

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Special Meeting

July 16, 1976
4:00 P.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor Friedman presiding.

Roll Call:

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

Absent: None

The Mayor announced that this was a special called meeting for the purpose of a public hearing to consider a special August election to amend the Charter of the City of Austin to provide for the election of the Mayor at Large and the election of the members of the City Council from numbered districts.

Mayor Friedman then opened the public hearing scheduled for 4:00 p.m. to consider a special August election to amend the Charter of the City of Austin to provide for the election of the Mayor at large and the election of the members of the City Council from numbered districts. Mayor Friedman stated that the Charter Revision Committee which had been created in part by the previous Council and added to by the present Council had generally recommended election of Council members by district. The majority report favored a 10:1 system and the minority report favored an 8:1 system.

LONNIE BELL, a retired attorney, felt that single-member districts would give the best representation for all of Austin. He did not think that ten districts were necessary, but did want the east side to be represented.

MARY BETH ROGERS, a member of the Charter Revision Committee, supported the concept of single-member districts with a 10:1 system. She questioned the timing of the election and asked that the Council do the following:

1. Defer any action at all on an August election.

2. Call a series of public hearings on all recommendations of the Charter Committee.
3. Place single-member districts and/or other items on the ballot next January.

JOAN BARTZ, a member of the Charter Revision Committee, referred to her minority report, to the majority report of the Charter Revision Committee and stated that she had not changed her mind since her original presentation. She stressed two points:

1. She took exception to the statement that the City would be sued if voters did not approve single-member districts, since it was implied that the courts were mandating all single-member districts. She cited the Dallas case as an example that the courts were concerned that some single-member districts be included in the election process. She felt that inaccurate reporting of the courts' intent was an attempt to frighten voters into accepting all single-member districts.
2. All single-member districts would not improve the lot or voice of minority groups in Austin. With either a nine or eleven member Council, there was no way minorities could ever be assured of sufficient votes to implement their plans.

She supported a combination of at large and single-member districts and predicted that if all single-member districts was placed on the ballot, that the issue would fail.

NANCY BENE, President, League of Women Voters of Austin, expressed the membership's disappointment over the placement on the ballot of only one revision to the Charter. She recommended that an election be called for January with a combination of district and at large Council representation being placed on the ballot, plus other Charter revision items.

RUTH EPSTEIN, a member of the Charter Revision Committee, and representing Travis County Democratic Women, urged that the election not be held in August because it would preclude any other Charter changes for two years. Mayor Friedman pointed out that only if the August election passed would that situation be true. Other Charter elections could be held if the August issue failed.

Ms. Epstein felt that if the issue failed, it would be hard to put the same question to the voters again. The Charter Revision Committee had made 41 recommendations for changes to the Charter. She felt that at least five issues should be placed on the ballot for January. She favored a 10:1 system, but wanted other choices placed on the ballot, (10:1, 8:1, 6:1, No change). Mayor Friedman stated that placing more than one choice on the ballot would dilute the possibility that any one issue would get a majority of the votes.

JOHN ALBACH stated that any proposal that called for less than a 10:1 system would dilute minority representation on the Council. Mayor Friedman stated that the Voting Rights Act did not guarantee minority representation, but guaranteed the opportunity of minority representation through the equality of their votes. Mr. Albach favored the 10:1 system and the holding of the election in January.

Mayor Friedman made the following points:

1. There would be an election in August because the City had received a firm bid for the sale of Austin's share of the South Texas nuclear project. That election would generate voter interest.
2. Due to VRA restrictions, there would be no change to districts until receipt of VRA approval. With a minimal time frame of 60 days after submission to the Justice Department for approval, it would not be possible to have everything in place in time for April, 1977 elections.

ROYAL MASSET, a member of the Charter Revision Committee, favored the 10:1 system, but did not want to hold the election in August. He was concerned about other Charter revisions relating to districting. Mayor Friedman stated that certain procedural corrections would have to be part of the ordinance that would be voted on.

CORA BRIGGS, a member of the Charter Revision Committee, asked the Council to consider putting other Charter revision recommendations on the ballot. She also asked that the proposed August election on the Charter not be held at that time. She felt that the election should be held at a later date so that citizens could be educated regarding single-member districts. She and her committee favored the 10:1 system.

JAMES HARRELL felt that Austin deserved equal representation of everybody, but he opposed the cutting up of Austin by percentages. He stated that the timing of the meeting was bad. He felt that district elections would be fair, but that the Council needed all necessary input to make a logical decision. He asked that the Council postpone the election until January and conduct public hearings before reaching a decision.

ED WENDLER, a member of the Charter Revision Committee, had hoped to see other propositions on the ballot besides single-member districts, but he did support the 10:1 system, and was for an August election and another one in January if necessary. He opposed the 8:1 system because minority representation would be frozen at one for the foreseeable future. He urged the Council to support the 10:1 system.

DIANA CAMACHO, a member of the Charter Revision Committee, was for single-member districts and the 10:1 system. She felt that the Charter was outdated and still needed to be changed.

LEO HERNANDEZ wanted to see more items on the ballot. He supported the 10:1 system, but would oppose the 8:1 system. If the courts mandated a 6:1 system, then he could live with it because there would be a Chicano district.

ROBERT (PECK) YOUNG helped to prepare the minority report of the Charter Revision Committee which endorsed the 8:1 system. He regretted having to hold the election in August, but felt that the presence of the South Texas Nuclear Project on the ballot would lessen voter apathy. He argued that the 8:1 plan was the most feasible and logical plan, based on population and housing patterns within the City. He agreed that the August election would dilute the student vote, but pointed out that the January date for an election would be two days before students returned to classes from Christmas holidays. He urged the Council to adopt an 8:1 system.

MIGUEL GUERRERO supported an August election. He did not believe that either a 10:1 or 8:1 system would be adopted by the voters. An August election would allow more time to go to court. He felt that single-member districts were needed before the election next April, and would prefer to have the present Council draw up the district boundaries.

COMMISSIONER RICHARD MOYA, appearing as a representative of Chicanos and not of the Commissioners Court of Travis County, stated that he had testified in favor of the 10:1 system before the Charter Revision Committee, but that he would support whatever plan the Council thought would pass.

GABRIEL GUTIERREZ stated that he thought the Chicanos could win in court with regard to single-member districts. The ruling that Travis County had to go to single-member legislative districts was a sound opinion and would help to support their contention in court. He favored the 8:1 system, but could accept the 10:1 system. On the boundaries he had seen, he felt that the 8:1 system was more logical.

Mayor Friedman and Councilmember Linn stated that they had not seen any boundaries.

In response to Councilmember Hofmann's question regarding having both the Mayor and Mayor Pro Tem run at large, Mayor Friedman stated that it would lead to ticket arrangements whereby the two would run as a slate, which would be very detrimental.

CHARLES URDY, a member of the Charter Revision Committee, favored the concept of single-member districts, but only if the districts were 10:1 or more. He opposed anything less than a 10:1 system. He was against mixed districts.

Motion

Councilmember Trevino moved the Council place an 8:1 plan on the ballot for August. The motion was seconded by Councilmember Himmelblau.

Substitute Motion

Councilmember Linn offered a substitute motion that the Council place a 10:1 plan on the ballot for January. The motion, seconded by Mayor Pro Tem Snell, failed to carry by the following vote:

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

Roll Call on Original Motion

Roll call on the original motion showed the motion ~~carried~~ by the following vote:

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

*Councilmember Linn stated that she voted yes because she favored election by districts. She preferred 10 districts, but eight would be better than nothing.

Mayor Friedman stated there would be a special Council meeting at 1:00 p.m. Wednesday, July 21, 1976, in the Council Chamber for passage of the ordinance calling the August election.

EXECUTIVE SESSION

Mayor Friedman stated that there would be an Executive Session in the Mayor's Office at 12:00 noon on Wednesday, July 21, 1976, to discuss legal matters.

ADJOURNMENT

The Council adjourned at 5:45 p.m.

APPROVED

Walter M. Friedman
Mayor

ATTEST:

Grace Monroe
City Clerk