

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN TEXAS

Regular Meeting

June 15, 1972
10:00 A. M.

COUNCIL CHAMBER, CITY HALL

The meeting was called to order with Mayor Butler presiding. It was noted that Councilman Handcox would arrive late.

Roll Call:

Present: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen
Lebermann, Friedman, Mayor Butler
Absent: Councilman Handcox

The Invocation was delivered by REVEREND WILLIAM A. TRIGGS, Shettles
Methodist Church.

APPROVAL OF MINUTES

Councilman Nichols moved the Council approve the Minutes of the Regular Meeting of June 1, 1972. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen
Lebermann, Friedman, Mayor Butler
Noes: None
Absent: Councilman Handcox

SUGGESTIONS CONCERNING DOG PROBLEMS

Councilman Nichols brought up the matter concerning dog problems, specifically pertaining to a child's having been bitten. He asked that the City Attorney be instructed to bring in an ordinance that would place the responsibility of taking the dog to a veterinarian and the cost being imposed upon the owner of the animal while it is under observation. Last week, after the dog had bitten the child, he turned around and bit someone else. At this time the City has no means of imposing this restriction of the animal. The City Attorney asked if the intent was to have the animal impounded either by licensed Vet or by the Humane Society at the owner's expense. The ordinance would include any animals that might be rabid.

Councilman Dryden brought up the question of financial inability of some to send the dog to a Vet. It was stated in those cases where the rabid dog had been impounded, and the owner did not have the money, the dog would be disposed of. Mrs. Winnie Lambert suggested a time-payment plan that could be worked out.

CONTRACTS AWARDED

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

LATSON CONSTRUCTION CO.
(Austin, Texas)

- For Street and drainage improvements in Glen Oaks One, Phase IV, Urban Renewal Project, Contract 72-Pb-105 - \$14,652.26 (45 working days for completion; Engineer's estimate was \$42,000.00; Capital Improvements Program Project No. 6055 2)

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Mayor Butler, Councilman Dryden

Noes: None

Absent: Councilman Handcox

Mayor Pro Tem Love moved the Council adopt a resolution awarding the following contracts: Bid Invitation No. 2-0995 - Street Lighting Material

PRIESTER-MELL CO., INC.
(Austin, Texas)

- Bid Items 1 & 2, 1050 each Mast Arms -
Total : \$25,076.00

BESCO, INC.
(Austin, Texas)

- Bid Items 3 & 6, 700 each Luminaires -
Total: \$19,150.00

WESTINGHOUSE ELECTRIC
CORPORATION
(San Antonio, Texas)

- Bid Item 4, 400 each Luminaires -
Total: \$15,900.00

TECHLINE, INC.
(Austin, Texas)

- Bid Item 5, 300 each Luminaires -
Total: \$8,952.00.

Mr. Solon Bennett, Director of Purchasing, explained that the Material Standards Committee consists of members of the Electric Department and a member of the Purchasing Department. They meet periodically; their specifications are what is called "Qualified Products Lists of Standard Items."

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

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Mayor Butler, Councilmen Dryden, Nichols

Noes: None

Absent: Councilman Handcox

Bid Invitation No. 2-0498, Supply Agreement Retread and Section, for the repair of tires was discussed.

Mr. Rogers, Fleet Administrator, stated they never sent these out less than for truck lots, and the attempt was to lump the items together, so the total number of tires was taken. On some of the tires there would be only one; and on others there were 300. Councilman Nichols noted Items 23 - 32 as an example, for

twelve tires. Mr. Rogers stated although the current operation is in San Antonio, they do have their own recapping in Austin. Councilman Nichols reviewed the specifications, stating nothing was mentioned about truck loads of tires or quality. He stated Item 21 and Item 2 were issues, noting Jackson Tire Company was low on Items 2, 21, 31, 30, and 32.

Councilman Nichols moved the Council adopt a resolution awarding the contract as recommended with the exception of Items 2, 21, 30, 31 and 32, which he moved be awarded by resolution to Jackson Tire Company of Austin. The contracts were as follows:

TIRE MILEAGE OF AUSTIN
(Austin, Texas)

- Bid Items 1-16, 33-38
Total: \$11,947.77

WALKER TIRE COMPANY
(Austin, Texas)

- Bid Items 17-32, 39-43
Total: \$13,985.00

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

Ayes: Councilman Friedman, Mayor Butler, Councilmen Dryden, Nichols,
Mayor Pro Tem Love

Noes: None

Not in Council Chamber when Roll was called: Councilman Lebermann

Absent: Councilman Handcox

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

E. E. STUESSY COMPANY
(Austin, Texas)

- Electric Street Light Ductline and Concrete Foundations on Bee Cave Road from Barton Creek Bridge to MoPac Boulevard and on South Lamar Boulevard from Barton Springs Road to north end of Bridge, and on West Riverside Drive from South Lamar Boulevard to Dawson Road - \$35,691.00. (100 calendar days for completion; Engineer's estimate was \$49,772.50; Capital Improvements Program Project No. 3823).

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

Ayes: Councilmen Friedman, Dryden, Nichols, Mayor Pro Tem Love

Noes: None

Not in Council Chamber when Roll was called: Mayor Butler, Councilman Lebermann

Absent: Councilman Handcox

CONDEMNATION OF EASEMENT

Councilman Nichols moved the Council adopt a resolution authorizing condemnation of an electric 138 KV transmission line easement on portions of Lots 16, 17, and 18 of Linda Vista Subdivision, located on FM 973. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilman Friedman

Noes: None

Not in Council Chamber when Roll was called: Mayor Butler, Councilman
Lebermann
Absent: Councilman Handcox

LICENSE AGREEMENTS

Councilman Nichols moved the Council adopt a resolution granting license agreements for use of the following easement:

LARRY WRIGHT - encroachment of a swimming pool into an existing drainage and public utilities easement on Lot 27, Block A, Western Trails Estates.

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

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Friedman, Dryden, Nichols

Noes: None

Not in Council Chamber when Roll was called: Councilman Lebermann, Mayor Butler

Absent: Councilman Handcox

Councilman Nichols moved the Council adopt a resolution authorizing a license agreement for use of the following easement:

W. T. WILLIAMS, JR. - encroachment of an existing patio into public utilities easement on Lot 2, Block Q, Windsor Village.

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

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Friedman, Dryden, Nichols

Noes: None

Not in Council Chamber when Roll was called: Councilman Lebermann, Mayor Butler

Absent: Councilman Handcox

RELEASE OF EASEMENTS

Councilman Nichols moved the Council adopt a resolution authorizing the release of drainage and public utilities easements which were retained when Longfellow Street, East Avenue Alley and Longfellow Street Alley were vacated between Kolmar Street, Manor Road and Comal Street. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Friedman, Dryden, Nichols

Noes: None

Not in Council Room when Roll was called: Mayor Butler, Councilman Lebermann

Absent: Councilman Handcox

WATER MAINS

Councilman Nichols moved the Council adopt a resolution authorizing 60/40% cash settlement with RAY SHAW for water mains in Ray Shaw Subdivision - Owner's cost @ 40% - \$1,890; City's cost @ 60% - \$2,835.00. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Mayor Butler, Councilman Dryden
Noes: Councilman Friedman
Not in Council Room when Roll was called: Councilman Lebermann
Absent: Councilman Handcox

CITY SEWER SERVICE

Councilman Nichols moved the Council adopt a resolution authorizing outside the City Sewer Service as follows:

City Forces to install one (1) sewer tap for MRS. RUTH K. BRUNK at 11879 U. S. Highway 183. Owner has deposited the required fee of \$250.00 in escrow and entered into an agreement with the City for this installation.

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

Ayes: Councilmen Friedman, Dryden, Nichols, Mayor Pro Tem Love
Noes: None
Not in Council Chamber when Roll was called: Councilman Lebermann, Mayor Butler
Absent: Councilman Handcox

ACQUISITION OF PROPERTY

Councilman Nichols moved the Council adopt a resolution authorizing acquisition of the following property for Police and Courts Complex as recommended by the Land Division:

613-615 East 8th Street (Partial Acquisition)
Frost National Bank, Independent Executor of the
Estate of Jack T. Bowman, Deceased

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

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilman Friedman
Noes: None
Abstain: Mayor Butler
Not in Council Room when Roll was called: Councilman Lebermann
Absent: Councilman Handcox

MOPAC EXPRESSWAY

Councilman Nichols moved the Council adopt a resolution authorizing the acquisition of certain land for the MoPac Expressway - Phase 4:

6200 thru 6500 Blocks Balcones Drive (Average of Appraisals)
Austin Corporation.

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilman Friedman, Mayor Butler, Councilmen Dryden, Nichols

Noes: None

Not in Council Room when Roll was called: Councilman Lebermann

Absent: Councilman Handcox

Councilman Nichols moved the Council adopt a resolution authorizing the acquisition of certain land for the MoPac Expressway - Phase 4:

7000 Block Balcones Drive (Average of Appraisals)

David B. Barrow and E. R. Barrow

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilman Friedman, Mayor Butler, Councilmen Dryden, Nichols

Noes: None

Not in Council Room when Roll was called: Councilman Lebermann

Absent: Councilman Handcox

Councilman Nichols moved the Council adopt a resolution authorizing the acquisition of certain land for the MoPac Expressway - Phase 4:

6500 thru 6900 Blocks Balcones Drive (Average of Appraisals)

David B. Barrow, E. R. Barrow and Austin Corporation

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilman Friedman, Mayor Butler, Councilmen Dryden, Nichols

Noes: None

Not in Council Room when Roll was called: Councilman Lebermann

Absent: Councilman Handcox

"701 PLANNING GRANT"

Mayor Pro Tem Love moved the Council adopt a resolution authorizing the City Manager to apply to the Department of Housing and Urban Development for \$75,000 "701 Planning Grant." The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilman Friedman

Noes: None

Not in Council Room when Roll was called: Councilman Lebermann

Absent: Councilman Handcox

MINUTE ORDER ACCEPTED

Councilman Nichols moved the Council adopt a resolution authorizing the City Manager to accept Minute Order No. 66327 which was approved by the Texas Hwy. Dept. on May 31, 1972, pertaining to the widening of West 38th Street from Guadalupe to west of Shoal Creek Boulevard. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Dryden, Nichols,
Mayor Pro Tem Love

Noes: None

Not in Council Room when Roll was called: Councilman Lebermann

Absent: Councilman Handcox

MODEL CITIES PROPOSAL

Councilman Nichols moved the Council adopt a resolution authorizing the Austin Model Cities Department to contract with the City of Austin Building and Inspection Department for Code Enforcement Project #22200. Total funding of this project is to be \$365,198 - Model Cities Share will be \$37,702. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love,
Councilman Lebermann, Friedman.

Noes: None

Absent: Councilman Handcox

IMPROVEMENT TO STREETS

Mayor Butler 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.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Friedman, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilman Lebermann

Noes: None

Absent: Councilman Handcox

The Mayor announced that the ordinance had been finally passed.

REFUND CONTRACT

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE ACTING CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH NORWAL, INC., JERRY WALLACE, PRESIDENT; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council pass the ordinance through it's first reading. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilman Lebermann
Noes: Councilman Friedman
Abstain: Mayor Butler
Absent: Councilman Handcox

The Mayor announced that the ordinance had been passed to it's second reading.

ZONING ORDINANCES PASSED

Mayor Butler 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:

(1) A 24,019 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 4413-4503 SPRINGDALE ROAD, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; AND,
(2) LOT 5, REAGAN HEIGHTS SUBDIVISION, LOCALLY KNOWN AS 7245-7261 CAMERON ROAD; 1400-1420 REAGAN HILL DRIVE, FROM "B" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL 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 DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Mayor Butler, Councilman Dryden
Noes: None
Absent: Councilman Handcox

Mayor Butler announced that the ordinance had been finally passed.

Mayor Butler 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:

THE NORTH 200 FEET OF A 1.09 ACRE TRACT OF LAND, LOCALLY KNOWN AS 2001 ANDERSON LANE, FROM "O" OFFICE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency, and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Mayor Butler, Councilman Dryden

Noes: None

Absent: Councilman Handcox

The Mayor announced that the ordinance had been finally passed.

Mayor Butler 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:

(1) A 28.06 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1449-1665 U. S. HIGHWAY 183, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; AND

(2) LOT 9, BLOCK 4, CHARLES JOHNSON SUBDIVISION, LOCALLY KNOWN AS 500-502 ATLANTA STREET; 2200 LAKE AUSTIN BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL 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 DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency, and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Mayor Butler, Councilman Dryden

Noes: None

Absent: Councilman Handcox

The Mayor announced that the ordinance had been finally passed.

The Mayor 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:

A 1.011 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1103-1107 EAST BEN WHITE BOULEVARD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency, and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Mayor Butler, Councilman Dryden

Noes: None

Absent: Councilman Handcox

The Mayor announced that the ordinance had been finally passed.

ANNEXATION ORDINANCE

Mayor Butler brought up the following ordinance for it's 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 9.40 ACRES OF LAND, SAME BEING PARTLY OUT OF AND A PART OF THE WILLIAM CANNON LEAGUE AND PARTLY OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT; 107.06 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT; AND 34.59 ACRES OF LAND, SAME BEING PARTLY OUT OF AND A PART OF THE ISAAC DECKER LEAGUE AND PARTLY OUT OF AND A PART OF THE WILLIAM CANNON LEAGUE; 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.

Councilman Nichols moved the Council pass the ordinance through it's first reading. The motion, seconded by Councilman Dryden, carried by the following votes:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Mayor Butler, Councilmen Dryden, Nichols

Noes: None

Absent: Councilman Handcox

The Mayor announced that the ordinance had been passed to it's second reading.

Councilman Nichols moved the Council pass the ordinance through it's second reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Mayor Butler, Councilmen Dryden, Nichols

Noes: None

Absent: Councilman Handcox

The Mayor announced that the ordinance had been passed to it's third reading.

NO ACTION-CONCERNING ZONING

There was no action taken concerning the zoning of 2100 Pearl Street as Mr. Michael Eakin did not appear before the City Council. (postponed from June 8).

Councilman Handcox entered the Council Chamber at this time.

ZONING HEARING CONTINUED

It being 11:00 A. M., Mayor Butler, opened the hearing on the following zoning application:

THE HILLCREST
BAPTIST CHURCH
By Doren Eskew
C14-72-087

2800-2806 Robinson Avenue
1105-1111 East 29th Street

From "A" Residence
First Height and Area
to "A" Residence Fifth
Height and Area to "B"

C14-72-087 (Cont'd.)

Residence Second
Height and Area NOT
Recommended, RECOMMEND-
ED "BB" Residence
First Height and Area
subject to limitation
of density to 6 units.

Mr. Doren Eskew, Attorney, representing the Hill crest Baptist Church stated the inquiry was submitted to the Hillcrest Baptist Church if "B" Residence Second Height and Area, with restrictions on the number of units to be built would be acceptable to the purchasers of the property. The contract calls for "B", Residence, "O" Office, "LR" Local Retail Second Height and Area. The purchaser said he would not buy the property less than "B" Second Height and Area and 29 units. Mr. Eskew stated Mr. Davis, one of the opponents had withdrawn his opposition. It would not be economically feasible to have only 20 units.

Mr. Lillie, Planning Director, pointed out the tract has frontage only on minor residential streets and no access to tiether of the major streets. Mr. Eskew stated in answer to inquiry from Mayor Pro Tem Love if the change did not go through, would he not want the "BB" that "B" would be better. The Church would have no contract, and the prospective buyers could not proceed on this basis. He stated there was a petition submitted regarding the zoning, but it was not valid.

Motion

Councilman Dryden moved that the zoning be granted, so that the Church could sell the property, to "B" Residence Second Height and Area. The motion, seconded by Councilman Nichols, failed to carry by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Butler

Noes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox

Mayor Pro Tem Love asked for a reconsideration of the action, and moved that "BB" Residence First Height and Area District be granted. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilman Dryden

Noes: None

The Mayor announced that the change had been granted to "BB" Residence as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

PROPOSED BICYCLE PLAN

Mayor Butler opened the hearing on the proposed Austin Bicycle Plan.

Councilman Nichols recalled that last fall he had placed an item on the agenda pertaining to bicycles and paths, which was brought about by a gentleman from the University of Texas area, Mr. Dan Meador, and he introduced Mr. Meador, who was responsible for this proposed plan.

Mr. Joe Ternus, Director of Traffic and Transportation, presented the plan, stating Mr. Meador's report had been referred to his Department and eventually

evolved into the Austin Bicycle Plan, as a result of efforts of many departments, individuals and organizations.

He began his presentation by pointing out the need for such a plan, the types of bicycle uses, types of routes, and street selection. Standards were developed for existing streets, and for those in the subdivisions in which consideration was given to bicycle lanes, and paths on various types of streets. These standards, with Council approval, would be submitted to the Planning Commission for review and then back to the Council for action.

As to safety, it is necessary to have ordinances providing for certain equipment and inspection; licenses, designation of bicycle routes and lanes, operational provisions within the bicycle lanes, applicability of the regulation and the possible restrictions of bicycles on certain streets. He distributed copies of two ordinances for consideration. Specifically he discussed the section of the ordinance requiring equipment on the bicycle — horns, and lights — noting some do not want lights on their bicycles; but this requirement is a State Law.

Mr. Ternus discussed the pilot project within the University of Texas area which constitutes the most congestion. There would be two loop systems, one surrounding the campus (Longhorn Loop), and the other loop surrounding the University area. Radial routes connect the residential areas of the University area with the loop system. In conclusion, he stated they had presented for consideration in support of the bicycles route in the university area, street and land classifications, and the required action necessary to implement this project. He said it would be necessary to encourage parking facilities; and thus a proposed bicycle or public street use license has been developed.

Mr. Ternus stated they would be working with the University of Texas on a joint system, interconnecting the two systems. His staff believed this program would foster safer atmosphere for both bicycles and the motorists and suggested that after consideration by the Council, and the public, that the plan be enacted in order to advance the safety of the people.

Discussion was held on required lights and their being a part of the bicycle at the time of purchase; and that the Statutes provided for lights. It was recommended that the dealer provide the light, and he could inspect and license the bicycle, all of which would be advantageous to the citizen. Mr. Ternus stated there was a disagreement about the light requirement, but he felt strongly if the lights were not required at all times there would not be these lights at night when necessary.

Mr. David Bruce Neeley commended the Council for its consideration of an ordinance of this sort and said the proposed bicycle plan is one of the most positive things in the United States today. Problems of parking outweigh problems of pollution. His question was a public use tax or license fee for bicycles to provide parking. He listed several parts of the plan that needed consideration — the requirements for a bell or a horn, as some buy their bicycles piecemeal, ordering wheels and accessories even in other states. Some do not ride at night and should not be forced to attach permanently something which would mar the paint, etc. Councilman Lebermann, a strong advocate of the plan, expressed concern about the requirement that the bicycle must be equipped with lights at the time of sale. Councilman Dryden concurred in this line of thought. High-riser handle-bars should be outlawed. Mr. Neeley mentioned the surfaces of the bicycle paths, stating the serious cyclists and racers use a tubular tire, and this recommended surface material will not attract those with the expensive and fine machines. There should be good ordinance provisions for enforcement.

Mr. Ternus explained the fee for public street parking, in that when a private individual or firm sets up a parking facility out in the public right-of-way for the protection of the public, this license is required and is necessary, with no fees other than providing insurance.

Mr. Fred Sackett stated the plan is marvelous but requested that it not require lights and bicycle horns.

Mr. James Brice discussed various sections of the law pertaining to bicycle horns, bells and lights. He questioned the Council's passing an ordinance requiring these lights. His third suggestion was that an amendment be made regarding license plates, providing they could be made of something other than metal, which would damage the frames. He also suggested that the rider equip himself with a reflective coat or vest.

Councilman Dryden suggested that Messrs. Neeley, Sackett, and Brice meet with the Traffic Engineer and discuss their recommendations and come before the Council again.

Mr. Ternus was aware of the metal license plates and stated his staff is proposing a change to a reflective sheeting, and along with some other ordinances this item would be brought back later. As to the bicycle horn, he said the State law provides for this, and his staff felt it should be a part of the bicycle at all times, and enforcement would be easier if the lights are required.

Mr. Don Berman, Sierra Club, congratulated the Traffic Engineer on his plan. He fostered bicycling, noting, however, little attention and money had been designated to the bicycling paths. On behalf of the Sierra Club, Mr. Berman stated they were impressed by Mr. Ternus' department's grasp of the necessity for moving people in other than vehicles; and after viewing this plan, the Club asked that the Council do everything possible to readily and quickly implement the bicycle lane concept and proceed with the extension of Hike and Bike Trails up the creeks. He suggested that the walking, hiking, or cycling be placed under the Traffic Engineer, working with the Parks Department.

Mayor Butler stated the Council had appointed a Citizen's Traffic Safety Commission, and this Commission endorsed this ordinance in its entirety.

Mrs. Winnie Lambert complimented the Council in its work.

Mr. Landon Daily spoke in behalf of the small bike dealers and the low income group and commended the ordinance with the exception of the provision as to lights. He stated the huge dealers would end up selling the lights, and the small businessmen would be put out of business.

A member of the audience spoke on the improvement in bicycles, praising them as excellent for transportation. He wholeheartedly endorses the Council's plan with modifications that would not damage the more expensive bikes.

Mr. Clarence Hanson endorsed the plan as an excellent one. He stated Mr. Ternus was taking a great step forward for Austin and all of Texas. He asked the Council to support his plan.

Councilman Dryden suggested Mr. Ternus, Mr. Brice, Mr. Sackett and Mr. Neeley meet and work these points out as to the licensing and lights.

Councilman Handcox stated he was very interested in the plan with the ex-

ception of the light requirement, as such would be necessary only for night drivers, and enforcement would be easier. He then moved that the ordinance be adopted as written with those restrictions, deletions of requirements for lighting to be required at night but not during the day. The motion was seconded by Councilman Dryden.

Discussion was held on the motion, Councilman Handcox stated he wanted to delete the dealer installation factor. Mayor Butler stated if the bicycle is to be ridden at night, it would have to have lights. City Manager Davidson stated they were requesting Council consideration of the plan and concept, and they would have the actual ordinances for Council consideration on June 29th. Mayor Butler stated the ordinance would be brought back reflecting Councilman Handcox's motion.

Councilman Nichols stated he was for the ordinance, but against the deletion of the light requirement.

Roll call was held on Councilman Handcox's motion, seconded by Councilman Dryden, as follows:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilman Dryden, Mayor Pro Tem Love, Councilman Lebermann
Noes: Councilman Nichols

HEARING - POLICY OF NON-DISCRIMINATION
BY CONTRACTORS WITH CITY

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 2 OF THE AUSTIN CITY CODE OF 1967 BY ADDING ARTICLE IV THERETO REQUIRING NON-DISCRIMINATION IN THE EMPLOYMENT OF EMPLOYEES OF PERSONS WHO CONTRACT WITH THE CITY TO SUPPLY LABOR, MATERIALS, GOODS OR SERVICES TO THE CITY; TO SET OUT REQUIREMENTS FOR SUCH CONTRACTORS; TO PROVIDE FOR THE HUMAN RELATIONS COMMISSION TO HAVE JURISDICTION TO HEAR COMPLAINTS OF DISCRIMINATORY PRACTICES BY CONTRACTORS; AND TO PROVIDE A PROCEDURE FOR THE FILING OF COMPLAINTS OF DISCRIMINATION BY CONTRACTORS AND FOR CONCILIATION OF SAID COMPLAINTS; TO PROVIDE FOR AND TO SET OUT THE PROCEDURE FOR A PUBLIC HEARING IF CONCILIATION FAILS; TO PROVIDE FOR THE HUMAN RELATIONS COMMISSION TO FORWARD ITS FINDINGS OF FACTS AND RECOMMENDATIONS TO THE MAYOR AND CITY COUNCIL IN THE EVENT A VIOLATION IS FOUND UPON HEARING; TO PROVIDE FOR DISMISSAL IF NO VIOLATION IS FOUND UPON HEARING; TO PROVIDE FOR AN ANNUAL REPORT FROM THE HUMAN RELATIONS COMMISSION TO THE MAYOR AND CITY COUNCIL; WAIVING THE REQUIREMENT FOR READING ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Ms. Patricia Davis, representing Mr. Volma Overton, Austin Branch of the N.A.A.C.P., proposed this ordinance in the belief the City of Austin should join with the Federal Government in promoting equal employment opportunities for all of the citizens. The Human Relations Commission's study of employment within the City points to the need for a major up-grading in the employment status of the minority. The picture is one of substandard wages, great instability, and uncertainty of tenure, extremely low status in the eyes of both employer and employee with little or no chance for meaningful advancement and unpleasant and exhausting duties. This ordinance has been proven workable and effective in Tulsa, and the ordinance has been tailored to the Austin needs and it has been approved by the Human Relations Commission. The Austin Branch of the N.A.A.C.P. strongly recommends its approval.

Mr. Norman Eaton, speaking for the Human Relations Commission, discussed the ordinance itself as applying to contractors and subcontractors dealing with the City. There would be required 15 employees and a minimum contract of \$2,000, to qualify under this ordinance. The contractor must have a signed form from the Human Relations Commission that the guidelines of the ordinance will be followed. He referred to the provision of equal employment, upgrading, promotion or transfer, recruiting, lay-off, rates of pay, and equal compensation other than pay itself, and advertising that the particular contractor comes under this ordinance.

All labor unions must have a written statement agreeing not to engage in discriminatory practices if union labor is used in subcontracts or contractors contracting with the City with a \$2,000 minimum. The complaints and conciliation are outlined in the ordinance.

He reviewed the procedure to be used by the Human Relations Commission when it is found a practice of discrimination had taken place, and the Commission's referring the complaint to the Council, which could cancel the contract.

It was brought out by the City Attorney that this ordinance would cover all of the activities of the contractors.

Councilman Nichols, speaking of Section 214, stated there was nothing mentioned about qualifications of the individuals. The City Attorney, Mr. Don Butler, stated it would be implied because it is stated in a negative manner. If one is more qualified, one would be promoted or reassigned; there would be no discrimination in that matter. Councilman Nichols asked that this be included in the ordinance, as well as Item 5 which is predicated on qualifications under the same section. He emphasized having this condition as a part of the ordinance.

Mr. Max Ladusch, Business Manager of the Electric Worker's Union in Austin, and Secretary of the Austin Building & Construction Trades Council, expressed no opposition to the ordinance, but recommended an insertion of "based on qualifications only" in two areas - Sections 214.2 and 214.5. His union had gone to great length in selecting applicants from the minority groups, under a goal line of 35% set by the Government. He stated this same phrase should be added to Item 5.

Councilman Handcox stated that qualification would be a condition of employment, and the ordinance is intended that there be no discrimination in employment and it does not cover qualifications.

As to recruiting minority members, Mr. Ladusch outlined his Union's procedure, in that they held a luncheon at the Terrace, invited 26 leaders from various minority groups, Mr. Overton; Various Catholic groups; Montopolis Youth Center; and others; showed a film on the electrical apprentice program. Out of the 26 invited, not more than eight attended. Then they sent the Training Director and two apprentices from the Minority group to speak to Mr. Overton and his group, and they spoke and showed the film at the Montopolis Center and another area. There were 51 applicants.

Mr. Eaton discussed the "why's" as to not having more black policemen and other respectable occupations. Members of the Human Relations Commission want to go in and say, "These people are not trying to recruit blacks; and they are not operating under this ordinance." He stated the ordinance would be as powerful as the Council would make it.

Councilman Dryden favored the ordinance as submitted by the Human Relations Commission; and should it be amended, he would like to discuss the amendment with

the City Attorney, Councilman Lebermann concurred with Councilman Dryden in that the ordinance should be left as it is, as it is a well-written and an effective piece of legislation.

Mrs. Winnie Lambert spoke briefly, stating she did not have the opportunity to read the ordinance. Mrs. Kenneth Ashworth, League of Women Voters, read a statement of the importance of overcoming discrimination in the society. The proposed ordinance represents a recognition that a problem does exist, and the league supports the recommendation of the Human Relations Commission.

Councilman Handcox moved that this ordinance be adopted as written.

Councilman Nichols made an amended motion to add under 214.2 the words as requested, "based on qualifications only," and also under Section 214.5 the same phrase; and under Item C, also under 214, "based on qualifications only." The motion, seconded by Mayor Pro Tem Love, failed to carry by the following vote:

Ayes: Mayor Pro Tem Love, Councilman Nichols
Noes: Councilmen Lebermann, Friedman, Handcox, Mayor Butler,
Councilman Dryden

Roll call on Councilman Handcox's motion to adopt the ordinance as written, waiving the requirement for three readings, effective immediately and declaring an emergency, was seconded by Councilman Dryden. This motion received the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilmen
Dryden, Nichols, Mayor Pro Tem Love
Noes: None

The Mayor announced that the ordinance had been finally passed.

PLANNED PARENTHOOD OF AUSTIN-LEASE

Mr. George Ramsey introduced representatives from the Planned Parenthood of Austin interested in leasing property at 1817-1823 East 7th Street. He discussed using the property on East 7th Street under some lease or agreement. If they were to acquire the property, they would agree to a reverter clause that the property would revert to the City if Planned Parenthood ceased to use the facility for their purpose of serving the community.

In answer to Mayor Butler, City Manager Davidson stated this property was designated by the Planning Commission as surplus property. The Mayor stated in that case, Planned Parenthood would merely have to bid on the property.

Councilman Nichols said he would not vote for a 20 or 25 year lease. He stated they could amortize whatever building they were adding in ten years, and he would favor a ten year lease at \$1.00 a year, their providing necessary insurance, and letting the City Attorney draw up the lease so that it would protect the City.

Mayor Butler stated this group certainly is one in the public interest.

After discussion, Councilman Nichols moved the Council authorize the lease (for the property at 1817-1823 East 7th Street) for \$1.00 a year, not to exceed ten years, subject to the approval of the City Attorney, the City to remove the transformer. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen
Lebermann, Handcox, Mayor Butler

Noes: None

Not in Council Chamber when Roll was called: Councilman Friedman

NUCLEAR POWER FACILITY

Councilman Nichols, stating the Council had heard this at noon, moved that the City Manager enter into the execution of the interim agreement provided for in their discussion at noon.

Mr. Don Berman, in discussion, said the expenditure of such a nuclear power plant would be around 1 and a half million dollars to begin with, or \$24.00 per average family of four, and this \$150,000,000 for the first turbine, not to mention facilities and lines would commit an average family of four to something over \$2,400, which aside from the environmental issues, is rather critical. He pointed out throughout the country plants are running into trouble and disadvantages. The City could not take 30 or 90 days to completely study all aspects of this before even making plans to buy in. He suggested that the Council should appropriate funds for the Environmental Office to find out both sides of this issue. Those planning this should eventually be taking over Austin's utilities; would devote funds to not only planning but propagandizing and presenting only one side of this. He asked that the Council delay action even to getting the million and a half dollars, for 90 to 120 days. He stated if something went wrong with the nuclear system, Austin would find itself short of energy. Mayor Butler stated if the plant were not there, Austin definitely would be short of energy. He stated Decker and Holly plants would remain on the line to continue producing electrical energy.

Councilman Lebermann explained some of the facets of this industry and stated that such a plant would be part of the utility system, and the bonds would not be general obligation bonds but revenue bonds, which are sold to supply the necessary funds and would be self-liquidating.

Councilman Nichols said that there would be opportunity to be heard when the bond issue is sent to the public to vote on to finance the plan. Mrs. Hicks wanted to hear Dr. McKetta make a presentation. Mayor Butler stated there would be a public hearing in July on the Capital Improvements Projects; and then in the fall there would be a bond election and after the election the Council would consider the participation, and final execution of the agreement by the Council by January 1, 1973.

After considerable discussion, roll call on Councilman Nichols' motion to adopt a resolution that the City Manager enter into the execution of the interim agreement provided for in the discussion at noon, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Mayor Butler,
Councilmen Dryden, Nichols

Noes: None

Not in Council Chamber when Roll was called: Councilman Friedman

NO ACTION - LOST CREEK UTILITY DISTRICT

Consideration of the approval of the Lost Creek Municipal Utility District was postponed at this time.

PRIVATE TREATMENT FACILITIES

The item concerning private treatment facilities for proposed subdivisions along Williamson and Walnut Creeks was not considered at this time at the request of Dr. Cole.

USE OF CITY-OWNED LAND FOR FIREWORKS DISPLAY

Councilman Nichols moved the Council grant the request of Mr. Leo Butler, Executive Director of Capital Plaza, to use City-owned land for a July 3rd fireworks display. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Friedman, Handcox

Noes: None

Not in Council Chamber when Roll was called: Councilman Lebermann

EXHIBITION DANCING

The Council considered certain types of exhibition dancing presently being presented in Austin. There were two ordinances being considered, one that pertains to the performers and one that covers those who serve food within an establishment. Police Chief Miles stated that he felt it was not as strict as he would like it to be. It would not cover nude dancing, but would be enforceable as to lewd dancing. He also felt that this kind of performance would bring undesirable elements to the City, primarily prostitution. City Attorney Don Butler stated the law as to lewd and lascivious dancing and that it would be up to the Court and jury to decide about a performance, and they would determine the penalty. The maximum fine would be \$200. Chief Miles said there would be no problems with this type of operation where a beer license exists because it is covered by the State liquor laws, but it may occur in non-licensed places where liquor is not served.

Councilman Friedman pointed out there was a case in Houston presently in Court. However, Chief Miles felt this was not similar. Mr. Robert Gause spoke, commenting that he felt that government and law have no business regulating public morality. Ms. Maude Lidel stated she felt there was a chance to put the City on the moral side of the balance.

Councilman Nichols asked if this was Chief Miles' recommendation. He was assured it was.

Mayor Butler then introduced the following ordinance:

AN ORDINANCE PROHIBITING LEWD AND LASCIVIOUS LIVE ACTS, DEMONSTRATIONS, DANCES, OR PERFORMANCES IN A PUBLIC PLACE, PLACE OPEN TO THE PUBLIC, OR PLACE OPEN TO PUBLIC VIEW; DEFINING CERTAIN TERMS; PRESCRIBING PENALTIES; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilman Lebermann

Noes: Councilman Friedman

Councilman Friedman accompanied his "no" vote, with the statement that he did not believe one could legislate morality.

Mayor Butler announced that the ordinance had been finally passed.

Mayor Butler then introduced the following ordinance:

AN ORDINANCE AMENDING ARTICLE VI OF CHAPTER 12 OF THE AUSTIN CITY CODE OF 1967, BY ADDING THERETO A NEW SECTION PERSCRIBING MINIMUM HEALTH AND SANITATION CLOTHING REQUIREMENTS FOR FOOD OR BEVERAGE HANDLERS AT ANY FOOD OR BEVERAGE ESTABLISHMENT, AS DEFINED THEREIN; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilman Lebermann

Noes: Councilman Friedman

Councilman Friedman accompanied his "no" vote, with the statement that he did not believe one could legislate morality.

Mayor Butler announced that the ordinance had been finally passed.

ITEMS - NO ACTION

There was no action taken on the following items in this meeting:

1. Report on Tax Re-evaluation System
2. Electric facilities in area of Town Lake
3. Tax Advisory Commission report.

RECREATION ACTIVITIES ANALYSIS

Mayor Pro Tem Love, noting the Council is receiving many requests from civic organizations for expanded lands for recreational activities, and that there are problems involved in locating suitable lands for such purpose, offered a resolution that the Council create a Citizens Task Committee of nine members and two ex-officio members, including eight citizens appointed by the Council, and one member from the Parks and Recreation Board with the Planning Director his designate and the Parks and Recreation Director or his designate, and the Parks and Recreation Director or his designate as ex-officio members. The resolution also directed that the Citizens Task Committee immediately undertake to prepare an analysis of all aspects of recreation in Austin in cooperation with the Parks Board and Staff to include athletics, golf, tennis, swimming, recreation centers, special activities such as the performing arts, museums and summer playground activities.

Also, the Resolution cited that emphasis of the analysis be placed on youth athletics such as organized baseball, football, basketball, soccer, whether operated by the City or other organizations, and that it deal with elements of land for facilities, service areas, elimination of duplication and city-wide coordination.

The Council, by adopting the resolution, authorized the City Manager to submit the names of consultants capable of assisting in the professional study of

youth athletic programs in Austin and that a contract with one of the consulting firms be authorized for the purpose of completing the study and analysis and that the City Manager be authorized to recommend a consultant to study other categories of the Austin Recreational Program in accordance with the schedule set by the Citizens Task Committee. The Resolution was signed by the Mayor and all the Council members.

Roll call on Mayor Pro Tem Love's motion to adopt the resolution, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilman Dryden

Noes: None

SENIOR CITIZENS - AUSTIN REASSURANCE SERVICE

Councilman Nichols brought a matter having to do with the Austin Reassurance Service, to be sponsored by the City of Austin and designed as a courtesy and convenience for Senior Citizens. Those men and women living alone often are unable to combine their wish for independence with the security of knowing that someone is looking after them. The telephone checking service will ensure that these senior citizens requesting it will receive regular telephone calls as a safeguard against neglect in sickness and accidents. If the senior citizen does not answer, the service will contact the Police Department to dispatch an officer to investigate immediately and verify that the citizen is safe and well. The citizens will advise the service when they will be away from home, or otherwise unable to receive the calls. This service may be the only means of discovering accidents, sickness, or emergencies requiring immediate help.

The Austin Chapter of Senior Citizens is serving as coordinator for the project and the City of Austin is providing the facilities at the Ullrich Water Treatment Plant, from which the service will operate. In addition to an office for this service, there is an auditorium for the use of the senior citizens in holding their meetings.

Councilman Nichols wanted to make this presentation in the form of a motion, with the Council joining with him in this project which will mean much to those who had given so much and received so little. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler

Noes: None

Councilman Nichols introduced those Senior Citizens present.

CITY ELECTRICAL BOARD

At 2:00 P. M., Mayor Butler opened the hearing regarding composition of the City Electrical Board.

Mr. George presented Mr. Weldon Lamb, Electrical Contractor, who stated they had requested a legal interpretation from the City Attorney's Office regarding the ordinance. He stated by joint efforts of open and closed shops electricians in Austin and the Electric Board worked out a good ordinance. When they asked for enforcement, consideration was given to changing the ordinance to

legalize the violation. Mr. Lamb stated the position became a tradition in the past that it would be hard to get an active journey man electrician to take off from work and serve in this capacity. Large groups of contractors got together and realized this had been a problem and have agreed to pay this journeyman electrician while he sits on the Electric Board. They felt a man familiar with every day problems in the construction field should be on the Board. There should not be a place on this board for a labor manager who represents organized labor because he is representing an organization that has to be licensed by this agency and it would be impossible for a man in this capacity to rule impartially on any issues that came up if there were a conflict between a non-union and union worker. He asked the Council to enforce the ordinance as it is. In answer to Councilman Nichols' question if the non-union man could represent both sides of the issue and that a union man could not, Mr. Lamb stated as far as the open shop side of the issue, there is a union contractor, and an open shop contractor on the Board, but there is the labor manager on the Board too, thus making the Board out of balance. Mr. Cain stated that Mr. Ladusch is a professional organizer in labor and does not represent the total industry in Austin, and does not represent the journeymen. They felt that the position should be held by an active journeyman electrician.

Councilman Dryden suggested leaving the ordinance as written.

Mr. Ladusch spoke in behalf of himself, and rebutted statements made, stating he is on construction projects daily and is where the problems are. In answer to Mayor Pro Tem Love's question, he stated his home is not in the City limits and when he found out this was in violation he moved to an apartment at 803 Columbus.

Mrs. Joe Atkison, partner in Atkison Electric stated they had been in business for about 26 years and had been a member of the IBEW Board. Whoever the Business Manager was on the City Electric Board, he had been impartial. She stated the Board is supposed to represent the home owner and if they were really interested in doing that, there are a lot of things they could to straighten things out.

Mr. W. K. Jennings, President of the W. K. Jennings Electric Company and a member of the City Electric Board, spoke and recommended that Mr. Ladusch be kept on the Board and any future business manager of IBEW or any other labor organization if there was a representative of a journeyman electrician in another labor organization, they should be given consideration, but as far as he knew the other organizations in this town do not have any representatives of all the journeyman electricians.

Mayor Butler asked Mr. Jennings about any problems that a member should be a resident of the City. Mr. Jennings stated he felt their activity should be in the City, and he did not think there should be someone from San Antonio.

Mayor Butler asked Mr. Lamb and Mr. Cain if their objection to Mr. Ladusch that he is actively in the trade business and they felt that he might have an undue advantage from being on the Board and that if the Council should appoint an independent contractor who represented the opposite view would that tend to alleviate the problem. He stated the truly fair thing is to enforce the ordinance the way it is written.

Councilman Nichols submitted a letter from the National Electrical Contractors Association which had many details why Mr. Ladusch should remain on the Board, and in part read as follows: "The members of the NECA listed below ask

that whatever action necessary to be taken to see that the position in question continues to be filled by this business manager of the Local Union 520." He read the list of members.

Mayor Butler introduced the ordinance in question.

AN ORDINANCE AMENDING SECTION 37-7 OF THE AUSTIN CITY CODE OF 1967, BY REVISING THE QUALIFICATIONS FOR MEMBERS OF THE ELECTRICAL BOARD; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Love stated he had a statement of policy. Mayor Pro Tem Love moved the amend the ordinance to remove the residential requirements and to add language to the ordinance allowing any journeyman as active in some phase of the electrical industry or activity related thereto; and to state as a matter of how there would be a policy by this Council that every effort will be made in the naming of the Electrical Board that will maintain a balance between the private sector, the business sector, the union, and non-union sector, he further moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love

Noes: None

The Mayor announced to the audience that the motion would permit Mr. Ladusch to remain a member of the Board; and also as a policy statement of the Council, that it would make every effort and would solicit from Mr. Lamb and Mr. Cain, the names of someone they would propose to represent the independent sectors, and give force in view of this same Board and then hopefully strike a fair and equitable balance. This action has no reference to the business manager of union - it merely removes the residence requirement and requires that the person be a licensed journeyman electrician.

The Mayor then announced that the ordinance had been finally passed.

INTERIM REPORT OF MEDICAL SERVICES AT THE CITY JAIL

City Manager Davidson reported the purpose of this report is to let the Council know what is under way, not necessarily what the final answer would be. The Chief of Police is meeting with Doctors, and Administrators in the Community. A copy of this report is being sent to Mr. Hurt and others who appeared at the Council.

Councilman Dryden had submitted some suggestions in which he wanted the City to follow through. He had cautioned the use of a Nurse as such, to conduct a sick call at the jail. This is being checked carefully to see what alternatives could be used.

City Manager Davidson stated this is an interim report, and at a later time there will be a complete report as to their recommendations.

ADJOURNMENT

The Council then adjourned.

APPROVED: _____

Ray Butler
Mayor

ATTEST: _____

City Clerk