

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 18, 1971

9:00 A.M.

COUNCIL CHAMBERS, CITY HALL

The meeting was called to order with Mayor LaRue presiding.

Roll Call:

Present: Councilmen Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue

Absent: Councilman Atkison

The Invocation was delivered by REVEREND REGINALD KING, Tarrytown Baptist Church.

PROCLAMATION - ENGINEERS' WEEK

Mayor LaRue read and then presented a proclamation to Mr. Griggs, designating the week of February 21-27, 1971, as "Engineers' Week" and urging that special recognition be given to the achievement and goals of the engineering profession and its individual members. Mr. Griggs accepted the proclamation and thanked the Council.

PROCLAMATION - BROTHERHOOD WEEK

Mayor LaRue read and then presented a proclamation to Mr. Dick Kinsey, designating the week of February 22-28, 1971, as "Brotherhood Week" in Austin and urging all citizens of the City to participate in the observation of this week. Mr. Kinsey accepted the proclamation and thanked the Council.

CRAIGWOOD SUBDIVISION DISCUSSED

Mr. Wade Walker, Jr., listed the following items which needed attention in Craigwood Subdivision:

Curbs constructed by the contractor cracked within two weeks.

A slight rainfall caused tremendous flooding in the area, draining from the west portion of Craigwood. An 8" rain would wash their streets away. He suggested a four foot ditch to carry the water to some other direction.

Speeding in excess of 60 mph was prevalent in the area where 105 children lived. He asked that the limit be reduced to 25 or 20 mph.

No safe crossing for the children at Highway 183 and 19th Street, this area being two miles out of the City limits.

Stop signs and speed limit signs in the subdivision would be helpful. The group would be willing to pay for them.

Mr. Walker asked for some mode of transportation, adding that they would be willing to pay for such. He asked that the bus go to the City limit line and let the children depart at their homes.

Mr. Andrews, City Manager, stated he would contact the bus company to see if they could work out a bus service and pay arrangements.

Mayor LaRue stated the City Manager would be asked to have his Department check the traffic matters and the other items of concern again. Councilman Price noted it appeared as though the subdivider created the subdivision without the proper drainage and urged that the subdivision plans be scrutinized more closely.

ANNEXATION HEARING

At 9:30 A.M. Mayor LaRue opened the public hearing scheduled for that time on annexation of land. No one appeared to participate in the hearing.

Councilman MacCorkle moved that the Council close the hearing and direct the administration to institute annexation proceedings to annex the following: (requested by owner's representative)

7.58 acres of land out of the J.O. Rice Survey - proposed
WINDSOR HILLS, SECTION TWO, PHASE ONE

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

CONTINUED HEARING ON TAXICAB FARE INCREASE
AND FIRST READING OF ORDINANCE

At 9:30 A.M. Mayor LaRue opened the continued hearing scheduled for that time on requested Taxicab Fare Increase. City Manager Andrews submitted additional information substantiating prior statements, particularly with regard to fares charged in other major cities. Mr. Sneed, representing Yellow Cab, had sent word that he would be late to the meeting. Mr. Roy Valesquez did not want further delay.

Mayor LaRue brought up the following ordinance for its first reading:

AN ORDINANCE AMENDING CERTAIN PORTIONS OF THE SCHEDULE
OF RATES AND FARES WITHIN SECTION 42 OF CHAPTER 34 OF
THE AUSTIN CITY CODE OF 1967.

The ordinance was read the first time, and Councilman MacCorkle moved that the Council close the hearing and that the ordinance be passed to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

It was noted that the ordinance would be placed on the Agenda for the following week.

REQUEST FOR LAND FOR CIRCUS AND CARNIVAL

Councilman Janes moved that the Council grant the request of Mr. Cecil Nobles, Ben Hur Temple, for permission to use the land adjacent to the City Coliseum for the Ben Hur Shrine Circus and Carnival on October 22-October 31; to have three meters hooded in front of the Austin Hotel at 7th and Congress, October 18-31; and to authorize additional land as recommended by the City Manager. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

PARADE FOR MARCH OF DIMES

Councilman Price moved the Council grant the request of Mary Louise Tindle, of the National Foundation of the March of Dimes, for a parade permit on March 20, 1971. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes: None
Present but Not Voting: Councilman Johnson
Absent: Councilman Atkison

CITY OF AUSTIN, TEXAS

SIDEWALK VENDORS

Mr. Jeff Friedman expressed concern about the developing street vendor problem, not only on Guadalupe but other parts of the City, suggesting that a commission or study panel be established apart from governmental representatives. He stated that these vendors were not connected with the drug traffic. He asked that the vendors work with the merchants. He strongly objected to an ordinance which would ban the street vendors. He stated that the individuals involved were tax-paying small businessmen. There was discussion between Mr. Friedman and members of the Council concerning a booth which had been illegally placed on the sidewalk. Mr. Friedman stated that merchants on Guadalupe had voiced no objections to the vendors on grounds of congestion, disorder, or untidiness.

In response to Councilman Johnson's question, Mr. Friedman stated that he was not advocating doing away with the ordinance which regulated the attaching of signs to traffic poles. Mr. Friedman requested that members of the Council meet with representatives of the street vendors to work out the matters involved in this issue. Councilman Janes suggested that Mr. Friedman work with the Grand Jury Association.

Mr. Robin Ferris, street vendor, stated that there was a breakdown in communications between the vendors and those who might have complained to the Council. He expressed the desire for entering into discussion and achieving a mutually satisfactory solution. He believed the sanitation problems could be worked out with the Sanitation Department.

Mr. Steve French, Manager of Campbell-Scott of Austin which sold carnations throughout the City, discussed their flower-selling operations. He stated that their employees were instructed not to place signs on public utilities.

Mr. Newcomb Greenleaf, who taught mathematics at the University, believed that the street vendors were adding something constructive and that the complaints received were from individuals not very familiar with what was occurring on Guadalupe.

VACATION OF RIGHTS-OF-WAY ORDINANCE

Mayor LaRue introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF EAST 10TH STREET ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITY AND DRAINAGE PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time, and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price
Noes: None
Present but Not Voting: Mayor LaRue
Absent: Councilman Atkison

The ordinance was read the second time, and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price
Noes: None
Present but Not Voting: Mayor LaRue
Absent: Councilman Atkison

The ordinance was read the third time, and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price
Noes: None
Present but Not Voting: Mayor LaRue
Absent: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

The consideration of the vacation of the following was postponed for further study:

Neches Street - from East 10th Street to East 11th Street

Alley between East 10th Street and East 11th Street - from Neches Street for approximately 104 feet east.

ANNEXATION ORDINANCE - FIRST AND SECOND READINGS

Mayor LaRue brought up the following ordinance for its first reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 197.31 ACRES OF LAND, SAME BEING PARTLY OUT OF AND A PART OF THE JAMES M. MITCHELL SURVEY AND THE JAMES COLEMAN SURVEY, ALL BEING LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the first time, and Councilman Gage moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

ORDINANCE CORRECTING STREET VACATION ORDINANCE

Mayor LaRue introduced the following ordinance:

AN ORDINANCE CORRECTING ORDINANCE NO. 701112-E, VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THOSE CERTAIN PORTIONS OF GRANDVIEW STREET, WEST AVENUE AND ASSMAN'S ADDITION ALLEY IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR WASTE WATER PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time, and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

The ordinance was read the second time, and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

The ordinance was read the third time, and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

CITY OF AUSTIN, TEXAS

The Mayor announced that the ordinance had been finally passed.

ALLEY VACATION ORDINANCE

Mayor LaRue introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF UPSON STREET ALLEY IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time, and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

The ordinance was read the second time, and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

The ordinance was read the third time, and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES - THREE READINGS

Mayor LaRue 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:

(1) A 1,457 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 8312-8316 NORTH LAMAR BOULEVARD, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT;

CITY OF AUSTIN, TEXAS

(2) A 12.93 ACRE TRACT OF LAND, LOCALLY KNOWN AS 7508-7642 CAMERON ROAD, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT;

(3) A 20.86 ACRE TRACT OF LAND, LOCALLY KNOWN AS REAR 1500-1910 BARTON HILLS DRIVE, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE, SECOND HEIGHT AND AREA; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time, and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

The ordinance was read the second time, and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

The ordinance was read the third time, and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue 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:
SOUTHEAST 55.1 FEET OF LOT 4, HANCOCK TRIANGLE, LOCALLY KNOWN AS 4208-4210 MEDICAL PARKWAY, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time, and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

The ordinance was read the second time, and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

The ordinance was read the third time, and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue 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:

TRACT 1: A 2.67 ACRE TRACT, LOCALLY KNOWN AS 1316-1402
RUNDBERG LANE, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL
RETAIL DISTRICT;

TRACT 2: A 7.80 ACRE TRACT, LOCALLY KNOWN AS 1414-1446
RUNDBERG LANE; 9400-9522 CAMERON ROAD, FROM "A" RESIDENCE
DISTRICT TO "GR" GENERAL RETAIL DISTRICT; ALL OF SAID
PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS;
AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES
ON THREE SEPARATE DAYS.

The ordinance was read the first time, and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes: None
Present but Not Voting: Councilman Johnson
Absent: Councilman Atkison

The ordinance was read the second time, and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes: None
Present but Not Voting: Councilman Johnson
Absent: Councilman Atkison

The ordinance was read the third time, and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes: None
Present but Not Voting: Councilman Johnson
Absent: Councilman Atkison

The Mayor announced that the ordinance had been finally passed

Mayor LaRue 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:
SOUTH ONE-HALF OF LOT 3, LEWIS HANCOCK SUBDIVISION,
LOCALLY KNOWN AS 4230-4236 MEDICAL PARKWAY; 4229-4235
BURNET ROAD, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE
DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS
COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE
READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time, and Councilman Janes moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

The ordinance was read the second time, and Councilman Janes moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

The ordinance was read the third time, and Councilman Janes moved that the ordinance be finally passed. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE - FINAL PASSAGE

Mayor LaRue brought up the following ordinance for its third reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE
USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE
OF 1967 AS FOLLOWS:
EAST 34 FEET OF LOT 15, ROBERTSON SUBDIVISION, LOCALLY
KNOWN AS 1011-1015 EAST 12TH STREET, FROM "B" RESIDENCE
DISTRICT AND "C" COMMERCIAL DISTRICT TO "C" COMMERCIAL
DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS
COUNTY, TEXAS.

The ordinance was read the third time, and Councilman Johnson moved that the ordinance be finally passed. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Mayor LaRue
Noes: Councilman Gage
Present but Not Voting: Councilman Price
Absent: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

ANNEXATION HEARING SET

Councilman Price moved the Council adopt a resolution setting a public hearing at 9:30 A.M., March 4, 1971, to consider annexing the following: (requested by owner's representative)

20.35 acres of land out of the Theodore Bissel League
proposed WHISPERING OAK II.

The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

EASEMENT RELEASED

Councilman Price moved the Council adopt a resolution authorizing release of the following easement:

Public utilities easement out of Lot 1,
Northwest Medical Addition

The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

PAVING CERTIFICATE AUTHORIZED

Councilman MacCorkle moved the Council adopt a resolution authorizing the City Manager to execute transfer and assignment of Special Paving Assessment Certificate No. 60004-510-59 15 (c) - P-2665(m) to First Federal Savings and Loan. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

PARK LAND APPLICATION AUTHORIZED

Councilman Price moved the Council adopt a resolution authorizing application to the State Department of Parks and Wildlife for matching funds for park land acquisition. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

CONTRACTS AWARDED

Councilman Gage moved the Council adopt a resolution awarding the following contract:

CAPITOL AGGREGATES

-

Twelve (12) months contract
for furnishing Hot Mix and
Hot Mix Cold Laid Asphaltic
Concrete - \$38,880.00

The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

Councilman Janes moved the Council adopt a resolution awarding the following contract:

TEXAS CRUSHED STONE COMPANY

-

Twelve (12) months contract
for furnishing Crushed Road
Stone - \$37,300.00

The motion, seconded by Councilman Gage, carried by the following vote:

CITY OF AUSTIN, TEXAS

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

Councilman Johnson moved the Council adopt a resolution awarding the following contracts:

PITNEY-BOWES, INC.	-	One (1) each Automatic Collator - \$7,214.76
THOMPSON LITHO SUPPLY	-	One (1) each Camera Plate System - \$7,472.50

The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

Councilman Price moved the Council adopt a resolution awarding the following contract:

VALMONT INDUSTRIES, INCORPORATED	-	Forty-seven (47) each Steel Transmission and Distribution Poles - \$65,278.25
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The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

Councilman Gage moved the Council adopt a resolution awarding the following contract:

CENTRAL TEXAS EQUIPMENT COMPANY	-	Item I, Contract No. 409, Instrument Air Compressors and Accessories for Holly Street Power Station, Unit No 4 - maximum escalated price of \$16,579.33, which includes spare parts. (Engineer's estimate - \$18,500.00) (Capital Improvement Project)
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The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

Councilman Gage moved the Council adopt a resolution awarding the following contract:

CAPITOL STEEL & IRON
COMPANY

-

Item I, Contract 419, Structural Steel for Holly Street Station Unit No. 4 - \$469,222.00. (Engineer's estimate - \$625,000.00) (Capital Improvement Project)

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

Councilman Price moved the Council adopt a resolution awarding the following contract:

MEADER CONSTRUCTION COMPANY

-

For the installation of approximately 3,283 feet of 54-inch, 2,001 feet of 24-inch reinforced concrete sewer pipe and appurtenances - Main Shoal Creek Interceptor Sewer Phase II - \$312,579.90. (280 working days for completion - City estimate - \$330,195.23) (Capital Improvement Project)

The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

Councilman MacCorkle moved the Council adopt a resolution awarding the following contract:

H & H CONSTRUCTION
COMPANY

-

For the installation of approximately 1,522 feet of 42-inch, 2,080 feet of 36-inch, 4,072 feet of 30-inch, 1,853 feet of 24-inch, 481 feet of 18-inch, and 165 feet of 15-inch reinforced concrete sewer pipe and appurtenances in Lower East Shoal Creek Interceptor Sewer - \$477,596.00. (450 working days for completion - City estimate \$502,392.15) (Capital Improvement Project)

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

CONTRACTS AUTHORIZED

Councilman Gage moved the Council authorize the following contracts:

Austin Symphony Orchestra
Zachary Scott Theatre

Texas Agricultural Extension
Service
Laguna Gloria Art Museum

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

NUMBER OF PARKING SPACES ESTABLISHED

Mr. Dick Jordan, Building Official, discussed the parking arrangements in 2200 Block of Rio Grande, noting more parking spaces were needed, that 37% of the University students had automobiles, and many of those students lived out of the University complex. He recommended that the 354 spaces not being used in the apartment garage be assigned to this complex which was within the same area and owned by the same people. He suggested that this be on a trial basis, for a two year period, until more statistics could be gathered. In addition, the owners of the apartment complex were being asked to dedicate two lots on the west side which would be used if the demand arose. If it did not arise within two years, then it might be safe to say there was a sufficient parking area. If the demand increased, another 99 parking spaces would be recommended for this complex located on the west side of Rio Grande in the 2200 block - University Village, Ltd.

Councilman Gage moved the Council accept the recommendation of the Building Official. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

MODEL CITIES PLAN AMENDMENT

The Council had before it for its consideration an amendment to the Model Cities First Year Plan to include the following revised projects in the Education Component:

February 18, 1971

CITY OF AUSTIN, TEXAS

<u>Name of Project</u>	<u>Proposed Budget</u>	<u>Model Cities Share</u>
Continuing Education Program (Revised)	\$ 34,888	\$ 34,888
Expansion of Teaching Programs (Revised)	\$197,903	\$ 197,903
Research & Development of New Educational Programs (Revised)	\$ 51,285	\$ 51,285
*Expansion of Teacher Aide Program (Revised)	\$169,000	-0-

Mr. Tony Ojeda, Model Cities Director, asked for approval of this amendment which had been approved by the Board of the Austin Independent School District and by the Model Neighborhood Commission. If approved by the Council, this amendment would be submitted to the Department of Housing and Urban Development. He discussed the nature of the four projects outlined in the amendment. There was discussion as to whether the \$169,000 from the Department of Labor was in addition to present allocations.

Councilman Gage moved the Council approve the amendment as recommended by the City Manager. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison'

ACQUISITION OF EASEMENT

Councilman Price moved the Council adopt a resolution authorizing the acquisition of an easement for a sanitary sewer lift station for the approach main to Mo-Pac, Industrial Subdivision:

4903 Knuckles Crossing Road

The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Atkison

*Cost of the program will be absorbed 100% in the first year by the Department of Labor New Careers Program.

ACQUISITION OF RIGHT-OF-WAY

Councilman Price moved the Council adopt a resolution authorizing acquisition of the following right-of-way for the widening of Montopolis Drive:

606 Montopolis Drive

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Absent: Councilman Atkison

GRANT CONTRACT FOR CODE ENFORCEMENT PROGRAM

Councilman Gage moved the Council adopt a resolution authorizing the City Manager or his designated Agent to enter into certain grant contract for Code Enforcement Program Contract No. Tex-E-12. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Absent: Councilman Atkison

INTRODUCTION OF MR. BILL STEWART -
HUMAN RELATIONS DIRECTOR

Mr. Andrews, City Manager, announced his appointment of Mr. Bill Stewart, as Director of Human Relations, and provided the Council members with a resume of his background, experience, and capabilities. The Council members welcomed him to the City of Austin staff.

AUDIT DISCUSSION

The City Manager stated the Audit item had been placed on the agenda again. Councilman Gage inquired about the Southwest Texas proposal. It was noted that Southwest Texas had presented the proposal to its coordinating board, and they would not be in a position to give a firm amount until the Board approved their proposal. Mr. Homer Reed, Executive Administrator, stated he would get additional information.

DOG ORDINANCE DISCUSSED

Councilman MacCorkle noted a letter received by members of the Council concerning dogs running loose. City Manager Andrews stated that the City dog ordinances would be vigorously enforced.

BRYKERWOODS LETTER

Councilman Price noted receipt of a letter from residents of Brykerwoods concerning a problem of dumping there.

RECESSED MEETING

2:00 P.M.

The meeting was re-convened with Mayor LaRue presiding.

Roll Call:

Present: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle,
Price, Mayor LaRue

Absent: None

BRACKENRIDGE SCHOOL OF NURSING

Mayor LaRue introduced the item of the Brackenridge Hospital School of Nursing by noting previous situations involving governmental cooperation and coordination comparable to the present one. He discussed City-Federal participation regarding water treatment plants, the Capital Area Planning Council, the Law Enforcement Training classes sponsored by the State and supported by the Federal government, and the LVN program at Brackenridge Hospital. He believed that this same sort of process could now be worked out for the RN program, noting a shortage of 200 RN's in the City's metropolitan 10-county area.

Mr. Homer Reed, of the City Manager's Office, presented a report concerning the Nursing School connected with Brackenridge Hospital, citing figures on the number of graduates of the present Nursing School who remained within the employ of Brackenridge Hospital. The Southwest Texas State University proposal called for freshmen classes of 100 with graduating classes of 80 which would almost triple the present average graduating class size. Southwest Texas State University would operate the School at no cost to the City, using the building and equipment now being used in the City's program. The net savings to the City would be at least \$246,000, to be realized after two more years of operation. Mr. Reed presented the proposed size of faculty, student-faculty ratio, credit and degrees to be received. A minimum of 580 hours in closely supervised nursing practice in the Hospital would be required. Graduates would qualify immediately as at present for the State Board Examination. Recruitment of qualified students was expected to be easier because of the added attraction of college credit and the 2-year degree feature. The proposed program was designed to provide more quality nurses for Brackenridge Hospital at a lower cost.

Mr. Reed also noted that 23% of the nurses employed in 1970 at Brackenridge were graduates of the Hospital school, but 34% of the resignations were also graduates of the program. He presented data on how nursing programs were conducted in Houston, which had one Diploma program currently being phased down in scope.

Councilman Gage discussed with Mr. Reed the living arrangements for the students and who would pay for their living expenses. Mr. Reed stated that Southwest Texas would not be charged for the use of Brackenridge facilities. He noted that while students currently spent over 2,000 hours working at the Hospital in their three years of training, they did not receive anything approximating the close supervision they would receive under the San Marcos program with 580 hours of supervised Hospital work. In response to Councilman MacCorkle's question, Mr. Reed stated that there were currently 14 Diploma schools in Texas. There was discussion as to the calendar schedule to be followed.

Mayor LaRue read an excerpt from the May 13, 1970, report of the City-County Health Committee which recommended that the School of Nursing program be discontinued as a health care expense to the City taxpayer. He also read an excerpt from a letter dated January 27, 1971, from the President of the Texas Nurses Association, re-affirming the Association's position that by 1980 all persons licensed as professional nurses should have a degree in nursing and that only those institutions whose primary purpose was education should conduct these schools.

Dr. William Turpin, official spokesman for the medical staff at Brackenridge Hospital, did not believe that education at Southwest Texas State University would be as good as the education now provided at Brackenridge School of Nursing. He believed that the students at present were properly supervised in their clinical instruction. He believed that the School was capable of enlarging its student body. He agreed that while there was a shortage of nurses, there was also a shortage of quality in nurses. He discussed the four kinds of training programs for nurses, noting the differences between the Associate Degree program and the Diploma program. He cited the lower standards for students in Associate Degree programs, contrasting them to the scholastic aptitudes of the students in the present freshman class at the Diploma School at Brackenridge Hospital. He compared the results on the State licensing examination of Brackenridge graduates versus graduates from other programs. He cited a study published in the American Journal of Nursing, citing the greater independence of the Diploma graduate over the Associate Degree graduate. He believed there were a number of ways the present \$288,000 cost to the City could be reduced. He also stated that students were currently performing useful functions for the Hospital, noting extracurricular employment of students in the Hospital. Dr. Turpin believed that with the proposal under consideration, there would be increased cost for in-service education to raise Associate Degree nurses to an RN level; a cost of \$208,000 was estimated. He stated that nearly all of the supervisory people at Brackenridge were Brackenridge graduates.

Dr. Turpin stated that the medical community was strongly opposed to replacing the Brackenridge School of Nursing with an ADN program in that the nursing education in the latter would be inferior. He believed that \$100,000 could be cut from the present budget, but he believed that the School had to be taken out of politics. He concluded that there were other possibilities for improvement within Austin without turning to San Marcos.

Councilman Janes discussed with Dr. Turpin the number of applicants, size of enrollment, and capabilities of the School facilities at present. Dr. Turpin believed the capacity of the school could be increased 40-50%. In response to

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Councilman Gage's question, Dr. Turpin discussed the tuition and other costs charged by other State schools. Councilman Johnson discussed with Dr. Turpin whether he recommended that patients be placed on all floors in the new hospital wing. Councilman Johnson questioned Dr. Turpin's judgment that a 2-year graduate nurse would be unacceptable to fill nursing positions at Brackenridge Hospital.

Councilman MacCorkle questioned the current efficiency of Brackenridge. He mentioned disturbing conditions which he had observed there. Councilman Price cited the morale problems of nurses at Brackenridge.

Mrs. Phyllis Loucks, President of District No. 5 of the Texas Nurses Association, supported the move to discontinue the Brackenridge Hospital School of Nursing. She stated that it was the Association's position that the education for those who work in nursing should take place at institutions of learning within a general system of education--that is, at universities and colleges. She discussed the nature of changes which had taken place in the nursing profession. She presented figures indicating the growth of enrollment in the University of Texas at Austin nursing program. She also noted the decreasing number of Diploma programs in the State.

Mr. Royal Masset, student at the Episcopal Theological Seminary of the Southwest, stated that of the \$285,000 being spent on the Brackenridge Nursing program, about \$170,000 was currently being made up by labor, which would have to be replaced by Hospital funds if the school were transferred to San Marcos. The approximate remaining cost of \$100,000 would merely be shifted to the State and Federal governments. He believed that the increased enrollment which might be induced by the shift to San Marcos would be undesirable in attracting students who were not completely dedicated to nursing. He believed that there were alternative ways for the City to save money.

Mrs. Mildred Dayton, teacher at UT School of Nursing, commented on the test scores of UT graduates on the State Board tests.

Councilman Johnson expressed concern that nurses hired at Brackenridge as RN's had not all graduated from a 3-year program and believed it should be investigated to determine if this meant sub-standard health care were being provided.

Dr. Jack Moncrief, Chief of Medicine at Brackenridge Hospital, stated that he was not satisfied with creating a group of nurses who could merely pass the minimum RN examinations required for licensure. Councilman Johnson discussed with Dr. Moncrief the competence of those coming out of a two year program, capable of passing the RN examination. Dr. Moncrief stated that the two year graduate required much more supervision than would the three year graduate. There was discussion concerning the number of Brackenridge graduates in 1970 employed at Brackenridge Hospital.

Dr. John Garcia agreed with Dr. Moncrief that the Associate Degree produced an individual barely capable of passing the minimum licensure requirements, which then necessitated additional Hospital in-service training. He also stated the graduates of Brackenridge usually went into supervisory positions in various hospitals in the Austin and surrounding communities area, and he did not believe this would be true of Associate Degree graduates.

Dr. Turpin quoted from Hospital Topics, April 1970, citing the limited training in the Associate Degree program. Councilman MacCorkle commented that a high score on the RN examination did not necessarily mean that the individual was a good nurse.

Mrs. Loucks expressed the view that more information was needed regarding the location of Brackenridge graduates and the competence of those currently working in nursing. In response to Councilman MacCorkle's question, she stated the requirements for taking the State RN Examination.

Dr. Bud Dryden, Chairman of the Brackenridge Hospital Board, believed the quality of the nurse graduating from Brackenridge School of Nursing was excellent. He believed the Hospital Board would recommend that the program continue as it was.

Dr. Robert Ellzey, President of the Travis County Medical Society, stated that the Society unanimously supported the resolution passed by the Brackenridge Hospital medical staff for retaining the School of Nursing. He computed that the cost of the School to the citizens of Austin was 7¢ per month. He argued for improvements short of abolishing the School. In response to Mayor LaRue's question, he stated that Brackenridge graduates were being attracted to hospitals in other areas because of good salaries and job opportunities.

Dr. Bob Morrison discussed the different kinds of nursing skills which were required by the medical profession and he believed that the Diploma program was the only way to turn out a certain kind of nurse.

Mrs. Ann Sherritts stated she had put in over 6,000 volunteer hours at Brackenridge and cited cases of Brackenridge degree nurses who were ignorant of how to perform some of the tasks required. She believed that tax money spent on the training of nurses was money well spent. She asked the Council to follow the advice of the doctors.

Mrs. Darlene Fennell, registered nurse, believed that a professional organization of professional nurses should determine where nursing should be going. She believed the spending of the health care dollar needed closer scrutiny. She believed more information was needed concerning the Associate Degree program.

Mrs. Loucks clarified that the position she was representing was that of the Texas Nurses Association of District #5, not the University of Texas.

Councilman Gage noted that it appeared that several kinds of nursing programs were needed and suggested that perhaps the Brackenridge program of Diploma nurses could be continued in addition to the Southwest Texas State University program.

Councilman Janes favored continuing the Brackenridge School of Nursing with the possibility of expanding it to include action by Southwest Texas State.

Councilman Johnson believed that under the present system there was no guarantee that enough nurses would ever be produced. He also believed there would be value in a two-year program.

Councilman MacCorkle agreed with the recommendations of the Texas Nurses Association.

Councilman Johnson stated that he had no intention of attempting to close Brackenridge Hospital. Mayor LaRue added that there had never been any discussion on the Council concerning closing the Brackenridge Hospital School of Nursing.

In response to Councilman Gage's question, City Manager Andrews doubted that it would be practical for Brackenridge to continue its program in addition to the implementation of a two-year Associate Degree program at Southwest Texas State University.

Motion

Councilman Janes moved the Council instruct the City Manager to continue the operation of Brackenridge Hospital School of Nursing and to attempt to work out some sort of joint operation with Southwest Texas. City Manager Andrews re-stated that he did not believe this was feasible.

The motion, seconded by Councilman Gage, failed to carry by the following vote:

Ayes: Councilmen Atkison*, Gage, Janes
Noes: Councilmen Johnson, MacCorkle, Price, Mayor LaRue

Second Motion

Councilman Gage moved that the operation of Brackenridge School of Nursing be continued. The motion, seconded by Councilman Janes, failed to carry by the following vote:

Ayes: Councilmen Atkison*, Gage, Janes
Noes: Councilmen Johnson, MacCorkle, Price, Mayor LaRue

Third Motion

Councilman MacCorkle moved that the Council instruct the City Manager to negotiate a contract with Southwest Texas State University for operation of Brackenridge Hospital School of Nursing and bring it back for the Council's consideration and approval.

There was discussion as to whether the motion was limited to a two-year Associate Degree program. Councilman Johnson did not interpret it to be limited to that, but Councilman Gage pointed out that only a two-year program had been discussed before the Council at all and surely that was the kind of program for which the City Manager would be negotiating a contract.

*Councilman Atkison's vote was not counted in accord with the ruling of the City Attorney.

Councilmen Janes and Atkison interpreted the motion to mean the Brackenridge School of Nursing would be, in effect, closed. City Manager Andrews agreed that if a contract with SWTSU were approved, this would be true in two years after the graduation of those presently enrolled at Brackenridge. Councilman Johnson stated that Brackenridge School of Nursing would not be closed if the Council did not approve the contract.

Councilman Price wished to add to the motion that under no circumstance would Brackenridge School of Nursing be closed.

Vote on Third Motion

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, MacCorkle, Price, Mayor LaRue

Noes: Councilmen Atkison*, Gage, Janes

Councilman Atkison made this statement regarding his vote: "I feel that this is only a political maneuver to give the City Manager the authority to close the hospital when he sees fit."

Councilman Price made this statement regarding his vote: "My vote does not mean that we are closing the school at Brackenridge Hospital at any time."

Mr. Robert Scheer asked whether the Council would appropriate funds for recruiting of students at Brackenridge for the next semester. Mayor LaRue hoped that this matter would be settled within two weeks to give either school time to do recruiting. Councilman Johnson suggested that if in the next few days the City Manager was of the opinion that the contractual negotiation with Southwest Texas would take more time than two weeks that funds should be appropriated for recruitment at Brackenridge. City Manager Andrews stated that there were at present sufficient funds in the budget for such recruitment.

FILING FEES DISCUSSED

Councilman Price raised the question of whether filing fees might be levied on those running for City Council. The Council discussed this suggestion briefly.

HEARINGS ANNOUNCED

Mayor LaRue noted that a Special Meeting to hear Tax Appeals was scheduled for 9:30 A.M. on February 22.

ADJOURNMENT

Councilman Johnson moved that the Council adjourn. The motion, seconded by Councilman Janes, carried by the following vote:

*Councilman Atkison's vote was not counted in accord with the ruling of the City Attorney.

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Out of Room at Roll Call: Councilmen Atkison, Gage

APPROVED: _____

Mayor

ATTEST: _____

City Clerk