



Austin City Council
MINUTES

**REGULAR MEETING
THURSDAY, MAY 9, 2002**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed.

The City Council of Austin, Texas, convened in a regular meeting on Thursday, May 9, 2002 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

INVOCATION: Major Daniel New from the Salvation Army.

Mayor Garcia called the meeting to order at 12:11 p.m.

Mayor Garcia recessed the meeting at 12:12 p.m. to go into Executive Session.

EXECUTIVE SESSION

The City Council went into Executive Session, 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 this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

1. Discuss legal issues relating to water rights permitting matters before TNRCC
5. Evaluate the performance and consider the compensation of the Municipal Court Clerk.

Executive Session ended at 1:35 p.m.

CITIZEN COMMUNICATIONS

6. Francisco J. Aceves - To Make "La Matricula Cousular" from Mexico an Official Document for the City of Austin
7. Jodie Keeling - Austin Cinemaker Coop's Cultural Contracts Application for 2002-2003 Season
8. Robert L. Thomas -To discuss building and employment at the Rosewood Recreation Center - **ABSENT**
9. Jennifer Gale - Thank-You Austin Voters!
10. Rolando Pina - Please Remember Single Member. - **ABSENT**
11. Jose Quintero - The City's Neighborhood Plans is to Preserve the Integrity of the People of Color or is it to displace us through Historical Zoning???
12. Susana Almanza - Stop the Displacement/ Gentrification of our Barrios! Historic Zoning is another Gentrification Tool.
13. Marcos De Leon - Displaced in East Austin Gentrification of our Barrios by Historical Zoning. - **ABSENT**

14. Katherine Stark - Housing & Homeless - **ABSENT**
15. Gavino Fernandez - Gentrification & Ethnic Cleansen of Mexican –American population in East Austin Endorsed by Mayor Gus Garcia, Raul Alvarez, & Jackie Goodman.

DISCUSSION ITEM

20. Approve a new compensation package for the Municipal Court Clerk. (Mayor Gus Garcia, Mayor Pro Tem Jackie Goodman and Council member Will Wynn)
Resolution No. 020509-20 was approved, increasing the Municipal Court Clerk's annual pay by \$5,000, equivalent to \$85,745 per year on Council Member Wynn's motion, Mayor Garcia's second by a 7-0 vote. She was directed to work with the Deputy City Manager's Office to develop a work plan to deal with employee issues.

The Mayor recessed the meeting at 2:16 p.m. to go into the Board of Director's Meeting of the Austin Housing Finance Corporation. See separate minutes.

Mayor Garcia called the meeting back to order at 2:32 p.m.

DISCUSSION ITEMS CONTINUED

59. Approve a resolution authorizing negotiation and execution of a 12-month revenue agreement with STATE, METROPOLITAN AND COUNTY SERVICES, Arlington, Texas, for the collection of delinquent Municipal Court cases with estimated annual net to general fund revenue of \$868,000 with three 12-month extension options with estimated revenue of \$868,000 per extension for total estimated contract revenue of \$3,472,000. (Funding in the amount of \$144,666 estimated revenue in the current fiscal year. Revenue for the remaining 10 months of the original contract period and extension options will be included in future budgets.) Best proposal/nine proposals received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.
This item was postponed to May 16, 2002 on Council Member Slusher's motion, Council Member Wynn's second by a 7-0 vote.

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second by a 7-0 vote.

Items 16 was pulled for discussion

Items 17 through 18 were briefings

19. Discussion and possible action on the division of the city into eight council districts for the election of councilmembers in the event that proposition 3 on the May 4, 2002, ballot is approved by the voters.
This item was removed from the agenda.

Item 20 was discussed earlier in the meeting.

21. Approve a resolution authorizing negotiation of a Franchise Agreement between the City and CityNet TELECOMMUNICATIONS, INC. to allow the installation and operation of fiber optic telecommunication infrastructure within the City's storm drain system.

Resolution No. 020509-21 was approved.

22. Approve an ordinance calling a runoff election, if necessary, to be held on June 1, 2002.
This item was removed from the agenda.
23. Discussion and possible action to approve an ordinance, including an amendment to the Fiscal Year 2001-2002 Operating Budget (Ordinance No. 010910-01), regarding an appropriation to fund the citizen initiative campaign finance charter amendment (Proposition 1) if the amendment is approved by the voters on May 4, 2002. (Funding in the amount of \$51,000 is available in the General Fund contingency reserve for quarter-year funding of the personnel costs and related expenses of 2.5 new FTEs in the Law Department.)
This item was removed from the agenda.
24. Approve an ordinance authorizing acceptance of \$6,000 in grant funds from the NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) for the Risk Watch school-based injury prevention program; amend Ordinance No. 010910-01, the Fiscal Year 2001-2002 operating budget for the Fire Department, amending the Special Revenue Fund by appropriating \$6,000 in grant funds for the Fire Department Special Revenue Fund. (Funding is available from the National Fire Protection Association. No in-kind match is required. The grant period is March 31, 2002 – February 17, 2003.)
Ordinance No. 020509-24 was approved.
25. Approve a resolution authorizing an amendment to the legal services contract with Bracewell & Patterson, L.L.P., Austin, Texas, for legal representation, advice, and counsel concerning water rights permit matters (Drought Management Plan; Surface Water Return Flows & LCRA Certificate of Adjudication) involving the Colorado River and the Lower Colorado River Authority for an increase of \$100,000, with a total contract amount not to exceed \$243,000. (Funding in the amount of \$100,000 is available in the 2001-2002 Approved Operating Budget of the Water & Wastewater Utility and the 2001-2002 Amended Operating Budget of the Electric Utility Department.)
Resolution No. 020509-25 was approved.
26. Approve a resolution reauthorizing submission of an application for a Victims Assistance Discretionary Grant, Office of Attorney for a program designed to provide mental health and recovery services to persons affected by catastrophic events of acts of terrorism.
Resolution No. 020509-26 was approved.
27. Approve a resolution authorizing the execution of the Funding Approval/Agreement with the U.S. Department of Housing and Urban Development (HUD) for Section 108 Loan Guarantee Assistance in an amount not to exceed \$2,000,000 to expand and continue the Neighborhood Commercial Management Loan Program (NCMP) and authorize the negotiation of loan documents with HUD. [The amount of \$2,000,000 in loan funds is guaranteed by the U.S. Department of Housing and Urban Development's (HUD) Section 108 Loan Guarantee Assistance Program. The Fiscal Year 2001/2002 Community Development Program of Neighborhood Housing and Community Development (NHCD) Office will be amended to support this loan funding. The annual debt service requirement is proposed to be funded from the repayment of loans issued under the Neighborhood Commercial Management Loan Program and secured by the City's future CDBG entitlement grant and the current NCMP loan portfolio.] (Recommended by the Ad Hoc Committee of the Community Development Commission)
Resolution No. 020509-27 was approved.

28. Approve a resolution amending the contract between Austin Housing Finance Corporation (AHFC) and the City of Austin Neighborhood Housing and Community Development (NHCD) to transfer \$425,000 in HOME funds from the Community Housing Development Organization (CHDO) Homeownership Program to the CHDO Rental Program. (Funds are available from the CHDO Homeownership Program. There is no unanticipated fiscal impact.) (Related Item No. AHFC-3)
Resolution No. 020509-28 was approved.
29. C14-01-0161 – Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 13505 RR 620 North (Lake Creek Watershed) from I-SF-2, Interim-Single Family Residence Standard Lot district, zoning to NO-CO, Neighborhood Office-Conditional Overlay Combining district, zoning. First Reading on February 7, 2002. Vote: 5-0, Griffith and Goodman of the dais. Second Reading on April 25, 2002. Vote: 7 met as follows: Council imposed no conditions on second ordinance reading. Applicant: KAF II Development Co. (Ford Smith, Jr.). Agent: Thrower Design (Ron Thrower) and Griffin Engineering Group, Inc. (Greg Griffin, P.E.). City Staff: Sherri Gager, 974-3057.
This item was postponed to May 23, 2002, at staff's request.
30. C14-02-0011– Nalle Tract – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the southwest corner of Loop 360 and Plaza on the Lake (Lake Austin Watershed) from I-RR, Interim-Rural Residence district, zoning and SF-2, Single Family Residence Standard Lot district, zoning to MF-1, Multifamily Residence Limited Density district, zoning. First Reading on April 18, 2002. Vote: 5-0, Thomas and Slusher off dais. Conditions met as Council imposed no conditions on first ordinance reading. Applicant: Nalle Bunny Run Farm Family (William Nalle). Agent: Armbrust and Brown (David Armbrust). City Staff: Glen Rhoades, 974-2775.
Ordinance No. 020509-30 was approved.
31. C14-02-0012 – Nalle Tract –Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as southwest corner of Loop 360 and Plaza on the Lake (Lake Austin Watershed) from SF-2, Single Family Residence Standard Lot district, zoning to MF-1-CO, Multifamily Residence Limited Density-Conditional Overlay Combining district, zoning. First Reading on April 18, 2002. Vote: 5-0, Thomas and Slusher off dais. Conditions met as follows: Council imposed no conditions on first ordinance reading. Applicant: Nalle Bunny Run Farm Family (William Nalle). Agent: Armbrust and Brown (David Armbrust). City Staff: Glen Rhoades, 974-2775.
Ordinance No. 020509-31 was approved.
32. C14-01-0131 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 500 West Martin Luther King From CS, General Commercial Services to CS-MU, General Commercial Services-Mixed Use-Combining district, zoning and MF-6, Multifamily Residence Highest Density district, zoning. First Reading on March 7, 2002. Vote: 7-0. Conditions met as follows: Council imposed no conditions on first ordinance reading. Applicant: Sutton Company (H.M. Pike). Agent: Bury and Partners (Greg Strmiska). City Staff: Glenn Rhoades, 974-2775.
Ordinance No. 020509-32 was approved.
33. Approve a resolution authorizing the application for \$499,547 in renewal grant funding from the TEXAS DEPARTMENT OF TRANSPORTATION, Texas Automobile Theft Prevention Authority, to continue the Auto Theft Interdiction Project in the Austin Police Department. (Grant funding is available from the Texas Department of Transportation, Texas Automobile Theft Prevention Authority, for the grant period September 1, 2002 – August 31, 2003. An in-

kind match is required. Funding for the continued operation of this program is contingent upon available funding in future budgets.)

Resolution No. 020509-33 was approved.

Item 34 was pulled for discussion.

35. Approve a resolution authorizing execution of a construction contract with JAY-REESE CONTRACTORS, INC., Austin, Texas, for the West Runway Fillet Widening of Taxiway G and T at the Austin-Bergstrom International Airport, in the amount of \$2,149,657.55 plus \$214,965.45 contingency, for a total contract amount not to exceed \$2,364,623. (Funding in the amount of \$2,364,623 is included in the 2001-2002 approved Capital Budget of the Department of Aviation.) Lowest responsive bid of three bids received. 19.4% DBE subcontracting participation.

Resolution No. 020509-35 was approved.

36. Approve a resolution authorizing execution of a construction contract with ARCHER WESTERN CONTRACTORS LTD., Arlington, Texas, for the South Austin Regional Wastewater Treatment Plant - Lift Station #1 and Bar Screens Project, in the amount of \$4,412,000. (Funding is available in the 2001-2002 Amended Capital Budget of the Water & Wastewater Utility.) Lowest of the four bids received. 1.48% MBE, 5.91% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 020509-36 was approved.

37. Approve a resolution authorizing the filing of eminent domain proceedings to acquire the fee simple interest of Lots 1-A and 2-A, resubdivision of Lots 1 through 4, Block P, James E. Bouldin Addition, and Lots 5 through 22, inclusive in Block P, James E. Bouldin Addition, together with the vacated alley adjoining Lots 5 through 9 and Lots 14 through 22, and the northerly 10 feet of the vacated alley adjoining Lots 10 through 13, save and except the north five feet of Lots 5 through 13, inclusive and locally known as 1800 South 5th Street, Austin, Texas, from Milton Arnold and Sylvia Arnold, as Joint Tenants; Robert P. Perens and Margaret Jean Perens, as Trustees of the Perens Family Trust U/A/D November 11, 1992; Carl A. Taballerio and Catherine Taballerio, as Joint Tenants; Graydon Funke and Esther Funke, as Joint Tenants; Jacob Friend and Gwen Klyman Friend as Trustees for the benefit of Mary Klyman; Ring Brothers Corporation, for the Twin Oaks Branch Library Project. (Funding in the amount of \$354,000 is included in the Fiscal Year 1999-2000 Amended Capital Budget of the Library Department.)

Resolution No. 020509-37 was approved.

Item 38 was pulled for discussion.

39. Approve a resolution authorizing execution of Change Order #5 to the construction contract with CROUCH/KST ENTERPRISES, LTD., Austin, Texas, for improvements to the water filtration system valves and controllers at the A. R. Davis Water Treatment Plant, in the amount of \$850,000, for a total contract amount not to exceed \$6,874,599. (Funding in the amount of \$590,000 is available in the 1995-1996 Amended Capital Budget of the Water & Wastewater Utility. \$260,000 is available in the 2000-2001 Amended Capital Budget of the Water and Wastewater Utility.) Overall MBE/WBE participation, including this Change Order: 10.14% MBE, 2.26% WBE. (Recommended by Water and Wastewater Commission)

Resolution No. 020509-39 was approved.

40. Approve a resolution authorizing execution of a construction contract with MARTIN K. EBY CONSTRUCTION CO., INC., Austin, Texas, for the Harris Branch Wastewater Treatment Plant

Expansion and Lift Station Improvements Project, in the amount of \$679,900. (Funding is available in the 2000-2001 Amended Capital Budget of the Water & Wastewater Utility.) Lowest of four bids received. 7.47% MBE, 5.52% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 020509-40 was approved.

41. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement with the TEXAS DEPARTMENT OF TRANSPORTATION for the relocation of existing water and wastewater facilities for the S.H. 71 (Ben White Boulevard) improvements from approximately 1000' west of Burleson Road to East Riverside Drive, in the amount of \$5,155,049. (Funding is available in the 2001-2002 Amended Capital Budget of the Water & Wastewater Utility.) (Recommended by Water and Wastewater Commission)
Resolution No. 020509-41 was approved.
42. Approve a resolution authorizing execution of a 12-month supply agreement with ARNOLD OIL COMPANY OF AUSTIN, Austin, Texas, for the purchase of non-captive automotive repair parts for various vehicles in an amount not to exceed \$700,000 with three 12-month extension options in an amount not to exceed \$770,000, \$847,000, \$931,700 respectively for a total contract amount not to exceed \$3,248,700. (Funding in the amount of \$291,667 was included in the 2001-2002 Operating Budgets of various departments. Funding for the remaining seven months of the original contract period and the extension options is contingent upon available funding in future budgets.) Low bidder/three bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. The contractor will provide these commodities directly to the City. There is no opportunity for subcontracting, therefore, no goals were established for this solicitation.
Resolution No. 020509-42 was approved.
43. Approve a resolution authorizing execution of a 12-month service agreement with EMR, INC., Austin, Texas, for elevator and escalator maintenance and repair in an amount not to exceed \$87,996, with two 12-month extension options in an amount not to exceed \$87,996 per extension, for a total contract amount not to exceed \$263,988. (Funding in the amount of \$36,665 was included in the 2001-2002 Approved Operating Budgets of the departments as follows: Aviation \$17,135; Building Services \$8,356.25; Water & Wastewater \$6,516.25; Parks & Recreation \$ 2,857.50 and Library \$1,800. Funding for the remaining seven months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bid /five bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No _ opportunities were identified, therefore, no goals were established for this solicitation.
Resolution No. 020509-43 was approved.
44. Approve a resolution authorizing negotiation and execution of a five-month contract with ABB INC., Oakland CA, for an Internet-based Utility Services Information System, consisting of energy management software applications, including the purchase of a load profiling system in an amount not to exceed \$207,075 with three one-year extension options in amounts not to exceed \$107,100 for the first 12-month extension, \$102,300 for the second 12-month extension and \$42,625 for the third 7-month extension, with a 12-month option to license the complex billing software module in an amount not to exceed \$380,500 with two 12-month extension options in an amount not to exceed \$35,000 per extension, and a 9-month option to license the load curtailment software module in an amount not to exceed \$110,750 with three extension options in amounts not to exceed \$32,250 for the first 12-month extension, \$36,000 for the second 12-month extension and \$9,000 for the third 3-month extension for a total contract amount not to exceed \$1,097,600. (Funding in the amount of \$207,075 is available in the 2001-

2002 Amended Operating Budget of the Electric Utility Department. Funding for continued maintenance of the load profiling system and options to purchase the complex billing and load curtailment software is contingent on future funding.) Best proposal of thirteen proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore MBE/WBE goals were not established for this solicitation. All services will be completed by the Contractor's own workforce.

Resolution No. 020509-44 was approved.

45. Approve a resolution authorizing execution of a 12 month service agreement with DOBLE ENGINEERING COMPANY, Watertown, MA, for oil analysis equipment and software in the amount of \$44,614 with three twelve-month extension options in the amount not to exceed \$44,614 for each extension period for a total contract amount not to exceed \$178,456. (Funding in the amount of \$14,871.33 was included the 2001-2002 Amended Operating Budget for the Electric Utility Department. Funding for the balance of the original contract and the extension options is contingent upon available funding in future budgets.) Sole Source. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.

Resolution No. 020509-45 was approved.

46. Approve a resolution authorizing modification No.1 to a contract with GENERAL ELECTRIC INTERNATIONAL, Carrollton, Texas, for the purchase of a combustion turbine generator in an amount not to exceed \$127,430, for a revised contract amount not to exceed \$36,427,430. (Funding in the amount of \$127,430 is available in the 2001-2002 Amended Capital Budget for the Electric Utility Department.) This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.

Resolution No. 020509-46 was approved.

47. Approve a resolution authorizing execution of a contract with PINNACLE SALES, INC., Naperville, IL, for the purchase of instrumentation and control equipment in an amount not to exceed \$140,457.95. (Funding is available in the 2001-2002 Amended Capital Budget for the Electric Utility Department.) Low Bidder Meeting Specification/five bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.

Resolution No. 020509-47 was approved.

48. Approve a resolution authorizing execution of a contract with FREIGHTLINER OF AUSTIN, Austin, Texas, for the purchase of two heavy duty truck chassis with mounted 45 foot digger derrick, cross boxes and flatbed bodies for the Electric Utility Department in the total amount not to exceed \$281,600. (Funding is available in the 2001-2002 Amended Capital Budget of the Electric Utility Department.) Low bid/four bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended.

Resolution No. 020509-48 was approved.

49. Approve a resolution authorizing an amendment to the original contract and four 12-month extension options with NEXUS ENERGYGUIDE, Wellesley, MA, for internet services and increase each extension in an amount not to exceed \$56,000 for the first extension and \$38,500 per extension for the three remaining extensions, for a revised amount not to exceed \$86,000 for the first extension option and \$68,500 for each of the three remaining extension options, for a total contract amount not to exceed \$333,000 (Funding in the amount of \$35,833 is available in the 2001-2002 Operating Amended Budget for the Electric Utility Department. Funding for the

balance of the contract and the remaining extension options is contingent upon available funding in future budgets.) This contract was awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established. (Recommended by Resource Management Commission)

Resolution No. 020509-49 was approved.

50. Approve a resolution authorizing modification No. 2 to the contract with CAPITOL ELEVATOR COMPANY, Austin, Texas, to provide elevator modernization services for Decker and Holly Power Plants in an amount not to exceed \$65,535.60 for a total contract amount not to exceed \$549,036.60. (Funding in the amount of \$65,535.60 is available in the 2001-2002 Amended Capital Budget for the Electric Utility Department.) This contract was awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.
Resolution No. 020509-50 was approved.
51. Approve a resolution authorizing modification No. 1 to a contract with UNITED TECHNOLOGIES CORPORATION FUEL CELLS, formerly International Fuel Cells, South Windsor, Connecticut, for the purchase of a four-year extended warranty for major components in an amount not to exceed \$50,000, for a revised contract amount not to exceed \$1,300,359. (Funding in the amount of \$50,000 is available in the 2001-2002 Amended Capital Budget for the Electric Utility Department.) This contract was awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.
Resolution No. 020509-51 was approved.
52. Approve a resolution authorizing a 12-month service agreement with DOWN UNDER, INC., Austin, Texas, to provide landscape maintenance services in an amount not to exceed \$30,914.75, with three twelve-month extensions in an amount not to exceed \$30,914.75 per extension, for a total contract amount not to exceed \$123,659. (Funding in the amount of \$10,304.92 was included in the 2001-2002 Amended Operating Budget of the Electric Utility Department. Funding for the balance of the contract and the extension options is contingent upon available funding in future budgets.) Low bid/six bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.
Resolution No. 020509-52 was approved.
53. Approve a resolution authorizing the execution of a contract with HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS COOPERATIVE PURCHASING PROGRAM (H-GAC), Houston, Texas, for the purchase of three full-size police patrol sedans in the amount of \$62,764.11. (Funding is available in the 2001-2002 Operating Budget of the Aviation Department.)
Resolution No. 020509-53 was approved.
54. Approve a resolution authorizing execution of a 12-month supply agreement with ENNIS PAINT, INC., Ennis Texas, for the purchase of airport traffic striping paint in an amount not to exceed \$36,920.00 with two 12-month extension options in an amount not to exceed \$36,920 per extension for a total contract amount not to exceed \$110,760. (Funding in the amount of \$15,383.35 was included in the 2001-2002 Approved Operating Budget of the Aviation Department. Funding for the remaining seven months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bid/five bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as

amended. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Resolution No. 020509-54 was approved.

55. Approve a resolution authorizing execution of a contract with EQUIPMENT SOUTHWEST, INC., Irving, Texas, for the purchase of two medium duty truck chassis with mounted rear loading refuse/recycle collection bodies for the Solid Waste Services Department in the amount of \$172,736. (Funding was included in the 2001-2002 Capital Budget of the Solid Waste Services Department.) Low bidder/three bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. The trucks are being provided by an authorized dealer for the manufacturer and will be delivered directly to the City. There is no opportunity for subcontracting, therefore, no goals were established for this solicitation.
Resolution No. 020509-55 was approved.
56. Approve a resolution authorizing execution of a 12-month service agreement with TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED, Austin, Texas, for landscape maintenance at Robert Mueller Municipal Airport in an amount not to exceed \$63,200 with two 12-month extension options in an amount not to exceed \$63,200 per extension, for a total contract amount not to exceed \$189,600. (Funding in the amount of \$21,067 was included in the 2001-2002 Approved Operating Budget of the Building Services division of the Finance and Administrative Services Department. Funding for the remaining eight months of the original contract period and extension options is contingent upon available funding in future budgets.) Section 122.017 of the Human Resources Code allows political subdivisions of the State to procure goods and services from TIBH without competitive bidding.
Resolution No. 020509-56 was approved.
57. Approve a resolution authorizing execution of a 12-month interlocal agreement with the CITY OF LOCKHART, TEXAS, Lockhart, Texas, to provide preventative maintenance and repair services for the City of Lockhart's fleet of police motorcycles generating an estimated annual revenue in the amount of \$3,000. (Estimated revenue of \$3,000 was unanticipated for the Fleet Maintenance Fund for 2001-2002.)
Resolution No. 020509-57 was approved.
58. Approve a resolution _____ of a _____ agreement with INGRAM LIBRARY SERVICES, INC., La Vergne, TN, for adult and juvenile books with cataloging and processing services in an amount not to exceed \$1,391,136.21 with two 12-month extension options in an amount not to exceed \$1,391,136.21 per extension for a total contract amount not to exceed \$4,173,408.63. (Funding in the amount of \$973,795.21 was included in the 2001-2002 Approved Operating Budget of the Library Department was included in the 2000-2001 Approved Capital Budget of the Library Department. Funding for the extension options is contingent upon available funding in future budgets.) Low bid /four bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.
Resolution No. 020509-58 was approved.
60. Approve a resolution authorizing negotiation and execution of a three-year revenue generating contract with PLAYER'S CONCESSIONS (MBE/MH), Austin, Texas, for food and beverage concessions at Morris Williams Golf Course for an estimated amount of \$111,000 with two 12-month extension options for an estimated amount of \$37,000 per extension, for a total estimated contract amount of \$185,000; and at Jimmy Clay/Kizer Golf Course for an estimated amount of \$519,000, with two 12-month extension options for an estimated amount of \$173,000 per extension, for a total estimated contract amount of \$865,000. (Net estimated revenue of \$37,000

and \$173,000 over the duration of the three-year contract periods and \$37,000 and \$173,000, respectively, including each 12-month extension option. Revenues are included in the 2001-2002 Operating Budget of the Parks and Recreation Department.) Best Proposal/two proposals received for Morris Williams Golf Course. Best Proposal/three proposals received for Clay/Kizer Golf Course. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Resolution No. 020509-60 was approved.

61. Approve a resolution authorizing execution of a 12 month supply agreement with LINDIG CONSTRUCTION, INC., Johnson City, Texas, for the purchase of decomposed granite aggregate in an amount not to exceed \$48,750 with two 12-month extension options in an amount not to exceed \$48,750 per extension for a total contract amount not to exceed \$146,250. (Funding in the amount of \$20,312.50 was included in the 2001-2002 Approved Operating Budget of the Parks and Recreation Department. Funding for the remaining seven months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bid/two bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.

Resolution No. 020509-61 was approved.

62. Approve a resolution authorizing execution of a 12 month supply agreement with SKAGGS PUBLIC SAFETY UNIFORMS & EQUIPMENT, San Antonio, Texas, for police utility web gear in an amount not to exceed \$30,600.65 with two 12-month extension options in an amount not to exceed \$30,600.65 per extension option for a total contract amount not to exceed \$91,801.95. (Funding in the amount of \$12,750.25 was included in the 2001-2002 Operating Budget of Police, Parks and Recreation, and Aviation Departments. Funding for the remaining seven months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bidder meeting specification/five bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. The recommended awardee will provide these commodities directly to the City. There is no opportunity for subcontracting, therefore, no goals were established for this solicitation.

Resolution No. 020509-62 was approved.

63. Approve a resolution authorizing execution of a three-month contract with LONGHORN CAR-TRUCK RENTAL, Austin, Texas, for the rental of thirteen 15-passenger vans, nine cargo vans and one full-size pickup for the Parks and Recreation Department summer programs, in an amount not to exceed \$62,700. (Funding was included in the 2001-2002 Operating Budget for the Parks and Recreation Department.) Low bidder/four bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. There are no subcontracting opportunities therefore, no goals were established for this solicitation. These rental vehicles will be provided directly to the City.

Resolution No. 020509-63 was approved.

64. Approve a resolution authorizing execution of a twelve-month supply agreement with MILLER UNIFORMS & EMBLEMS, Austin, Texas, to provide reversible raincoats in an amount not to exceed \$36,838 with two 12-month extension options in an amount not to exceed \$36,838 per extension for a total contract amount not to exceed \$110,514. (Funding in the amount of \$15,349.15 was included in the 2001-2002 Operating Budget of the Austin Police Department. Funding for the remaining seven months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bidder meeting specifications/four bids received. This contract will be awarded in compliance with the 1996 MBE/WBE

Ordinance, as amended. The recommended awardee will provide these commodities directly to the City. There is no opportunity for subcontracting, therefore, no goals were established for this solicitation.

Resolution No. 020509-64 was approved.

65. Approve a resolution authorizing execution of a purchase through the State of Texas with AVENTIS PASTEUR, INC., Swiftwater, Pennsylvania, for influenza vaccine in the amount of \$55,575. (Funding is available in the Fiscal Year 2002 Operating Budget for the Primary Care Department.)

Resolution No. 020509-65 was approved.

66. Approve a resolution authorizing execution of a contract with LONGHORN INTERNATIONAL TRUCKS LTD, Austin, Texas, for the purchase of three heavy duty truck cab and chassis with various types of 10-12 cubic yard mounted dump bodies in the amount of \$199,823; and a contract with FREIGHTLINER OF AUSTIN, Austin, Texas, for the purchase of three heavy duty truck cab and chassis with 5-6 cubic yard mounted dump bodies in the amount of \$155,700. (Funding in the amount of \$220,237 was included in the 2001-2002 Operating Budget of the Public Works Department, Transportation Fund. \$135,286 was included in the 2001-2002 Capital Budget of the Watershed Protection and Development Review Department.) Low bidders. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.

Resolution No. 020509-66 was approved.

67. Approve a resolution authorizing the execution of a contract with LONGHORN INTERNATIONAL TRUCKS LTD., Austin, Texas, for the purchase of one heavy-duty truck cab and chassis with a mounted hot asphalt patch dump body for the Public Works Department in the amount of \$95,900. (Funding was included in the 2001-2002 Operating Budget of the Public Works Department, Transportation Fund.) Lowest of two bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. The trucks are being provided by an authorized dealer for the manufacturer and will be delivered directly to the City. There is no opportunity for subcontracting, therefore, no goals were established for this solicitation.

Resolution No. 020509-67 was approved.

68. Approve a resolution authorizing execution of a 36-month supply agreement through the State Cooperative Purchasing Program with TELESTE SURVEILLANCE NETWORKS, Georgetown, Texas, to purchase ATM based video and data encoders and decoders (CODEC) and data bridges in an amount not to exceed \$1,283,400 for the Transportation, Planning & Sustainability Department. (Funding in the amount of \$250,000 was included in the 2001-2002 Capital Budget of the Transportation, Planning & Sustainability Department. Funding for the remainder is contingent upon funding being provided in following fiscal years.) State contract price agreement.

Resolution No. 020509-68 was approved.

69. Approve a resolution authorizing execution of an interlocal agreement with the TEXAS LOCAL GOVERNMENT STATEWIDE PURCHASING COOPERATIVE, Austin, Texas, for the purchase of various types of goods and services offered on existing contracts. (Procurements under this interlocal agreement will not be made unless funds are available in appropriate Departmental budgets.) (Related Item No. 70)

Resolution No. 020509-69 was approved.

70. Approve a resolution authorizing execution of a contract through the Texas Local Statewide Purchasing Cooperative with their contract vendor STM EQUIPMENT INC., Arlington, Texas, for the purchase of one television inspection van for the Water and Wastewater Utility Department in the amount of \$230,000. (Funding was included in the 2001-2002 Capital Budget of the Water and Wastewater Utility.) The van will be supplied by the CUES authorized dealer, STM Equipment, Arlington, Texas who is currently under contract with the Texas Local Statewide Government Purchasing Cooperative. This type of van has been competitively bid through this cooperative. (Related Item No. 69)
Resolution No. 020509-70 was approved.
71. Approve a resolution authorizing execution of a contract with NORTH AMERICAN TRAILER CENTERS, San Antonio, Texas, for the purchase of one frame-type semi-trailer for the Water and Wastewater Utility in the amount of \$76,546. (Funding was included in the 2001-2002 Amended Capital Budget of the Water and Wastewater Utility Department.) Only bidder. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.
Resolution No. 020509-71 was approved.
72. Approve a resolution authorizing execution of a 12-month supply agreement with WENZEL WENZEL & ASSOCIATES, INC., New Braunfels, Texas, to provide traffic cones for the Water and Wastewater Utility, in an amount not to exceed \$46,450 with two 12-month extension options in an amount not to exceed \$46,450 per extension, for a total contract amount not to exceed \$139,350. (Funding in the amount of \$15,483.33 is available in the 2001-2002 Approved Operating Budget of the Water and Wastewater Utility. Funding for the remaining eight months of the original contract period and extension options will be contingent upon available funding in future budgets.) Low bid/twenty five bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established.
Resolution No. 020509-72 was approved.
73. Approve a resolution authorizing negotiation and execution of a 15-year least contract with CINGULAR WIRELESS INC., San Antonio, Texas, to lease access to, and space on, the Barton Creek Tower, located on Bee Cave Road, near the intersection of Bee Cave Road and Crystal Creek Drive in an amount not to exceed \$218,400 with two five-year extension options in an amount not to exceed \$228,095 for a total contract amount not to exceed \$446,495. (Funding in the amount of \$5,000 in funding for the first five months of the lease, the remainder of Fiscal Year 2001-2002 is available in the Internal Service Fund of the RDMT/Wireless Communication Services Office, Finance & Administrative Services Department. Funding for future years will
Resolution No. 020509-73 was approved.
74. Set a public hearing on an ordinance amending the City of Austin Comprehensive Plan, 2025 Austin Metropolitan Area Transportation Plan (AMATP) to delete Duval Road, from US 183(N) to Loop 1 (N) and to delete Northeast Drive, from US 290(E) to Manor Rd. (Suggested Date and Time: May 23, 2002 at 6:00 p.m.)
Resolution No. 020509-74 was approved.
75. Set a public hearing on an ordinance amending Chapter 25-2 of the City Code to allow the creation of subdistricts within a neighborhood planning combining district. (Suggested Date and Time: May 23, 2002 at 6:00 p.m.)
Resolution No. 020509-75 was approved.

76. Approve an ordinance to annex the Nalle Tract for full purposes (Approximately 2 acres located in Travis County approximately 1,000 feet west of Capital of Texas Highway, south of the intersection of Capital of Texas Highway and Plaza on the Lake). (Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.)
Ordinance No. 020509-76 was approved.
77. Approve an ordinance to annex the Pioneer Crossing area for full purposes (Approximately 140 acres in Travis County south of Gregg Ln and approximately six tenths of a mile west of the intersection of Gregg Ln and Cameron Rd). (Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.)
The first reading of this ordinance was approved.
78. Approve an ordinance to annex the Colton Bluff SMART Housing Tract for full purposes approximately 127 acres located in Travis County at the intersection of Colton Bluff Springs Road and McKinney Falls Parkway). (Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.)
Ordinance No. 020509-78 was approved.
79. Approve an ordinance to annex the Avery Ranch Areas for full purposes (Approximately 302 acres in Williamson County north of Avery Ranch Blvd). (Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.)
Ordinance No. 020509-79 was approved.
80. Approve an ordinance to annex the Bear Lake PUD area for full purposes (Approximately 117 acres in Hays County east of FM 1826 and approximately eight tenths of a mile south of the intersection of FM 1826 and SH 45). (Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.)
Ordinance No. 020509-80 was approved.
81. Approve a resolution authorizing execution of an Interlocal Agreement with the TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) for construction of roadway improvements on William Cannon Drive between Pleasant Valley Road and Running Water Drive in an amount not to exceed \$4,302,584.00. [Funding in the amount of \$2,913,000 is available from TxDOT in State Category 17 funding, and \$1,389,584.00 is available from TxDOT in Federal Surface Transportation Program (STP) 4C Funds.]
Resolution No. 020509-81 was approved.
82. Approve a resolution authorizing the City Manager to negotiate and execute a water pump station easement to Travis County Water Control and Improvement District No. 10 (WCID No. 10) [WCID No. 10 will fund all necessary improvements for its pump station expansion. The amount of \$3,300 will be paid by WCID No. 10 to the City of Austin (City) for the easement.] (Recommended by Water and Wastewater Commission)
Resolution No. 020509-82 was approved.
83. Approve a resolution authorizing execution of a construction contract with JAY REESE CONTRACTORS, INC., Austin, Texas, for the Hornsby Bend Biosolids Management Plant Compost Pad Concrete Repairs, in the amount of \$200,000, plus \$25,000.00 to be used as a

contingency fund for change orders, for a total amount not to exceed \$225,000. (Funding was included in the 2001-2002 Amended Capital Budget of the Water and Wastewater Utility. Lowest of the seven responsive bids received. 13.58% MBE, 6.25% WBE subcontracting participation. (Recommended by Water Wastewater Commission)

Resolution No. 020509-83 was approved.

84. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement with the AUSTIN INDEPENDENT SCHOOL DISTRICT (AISD) for the provision of transportation services for students participating in the Earth Camp and Earth School programs for the fiscal year 2002-2003, in the estimated annual amount of \$8,500, and to include two additional one-year extension options for Fiscal Years 2003-2004 for \$8,925 and 2004-2005 for 9,371.25, for a total contract not to exceed \$26,796.25. (Funding in the amount of \$8,500 will be included in the proposed 2002-2003 Watershed Protection and Development Review Department operating budget; the amount is contingent on budget approval.)

Resolution No. 020509-84 was approved.

85. Approve an ordinance to amend Ordinance No. 010208-28 regarding regulations applicable to development in the Northtown Municipal Utility District located generally east of the intersection of IH-35 and Howard Lane in the Desired Development Zone.

Ordinance No. 020509-85 was approved.

86. Approve an ordinance waiving the residence requirement and appointing Adrienne Neely to the MBE/WBE Advisory Committee (Council Member Danny Thomas and Mayor Gus Garcia)

Ordinance No. 020509-86 was approved.

Item 87 was pulled for discussion.

88. Approve a resolution making the City of Austin an official partner and host of the Austin City Limits Music Festival in Zilker Park. (Mayor Gus Garcia, Council Member Beverly Griffith and Council Member Will Wynn)

Resolution No. 020509-88 was approved.

89. Approve a resolution directing the City Manager to conduct a feasibility study of the Featherlite Tract affordable housing proposal located at 2911 E. MLK Blvd. (intersection of E. MLK Blvd and Miriam). (Mayor Gus Garcia, Mayor Pro Tem Jackie Goodman)

Resolution No. 020509-89 was approved.

90. Approve an ordinance waiving certain fees and requirements under Chapter 15-11 of the City Code and closing certain streets for the Greater Mt. Zion Baptist Church Fun Run / Walk to be held on June 29, 2002 from 6:00 a.m. to 10:00 a.m. (Council Member Danny Thomas)

Ordinance No. 020509-90 was approved. Mayor Garcia abstained.

Item 91 was pulled for discussion.

92. Approve a resolution directing the City Manager to review code requirements regarding wireless communication tower siting and develop recommendations within 60 days, and discuss the necessity of imposing a moratorium during the amendment process. (Mayor Pro Tem Jackie Goodman & Mayor Gus Garcia).

This item was postponed to June 27, 2002, at staff's request.

Items Z1 through Z6 were zoning items.

Item 93 was a public hearing.

DISCUSSION ITEMS CONTINUED

16. Approval of minutes from worksession of April 24, 2002 and regular meeting of April 4, 2002 and April 25, 2002.
The minutes from the work session of April 24, 2002 and the regular meeting of April 4, 2002 and April 25, 2002 were approved on Council Member Thomas' motion, Mayor Garcia's second by a 7-0 vote.
91. Approve a resolution to endorse and fully support the adjustment of the federal minimum wage to an amount equal to the Universal Living Wage Formula which ensures that a 40 hour per week minimum wage worker can afford at least an efficiency apartment anywhere in the United States while not spending more than 30% of their income on housing (Mayor Gus Garcia and Council Member Danny Thomas)
Resolution No. 020509-91 was approved with a friendly amendment on Council Member Thomas' motion, Mayor Garcia's second by a 5-2 vote. Those voting aye were: Mayor Garcia, Mayor Pro Tem Goodman and Council Members Alvarez, Griffith and Thomas. Those voting nay were: Council Members Slusher and Wynn voted no. The friendly amendment made by Mayor Pro Tem Goodman was to add a paragraph to read, "BE IT FURTHER RESOLVED that the Austin City Council recommends a similar endorsement from local public and private sectors to work toward achieving that goal just as the City of Austin has worked toward that goal." This was accepted by the maker of the motion and by Mayor Garcia who seconded.

BRIEFING

18. Presentation of the proposed re-design of the Republic Square Park.
The presentation was made by Jesus Olivares, Director, Parks and Recreation Department; Earl Bussard, architect; and Rick Hernandez, Deputy Director, Texas Commission for the Arts.

DISCUSSION ITEM CONTINUED

87. Approve a resolution to accept a donation from the Texas Commission on the Arts and negotiate and execute a partnership agreement to participate in the revitalization of Republic Square (Mayor Pro Tem Jackie Goodman, Council Member Will Wynn and Council Member Raul Alvarez)
Resolution No. 020509-87 was approved with an amendment on Mayor Pro Tem Goodman's motion, Mayor Garcia's second by a 7-0 vote. The amendment made by Mayor Pro Tem Goodman was to change the wording to the next to the last paragraph to read; "THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF AUSTIN: That the City Council hereby supports the revitalization of Republic Square for cultural activity for the City of Austin and directs the Manager to negotiate and execute a long-term agreement with the Texas Commission on the Arts to facilitate the implementation of goals and mission mentioned above, subject to appropriate covenants, restrictions and conditions including: . . . "

ZONING CONSENT

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Mayor Pro Tem Goodman's motion, Council Member Alvarez' second by a 7-0 vote.

Item Z1 was pulled for discussion.

Z-2. C14-02-0021 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 8500 Block of North F.M. 620 at Denali Parkway (Lake Travis Watershed) from I-SF-2, Interim-Single Family Residence Standard Lot district, zoning to SF-2, Single Family Residence Standard Lot district, zoning. Zoning and Platting Commission Recommendation: To grant SF-2, Single Family Residence Standard Lot district, zoning. Applicant: Houston Lakepointe Partner (Robert Stratton). Agent: Richardson Verdoorn (Sandra Nash). City Staff: Glenn Rhoades, 974-2775.
Ordinance No. 020509-Z2 was approved.

Z-3. locally known as 8515 South IH-35 Service Road Northbound (Onion Creek Watershed) from I-RR, Interim-Rural Residential district, zoning to MF-3, Multifamily Residence Medium Density district, zoning. and Platting To grant MF-2-CO, Multifamily Residence Low Density-Conditional Overlay Combining district, zoning. Applicant: Continental 132 Fund Limited Partnership (Daniel J. Minahan). Agent: Land Strategies, Inc. (Paul Linehan). City Staff: Wendy Walsh, 974-7719.
The first reading of this ordinance was approved.

Z-4. C14-02-0027 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as F.M. Highway 620 North (8500 Block) (Lake Travis Watershed) from I-RR, Interim-Rural Residence district, zoning, to MF-2, Multifamily Residence Low Density district, zoning. Zoning and Platting Commission Recommendation: To grant MF-2, Multifamily Residence Low Density district, zoning. Applicant: LNR Grandview Partnership (Robert Stratton). Agent: Richardson Verdoorn (Sandra Nash). City Staff: Glenn Rhoades, 974-2775.
Ordinance No. 020509-Z4 was approved.

Z-5. C14-02-0029 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 2401 Ben White Boulevard East (Country Club Creek Watershed) from SF-2, Single Family Residence Standard Lot district, zoning to LI, Limited Industrial Services district, zoning. Planning Commission Recommendation: To grant LI-CO, Limited Industrial Services-Conditional Overlay Combining district, zoning. Applicant: Austin Hydro Gas Co., Inc. (Stanley Moos). Agent: Kennedy-Wilson (Matthew Lutz). City Staff: Wendy Walsh, 974-7719.
The first reading of this ordinance was approved.

Z-6. C14-02-0030 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 5400 - 6300 William Cannon Drive East (Onion Creek Watershed) from DR, Development Reserve district, zoning to P, Public district, zoning. Commission Recommendation: To grant P, Public district, zoning. Applicant and Agent: City of Austin Parks and Recreation Department (Sarah Campbell). City Staff: Wendy Walsh, 974-7719.
Ordinance No. 020509-Z6 was approved.

ZONING DISCUSSION

Z-1. C14-01-0026 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10106 Giles Lane (Decker Creek Watershed) from DR, Development Reserve district, zoning to LI, Limited Industrial Services district, zoning for Tracts 1 and 3, and RR, Rural Residence district zoning for Tract 2. Planning Commission Recommendation: To grant LI-CO, Limited Industrial Services-Conditional Overlay Combining district, zoning for

Tracts 1 and 3, and RR, Rural Residence district, zoning on Tract 2. Applicant: Giles Holding. L.P. Agent: Associated Consulting Engineers. Agent: City Staff: Annick Beaudet, 974-2975. (continued from 8/23/01, 9/27/01 and 12/6/01 and 2/7/02)

The motion to close the public hearing was approved on Council Member Slusher's motion, Council Member Griffith's second by a 7-0 vote.

The first reading of this ordinance was approved on Council Member Alvarez' motion, Council Member Wynn's second by a 7-0 vote. Council Member Alvarez indicated that if the developer is going to attempt to relocate the monitoring wells, he wants to know what the impact will be on the City's ability to assess the migration of any contamination. Any application the developer makes would have to define how they intend to deal with the contamination, if the monitoring wells are not available to help track the migration.

Mayor Garcia recessed the meeting at 5:03 p.m. to go into Executive Session.

EXECUTIVE SESSION

2. Discuss legal issues related to *Longhorn Partners Pipeline, L.P. v. City of Austin, et. al*, Case No. A-02-CA-001-SS and *Ethel Spiller, et. al v. Longhorn Partners Pipeline, L.P., et. al.*, Case No. A 98 CA 255 SS, in the United States District Court for the Western District of Texas, Austin Division, and other legal issues related to hazardous pipelines.
3. Discuss legal issues related to the 2001 BFI Settlement Agreement.
4. Discuss acquisition of approximately 100 acres of land in Southeast Austin, Travis County.

Executive Session ended at 6:38 p.m. Mayor Garcia called the meeting back to order.

BRIEFING

17. Briefing on proposed Seaholm District Master Plan.
The presentation was made by Austan Librach, Director, Planning, Transportation and Sustainability; Jim Adams, Electrical Control Systems Supervisor, Austin Energy; and Sherity Wagner, Consultant, ROMA Design Group.

DISCUSSION ITEMS CONTINUED

93. Conduct a public hearing and approve an ordinance adopting the Seaholm District Master Plan, which covers an area generally bounded by 5th Street on the north, San Antonio Street on the east, Town Lake on the south, and Orchard Avenue on the west. (To implement all 10 projects in the Seaholm Master Plan, it is estimated that the public investment would be \$35.4 million; \$5.4 million from the City, \$6.0 million from the 2002 CMTA ¼ cent funding, \$10.8 million from other CMTA Investment, and \$13.2 million in Federal Grants. It is estimated that private sector investment would be \$65.0 million. See attached Seaholm District Master Plan: Public Improvements Implementation Funding. Council approval will be requested for each project.)
The public hearing was closed on Council Member Alvarez' motion, Council Member Wynn's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Griffith were off the dais.

This item was postponed to May 23, 2002 on Council Member Slusher's motion, Council Member Wynn's second by a 6-0 vote. Council Member Griffith was off the dais.

34. Approve a resolution authorizing execution of a construction contract with CHASCO CONTRACTING, Round Rock, Texas, for the Remain Over Night (RON) Pad Expansion to the

south edge of the Terminal Apron at the Austin-Bergstrom International Airport, in the amount of \$1,856,588.50 plus \$185,658 contingency, for a total contract amount not to exceed \$2,042,246.50. (Funding in the amount of \$2,042,246.50 is included in the 2001-2002 approved Capital Budget of the Department of Aviation.) Lowest responsive bid of six bids received. 8.03% DBE subcontracting participation.

Resolution No. 020509-34 was approved on Council Member Wynn's motion, Council Member Slusher's second by a 5-1-0 vote. Council Member Thomas voted no. Council Member Griffith was off the dais.

38. Approve a resolution authorizing negotiation and execution of an amendment to the professional services agreement with TURNER COLLIE & BRADEN, INC. Austin, Texas, for construction phase and professional engineering services for the South Austin Regional Wastewater Treatment Plant Expansion and Improvements Project, in an amount not to exceed \$615,937, for a total contract amount not to exceed \$18,146,944. (Funding in the amount of \$615,937 is available in the 2001-2002 Amended Capital Budget of the Water & Wastewater Utility.) Overall Subconsultant participation for this project including this Amendment is 8.56% MBE and 30.74% WBE. (Recommended by Water and Wastewater Commission)

Resolution No. 020509-38 was approved on Council Member Alvarez' motion, Council Member Wynn's second by a 6-0 vote. Council Member Griffith was off the dais.

The meeting was adjourned at 8:58 p.m. was approved on Council Member Slusher's motion, Council Member Griffith's second by a 6-0 vote. Council Member Griffith was off the dais.

The minutes from Special Called Meeting of May 7, 2002, Worksession of May 8, 2002 and the regular meeting of May 9, 2002 were approved on Council Member Griffith's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Council Member Thomas was off the dais.