

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 6, 1977
10:00 A.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor Friedman presiding.

Roll Call:

Present: Mayor Friedman, Mayor Pro Tem Snell, Councilmembers
Himmelblau, Hofmann, Lebermann, Trevino

Absent: Councilmember Linn

The Invocation was delivered by REVEREND RICHARD McCABE, St. Theresa Catholic Church.

APPROVAL OF MINUTES

Councilmember Himmelblau moved that the Council approve the Minutes for December 30, 1976. The motion, seconded by Councilmember Hofmann, carried by the following vote:

Ayes: Mayor Friedman, Councilmembers Himmelblau, Hofmann, Trevino

Noes: None

Absent: Councilmember Linn

Not in Council Chamber when roll was called: Mayor Pro Tem Snell,
Councilmember Lebermann

EXECUTIVE SESSION

Mayor Friedman noted that an Executive Session was scheduled for 9:00 a.m., but due to it conflicting with other meetings, the Executive Session was not held.

RELEASE OF EASEMENTS

Councilmember Himmelblau moved that the Council adopt a resolution authorizing the release of the following easement:

The 12.50 foot Drainage and Public Utility Easement in, upon and across the north 5.0 feet of Lot 10, Block D, Aqua Monte Section II, and in, upon and across the south 7.5 feet of Lots 7, 8 and 9, Block DD of the Resubdivision of a portion of Blocks D and E, Aqua Monte Section II. (Requested by Mr. Rodney B. Corona, owner of Lot 10 and Lots 7, 8 and 9)

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann,
Trevino, Mayor Friedman
Noes: None
Absent: Councilmember Linn
Not in Council Chamber when roll was called: Councilmember Lebermann

Councilmember Himmelblau moved that the Council adopt a resolution authorizing the release of the following easement:

All the Public Utility Easements which are congruent with the "Common Area" indicated on the plat of Old Town, Section Two, Phase 2, a subdivision in the City of Austin, Travis County, Texas. (Requested by Mr. Freddie E. Dippal, Jr., Land Development Manager for Nash Phillips-Copus Company, owners of Old Town, Section Two, Phase 2)

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann,
Trevino, Mayor Friedman
Noes: None
Absent: Councilmember Linn
Not in Council Chamber when roll was called: Councilmember Lebermann

CHANGE ORDER

Councilmember Trevino moved that the Council adopt a resolution approving a Construction Change Order in the amount of \$9,210.00 to JACK A. MILLER, INC., Blackshear Community Development Improvement District. (CIP Project Number 7511 6) The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Councilmembers Himmelblau, Hofmann, Trevino, Mayor Friedman,
Mayor Pro Tem Snell
Noes: None
Absent: Councilmember Linn
Not in Council Chamber when roll was called: Councilmember Lebermann

GRANT APPLICATION TO TEXAS DEPARTMENT OF COMMUNITY AFFAIRS

Councilmember Himmelblau moved that the Council adopt a resolution authorizing submission of a grant application to the Texas Department of Community Affairs (TDCA) for an Intergovernmental Personnel Act (IPA) grant for a "Comprehensive Employee Screening and Selection Process" Program. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Hofmann, Trevino, Mayor Friedman, Mayor Pro Tem Snell, Councilmember Himmelblau

Noes: None

Absent: Councilmember Linn

Not in Council Chamber when roll was called: Councilmember Lebermann

In response to Councilmember Trevino's question, Mr. Jimmie Flakes, Director of Personnel, stated that the City share of this was \$51,913 in-kind contribution, and would not impact the budget next year.

TEMPORARY CLOSURE OF A PARKING LANE AND A TRAFFIC LANE

Councilmember Trevino moved that the Council adopt a resolution temporarily closing the parking lane and one southbound traffic lane in the 1000 block of Congress Avenue, from 1:00 p.m. to 3:00 p.m. on Sunday, January 9, 1977, as requested by Mr. Fredric B. Sternberg, Interart Works, Inc. (Alternate date: Sunday, January 16, 1977) The motion, seconded by Councilmember Hofmann, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann

Noes: None

Absent: Councilmember Linn

Not in Council Chamber when roll was called: Councilmember Lebermann

REQUEST TO CONDUCT DRAG BOAT RACES - POSTPONED

Councilmember Trevino requested that the Council postpone consideration of a request from the Austin Boat Club to hold three drag boat races on Town Lake, April 2 and 3, June 4 and 5, and August 13 and 14, 1977. He noted that a letter from his office had been forwarded to the Council regarding this matter. Councilmember Linn also submitted a letter stating her agreement with Councilmember Trevino that the request be postponed until a full Council could be present.

CONTRACTS AWARDED

Councilmember Trevino moved that the Council adopt a resolution awarding the following contract:

SCIENTIFIC PRODUCTS DIVISION
210 Great Southwest Parkway
Grand Prairie, Texas

- Corning 165-II Blood Gas Analyzer to
be used by Brackenridge Hospital
Laboratory - \$6,600.00

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem Snell,
Councilmembers Himmelblau, Hofmann

Noes: None

Absent: Councilmember Linn

Not in Council Chamber when roll was called: Councilmember Lebermann

Councilmember Trevino moved that the Council adopt a resolution awarding the following contract:

AUSTIN ENGINEERING COMPANY
P. O. Box 3255
Austin, Texas

- Capital Improvements Program,
Williamson Creek Wastewater Treatment
Plant, Phase I to divert excess
wastewater from the Williamson Creek
Plant to the Govalle Treatment Plant -
\$519,595.00.

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem Snell,
Councilmembers Himmelblau, Hofmann

Noes: None

Absent: Councilmember Linn

Not in Council Chamber when roll was called: Councilmember Lebermann

Councilmember Trevino moved that the Council adopt a resolution awarding the following contract:

AUSTIN ENGINEERING COMPANY
P. O. Box 3255
Austin, Texas

- Capital Improvements Program, Jolly-
ville Reservoir 24" Discharge Line to
increase pumping capacity -
\$104,190.00.

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem Snell,
Councilmembers Himmelblau, Hofmann

Noes: None

Absent: Councilmember Linn

Not in Council Chamber when roll was called: Councilmember Lebermann

Councilmember Trevino moved that the Council adopt a resolution awarding the following contract:

TEXAS BATTERY ASSOCIATES, INC.
804 Capitol Court
Austin, Texas

- 12-months supply agreement, with
option to extend 12 additional months
for Automotive Batteries, Vehicle and
Equipment Services Department.
Items 1-36 - \$16,955.00

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem Snell,
Councilmembers Himmelblau, Hofmann

Noes: None

Absent: Councilmember Linn

Not in Council Chamber when roll was called: Councilmember Lebermann

Councilmember Trevino moved that the Council adopt a resolution awarding the following contracts:

Bid Award: - Construction Equipment, Vehicle &
Equipment Services Department.

PLAINS MACHINERY COMPANY - Item 1 and 3 - \$65,370.00
2235 West Loop 410
San Antonio, Texas

CONLEY-LOTT-NICHOLS - Item 7 - \$15,883.00
MACHINERY COMPANY
5300 SE Loop 410
San Antonio, Texas

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem Snell,
Councilmembers Himmelblau, Hofmann

Noes: None

Absent: Councilmember Linn

Not in Council Chamber when roll was called: Councilmember Lebermann

Councilmember Trevino moved that the Council adopt a resolution awarding the following contract:

KOPPERS COMPANY - Park Shelter Building, Parks and
4615 North Freeway Recreation Department.
Houston, Texas Item 1 - \$5,679.00.

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem Snell,
Councilmembers Himmelblau, Hofmann

Noes: None

Absent: Councilmember Linn

Not in Council Chamber when roll was called: Councilmember Lebermann

Councilmember Trevino moved that the Council adopt a resolution awarding the following contract:

WATSON DISTRIBUTING COMPANY - Two Each Riding Greensmowers and Two
9111 Broadway Avenue Each Greens Aerifier, Parks and
San Antonio, Texas Recreation Department.
Items 1-4 - \$9,509.98.

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem Snell,
Councilmembers Himmelblau, Hofmann

Noes: None

Absent: Councilmember Linn

Not in Council Chamber when roll was called: Councilmember Lebermann

Councilmember Trevino moved that the Council adopt a resolution awarding the following contract:

UARCO, INC.
1210 Nueces, Suite 102
Austin, Texas

- Statements for Brackenridge Hospital
Office Services Division - \$12,222.00.

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem Snell,
Councilmembers Himmelblau, Hofmann

Noes: None

Absent: Councilmember Linn

Not in Council Chamber when roll was called: Councilmember Lebermann

Councilmember Trevino moved that the Council adopt a resolution awarding the following contracts:

Bid Award:

- Capital Improvements Program, Under-
ground Transformers and Equipment
Purchases, Commercial - Three Phase
Pad Mounted Distribution Transformers
for Electric Department.

WESTINGHOUSE ELECTRIC
SUPPLY COMPANY
9230 Research Boulevard
Austin, Texas

- Item 1-4 - \$33,215.00

SOUTHWAY ELECTRIC
UTILITY SERVICE, INC.
3201 Longhorn Boulevard
Austin, Texas

- Item 5 - \$5,339.00

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem Snell,
Councilmembers Himmelblau, Hofmann

Noes: None

Absent: Councilmember Linn

Not in Council Chamber when roll was called: Councilmember Lebermann

Councilmember Trevino moved that the Council adopt a resolution awarding the following contracts:

<p>Bid Award:</p>	<p>- Capital Improvements Program, Overhead System Modification for Increased Load - Capacitors for Electric Department</p>
<p>WESTINGHOUSE ELECTRIC SUPPLY 9230 Research Boulevard Austin, Texas</p>	<p>- Item 1 - 30 each @ \$233.00 Total: \$6,990.00</p>
<p>PRIESTER MELL COMPANY, INC. 601 East 56th Street Austin, Texas</p>	<p>- Item 2 - 80 each @ \$191.00 Total: \$15,280.00</p>

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem Snell,
Councilmembers Himmelblau, Hofmann
Noes: None
Absent: Councilmember Linn
Not in Council Chamber when roll was called: Councilmember Lebermann

Councilmember Trevino moved that the Council adopt a resolution awarding the following contract:

<p>BLUE RIBBON PAINTING AND LINING COMPANY 5510 Bissonet Houston, Texas</p>	<p>- Sandblasting and Repainting of Steel Water Storage Tanks, Water Distribution Division. Items No. 1 & 2 - \$37,300.00.</p>
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The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem Snell,
Councilmembers Himmelblau, Hofmann
Noes: None
Absent: Councilmember Linn
Not in Council Chamber when roll was called: Councilmember Lebermann

Councilmember Trevino moved that the Council adopt a resolution awarding the following contract:

<p>ACME FOOD SERVICE 611 Neches Street Austin, Texas</p>	<p>- Concession, Food and Drink for Morris Williams Golf Course. Two (2) year contract, including options for two (2) additional two (2) year extensions. \$5,100.00 annual guarantee plus 8.27% on 1st \$50,000. gross receipts, then 9.01% of gross receipts in excess of \$50,000. Est. annual revenue to City: \$10,036.00.</p>
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The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem Snell,
Councilmembers Himmelblau, Hofmann

Noes: None

Absent: Councilmember Linn

Not in Council Chamber when roll was called: Councilmember Lebermann

Councilmember Trevino moved that the Council adopt a resolution awarding the following contract:

INTERNATIONAL BUSINESS MACHINES
CORPORATION
1609 Shoal Creek Boulevard
Austin, Texas

- Extended Term Plan, Magnetic Tape Control Unit and Magnetic Tape Units, Data Systems Department.
Item No. 1; 1 ea. @ \$1,017.00/month
Item No. 2; 6 ea. @ \$551.00/month.
Two (2) year Extended Term Lease Plan, including upgrading subsystem, adding associated equipment, and options for up to 3 1-year extensions.

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem Snell,
Councilmembers Himmelblau, Hofmann

Noes: None

Absent: Councilmember Linn

Not in Council Chamber when roll was called: Councilmember Lebermann

CONTRACTS POSTPONED

The following contracts were postponed:

INTERNATIONAL BUSINESS MACHINES
CORPORATION
1609 Shoal Creek Boulevard
Austin, Texas

- Fixed Term Plan Magnetic Tape Control Unit and Magnetic Tape Units, Police Department.
Item No. 1; 1 ea. @ \$857.00/month;
Item No. 2; 1 ea. @ \$311.00/month.
One-year Fixed Term Lease Plan, including upgrading subsystem, adding associated equipment, and options for up to three one-year extensions.

CENTRAL LUMBER ENTERPRISES, INC.
34 Nob View Circle
Little Rock, Arkansas

- Laminated Wooden Pedestrian Bridge, Parks and Recreation Department.
Item 1 - \$57,998.00

J. T. WAGGONER CONSTRUCTION CO.
3400 East First Street
Austin, Texas

- Capital Improvements Program, Town Lake Development - The erection of two laminated timber pedestrian bridges - \$8,800.00.

AUTHORIZATION TO COMPLETE MAINTENANCE WORK ON DECKER UNIT NO. 1

The Council had before it for consideration possible authorization for \$40,640.00 to complete maintenance work on Decker Unit No. 1. Mr. R. L. HANCOCK, Director of Electric Utility, presented a slide presentation which showed the turbine and piping and the problems association with the maintenance of Decker No. 1.

Councilmember Himmelblau stated that she would like to see if the City has any legal recourse with regard to problems incurred with the unit and Westinghouse. Mr. Hancock pointed out that these repairs being spoken about are only temporary and further repairs could involve the replacement of the high chromium content piping which could prove to be very expensive.

Councilmember Himmelblau moved that the Council adopt a resolution for authorization of \$40,640.00 to complete maintenance work on Decker No. 1. The motion, seconded by Councilmember Lebermann, carried by the following vote:

Ayes: Mayor Friedman, Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann, Trevino
Noes: None
Absent: Councilmember Linn

SETTING PUBLIC HEARING PERTAINING TO AREAS WHERE DOG OWNERS
COULD EXERCISE THEIR DOGS

Councilmember Hofmann moved that the Council adopt a resolution setting a public hearing on January 27, 1977, at 3:30 p.m. to consider designating public areas where dog owners could exercise their dogs unleashed. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Hofmann, Lebermann, Trevino, Mayor Friedman, Mayor Pro Tem Snell
Noes: None
Absent: Councilmember Linn

ORDINANCE PERTAINING TO IMPROVEMENTS TO BURLESON ROAD

Mayor Friedman introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING

OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY.
(Burleson Road)

Councilmember Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Lebermann, carried by the following vote:

Ayes: Councilmembers Hofmann, Lebermann, Trevino, Mayor Friedman,
Mayor Pro Tem Snell, Councilmember Himmelblau
Noes: None
Absent: Councilmember Linn

The Mayor announced that the ordinance had been finally passed.

LICENSING OF ROOFING AND SIDING CONTRACTORS ORDINANCE
SECOND READING

Councilmember Himmelblau noted that she had transmitted information to the Council regarding substantial changes in the Ordinance. She stated that the contractors had been working with her office and the City Manager.

Mayor Friedman brought up the following ordinance for its second reading:

AN ORDINANCE AMENDING CHAPTER 36 OF THE AUSTIN CITY CODE OF 1967; PROVIDING FOR THE LICENSING OF ROOFING AND SIDING CONTRACTORS AND SALESMEN; PROVIDING FOR A DEFINITION SECTION; ~~LIMITING APPLICABILITY OF SUCH LICENSING TO WORK PERFORMED OR CONTRACTED ON ONE OR TWO FAMILY DWELLINGS;~~ REQUIRING THAT A PERMIT BE OBTAINED FOR WORK IN EXCESS OF \$350; REQUIRING A SURETY BOND; REQUIRING LICENSES; EXCEPTIONS TO LICENSING REQUIREMENTS; ESTABLISHING LICENSE FEES; PROVIDING FOR RENEWAL OF LICENSES; ESTABLISHING REQUIREMENTS FOR LICENSING; DESCRIBING THE POWERS AND DUTIES OF THE BUILDING OFFICIAL; PROVIDING FOR THE CANCELLATION OF LICENSES; PROVIDING AN APPEAL PROCEDURE; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was read the second time, and Councilmember Himmelblau moved that the ordinance be passed to its third reading. The motion, seconded by Councilmember Hofmann, carried by the following vote:

Ayes: Councilmembers Lebermann, Trevino, Mayor Friedman, Mayor
Pro Tem Snell, Councilmembers Himmelblau, Hofmann
Noes: None
Absent: Councilmember Linn

The Mayor announced that the ordinance had been passed through the second reading only.

RESCHEDULE OF COUNCIL MEETING

Mayor Pro Tem Snell moved that the Council adopt a resolution to reschedule the Council meeting of January 20, 1977, from 7:00 p.m. to 3:30 p.m. The motion, seconded by Councilmember Hofmann, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann, Trevino, Mayor Friedman

Noes: None

Absent: Councilmember Linn

ZONING ORDINANCE

Mayor Friedman introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 1 AND 2, FORT ADDITION, (SAVE AND EXCEPT TWO STRIPS OF LAND FIVE FEET IN WIDTH ALONG U. S. HIGHWAY 183, SAID TWO STRIPS OF LAND BEING HEREBY ZONED FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT), LOCALLY KNOWN AS 11689 U. S. HIGHWAY 183, AND ALSO BOUNDED BY WEST COW PATH, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (E. J. Hood & P. M. Bryant, C14-76-070)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann

Noes: None

Abstain: Councilmember Lebermann

Absent: Councilmember Linn

The Mayor announced that the ordinance had been finally passed.

RESOLUTION TO HOUSE OF REPRESENTATIVES TO RECONSTITUTE THE HOUSE
SELECT COMMITTEE ON ASSASSINATIONS

Mayor Pro Tem Snell moved that the Council endorse the following Resolution:

Resolution:

WHEREAS, the House of Representatives of the Ninety-Fourth Congress of the United States created the House Select Committee on Assassinations, to investigate the assassinations of former President John F. Kennedy and Dr. Martin Luther King, Jr.; and

WHEREAS, several recent public opinion polls indicate the majority of the American people believe, these two great leaders, were victims of a conspiracy, and not a lone assassin; and

WHEREAS, some government agencies including the Federal Bureau of Investigation and the Central Intelligence Agency suppressed evidence concerning the violent deaths of these two American leaders, during the original investigation; and

WHEREAS, the House of Representatives of the Congress of the United States is not a continuing body, and all commitments must be reconstituted by each Congress; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, That the House of Representatives of the Ninety-fifth Congress of the United States is urged by this body to reconstitute the House Select Committee on Assassinations; and

BE IT FURTHER RESOLVED, That the House of Representatives is further urged to substantially fund and staff the House Select Committee on Assassinations, as to insure a complete and aggressive investigation; and

BE IT FURTHER RESOLVED, That the American people have a right and need to know the true circumstances surrounding the assassinations of former President John F. Kennedy and Dr. Martin Luther King, Jr., and all information concerning these deaths should and must be made public.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the Speaker and Chief Clerk of the House of Representatives of the Ninety-fifth Congress of the United States, and the Chief Clerk is asked to distribute copies of this resolution to all members of the House of Representatives; and

BE IT FURTHER RESOLVED, That copies of this resolution be furnished members of the Texas delegation to the Congress of the United States.

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem Snell,
Councilmembers Himmelblau, Hofmann, Lebermann

Noes: None

Absent: Councilmember Linn

THINK TREES WEEK

Councilmember Hofmann noted that she had submitted information to the Council regarding Think Trees Week and the activities surrounding it. She stated that she had succeeded in obtaining private funds for all activities planned for Think Trees Week. A "Tree Registry of the City of Austin" will be presented to the Council on January 20, 1977. In addition, there will be plantings of trees donated by groups and individuals, in different locations all over the City, as has been done every year during Think Trees Week.

DESIGN FOR WILLIAM CANNON DRIVE

Deputy City Manager Homer Reed stated that the City staff, one member of the Council and a number of neighborhood representatives had met concerning the William Cannon Drive project. He stated that the neighborhood association stated their agreement that they were not interested in that section west of Deatonhill Drive, which would substantially reduce the added cost factor; however, there still would be a substantial cost, and for that reason, the staff maintained that it was extremely important from the standpoint of future planning to maintain the 38-foot median.

Mr. Reed stated that representatives of the neighborhood association agreed with the following:

1. In order to have a safer crossing at Manchaca Road, first priority would be given to this section between Manchaca and Westgate.
2. That the right turn island would be eliminated.
3. That Engineering would work with the neighborhood association in determining which trees can be saved. If this involves some minor relocations of sidewalks or bike paths, that will be done in order to maximize the number of trees saved.
4. That the City would assume responsibility for a planting screen or as an option a solid permanent-type fence along that section where the Whispering Oaks neighborhood adjoins the street.

Mr. Reed commented that the neighborhood association did not state they would endorse the 38-foot median.

MRS. MARILYN SIMPSON, a member of the neighborhood association, stated that the association felt the 14-foot median would be the best for the neighborhood. Also, that the 14-foot median be approximately 7/10 of a mile. In referring to a cost break out sheet she submitted to the Council, Mrs. Simpson noted that altering the roadway would not be significant. She suggested that portions be redesigned, that more study be accomplished, and that the light poles be located in the center of the median. She also suggested that double-armed light poles be utilized to minimize the number of poles. Mrs. Simpson urged the Council to carefully consider the petition that was submitted from the neighborhood association outlining their desires with regard to the project.

Councilmember Hofmann stated that she was present at the neighborhood meeting and did not think that the project was being rushed into. She commented that there had been excellent cooperation between the staff and the neighborhood association and the Council since August. In referring to the cost break out sheet. Councilmember Hofmann stated that it did not reflect the cost of re-engineering. The minimum cost of changing the design from a wide median to a narrow median would still be well in excess of \$100,000 of the taxpayers' money. In addition, there would be legal matters and more costs if the need for six lanes ever arises.

Councilmember Hofmann stated that she felt responsible to the taxpayers of the entire City and not only to one little area of the City. She stated that she wanted to preface her motion with a congratulation for the Whispering Oaks Neighborhood Association and appreciation for the staff, both working together for many hours to reach a compromise acceptable to all. She felt the neighborhood association would see William Cannon reduced to four lanes, as it traverses its community, whereas the staff would provide noise buffering and redesign at the Manchaca intersection, as outlined in the Urban Transportation Report of January 5, 1977.

Motion

Councilmember Hofmann moved that the Council instruct the staff to proceed as designed, namely a four-lane roadway with a 38-foot median and the recommendations as enumerated by Deputy City Manager Homer Reed. The motion was seconded by Councilmember Lebermann.

Substitute Motion

Mayor Pro Tem Snell moved that the Council consider the 7/10 of a mile that the neighborhood requested and the 14-foot median. The motion, seconded by Councilmember Trevino, failed by the following vote:

Ayes: Councilmembers Himmelblau, Trevino, Mayor Pro Tem Snell
Noes: Councilmembers Hofmann, Lebermann, Mayor Friedman
Absent: Councilmember Linn

The Mayor announced that the substitute motion had failed.

Roll Call on Original Motion

Roll Call on Councilmember Hofmann's motion, Councilmember Lebermann's second, showed the following vote:

Ayes: Councilmembers Hofmann, Lebermann
Noes: Mayor Pro Tem Snell, Councilmembers Himmelblau, Trevino,
Mayor Friedman
Absent: Councilmember Linn

The Mayor announced that the original motion had failed.

Motion

Councilmember Trevino moved that the Council bring this item back to them when a full Council is present. The motion was seconded by Mayor Pro Tem Snell.

Mayor Friedman stated that a motion to reconsider was in order and suggested that it be discussed in the Afternoon Session of the Council Meeting.

Later in the afternoon, Councilmember Himmelblau made the following motion:

Motion to Reconsider

Councilmember Himmelblau moved that the Council reconsider the William Cannon Drive project. The motion, seconded by Councilmember Hofmann, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann,
Lebermann, Mayor Friedman
Noes: Councilmember Trevino
Absent: Councilmember Linn

Motion

Councilmember Hofmann moved that the Council authorize the design of William Cannon as recommended by the staff, four lanes, 38-foot median, going from Manchaca to 2400 feet west of Brodie Lane and including all the agreements and design changes agreed to by the staff and the neighborhood association. The motion was seconded by Councilmember Lebermann.

Substitute Motion

Councilmember Trevino moved that the Council approve the staff recommendation with the exception of the 7/10 of a mile residential area to be kept to a 14-foot median. The motion, seconded by Mayor Pro Tem Snell failed by the following vote:

Ayes: Councilmember Trevino, Mayor Pro Tem Snell
Noes: Councilmembers Himmelblau, Hofmann, Lebermann, Mayor Friedman
Absent: Councilmember Linn

The Mayor announced that the substitute motion had failed.

Roll Call on Original Motion

Roll Call on Councilmember Hofmann's motion, Councilmember Lebermann's second, showed it carried by the following vote:

Ayes: Councilmembers Himmelblau, Hofmann, Lebermann, Mayor
Friedman
Noes: Councilmember Trevino, Mayor Pro Tem Snell
Absent: Councilmember Linn

The Mayor announced that the motion had carried by a 4 to 2 vote.

NEONATAL PHYSICIAN STAFFING AT BRACKENRIDGE HOSPITAL

Councilmember Himmelblau moved that the Council grant a request from the Central Texas Medical Foundation for neonatal physician staffing at Brackenridge Hospital. The motion, seconded by Councilmember Lebermann, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem Snell,
Councilmembers Himmelblau, Hofmann, Lebermann
Noes: None
Absent: Councilmember Linn

In response to certain concerns of Councilmember Trevino, Councilmember Himmelblau stated that she had visited with Seton Hospital regarding some type of an arrangement being made to work with them on the use of equipment, and she felt there would be no problems.

AUSTIN PROPOSED PUBLIC TRANSPORTATION PLAN

Ms. MARGARET BROWN, Transportation Analyst, presented an overview of the proposed transportation plan for Austin. She noted that because of the significance of the proposed public transportation plan, a careful review of each element is invited. It should be scrutinized by the neighborhood organizations, the Austin Transportation Study office, the Urban Transportation Commission, Planning Commission, and ultimately by the Austin City Council. The proposed plan has its foundation, characteristics which were expressed through the "Austin Tomorrow" Program.

Some of the highlights of the recommendation included:

1. Terminals dispersed throughout the City to serve as collection/distribution and transfer points for the numerous transit routes and the various types of service.
2. Radial routes would offer service to the core area of the City, Along major radial routes, travel time would be improved by instituting express service.
3. Feeder routes are particularly desirable in low density areas where scattered demand does not justify regular routes. They would provide increased system flexibility by pinpointing needs for future extension of regular service.
4. Crosstown routes would operate around the central part of Austin to connect neighborhoods without traveling downtown. Regular route service would be further expanded by instituting an internal circulation system to shuttle riders between destinations within the core area.
5. Demand-response service would be implemented to supplement minimum fixed route operations. As a part of the concept of operations, special transit would offer demand-response service to mobility impaired travelers.

Ms. Brown reviewed the plan by way of a slide presentation. She stated that the proposed Public Transportation Plan relies on four resources for planning concepts and guidelines. The primary resource of this plan is community input. Technical planning information derived from the Austin Transportation Study utilizing citizen and staff input is another major resource. The third planning resource is the Mass Transportation Concept for Metropolitan Houston.

Finally, the City transportation staff has assessed current problems involving congestion, vehicle effectiveness, transit coverage and service quality, taxicab needs and facility design.

John Caulkin, Transportation Analyst, described the Concepts of Operation and stated that the foremost objective of the recommended transit improvements was to ensure a public transportation system capable of providing dependable and convenient service to major destinations within the urban area. He then reviewed the concept of operations.

MR. WALT GUMBEL, Director of Operations for Austin Transit, reviewed the Operational Plan which included facilities being summarized; operating details for peak, off-peak; and reduced operations.

Mr. Joe Ternus, Director of Urban Transportation, stated that the flexibility designed into the recommended plan, both its implementation schedule and projected level of service could be varied. In the report, three alternative implementation strategies are discussed and these alternatives illustrate possible variations in the amount of time desired to implement the program and the funds available for implementation.

Transit ridership is expected to increase substantially because of the improved service characteristics of the proposed system. These service improvements must be communicated to the potential riders through an aggressive consumer-oriented transit information program. A comprehensive, bilingual public information program to support implementation of the transit improvement program would increase public awareness of the availability and improved quality of service.

To meet the demands for additional information on how to use the proposed services, customer programs would be developed to recognize the individual needs of the existing and potential rider segments as influenced by cultural, ethnic, educational and travel characteristics.

Mr. Ternus stated that based on data from past system and route improvements and response to service improvements in other cities, an estimate of ridership has been made for the proposed system. These data indicate that one year after completion of planned activities, 16.5 million passengers can be anticipated to use the City transit system annually. Experience has also indicated that the system ridership would continue to increase annually.

In referring to the financial aspects of the program, Mr. Ternus stated that the proposed plan would require a substantial public financial commitment to transit. It is estimated that the capital expenditures for facilities and equipment proposed in this program are estimated to be \$21,313,000. Because of the expanded service and the increased operational costs, a revised fare structure is proposed. A peak fare of fifty cents and an off-peak fare of twenty-five cents are recommended.

It is recognized that financing the proposed public transportation plan will require new sources of revenues. Although the City pays only seven percent of the capital expenditures, a public transportation bond issue may be necessary to finance these major capital costs.

Mr. Ternus stressed the importance of establishing a specific financial plan for the transit system. Without such a program, no major transit improvement plan, including this one, can be implemented.

Another part of this plan is the proposed coordination between the City and the University of Texas Shuttle Bus System. Through coordination, route duplication could be eliminated and coverage could be increased. The coordination arrangement could be handled through a contractual agreement between the City and the University of Texas.

In summary, Mr. Ternus stated that the Austin Tomorrow program and major transit studies have identified characteristics of transit service which are essential ingredients in the development of an effective public transportation system. These attributes, which include dependability, convenience, economy, low energy use and pollution per person, are emphasized in the proposed public transportation plan in order to attract new riders and provide better service to current riders. Implementation of these recommended improvements would be a significant step in the development of an effective multi-modal transportation system desired by the citizens of Austin. Mr. Ternus noted that copies of the proposal have been provided to all neighborhood associations, civic clubs, all City boards and commissions and both committees of the Austin Transportation Study. After input has been received on the plan, it will then be brought back to the Council at some future date.

In response to Councilmember Hofmann's question regarding fare free transit, Mr. Ternus stated that there was no mention of this in the plan. Mayor Friedman noted that this type of system had not worked very well in cities that have tried them. Councilmember Hofmann also expressed concern about the 50-cent fare, and Mr. Ternus felt that there would be an increase in service and in comparison, this would still be the cheapest cost of transportation.

Mayor Friedman pointed out how the mobility impaired transportation program would be increased also. He stated that this proposal prepared by the Urban Transportation Department was one of the finest he had reviewed. Mayor Friedman commended Mr. Ternus and his staff for the outstanding job performed in creating the report. Mayor Pro Tem Snell agreed with the Mayor and also wished there could have been some way to include the independent school routes. Mr. Ternus felt that this would involve problems with federal as well as state requirements. He hoped that the Austin Independent School District would be interested in contracting with the City to use the transit system.

Councilmember Trevino stated he thought the plan was very good; however, he had reservations regarding the fare and preferred to see a no-fare or a lower fare. He felt that the suggestion of fare free transit should be looked into. In response to Councilmember Trevino's question, Mr. Ternus stated that the City administration and Council had been in contact with other major cities in formulating a plan of action to review the state public transportation fund. He felt that the state should not get into operating costs. He preferred to allow the Urban Transportation Commission to conduct their business and report back to the Council.

Councilmember Lebermann congratulated Mr. Ternus for the excellent report.

City Manager Davidson stated that consideration of this master plan would help insure a secure transit system for the future and would also insure when

federal funding dollars or state legislative possibilities are discussed, questions from them can be answered. He felt that after the Council gives final consideration of the plan, these questions can be answered.

ESCORT FEES FOR FUNERALS, ETC.

City Manager Davidson requested that this item be postponed for one week.

ENVIRONMENTAL BOARD - RECOMMEND CITY OPERATE LOST CREEK WASTEWATER PLANT

Dr. Maureen McReynolds, Director of Environmental Resource Management, stated that the Texas Water Quality Board is currently considering a revision to the Lost Creek Permit to operate a package wastewater treatment plant. The revision is a routine process that the Water Quality Board is going through whereby older permits are being brought into a more contemporary format.

The Citizen's Board is concerned about the operation of the Lost Creek package treatment plant because it is located in an environmentally sensitive area. At their December 8, 1976, meeting, they made a recommendation that the Council recommend to the Texas Water Quality Board, that the City of Austin operate the Lost Creek Plant under contract.

Councilmember Himmelblau stated that she had been trying for the last 15 months to get the City out of this type of contract and put it with a private contractor. Dr. McReynolds stated that the Board felt more comfortable with the City operating the plant because of the environmentally sensitive nature because of the location. Councilmember Himmelblau noted that Deputy City Manager Homer Reed had been working with her on this because she felt this is a financial loser for the City, and the private contractors feel the City is competing with them. City Manager Davidson stated that he did not expect any adverse economic impact on the City in either case.

Councilmember Trevino moved that the Council authorize a recommendation to the Texas Water Quality Board that the City of Austin operate the Lost Creek Plant under contract. The motion, seconded by Councilmember Lebermann, carried by the following vote:

Ayes: Councilmembers Trevino, Mayor Friedman, Mayor Pro Tem Snell,
Councilmembers Himmelblau, Hofmann, Lebermann
Noes: None
Absent: Councilmember Linn

ENVIRONMENTAL BOARD - PROPOSED AMENDMENT TO THE DRIVEWAY ORDINANCE

DALE NAPIER, Environmental Board and also a member of the Joint Tree Ordinance Committee which originally proposed the amendments, appeared before the Council to present the amendments:

1. The consideration of removal of trees and impervious paving within a tree's dripline as factors for review on applications for construction in right-of-ways. Tree removal and impervious paving within driplines are not prohibited by these amendments, however, proposals to do so may be reviewed and alternatives or mitigation proposed where appropriate.
2. The Office of Environmental Resource Management is given the duty to establish review standards and to review permit applications concerning environmental factors. It is our intention that the Director of Engineering will be the designee of the ERM director for reviewing applications and applying these standards.
3. Applications having environmental problems which are difficult to resolve or not addressed in the standards will be sent to Environmental Resource Management for review. Permits are not to be issued until the environmental aspects have been resolved. (Note that where safety standards and environmental standards are in conflict, environmental standards will yield.)

The amendments also provide that relocation or replacement of trees can be a condition of the construction permit.

Mr. Napier requested that the Council set a public hearing on the amendments.

Councilmember Hofmann moved that the Council set a public hearing on February 10, 1977, at 2:30 p/m. on the proposed amendment to the Driveway Ordinance. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor Friedman, Mayor Pro Tem Snell, Councilmembers
Himmelblau, Hofmann, Lebermann, Trevino
Noes: None
Absent: Councilmember Linn

ANNOUNCEMENT

Mayor Friedman announced that the Consul General from Mexico would be in his office to receive a Resolution from the Council and he invited everyone to attend.

AFTERNOON SESSION 3:30 P.M.

Mayor Friedman called the afternoon session to order.

PUBLIC HEARING ON ECONOMIC GROWTH COMMISSION

Mayor Friedman opened the public hearing scheduled for 3:30 p.m. on the Economic Growth Commission. He noted that drafts of the ordinance had been forwarded to the Councilmembers and pointed out that no action would be taken today.

MARK YZNAGA urged the Council to reaffirm the people's faith in government by establishing a Citizens' Growth Task Force. He felt that the proposed ordinance has many deficiencies of which he outlined. Mr. Yznaga felt that what Austin needed was a growth task force and he urged the Council to delay any action on an Economic Growth Commission.

CHUCK HRNCIR, President of the Austin Chamber of Commerce, reiterated the Chamber of Commerce's position that was made at an earlier Council meeting which urged the Council to have more study before implementing the Economic Growth Commission.

SONDRA WILLIS, Political Vice-President of the Capital City Young Democrats, felt that several things had been overlooked in the proposed Ordinance. She felt that as proposed now, there would be a favoritism of certain groups and that there should be equal representation from all geographical areas of the City.

WOODROW SLEDGE, Austin Independent School District, felt that someone from the Austin Independent School District should be on the Commission and that a task commission may be more suitable. Speaking as a private citizen, Mr. Sledge stated that he was concerned with keeping the private sector as large as possible, and that the rule of law be preserved.

JOE LOPEZ, representing the Central Austin Democrats, felt that there was a need to establish a new citizen body to look at growth. The group should be allowed to hire a fulltime independent staff and then Mr. Lopez reviewed recommendations on how the Ordinance should be constructed.

NOEL LEVY, President of University of Texas Young Democrats, stated he was opposed to the Growth Commission but favored a Growth Investigation Committee, and felt that this Committee should be composed of citizens from Austin.

STAN JOHNSON, JR., stated his opposition to the Economic Growth Commission and felt that it was a waste of money. He noted that the function of the Commission is already being accomplished by other agencies. Mr. Johnson also felt that the various boards and commissions already established are doing an outstanding job of accomplishing the same goals as the Commission would be doing.

JOAN BARTZ, 6713 Tulsa Cove, felt that the Commission is very similar to the Austin Tomorrow and some of the efforts had already been accomplished by Austin Tomorrow. Mrs. Bartz noted that the Austin Tomorrow On-going Committee is composed of citizens that are already doing the many things outlined in the proposed Ordinance. She felt there was no need for another commission.

DALE NAPIER, member of the Austin Goals Assembly, stated that a growth committee was never established and the issue of growth was never really looked at. He felt that economic growth is needed but there is a question as to how much physical or population growth is needed to achieve a given level of economic growth. In conclusion, Mr. Napier felt that some areas should be totally preserved and some areas totally developed.

Mayor Friedman pointed out that any suggestions the Councilmembers might have regarding the proposed Ordinance could be submitted to the City Attorney and then a proposed draft could be presented to the Council at a later date. Mayor Pro Tem Snell stated that he was not really sure if there should be a task force or a commission. Councilmember Trevino noted that, as was done in the Santa Barbara Study, consultants were hired to find various alternatives regarding this type of thing.

Motion

Mayor Friedman moved that the Council set a work session on February 2, 1977, at 4:00 p.m. to discuss possible alternatives regarding the Economic Growth Commission and that the public hearing would be continued at a later date. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Councilmembers Lebermann, Trevino, Mayor Friedman, Mayor
Pro Tem Snell, Councilmembers Himmelblau, Hofmann
Noes: None
Absent: Councilmember Linn

ADJOURNMENT

The Council adjourned at 4:28 p.m.

APPROVED


Mayor

ATTEST:


City Clerk