



Austin City Council
MINUTES

BUDGET MEETING
MONDAY, SEPTEMBER 13, 2004

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting.

The City Council of Austin, Texas, convened in a special called meeting on Monday, September 13, 2004, in the One Texas Center, 505 Barton Springs Road, 3rd Floor Training Room, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:15 a.m.

1. Approve an ordinance adopting the Operating Budget for Fiscal Year 2004-2005 beginning on October 1, 2004, and ending on September 30, 2005.
Ordinance No. 040913-01, adopting and approving the Operating Budget for the fiscal year, beginning October 1, 2004 and terminating September 30, 2005, and making appropriations for each department, project and account, including the errata as shown below, was approved on Council Member Slusher's motion, Council Member Alvarez' second on a 7-0 vote.

The motion to adopt the following seven amendments was approved on Mayor Pro Tem Goodman's motion, Council Member Dunkerley's second on a 7-0 vote.

Amend the proposed budget by decreasing property tax revenue in the amount of \$832,939. This reduction represents an increase in property tax rate for the Hospital District from 6.18 cents to 6.35 cents.

Amend the proposed budget by increasing sales tax revenue in the amount of \$1,004,734. This is a result of current year estimate increases.

Amend the proposed budget by increasing the general fund beginning balance by \$3,763,321 and by increasing expenditures by \$7,700,000 for a one time payment to the Travis County Hospital District. Source of funding is \$3,763,321 in excess Disproportionate Share revenues received in August 2004 and \$3,936,679 of undesignated General Fund FY 05 ending balance. Total payment of \$10,700,000 is from all funding sources.

Amend the proposed budget by increasing expenditures by \$375,000 to raise the living wage to \$10.00 per hour, effective with the pay period beginning April 3. Of this amount, \$265,000 is for General Fund and \$110,000 is for Enterprise Funds.

Amend the operating budget by increasing expenditures by \$25,000 in the Parks and Recreation Department for restoration of full funding for the midnight basketball program.

Amend the operating budget of the Parks and Recreation Department by increasing expenditures in the amount of \$25,000 for the Austin Past and Present Project at the airport.

Amend the operating budget by increasing revenue in the Municipal Court Department by \$200,000; increasing expenditures in the Police Department by \$250,000 and adding 2.0 sworn FTE's for lieutenant positions.

The motion to amend the operating budget by decreasing the General Fund transfer to the Sustainability Fund by \$314,000, establishing a new fund called the Turner/Roberts Operations and Maintenance Fund, and by increasing general fund transfers to this new fund by \$314,000 to move the opening date of the Turner/Roberts Recreation Center from October 1, 2007 to October 1, 2006 was approved on Council Member Thomas' motion, Council Member Alvarez' second on a 6-1 vote. Mayor Wynn voted no.

The motion to approve the following two amendments was approved on Mayor Pro Tem Goodman's motion, Council Member Alvarez' second on a 7-0 vote.

Amend other fund expenditures, authorized positions and transfers to reflect amendments approved to the General Fund.

Amend the proposed budget of the Community Care Department by increasing expenditures by \$3,000,000 for a one-time payment to the Travis County Hospital District. Source of funding is FY 04 ending balance. Total payment of \$10,700,000 is from all funding sources.

The motion to approve the following amendments was approved on Council Member Thomas' motion, Council Member Dunkerley's second on a 7-0 vote.

Amend the proposed budget by increasing budgeted revenue and expenditures of the RMMA Reimbursement Fund in the amount of \$634,115, for a total amount of \$2,538,365.

The following amendments to the special revenue funds represent grants which were awarded to the City after the submittal of the proposed budget.

Amend the Police Special Revenue Fund by increasing appropriations in the amount of \$80,000 and adding 2.0 FTE's for the Outreach Female Victims' Domestic Violence/Stalking grant from the Victims of Crime Act Fund (VOCA).

Amend the proposed budget of the Economic Growth and Redevelopment Services special revenue fund by increasing appropriations in the amount of \$2,384 for Texas Commission on the Arts – Austin Stories.

Amend the proposed budget of the Austin Convention Center special revenue fund by increasing appropriations in the amount of \$397,640 for renovations required at the Convention Center for the World Congress on Information Technology. This was awarded by the U.S. Department of Housing and Urban Development.

The motion to amend the proposed financial policies as approved and adopted by the Audit and Finance Committee during their meeting of August 24, 2004 was approved on Council Member Dunkerley's motion, Mayor Pro Tem Goodman's second on a 7-0 vote.

See items 5 and 12 for a vote reconsidering the approval of the operating budget and making an amendment to it.

2. Approve an ordinance adopting the Capital Budget for Fiscal Year 2004-2005 beginning on October 1, 2004, and ending September 30, 2005. (Approved by the Planning Commission and the Bond Oversight Committee.)

Ordinance No. 040913-02, adopting and approving the Capital Budget for the fiscal year beginning October 1, 2004 and terminating September 30, 2005 and making appropriations for each department, project and account, including the errata as shown below, was approved on Mayor Pro Tem Goodman's motion, Council Member Thomas' second on a 7-0 vote.

The motion to adopt the following amendments was approved on Council Member Alvarez' motion, Council Member Thomas' second on a 7-0 vote.

Amend the Capital Budget expenditures and transfers to reflect amendments approved to the Operating Budget.

Approve an amendment to increase the CIP budget for the Solid Waste Services Department in the amount of \$8,489,556 for the Mabel Davis Project, for a total budget of \$10,208,556.

Increase the proposed CIP budget for the Parks and Recreation Department Golf Fund in the amount of \$860,000 for the purchase of equipment, for a total budgeted amount of \$1,060,000.

3. Approve an ordinance fixing and levying Municipal Ad Valorem taxes for the City of Austin, Texas, for Fiscal Year 2004-2005.
Ordinance No. 040913-03 fixing and levying municipal Ad Valorem taxes at a rate of \$0.5065 per \$100 valuation for the City of Austin, Texas for the fiscal year 2004-05 and for each year thereafter until otherwise provided; directing the assessment and collection of those taxes; approving property tax exemptions for agriculture, historical property, persons with disabilities, and elderly persons; and validating all prior Ad Valorem taxes was approved on Mayor Pro Tem Goodman's motion, Council Member Dunkerley's second on a 7-0 vote
4. Approve an ordinance amending Ordinance No. 040913-03, fixing and levying Municipal Ad Valorem taxes for the City of Austin, Texas, for Fiscal Year 2004-2005.
Ordinance No. 040913-04 amending Ordinance No. 040913-03 fixing and levying municipal Ad Valorem taxes at a rate of \$0.4430 per \$100 valuation for the City of Austin, Texas for the fiscal year 2004-05 and for each year thereafter until otherwise provided; directing the assessment and collection of those taxes; approving property tax exemptions for agriculture, historical property, persons with disabilities, and elderly persons; and validating all prior Ad Valorem taxes was approved on Council Member Slusher's motion, Council Member Alvarez; second on a 7-0 vote. This reduction of \$0.0635 from \$0.5065 represents the City's anticipated portion of the new voter approved Hospital District.
5. Approve an ordinance authorizing fees, fines, and other charges to be charged by City departments for Fiscal Year 2004-2005, beginning on October 1, 2004, and ending on September 30, 2005.

Ordinance No. 040913-05 authorizing fees, fines and other charges to be charged by various City departments and amending the City Code, including the following errata, was approved on Mayor Pro Tem Goodman's motion, Council Member Alvarez' second on a 7-0 vote.

The motion to amend the Aviation Department off-airport permit fee for parking services by reducing the fee based on percentage of gross revenue from 10% to 4% and directing the City Manager to increase this fee by 3% in the FY 06 proposed budget (providing the affected vendors have a 10% increase in their gross revenues), and to increase this fee by 2% in the FY 07 proposed budget (providing the affected vendors have a 8% increase in their gross revenues) was approved on Council Member Dunkerley's motion, Mayor Pro Tem Goodman's second on a 4-3 vote. Those voting aye were: Mayor Wynn, Mayor Pro Tem Goodman, and Council Members Dunkerley and McCracken. Those voting nay were: Council Members Alvarez, Slusher, and Thomas.

The motion to reconsider the approval of the operating budget and amend the proposed budget of the Aviation department by decreasing revenue in the amount of \$97,423 for the reduction of the FY 2005 proposed off-airport permit fee for parking services was approved on Mayor Pro Tem Goodman's motion, Council Member Dunkerley's second on a 7-0 vote.

6. Approve an ordinance establishing classifications and positions in the classified service of the Austin Fire Department and repeal Ordinance No. 030909-5. The ordinance also establishes base salary and longevity by the attached pay scales. (Funding is included in the Fiscal Year 2004-2005 Operating Budget of the Fire Department.)

Ordinance No. 040913-06 adopting the classifications and number of positions in each classification in the classified Civil Service of the Fire Department was approved on Council Member Thomas' motion, Mayor Pro Tem Goodman's second on a 7-0 vote. The ordinance also establishes base salary and longevity.

7. Approve an ordinance establishing classifications and number of positions in the classified service of the Austin Police Department and repealing Ordinance No. 040212-12. (Funding is included in the Proposed Fiscal Year 2004-2005 Operating Budget for the Police Department.)

Ordinance No. 040913-07 providing for the classifications and number of positions in each classification in the classified civil service of the Police Department was approved as amended below on Council Member Thomas' motion, Mayor Pro Tem Goodman's second on a 7-0 vote.

The amendment to the classification ordinance to increase the number of Lieutenants by two was approved on Council Member Alvarez' motion, Council Member Thomas' second on a 7-0 vote.

8. Adopt a resolution increasing the salaries of the City Clerk and City Auditor by 3.5% effective with the pay period beginning October 3, 2004.

Resolution No. 040913-8A and Resolution No. 040913-8B were approved on Council Member Thomas' motion, Council Member Slusher's second on a 7-0 vote.

9. Approve an ordinance amending Ordinance No. 040226-26 to increase the compensation levels for the Presiding Judge, Downtown Austin Community Court Judge, Associate Judges and Substitute Judges of the Municipal Court by 3.5% effective with the pay period beginning October 3, 2004.

Ordinance No. 040913-09 was approved on Mayor Pro Tem Goodman's motion, Council Member Alvarez' second on a 7-0 vote.

10. Approve an ordinance amending Ordinance No. 030227-65 to increase the compensation level of the Municipal Court Clerk by 3.5% effective with the pay period beginning October 3, 2004.
Ordinance No. 040913-10 was approved on Mayor Pro Tem Goodman's motion, Council Member Dunkerley's second on a 7-0 vote.
11. Adopt a resolution amending the Personnel Policies to amend leave accrual rates for non-civil service employees and establish leave accrual rates for Civil Service employees working a 56-hour workweek.
Resolution No. 040913-11 was approved on Mayor Pro Tem Goodman's motion, Council Member Thomas' second on a 7-0 vote.
12. Approve a resolution approving contracts for Cultural Arts Services for the Fiscal Year 2004-2005. (Funding in the amount of \$2,557,552 is available in the Fiscal Year 2004-2005 Proposed Budget for the Cultural Arts Fund for cultural arts contracts which also maintains the required 10% reserve of \$301,374.) (Recommended and adopted by the Austin Arts Commission.)
Resolution No. 040913-12 was approved, as amended below, on Council Member Alvarez' motion, Council Member Dunkerley's second on a 7-0 vote.

The motion to amend the 2005 Cultural Arts contract allocations to reflect the Supplemental Funding Proposal in Exhibit 12-B-1 and to provide for additional expenditures in the amount of \$111,540, as shown in the same Exhibit, was approved on Mayor Pro Tem Goodman's motion, Council Member Thomas' second on a 6-1 vote. Mayor Wynn voted no. Execution of the Austin Music Network contract is contingent upon having a qualified sponsor.

The motion to reconsider the approval of the operating budget and amend the proposed budget of the Cultural Arts Fund by increasing expenditures in the amount of \$111,540 was approved on Council Member Alvarez' motion, Council Member Thomas' second on a 7-0 vote.

13. Approve the Austin Convention and Visitors Bureau (ACVB) 2004-2005 Marketing Plan, and proposed budget in the amount of \$4,915,586, and set the contract payment from the City of Austin to ACVB at \$4,294,255 for the Fiscal Year 2004-2005, and direct the City Manager to file the approved documents with the City Clerk's office as required by the Texas Tax Code. (Funding in the amount of \$4,294,255 is available in the Fiscal Year 2004-2005 Proposed Operating Budget for the Tourism and Promotion Fund. The Fiscal Year 2004-2005 Tourism and Promotion Fund is attached.)
The motion authorizing the Austin Convention and Visitors Bureau (ACVB) 2004-2005 Marketing Plan and proposed budget was approved on Council Member Alvarez' motion, Council Member Thomas' second on a 7-0 vote.
14. Approve a resolution declaring the City of Austin's official intent to reimburse itself from November 2000 Proposition 1 General Obligation bonds to be issued for expenditures in the amount of \$12,910,000 related to right-of-way acquisition and utility relocation; and to reimburse itself from Contractual Obligations in the amount of \$2,330,000 for expenditures related to the City of Austin Telecommunications Network and in the amount of \$860,000 for expenditures for capital equipment for Parks and Recreation Department golf courses. (\$12,910,000 in General

Obligation Public Improvement Bonds to be issued in August 2005 or later; \$3,190,000 in non-tax-supported General Obligation Contractual Obligations to be issued in August 2005 or later.) Resolution No. 040913-14 was approved on Council Member Dunkerley's motion, Mayor Pro Tem Goodman's second on a 7-0 vote.

15. Approve a resolution declaring the City of Austin's official intent to reimburse itself from the proceeds of tax-exempt obligations in an aggregate maximum principle amount of \$42,170,000 for expenditures related to the acquisition and construction of electric utility capital improvement projects.

Resolution No. 040913-15 was approved on Mayor Pro Tem Goodman's motion, Council Member Dunkerley's second on a 7-0 vote.

16. Approve a resolution declaring the City of Austin's official intent to reimburse itself from the proceeds of tax-exempt obligations in an aggregate maximum principle amount of \$180,000,000 for expenditures related to the acquisition and construction of water and wastewater system capital improvements.

Resolution No. 040913-16 was approved on Mayor Pro Tem Goodman, Council Member Alvarez' second on a 7-0 vote.

BOARD OF DIRECTORS MEETING OF AUSTIN HOUSING FINANCE CORPORATION.

Mayor Wynn recessed the Council Meeting at 12:18 p.m. to go into the Board of Director's Meeting of the Austin Housing Finance. See separate minutes.

AHFC was adjourned at 12:21 p.m. the City Council Meeting was recessed.

The Mayor called the meeting back to order at 1:40 p.m.

17. Authorize execution of a construction contract with ENTACT SERVICES LLC, Friendswood, TX, for the site remediation at Mabel Davis Park to include the removal of contaminated soils, removal of battery casings, off-site pond remediation, installation of landfill cap, leachate collection, channel improvements, wastewater line improvements, site grading and vegetation in the amount of \$6,728,897.53 plus a 20% contingency, for a total contract amount not to exceed \$8,074,677.04 (Funding in the amount of \$7,656,452.83 is available in the Fiscal Year 2004-2005 Capital Budget of the Solid Waste Services Department and is contingent upon the passage of the Fiscal Year 2004-2005 Budget. Funding in the amount of \$418,224.21 is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.) Lowest bid of three received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Woman-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. (Recommended by the Zoning and Platting Commission, the Environmental Board, and the Parks and Recreation Board.)

The motion authorizing the execution of a construction contract was approved on Council Member Alvarez' motion, Mayor Pro Tem Goodman's second on a 7-0 vote.

18. Authorize negotiation and execution of a 12-month interlocal agreement with CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY, Austin, TX, to allow all City employees to use Capital Metro's transportation services in an amount not to exceed \$110,000, with four 12-month extension options in an amount not to exceed \$110,000 per extension option, for a total agreement amount not to exceed \$550,000. (Funding in the amount of \$110,000 is included in the Fiscal Year 2004-2005 Proposed Operating Budget of the Electric Utility

Department. Funding for the extension options is contingent upon available funding in future budgets.) Interlocal Agreement.

The motion authorizing the negotiation and execution of an interlocal agreement was approved on Mayor Pro Tem Goodman's motion, Council Member Dunkerley's second on a 7-0 vote.

19. Approve negotiation and execution of an Interlocal Agreement with Travis County for reimbursement to the County for: 1) the salaries and benefit's of six (6) County employees performing services for the Medical Assistance Program on behalf of the Travis County Hospital District and 2) facility support services for certain Travis County Hospital District Clinics. (Payment from City of Austin Interlocal Agreement with Travis County Hospital District.)
The motion authorizing the negotiation and execution of an Interlocal Agreement was approved on Council Member Dunkerley's motion, Mayor Pro Tem Goodman's second on a 7-0 vote.
20. Approve negotiation and execution of an Interlocal Agreement with the Travis County Hospital District for the transfer of certain contracts, records, funds in an amount not to exceed \$10,700,000, and clinic medical services equipment from the City to the District; the lease of certain mixed-use Community Health Center Clinic facilities to the District; and the operation by the City of the Community Health Center clinic system, management of the lease of Brackenridge Hospital by the Daughters of Charity Health Services of Austin d/b/a Seton Healthcare Network, and the management of the lease of the Austin Women's Hospital by The University of Texas Medical Branch at Galveston, and the administration of the Medical Assistance Programs, charity care programs and certain healthcare community contracts. (Payment from City Interlocal Agreement with Travis County Hospital District, from the Fiscal Year 2003-2004 Community Care Services Fund ending balance, from excess Fiscal Year 2003-2004 General Fund revenues, and from the Fiscal Year 2003-2004 General Fund undesignated ending balance. A fiscal note is attached.)
Resolution No. 040913-20 authorizing the negotiation and execution of an Interlocal Agreement was approved Council Member Dunkerley's motion, Mayor Pro Tem Goodman's second on a 7-0 vote.
21. Approve an ordinance authorizing the negotiation, execution and delivery of all documents necessary to transfer ownership of Brackenridge Hospital including Children's Hospital, to the Travis County Hospital District; repealing Articles 30 and 36 of Title 2-1 of the City Code relating to the Hospital Services Oversight Committee and the Medical Assistance Program and Rural Medical Assistance Program Joint Advisory Board, and authorizing other action prescribed by state law.
Ordinance No. 040913-21 was approved on Mayor Pro Tem Goodman's motion, Council Member Dunkerley's second on a 7-0 vote.

The motion to adjourn the meeting at 2:08 p.m. was approved on Council Member Alvarez' motion, Council Member McCracken's second on a 7-0 vote.

The minutes for the Special Called Meeting of September 13, 2004 were approved on this the 30th day of September, 2004 on Council Member Thomas' motion, Mayor Pro Tem Goodman's second on a 7-0 vote.