

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 25, 1973

10:00 A.M.

COUNCIL CHAMBERS, CITY HALL

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

Roll Call:

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

Absent: Mayor Butler, Councilman Binder

The Invocation was delivered by REVEREND ARTHUR R. ANDERSON, Jail Chaplain.

APPROVAL OF MINUTES

Councilman Lebermann moved the Council approve the Minutes of the Regular Meeting of September 27, 1973. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

Absent: Mayor Butler, Councilman Binder

Out of Room at Roll Call: Councilman Handcox

MAGIC WEEK

Councilman Dryden asked the President of the local Brotherhood of Magicians to come forward, and he then read the Proclamation citing Magicians held Halloween in special significance and performed and entertained for charitable purposes on that date. On behalf of Mayor Butler, Councilman Dryden proclaimed the last week of October "MAGIC WEEK".

Mayor Pro Tem Love was presented a Magic wand and made an Honorary Magician with the rights to practice magic where he chooses.

UNICEF DAY

Councilman Friedman read the Proclamation that called attention to October 31st, Halloween, as a holiday especially for children, who each year trick or treat for UNICEF and the world's needy children. The United Nations Children's Fund is helping millions of children and mothers to better health in more than 100 countries by assisting governments in programs of disease control, nutrition, material and child welfare, education and welfare; and the coins collected by trick or treaters mean food and medicine for the sick and hungry. On behalf of Mayor Butler, Councilman Friedman announced that Wednesday, October 31, 1973, was proclaimed UNICEF DAY, and each citizen was urged to participate in trick or treat for UNICEF.

PROFESSIONAL MANAGER'S DAY

Mayor Pro Tem Love read a proclamation pointing out an increasing percentage of the citizens of Austin now residing in multi-family rental properties; that the apartment manager is recognized as a valuable citizen contributing to the image of the community; and that Councilman Lebermann on behalf of Mayor Butler, proclaimed October 30, 1973 as "PROFESSIONAL MANAGERS DAY."

ANNEXATION HEARING

Mayor Pro Tem Love opened the public hearing scheduled for 10:00 A.M. on the following annexation. No one appeared to participate. Councilman Friedman moved the Council close the hearing and direct the administration to institute annexation proceedings to annex the following:

Total of 81.03 acres of land out of the SANTIAGO DEL VALLE GRANT:

- a. 58.94 acres - FRANKLIN PARK. (requested by Jess Webb, an agent for John Selman, trustee)
- b. 8.82 acres - unplatted land. (initiated by the City of Austin)
- c. 13.27 acres - unplatted land. (initiated by the City of Austin)

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

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

Noes: None

Absent: Mayor Butler, Councilman Binder

Out of Room at Roll Call: Councilman Handcox

ORDINANCE - VACATING STREETS

Mayor Pro Tem Love introduced the following ordinance:

CITY OF AUSTIN, TEXAS

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

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

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

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

Mayor Pro Tem Love introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF TOWER VIEW COURT, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING EASEMENTS IN THE CITY FOR PUBLIC UTILITY AND WATER PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

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

LICENSE AGREEMENT

Councilman Friedman moved the Council adopt a resolution granting a license agreement for the following:

Proposed encroachment of a patio across a portion of a five (5.00) foot drainage and public utilities easement and into a portion of a ten (10.00) foot drainage easement across Lot 2-A, the Resub. of Lot 2, Block L, SOUTHRIDGE SEC. 3, and Lots 34, 35, and 36, SOUTHRIDGE SEC. 5. (requested by the owner, Scudder and Wadsworth, Inc.)

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

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

EASEMENTS RELEASED

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

A portion of that certain seven and one-half (7.50) foot public utilities easement along the southwest line of Lot 1, RESEARCH PLAZA. (requested by B.T. Webb, as agent for the owners, Tom Barnett and Ron Schultz)

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

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

Councilman Lebermann moved the Council adopt a resolution authorizing release of the following easements:

Ten (10) public utilities easements five (5.00) feet in width out of Lots 36, 38, 39, 44, and 45, ENFIELD "G":

- (1) The west five (5.00) feet of the north 145.00 feet of Lot 36.
- (2) The east five (5.00) feet of the north 145.00 feet of Lot 36.
- (3) The west five (5.00) feet of the north 145.00 feet of Lot 38.
- (4) The east five (5.00) feet of the north 145.00 feet of Lot 38.
- (5) The west five (5.00) feet of the north 145.00 feet of Lot 39.
- (6) The east five (5.00) feet of the north 95.00 feet of Lot 39.
- (7) The west five (5.00) feet of the north 95.00 feet of Lot 44.
- (8) The south five (5.00) feet of the east 114.52 feet of Lot 44.
- (9) The north five (5.00) feet of the east 114.52 feet of Lot 45.
- (10) The south five (5.00) feet of the east 129.96 feet of Lot 45.

(requested by Ronald S. Drive, Attorney for the owner,
Coupland Investment Company)

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

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

Councilman Lebermann moved the Council adopt a resolution authorizing release of the following easements:

Two (2) public utilities easements five (5.00) feet in width out of Lots 20 and 21, WOODWARD INDUSTRIAL DISTRICT;

- (1) The north five (5.00) feet of said Lot 20.
- (2) The south five (5.00) feet of said Lot 21.

(requested by the owner, Charles M. Goodnight)

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

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

Noes: None

Absent: Mayor Butler, Councilman Binder

PUBLIC HEARING SET

Councilman Handcox moved the Council adopt a resolution setting a public hearing at 7:00 P.M., November 8, 1973, to consider annexing the following:

Total of 208.63 acres of land:

- a. 6.87 acres of land out of the James Mitchell Survey - unplatted land. (requested by owner, Howard Haberman)
- b. 201.76 acres of land out of the James Mitchell Survey and the T.J. Chambers Grant - unplatted land and portions of SPICEWOOD SPRINGS ROAD, UPPER ROAD, and LOWER ROAD. (initiated by the City of Austin)

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

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

Noes: None

Absent: Mayor Butler, Councilman Binder

AFFILIATION AGREEMENT

Councilman Friedman moved the Council adopt a resolution approving an Affiliation Agreement between the City of Austin for Brackenridge Hospital, Department of Radiology and Concordia Lutheran College of Austin, Texas, to provide for educational instruction of eight students in Radiology Technology from Brackenridge Hospital. City expense is \$4,800 per annum. The motion, seconded by Councilman Dryden, carried by the following vote:

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

CASH SETTLEMENT

Councilman Handcox moved the Council adopt a resolution authorizing 60/40% cash settlement as follows:

MELTON & ASSOCIATES - for water mains in Northview Hills,
Phase III of Section 1. Cost of water mains is \$9,951.59.
City's cost @ 60% is \$5,000.00; Owner's cost @ 40% is
\$4,951.59 - with the understanding that all costs in excess
of \$5,000.00 or 60% would be absorbed by the developer.

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

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

LETTER OF RELEASE

Councilman Handcox moved the Council adopt a resolution authorizing the City Manager to execute Letter of Release agreements with the Federal Aviation Administration in connection with the sale of certain airport land for right-of-way for Interstate Highway 35. The motion, seconded by Councilman Friedman, carried by the following vote:

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

TENNIS STUDY

City Manager Davidson reported the tennis study has been completed by Mr. Osborne and his firm; and he asked if this item could be placed on a future agenda, so that it could be explained and so that the Council could have any questions answered. Mayor Pro Tem Love suggested placing this on the agenda for next week.

SELECTION OF SERVICES

Councilman Dryden moved the Council select BRYANT-CURINGTON, INC. as the Professional Services for the following Parks and Recreation Department Projects:

MODEL CITIES AREA & OTHER MISC. PARK IMPROVEMENTS

Model Cities:

Capital Improvements Program

Martin Jr. High Playground Improvements	Project No. 8648 3
Pan American Park (Road & Parking) Improvements	Project No. 8648 1
Zaragoza Park (Shelter House Renovation)	Project No. 8648 9

Others:

Bartholomew Park Improvements	Project No. 8644 2
Brentwood Playground Improvements	Project No. 8615 8

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

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

Noes: None

Absent: Mayor Butler, Councilman Binder

Councilman Handcox moved the Council select TRAVIS ASSOCIATES as the Professional Engineering Services in connection with the following 1974 Capital Improvements Project for the Parks and Recreation Department:

Floodwater Bypass Improvement - Barton Springs Pool at Zilker Park
Project No. 8615 3.

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

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

Noes: None

Absent: Councilman Binder, Mayor Butler

Councilman Dryden moved the Council select TRINITY ENGINEERING TESTING CORPORATION as the Engineering Testing Services in connection with the following Capital Improvements Program Project:

South First Street Bridges (3) at Williamson Creek
Project No. 6523 0.

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

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

Noes: None

Absent: Mayor Butler, Councilman Binder

GOVERNOR'S COMMITTEE ON AGING

Councilman Lebermann moved the Council adopt a resolution authorizing the City Manager to apply for and receive funds from the Governor's Committee on Aging to implement the second year operation of the Austin Telephone Reassurance Service. Total budget is \$15,142, of which \$9,084 (60%) are federal funds and \$6,058 (40%) are local cash and in-kind services. The program will be operated by PARD from January 1, 1974 through December 31, 1974. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

Absent: Mayor Butler, Councilman Binder

FUND CONTRACTS

Councilman Friedman moved the Council adopt a resolution authorizing the following Special Services fund contracts:

AGENCY	ALLOCATION	CONTRACT TERM
Austin Symphony Orchestra Society	\$11,500	November 1, 1973 - October 31, 1974
Middle Earth	\$ 5,500	October 1, 1973 - September 30, 1974
Zachary Scott Theater	\$18,000	October 1, 1973 - September 30, 1974

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

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

Noes: None

Absent: Mayor Butler, Councilman Binder

The authorizing of the following Special Service fund contract was postponed at this time:

People's Free Clinic	\$ 7,500	November 1, 1973 - October 31, 1974
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AMENDING CHAPTER 47 - DELAYED

The Council at this time delayed for one week amending Chapter 47, "Community Action," of the Code of the City of Austin, Texas redesignating the Department of Community Action and Model Cities as components of the Community Development

Office, establishing the Community Development Commission, and assigning various functions of Model Cities and Community Action of the Community Development Office.

REFUND CONTRACTS - 1ST READING

Mayor Pro Tem Love brought up the following ordinance for its first reading:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH RAYMOND E. MITCHELL, TRUSTEE, ROBERT L. OGDEN, AND ROBERT L. BALES; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Lebermann moved the ordinance be passed to its second reading. The motion, seconded by Councilman Dryden, carried by the following vote:

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

REFUND CONTRACTS - FINAL PASSAGE

Mayor Pro Tem Love brought up the following ordinance for its third reading:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH JAGGER PROPERTIES, INCORPORATED.

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

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

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

Mayor Pro Tem Love brought up the following ordinance for its third reading:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH NORWAL, INCORPORATED.

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

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

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

ZONING ORDINANCES

Mayor Pro Tem Love 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:

ALPINE HILLS, LOCALLY KNOWN AS 505 WEST ALPINE ROAD, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE 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 Friedman moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

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

Mayor Pro Tem Love introduced the following ordinance:

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

LOT 1, PIHLGREN SUBDIVISION, LOCALLY KNOWN AS THE 10,000 BLOCK OF NORTH LAMAR BOULEVARD, FROM "A" RESIDENCE 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 Friedman moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: None

Absent: Mayor Butler, Councilman Binder

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

Mayor Pro Tem Love introduced the following ordinance:

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

LOTS 1, 2, 3 AND 4, SOUTH CREEK CENTER, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT, SAVE AND EXCEPT, THREE (3) TRACTS OF LAND CONTAINING 0.357, 0.250 and AND 0.330 ACRES OF LAND WHICH ARE HEREBY CHANGED FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT, LOCALLY KNOWN AS 4715-5213 NORTH BLUFF DRIVE AND ALSO BOUNDED BY NUCKOLS CROSSING ROAD: 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 Friedman moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: None

Absent: Mayor Butler, Councilman Binder

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

TEXAS MUNICIPAL LEAGUE MEETING

Mayor Pro Tem Love pointed out that several members of the Council would be in San Antonio, along with the City Manager, for the Texas Municipal League meeting, from Sunday through Tuesday.

CONTRACTS

Councilman Dryden pointed out a bid from one of the firms that contained about 30 items on which this firm did not bid. City Manager Davidson stated this bidding could be attributed to the manner in which the advertisement for proposals read. There was no indication that the bidders had to bid on all items. However, it was provided that the City could retain the option of awarding all or part of the items to one or more firms. Both companies had provided supplies under similar contracts last year and both companies made deliveries satisfactorily. Since there was no announcement of change of rules that would require bidding on all items, it was on that basis that he recommended that the contract be awarded to the low bidder. Mayor Love concurred with Councilman Dryden's concern in that the recommended firm refused to bid on a number of items, and he wondered if they did not bid on certain low profit merchandise.

Councilman Handcox questioned a firm's not bidding unless it was bidding competitively. Councilman Dryden was greatly concerned about the delivery of items necessary for the Department, and he wanted assurance about their ability to deliver when needed. The City Manager stated they would insist on prompt delivery.

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

Athletic Equipment Supply Agreement:

- | | | | |
|-----|--------------------------|---|------------------|
| (1) | ROOSTER ANDREWS | - | \$12,832.10 |
| | SPORTING GOODS | | Bid Inv. #3-1726 |
| | 3901 Guadalupe Street | | |
| | Austin, Texas | | |
| (2) | OSHMANN'S SPORTING GOODS | | \$ 7,157.35 |
| | 5467 N. Interregional | | Bid Inv. #3-1726 |
| | Austin, Texas | | |

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

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

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

SEARS, ROEBUCK & COMPANY		Work Uniforms
1000 E. 41st Street	-	Supply Agreement
Austin, Texas		Street and Bridge Div.
		\$7,746.90
		Bid Inv. #3-1858

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

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

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

LARSON-PUGH, INC.
2415 Exposition
Austin, Texas

-
For construction of a reinforced concrete multiple box culvert (3-9'x5') in Golden Meadow Dr. at Little Walnut Creek (Brook Meadow Addition) - \$30,722.76 (Capital Improvements Program Project No. 6541 2)

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

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

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

H.B. ZACHRY CO.
P.O. Box 21130
San Antonio, Texas

-
Additional Fuel Oil, Piping, Plumbing, Unloading and Fire Protection Facilities at Holly Street Power Plant
\$940,770.00
(Capital Improvements Program Project No. 1061 1)

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

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

The following item pertaining to the emergency ambulance service contract was postponed at this time as requested by the City Manager:

Bids to be received
October 23, 1973

-
Emergency Ambulance Service Contract for a period of two (2) years with one (1) two (2) year option for extension subject to mutual agreement.
Bid Inv. #4-0010

CHANGE OF TIME AND PLACE FOR COUNCIL MEETINGS

City Manager Davidson stated the change of time and place had been scheduled for November 1st, but due to publicized hearings on zoning that date, he recommended that the change be effective on November 8th in order to accommodate the zoning hearings.

Mayor Pro Tem Love introduced the following ordinance:

AN ORDINANCE ESTABLISHING A SPECIFIC DAY AND TIME FOR THE MEETING OF THE AUSTIN CITY COUNCIL IN ACCORDANCE WITH THE PROVISIONS OF THE CITY CHARTER; PROVIDING THAT REGULAR MEETINGS OF THE CITY COUNCIL SHALL BE CONDUCTED IN THE CITY OF AUSTIN ELECTRIC AUDITORIUM, 301 WEST AVENUE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

Noes: None

Absent: Mayor Butler, Councilman Binder

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

SUPPORT POW/MIA, INC. OF AUSTIN

Mr. C.A. (Clay) Wilkins, President of Support POW/MIA, Inc., appeared before the Council to present information on the current situation and to present MIA bracelets, and to request participation in a Nation Wide symbolic "Flag Run".

In addition, the group wanted to secure a permit for a parade on November 15, 1973, along Congress Avenue from Town lake to the Capitol. Mr. Wilkins introduced Mrs. Irene Mason, whose husband is an Air Force pilot missing in action five and a half years. Also introduced was Mr. Ken Wallingford, a returned Prisoner of War.

Councilman Dryden moved the Council approve the parade permit for November 15. The motion, seconded by Councilman Friedman, carried by the following vote:

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

Noes: None

Absent: Mayor Butler, Councilman Binder

Mr. Wilkins presented information pertaining to some of the fellow Americans still unaccounted for. He said 53 of those men were known as prisoners, as they were photographed while being held in captivity; not yet returned. Fifty-seven (57)

of those men were known to be alive on the ground after they bailed out. Nothing has ever been said about these men by the Vietnamese. One of these men was from Austin. Sixty (60) were said to have died in captivity, yet the North Vietnamese have never returned their bodies and have not allowed anyone to search for their graves. One of those men was also from Austin. No positive or conclusive evidence has been provided by the other side on the 1,247 men.

Mr. Wilkins invited the Council members to be "flag bearers" in the parade November 15 and Mayor Butler is being extended a special invitation to lead that parade along with Mr. Wallingford. Mr. Wilkins presented bracelets with names of the men who are missing in action from the Austin area and it is hoped that each would wear these bracelets until there is a complete and final accounting for each one of these men. Councilman Friedman stated he worked with the USO in Austin and the USO is doing everything possible to support this program. He invited Mr. Wilkins and this group to call on the USO for anything they could do. Mr. Wallingford emphasized that the MIA issue is not dead, that there are people still over there and it is known where the largest camp is. It is a matter of getting the American people together to stand and voice their opinions like they did in 1969 to get the treatment of the prisoners of war improved and that should be done now. Mayor Pro Tem Love expressed appreciation to this group.

EXECUTIVE SESSION

Mayor Pro Tem Love announced the Council would have about a five minute Executive meeting in regards to a matter right after adjournment.

SELECTION OF SERVICES

Councilman Friedman moved the Council select SNOWDEN & MEYER as the Engineering Testing Services in connection with the following Public Works Projects:

- * a. 1973-74 Yearly Concrete Materials Testing Services for Subdivision Street Development and Voluntary Street Paving Projects.
- * b. 1973-74 Yearly Densities for Base Courses and/or Subgrades for Subdivision Street Development and Voluntary Street Paving Projects.
- * c. 1973-74 Yearly Bituminous Materials Testing Services for Subdivision Street Development and Voluntary Street Paving Projects.

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

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

Noes: None

Absent: Mayor Butler, Councilman Binder

*Additional information is being provided by the Construction Engineering Department, and possible reconsideration of the selection may be made.

Councilman Friedman moved the Council select TRINITY TESTING LABORATORIES as the Soils Investigation Services in connection with the following Public Works Project:

- * 1973-74 Yearly Soils Investigations for Subdivision Street Development and Voluntary Street Paving Projects.

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

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

Noes: None

Absent: Mayor Butler, Councilman Binder

ADJOURNMENT

The Council then adjourned.

APPROVED: 

Mayor

ATTEST: _____

City Clerk

* Additional information is being provided by the Construction Engineering Department, and possible reconsideration of the selection may be made.