

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 25, 1975  
10:00 A.M.

Council Chambers  
301 West Second Street

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The meeting was called to order with Mayor Friedman presiding.

Roll Call:

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

Absent: None

The Invocation was delivered by REVEREND BOB J. TEDDLIE, Northwest Baptist Church.

CAPITAL EYE MONTH

Mayor Friedman read and then presented a proclamation to Mr. Winston Bode, Executive Director of Public Information Corporation, proclaiming the month of October, 1975, as "Capital Eye Month," and encouraged all residents to join the Council in recognizing this institution and its many contributions.

Mr. Bode thanked the Council for the proclamation and invited them to view Channel 9 this week. He noted that the president, Mr. Frank Maloney was unable to be present but did send his thanks for the honor. Dr. John Stockton, former president of the bureau, was recognized at this time.

ANNUAL FIRE PREVENTION WEEK

Mayor Friedman read and then presented a proclamation to Mr. Jim Colbert proclaiming the week of October 5-11, 1975, as "Annual Fire Prevention Week" and invited all residents to join the Council in making our City and homes safer through the elimination of fire hazards.

Mr. Jim Colbert, President of the Fire Safety Board, thanked the Council for the proclamation and stated that through the recognition of Fire Prevention Week by the Fire Safety Board and the Council, the loss to property and lives can be reduced.

#### RECOGNITION

Mayor took this opportunity to recognize Mrs. Walter Webb, a member of the Board of Trustees at Capital Eye.

#### PRESENTATION

Mr. George R. Brooking, Executive Director, and Mr. Bill Petri, Chairman of the Austin Housing Authority, appeared before the Council to present a check in lieu of taxes. Mr. Petri noted that this year the check is 25% less than last year due to the increased utility rate. The amount of the check was \$34,000. Mayor Friedman stated that the agency was not operated by the City, but it was a separate agency that does a tremendous amount of good work for the citizens of the community. Mr. Petri noted the growth that has been completed in the past year, and thanked the Council for the occasion to appear before them.

At this time, Councilmember Trevino commented that Councilmember Lebermann's mother recently suffered a potentially serious eye disorder and is undergoing tests to determine the extent of the problem. On behalf of the Council, Councilmember Trevino extended sincere wishes that the results of the tests would indicate no major damage and that she recover very quickly.

#### APPROVAL OF MINUTES

Mayor Pro Tem Snell moved that the Council approve the Minutes of September 18, 1975. The motion, seconded by Councilmember Linn, carried by the following vote:

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

Noes: None

#### PERMISSION TO HANG BANNER

Councilmember Lebermann moved that the Council approve a request by Major Burch Biggerstaff, Director General, Ben Hur Shrine Circus for permission for two banners to be hung at 4300 Manchaca Road and 3100 Dr. Martin Luther King, Jr., Boulevard, October 18, 1975 through October 31, 1975. The motion, seconded by Councilmember Hofmann, carried by the following vote:

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

Noes: None

## PERMISSION TO USE POLLING PLACES

Mayor Pro Tem Snell moved that the Council approve a request by Mrs. Doris Shropshire, Travis County Clerk, requesting permission to use the following City facilities as polling places for the November 4, 1975, Constitutional Amendments Special Election:

1. Doris Miller Auditorium
2. City of Austin Communications Building
3. City of Austin Fire Station
4. Pan American Center
5. Austin Recreation Center

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

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

Mayor Pro Tem Snell stated that the City of Austin Fire Station was listed as being located at 506 West 19th Street. He felt that it should be corrected to read Martin Luther King Jr. Boulevard, since it is no longer West 19th Street.

## APPEARANCE CONCERNING EMPLOYEE RELATIONS

Mr. Charles S. Caldwell, Legislative Representative of A.F.S.C.M.E., appeared before the Council to discuss an aspect of employee relations. He reviewed a report concerning a member of the union and felt that the report highlighted their deep concern over personnel policies generally; and the need for updated grievance procedures, specifically. Mr. Caldwell commented that he hoped the personnel policy revision would be accompanied by considerable input from whichever employee organization that was designated by City employees October 17, 1975.

## APPEARANCE CONCERNING PERSONNEL AND BUDGET

Mr. Paul G. Gray, Vice President of Communications Workers of America, appeared before the Council to reiterate the program that was presented to the Council last week. He did feel that the 7% pay increase should be applied in a flat dollar amount of increase across-the-board for the City employees of Austin. Mr. Gray concluded by stating that if CWA was the union chosen by the majority of the City employees, they would be seeking audience with appropriate administrative heads of the City to find additional funds to be applied at a later date on an emergency pay increase in accordance with the City Charter.

## APPROVAL OF CHANGE ORDER

Councilmember Lebermann moved that the Council adopt a resolution approving Change Order No. 5 in the amount of \$15,093.75 to Joe Badgett Construction Company in connection with the contract for construction of the Kramer Lane Service Yard. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

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

Councilmember Lebermann moved that the Council adopt a resolution approving Change Order No. 8 in the amount of \$44,261.68 to B. L. McGee Construction Company in connection with the contract for Phase 2A Development Brackenridge Hospital. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

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

## CONTRACTS AWARDED

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

AUSTIN ENGINEERING COMPANY 6304 Bee Caves Road Austin, Texas	- Installation of water and wastewater mains along IH 35 from Reinli Street to U.S. 183 - \$68,404.00
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The motion, seconded by Councilmember Trevino, carried by the following vote:

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

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

MAINTENANCE ENGINEERING CORPORATION 3711 Clinton Drive Houston, Texas	- Professional Consulting Engineering Services, all power plants, Electric Utility Department. Three-year contract - \$9,500.00 annually
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The motion, seconded by Councilmember Trevino, carried by the following vote:

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

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

SOUTHWESTERN HYDRAULICS, INC.  
812 South 2nd Street  
Mansfield, Texas

- Overhaul Two Aerial Towers and Bodies.  
Vehicle & Equipment Services Department.  
Item 1; 2 ea. @ \$14,564.50  
Total - \$29,129.00

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

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

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

JOE SYRING CONSTRUCTION  
COMPANY, INC.  
P. O. Box 3491  
Austin, Texas

- Improvements to Rosewood-Zaragosa  
Community Center, Community Develop-  
ment Department - \$20,800.00

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

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

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

JACK A. MILLER, INC.  
P. O. Box 9776  
Austin, Texas

- Construction of a reinforced concrete  
two barrel 7 foot by 5 foot box culvert  
in Crossing Place, The Crossing, Phase  
I - Developer's cost \$16,783.59;  
City's cost \$2,276.06.-  
Total - \$19,149.60

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

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

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

ACCO, BRISTOL DIVISION  
7701 Parnell Street  
Houston, Texas

- Telemetering Equipment, Water Distri-  
bution Division. Items 1-10 -  
\$7,610.50

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

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

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

SEARS ROEBUCK & COMPANY	- Work Uniforms, Street & Bridge, Public
Commercial Sales	Works Department.
2139 Anderson Lane	Items 1 through 3 - \$8,199.22
Austin, Texas	

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

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

Mayor Pro Tem Snell commented he thought that Sears, Roebuck was not the lowest bidder. In response, Mr. Homer Reed, Deputy City Manager, stated there was one bidder, "The Whale" that submitted a bid and stated a 4% discount if paid within 4 days. Payment within 4 days would require special handling and the department was not set up to handle processing in less than 10 days. There could be an exception if the amount to be gained by the City was justifiable for the special cost of the processing. Another important factor involved was the fact that the recommendation should be the lowest and best bid submitted. Mr. Reed felt that the bid should go to Sears Roebuck & Company.

In response to Councilmember Linn's question, Mr. Solon Bennett, Director of Purchasing, commented that Sears did not submit a sample, but did submit detailed specifications on the materials with their bid. The bid instructions do not say the bidder must furnish samples. The delay in receiving the sample was due to a change in color that Sears did not have available. It is common to have a provision in the bid instructions which would allow the City to waive any informalities or minor irregularities of this type. The integrity of the bidding process must be maintained and Mr. Bennett felt that this was done in this case.

Mr. Silverstine referred to a copy of the contract that is sent out to the bidders and noted that the contract stated that samples would be furnished with quotations. He felt if you were going to bid on a contract to be furnished with quotations, you must furnish a sample. Mr. Silverstine did not feel he met all the specifications needed to be awarded the contract.

In response to Mayor Friedman's question, Mr. Bennett stated that he was concerned with the integrity of the process being maintained. Another provision in the bid invitation which is considered is what the lowest cost to the City will be as well as an evaluation of the material. He pointed out that the specifications are minimum requirements, and in this particular case he felt that the shirt from Sears would wear longer and provide the lowest total cost to the City.

## APPEARANCE CONCERNING LATER DRINKING HOURS

Mr. Pat Marcum appeared before the Council to discuss statistics concerning later drinking hours. He referred to a study that was conducted last May of this year that indicated over a period of time, while Austin had the later drinking hours, that there was a decrease in Driving While Intoxicated. This study was done when only 50 bars were open on a full-time basis for a period of 35 days, with the 50 bars being out of a total of 450 bars in the city of Austin. Mr. Marcum felt the study was very incomplete and asked the Council to recognize other facts involved in the survey.

Councilmember Linn pointed out that the study done was performed by the Police Department and she felt there was no intention of not making the statistics clear. The study was not ordered by Councilmember Linn, but she asked that some statistics be gathered for her.

Mayor Friedman stated that studies have been done that show there is not the problem that Mr. Marcum feels there is in connection with the 2:00 a.m. closing. The statistics presented in the study are valid to the point of what occurred during the time period the 2:00 a.m. closing was in existence. It was an official study of the city because it was based by the Police Department on statistics they keep that are accepted state-wide. Mr. Marcum felt the report from the Police Department was not complete since all the facts were not considered.

## AUTHORIZATION TO ENTER INTO A CONTRACT

Councilmember Linn moved that the Council adopt a resolution authorizing a contract with the State Department of Public Welfare to provide medical transportation services to Department of Public Welfare Clients. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

## AUTHORIZATION OF LAND FOR IMPROVEMENT

Councilmember Linn moved that the Council adopt a resolution authorizing certain land for improvement of West 10th Street from West Avenue to Lamar Boulevard:

383 square feet of land out of Lots 7 and 8, Block 8,  
subdivision of Outlot 5, Division "Z". (Vernadine K. Parks)

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

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

Councilmember Linn noted this was in accordance with the neighborhood plan.

## ITEM CONCERNING SUBSTANDARD STRUCTURES

The Council had before it consideration of the recommendations from the Building Standards Commission that the Law Department take proper legal disposition of the following substandard structures which have not been repaired or demolished within the required time:

- |                           |                                  |
|---------------------------|----------------------------------|
| 1. 2109 Chicon Street     | Alvester Freeman, owner          |
| 2. 905 Ethel Street       | Douglas S. Fortune, owner        |
| 3. 903 Tillery Street     | John Robert Evans, et al, owner  |
| 4. 5610 Jeff Davis Avenue | Rudolph Dittman, Sr., owner      |
| 5. 5207 Prock Lane        | Neil Caldwell, owner             |
| 6. 3704 Werner            | Carmen Vasquez, owner            |
| 7. 1176 Pandora           | Mr. & Mrs. William Miller, owner |
| 8. 2001 Garden Street     | Gussie Gay Solomon, owner        |

It was noted that Ms Vasquez had submitted a request for an extension.

Councilmember Lebermann moved that the Council postpone consideration of the following:

3704 Werner	Carmen Vasquez, owner
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and accepted the recommendation of the Building Standards Commission that the Law Department take proper legal disposition of the remainder of the above substandard structures which have not been repaired or demolished within the required time. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

## ITEM CONCERNING ONE-WAY STREETS

The Council had before it for possible authorization the following one-way streets:

DELETING

<u>ON</u>	<u>FROM</u>	<u>TO</u>	<u>DIRECTION</u>
Campbell Street	West 5th Street	West 6th Street	Southbound



ADDING

<u>ON</u>	<u>FROM</u>	<u>TO</u>	<u>DIRECTION</u>
Winsted Lane	Windsor Road	West 7th Street	Southbound
Atlanta Street	West 7th Street	Lake Austin Blvd.	Southbound
Patterson Street	West 6th Street	West 5th Street	Southbound
Theresa Avenue	West 6th Street	West 8th Street	Northbound
Newfield Lane	300' south of West 10th Street	Niles Road	Northbound
Campbell Street	West 5th Street	West 6th Street	Northbound
Oakmont Boulevard	Westover Road	Mohle Drive	Northbound

Mayor Friedman noted that the streets were in conjunction with the anticipation of the MoPac opening.

Mr. Joe Ternus, Director, Urban Transportation, stated that the streets had not been discussed in the neighborhood. The procedure is that once the Council has approved the resolutions, the property owners would be notified prior to the installation of any signs. Mayor Friedman felt that before any action should be taken, the property owners involved should be contacted ahead of time.

Mr. Bob Jones appeared before the Council to complain about a meeting he had with the assistant of the Urban Transportation Department. At this time, Mr. Jones was informed that before any action was taken, there would be the opportunity for citizen input. Therefore, he did ask that this be postponed until there could be more input into this matter.

Councilmember Linn moved that the Council postpone for one week the authorization of the aforementioned one-way streets. The motion, seconded by Councilmember Lebermann, carried by the following vote:

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

## ITEM TO APPROVE 1975 TAX ROLLS

Councilmember Lebermann moved that the Council adopt a resolution approving the 1975 Tax Rolls as certified by the Board of Equalization in the amount of \$1,991,722,860. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Mayor Friedman commented that Chairperson Patricia Cain and members Ruben Ruiz and Robert Wormley had done a tremendous job for the community, and the Council is looking forward to working with them in the future. On behalf of the Council, Mayor Friedman thanked the Board of Equalization for the very fine and prompt job.

HEARING SET ON AMBULANCE TRANSFER SERVICE  
FRANCHISE APPLICATION

Councilmember Linn moved that the Council set a public hearing for 11:00 a.m. on October 9, 1975, on the ambulance transfer service franchise application of Mr. William D. Lane. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

ITEM TO AMEND THE LAW

Mayor Pro Tem Snell moved that the Council adopt a resolution requesting that Congress amend the law, placing a moratorium on implementation of Title XX eligibility guidelines and ask the Secretary of Health, Education and Welfare to suspend the effective date of October 1, 1975. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

HEARING SET ON APPEALS OF THE DECISION OF THE  
PLANNING COMMISSION

The Council had before it appeals of the decision of the Planning Commission as follows:

1. Mrs. Zilphia Davis, et al, appealing the granting of a Special Permit to W. Hugh Looney, III, for a residential home care for children from broken homes at 4100 Avenue D, also bounded by West 41st Street - Case No. C14P-75-039.
2. Mr. Thomas B. Arbuckle, et al, appealing the granting of a Special Permit to Middle Earth Foundation for temporary housing for runaway people, at 1107 Concordia and 3416 Robinson - Case No C14P-75-042.

Mr. Dick Lillie, Director of City Planning, stated that the Council requested that the Planning Commission amend the subdivision ordinance requiring that notice be sent on special permit appeals. The ordinance has been through the Planning Commission but not before the Council for public hearing; therefore, he suggested that as a part of the motion that notices would be sent to the property owners just like a regular zoning case.

Councilmember Trevino moved that the Council set a public hearing for October 23, 1975, at 11:00 a.m. on the aforementioned appeals including notification to property owners. The motion, seconded by Councilmember Linn, carried by the following vote:

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

#### HEARING CONCERNING VACATING AN ALLEY

Mayor Friedman opened the public hearing scheduled for 11:00 a.m. to consider the proposed vacating of the following Alley and passage of an ordinance:

NEWTON STREET ALLEY #2, sixteen (16.00) feet in width extending from West Gibson Street, northerly to West James Street in the block between South Congress Avenue and Eva Street. (Requested by John F. Campbell representing the Southside Church of Christ.)

Mr. Robert Beckham, Assistant Director of Public Works, stated that everything was in order. In response to Councilmember Linn's question, Mr. Beckham commented that originally all the people involved agreed to close the entire alley, but after they found out a considerable amount of money would be involved to pay for the portion being vacated they decided not to proceed. The Southside Church of Christ decided to vacate just the south portion. In response to Councilmember Himmelblau's question, Mr. Beckham stated that at the present, there are only trees in the area and it has never been opened.

Mrs. Barden, a resident at 1303 Newton, asked the Council if the closing of the alley would interfere with her carport. Mayor Friedman informed her that it would not.

Mayor Friedman introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF NEWTON STREET ALLEY NUMBER TWO, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITIES AND DRAINAGE PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE 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 Councilmember Trevino, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

#### ORDINANCE APPOINTING ELECTION OFFICIALS

Mayor Friedman introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 750904-A APPOINTING ELECTION OFFICIALS TO CONDUCT THE SPECIAL REFERENDUM ELECTION TO BE HELD OCTOBER 4, 1975; PROVIDING COMPENSATION FOR THE ELECTION OFFICIALS; DESIGNATING THE UTILIZATION OF AN ELECTRONIC VOTING SYSTEM FOR THE ELECTION; DESIGNATING A PRIME AND ALTERNATE CENTRAL COUNTING STATION FOR THE ELECTION; ESTABLISHING A DATE FOR A PRECOUNT TEST OF THE AUTOMATIC TABULATING EQUIPMENT; PROVIDING NOTICE OF SAME; DIRECTING THAT AN INSTRUCTION SCHOOL FOR ELECTION OFFICERS SHALL BE CONDUCTED AND NOTICE BE GIVEN SAME; PROVIDING FOR SUCH OTHER ASPECTS AS ARE INCIDENTAL AND RELATED TO THE PURPOSE OF THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Lebermann 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 Pro Tem Snell, carried by the following vote:

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

#### ORDINANCE TO MODIFY SPEED ZONES

Mayor Friedman introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 21-41, SUBSECTIONS (d) AND (g), OF THE AUSTIN CITY CODE OF 1967, MAKING CERTAIN ADDITIONS AND DELETIONS TO SAID SUBSECTIONS, THEREBY DECLARING MAXIMUM PRIMA FACIE SPEED LIMITS ON CERTAIN STREETS WITHIN SCHOOL ZONES IN THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS," (VERNON'S ANN. CIV. ST., ART. 6701d); REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (West 29th Street and other streets)

Councilmember Lebermann 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 Linn, carried by the following vote:

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

AFTERNOON SESSION  
2:00 P.M.

Mayor Friedman called the afternoon session to order.

AFFIRMATIVE ACTION PROGRAM

Mayor Friedman commented that he and Mayor Pro Tem Snell had been discussing and working with the administration on a new approach to the Affirmative Action for the City.

Mayor Pro Tem Snell stated that the past few months they had worked hard with the City Manager trying to improve the badly needed Affirmative Action Program. As the budget and requests were reviewed, there could be seen a need for an Affirmative Action Program or office to work with the Council and administration to accomplish the things that the Council has set out to do. He noted that the decision reached was a step in the right direction and hoped the progress would be continually made along this line.

City Manager Davidson pointed out that since last June, they had been working for a solution to produce a more effective Affirmative Action Program for the City. He asked that in next year's budget that the entire administrative staff including the City Manager's office, each administrator, department head of the City and all of the key personnel carry out a full commitment toward a genuine Affirmative Action effort for which the citizens of Austin can be proud of. At the present time, even though there is an Affirmative Action Program, it is really not identified as such. In order to place the proper emphasis on the commitments being discussed, Mr. Davidson recommended that the Council allow the Personnel Department to be reorganized to such an extent that there will be created an actual division of that department entitled "Affirmative Action." The present assistant director of Personnel position, which is vacant, will be upgraded to one of more authority who will head up the activities of this division. The advantage of this division will be that all elements of the Affirmative Action effort will be contained within that division. This will include the responsibility of employment activities and training within all City departments. This division should also have something to say about the recruitment of new personnel, about the monitoring of vacancies that exist now and in the future, and about the division of training. He felt that within one year there will be measurable results that have been attained under this new approach. This new budget would be \$260,000 consisting of 10 professionals and 4 clerical positions. Therefore, City Manager Davidson recommended that the Council authorize this particular departmental budget be rewritten and adjusted to reflect such a major program.

Mayor Friedman noted that this would be a gathering of the funds, not an increase in the total dollars.

## ORDINANCE CONCERNING 1975-76 OPERATING BUDGET

Mr. Mathias representing the Chamber of Commerce appeared before the Council concerning jobs for the people of Austin. He noted that visitors provide direct employment for at least 1600 people in Austin. By cutting down on visitor development activities could cause a serious loss of jobs in this area. In order to preserve the tax income generated by visitors and the jobs they provide, he urged the Council to continue the present contract. Mr. Mathias referred to the recommendations of the Austin Tomorrow Program regarding the contracts. Also reference was made to a resolution adopted by the Council as well as statements that were made concerning official policies of the Council, and he felt that the Council should live by these policies as many jobs do depend on it.

Mayor Friedman introduced the following ordinance:

AN ORDINANCE ADOPTING AND APPROVING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 1975, AND TERMINATING SEPTEMBER 30, 1976, AND MAKING APPROPRIATIONS FOR EACH DEPARTMENT, PROJECT AND ACCOUNT; AND DECLARING AN EMERGENCY.

Original Motion

Councilmember Trevino moved approval of the budget as recommended by the City Manager on August 14, 1975, with the following specifics and amendments:

1. All grant requests in the amounts listed on the tabulation filed with the Clerk on September 24, 1975, with these changes:

Big Brothers	\$30,000
Middle Earth	\$25,000
2. Increases in departmental appropriations as listed on pages 2, 3 and 4 of the same tabulation filed with the Clerk on September 24, 1975.
3. Reductions in capital equipment and planned positions listed on page 6 of the tabulation with the exception of one Park Ranger position.
4. A cost-of-living pay increase for all classified and unclassified City employees of 7 percent, to be formalized with appropriate ordinances on October 2.
5. Providing \$49,420 for additional compensation to the City Council which would add \$7,060 annually to the amount already budgeted for each member of the Council.
6. Cancellation of the City's contract with the Chamber of Commerce for economic development. Funds thus freed will remain in the Electric Department. Also, reduction by one-half of the City's contract with the Chamber of Commerce for the promotion of tourism and conventions. Funds thus freed will remain in a reserve for the Auditorium and Coliseum.

Finally, that we instruct the City Manager and his staff to change the budget document to reflect the above, which will also include the

"Affirmative Action Program" which will be an actual division of the Personnel Department. This motion also includes passage of the appropriate ordinance through three readings and as an emergency measure. The motion was seconded by Councilmember Hofmann.

First Substitute Motion

Councilmember Lebermann moved that the 2 items that had been discussed by the Chamber of Commerce be included in full in the annual operating budget. This would be the 1/3 of the bed tax, and the \$25,000 for economic development from the Electric Utility. The motion was seconded by Councilmember Himmelblau.

Second Substitute Motion - died for lack of a second

Mayor Pro Tem Snell moved that the Council give to the Chamber of Commerce 1/6 of the bed tax, plus \$25,000. The motion died for lack of a second.

Councilmember Lebermann stated that he did not feel that any other agency now extant or one created in-house could do the job as well as the Chamber of Commerce. He agreed that we needed to continue to provide jobs for children. Also Councilmember Lebermann felt the \$25,000 as a partial participation by the Electric Utility and that it was not excessive at all. The industry that is provided for by the promotion of tourism by the Chamber is proof that the job of the Chamber of Commerce is well done. He pointed out that it was for cost-effectiveness reasons that he urged the Council to vote in favor of his substitute motion.

Councilmember Himmelblau commented that she felt very strongly the same way, and pointed out that the Chamber's help would be needed in booking the new arena. She complimented the Chamber of Commerce for the job they have done for the City in economic development for the citizens of Austin.

Mayor Friedman added that the Chamber of Commerce is an organization that collects dollars and dues from its memberships and these dues could be reallocated to pick up the difference in the \$25,000 and whatever bed tax is lost. He felt that there were priorities that needed to be taken care of and the bed tax would be helpful in accomplishing this. Also, Mayor Friedman noted that the Chamber could maintain their level by cutting out other things that may not be as critical.

Councilmember Lebermann suggested that the total community is advantaged by the Chamber, and the City should participate at the current levels.

Mayor Friedman noted that the comments concerning the Chamber were from topic committees and it was not adopted as a complete statement for the Goals Program itself and therefore not adopted by the Council at this time.

Roll Call on First Substitute Motion

Roll Call on Councilmember Lebermann's motion, Councilmember Himmelblau's second, showed the following vote:

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

The substitute motion failed to carry by a 2 to 5 vote.

Third Substitute Motion - failed

Councilmember Himmelblau moved that the Council retain the \$25,000 in the Utility Fund for economic development for the Chamber of Commerce. This does not include the bed tax. The motion, seconded by Mayor Pro Tem Snell, failed to carry by the following vote:

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

At this time Mr. Dooley Bell, President of the Austin Chamber of Commerce, stated that during the time they have been in existence, there have been other setbacks and the Chamber survived. He noted that the Chamber will continue to serve Austin to the best of their ability.

Fourth Substitute Motion - failed

Councilmember Lebermann stated that the Charter Revision Commission is dealing with total charter change, and one of the recommendations would be for the people of Austin to speak to the specific change which will increase Council pay. He genuinely felt reluctant to vote himself or the Council to vote itself additional pay for the ones currently serving. If the Council would like to do this for the future, then the best way would be through charter amendment; therefore, he moved that the Council pay issue not be considered at this time. Councilmember Himmelblau seconded the motion.

Councilmember Hofmann commented that most of the Councilmembers campaigned for Council pay. While she maintained that the \$9,600 per year would be a satisfactory figure, her overriding concern has always been that there be sufficient pay so that affluence would not be a prerequisite for service on the Council. For this reason, I seconded the motion to approve the budget.

Roll Call on Substitute Motion

Roll Call on Councilmember Lebermann's motion, Councilmember Himmelblau's second, showed the following vote:

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

The substitute motion failed to carry by a 2 to 5 vote.

Fifth Substitute Motion - failed

Councilmember Linn asked to make a substitute motion concerning the 7% increase for City employees. She moved that there be an across-the-board \$55.00 per month increase for all City employees. The motion was seconded by Mayor Pro Tem Snell.

Ms. Andrea Beatty, Personnel Director, stated that the administration is sympathetic to the fact that the cost of living effects a lower paid employee very strenuously. The problem created with an across-the-board increase is that it rewards the lower paid employee to a greater degree than it rewards the technicians, professionals, managers and administrators. The City is not



competitive in pay for the positions that are about \$10,000 and above. The Affirmative Action goals are geared around the attraction and the upward mobility of minority individuals and women into the technical and professional categories. She felt that this type of increase only made problems worse.

Mr. Joe Liro informed the Council that the proposal of Councilmember Linn would not imbalance the General Fund.

Mayor Friedman commented that the Council would like to do as much as possible for all the City employees, but the points brought out by the Personnel Department should be considered.

Roll Call on the Substitute Motion

Roll Call on Councilmember Linn's motion, Mayor Pro Tem Snell's second, showed the following vote:

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

The substitute motion failed by a 5 to 2 vote.

Roll Call on the Original Motion - passed

Mayor Friedman noted that the Council had met in Executive Session earlier to discuss salaries of personnel hired by the Council. The original motion would include the changes made by the Council increasing base pay for the City Clerk and the Municipal Court Clerk.

Roll Call on Councilmember Trevino's original motion, with Councilmember Hofmann's second, as previously stated and including the waiving of the requirement for three readings, declaring an emergency and finally passing the ordinance effective immediately, showed the following vote:

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

The original motion carried by a 7 to 0 vote. The Mayor announced that the ordinance had been finally passed.

ORDINANCE ADOPTING THE TAX RATE

Mayor Friedman introduced the following ordinance:

AN ORDINANCE FIXING AND LEVYING MUNICIPAL AD VALOREM TAXES FOR THE CITY OF AUSTIN, TEXAS, FOR THE YEAR 1975; AND FOR EACH YEAR THEREAFTER UNTIL OTHERWISE PROVIDED; DIRECTING THE ASSESSMENT AND COLLECTION THEREOF; VALIDATING ALL PRIOR AD VALOREM TAX LEVIES; 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 Councilmember Trevino, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

#### ORDINANCE REVISING RATES FOR RESIDENTIAL REFUSE

Mayor Friedman introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 28-15 OF THE AUSTIN CITY CODE IN PART TO INCREASE SOME OF THE RATES CHARGED BY THE CITY OF AUSTIN FOR REMOVING GARBAGE; DECLARING AN EFFECTIVE DATE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Hofmann 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 Trevino, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

#### INCREASING BRACKENRIDGE HOSPITAL RATES

Mayor Pro Tem Snell moved that the Council adopt a resolution increasing Brackenridge Hospital rates as required by the 1975-76 budget. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

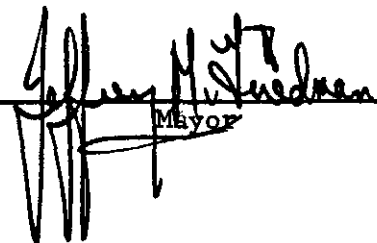
Mayor Friedman complimented and commended the City Manager and his staff and all the department heads and their assistants for developing and working with the Council on a budget that is a restoration of past accounts; but certainly a provider of full services for the community. He also thanked the Council for the many hours of work and effort in developing the budget and the kind of direction that the City has been asking for.

City Manager Davidson expressed his appreciation as well as that of the City employees, for the cost of living increase. He also informed the Council that everyone will do the utmost to implement the budget in accordance with the policies of the City Council.

ADJOURNMENT

The Council adjourned at 2:55 p.m.

APPROVED

  
MAYOR

ATTEST:

  
City Clerk