

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 20, 1975
7:00 P.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor Friedman presiding.

Roll Call:

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

Absent: Councilmember Lebermann

The Invocation was delivered by RABBI FIRESTEIN, Temple Beth Israel.

RESOLUTION URGING GENERAL REVENUE SHARING

Mayor Friedman read a resolution signed by the Council urging that general revenue sharing be re-enacted by the first session of the 94th Congress so that these advanced dollar figures can be utilized for efficient, responsive planning of programs and budgets and can be incorporated into long term effective planning; and that a copy of the resolution would be immediately forwarded to Senators Bentsen and Tower and Congressman Pickle.

Mayor Friedman stated that this resolution was in conjunction with governmental agencies around the country including the County Commissioners of Travis County which passed a similar resolution.

RESOLUTION CONCERNING BOGGY CREEK

Councilmember Trevino read a resolution signed by the Council urging concerned citizens to attend the public hearing to be held November 25, when the Corps of Engineers would hear testimony from all residents at 7 p.m. in the Rosewood-Zaragosa Community Center. The Council was assured that this hearing would be the last opportunity to have this menace to health and safety eliminated from this community; that the Corps of Engineers must be assured that the benefits of the project would equal or exceed the cost.

Mr. Charles Graves, Director of Engineering, presented slides of the Boggy Creek area which would involve 2,000 acres and inundate 1,600 homes and 100 businesses. He commented that there were 27 miles of channel that fed the floodplain which included the principal channel of Boggy Creek. The meeting that was scheduled for November 25 would determine whether the Corps of Engineers should undertake a 3-year, approximately \$450,000 study of the Boggy Creek floodplain. Because of the nature of this floodplain and the present general inadequacy of the natural and man-made storm drainage systems, Mr. Graves noted that only a comprehensive study would yield reliable answers to the drainage problems in the area. The alterations to solve the problems would be very expensive, and the federal assistance available through the Corps of Engineers was a highly desirable goal for the City of Austin.

Councilmember Trevino complimented Mr. Graves and other department heads who were assembling information that would make the public hearing a success.

BOY SCOUT TROOP THREE WEEK

Mayor Firedman read and presented a proclamation to Mr. Jack Eddins, Scoutmaster of Boy Scout Troop Three, proclaiming the week of November 24-28, 1975, as "Boy Scout Troop Three Week" and encouraged all residents to join the Council in honoring the founders of Troop Three as well as members through the years and those of the future for their honorable service to the City.

One of the scouts thanked the Council for the interest they had shown in the scouting program; and extended an invitation to attend the 60th year Charter celebration and reunion at Northwest Hills United Methodist Church. He accepted the proclamation on behalf of Troop Three and the Northwest Hills United Methodist Church.

EMERGENCY MEDICAL SERVICES WEEK

Mayor Friedman read and presented a proclamation to Mr. Bill Lever, Director of Emergency Medical Services, proclaiming the week of November 23-29, 1975, as "Emergency Medical Services Week" and called on all residents to recognize the contributions of the men and women in this important profession.

Mr. Lever thanked the City on behalf of the EMS personnel for recognition of the services that this department has provided in the past and would provide in the future. In the next six weeks, he stated that there would be a massive public education program initiated to identify the new changeover of the service. Through the utility billing and eight of the banks in Austin, they have agreed to enclose an insert mailing to identify the new emergency telephone number effective January 1, 1976. He commented that there would be many other training programs to create a comprehensive Emergency Medical Service system, and hoped to provide the best for the City of Austin.

Mayor Friedman noted that he was anticipating tremendous things from the system and expressed his appreciation for the diligent effort in creating the organization.

APPROVAL OF MINUTES

Councilmember Linn moved that the Council approve the Minutes of November 13, 1975, as amended. The motion, seconded by Councilmember Hofmann, carried by the following vote:

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

APPEARANCE TO EXPRESS APPRECIATION

Dr. Gerald E. Mann, University Baptist Church, appeared before the Council to express his appreciation to the Council and Police Department for the prompt and efficient response given by the City to his request for aid in the Drag area to alleviate a problem that has been present for a number of years. Due to this prompt response of the City, the Drag area was once again a pleasant place to visit and worship. He also thanked the news media for reporting the information accurately.

ITEM CONCERNING ORBIS

Mr. dj Johnston, Sales Agent with Preferred Risk Insurance Companies, appeared before the Council to discuss ORBIS. He reviewed the origin of ORBIS by referring to the material he had distributed to the Council which stated that the device was a traffic speed control system that would relieve the patrolman from clocking speed and eliminate the need for giving chase. The system would operate unattended and allow the policeman to be available for more demanding law enforcement tasks. Mr. Johnston commented that ORBIS Three was primarily designed for speed control, but that the system could be utilized in several other roles. The system would compute the incoming vehicle speed and would compare the speed to posted limits; it photographs the vehicles which would be violating the speed limits and would provide a permanent record on film of the violation. Mr. Johnston noted that he obtained comments from the officer in charge of the ORBIS set-up in Arlington, Texas, and was informed that there were not any problems with the system. In comparing the cost of ORBIS Three with a one-man radar car, he commented that the initial cost for ORBIS would be \$8,140.00; the cost for a one-man radar car operated one year would be \$71,600.00 for 24-hour protection. He pointed out that a form letter signed by the Mayor of Arlington was distributed to the citizens of Arlington four weeks prior to the set-up of ORBIS informing them of the system. In consulting with Major Doyle in the Austin Police Department, Mr. Johnston stated that Major Doyle indicated that if there was a system that would release traffic officers to perform other duties and that would reduce cost and control traffic, then he would support the system. Therefore, Mr. Johnston requested that the City of Austin study ORBIS and consider the use of it in connection with various problem area streets in the City.

Mayor Friedman thanked Mr. Johnston for the presentation, and stated that Mr. Joe Ternus, Director of Urban Transportation, Deputy City Manager Homer Reed and the police officials would be interested in examining ORBIS to decide if it would be applicable to the Austin situation.

APPEARANCE CONCERNING ADMINISTRATION OF LAWS

Mr. Roland DeNoie appeared before the Council to discuss the proper administration of laws. Mr. DeNoie expressed his pleasure in working with the Drag Vendor campaign and with various members of the Council. During this campaign, he stated that his truck was towed away several times and that this was still being done. Also he felt that the Police Department was continually harassing him and he had received over \$500.00 worth of tickets in the last three years. He stated that he had been prosecuted for loading and unloading in a parking zone and when he was in court, it was pointed out that in the Uniform State Code of Traffic Laws there was an exception for loading and unloading merchandise. The Judge later informed Mr. DeNoie that the Austin Code reflected the same as the Uniform Code. After several unpleasant encounters with the Police Department concerning his loading and unloading of merchandise, he felt that he had developed a bad attitude. Mr. DeNoie felt that when someone was attempting to relate intelligently to a problem and articulate a particular point of view for certain people, that he should not be "branded" as having a bad attitude. Since the current Police Chief was retiring and a new Chief was being considered, Mr. DeNoie requested that Dr. John Warfield, Assistant Professor at the University of Texas, be asked to assist in the selection of a new Police Chief; and that there be some type of citizen input concerning the Police Department for Austin. He asked that the Council actively involve themselves in the selection of a new Police Chief and also in seeking a committee to aid in the selection as well as develop some type of feedback mechanism for the police.

Mayor Friedman requested the City Attorney to investigate the parking laws and assured Mr. DeNoie that the Council would be working very closely with one another and the City Manager's office concerning the selection of the new Police Chief.

REQUEST FOR A PARADE PERMIT

Councilmember Linn moved that the Council approve a request by Reverend Billy Spivey and Bishop D. Davis for the Church of Our Lord Jesus Christ for a parade permit on November 27, 1975, from 4:00 p.m. to 5:00 p.m., beginning at 4602 Santa Ana and Springdale Road to 12th Street, from 12th west to I.H. 35, south to 2200 Quality Inn. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

SELECTION OF CONSULTANT

Councilmember Himmelblau moved that the Council select the firm of ERNST & ERNST as a consultant to prepare a method of Medicare/Medicaid reimbursements for Brackenridge Hospital. The motion, seconded by Councilmember Hofmann, carried by the following vote:

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

ACCEPTANCE OF A GRANT

Councilmember Hofmann moved that the Council adopt a resolution accepting a grant of \$10,000 on behalf of the Brackenridge Hospital School of Nursing from the Department of Health, Education and Welfare, for the support of students requiring basic educational opportunity grants. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

APPROVING DISPOSITION OF PARCELS

Councilmember Linn moved that the Council adopt a resolution approving disposition of Parcel Nos. I-42, I-41, I-40, I-31 and I-5 to Huston-Tillotson College, Blackshear Project Area, Tex A-11-2. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

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

RELEASE OF EASEMENTS

In conjunction with the following easements, Mayor Friedman asked if any notification was given to the adjacent property owners. Mr. Homer Reed, Deputy City Manager, stated that the ones recommended for release do not have utilities, therefore, there would not be any adverse effect on adjacent property. Mayor Friedman felt that there were occasions when drainage easements have been released and people have stated concern because of construction that possibly would occur.

Mr. Robert Beckham, Assistant Director of Public Works, commented that notices were not sent out since it usually effects only the property that was being released.

Mayor Friedman requested that the administration develop some type of notification similar to the zoning cases, that would be distributed within 200 feet of the proposed easement release to clarify any questions. Mr. Reed stated he would bring a proposal to the Council concerning this request.

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

A strip of land six (6.00) feet in width containing 1,037 square feet of land, in Lot 1, L and H Addition. (Requested by Billy F. Priest, Registered Public Surveyor, as agent for owner, Nelson Building Corporation)

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

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

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

A portion of the Drainage Easement that was provided in Lot 13, Block E, North Oaks Hillside, Section 3, a subdivision in Travis County, Texas, of record in Book 65, at Page 16. (Requested by W. Harvey Smith, Registered Public Surveyor, representing Conann Constructors, owners)

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

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

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

A portion of Public Utilities Easement, being all of the Public Utilities Easement ten (10.00) feet in width, at the rear of Lot 6, Block N, Allandale Park, Section 5, save and except the east 19.00 feet. (Requested by Jerrol J. Ray and wife, Betty Ruth Ray, owners)

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

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

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

The Public Utilities Easement that covers all of the North 139.40 feet of the west five (5.00) feet of Lot B and all of the north 139.47 feet of the east five (5.00) feet of Lot A, Resubdivision of Lot 2A of Southridge Sections 3 and 5. (Requested by William J. Scudder, representing S & W Design, owner)

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

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

CONTRACTS AWARDED

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

MAINTENANCE ENGINEERING CORPORATION 3711 Clinton Drive	- Cation and Anion Exchange Resins used in the demineralizer at Holly Power Plant, Electric Utility Department - \$17,298.40
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The motion, seconded by Councilmember Trevino, carried by the following vote:

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

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

LIBRARY BINDING COMPANY 2900 Franklin Avenue Waco, Texas	- Rebinding new paperback books, Austin Public Library Twelve Month Supply Agreement Item 1 - \$18,000.00
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The motion, seconded by Councilmember Trevino, carried by the following vote:

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

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

CITICORP LEASING, INC. 1341 West Mockingbird Lane Dallas, Texas	- 36-month lease of a Multi-Channel Magnetic Recorder manufactured by Sangamo Electric Company of Springfield, Illinois - \$1,007.08/month
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The motion, seconded by Councilmember Trevino, carried by the following vote:

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

GRANT APPLICATION TO HEW

The Council had before it the grant application to the Department of Health, Education and Welfare for \$16,000 for a Pioneer Farm Program operated by the Parks and Recreation Department.

Councilmember Hofmann asked the extent of participation by the schools for the expense, and Mrs. Dorothy McLean, Superintendent of Special Activities of the Parks and Recreation Department, commented that the project would enable them to have school children overnight at the Pioneer Farm. The project was for personnel to assist in some of the programs since the current budget does not provide money for the number of people needed.

Councilmember Hofmann felt that it was a beautiful project and was concerned if the school participated in the cost of the personnel.

Mrs. McLean noted that it had been considered to ask the schools to submit the grant, but felt that it needed to be controlled by the Parks and Recreation Department. She commented that the staff and operation of the program would be carried out by the Parks and Recreation Department. Extra funds would be provided by the Natural Science Association Guild.

In response to Councilmember Linn's question of the origin of children for the program, Mrs. McLean pointed out that children participating in the program would be from all parts of Austin. This grant would be for organized groups and would show that a living historical farm could indeed teach the basic things of life.

Councilmember Linn moved that the Council adopt a resolution authorizing a grant application to the Department of Health, Education and Welfare for \$16,000 for a Pioneer Farm Program operated by the Parks and Recreation Department. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

CRIMINAL JUSTICE DIVISION GRANT APPLICATION

Councilmember Trevino moved that the Council adopt a resolution authorizing a Criminal Justice Division grant application for the project entitled "Capital Area Planning Council Law Enforcement Radio Voice Communication System - Supplement" for the Austin Police Department in the amount of \$28,020.75. (Program period February 1, 1976, through January 31, 1977 - 25% local match of \$9,340.25 required, total project cost \$37,361.00) The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Deputy City Manager Homer Reed pointed out that the above was a continuation of the program the City was involved in with the Capital Area Planning Council to obtain common radio bands and equipment.

EMINENT DOMAIN PROCEEDINGS

Councilmember Linn moved that the Council adopt a resolution authorizing eminent domain proceedings to acquire a sanitary sewer easement in, upon and across a portion of a 4.932 acre tract of land out of the William Cannon League. (Boggy Creek) (Hazel S. Wiginton, owner). The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

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

EXTENSION OF A BOAT DOCK

The Council had before it for possible authorization the approval of an application by Mr. Lawrence Tate to extend existing boat dock an additional six feet into Lake Austin. Mayor Friedman asked the location of the proposed dock and Mr. Lonnie Davis, Director of Building Inspection Department, stated it was located across the lake from Bull Creek and down stream approximately one quarter mile. The address was 1756 Channel Road. He noted that it was recommended by the Navigation Board and had been reviewed by the Engineering Department and Environmental Resources. In referring to the drawing that was displayed showing the dock, Mr. Davis commented that adjacent boat docks already projected out the same distance as the proposed dock.

In response to Councilmember Linn's question concerning the Navigation Board's discussion of the request, Mr. Davis stated they felt that at some point a private boat dock should cease and 38 feet would be far enough out; however, this application was based on the fact that there were already two existing docks on 40-foot lots. With the present location of the dock, Mr. Davis noted that members of the applicant's family could not dive safely since the water was too shallow.

Councilmember Himmelblau moved that the Council adopt a resolution approving an application by Mr. Lawrence Tate to extend the existing boat dock an additional six feet into Lake Austin. The motion, seconded by Councilmember Hofmann, carried by the following vote:

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

ACCEPTANCE OF MINUTE ORDER NUMBER

The Council had before it the possible acceptance of the State Department of Highways and Public Transportation Minute Order Number 70561 providing for improvements to North Lamar from North Bend Drive to the City limits. Deputy City Manager Homer Reed noted that the project would begin just north of Peyton Gin Road and extend to the City limits which would be beyond Rundberg Lane.

Mr. Joe Ternus, Director of Urban Transportation, commented that the project would extend north to North Bend Drive which was considerably north of the City limits and our obligations in accepting the Minute Order would be only to the City limits at Rundberg Lane. He stressed that the City only accepts responsibility for areas located within the City.

In response to Councilmember Linn's question concerning acceptance of the Minute Order, Mr. Ternus stated that the City would be accepting the project and the State Department of Highways and Public Transportation would then prepare plans and specifications; then the City would be presented with a specific agreement that would outline financial costs. After the Council's approval of that agreement, then a contract would be let.

Mr. Homer Reed pointed out that the City would assess against adjacent property owners for curb and gutter.

Councilmember Hofmann expressed concern that when the project was finished, it would be located within the City. Mr. Ternus indicated that the project should be let for construction in April and Mr. Reed stated that the County should assume the responsibility for areas outside the City limits.

Councilmember Linn requested that when this type of acceptance was being considered, that she be furnished with a map to view the situation. Mr. Ternus commented that this would be done.

Councilmember Trevino moved that the Council adopt a resolution accepting the State Department of Highways and Public Transportation Minute Order Number 70561 providing for improvements to North Lamar from North Bend Drive to the City limits. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

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

APPROVAL OF 1975/76 ANNUAL PROGRAM FOR SECTION 5 CAPITAL AND
OPERATING ASSISTANCE

Councilmember Linn moved that the Council adopt a resolution authorizing approval of the 1975/76 Annual Program for Section 5 Capital and Operating Assistance for submission to the Urban Mass Transportation Administration - Department of Transportation. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

HEARING SET TO CONSIDER APPLICATIONS FOR SUBMISSION TO
MASS TRANSPORTATION ADMINISTRATION

Councilmember Linn moved that the Council set a public hearing on December 31, 1975, at 10:30 a.m. to consider applications for submission to Mass Transportation Administration - Department of Transportation.

1. Section 5 applications: This includes a 50% Federal grant of \$97,000 for operating assistance and an 80% Federal grant of \$632,469; a 13% State grant of \$102,776 and a local match of \$55,341 for capital assistance.
2. Section 3 application: This includes a Federal grant of \$967,680; a State grant of \$157,248 and a local match of \$84,672.

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

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

Mr. Homer Reed pointed out that this application would be the start of implementation of the CIP for the transit system for this fiscal year which would include the additional buses that were added to the CIP.

HEARING SET TO CONSIDER AMENDING SECTION 45-14(d) OF CITY
ZONING ORDINANCE

Councilmember Linn moved that the Council set a public hearing on December 11, 1975, at 10:30 a.m. to consider amending Section 45-14(d) of the City of Austin Zoning Ordinance. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

HEARING SET TO CONSIDER 1976-77 HOUSING AND COMMUNITY
DEVELOPMENT PROGRAM AND APPLICATION

Councilmember Linn moved that the Council set a public hearing for December 11, 1975, at 7:00 p.m. to give the citizens of Austin an opportunity to express their views on the needs and priorities to be addressed in the 1976-77 Housing and Community Development Program and Application. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Mr. Homer Reed stated that this public hearing would be the initial of two public hearings that would be held in addition to numerous neighborhood hearings which were already being conducted. He felt that the hearing before the Council was the important hearing and that maximum opportunity should be given to the public to express their views; and this was the reason for the designated time of 7:00 p.m. In response to Councilmember Himmelblau's question concerning the reason for not setting the hearing for the regularly scheduled night Council meeting, Mr. Dick Lillie, Director of Planning, noted that there was a time problem due to the holiday period.

INTERAGENCY COOPERATION AGREEMENT WITH THE
UNIVERSITY OF TEXAS

Councilmember Linn moved that the Council adopt a resolution authorizing the execution of an Interagency Cooperation Agreement with the University of Texas at Austin, Bureau of Economic Geology for services to complete mapping of a project entitled "Environmental Geology of the Austin Area, Texas." The motion, seconded by Councilmember Trevino, carried by the following vote:

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

EXECUTING OF AN AMENDATORY AGREEMENT

Councilmember Linn moved that the Council adopt a resolution authorizing the Lower Colorado River Authority to execute an amendatory agreement to the Shackelford County Gas Contract dated June 26, 1974, between the Lower Colorado River Authority and Delhi Gas Pipeline Corporation. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

EXECUTION OF A DEED

Councilmember Trevino moved that the Council adopt a resolution authorizing execution of a deed to convey property jointly owned by the Lower Colorado River Authority and the City of Austin in Fayette County to the State of Texas for the relocation of the State Highway 71. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

RESCHEDULE OF COUNCIL MEETING DATES

Mayor Friedman introduced the following ordinance:

AN ORDINANCE CANCELING THE REGULARLY SCHEDULED COUNCIL MEETINGS FOR NOVEMBER 27TH AND DECEMBER 25TH DUE TO SUCH DATES BEING HOLIDAYS; PROVIDING THAT THE REGULAR COUNCIL MEETING OF JANUARY 1ST, 1976, SHALL BE RESCHEDULED FOR DECEMBER 31ST, 1975, AT 10:00 A.M.; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

WITHDRAWAL OF AN ITEM

Mr. Homer Reed stated that the following item had been withdrawn:

Authorizing transfer of funds from the Vehicle and Equipment Services fund to the Capital Improvements Program for construction of the Radio Communication Repair Shop Addition.

751120-A

E.2. Vendors

caption + vote goes here

REAPPORTIONMENT OF VENDING SPACES

The Council had before it for consideration the passage of an ordinance to reapportion vending spaces in Peoples Renaissance Market Area for the 1975 Christmas Season. Mr. Homer Reed commented that this would be in accordance with the formula that was established by the Council when the item was discussed previously.

Mr. Pieter Sybesma, Administrative Assistant, informed the Council that the Committee on Drag Vending had completed their fifth meeting in four weeks to classify vendors into the Artist-Craftsmen and Non-Artist-Craftsmen classifications. There were now 138 vendors as Artist-Craftsmen and 98 vendors as Non-Artist-Craftsmen, and the committee recommended the reapportionment of spaces as designated on the material presented to the Council.

Mr. David Whitehill appeared before the Council concerning the reapportioning of spaces and requested that the Council vote to give the committee the ability to change the apportionment as needed. He felt that numerous licenses were duplicates held by some importers that have three or four spaces; therefore, since the committee meets on Wednesday, they could make any necessary changes for the drawing and not cause the Artist-Craftsmen a loss due to waiting for the Council to change the ordinance.

Mr. Sybesma commented that this would not cause any problems and that the basis used for recommendation was through the requests for special licenses.

Mayor Friedman noted that the ordinance could be amended to allow the committee to balance apportionment of the spaces without bringing it to the Council and it should be implemented based on the permit request. Mr. Sybesma noted that this could be initiated at the next drawing.

Mayor Friedman introduced the following ordinance:

751120-A
Vendors,
E.2.

Councilmember Linn moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance, authorizing the Committee on Drag Vending to make the apportionment distribution and approved the schematic presented in the Agenda. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE

Mayor Friedman introduced the following ordinance:

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

A 0.207 ACRE TRACT OF LAND, LOCATED AT THE NORTHWEST CORNER OF WILLIAM CANNON DRIVE AND EMERALD FOREST DRIVE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, 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. (Edward R. Rathgeber, Jr., Dr. Ed Petrus and Jessie B. Anderson, C14-75-098)

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

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

The Mayor announced that the ordinance had been finally passed.

STATUS REPORT CONCERNING ELECTRIC RATES

Ms. Pam Giblin, Chairperson of the Mayor's Commission on Electric Rates, appeared before the Council to present a report. She pointed out that the Commission was established by the Mayor in July, 1975, to review Austin's electric utility rates and to suggest whatever revisions might be appropriate to make the rate more equitable. Ms. Giblin commended the Mayor and the Council for their sincere interest and concern over the problem of rising

utility rates. This Commission, composed of ordinary citizens from diversified backgrounds, reflects the Mayor's pledge to represent all segments of the Austin community. The establishment of work of this Commission would be a significant part of the Mayor's fulfillment of his commitment to the citizens to investigate the utility problem as quickly as possible. In the past four months, she noted that the Commission had conducted comprehensive briefings concerning electric utility rates and pointed out that the Council had copies of the material that was compiled. Also Ms. Giblin stated that copies of the material that the Commission had been reviewing were available in the public library for citizen inspection. She expressed appreciation for the cooperation that had been received from the City Manager's office, the City Attorney's office and the Electric Utility Department. In order to solicit additional suggestions and ideas from all citizens, Ms. Giblin stated that another public hearing would be conducted on December 16, 1975; and she encouraged everyone to attend. Her appearance before the Council was to urge the Council to avail themselves of the Commission and requested that when a decision concerning electric utility rates does not have to be made within certain time requirements that it be deferred until the work of the Commission has been completed. Hopefully, a recommendation would be available by the end of February, 1976. If a decision concerning utility rates cannot be deferred by the Council, she requested that the Commission be given the opportunity to address the Council concerning the proposed action.

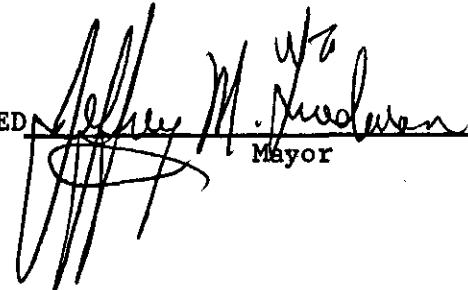
Mayor Friedman thanked Ms. Giblin and the Commission and felt it was a Commission for all of Austin; and encouraged everyone to attend the public hearing and present ideas to aid the Commission in getting recommendations to the Council so it may act to solve this major problem.

Ms. Giblin thanked the Council for their support and stated that the Commission would be available to answer any questions the Council might have for the study.

ADJOURNMENT

The Council adjourned at 8:30 p.m.

APPROVED



Mayor

ATTEST:



City Clerk