

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 18, 1977  
10:00 A.M.

Council Chambers  
301 West Second Street

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The meeting was called to order with Mayor Pro Tem Snell presiding.

Roll Call:

Present: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman,  
Himmelblau, Mullen, Trevino

Absent: Mayor McClellan

The Invocation was delivered by Councilmember Mullen.

ANNOUNCEMENTS

Mayor Pro Tem Snell announced that the resolution on the agenda concerning selection of a firm to provide professional services in connection with the "Barton Creek Watershed Growth Management Plan" had been withdrawn. He asked if there were any other items that had been withdrawn.

Councilmember Trevino said an ordinance scheduled for a vote concerning Kingstip Communications, Inc., should also be postponed because the applicant is out of town and the full Council was not present to take an ordinance vote. (Councilmember Himmelblau would not be able to cast a vote on this issue.)

Councilmember Trevino moved that the Council postpone the following zoning ordinance two weeks:

KINGSTIP COMMUNI-  
CATIONS, INC.  
By Tom Curtis  
C14-77-005

1904 Pearl Street

From "B" Residence  
To "O" Office

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

Ayes: Mayor Pro Tem Snell, Councilmembers Goodman, Mullen,  
Trevino  
Noes: None  
Abstain: Councilmembers Cooke, Himmelblau  
Absent: Mayor McClellan

#### TRAVIS HIGH SCHOOL REBEL BANNER

Councilmember Trevino moved that the Council approve the request of MR. E. S. OGLESBY, President, Wm. B. Travis Quarterback Club for permission to hang the William Be Travis High School Rebel Banner across Oltorf Street, directly in front of the school, from August 29, 1977 through December 12, 1977. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman,  
Himmelblau, Mullen, Trevino  
Noes: None  
Absent: Mayor McClellan

#### RATTLESNAKE SHOW

MR. KENNETH JIRASEK appeared before Council to request a permit for then handling of rattlesnakes in the City Coliseum for the Sixth Annual National Rattlesnake Sacking Championship, March 4-5, 1978. Mayor Pro Tem Snell announced the topic under discussion was not a public hearing, but understood there were some people in the audience there to speak to the issue and he asked for a show of hands to see how many were planning to speak. Mr. Jirasek explained he was a member of the Taylor Jaycees. They were requesting permission to hold the contest in Austin because there were no facilities in Taylor large enough to hold the anticipated crowd. He stressed he was there to answer any questions concerning the safety factors involved in such a contest. He also gave a summarized history of the sport.

MR. ROD STONE, Co-Chairman of the planned event, appeared to say they would answer any questions as to the procedure in staging the event.

MR. VIC MATHIAS, Austin Chamber of Commerce, appeared to give a history of the economic development program that has been growing in Austin since 1962. He feared that if the rattlesnake contest was held in Austin, it would renew the image the Chamber had been diligently trying to dispel, that Texas contained nothing but cactus, cowboys, sandstorms and rattlesnakes. He pointed out that the Austin Chamber of Commerce operates the Austin Livestock Show, which would follow this event by only a few days. He expressed fear that the remaining scent of the rattlesnakes would spook the horses appearing in the horse show in conjunction with the Livestock Show. Mr. Mathias pointed out that the image of rattlesnakes prominently advertised with Austin might deter corporations from considering Austin as a development site. Councilmember Cooke stated he deals with corporate people every day and the unique aspect of Texas, in his opinion, is what they look at. Mr. Mathias had given an example of an imagined headline in the Wall Street Journal saying, "rattlesnakes bite only 4 sackers in downtown Austin, Texas." He said an article in the Wall Street Journal had

appeared concerning San Antonio which helped to dash their hopes concerning future economic development. Councilmember Trevino commented there could be a headline reading, "Boat Races - Four Killed."

MR. SHANNON BALLARD, as a humanitarian, appeared before Council to state his objection to a rattlesnake contest and sacking event. He said rattlesnakes are creatures which should not be subjected to cruelty, and that the Jaycee National organization has labeled these events inhuman. He urged any member of the Council who is currently a member of the Jaycees to abstain from voting for the event.

Councilmember Himmelblau asked Mr. Ron Wood, Acting Auditorium and Coliseum Manager, if the rattlesnake event would be detrimental to a livestock show. He answered he did not think so. City Manager Dan Davidson pointed out that they had been told the snakes would be counted before and after the show.

Councilmember Trevino moved that the Council approve the request of Mr. Kenneth Jirasek, Taylor Jaycees, for a permit for the handling of rattlesnakes in the City Coliseum for a rattlesnake show and sacking contest (Reference Section 5-41 Austin City Code.) The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mullen, Trevino, Mayor Pro Tem Snell  
Noes: Councilmember Himmelblau  
Absent: Mayor McClellan

Councilmember Cooke commented that in reference to information provided and also by the fact that he is a life member of the Austin Jaycees, that Jaycees differ with each other.

Councilmember Goodman stated: "I want to say that we may have unearthed an even more significant problem here than rattlesnakes, and that is that we have a host of problems that have been brought up. I was just reflecting on some of them. The Texas Rangers, the baseball team, perhaps we should suggest they change their name to the Esquires. The Texas Longhorns could be called the Gents. I don't know what to do about the Cowboys, but I think we should ask the Governor to quit giving away Stetsons and start with bowlers and derbys; and the Russians when they arrive, instead of getting Levi's as they did, should get spats. And the Aqua Festival should make a bid for the Winter Olympics, even if we didn't get it, it would be great publicity. And the state bird should be changed from the mockingbird to the penguin. If these people in New York, you know, on Wall Street, still have funny opinions of us, we can have an old-fashioned municipal employees strike, with large sacks of garbage, and a financial crisis where we can't sell our bonds; and a blackout with accompanied looting. And then they can feel we are civilized in Texas."

#### PUBLIC UTILITIES EASEMENT - EMERGENCY ITEM

Mayor Pro Tem Snell said he had failed to mention there was an emergency item posted at 8:45 a.m. that morning signed by Councilmember Himmelblau and himself, which would be voted on in the required two-hour time period.

## CONTRACT AWARDED

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

AUSTIN ROAD COMPANY  
428 East Anderson Lane  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM,  
Robert Mueller Municipal, Airport  
Apron Fillet Improvements -  
\$427,165.00

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

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Trevino,  
Mayor Pro Tem Snell, Councilmember Cooke

Noes: None

Absent: Mayor McClellan

## HEARING SET

Councilmember Goodman moved that the Council adopt a resolution to set a public hearing on September 15, 1977, at 7:30 p.m. to consider the annexation of 221.00 acres of unplatted land out of the Theodore Bissel League in Travis County, Texas, lying south of William Cannon Drive and east of Brodie Lane. (Initiated by the City of Austin) The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Trevino, Mayor Pro Tem  
Snell, Councilmembers Cooke, Goodman

Noes: None

Absent: Mayor McClellan

## CETA

Councilmember Trevino moved that the Council adopt a resolution to authorize the City Manager to submit an application to extend the existing Comprehensive Employment and Training Act. (CETA) Title VI grant for one year. (\$5,113,838 Department of Labor funding from September 30, 1977 - November 16, 1978.) The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor Pro Tem Snell,  
Councilmembers Cooke, Goodman, Himmelblau

Noes: None

Absent: Mayor McClellan

Councilmember Mullen moved that the Council adopt a resolution to authorize the City Manager to submit an application to extend the existing Comprehensive Employment and Training Act. (CETA) Title II grant for one year. (\$843,897 Department of Labor funds, September 30, 1977 - November 16, 1977.) The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Pro Tem Snell, Councilmembers  
Cooke, Goodman, Himmelblau, Mullen  
Noes: None  
Absent: Councilmember Himmelblau

#### AFFILIATION AGREEMENT

The Council had before it for consideration a resolution to consider a proposed Affiliation Agreement between Brackenridge Hospital School of Nursing and Westminster Hospital for additional clinical experiences for nursing students.

Councilmember Himmelblau asked for some information concerning this. She said she felt nursing students should receive their clinical training at Brackenridge Hospital. MR. ROBERT SPURCK, Brackenridge Hospital Administrator, pointed out that nurses are no longer cheap labor for hospitals and it takes a lot of time to train them. They need a variety of clinical experience, not all of which can be found at Brackenridge. After further discussion Mayor Pro Tem Snell said this would be put back on next week's agenda.

#### ZONING ORDINANCE

Mayor Pro Tem Snell 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 2 THROUGH 6, BLOCK 1 AND LOTS 13 AND 14, BLOCK 2, AND THE ADJOINING ONE-HALF OF THE VACATED ALLEY AND VACATED BRASS STREET (SAVE AND EXCEPT THE PORTIONS OF THE TRACT DESCRIBED BELOW AS TRACTS 1 THROUGH 4, WHICH ARE TO BE ZONED "A" RESIDENCE DISTRICT), G. M. BRASS SUBDIVISION, FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 1: THE WESTERNMOST TWENTY-THREE FEET OF LOTS 2 THROUGH 6, BLOCK 1 AND LOTS 13 AND 14, BLOCK 2, AND THE ADJOINING ONE-HALF OF THE VACATED ALLEY AND VACATED BRASS STREET, G. M. BRASS SUBDIVISION, FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;

AND,

TRACT 2: A 10 FOOT STRIP OF LAND ALONG GONZALES STREET, FROM "D" INDUSTRIAL THIRD HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;

AND,

TRACT 3: A SECOND 10 FOOT STRIP OF LAND ALONG GONZALES STREET, FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 4: A THIRD 10 FOOT STRIP OF LAND ALONG GONZALES STREET, FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCALEY KNOWN AS 3004-3024 GONZALES STREET; 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. (City Council, C14-77-019)

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

Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman, Himmelblau, Mullen

Noes: None

Abstain: Councilmember Trevino

Absent: Mayor McClellan

The Mayor Pro Tem announced that the ordinance had been finally passed.

Mayor Pro Tem Snell introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
LOT 1, BLOCK "H," WESTERN TRAILS, SECTION 2, LOCALLY KNOWN AS 4413 PACK SADDLE PASS, AND ALSO BOUNDED BY REDD STREET, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; 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. (Frances A. Hall, C14-77-054)

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

Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman, Himmelblau, Mullen, Trevino

Noes: None

Absent: Mayor McClellan

The Mayor Pro Tem announced that the ordinance had been finally passed.

#### PUBLIC UTILITIES EASEMENT - EMERGENCY ITEM

Mayor Pro Tem Snell moved that the Council adopt a resolution authorizing the release of the following easement:

A seven and one-half (7.50) foot Public Utilities Easement and a portion of the Sanitary Sewer Easement in Lot 4-B, Airport-King Subdivision, Section Four. (Requested by Mr. James M. Grant, Registered Public Surveyor, representing Edmund J. Fleming, Jr., owner) (Requested by Mayor Pro Tem Snell and Councilmember Himmelblau)

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Trevino, Mayor Pro Tem Snell

Noes: None

Absent: Mayor McClellan

PROPOSED GUIDELINES FOR AERIAL PASSAGEWAYS

MR. DON WALDEN, Chairperson, Citizens Board of Natural Resources and Environmental Quality, reported on the proposed guidelines for Aerial Passageways. Dr. Maureen McReynolds, Director, Environmental Resource Management outlined for the Council the report. She showed slides of the aerial passageways presently in use in Austin, and discussed the proposed procedures for formulating and reviewing guidelines, aesthetics, specifications, appropriate location restrictions, uses of aerial passageways other than pedestrian, licensing agreement, and implementation.

Councilmember Cooke moved that the Council accept the report and instruct the City Manager to proceed with drafting the ordinances to implement this report. The motion, seconded by Councilmember Trevino, carried by the following vote:

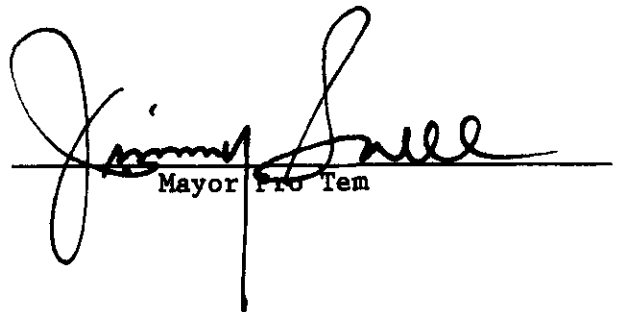
- Ayes: Councilmembers Goodman, Himmelblau, Mullen, Trevino, Mayor Pro Tem Snell, Councilmember Cooke
- Noes: None
- Absent: Mayor McClellan

Councilmember Cooke and Mayor Pro Tem Snell commented the report was excellent and extended their commendation to whoever prepared the report.

ADJOURNMENT

The Council adjourned their meeting at 11:20 a.m.

APPROVED



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Mayor Pro Tem

ATTEST:



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City Clerk