for a total contract amount

of \$669,074. (Funding in the amount of \$607,750 was included in the 1991-92 Capital Budget of the Water and Wastewater Utility.) 12.4% MBE, 5% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission) Approved

Items 40-50 approved on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 7-0 vote.

51. Approve construction contract to MCGINNES BROS., INC., Houston, Texas, for construction of the Walnut Creek Wastewater Treatment Plant Corrosion Repairs, in the amount of \$1,638,080, with \$327,616 as a contingency fund to be used for change orders, for a total amount not to exceed \$1,965,696. (Funding was included in the 1991-92 Capital budget of the Water and Wastewater Utility.) Low bid of two (2). 13.53% MBE, 2.09% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission) Postponed to July 21, 1994

52. Approve a construction contract award to CHASCO CONTRACTING, Round Rock, Texas, for construction of drainage and wastewater improvements in the Boggy Creek Watershed as part of the Tannehill Branch Drainage Improvements, Phase II Project, in the amount of \$2,463,938. (Funding in the amount of \$2,254,721.44 was included in the 1991-92 Capital budget of the Public Works and Transportation Department; \$209,216.56 was included in the 1991-92 Capital budget of the Water and Wastewater Utility.) Low bid of eight (8). 14.75% MBE, 5.6% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission) Approved

53. Approve a construction contract to EDWARD R. COLEMAN CONSTRUCTION CO., Austin, Texas, for Angus Valley Drainage Improvements, Part III, from West Cow Path to U.S. Hwy. 183, in the amount of \$337,265. (Funding in the amount of \$278,445 was included in the 1991-92 Capital budget of the Public Works Department and \$58,820 was included in the 1991-92 Capital budget of the Water and Wastewater Utility.) Low bid of eight (8). 19.4% MBE, 5.2% WBE Subcontractor participation. (Recommended by the Environmental Board, Planning Commission and Water and Wastewater Commission) Approved

Items 52-53 approved on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 7-0 vote.

54. Approve a construction contract award to CAPITAL EXCAVATION COMPANY, Austin, Texas, for the construction of 8" water line relocation on Rutland Drive from Parkfield Drive to North Lamar Boulevard, in the amount of \$320,184. (Funding was included in the 1993-94 Capital Budget of the Water and Wastewater Utility.) Low bid of eight (8). 0% MBE, 6.12% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission) Deleted

55. Approve execution of contracts for thirty-eight (38) truck bodies for use by the Water and Wastewater Utility, Environmental and Conservation Services, Public Works and Transportation and Parks and Recreation Department, with the following: FLEET TRUCK & TRAILER, INC., Austin, Texas, in an amount not to exceed \$401,659,

and with DAVIS TRAILER AND TRUCK EQUIPMENT, Little Rock, Arkansas, in an amount not to exceed \$111,343. (Funding in the amount of \$199,025 is available in the 1993-94 operating budget of the Transportation Fund; \$96,143 is available in the Fleet Acquisition Fund; \$66,400 is available in the 1993-94 operating budget of the Water and Wastewater Utility; \$143,684 was included in the 1993-94 Capital budget of the Water and Wastewater Utility; and \$7,750 is available in the 1993-94 operating budget of the Environmental and Conservation Services Department.) Low bid of five (5) meeting specifications. No M/WBE Subcontracting opportunities were identified.

Approved

56. Approve the negotiation and execution of a ten year ground lease with THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS AT AUSTIN for the installation and operation of a radio tower for FM transmissions on 1,453 square feet of City owned land located at 6301 Harold Court. (No fiscal impact.)

Approved

57. Approve execution of an agreement with CAPITOL BEARING SERVICE, Austin, Texas, for purchase, installation, and two (2) year warranty for three (3) replacement cafeteria conveyor systems at Brackenridge Hospital, in an amount not to exceed \$87,260.66. (Funding is available in the 1993-94 operating budget of Brackenridge Hospital.) Single bid. MBE/WBE Subcontractor participation is to be determined prior to project start date.

Approved

Items 55-57 approved on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 7-0 vote.

58. Approve execution of a twelve (12) month revenue contract with MERCHANTS & PROFESSIONAL CREDIT BUREAU, Austin, Texas, for the collection of delinquent Emergency Medical Services accounts receivables, at an estimated net revenue of \$143,238, with two (2) twelve (12) month extension options, at an estimated net revenue of \$150,400 and \$157,920 respectively, for a total estimated net revenue of \$451,558. Best proposal of nine (9). No M/WBE Subcontracting opportunities were identified.

Approved on Councilmember Reynolds' motion, Councilmember Garcia's second, 7-0 vote.

59. Authorize execution of a CDBG Housing Implementation Program contract to the AMERICAN INSTITUTE FOR LEARNING, INC. for the repair, minor renovation and operation of properties owned by the U.S. Department of Housing and Urban Development, in the amount of \$44,000. (Funding is available in the Department of Planning and Development's Special Revenue budget.)

Approved

60. Approve changing the date of the regular monthly Electric Utility City Council meeting from the fourth Thursday of each month to the third Thursday of each month, effective with the July, 1994 Electric Utility agenda.

Approved

Items 59-60 approved on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 7-0 vote.

ITEMS FROM COUNCIL

61. Establish a Downtown Subcommittee and a Housing Subcommittee of the City Council and appoint the memberships from the City Council. (Mayor Pro Tem Michael "Max" Nofziger and Gus Garcia)

Approved on Mayor Pro Tem Nofziger's motion, Mayor Todd's second, 6-0 vote, Councilmember Reynolds out of the room.

62. Establish a goal of reducing operations at the Holly Power Plant and direct the City Manager to expedite the acquisition of replacement energy resources, transmission improvements and demand-side management programs necessary to accomplish this goal. (Councilmembers Gus Garcia and Eric Mitchell)

Continued to July 21, 1994

63. Approve second/third readings establishing a Citizen Coordinating Group to review the City's Master Plan and implementing ordinances, and report to the City Council on the scope of work required to update them. (Councilmembers Jackie Goodman and Brigid Shea)

Ordinance No. 940714-S approved on Councilmember Garcia's motion, Councilmember Goodman's second, 6-0-1 vote, Councilmember Reynolds abstaining.

64. Set a public hearing to rename Lyons Street to Fidel Estrada Street. (Suggested date and time: August 18, 1994 at 4:30 p.m.) [Councilmembers Gus Garcia and Eric Mitchell]

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

65. Direct the City Manager to devise a plan to allow for the use of sidewalk cafes. (Mayor Bruce Todd, Mayor Pro Tem Michael "Max" Nofziger and Councilmember Brigid Shea)

Approved on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, with Friendly Amendment by Mayor Todd to change language to read: ENHANCE URBAN AREAS, 7-0 vote.

66. Direct the City Manager to develop and recommend a source of funding for the Central City Entertainment Center, not as an Enterprise, but as a community project that is not contingent upon private funding. (Councilmember Eric Mitchell)

Approved on Councilmember Mitchell's motion, Councilmember Reynolds' second, 7-0 vote.

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

67. C14r-83-324 - UNITED FEDERAL HERITAGE CREDIT UNION, by LZT Architects, Inc. (John Merritt), 12208 N. Mo-Pac Expressway (formerly 12208 Burnet Road). Existing zoning: LR. Request to amend ordinance no. 840301-W by deleting the approved Principle Roadway Area (P.R.A.) site plan attached to this zoning case. Planning Commission Recommendation: To approve the request.
Ordinance No. 940714-0
68. C814-85-005.1 - DAVIS SPRINGS PROPERTIES, LTD. (Perry Blanton), by Huffcut & Associates (Gina Diehl), Neenah Avenue and West Parmer Lane. Existing zoning: SF-2 and SF-2-CO. Request for termination of restrictive covenant. Planning Commission Recommendation: To approve the request.
Approved
69. C14-94-0045 - TWIN ROCK ASSOCIATES (Robert L. Brueck) & DANNA CRUTCHFIELD (John Crutchfield), by Richard H. Crank, 12027 to 12049 Jollyville Road and 11920 Oak Knoll Drive. From LO to CS. Planning Commission Recommendation: To Deny the request for CS, Commercial Services, zoning.
Postponed for six (6) months per request by applicant
70. C14-94-0054 - WESTMINSTER MANOR (Kevin Reed/Kelly McDonald), by Laura S. Martin, Attorney, 4100 Jackson Ave. From LO to GO. Planning Commission Recommendation: To Grant GO, General Office, subject to the dedication of 30 feet of right-of-way from the centerline of Jackson Avenue.
Ordinance No. 940714-P
71. C14-94-0064 - FRANK PAXTON CO. (Roy Jackson), by City of Austin - Public Works (Lori Bible), 3901 S. Industrial Blvd. From LI to P. Planning Commission Recommendation: To Grant P, Public District, subject to compliance with the Integrated Pest Management Program (I.P.M.).
Ordinance No. 940714-Q
72. C14-94-0065 - CITY OF AUSTIN - Public Works (Lori Bible), 2407 Business Center Drive. From LI to P. Planning Commission Recommendation: To Grant P, Public District, subject to compliance with the Integrated Pest Management Program (I.P.M.).
Ordinance No. 940714-R
73. C14r-85-145(DE) - STONELAKE IV, by Graves, Dougherty, Hearon & Moody (Terry Bray), 9401 Stonelake Boulevard. Existing zoning: CH & CS. Request for ordinance amendment to delete a portion of a site plan; amend the zoning from CH and CS to CH-CO and CS-CO; and amend the attached restrictive covenant.
Postponed to July 28, 1994 per request by applicant

Items 67-73 approved on Councilmember Garcia's motion, Councilmember Mitchell's second, 7-0 vote.

PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

74. 4:30 P.M. - 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. (Recommended by Planning Commission)

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

Ordinance No. 940714-T approved on Councilmember Garcia's motion, Mayor Pro Tem Nofziger's second, 7-0 vote.

75. 5:00 P.M. - Public Hearing on the 1994-95 Operating and Capital Budgets.

Close public hearing on Councilmember Reynolds' motion, Councilmember Garcia's second, 7-0 vote.

76. 5:30 P.M. - Public Hearing and approval of an ordinance amending Chapter 10-7 of the City Code (Curfew Ordinance) to extend its provisions regarding a nighttime curfew to the City of Austin. (Councilmembers Eric Mitchell and Gus Garcia, and Mayor Bruce Todd)

Public hearing continued to 1:00 p.m. on July 21, 1994

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive Session held from 6:05 to 7:25 p.m. on items 82-85

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 the agenda.

77. Discuss Janice Bailey, et al. v. City of Austin; Cause No. 94-07318
78. Discuss Gary Griffin v. City of Austin Firefighters and Police; Cause No. 92-02597, and Gary Griffin and Texas Commission on Human Rights, Plaintiff/Intervenor, v. The City of Austin, et al, Cause No. 92-13271.
79. Discuss real property acquisition for the U.S. 183 project (Parcel 28).
80. Discuss Austin Black Contractors Association, Inc. v. City of Austin, Cause No. 94-CA-269-SS, U.S. District Court, Western District.
81. Discuss legal issues related to possible amendments to Chapter 5-7 of the Austin City Code.

82. Discuss legal issues related to professional services Procurement Act, Chapter 2254, Texas Government Code.
83. Seek legal advice regarding transfer of development rights from City owned property.
84. Discuss legal issues related to properties located within the 504.9 contour line.
85. Seek legal advice regarding School District Development Agreements.

ACTION ON THE FOLLOWING

86. Approve settlement of Gary Griffin v. City of Austin Firefighters and Police, Cause No. 92-02597, and Gary Griffin and Texas Commission on Human Rights, Plaintiff/Intervenor, v. The City of Austin, et al, Cause No. 92-13271.

Approved settlement of \$76,444.06

87. Authorize City of Austin participation with the State of Texas in real property acquisition for the U.S. 183 project for Parcel 28.

Approved \$121,000.00

Items 86-87 approved on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 7-0 vote.

88. Authorize development agreements with independent school districts.

Not action taken

89. **APPOINTMENTS**

Postponed to July 21, 1994

ADJOURN at 10:00 p.m. on Mayor Pro Tem Nofziger's motion, Councilmember Garcia's second, 6-0 vote, Councilmember Goodman out of the room.

Approved this the 28th day of July, 1994 on Councilmember Garcia's motion, Councilmember Goodman's second, 6-0 vote, Mayor Todd out of the room.