

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 29, 1976
10:00 A.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor Friedman presiding.

Roll Call:

Present: Councilmembers Himmelblau, Hofmann, Lebermann,
Trevino, Mayor Friedman

Absent: Councilmember Linn, Mayor Pro Tem Snell

The Invocation was delivered by REVEREND BRUNO C. SCHMIDT, First United Methodist Church.

APPROVAL OF MINUTES

Councilmember Himmelblau moved that the Council approve the Minutes for the Special Council Meeting July 21, 1976, and the Regular Meeting of July 22, 1976. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor Friedman, Councilmembers Himmelblau, Hofmann,
Lebermann, Trevino

Noes: None

Absent: Mayor Pro Tem Snell, Councilmember Linn

RECYCLE FOR MUSCULAR DYSTROPHY WEEK

Mayor Friedman read and then presented a proclamation to John Goodman, Poster Child for Muscular Dystrophy, and Gonzales Barrientos, Honorary Chairperson of Muscular Dystrophy Week, proclaiming the week of August 2, 1976, as "Recycle for Muscular Dystrophy Week" in Austin and asked all to lend a willing hand and a willing heart to support both the charitable and environmental activities of the Reynolds Metals Company and the Muscular Dystrophy Association to help alleviate two great afflictions of both our environment and our people.

State Representative Barrientos stated that it was an honor for him to participate in Recycle for Muscular Dystrophy Week and asked all of the citizens to participate, too.

SPURETTES DAY

Mayor Friedman read and then presented a proclamation to Mrs. Carl Rundberg proclaiming July 29, 1976, as "Spurettes Day" in Austin and asked all citizens to recognize the athletic achievement and competitive spirit these young women have brought to the sport of softball in our City. Mrs. Rundberg thanked the Council on behalf of the Spurettes and stated that it was an honor to represent Austin in the upcoming Texas Amateur Athletic Federation Tournament at Grand Prairie on July 31 and August 1, 1976. Mrs. Rundberg felt that it was only through the fine softball program in Austin that all of this was made possible.

ARMADILLO APPRECIATION WEEK

Mayor Friedman read and then presented a proclamation to Eddie Wilson proclaiming the week of August 1-7, 1976, as "Armadillo Appreciation Week" and further proclaiming August 7, 1976, as "Armadillo Appreciation Day" in Austin and called on all citizens to join the Council in recognition of this Austin institution, Armadillo World Headquarters that has helped Austin become known throughout the nation as a center for musical and artistic innovation and free expression. Mr. Wilson thanked the Council for the proclamation.

CERTIFICATES OF COMMENDATION

Mayor Friedman asked the following people to please come forward to the podium:

Mrs. William Bradford Bugg
Mrs. Margie Cowden
David Earl Holt
Father William H. Donahue
Martin Gonzalez
Dr. Henry Hilgartner
Mr. and Mrs. Frank W. McBee, Jr.
Phillip Patman
Dr. Kelly Stevens
Mr. and Mrs. William Wittliff

Mayor Friedman noted that these individuals are owners or represent the owners of structures in our City which were recommended for historic zoning by the Historic Landmark Commission and were designated by the Council. He commented that the willingness of these persons to preserve these structures, which represent the heritage of Austin, and examples of our past, provides the opportunity for all of us to share in the beauty and pride which have made our City great.

On behalf of the Landmark Commission, the City Council and the citizens of Austin, Mayor Friedman extended sincere appreciation for the consideration all the aforementioned persons have provided. He then presented the Certificates. Due to a death in the family, the McBee's certificate will be mailed to them. Mayor Friedman also extended his thanks to Ms. Jan Harris who provided sign language for Dr. Stevens.

EXECUTIVE SESSION ACTION

Mayor Friedman noted that the Council did not have an Executive Session today; however, they were informed of the appointment by the Certified Public Accountants Association in Austin which was now before the Council for action.

Ethics Review Commission

Councilmember Trevino moved that the Council appoint MR. HARVEY DeFORD to the Ethics Review Commission. The motion, seconded by Councilmember Lebermann, carried by the following vote:

Ayes: Councilmembers Himmelblau, Hofmann, Lebermann, Trevino,
Mayor Friedman

Noes: None

Absent: Councilmember Linn, Mayor Pro Tem Snell

Mayor Friedman commented that the Bar Association informed him that their selection of a nominee would be forthcoming.

RECOGNITION

At this time, Mayor Friedman took the opportunity to recognize a group of students from Austin Community College enrolled in the Adult Basic Education Program and their instructor Maxine Friedman.

APPEARANCE TO REQUEST REMOVAL OF RESTRICTIVE COVENANT

Mr. Dennis Bauerle, had requested to appear before the Council to request removal of a restrictive covenant placed on property located at 4501 Manchaca; however, Mr. Bauerle was not present at the meeting.

APPEARANCE TO PRESENT AUSTIN POLICE ASSOCIATION'S PAY PROPOSAL

Sergeant Doyme Baileyy President, Austin Police Association, appeared before the Council to present the APA's pay proposal for the Austin Police Department for fiscal year 1976-77. Sergeant Bailey stated that he represented 471 commissioned Police Officers in Austin and was appearing before the Council today to present their pay proposal, and to emphasize the need for a 10% raise for the patrol level persons. He noted that included in this 10% was the regular cost of living raise, and he hoped to add to the remaining amount to total the 10%. Mr. Bailey stated that he would be appearing before the Council again in approximately two weeks with more information that will justify their request for a raise.

Mayor Friedman commented that this request would be considered in conjunction with the normal budget which will be conducted at work sessions and several public hearings. No final decision can be made until possibly September.

APPEARANCE TO RESCHEDULE A ZONING CASE - WITHDRAWN

Mr. Robert L. Davis, Attorney, representing Mr. Emerald T. Wray, et al, had requested to appear before the Council to request that Zoning Case No. C14-76-050, scheduled for public hearing on August 5, 1976, be postponed until August 19, 1976; however, Mr. Davis submitted a letter asking that this request be withdrawn and to allow the hearing on August 5, 1976, to proceed.

PARADE PERMIT

Councilmember Trevino moved that the Council approve a request for a Parade Permit from Mr. Vance D. Russell for the World of Pentecost on August 21, 1976, from 1:30 p.m. to 3:30 p.m., beginning on East 2nd, north on Congress Avenue to 11th, disassemble on Capitol grounds. The motion, seconded by Councilmember Lebermann, carried by the following vote:

Ayes: Councilmembers Hofmann, Lebermann, Trevino, Mayor
Friedman, Councilmember Himmelblau

Noes: None

Absent: Councilmember Linn, Mayor Pro Tem Snell

APPEARANCE TO DISCUSS ADDITIONAL WATER SUPPLY TO PROPOSED DEVELOPMENTS

Mr. J. W. Smith and Mr. Jeryl Hart appeared before the Council to discuss additional water supply for proposed developments within the City limits in the Southwest Austin area. Mr. Smith noted that at the present time there is a moratorium existing in the Southwest "A" Area for the water system, and he was seeking approval from the Council to improve the City's water distribution system, at his expense, in order to complete the development of Western Oaks. The improvements that Mr. Smith was interested in making were outlined in a letter to the Council. He noted that these improvements would overcome an existing deficit of the present system and allow the developers who have made previous financial commitments to continue until their existing projects have been completed. All of the developments proposed to be served by this system are located within the City limits, with the exception of 37 lots which will be served by approved septic tanks.

Mr. Jeryl Hart, Engineer for J. W. Smith and other interested developers, noted that he had maps of the area being discussed if the Council had any questions. Councilmember Himmelblau felt that the Council had been given sufficient material from Mr. Hart and Mr. Smith concerning this request.

Councilmember Himmelblau moved that the Council grant approval of the plan as presented by Mr. J. W. Smith and authorize the City Manager to execute a contract in accordance with this proposal. The motion, seconded by Councilmember Lebermann, carried by the following vote:

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

RELEASE OF EASEMENTS

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

A portion of Public Utilities Easement being out of and a part of Lot 117, Amended Old Town - Phase Two, Section One, a subdivision in the City of Austin, Travis County, Texas. (Requested by Mr. William A. Tedd, representing Paul James and Associates, Engineers and agents for N. P. C. Realty Co., owners of Amended Old Town - Phase Two, Section One)

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

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

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

Portions of a Drainage Easement, being all of the north twenty (20.00) feet of the south thirty (30.00) feet of Lots 20 through 26, Block P, The Village at Quail Creek, Section Two, a subdivision in the City of Austin, Travis County, Texas. (Requested by Mr. Thomas B. Watts, representing Nash Phillips-Copus, owners of Lots 20 through 26, Block P)

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

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

LICENSE AGREEMENT FOR TEMPORARY ROADWAY DETOUR

Councilmember Hofmann moved that the Council adopt a resolution authorizing entrance into a License Agreement with the Missouri-Pacific Railroad Company for the purpose of constructing a temporary roadway detour on railroad property at the Oltorf Street Bridge project site. The motion, seconded by Councilmember Lebermann, carried by the following vote:

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

CONTRACTS AWARDED

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

AUSTIN ROAD COMPANY 428 East Anderson Lane Austin, Texas	- 1976 Sidewalk Program, Phase I - \$131,775.45.
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The motion, seconded by Councilmember Lebermann, carried by the following vote:

Ayes: Mayor Friedman, Councilmembers Himmelblau, Hofmann,
Lebermann, Trevino

Noes: None

Absent: Councilmember Linn, Mayor Pro Tem Snell

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

CAPITOL CHEVROLET, INC. 5th and Lamar Austin, Texas	- One Carryall, 1977 Model, Vehicle and Equipment Services Department. Item 1 - 1 ea. @ \$5,569.00
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The motion, seconded by Councilmember Lebermann, carried by the following vote:

Ayes: Mayor Friedman, Councilmembers Himmelblau, Hofmann,
Lebermann, Trevino

Noes: None

Absent: Councilmember Linn, Mayor Pro Tem Snell

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

INTERNATIONAL BUSINESS MACHINES CORPORATION 1609 Shoal creek Boulevard Austin, Texas	- Fixed Term Plan, Magnetic Tape Units, Police Department. Two year Term Lease Plan including options for up to three, one-year extensions. Item 1; Magnetic Tape Unit @ \$304.00/mo. Item 2; Magnetic Tape Unit @ \$630.00/mo.
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The motion, seconded by Councilmember Lebermann, carried by the following vote:

Ayes: Mayor Friedman, Councilmembers Himmelblau, Hofmann,
Lebermann, Trevino

Noes: None

Absent: Councilmember Linn, Mayor Pro Tem Snell

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

WESTINGHOUSE ELECTRIC
SUPPLY
9230 Research Boulevard
Austin, Texas

- Three Phase Pad Mounted Transformers,
Electric Department.
Items 1-4 - \$30,454.00.

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

Ayes: Mayor Friedman, Councilmembers Himmelblau, Hofmann,
Lebermann, Trevino

Noes: None

Absent: Councilmember Linn, Mayor Pro Tem Snell

Councilmember Trevino moved that the Council adopt a resolution awarding the following contracts:

Bid Award:

- Sand Fills and Mortar Types,
Street and Bridge Division.
Twelve Months Supply Agreement
including option of extension up
to twelve months.

CAPITOL AGGREGATES, INC.
Bolm Road
Austin, Texas

- Item 1, estimated 10,000 tons @
\$1.00/ton
Total - \$10,000.00

CENTEX MATERIALS, INC.
(Travis Division)
500 Timberline Office Park
Austin, Texas

- Item 2, estimated 1,000 tons @
\$2.84/ton
Total - \$2,840.00

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

Ayes: Mayor Friedman, Councilmembers Himmelblau, Hofmann,
Lebermann, Trevino

Noes: None

Absent: Councilmember Linn, Mayor Pro Tem Snell

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

LES ELICH, CONCESSIONAIRE
dba Auditorium Catering Co.
1807 Cresthaven Drive
Austin, Texas

- Food and Drink Items for Auditorium
Convention Center.
Three year contract including options
for three three-year extensions.
\$48,000,000 annual guarantee or 38.10%
of Gross Receipts, whichever is greater.
Estimated Revenue: Approximately
\$76,200.00/year.

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

Ayes: Mayor Friedman, Councilmembers Himmelblau, Hofmann,
Lebermann, Trevino

Noes: None

Absent: Councilmember Linn, Mayor Pro Tem Snell

RENEWAL OF AGREEMENT WITH AUSTIN AREA GARDEN CENTER, INC.

Councilmember Lebermann moved that the Council adopt a resolution for authorization to renew agreement with the Austin Area Garden Center, Inc. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Himmelblau, Hofmann, Lebermann, Trevino,
Mayor Friedman

Noes: None

Absent: Councilmember Linn, Mayor Pro Tem Snell

APPROVAL OF SITE FOR SOUTHEAST FIRE STATION

Councilmember Lebermann moved that the Council adopt a resolution approving the designation of certain City-owned property as the site for the proposed Southeast Fire Station, subject to approval of the required special permit. (Site located West of Williamson Creek on Nuckols Crossing Road) The motion, seconded by Councilmember Hofmann, carried by the following vote:

Ayes: Councilmembers Himmelblau, Hofmann, Lebermann, Trevino,
Mayor Friedman

Noes: None

Absent: Councilmember Linn, Mayor Pro Tem Snell

CHANGE ORDER FOR ELEVATOR IN CENTRAL LIBRARY

The Council had before it for consideration the approval of a Change Order to Royce Faulkner Construction Company for an elevator in the Central Library.

Motion

Councilmember Trevino moved that the Council postpone consideration of this item until August 5, 1976. The motion, was seconded by Councilmember Himmelblau.

In response to Mayor Friedman's question concerning the time element involved here with the construction, Mr. David Earl Holt, Director of the Library Department, commented that the contractor was behind and a delay would not be any problem.

Roll Call on Motion

Roll call on Councilmember Trevino's motion, Councilmember Himmelblau's second, to postpone consideration of approving a Change Order to Royce Faulkner Construction Company for elevator in the Central Library showed the motion carried by the following vote:

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

SETTING A PUBLIC HEARING ON AMENDING THE CITY CODE

Councilmember Lebermann moved that the Council adopt a resolution setting a public hearing for August 26, 1976 at 2:30 p.m. to consider an Ordinance amending Section 45 of Article I of Chapter 45 of the City Code of Austin, 1967; redefining the term "Accessory use". The motion, seconded by Councilmember Trevino, carried by the following vote:

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

SETTING A PUBLIC HEARING ON AN APPEAL FROM THE DECISION
OF THE PLANNING COMMISSION ON A SPECIAL PERMIT

Councilmember Trevino moved that the Council adopt a resolution setting a public hearing on August 12, 1976 at 11:30 a.m. on an appeal from the decision of the Planning Commission, denying a special permit to Schlotzksy's Inc., 1727 East Riverside Drive to permit on-premises consumption of alcoholic beverages in a restaurant. (File No. C14P-76-025). The motion, seconded by Councilmember Lebermann, carried by the following vote:

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

ORDINANCE FOR PAVING WORK

Mayor Friedman introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING PORTIONS OF DUNGAN STREET AND SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DEFINED, PERFORMED BY BRUCE LUCKIE CONSTRUCTION COMPANY; AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

Councilmember Trevino 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 Lebermann, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Councilmembers Himmelblau, Hofmann, Lebermann

Noes: None

Absent: Councilmember Linn, Mayor Pro Tem Snell

The Mayor announced that the ordinance had been finally passed.

In response to Mayor Friedman's question, Mr. Reuben Rountree, Director of Public Works, stated that he had driven over all of the streets involved in this program and everything was in order.

ANNEXATION ORDINANCE

Mayor Friedman introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 7.23 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE DAVID THOMAS SURVEY AND THE WILKINSON SPARKS SURVEY, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

Ayes: Mayor Friedman, Councilmembers Himmelblau, Hofmann, Lebermann, Trevino

Noes: None

Absent: Councilmember Linn, Mayor Pro Tem Snell

The Mayor announced that the ordinance had been finally passed.

MASS GATHERINGS ORDINANCE - WITHDRAWN

Consideration of the Mass Gatherings Ordinance was withdrawn from the Agenda.

AUTHORIZING APPROACH MAIN CONTRACT

The Council had before it for consideration authorizing the following Approach Main Contract:

DAVID B. BARROW, Owner - To authorize the construction of an 8-inch wastewater approach main to serve Northwest Hills, Section III in accordance with the proposed approach main policy.

City Manager Davidson stated that it was his understanding that if this project could qualify under the proposed Approach Main Policy, the developer would be able to recover approximately \$7,500. At a recent staff meeting, Mr. David Barrow made the statement that he would do this at his own cost; therefore, the Council could consider this offer at this time.

In response to City Manager Davidson's question that if the Council did approve this request, the installation of the sewer would be made at the cost of Mr. David Barrow, Sr. Mr. Barrow stated he was in agreement with this and would like the Council to approve this project so he could proceed. City Manager Davidson pointed out that this development meets all of the City standards as recommended by all of the City departments and the Planning Commission; therefore, he recommended approval.

Councilmember Lebermann moved that the Council adopt a resolution authorizing the aforementioned approach main contract. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

ORDINANCE TO DELETE "NON-RESIDENT" FEES FROM SWIMMING FEE ORDINANCE

The Council had before it for consideration an ordinance amending the Swimming Fee Ordinance to delete "non-resident" fees.

Motion

Councilmember Hofmann moved that the Council waive the requirement for three readings and finally pass an ordinance amending the Swimming Fee Ordinance to delete "non-resident" fees. The motion was seconded by Councilmember Trevino.

In response to Mayor Friedman's question concerning the "non-resident" fees, Mr. Jack Robinson, Director of Parks and Recreation Department, commented that only one swim pass for 40 swims had been sold to a non-resident. It does create a problem for the swimming classes because the Parks and Recreation Department has to notify the people that they can only be considered after all the City residents have entered the classes.

Roll Call on Motion

Roll call on Councilmember Hofmann's motion, Councilmember Trevino's second, showed the following vote:

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

The Mayor announced that the motion had failed to pass.

*Councilmember Himmelblau felt that the Austin taxpayers should not bear all of the burden.

Mayor Friedman felt that nothing had been gained from this and thought that there was an important principle involved as to who will cover the cost. He felt that the Austin taxpayers have paid more than their share.

Councilmember Trevino and Councilmember Hofmann asked that this item be placed on the Agenda for the August 5, 1976, Council meeting. Councilmember Trevino felt the ones complaining the most about this had been the Austin citizens and the revenues being derived from this have been minimal.

ORDINANCE PROVIDING FOR ATTORNEY AND CERTIFIED PUBLIC ACCOUNTANT
TO ETHICS REVIEW COMMISSION - WITHDRAWN

The Council was to consider an ordinance amending Ordinance No. 760408-G to provide for Council appointment of an Attorney and a Certified Public Accountant to the Ethics Review Commission; however, the item was withdrawn.

ORDINANCE ESTABLISHING VOTING PRECINCTS

Mayor Friedman introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 730301-B CONFORMING THE BOUNDARIES OF VOTING PRECINCTS IN THE CITY OF AUSTIN TO THE BOUNDARIES OF THOSE VOTING PRECINCTS OF TRAVIS COUNTY WHICH ARE WITHIN THE CITY; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE 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. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

ORDINANCE APPOINTING ELECTION OFFICIALS

Mayor Friedman introduced the following ordinance:

AN ORDINANCE APPOINTING ELECTION OFFICIALS TO CONDUCT THE SPECIAL MUNICIPAL ELECTION TO BE HELD AUGUST 14, 1976; PROVIDING COMPENSATION FOR THE ELECTION OFFICIALS; DESIGNATING THE UTILIZATION OF AN ELECTRONIC VOTING SYSTEM FOR THE CONDUCTION OF SAID ELECTION; DESIGNATING A PRIME AND ALTERNATE CENTRAL COUNTING STATION FOR SAID 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; PROVIDING NOTICE OF SAME; PROVIDING FOR SUCH OTHER ASPECTS AS ARE INCIDENT 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 Hofmann moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

Mayor Friedman stated that approval of this Ordinance was subject to the City Clerk filling any vacancies of the Election Officials that may occur between now and August 14, 1976.

REQUEST FOR ORDINANCE PROHIBITING SMOKING OR EATING IN PUBLIC
AREAS OF BRACKENRIDGE HOSPITAL OR HEALTH CLINICS

Councilmember Himmelblau requested that the Legal Department prepare an Ordinance prohibiting smoking or eating in any of the Public areas of Brackenridge Hospital or the Health Clinics. She stated that after her visit to the Harris County Hospital District, she was extremely impressed about the cleanliness at Ben Taub Hospital in the outlying clinics. The Executive Director informed Councilmember Himmelblau that prohibiting smoking and eating in certain areas of the hospital and clinics had proved a great help to them. Councilmember Himmelblau also requested that some space be set aside for people at Brackenridge Hospital that have to spend long hours waiting for the clinic care; and all food and drink eliminated from the general waiting rooms.

Councilmember Trevino also agreed with Councilmember Himmelblau that certain areas should be set aside for the people who have to wait long periods of time at the clinics.

Mayor Friedman felt that the Ordinance should be prepared and on the Agenda for the August 5, 1976, Council meeting.

REQUEST FOR STUDY REGARDING HEALTH CARE DELIVERY; SETTING PRIORITIES;
AND PLACING SPECIAL EMPHASIS ON NEED FOR FISCAL RESPONSIBILITY

Councilmember Himmelblau requested that the City Manager and his staff prepare a study on the direction the City should take in regard to Health Care Delivery, Setting Priorities and Placing Special Emphasis on the need for Fiscal Responsibility. At this time, Councilmember Himmelblau read the following statement for the record:

"Today I am requesting the Council instruct the Brackenridge Advisory Board to develop the necessary reports and recommendations on the future direction for the City government's responsibility for health care. These reports and recommendations should be based on a clear objective of fiscal responsibility to the paying public.

Apparently we have an open-ended medical program, in that all benefits are provided to eligible persons requesting them at virtually no cost. Such policy continually forces the budget supplement for medical care upwards. My visit to the Harris County Hospital District convinces me that it is absolutely critical that we should redefine the direction the City Health Care Delivery System should go, establish a series of priorities for services, and placing special emphasis on the need for fiscal responsibility.

As Councilmembers know, I am on the newly created Health Services Agency Board of Directors. This is a 30-county board which will in the future have considerable impact on the health services and health finances of our area. When you couple the new health services agency requirements with our current fiscal problem at Brackenridge Hospital, I believe it is time that this Council request the Hospital Advisory Board, with assistance from the City Administration, to provide us with a report and recommendations on the following:

1. A review of the total services offered by Brackenridge Hospital and neighborhood health clinics. Recommendations should be made on those services which might be better provided by other hospitals and/or through other third party type contracts.
2. A report on all the health funds that the City Council now makes available, either through Brackenridge Out-patient Clinics or neighborhood clinics supported by the City, and how these funds might be redirected to provide a more comprehensive ambulatory care system.
3. A report on the question of what standards would need to be applied for eligibility for medical care if a set funding level was established either through a contract basis with Brackenridge and/or any other hospitals. This report would be directed toward question of providing adequate medical care at a cost the City could afford.

4. The role of medical education at Brackenridge Hospital should be reviewed and recommendations made as to whether or not a city government can in fact be the total supporter of a medical education program. The program should be reviewed in the light of the above statements on levels of service, ambulatory care, and finances available and limitation.
5. A summary report should be made establishing priorities for those levels of services and funding levels necessary for providing such services.

I have discussed this matter with the City Manager and he has assured me that adequate staff assistance will be provided to the board for these studies."

City Manager Davidson stated that this is a very good outline and he was looking forward to helping the Board work on some recommendations that the Council can consider.

PARKS AND RECREATION BOARD REPORT ON NEW CARVER BRANCH LIBRARY IN KEALING PARK

Mr. Jack Robinson stated that the Library Commission requested that the Parks and Recreation Board review the construction of the 10,000 square foot Carver Branch Library in Kealing Park. After reviewing the proposal, the Parks and Recreation Board did recommend that the Carver Branch be constructed at this site. Mr. Robinson pointed out that the 10,000 square foot figure was provided by the Library Commission and is not necessarily the limitation placed on it by the Parks and Recreation Board.

AFTERNOON SESSION 2:30 P.M.

Mayor Friedman called the afternoon session to order.

PUBLIC HEARING ON NORTHWEST RECREATION CENTER SITE

Mayor Friedman opened the public hearing scheduled for 2:30 p.m. to consider selection of the Northwest Recreation Center site. Mr. Jack Robinson presented a slide program showing the various sites which are being considered. He noted that funding was approved for the construction of a recreation center in Northwest Austin. As shown in the Parks and Recreation Master Study prepared in 1975, no recreation centers currently exist west of Lamar or north of 45th Street. The recreation facility plan for the north section of Austin proposes several facilities of which a large center near the Gullett Park, Northwest Park is one. The center proposed will be an area that is a large center resembling the South Austin Recreation Center and will serve from five to eight neighborhoods. The west section of the service area was chosen for the location, since the predominant population resides in this area.

In referring to the site at the Gullett area, a meeting was held with the residents of the surrounding area and the Allandale Neighborhood Association and a request was made of the Parks and Recreation Department to study alternative sites for the location of the center. Of specific interest to the Allandale Neighborhood Association was the right-of-way at Far West Boulevard between Great Northern and Shoal Creek Boulevard. At this point, the Parks and Recreation Department undertook a study to examine several City-owned sites for possible location within the service area. Included within the study were:

1. Lucy Read Neighborhood Park
2. Wooten Park
3. Northwest Park
4. Brentwood Park

Also considered were the following school site:

1. Lamar Junior High School
2. Burnet Junior High School
3. McCallum Senior High School

All of these sites proved to be too small in size or the topography was not such that they could be developed. Of all of the park areas within this section, the Gullett site was the only one of sufficient size to accommodate the proposed facility. As far as other public properties in the area, the cemetery land, although somewhat smaller, will accommodate the center as well as the right-of-way for Far West Boulevard. In addition, also investigated was the purchase of some vacant tract of land to accommodate this center. For a ten-acre site then, it can be determined that the cost would be from \$326,700 to \$544,500 for land acquisition.

Another alternative would be to locate the facility in another section of the City such as Quail Creek or in the Spicewood Springs area. The conclusion of the staff report recommended the consideration of the following locations and the pro's and con's of each:

1. Far West Boulevard. Right-of-way (11.22 acres)

Pro:

1. Land is sufficient in size.
2. Area is close to Northwest District Park where pedestrian crossing of Shoal Creek Boulevard will provide available access.
3. Access is good provided Far West Boulevard is connected through to Shoal Creek Boulevard, thus providing access from the west and eliminating the need for access through residential streets.
4. Location is in keeping with overall plan for recreation centers and support facilities.
5. Adequate pedestrian and bicycle access is available.
6. Area is visible from MoPac and Far West Boulevard once extended.

Con:

1. Site is adjacent to residential back yards on north and east.
2. Access is poor if Far West Boulevard is not extended and visibility would also be limited.
3. All recreation support facilities would need to be provided.

2. Gullett Elementary School Site

Pro:

1. Site has available acreage for the proposed facility.
2. The park contains existing recreation support facilities.
3. The site is surrounded by streets on all sides.
4. The area is visible from MoPac
5. Site was originally purchased for a possible center in future plans.
6. The site provides adequate pedestrian and bicycle access in a neighborhood situation.
7. Shoal Creek Greenbelt and possible future trail extension are close to the area.
8. Location is in keeping with overall recreation center master plan.

Con:

1. Traffic access is limited and must follow residential streets from Shoal Creek Boulevard or Anderson Lane. Use of the center by citizens to the west of MoPac is limited due to street configuration.
2. Open space will be reduced in park area.

3. Cemetery Land along Northland Drive

Pro:

1. Site has good visibility.
2. Adequate motorized access is provided to neighborhood and area to the west of MoPac.
3. Little disturbance to any residential areas.

Con:

1. Site has poor pedestrian access due to busy Northland Drive.
2. Site is somewhat small in size.
3. All recreation support facilities would need to be provided.
4. Area not located in a residential neighborhood.

After visiting all of the sites and listening to community recommendations, the Parks and Recreation Board passed a motion recommending the following for location of the new center:

1. Far West Boulevard
2. Gullett Elementary School Site
3. Cemetery Land along Northland Drive

FRANCIE BREYFOGLE, a member of the Parks and Recreation Board, stated that she was concerned that the Board selected the Gullett Site as their second choice. As a resident of North Austin, she recommended that the Northland Site be considered over the Gullett Site.

DON CUNNINGHAM, 6123 Janey, noted that just behind his back fence was the proposed site at Gullett. He felt that when activities are conducted at the school it creates a traffic problem and is bad for the area. He was not supportive of any of the sites recommended, and felt the Center should be located in an area where it will be utilized.

DWIGHT GARRISON, 5802 Bullard Drive, felt that there was an alternate to the Northland Site, which is located just west of MoPac between MoPac and Balcones. He expressed concern with the traffic problem on Northland if the cemetery site is chosen.

WOODROW SLEDGE, 5918 Fairlane Drive, urged the Council to build the multi-purpose center at any of the three sites recommended. He could see no problem with the Gullett Site, as far as the Austin Independent School District was concerned, but preferred the Far West Boulevard Site.

JOHN YEAMAN, 9400 Hunters Trace, stated that the North Austin Civic Association discussed the recommendations and the action being considered today concerning the selection of the Northwest Recreation Center Site. It was indicated that many of the residents in the Quail Creek area would not use any of the recommended sites because of the distance. They looked forward to a Center being located in their area.

TOM OAKLAND, representing the Allandale Neighborhood Association, supported the Northland Site for the Recreation Center and presented his reasons for this selection. He felt that the Center should be located where there would not be a negative impact to the neighborhoods.

TERRY GRACE, a resident in Allandale West, stated that she was representing several of her neighbors in this area and was opposing the Center being located at the Northland Site and gave her reasons for the opposition. In conclusion, Ms. Grace felt that the facility located at Northwest Park would be the best location for the Center.

LARRY LANGLEY, representing Covenant Presbyterian Church, appeared in opposition to the Northland Site and supported the Parks and Recreation Department's recommendation of listing the Northland Site as their third choice. He felt that this site was too small and that the Center should be located where the best land use would be obtained. In response to Councilmember Himmelblau's question as to whether or not the facility could be located so it would not impact the church, Mr. Robinson commented that with the acreage involved it would be a very compact development. There would have to be parking area and the outdoor playing area. He noted that there would be an effort to screen the church property and also the property to the east.

Councilmember Himmelblau asked a question concerning the 50 acres in the area, and if some of the additional acreage could be used without considering it to be dedicated parkland and not impacting the church. Mr. Robinson stated this was a possibility to consider. Councilmember Himmelblau noted that there is land available for use now that might not be available in 30 years.

Mr. Robinson felt that with screening of the church and screening of the Alcoholic Anonymous, a very compact recreation center could be built. The main concern would be access from Northland Drive. Urban Transportation submitted a report concerning this and felt it was feasible to locate the recreation center at this site.

Councilmember Himmelblau asked that when it comes designing could she ask that the Presbyterian Church be given preferential treatment if the Council votes to place the Center at the Northland Site, and Mr. Robinson felt that they certainly should be consulted with by the architects. Councilmember Himmelblau stated that she felt sympathetic to the other group too, but they are poaching on City land.

Councilmember Trevino moved that the Council close the public hearing and select the cemetery land along Northland Drive as the Northwest Recreation Center Site. The motion, seconded by Councilmember Hofmann, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Councilmembers Himmelblau, Hofmann, Lebermann

Noes: None

Absent: Councilmember Linn, Mayor Pro Tem Snell

Mayor Friedman stated that plans will be discussed with the church to provide the necessary protection for them.

PUBLIC HEARING ON PROGRESS REPORT OF TRAVIS HOUSE IN HYDE PARK NEIGHBORHOOD

Mayor Friedman opened the public hearing scheduled for 3:00 p.m. to discuss a Progress Report of the Travis House in Hyde Park Neighborhood and to determine whether or not the residency should be increased at Travis House. There was no opposition to this request. Councilmember Trevino pointed out that the report had already been received from the Travis House at a previous Council meeting, and he felt that their request to expand residency to 14 people could be granted.

Councilmember Trevino moved that the Council close the public hearing and grant the request to increase the residency at Travis House to 14. The motion, seconded by Councilmember Lebermann, carried by the following vote:

Ayes: Mayor Friedman, Councilmembers Himmelblau, Hofmann, Lebermann, Trevino

Noes: None

Absent: Councilmember Linn, Mayor Pro Tem Snell

PUBLIC HEARING ON THE PROPOSED 1976-79 WATER AND WASTEWATER BOND PROGRAM

Mayor Friedman opened the public hearing scheduled for 3:30 p.m. to consider the proposed 1976-79 Water and Wastewater Bond Program. Mayor Friedman noted that this was the second public hearing on this matter, and then opened the floor for comment.

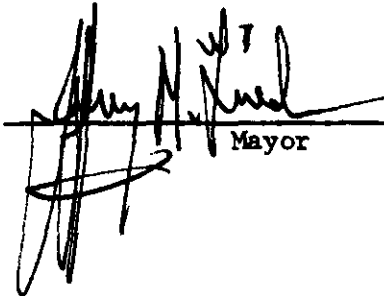
WOODROW SLEDGE, representing the Austin Independent School District, appeared in support of the Water and Wastewater Bond program.

Since there was no opposition at the public hearing, Mayor Friedman noted that the next hearing on the proposed 1976-79 Water and Wastewater Bond Program would be conducted on August 5, 1976, at 3:00 p.m.

ADJOURNMENT


The Council adjourned at 3:35 p.m.

APPROVED


A handwritten signature in black ink, appearing to read 'Friedman', is written over a horizontal line. The signature is stylized and somewhat illegible.

Mayor

ATTEST:


A handwritten signature in black ink, appearing to read 'Grace Monroe', is written over a horizontal line.

City Clerk