



**Austin City Council
MINUTES
For**

SEPTEMBER 20, 1990 - 1:00 P.M.

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

MINUTES APPROVED

- 1. Approved Minutes for Special Meetings of September 4, 7, 10, 11, 12, 1990.**

On Councilmember Epstein's motion, Councilmember Larson's second, 5-0 Vote, Mayor Pro Tem Urdy and Councilmember Barnstone out of the room.

1:00 P.M. - CITIZEN COMMUNICATIONS

- 2. Mr. Mark Villee was not present to speak.**
- 3. Mr. Loy Blanton discussed being lied to by City concerning parking in left hand lane on West 5th Street, West of Lamar.**
- 4. Mr. Lance Winters discussed proposed City Personnel Policies that obliterate Employee's Rights and Dignity and cost taxpayer dollars.**
- 5. Mr. Henry Ratliff discussed City problems.**
- 6. Mrs. Susan Schorer addressed current City issues.**
- 7. Ms. Lori C. Renteria discussed selective enforcement of building codes and other laws.**
- 8. Mr. Terry Parker discussed personal morals regulation by City government.**

ITEMS CONTINUED FROM PREVIOUS MEETINGS

- 9. Approved a one-hundred twenty (120) month lease of a 25,000 square foot 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 1989-90 and the 1990-91 proposed budget.)**
- 10. Approved execution of a contract for a twelve (12) month Supply Agreement with LEIF JOHNSON FORD TRUCK CITY, 502 E. Ben White Blvd., Austin, Texas, for heavy**

truck parts, in the amount not to exceed \$77,000.00, with the option to extend for up to two (2) additional twelve (12) month periods for a total amount of \$231,000.00. (This purchase is for replacement parts to be used by the Fleet Maintenance Division of the General Services Department in repair and maintenance of Ford heavy truck parts). [Funding included in 1989-90 Operating budget for the General Services Department]. Sole bidder. 0% MBE/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference IFB No. 900572-1LI.

11. Approved execution of a contract with PERTEX TEXTILE PRODUCTS, INC., Franklin, MI., for a twelve (12) month supply agreement for the purchase of work uniforms, trousers and shirts, in an amount not to exceed \$93,335.00, with the option to extend for one (1) additional six (6) month period, in an amount not to exceed \$46,668.00, for a total amount not to exceed \$140,003.00. (Funding included in the FY 1989-90 budget for the General Services Department) Low bid of five (5). 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference IFB File 900680-1B0.

#9, 10, 11 on Councilmember Epstein's motion, Councilmember Larson's second, 7-0 Vote.

12. Adopt revised City of Austin Personnel Policies.

Pulled off agenda. Will be discussed in work session October 11, 1990 and placed on the agenda for action October 18, 1990.

13. Approved the establishment of a joint Austin/Travis County Vehicle Maintenance Committee composed of City and County staff and authorizing the City of Austin General Services Department to conduct an analysis of joint vehicle maintenance operations. (Councilmember Michael "Max" Nofziger)

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

14. Amended the Anti-Apartheid Ordinance including additional definitions under the Ordinance, tightened controls for existing exemptions and certain exemptions for library books and other publications. (Mayor Lee Cooke)

On Councilmember Barnstone's motion, Councilmember Epstein's second, 6-1 Vote, Councilmember Nofziger voted No.

15. Approved third reading of an Ordinance to amend Chapter 2, of the City of Austin, 1981, by adding a designated Area 2 to the Alcohol Consumption Ordinance (Ordinance No. 900816-D). [Councilmember Bob Larson]

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

ORDINANCES

16. Amended the FY 1989-90 Operating Budget by accepting \$16,000.00 from the Capital Area Planning Council grant and appropriating \$16,000.00 to the Parks and

Recreation Department budget to provide nutritional meals for senior citizens.

On Councilmember Epstein's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

17. Amended the North Travis County (NTC) MUDS 1,2,3 Consent Agreement to replace the MUD Land Plan with the Harris Branch PUD Plan; authorize the Director of Planning and Development to administratively approve changes in the location of sites to be dedicated, and delete Sections 9,4 and 9,5 of the Agreement.

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

18. Approve the allocation of \$300,000.00 budgeted for Homeless Services for a Homeless Resource Center, the Homeless Health Clinic, and Transitional Housing Support Services; and amend the Fiscal 1989-90 Operating Budget by appropriating \$15,300.00 to the Health and Human Services Department (HHSD) and expense refunds in the same amount for operation of the Health Clinic. (No net effect on the General Fund). [Reviewed by the Sixth Street Subcommittee].

Postponed to October 4, 1990

19. ADOPTED A RESOLUTION approving funding for Austin Tenant's Council, University YWCA (Women's Counseling and Resource Center), and Salvation Army from the Social Services Contingency Fund in the amount of \$14,979.00.

On Councilmember Carl-Mitchell's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

Zoning (Items 20-21)

20. Approved second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 12104-12116 Jekel Circle, Case No. C14-90-007, from "LO" to "LI-CO", Powell Houston Properties. First reading on April 5, 1990; Vote 5-0. Conditions met as follows: Conditional Overlay incorporates conditions imposed by Council. Street deed satisfying right-of-way dedication has been executed.

21. Approved second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 12111-12113 Jekel Circle, Case No. C14-90-0008, from "LO" to "LI", Powell Houston Properties. First reading on April 5, 1990; Vote 5-0. Conditions met as follows: Conditional Overlay incorporates conditions imposed by Council. Street deed satisfying right-of-way dedication has been executed.

#20 & 21 on Councilmember Epstein's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

RESOLUTIONS

22. Approved a License Agreement to allow landscaping in Nueces Street right of way locally known as 517 Martin Luther King Boulevard. (Request submitted by Taco Cabana, Inc., on behalf of Nueces Plaza Ltd. - the required application fee has been paid. The Department of Public Works & Transportation recommends that no annual fee be assessed on this request since the encroachment is enhancing the right of way).

23. Authorized release of a portion of the 15' Public Utility Easement recorded in Bk. 89, Page 29, Travis County Plat Records, located on Lot 39, 40 and 41, Block C, Mt. Bonnell Shores, Section 2, locally known as 4507 Riverwood Court. (Request submitted by Pat Harkins on behalf of Dave and Kay Nicholas - The 250.00 application fee has been paid).
24. Authorized release of portions of the Drainage and Public Utility Easements of record in volume 4054, Page 1366 and Volume 4057, Page 692, Travis County Real Deed Records, located on Lots 42 and 43, Block B, River Oak Lake Estate Section 1, locally known as 12408 Willowbend Drive. (Request submitted by M. Thomas Triggs - \$250.00 application fee has been paid.)
25. Authorized and approve the filing of Eminent Domain Proceedings to acquire title to 0.267 acre (11,645 square feet) of land out of Lot 2 of Barrington Oaks Commercial, a subdivision in the James Howlett Survey, Abstract No. 892, Williamson County, Texas, owned by Birch 78 Associates for the U.S. Highway 183 Improvement Project.
26. Authorized and approve the filing of Eminent Domain Proceedings to acquire title to 0.047 acre of land out of the Isaac Decker League in Austin, Travis County, Texas, owned by Hays City Corporation, a Texas Corporation for the U.S. Highway 290 West/S.H. 71 Improvement Project.
27. Authorized and approve the filing of Eminent Domain Proceedings to acquire title to 0.141 acre (6,135) square feet) of land out of Lot 3 of Barrington Oaks Commercial, a subdivision in the James Howlett Survey, Abstract No. 892 in Williamson County, Texas, owned by David G. Price, Trustee of the Price Revocable Trust dated August 2, 1982 for the U.S. Hwy. 183 Improvement Project.

§22-27 on Mayor Pro Tem Urdy's motion, Councilmember Carl-Mitchell's second, 6-0 Vote, Councilmember Barnstone out of the room.

28. Authorized an increase to the original appropriation for architectural professional services to AUSTIN COLLABORATIVE VENTURE, for archaeological and historical services performed for the Austin Convention Center, in the amount of \$492,280.00 (Funding included in C.I.P. Project No. 493-27-1000 from Convention Center Bonds).

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

29. Approved a Construction Contract Award to KEYSTONE CONSTRUCTION, INC., P.O. Box 160938, Austin, Texas, for Umlauf Sculpture Gardens Water Quality Basin, in the amount of \$98,643.00. (Funding in the amount of \$100,000.00 is included in the Parks and Recreation Department General Fund.) Low bid of four (4) bids. 0% M/WBE Subcontractor participation. The prime has identified one subcontracting area (Landscaping). There are 20 certified firms available. The prime is currently soliciting bids from certified M/WBEs to perform the scope of work.

On Councilmember Epstein's motion, Councilmember Carl-Mitchell's second, 4-0 Vote, Mayor Pro Tem Urdy, Councilmembers Barnstone and Larson out of the room.

30. Approve execution of a three (3) year contract with MERLYN DEAN INCORPORATED, 9020-I Capital of Texas Hwy., Austin, Texas, for a food and beverage concession operation at Jimmy Clay Municipal Golf Course Clubhouse with the option to extend the contract for two (2) one (1) year periods. (Estimated revenue to the City of Austin is \$67,007.00 per year or \$201,021.00 over the term of the contract to be placed in the Parks & Recreation Department Golf Enterprise Fund in the Jimmy Clay Cost Center). Reference No. 900532-3JR.

Postponed to October 4, 1990

31. Approved a Construction Contract Award to POOL AND ROGERS PAVING COMPANY, INC., 20025 IH 35, Buda, Texas, for Street Overlay 1990 (repair of existing pavement and placement of new polymer pavement surface for North Lamar Blvd. from W. Guadalupe to Morrow and South Congress from the Town Lake Bridge to Oltorf St.), in the amount of \$957,607.20. Low bid of two (2) bids. 7.31% MBE and 4.02% WBE Subcontractor participation. Reference File NO. 90-0794-2RW.
32. Approved execution of a contract with LONGHORN INTERNATIONAL EQUIPMENT, 4711 E. 7th Street, Austin, Texas, for a twelve (12) month Supply Agreement for the purchase of heavy truck parts, in the amount not to exceed \$66,000.00 with the option to extend for up to two (2) additional twelve (12) month periods in the estimated amount not to exceed \$66,000.00 each extension period, for a total amount not to exceed \$198,000. (This purchase is for replacement parts to be used by the Fleet Maintenance Division of the General Services Department in repair and maintenance of International heavy trucks). [Funding included in 1989-90 Operating budget for the General Services Department]. Sole Bidder. The prime did not identify any subcontracting opportunities. Reference IFB No. 900721-1LI.
33. Approved execution of a contract with TEX-CON OIL COMPANY, 4906 Burleson Rd., Austin, Texas, for a twelve (12) month supply agreement for greases, lubricants and oils to support the City's fleet maintenance operations, in an amount not to exceed \$123,633.00 with the option to extend for up to two (2) additional twelve (12) month periods, in the estimated amount of \$123,633.00 each extension period, for a total amount not to exceed \$370,899.00. (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 File No. 900684-1LI.

#30-33 on Mayor Pro Tem Urdy's motion, Councilmember Carl-Mitchell's second, 6-0 Vote, Councilmember Barnstone out of the room.

34. DID NOT approve execution of a twelve (12) month service agreement with AUSTIN PRESORT INC., 601 E. 53rd Street, Austin, Texas, for pre-sorting of residual bulk mail, in an amount not to exceed \$40,800.00. (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 did not identify any subcontracting opportunities. Reference File No. 900610-3JR.

Contract to be rebid - On Councilmember Epstein's motion, Mayor Cooke's second, 6-0 Vote, Councilmember Nofziger out of the room.

35. Approved execution of a contract with JOHNSON INTERNATIONAL MATERIALS, INC., 2908 Boca Chica Blvd., Brownsville, Texas, for a twelve (12) month supply agreement for the purchase of disposable wiping rags, in an amount not to exceed \$60,755.00,

with the option to extend the contract for up to one (1) additional twelve (12) month period in an amount not to exceed \$60,755.00, for a total amount not to exceed \$121,510.00. (Funding included in the 1989-90 Operating budget for the General Services Department). Low bid of five (5) bids. 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. 900763.1JD.

36. Approved execution of a contract with AMERICAN LIGHT, 8203-H N. Lamar, Austin, Texas, for a six (6) month supply agreement for the purchase of power saver fluorescent lamps, in an amount not to exceed \$55,900.00, with the option to extend for one additional six (6) month period in an amount not to exceed \$55,900, for a total amount not to exceed \$111,800.00 (Funding included in the 1989-90 Operating budget for the General Services Department). Low bid of seven (7) bids. 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. 900713-1CM.
37. Approved execution of a contract with CASCO INDUSTRIES, INC., 533 Rock, New Braunfels, Texas, for the purchase of fire fighting hoses, in an amount not to exceed \$74,556.00. (Funding included in the 1989-90 Operating Budget for the Fire Department). Low bid of four (4) bids. 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. 900705-1B0.

#35-37 on Mayor Pro Tem Urdy's motion, Councilmember Carl-Mitchell's second, 6-0 Vote, Councilmember Barnstone out of the room.

38. Approved execution of a contract with NAS ENVIRONMENTAL ENGINEERING, 9171 Capital of Texas Hwy. North, Austin, Texas, for the destruction, removal and disposal of hazardous laboratory chemicals seized by the Police Department, in an estimated amount not to exceed \$191,000.00 with two (2) twelve (12) month extension options in an estimated amount not to exceed \$191,000.00 for each option for a total three (3) year contract, in an estimated total amount not to exceed \$573,000.00. (Funding included in the 1989-90 Operating budget for the Police Department). Low bid of three (3) bids. 0% M/WBE Subcontractor participation. The prime identified one subcontracting area (hauling of hazardous materials). No certified M/WBEs available to perform scope of work. Reference File No. 900575-3RF.

On Councilmember Nofziger's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

39. Approved execution of a contract with MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC., P.O. Box 163477, Austin, Texas, for the purchase of mobile and portable radio communications equipment, in an amount not to exceed \$249,862.00. (Funding included in the 1989-90 Operating budget for the Police 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 Carl-Mitchell's second, 6-0 Vote, Councilmember Barnstone out of the room.

40. Approved execution of a contract with VITAL SIGNS, 20 Campus Road, Totowa, New Jersey, for disposable anesthesia bags, at a total estimated cost not to exceed \$49,469.00, with the option to extend the agreement for up to one twelve month period at an estimated cost of \$49,469.00, for a total cost not to exceed \$98,938.00. (Funding included in the 1989-90 Operating budget for Brackenridge

Hospital). 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. BS0-143.

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

41. Approved execution of a contract with JOHNSON CONTROLS, INC., 4221 Freidrick Lane, Austin, Texas, for a twelve (12) month service agreement for maintenance and repair services of water cooled centrifugal chillers (this contract will provide assurance of regulated interior building temperatures and reduced major repair costs to seven (7) centrifugal chillers with a 24 hour remote monitoring system for the Austin Police Department, Robert Mueller Airport, Municipal Court and Palmer Auditorium), in the amount not to exceed \$36,600.00, with two (2) twelve (12) month extension options in an amount not to exceed \$36,600.00 and \$37,400.00 respectively, for a total amount not to exceed \$110,600.00. (Funding included in FY 1990-91 Operating budget for General Services Department, Auditorium and Aviation). Low bid of four (4) bids. 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. 900583-3RF.
42. Approved execution of a contract with LEWIS SYSTEMS, 128 Hospital Drive, Watertown, WI, for a twelve (12) month supply agreement for the purchase of household recycling containers for use in the City of Austin's curbside recycling program, in an amount not to exceed \$150,000.00. (Funding included in the 1989-90 Operating budget for the Environmental and Conservation Services Department). Low bid of five (5) bids. 0% M/WBE subcontractor participation. The prime did not identify any subcontracting opportunities. Reference file No. 900761-1JD.
- #41 and 42 on Mayor Pro Tem Urdy's motion, Councilmember Carl-Mitchell's second, 6-0 Vote, Councilmember Barnstone out of the room.
43. Approved execution of a contract with PLANERGY, INC., 1008 West Avenue, Austin, Texas, for a twelve (12) month agreement to perform Energy Audits for customers of the City's Electric Utility, in an amount not to exceed \$75,000.00. (Funding included in the proposed 1990-91 Operating budget for the Environmental and Conservation Services Department). Low bid of three (3) bids. 4.4% MBE, 0% WBE Subcontractor participation. Reference File No. 900415-3RW.

Motion

Mayor Pro Tem Urdy made a motion, seconded by Councilmember Larson to send this through the RFP process.

Substitute Motion

Councilmember Carl-Mitchell offered a substitute motion to approve the contract. Motion PASSED on a vote of 4-3 with Councilmember Larson, Mayor Pro Tem Urdy and Councilmember Barnstone voting No.

44. Approved execution of a contract to ALAMO IRON WORKS, P.O. Box 231, San Antonio, Texas, for the purchase of miscellaneous tools to be used by the Water and Wastewater Department to complete the new maintenance shop at the Ullrich Water Treatment Plant, in an estimated amount not to exceed \$37,461.00. (Funding included in the 1989-90 Operating budget for the Water and Wastewater Department.

Low bid of six (6) bids. 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. 900580-1CM.

45. Approved a construction contract award to INSITUFORM TEXARK, INC., 17988 Eason Avenue, Chesterfield Missouri, for the July 1990 Wastewater Pipe within a Pipe Rehabilitation Project (project consists of 2,985 linear feet of 8-inch wastewater pipe which will be slip lined to prevent the infiltration of groundwater by the insertion of pipe within the existing pipe), in the amount of \$136,070.00. (Funding included in Wastewater Fund for the Water and Wastewater Department). Low bid of three (3) bids. 0% MBE, 1.47% WBE Subcontractor participation. Reference File #900749-2RW.

#44 & 45 on Mayor Pro Tem Urdy's motion, Councilmember Carl-Mitchell's second, 6-0 Vote, Councilmember Barnstone out of the room.

46. Approve negotiation and execution of a contract with 3COM CORPORATION, Houston, Texas, for the purchase of Networking hardware, software network management facilities, installation and training services and annual maintenance for up to fourteen (14) INet bridges, in an amount not to exceed \$199,076.25. (Funding included in the 1989-90 Operating budget for Information Systems). Best proposal of three (3) received. 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference No. 89-S211-AB.

On Councilmember Carl-Mitchell's motion, Mayor Cooke's second, 6-1 Vote, Councilmember Epstein voted No.

47. Approve the selection (RFQ) of CH2M HILL, INC., 8140 North MoPac Expressway, Austin, Texas, for a Planning Study of Wastewater Re-use, in the estimated cost of \$100,000.00. (Funding included in C.I.P. Project No. 448-737-0942). 10% MBE, 5% WBE Subcontractor participation.

Postponed until October 4, 1990

48. Approve the selection (RFQ) of PAVEMENT MANAGEMENT SYSTEMS, INC., (PMSI), 245 S. Benton Street, Suite 230, Denver, Colorado, for implementation of a Comprehensive Pavement Management System for the City's street network, at an estimated cost of \$150,000.00 for preliminary and pilot phase engineering services. (Funding for Phase I and II is included in the FY 1991 Street and Bridge Division budget. Funding for Phase III will require additional funding from the General Fund during FY 1991-92). 25% MBE, 5% WBE Subcontractor participation.

Postponed to October 4, 1990

49. Consider a request by Evans Weaver for the Water and Wastewater Utility to provide approximately \$160,000.00 reimbursement for the construction of a 12-inch water line in Westlake Drive and Dunning Lane in the west Rim Subdivision. (Staff does not recommend.)

No action by Council.

50. Approve a request from the State Department of Highways and Public Transportation to change the designation of Loop 1 from a parkway to a freeway with a frontage

Road in the vicinity of RM 2222. (This request would not require any funding from the City. The land owner requesting the frontage will be responsible for all costs.)

Referred to Urban Transportation for their recommendation with corrected language. Bring back to Council on October 4, 1990.

51. Approve guidelines for the Multi-family Energy Rebate program and authorize the issuance of rebate payments in compliance with the approved guidelines. (Funding in the amount of \$625,000.00 included in the Multi-Family Incentive CIP fund [Brown and Root] Fund #765).

Postponed to October 4, 1990.

52. Approve guidelines for three Commercial Energy Management Programs, and authorize the issuance of rebates in compliance with the approved guidelines. (Funding in the amount of \$1,381,000.00 included in C.I.P. funds for Commercial Program [Brown and Root] Fund #765).

Postponed to October 4, 1990.

53. Approve Department of Aviation Disadvantaged Business Enterprise (DBE) Plan as mandated by the Federal Aviation Administration.

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

PUBLIC HEARINGS AND APPROVAL OF ORDINANCES/RESOLUTIONS

54. 3:00 P.M. - Public hearing on an appeal by John Hiles of the decision made by the Building Standards Board for the building locally known as 900 East 1st Street.

Closed public hearing and granted appeal. On Councilmember Barnstone's motion, Councilmember Carl-Mitchell's second, 7-0 Vote.

55. 3:30 P.M. - Conduct a public hearing to consider adoption of Wastewater rates applicable to customers of Valley View Wastewater Treatment Plant, and adopt wastewater rates.

Closed public hearing and approved, on Councilmember Carl-Mitchell's motion, Councilmember Larson's second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

ITEMS FROM COUNCIL

56. Approved canceling the regularly scheduled City Council Meeting of October 11, 1990 and scheduling a Council Retreat on October 11, 1990 to discuss Work Plan for Fiscal Year 1990-91. (Mayor Lee Cooke)

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

57. Amended the FY 1990-91 Operating Budget for Cultural Arts Fund. (Mayor Lee Cooke).

Postponed to October 4, 1990.

58. Discussion of policy for compensation adjustments for Municipal Judges, Municipal Court Clerk, City Clerk and City Manager. (Mayor Lee Cooke)

Council discussed the policy and agreed to do as usual...review each person separately to determine compensation adjustments.

59. Approve negotiation and execution of contracts for construction of Child Care Facilities using available Community Development Block Grant (CDBG) monies. (Councilmember Michael "Max" Nofziger)

Discussion held. Posted for action on October 4, 1990 agenda.

EXECUTIVE SESSION (No Public Discussion on These Items)

Mayor Cooke announced that Council would go into Executive Session 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.

60. Land Acquisition - Section 2, Paragraph f

- A. Review and discussion of real property acquisition for:
- (1) Park and recreational purposes (30.587 acres of land located along Barton Creek.)
 - (2) East Riverside Drive Wastewater Project
 - (a) Parcel 2974.02E

61. Pending/Contemplated Litigation - Section 2, Paragraph e

- (a) Barton Creek Properties, Inc. v. the City of Austin (appeal to the Texas Water Commission.
- (b) Save Barton Creek Association Inc., and Tim Jones v City of Austin (appeal to Texas Water Commission.
- (c) Onion Creek Homeowners Association, Inc., et al v. City of Austin et al, (Travis County District Court CA 490,473)

ACTION ON THE FOLLOWING

62. Authorized the negotiation and execution of a contract in an amount not to exceed \$300,000.00 to purchase 30.587 acres of land located along Barton Creek on the east side of MoPac South for park and recreational purposes.

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

63. Approved a resolution authorizing Easement acquisition for:
- a. East Riverside Drive Wastewater Project
 - (1) Parcel 2974.02E

In the amount of \$46,800. On Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 6-0 Vote.

64. Approved payment of attorney's fees for outside counsel (Jones, Day, Revis, & Fogue) for representation in the Barton Creek PUD appeal.

The amount is not to exceed \$75,000. On Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 7-0 Vote.

65. APPOINTMENTS

Bergstrom Economic Conversion Task Force - 7

The following were appointed: Jim Steed, Chairman; Fidel Estrada, Ray Reece, Gwen Webb, Joe Trochta, Les Gage, Jeff Minch

Private Industry Council - 15

Appointments postponed to October 18, 1990.

ADJOURN

The Council adjourned its meeting at 9:30 P.M.