



**Austin City Council**  
**MINUTES**  
**For** AUGUST 16, 1990

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

MINUTES APPROVED

1. Approved Minutes for Regular Meeting of August 9, 1990.

On Councilmember Epstein's motion, Councilmember Barnstone's second, 5-0 Vote, Councilmember Larson out of the room, Mayor Cooke abstained.

CITIZEN COMMUNICATIONS

2. Ms. Sue Schorer discussed current City issues.
3. Mr. Gavino Fernandez discussed cost saving ideas in City spending.
4. Mr. Fred Ebner discussed comforting the afflicted and afflicting the comfortable.
5. Mr. Carl Hickerson-Bull discussed Sixth Street.
6. Mr. Gail Armstrong discussed pending Aqua Festival contract, Palmer Auditorium and City Coliseum noise and amplified sound.
7. Mr. Eric Anderson discussed internal City affairs.
8. Ms. Bettie Carrington did not speak.
9. Mr. David N. Elliott addressed current City issues.
10. Ms. Maria Rocha discussed AFSCME'S credibility and reputation.
11. Ms. Carol Guthrie discussed AFSCME'S credibility and reputation.

BOARD AND COMMISSION REPORTS

12. PARKS AND RECREATION BOARD - Final Report on Mt. Bonnell  
Beverly Griffith presented the final report on Mt. Bonnell to Council.

ITEMS CONTINUED FROM PREVIOUS MEETING

13. Approved a construction contract award to AMERICAN CONSTRUCTORS, INC., 315 Nueces, Austin, Texas, for 450 drilled piers and a concrete foundation retaining wall for the Convention Center, in the amount of \$1,127,000.00 (Funding provided through C.I.P. Project No. 493-827-1000 from Convention Center Bonds). Low bid of seven (7) bids. 19% MBE, 5.2% WBE Subcontractor participation. C.I.P. Project No. 493-827-1000; "and ask staff to continue to do the work that they have done in seeing these goals are established."

On Councilmember Barnstone's motion, Mayor Cooke's second, 6-1 Vote, Mayor Pro Tem Urdy voted No.

14. Approved third reading of an ordinance prohibiting the consumption of alcoholic beverages on public streets, sidewalks and pedestrian ways in certain designated areas in the City of Austin, ZONE 1.

On Councilmember Nofziger's motion, Councilmember Larson's second, 4-3 Vote, Mayor Pro Tem Urdy, Councilmembers Carl-Mitchell and Epstein voted No.

Zoning (Item 15)

15. Approved SECOND READING ONLY of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 200-202 West 39th Street, 3900-3904, 3901-3909 and 3913 Avenue D, 3802, 3804, 3808, 3810,, 3805-3817, 3900-3924, and 3901-3925 Speedway, 3900, 3924, 4000-4010, 3817, 3821, 3823, 3909, 4001-4007, 4011 and 4013 Avenue F, and 4000-4004 Avenue G, Zoning Case No. C14-90-0039, from "SF-3", "MF-4", "LO", and "CS" to "SF-3-NCCD", "MF-4-NCCD", "LO-NCCD", and "CS-NCCD", Hyde Park Baptist Church, owner, by Richard Suttle, agent. First reading on August 9, 1990. Vote 5-0. Conditions imposed by Council have been met.

On Councilmember Larson's motion, Councilmember Carl-Mitchell's second, 7-0 Vote.

ORDINANCES

16. Approved an ordinance amending the Austin City Code to prohibit the throwing of objects from City facilities and parks. (Related to Item 12)

On Councilmember Carl-Mitchell's motion, Councilmember Epstein's second, 6-0 Vote, Councilmember Barnstone out of the room.

Motion to Reconsider

Councilmember Carl-Mitchell made a motion, seconded by Councilmember Epstein to reconsider. 7-0 Vote.

Motion

The Council, on Councilmember Barnstone's motion, Councilmember Carl-Mitchell's second, approved an ordinance amending the Austin City Code to prohibit the throwing of objects from Mt. Bonnell. 7-0 Vote.

Zoning (Items 17-18)

17. Approved second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 266.41 acres located near the intersection of West William Cannon Drive and Southwest Parkway, Zoning Case No. C14-87-145, from "SF-1", "SF-6", "MF-1" and Unzoned to "SF-2", "MF-1", and "MF-2", owner, Realtex Funding Corporation; Armbrust & Brown, Agent. First reading on January 7, 1988, 6-0 vote. Conditions met as follows: Restrictive Covenants incorporated conditions imposed by Council. **EMERGENCY PASSAGE OF ORDINANCE**

On Councilmember Carl-Mitchell's motion, Councilmember Epstein's second, 6-0 Vote, Councilmember Barnstone out of the room.

18. Approved second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning 11,000 square feet of the property locally known as 2531 West Anderson Lane, Zoning Case C14-90-0006, from "GR", Community Commercial, to "CS-1", Commercial Liquor Sales, J. HARRIS, INC. First reading on May 10, 1990; Vote 4-1, Councilmember Smoot Carl-Mitchell voted "NO", and Mayor Lee Cooke out of the room at roll call.

On Councilmember Barnstone's motion, Councilmember Larson's second, 5-2 Vote, Mayor Pro Tem Urdy and Councilmember Carl-Mitchell voted No.

19. Approved an ordinance amending the Austin City Code of 1981, as amended (ORD. NO. 830616-C) by merging the Cemetery Endowment Fund into the Perpetual Care Trust Fund. (Related to Item 22)

On Councilmember Carl-Mitchell's motion, Councilmember Epstein's second, 6-0 Vote, Councilmember Barnstone out of the room.

20. Approved an amendment to the consent agreement for Northwest Austin Municipal Utility District (MUD) No. 1 (Canyon Creek) to authorize an additional 564 Living Unit Equivalents (LUEs) of out-of-district wastewater service from Northwest Travis County MUD No. 1 to Canyon Creek. (Related to Item 21)

On Councilmember Carl-Mitchell's motion, Councilmember Epstein's second, 6-0 Vote, Councilmember Barnstone out of the room.

Motion to Reconsider

Councilmember Nofziger made a motion, seconded by Councilmember Barnstone to reconsider the vote, which passed by a vote of 6-0, Councilmember Carl-Mitchell out of the room.

Motion

The Council, on Councilmember Epstein's motion, Councilmember Nofziger's second, waived the requirement for three readings and finally passed an ordinance approving an amendment to the Consent agreement for Northwest Austin Municipal Utility District No. 1 (Canyon Creek) to authorize an additional 564 Living Unit Equivalents (LUES) of out-of-district wastewater service from Northwest Travis County Municipal Utility District No. 1 to Canyon Creek, 6-0 Vote, Councilmember Carl-Mitchell out of the room.

RESOLUTIONS

21. Approved a Letter of Agreement concerning authorization for an additional 564 Living Unit Equivalentents (LUES) of wastewater service from Northwest Travis County Municipal Utility District No. 1 to Canyon Creek. (Related to Item 20)  
  
On Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Barnstone out of the room.
22. Approved negotiation and execution of a five (5) year contract with two (2) five (5) year renewal options with GENE BAGWELL dba MAINTENANCE MANAGEMENT, 216 North Street, San Marcos, Texas, for Operation and Maintenance of City cemeteries. (Estimated amount of net revenue over the term of the contract is \$85,175.00). The prime identified two subcontracting areas. No certified M/WBES available to perform the scopes of work. Two potential M/WBES pending certification. (Related to Item 19)  
  
On Councilmember Barnstone's motion, Mayor Cooke's second, 5-0 Vote, Mayor Pro Tem Urdy and Councilmember Carl-Mitchell abstained.  
  
A substitute motion made by Councilmember Carl-Mitchell and seconded by Mayor Pro Tem Urdy to postpone this item to August 30, 1990, failed by a vote of 3-4 with Councilmembers Epstein and Larson, Mayor Cooke, and Councilmember Barnstone voting No.
23. Authorized the filing of Eminent Domain Proceedings to acquire title to 0.181 acre of land and a water and wastewater easement containing 1,874 square feet of land out of the James D. Goode Survey No. 31 in Austin, Travis and Williamson Counties, Texas, owned by Texas Commerce Bank-Austin; title to the brick and wood main building and attached porches located partially on the 0.181 acre tract of land and partially on the remaining property of which said tract was originally a portion; and a temporary right to enter upon the remaining property in order to remove all of said building and attached porches for the U.S. Highway 183 Improvement Project.
24. Authorized release of a portion of the ten (10) foot Electric and Telephone Easement recorded in Volume 1914, Page 369, Travis County Deed Records, located on Lot 18, Serena Woods Subdivision, locally known as 3608 Serena Woods Court. (Request submitted by Rick Vaughn on behalf of Nicholas W. Classen - \$250.00 application fee has been paid.)
25. Authorized negotiation and execution of an agreement with Travis County, in an amount not to exceed \$200,000.00 for the relocation of water and wastewater utilities and voiding all previous agreements for the County's Spicewood Springs Road C.I.P. project.
26. Approved the first amendment to the Community Facilities Agreement for the U.S. 183 to Loop 1 drainage improvements between the City of Austin and Commonwealth Federal Savings Association (CFSA).

**RESOLUTIONS** (continued)

27. Approved a contract award to R.P. KINCHELOE, 3851 Airport Blvd., Suite #108, Austin, TX, for an image intensifier to be used to replace a damaged image intensifier in the existing fluoroscopic diagnostic equipment used in Radiology, in the amount of \$35,971.00. (Funding included in the 1989-90 Operating Budget for Brackenridge Hospital). Low bid of three (3). 0% M/WBE Subcontractor participation. No known M/WBE sources. The prime did not identify any subcontracting opportunities. Reference File No. BHO-162.

#23-#27 on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Barnstone out of the room.

28. Authorized a construction contract award to ELEVATOR SYSTEMS COMPANY, 7701 N. Lamar Blvd., Suite #111, Austin, TX, for modernizing elevators at Rebekah Baines Johnson (RBJ) Building, 15 Waller St., in the amount of \$38,870.00. (Funding included in the 1989-90 Operating Budget for the General Services Department). Low bid of four (4) bids. 0% M/WBE Subcontractor participation. The prime identified three areas of subcontracting supplies. No certified M/WBES in the identified technical subcontracting areas. No known M/WBE sources.

On Councilmember Barnstone's motion, Councilmember Larson's second, 7-0 Vote.

29. Approved execution of a twelve (12) month supply agreement contract to ELF ASPHALT, 701 Brazos, Suite 490, Austin, TX, for Emulsified Asphalt, in an amount not to exceed \$99,022.00, with the option to extend for one (1) additional twelve (12) month period in an amount not to exceed \$99,022.00, for a total amount not to exceed \$198,044.00 (Funding included in the 1989-90 Operating Budget for Public Works Department). Low bid of two (2) bids. 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference IFB No. 900207-1JD.

On Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Barnstone out of the room.

30. Approved the execution of a twelve (12) month contract with CYCLEAN, INC., 2000 South Church, Georgetown, TX, for the recycling of asphalt pavement material, in an estimated amount of \$449,700.00. (Funding included in the Street and Bridge Operating Fund for the Public Works and Transportation Department). Low bid of two (2) bids. 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities.

On Mayor Pro Tem Urdy's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Epstein out of the room.

31. Approved execution of a contract with AUSTIN METAL AND IRON COMPANY, P.O. Box 2115, Austin, Texas, for the sale of scrap metal. (This contract is for a period of one (1) year at an estimated annual revenue to the General Services Department in the amount of \$73,196.88 with the option to extend the contract for a one (1) year period at estimated revenue in the amount of \$73,196.88 per extension option.) The bid submitted by the recommended awardee offers the highest projected revenue to the City. 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. 900519-3JR

32. Approved execution of a contract with PURITAN BENNETT, 1665 Lakes Parkway, Lawrenceville, Georgia, for the purchase of two (2) Ventilators for a total cost of \$40,770.00. (Funding for these items was included in the Operating Budget and therefore, there is no anticipated fiscal impact. The ventilator is a device used by the Respiratory Therapy Department to mechanically control or assist patient breathing.) Sole Source. 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. BHO-173
33. Approved execution of a twelve (12) month Supply Agreement with PENCCO, INC., P.O. Box 2567, Corpus Christi, Texas, for Fluosilicic Acid in an amount not to exceed \$81,296.00 with the option to extend for one (1) additional twelve (12) month period in an amount not to exceed \$81,296.00 for a total amount not to exceed \$162,592.00. (Fluosilicic Acid is used at the Green, Davis and Ullrich Water Treatment Plants for fluoridation in the water treatment process for the City's water supply and also aids in the prevention of dental cavities.) Low bid of three (3) bids. 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference IPB File No. 900566-1B0
34. Approved a Construction Contract Award to PARKER & ROGERS CONSTRUCTION CO., 4915 I.H. 35 South, Georgetown, Texas, for Walnut Creek Tributary 7 Drainage Improvements in the amount of \$216,900.50. (\$66,756.00 budgeted in C.I.P. Project No. 8016071091 and \$150,144.50 budgeted in C.I.P. Project No. 8256072074) Low bid of six (6) bids. 10.14% MBE, 8.27% WBE Subcontractor participation.
35. Approved execution of a twelve (12) month Supply Agreement contract to AUSTIN OUTDOOR POWER EQUIPMENT, 11104 North Lamar #G, Austin, Texas, for Lawn Care Equipment in the dollar amount not to exceed \$35,324.00 with the option to extend for one (1) additional twelve (12) month period in the dollar amount not to exceed \$35,324.00, for a total amount not to exceed \$70,648.00. (These lawn care items include chain saws, weed trimmers, and hand-held blowers, to be used by PARD in the maintenance of City parks.) Low bid of four (4) bids. 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File IPB No. 900520-1JD

#31-#35, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Barnstone out of the room.

36. Approve execution of a contract award to RADIAN CORPORATION, 8501 MoPac Blvd., Austin, TX, to provide technical, financial, and economic analysis for the development of a Municipal Ozone Chemical Depletion Program and a City ordinance, in the amount of \$42,055.00. (Funding available through allocation from General Fund and Enterprise Fund in the 1989-90 approved budget). 0% MBE, 6% WBE Subcontractor participation.

Postponed to August 30, 1990.

37. Approved a contract award to THE MEDICAL CONNECTION, INC., 405 N. Wabash Avenue, Suite 3510, Chicago, Illinois, for Back-Up Telephone Answering Service for the Physician Referral Program, in an amount not to exceed \$38,918.00, with the option to extend agreement for up to two (2) one (1) year periods in an amount not to exceed \$42,810.00 for each extension. (Funding included in the 1989-90 Operating

Budget for Brackenridge Hospital). Sole source. 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities.

On Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Barnstone out of the room.

38. Approved a construction contract award to REDDICO CONSTRUCTION, 15212 Ranch Road 620, Austin, TX, for relocation of a 48-inch Water Transmission Main (U.S. Highway 183, 48-inch Transmission Main Relocation, Phase I), in the amount of \$2,810,648.45. (\$5,040,700.00 budgeted in C.I.P. No. 3888-227-0997). Low bid of eight (8) bids. 1.02% MBE, 0.89% WBE Subcontractor participation.

On Mayor Pro Tem Urdy's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Epstein out of the room.

39. Approved the execution of a twelve (12) month supply agreement contract to AMERICAN ENVELOPE COMPANY, 232 Iowa Street, San Antonio, TX, for envelopes, in the estimated dollar amount not to exceed \$31,590.00 with the option to extend for two (2) additional twelve (12) month periods in the estimated dollar amount not to exceed \$31,590.00 per extension period for an estimated total amount not to exceed \$94,770.00 (Funding included in 1989/90 Operating budget for General Services Department). Low bid of four (4) bids. 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference IFB No. 90-0486-1CM.

40. Approved execution of contracts with YOUNGBLOOD GENERAL TIRE, 506 N. Lamar, Austin, TX, and PURCELL TRUCK TIRE CENTER, 5325 N. I.H. 35, Austin, TX, for the purchase of a twelve (12) month supply agreement for tires and tubes, in the estimated total amount of \$448,783.00, with an option to extend for up to one (1) twelve (12) month period, in an estimated amount of \$448,783.00 for a total amount not to exceed \$897,566.00 (Funding included in the 1989-90 Operating budget for the General Services Department). 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference IFB No. 900407-IRD.

41. Approved execution of a twelve (12) month supply agreement contract to DIGITAL EQUIPMENT CORPORATION, 9442 Capitol of Texas Hwy., Suite 200, Austin, TX, for Digital printer supplies, in an amount not to exceed \$91,972.00, with the option to extend for one (1) additional twelve (12) month period in the amount not to exceed \$91,972.00 for a total amount not to exceed \$183,944.00. (Funding included in the 1989-90 Operating budget for General Services Department). Low bid of six (6) bids. 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference IFB File No. 900582-1CM.

42. Approved an amendment of an existing lease from Michael Stevens Interests, to allow the Health Department to lease approximately 300 sq. ft. of additional space and to extend its lease for 60 months in the Brackenridge Professional Building located at 1313 Red River.

43. Approved the lease of an 8,000 sq. ft. building located at 92 Red River from Mr. B.D. Thompson for the consolidation of Fire Department Divisions. (Rental rate

amounts to \$4,000.00 per month in years 1-5, and \$4,600.00 in years 6-10. Funding included in the proposed Fire Department Budget for FY 90-91).

~~#39-#43~~ on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second 6-0 Vote, Councilmember Barnstone out of the room.

44. Approve a 120 month lease of a 25,000 sq. ft. building from Mr. John Strance, located at 1006 Smith Road for use by the General Services Department. (Rental rate amounts to \$164,703.48 annually. Funding included in the General Services budget for FY 89-90 and the 1990-91 proposed budget).

Postponed to August 30, 1990.

45. Allocate Fiscal Year 1990-91 Community Development Block Grant funds to proposed activities (\$4,630,000.00 in 16th Year CDBG Funds).

#### Motion

Councilmember Carl-Mitchell made a motion, seconded by Mayor Pro Tem Urdy to "move approval of the City Manager's recommendation on funding, with one caveat, and that is on the home maintenance program, I understand the \$819,000.00 is in that program, but I would like to be sure that the architectural barrier removal program for the handicapped, that the proposers can submit separate RFP's for the sub-areas within the \$819,000.00."

#### Friendly Amendment

Councilmember Larson offered a friendly amendment to move \$55,000.00 to the DeWitty Building project by taking equal percentage (pro rated) from public service funding sub-categories, housing sub-categories, and the Economic Development Fund. Councilmember Carl-Mitchell and Mayor Pro Tem Urdy accepted the friendly amendment.

#### Roll Call on Motion

4-3 Vote, Mayor Cooke, Councilmembers Barnstone and Epstein voted No.

46. Authorize negotiating and entering into an agreement to lease the Arthur B. DeWitty Building at 2209 Rosewood Avenue for up to ten (10) years with all operating costs and a \$200.00 per month monitoring fee to be paid by the leasee.

The Council, on Councilmember Urdy's motion, Councilmember Carl-Mitchell's second, authorized staff to negotiate with Focusing Resources Unemployment Education Enterprise Organization concerning occupancy. 4-3 Vote, Councilmember Nofziger, Mayor Cooke and Councilmember Barnstone voted No.

Later, Councilmember Epstein noted that the agreement should be brought back to Council before being submitted to HUD.



47. Approved a wholesale water service contract between the City of Austin and Hill Country Water Supply Corporation.

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Urdy's second, adopted a resolution approving staff recommendation and sign water rate agreement, 6-1 Vote, Councilmember Barnstone voted No.

A substitute motion by Councilmember Nofziger, seconded by Councilmember Barnstone, to refer this item back to the Water and Wastewater Commission and bring back to Council on September 6, 1990, FAILED by a vote of 2-5 with Mayor Pro Tem Urdy, Councilmembers Carl-Mitchell, Epstein and Larson, and Mayor Cooke voting No.

48. Approved a supplemental amendment to the Terrell Lane Interceptor Agreement as amended between the City of Austin and the participants in the amount of \$270,000.00. (Funding included in CIP No. 443-237-0837 - Service to Annexed areas).

On Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Barnstone out of the room.

#### PUBLIC HEARINGS AND APPROVAL OF ORDINANCES/RESOLUTIONS

49. 5:30 P.M. - Public Hearing on amendments to the Development Process.

Speaker's cards are on file in the City Clerk's office.

The Council, on Councilmember Barnstone's motion, Councilmember Larson's second, voted to continue the public hearing to September 20, 1990 at 5:30 P.M. 7-0 Vote.

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

##### ZONING DISTRICTS

50. C14h-90-0006 - MT. BONNELL, 3800-4200 Mt. Bonnell Road, west side, from SF-3 to P-H. PUBLIC HEARING CLOSED, APPROVED P-H, APPROVED ORDINANCE

On Councilmember Nofziger's motion, Councilmember Laron's second, 5-0 Vote, Councilmembers Carl-Mitchell and Epstein out of the room.

#### ITEMS FROM COUNCIL

51. Consider a report from the City Manager on the applicability of the Comprehensive Watershed Ordinance to the Texas Disposal Systems landfill near Creedmore. (Councilmember Bob Larson) [Public discussion held on July 12, 1990 - No citizen sign up]

Report heard.

52. Consider a report from the City Manager regarding the contract for use of the City of Austin's FM 812 sanitary landfill for large volume haulers/dumpers with Texas

Disposal Systems. (Councilmember Bob Larson) [Public discussion held on July 12, 1990 - No citizen sign-up]

Report heard.

53. Reconsider the City Council endorsement of the TDS landfill permit application before the Texas Department of Health and adopt a resolution repealing the previous resolution and opposing the permit application. (Councilmember Bob Larson) [Public discussion held on July 12, 1990 - No citizen sign-up]

Motion to approve FAILED by a vote of 2-5 with Councilmembers Epstein and Nofziger, Mayor Cooke, Mayor Pro Tem Urdy and Councilmember Carl-Mitchell voting No.

54. Direct the City Manager to investigate the options for a suitable location for a future City of Austin landfill. (Councilmember Bob Larson) [Public discussion held on July 12, 1990 - No citizen sign up]

Motion

Councilmember Barnstone made a motion, seconded by Councilmember Larson to approve, plus other alternatives.

Substitute Motion

The Council on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, directed the City Manager to work with SWAC and others and report back to Council on a quarterly basis. 7-0 Vote.

55. Adopted a resolution directing the Environmental and Conservation Services Department to prepare a grant application to apply to the Texas Water Commission and the Environmental Protection Agency for the development of a Nonpoint Source Storm Water Pollution Abatement Plan that will protect the water quality of Town Lake and Lake Austin. (Councilmember Louise Epstein)

On Councilmember Epstein's motion, Councilmember Carl-Mitchell's second, 7-0 Vote.

56. Approved Residential Energy Audit Services. (Councilmembers Louise Epstein and Bob Larson)

On Councilmember Larson's motion, Councilmember Epstein's second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

57. Approved a resolution requesting the Board of the Capital Metropolitan Transit Authority (CMTA) to authorize an additional supplement to the City of Austin's annual street repair and maintenance program, and that funding for this supplement may be provided by re-instating to the next CMTA budget the quarter cent sales tax not currently collected. (Councilmember Michael "Max" Nofziger)

On Councilmember Nofziger's motion, Councilmember Carl-Mitchell's second, 7-0 Vote.

**EXECUTIVE SESSION - COUNCIL DID NOT MEET IN EXECUTIVE SESSION**

The City Council will announce that it will go into Executive Session, if necessary, pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation, and for personnel matters. No final action, decision or vote by the City Council will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

**58. Land Acquisition - Section 2, Paragraph f**

a. Review and discussion of real property acquisition for:

- (1) U.S. Highway 183/290 Project
- (a) Account #66

**59. Pending Litigation - Section 2, Paragraph e**

a. Discussion on settlement of a lawsuit styled David L. Brooks v. D. Frank Osborne, M.D. and Brackenridge Hospital.

**ACTION ON THE FOLLOWING**

60. Authorize City of Austin participation with the State of Texas property acquisition for the U.S. 183/290 projects.

City Cost is:

(A) Account 66 - \$89,000.00

No action.

61. Settlement of a lawsuit styled David L. Brooks v. D. Frank Osborne M.D. and Brackenridge Hospital.

No action

**APPOINTMENTS**

62. ETHICS REVIEW COMMISSION - 4

Appointments - Thomas Murphey and Bonnie Rhodes

Nominations - Suzy Woodford and Eddie House (Agenda 8/30/90 for confirmation)

**ADJOURN**

Council adjourned its meeting at 12:25 A.M., August 17, 1990.