

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 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,  
Linn, Trevino, Mayor Friedman, Mayor Pro Tem Snell

Absent: None

INVOCATION

The Invocation was delivered by REVEREND GEORGE M. RICKER, University United Methodist Church.

APPROVAL OF MINUTES

Councilmember Himmelblau moved that the Council approve the Minutes for April 22, 1976. The motion, seconded by Councilmember Hofmann, carried by the following vote:

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

BE KIND TO ANIMALS WEEK

Councilmember Hofmann read and then presented a proclamation to Mrs. Sarah Mabry and Doyle Nordyke, Humane Society of Austin and Travis County Animal Shelter, proclaiming the week of May 2-8, 1976, as "Be Kind to Animals Week" in Austin and called on all citizens to participate fully in all events related thereto in the community. Mr. Doyle Nordyke accepted the proclamation and thanked the Council.

## RESPECT FOR LAW WEEK

Councilmember Himmelblau read and then presented a proclamation to Mr. Joe Nanus, Secretary-Treasurer to the Council of Presidents, Optimists Clubs of the Austin area, proclaiming the week of May 1-7, 1976, as "Respect for Law Week" in Austin and asked all citizens to join with the Optimists in carrying the message of respect for law to other citizens, and by example, exercise responsible citizenship. Mr. Joe Nanus accepted the proclamation and thanked the Council for adding its prestige and support for the Optimists' program.

## CINCO DE MAYO DAY

Councilmember Trevino read and then presented a proclamation to Mr. Floyd Bermea, Chairperson, Austin Bicentennial Committee for Mexican-American Culture, proclaiming Wednesday, May 5, 1976, as "Cinco de Mayo Day" in Austin and encouraged all citizens to join in the commemoration of the victory of the liberty in the Americas. Mr. Bermea accepted the proclamation, thanked the Council and invited them and the general public to attend a celebration next Wednesday night at Fiesta Gardens to commemorate the Cinco de Mayo.

## RECOGNITION OF SHIRLEY FAULKENBERRY

Councilmember Linn read and then presented to Shirley Faulkenberry, a registered nurse at Brackenridge Hospital, a resolution recognizing her for her reaction to a potentially fatal accident and called on all residents to join in this expression of appreciation. Ms. Faulkenberry accepted the resolution and thanked the Council for the recognition.

## MENTAL HEALTH DAY

Mayor Pro Tem Snell read and then presented a proclamation to Ms. Sharon Burrows, President, Board of Directors, Austin Mental Health Association, proclaiming Monday, May 3, 1976, as "Mental Health Day" in Austin and encouraged all residents to support the Austin Mental Health Association's Annual Bell Ringer Drive that begins May 3 and continues through the months of May and June, and to recognize the advancements that have been made in the area of mental health for the good of all communities throughout the United States. Ms. Burrows accepted the proclamation and expressed appreciation to the Council for their concern for all the issues involved in providing mental health services and creating a good atmosphere for mental health growth in Austin.

## SENIOR RECOGNITION MONTH

Mayor Friedman read and then presented a proclamation to Ms. Betty Lawrence, representing the Adult Service Council, proclaiming the month of May, 1976, as "Senior Recognition Month" in Austin and called on all residents to join in recognition of those valuable citizens.

Ms. Lawrence accepted the proclamation and spoke briefly about the Adult Service Council. She was the general chairperson for the first annual May Fair Planning Committee which coordinated the May Fair to be held May 1, 1976, at Municipal Auditorium. She invited everyone to attend the May Fair.

## APPEARANCE TO DISCUSS "THE SUNDAY BREAK"

Mr. Jeff Case, Manager, Irongate Apartments, appeared before the Council to protest the holding of "The Sunday Break," a rock concert, at the intersection of I.H. 35 and Highway 290. Mr. Case requested the following action:

1. Blockade all streets feeding into Atkinson Road, beginning with Grand Canyon Drive and continuing through Bennett Street.

2. Treat all streets in the St. Johns neighborhood with an anti-dust emulsion product.
3. Close patrol by Austin Police of all streets in an area encompassing at least two miles around the concert site.
4. Set a public hearing to formulate an Austin "Mass Gatherings Act." The ordinance should include a mandatory public hearing before City Council approval of such future events.

Mr. Case stated that Mr. and Mrs. Gayle D. Lampson had requested that he present to the City Council a petition containing 264 signatures of northeast Austin residents who opposed "The Sunday Break." Over 90% of the people contacted signed the petition. In response to Councilmember Trevino's question, Mr. Case stated that such large groups as Austin Aqua Festival, could be excluded from the Mass Gatherings Act, since it was a permanent event.

Mayor Friedman pointed out that the Council did not approve the rock concert, since the land was already zoned properly for the event.

Councilmember Himmelblau concurred with Mr. Case that such an ordinance was needed and would be fairly easy to draft, particularly if existing facilities, such as Memorial Stadium were considered, rather than open land.

At that point, Mayor Friedman called upon City Manager Davidson for a report. Mr. Davidson made the following comments:

1. The event was first scheduled for Saturday, May 1, 1976, and would not have required any Council action. The event was moved to Sunday to avoid a conflict with the primary election, and Council approval was required to amend the sound amplification ordinance.
2. Seven City departments met with the promoters, reviewed their plans, tried to determine if any existing codes or ordinances were being violated, made traffic control suggestions and discussed adequate health facilities.
3. Dust control on Atkinson Road was being taken care of.
4. Barricades to the public streets to the north were being erected by the Public Works Department.
5. At the expense of the promoters, the Police Department was providing 10 to 15 officers to control traffic in the vicinity of access entrances to the property, including Atkinson Road. Chief Dyson would be monitoring the event, along with other staff officers. Adequate Police protection would be available in the area. Other City officials would also be monitoring the event, both prior to and after the event.
6. The promoters had deposited with the land owners \$5,000 to cover the days prior to the event and \$5,000 to cover a period after the event to ensure adequate litter cleanup and control.

7. With the exception of the barricades, any arrangements being provided by the City were being paid for by the promoters.
8. Regarding the need for the proposed ordinance, circuses and carnivals should also be included for Council approval. Currently, only a permit was required which did not necessitate Council approval.
9. The Council was concerned about northeast Austin residents, and since the event could not be stopped, was trying to anticipate as many problems as possible.

Mr. Case requested that Grand Canyon Drive also be barricaded. Mr. Davidson stated that the street would be checked.

Regarding the public hearing requested by Mr. Case, Mayor Friedman stated that the Legal Department would first draft an ordinance taking into consideration the various points mentioned and then a public hearing would be set. Mr. Case felt that the Legal Department should consider an ordinance which sets up mandatory public hearings for events such as "The Sunday Break." City Attorney Kubicek pointed out that if the Council intended to have a policy in any ordinance that required subsequent action to be done only after a public hearing, then the Council would have to direct such a policy.

#### APPEARANCE WITHDRAWN

The appearance of Ms. Juanita Teague, requesting to appear before the City Council to discuss a walk easement on the side of her property was withdrawn.

#### APPEARANCE TO REQUEST REAFFIRMATION OF CONGRESS AVENUE BEAUTIFICATION PLANS

Ms. Kay Hart, President, We Care Austin, stated that when the group was first getting organized, a short-term goal was adopted to revitalize Congress Avenue. It was felt that the project brought together all concerns of environmentalists, such as beautification, historical preservation, mass transit, conservation of gasoline, renewed interest in downtown and others. On April 11, 1974, after a presentation by We Care, the Council voted unanimously to endorse the Congress Avenue revitalization project, with the City implementing the beautification aspects, including curb extensions, ramps for the handicapped and tree plantings. We Care members supported the bond election in December, 1975, which included \$1.4 million for drainage correction and beautification, with the understanding that a major portion of the money was for drainage correction on Congress Avenue.

On the strength of the City's commitment, a Congress Avenue Planning Council was formed in January, 1976, with an owner or merchant from each of the 20 blocks representing their block. The City Council gave the Planning Council official recognition in February 1976.

Mr. Chester Snyder, representing the Congress Avenue Planning Council, reviewed some of the projects being carried out by various downtown owners. He requested that the Council take the following action:

1. Direct that existing Capital Improvements Program funds be expended.
2. That engineering be done for the balance of the downtown program.
3. That all corners and streets in the downtown plan be implemented.
4. That the project be carried through to fruition.

City Manager Davidson pointed out that the Congress Avenue Planning Council understood that much of the actual construction work could not proceed due to the lack of water and wastewater funding. What was being requested was feasible, and if the Council so desired, the engineering work could proceed. When and if adequate authorization for water and wastewater items was obtained, then the full project could be evaluated by the Council and the City staff directed to proceed.

Mayor Friedman stated that he could not think of any other project undertaken that was as critical as this one to preservation of the economic life of the community. He felt that it was important that downtown remain a viable area, and that the project was one way of doing it. He suggested that the City proceed immediately. Councilmember Lebermann concurred with Mayor Friedman. In response to Councilmember Trevino's question, City Manager Davidson stated that no Housing and Community Development money was involved in the project. Councilmember Linn agreed with Councilmember Lebermann and Mayor Friedman that the City should proceed.

Councilmember Linn moved that the Council instruct the City Manager to proceed with the project. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

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

#### ANNEXATION HEARING SET

The Council had before it for consideration the setting of a public hearing at 7:00 P.M., May 20, 1976, to consider annexing the following:

2,543.86 acres of land out of the James D. Goode Survey, William Bell Survey, James Rogers Survey, F. G. Secrest Survey, James Howlett Survey, James P. Wallace Survey Number 18, Henry Rhodes Survey, F. M. Fowler Survey, Francisco Garcia Survey and the William Hornsby Survey in Travis and Williamson Counties, and Angus Valley, Angus Valley, Sections 2, 4, 5, 6, 7, 8, 9, 10 and 11, Angus Valley Annex, Sections 1, 2 and 3, Barrington Oaks, Sections 1, 2, 3, 4, and 5, Highland Oaks, Sections 2 and 3, Oak Forest, Sections 1, 2, 3 and 4; Summit Oaks, Sonesta West, Section 1, Northwood, Northwood Section 2, Valley View Oaks and unplatted land - Portion of Area 1. (Initiated by the City of Austin)

City Manager Davidson stated that all area residents would be notified of the hearing.

Councilmember Linn moved that the Council adopt a resolution setting a public hearing at 7:00 p.m., May 20, 1976, to consider annexation of the aforementioned land. 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

#### RELEASE OF EASEMENT

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

Portion of a drainage and public utilities easement ten (10.00) feet in width in Lot 26-B, a Resubdivision of Lots 24, 25 and 26 Knollwood, a subdivision in Travis County, Texas. (Requested by Mr. Travis R. Phillips, Attorney, representing Mr. Pat W. Simpson, owner of said Lot 26-B)

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

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

#### ITEM POSTPONED

The following item was postponed:

Consider a License Agreement permitting encroachment by a portion of proposed building in the north sidewalk area of West 24th Street, adjoining Lot 18, Outlot 49, Hitchcock's Subdivision of Outlots 49, 50 and 51, Division D, of the Government Outlots adjoining the Original City of Austin. (Requested by Martin H. Boozer, Jr., Attorney representing Lopaka's Restaurant, Inc.)

#### CONTRACTS AWARDED

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

CAPITOL FEED AND MILLING  
501 Bastrop Highway  
Austin, Texas

- Mesamate HC Selective Herbicide  
Specification, Parks and Recreation  
Department  
Item 1 - \$7,992.00

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, Lebermann  
Noes: None

In response to Councilmember Trevino's question regarding Capitol Feed and Milling's bid as being fourth lowest, Mr. Solon Bennett stated that two bids did not meet specifications and a third bid had a pricing error. Jack Robinson, Parks and Recreation Department Director, stated that the City's herbicide program was developed by Dr. Rupert Palmer, Texas A&M University. The City adhered closely to the program and did not deviate due to the sensitivity of the program. Mayor Pro Tem Snell complimented Mr. Bennett on the bidding procedures.

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

Bid Award:

B & L MAINTENANCE, INC.  
1924 South First Street  
Austin, Texas

K-B CONTRACT CLEANING  
1507 West North Loop  
Austin, Texas

GREGG'S JANITORIAL  
2915 East 14th Street  
Austin, Texas

HILL & HILL JANITORIAL  
1711 New York Avenue  
Austin, Texas

- Custodial Cleaning, Various Locations.  
One year contract period, including  
options to two one-year extensions.

- Item No. 1, Urban Transportation,  
\$1,752.00/year;  
Item No. 2, Health Department,  
6th and Chicon, \$4,032.00/year;  
Item No. 6, Oak Springs Branch  
Library, \$2,940.00/year;  
Item No. 7, Terrazas Branch Library,  
\$1,710.00/year;  
Item No. 8, Old Quarry Branch  
Library, \$2,580.00/year.

- Item No. 3, Electric Building and  
Service Building, West Avenue,  
\$10,532.04/year.

- Item No. 4, Central Library,  
\$5,526.12/year.

- Item No. 5, Howson Branch Library,  
\$2,280.00/year.

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, Lebermann  
Noes: None

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

BRUCE LUCKIE CONSTRUCTION CO.  
6735 Highway 290 (East)  
Austin, Texas

- Cumberland Road Storm Sewer, Contract  
Number 76-Db-104.  
\$180,177.00.



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, Lebermann  
Noes: None

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

CULLUM AND DICKEHUT CONSTRUCTION COMPANY P. O. Box 426 Marble Falls, Texas	- Installation of approximately 1,588 feet of 24-inch concrete steel cylinder water main and associated appurtenances for the West Austin Transmission Main Phase 1-C \$88,766.00.
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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, Lebermannn  
Noes: None

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

WORTHINGTON PUMP CORPORATION 900 Town and Country Lane Suite 201 Houston, Texas	- Miscellaneous Pumps for Decker \$70,317.00.
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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, Lebermann  
Noes: None

#### APPROVAL OF CHANGE ORDER

The Council had before it for consideration the approval of Change Order No. 3, in connection with contract for construction of Phase 2B expansion of Brackenridge Hospital in the amount of \$482,516.00 to ROBERT E. McKEE.

In response to Councilmember Linn's question, Mr. Will Brown, Brackenridge Hospital Administrator, stated that the additional \$145,372 for the Emergency Room had been requested by Dr. R. R. Hannas, who was no longer in charge of the Emergency Room. The person now in charge agreed with the changes requested by Dr. Hannas. In response to Mayor Friedman's question, Mr. Brown stated that the Hospital Board had reviewed the entire package of change orders and it had their specific recommendation and endorsement. In response to Councilmember Trevino's question, Mr. Brown stated that the amount of change had been anticipated and budgeted for in the construction project.

City Manager Davidson stated that it was anticipated that another fairly large segment of change orders would be coming to the Council on this particular project. A total of about \$900,000 in change orders was expected for the total project, which was less than 10%. The project was speeded up for a number of reasons; therefore some of the detail planning was not absolutely completed at the time the prime bid for construction was obtained. By speeding up the project the City qualified for \$1 million in Hill-Burton funds, plus the prime bid came in about \$3 million under the estimate. In turn, by speeding up the project, it was necessary to have 4 or 5 percentage points in change orders more than usually required for a project of this size. Even if traditional methods had been used, there would still have been change orders of about \$600,000.

Councilmember Himmelblau moved that the Council approved the aforementioned Change Order No. 3. The motion, seconded by Councilmember Linn, carried by the following vote:

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

#### RENEWAL OF LEASE AGREEMENTS

Councilmember Linn moved that the Council adopt a resolution authorizing renewal of the lease agreement for the following Police Community Relations Storefront:

745 Montopolis Drive - J. D. Culp

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

Councilmember Linn moved that the Council adopt a resolution authorizing renewal of the lease agreement for the following Police Community Relations Storefront:

2142 East 7th Street - John L. Gillespie

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

## MEMORANDUM OF AGREEMENT WITH ACTION

Councilmember Trevino moved that the Council adopt a resolution authorizing the City Manager to enter into a Memorandum of Agreement with ACTION for twelve VISTA Volunteers for a period of one year effective April 3, 1976, through April 2, 1977. 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

GRANT APPLICATION FOR CONTINUATION OF  
TRANSPORTATION SERVICES FOR THE ELDERLY PROGRAM

Councilmember Himmelblau moved that the Council adopt a resolution authorizing the City Manager to submit a grant application in the amount of \$50,397.90 to the State Department of Public Welfare for the continuation of the Transportation Services for the Elderly Program. (Department of Public Welfare \$35,278.60; City of Austin \$15,119.30) The motion, seconded by Councilmember Trevino, carried by the following vote:

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

SUBMISSION OF FUNDS APPLICATION FOR AN  
OLDER ADULTS INFORMATION AND REFERRAL SYSTEM

The Council had before it consideration of authorization to submit an application for funds under Title III of the Older Americans Act to CAPCO Area Agency to provide for an information and referral system for older adults in the amount of \$35,962.00. (Federal funds \$28,745.00; City of Austin \$6,947.00)

Motion

Councilmember Himmelblau moved approval of the application. The motion was seconded by Councilmember Lebermann.

Substitute Motion

Councilmember Trevino offered a substitute motion that the grant application be submitted with the amendment that the information referral service for the elderly grant be administered by the Human Resources Department.

After discussion with CAPCO administrators and City staff, he was convinced that such a course would better assure the most efficient and the most cost-effective delivery of services to the elderly.

Mayor Pro Tem Snell seconded the motion.

In response to Councilmember Hofmann's request, Mr. Jack Robinson, Parks and Recreation Department Director, stated that if the program could be administered better through the Human Resources Department, then there was no problem. However, he felt that the program could be served better through his department. In response to Councilmember Lebermann's question, Mr. Robinson enumerated the senior citizens programs under his department. In response to Councilmember Lebermann's question, Mr. Robinson stated that he felt senior citizens identified with PARD and that PARD had been the facilitator of the programs for seniors in Austin. Councilmember Lebermann stated that since PARD already had lines of communication established throughout the senior citizens community, he felt that it would be far more efficient for the department that is already identified as serving senior citizens to serve all of the needs of senior citizens.

Councilmember Trevino felt that since some information referral centers had existed for 11 years and that at a time when the City was trying to avoid duplication of services, that the City was not adhering to that policy. In response to Mayor Friedman's question, Councilmember Trevino stated that at a CAPCO retreat recently that staff recommended the Human Resources Department as the most logical department within the City to operate the service. He had talked to Mr. Martinez this morning at CAPCO, and Mr. Martinez, who is in charge of the senior citizens activity at CAPCO, felt that the Human Resources Department would handle the activity best. Councilmember Himmelblau stated that she attended the same retreat, but did not come away with the same feeling as Councilmember Trevino.

In response to Councilmember Hofmann's request, Mr. Jim Miller stated that in the past, the City had tried to place the Human Resources Department (formerly Community Development Office) much more in the social planning role and less in the program delivery role. When the information referral program was discussed, since PARD had been developing special services for the elderly, worked with 30 to 40 elderly organizations in town, knew what the elderly programs were and that they operated and had relations throughout the City, it seemed logical from a programmatic standpoint to place the information referral program under PARD. However, if the Council desired, the application could be rewritten and submitted under the Human Resources Department. In response to Councilmember Linn's question, Mr. Miller stated that other than the neighborhood centers, the Human Resources Department was not involved in the delivery of direct social services.

In response to Councilmember Linn's question, Mr. Andy Ramirez, Director of the Human Resources Department, stated that his department did not have as many contacts with senior citizen groups as PARD. In response to Councilmember Linn's questions, Mr. Ramirez stated that it made no difference to him where the program was placed, and that PARD would deliver it better.

City Manager Davidson stated that if Councilmember Trevino and others who felt that there should be a change in direction as far as what to assign to each department, that the decision as to what direction should be taken should not be based on the application before the Council. He felt that a staff presentation on the matter should be made, possibly in connection with the budget or one of the special work sessions to be held by the Council. He suggested that the Council approve the submission of the application and that it could be assigned later.

Roll Call on Substitute Motion

Roll call on Councilmember Trevino's substitute motion, Mayor Pro Tem Snell's second, showed the motion failed by the following vote:

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

Roll Call on Original Motion

Roll call on Councilmember Himmelblau's original motion, Councilmember Lebermann's second, showed the motion carried by the following vote:

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

Reconsideration of Action

Later that afternoon, Councilmember Linn moved that the Council reconsider the action taken in the morning. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

Final Motion

Councilmember Trevino moved that the Council adopt a resolution authorizing the submission of an application for funds under Title III of the Older Americans Act to CAPCO Area Agency to provide for an information and referral system for the older adults in the amount of \$35,692.00 (Federal funds \$28,745.00; City of Austin \$6,947.00); designating the City of Austin as the prime sponsor and that determination as to what department will be in charge of administering this program to be determined later on, after a thorough review of both departments by the Manager and the Council. The motion, seconded by Councilmember Linn, carried by the following vote:

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

LEGAL DISPOSITION OF SUBSTANDARD STRUCTURES

The Council had before it for consideration 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. 2115 Concho Street  | Arlevia L. Webber, owner   |
| 2. 3113 Castro Street  | Mary Jane Hernandez, owner |
| 3. 2012 Bergman Avenue | Antonio F. Arevealo, owner |
| 4. 2609 (Rear) Hidalgo | Carlos Ruiz, owner         |

City Manager Davidson stated that Mayor Pro Tem Snell had pointed out this morning that Ms. Hernandez had some misunderstanding about the item. Mr. Davidson had arranged for Ms. Hernandez to meet with Mr. Davis and Mr. Reed, and he had told her that the item would be withdrawn until it was certain she understood it. Mayor Pro Tem Snell expressed his appreciation to the City Manager and then inquired about the other three items.

Mr. Lonnie Davis stated that on 2115 Concho Street, there had been no response from Arlevia Webber, to whom all correspondence had been directed. Mr. Fred Caldwell had signed for all correspondence, and was her former husband. Mr. Caldwell had told Mr. Davis that Ms. Webber was deceased and that he did not know how to contact the heirs. Mr. Davis recommended that the item be sent to the Law Department, since it did not preclude the heirs from coming in and taking out a permit or doing whatever was necessary.

Mr. Davis had talked to Ms. Mary Jane Hernandez that morning, and she indicated that she was still interested in demolishing the house, but requested an additional 90 days to do the work.

Mr. Davis stated that on 2609 (Rear) Hidalgo, that in 1972 when the house was first condemned, Mr. Carlos Ruiz took out a permit. The permit had since expired and Mr. Ruiz was in a rest home. The property was being looked after by Father Gross of the Dolores Catholic Church. Mr. Davis had talked to Father Gross last Monday, and Mr. Ruiz had agreed to the demolition. In response to Councilmember Trevino's question, Mr. Davis stated that he had not talked to Mr. Ruiz since the permit was first taken out. In response to Councilmember Trevino's question, Mr. Davis stated that he would be glad to contact Mr. Ruiz personally at the rest home to get his approval.

Mayor Friedman requested that minutes of the Building Standards Commission be forwarded to the Council along with the Commission's recommendations. Mr. Davis agreed to furnish the minutes.

#### Motion

Councilmember Linn moved that the Council adopt a resolution accepting the recommendations from the Building Standards Commission that the Law Department take proper legal disposition on the following substandard structure which has not been repaired or demolished within the required period of time:

2115 Concho Street

Arlevia L. Webber, owner

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

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

Councilmember Linn moved that the Council adopt a resolution accepting the recommendations from the Building Standards Commission that the Law Department take proper legal disposition on the following substandard structure which has not been repaired or demolished within the required period of time:

2012 Bergman Avenue

Antonio F. Arevealo, owner

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

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

Noes: None

No action was taken at this time on the following substandard structures:

1. 3113 Castro Street
2. 2609 (Rear) Hidalgo

Mary Jane Hernandez, owner  
Carlos Ruiz, owner

#### POSTPONEMENT OF ITEM

The item authorizing approval of the conveyance of 10.735 acres of land in Fayette County to Weldon A. Scholtz and wife, Leatrice Scholtz was postponed at this time.

#### ITEM WITHDRAWN

The item concerning resetting zoning hearings scheduled on June 3, 1976, to June 10, 1976, was withdrawn.

#### ZONING ORDINANCES

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:

TRACT A: AN 8.744 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; AND, TRACT B: A 26.576 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; LOCALLY KNOWN AS 6617 AND 6701 DECKER LANE, AND ALSO BEING BOUNDED BY DECKER LAKE ROAD; SAID PROPERTY BEING LOCATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Gary Cutsinger etc., C14-74-169)

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

Ayes: Councilmember Trevino, Mayor Friedman, Councilmembers  
Himmelblau, Hofmann, Lebermann  
Noes: Mayor Pro Tem Snell  
Present but not voting: Councilmember Linn

The Mayor announced that the ordinance had been finally passed.

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 57.83 ACRE TRACT OF LAND, (SAVE AND EXCEPT THE WESTERN FIFTY FEET WHICH IS HEREBY ZONED FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT) LOCATED ON THE SOUTH SIDE OF MARTIN LUTHER KING, JR., BOULEVARD, BETWEEN CRAIGWOOD SUBDIVISION AND THE WALNUT CREEK WASTEWATER TREATMENT PLANT, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (East Industrial District [Excluding Tracor and Motorola Tract]; C14-75-126)

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Friedman introduced the following ordinance:

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

A 2.697 ACRE TRACT OF LAND, LOCALLY KNOWN AS 701-731 EXPOSITION BOULEVARD; 2611-2703 WEST 8TH STREET; 700-736 NEWMAN STREET; AND 2624-2710 LAKE AUSTIN BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (University of Texas, C14-75-076)

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

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

The Mayor announced that the ordinance had been finally passed.



## ORDINANCE ADJUSTING GOLF FEES

The Council had before it for consideration an ordinance amending Section 24-2.1(a) of the City Code to adjust golf fees for municipal courses. In response to Mayor Friedman's question, Mr. Jack Robinson stated that he felt that if the conditions under which he and Mayor Pro Tem Snell talked yesterday were approved, then there would be no objections on the part of the golfers.

After a brief discussion, Mayor Friedman introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 24-2.1(a) OF THE AUSTIN CITY CODE OF 1967 BY ADJUSTING FEES TO BE CHARGED FOR USE OF GOLF RECREATION FACILITIES; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

Mayor Pro Tem Snell moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance, adjusting golf fees for municipal courses, without an increase in regular week-end fees, but accepting all other recommendations as submitted. The motion, seconded by Councilmember Linn, 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.

## REQUEST FOR DAY CARE FUNDING

Mayor Friedman referred to a letter from Ms. Cathy Bonner, Chairperson, Austin Commission on the Status of Women, supporting his request for Council authorization to petition Governor Dolph Briscoe to provide the City assistance to develop a pilot child care program for City employees.

Mr. Buck Smith, representing the Travis County Child Care Association, requested that the matter be postponed until proposals could be studied. Mayor Friedman pointed out that no proposal was being made at this time, that the request was for a feasibility study. At the time a proposal for Council would be made, there would be public hearings held.

Ms. Mary Anderson, Director, Little Red School House and President, Travis County Child Care Association, raised several questions regarding Mayor Friedman's request for a pilot child care program. She asked for other outside input. Ms. Cathy Bonner stated that the Austin Commission on the Status of Women favored a cooperating effort between the City and the State. A survey which would sample 1500 City employees was completed and ready to go tomorrow. Mayor Pro Tem Snell expressed concern over continued funding of the project.

Councilmember Hofmann moved that the Council encourage the Mayor to petition the Honorable Dolph Briscoe, Governor of the State of Texas, to provide the City assistance in the development of a pilot child care program for City employees. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Councilmember Linn requested that the Commission work with the people at Child, Inc.

#### 1975-1976 SIDEWALK/BIKEWAY CONSTRUCTION PROGRAM

Mr. Joe Ternus, Director, Urban Transportation Department, reviewed the proposed program for the Council. The program included the following:

1. Sidewalk construction for both safe school routes, for special users, such as mobility impaired citizens and senior citizens, as well as sidewalk construction along some of the City's major streets.
2. Curb ramps along Guadalupe Street from Martin Luther King, Jr. Boulevard north to 29th Street, allowing full mobility for heavy pedestrian traffic in the area.
3. Bikeway along Manchaca Road from Jones Road south to Stassney Lane.

In response to Mayor Friedman's question, Mr. Ternus stated that he had talked to Mr. Bertram yesterday and felt that Mr. Bertram understood that the City did not anticipate putting bicycles on the pedestrian heavy sidewalks of Guadalupe. He had not talked to other cyclist club members. The only area where it was being suggested that bicyclists and pedestrians be combined was on the Manchaca Road route, but a lot of work still needed to be done before the specific design was developed. His department would be working with the Engineering Department on that aspect of the program. In response to Mayor Friedman's question, Mr. Ternus stated that he would be meeting with the cyclists to keep them informed.

Councilmember Lebermann moved that the Council endorse the concept and instruct the City Manager and staff to proceed. The motion, seconded by Councilmember Linn, carried by the following vote:

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

AFTERNOON SESSION  
2:00 P.M.

Mayor Friedman called the afternoon session to order.

EXECUTIVE SESSION ACTION

Mayor Friedman announced that the Council had met in an Executive Session earlier and had discussed appointments to the Planning Commission and the Construction Advisory Board which were now before the Council for action:

Planning Commission

Councilmember Trevino moved that the Council appoint Freddie Dixon to the Planning Commission, term to begin immediately. 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

Construction Advisory Board

Mayor Friedman moved that the Council appoint the following to the Construction Advisory Board:

Charley Wright, Sr.	Robert C. Gray
Ira Gifford	Royce Faulkner
James R. Wise	Buddy McGee
Isom Hale	

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

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

Three terms to expire October 1, 1977; three terms to expire October 1, 1978; one term to expire October 1, 1979--to be determined by casting of lots. Thereafter terms shall be for three years.

ADJOURNMENT

The Council adjourned at 2:10 p.m.

ATTEST:

Grace Monroe  
City Clerk

APPROVED

Alfred H. Friedman  
Mayor