

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 28, 1976

10:00 A.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor Friedman, presiding.

Roll Call:

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

Absent: None

APPROVAL OF MINUTES

Councilmember Linn moved that the Council approve the Minutes for October 21, 1976. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

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

Noes: None

Abstain: Mayor Friedman

EXECUTIVE SESSION ACTION

Mayor Friedman announced that the Council had met in an Executive Session earlier to discuss appointments to various boards and commissions that were now before the Council for action:

Navigation Board

Councilmember Hofmann moved that the Council appoint EMIL SZAFIR to the Navigation Board for a term ending January 15, 1978. The motion, seconded by Councilmember Linn, carried by the following vote:

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

Human Relations Commission

Mayor Pro Tem Snell moved that the Council reappoint the following to the Human Relations Commission:

Mrs. Geneva Conally	- October 25, 1978
Mrs. Maxine Friedman	- October 25, 1978
Mr. F. R. Rice	- October 25, 1978

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

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

Mayor Friedman stated that also discussed in the Executive Session was the Community Education Commission that will be composed of members from the City Council, the School Board, representatives from the community and the Community Schools. The Council, along with the School Board, has agreed to appoint the following organizations with one member from each to be selected as a member of this consortium:

Austin Neighborhoods Council
Retires Coordinating Board of Travis County
Austin Federation Teachers
Adult Services Council
Mental Health-Mental Retardation Board
Community Development Commission
Mexican-American Chamber of Commerce
Parks and Recreation Board
Austin Association of Public Administrators
Austin Association of Teachers
City Council of P.T.A.'s
Austin Council of Churches
N.A.A.C.P.
United Way

Mayor Friedman noted that in addition to these groups that will select a member, they will join one representative from each of the seven Community School Advisory Councils, one member from the School Board and one member from the City Council.

Mayor Friedman moved that the Council appoint DR. EMMA LOU LINN to represent the City Council on the Austin Community Education Consortium. The motion, seconded by Councilmember Hofmann, carried by the following vote:

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

Ad Hoc Building Standards Study Committee

Mayor Pro Tem Snell moved that the Council appoint the following to the Ad Hoc Building Standards Study Committee:

Jim Rock
Janna Zumbrum
Ms. Iola Taylor
Alan Hirst
Lou Rose
Jackee Cox
Valentine Perez
John Harmes

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

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

Mayor Friedman noted that one person from the Austin Association of Home Builders would be selected to serve on the Ad Hoc Building Standards Study Committee. The Committee is instructed to report back to the City Council by February 1, 1977.

Schedule of Appointments

Mayor Friedman announced that appointments would be made to the following boards and commissions on November 4, 1976:

On Going Goals Assembly	- 1
Navigation Board	- 1
Plumbing Board of Appeals	- 1
Ethics Review Commission	- 1
Manpower Advisory Planning	-- 1
Council	

Mayor Friedman noted that the Travis County Bar Association would be contacted regarding their selection to the Ethics Review Commission.

EMERGENCY ITEM

Mayor Friedman announced that the Council would hear an emergency item in the afternoon session regarding a Parade Permit. The item has been posted in accordance with the proper legal requirements and the requested date change would be heard later in the afternoon. (Crockett High School Parade Permit)

UNICEF DAY

Councilmember Hofmann read and then presented a proclamation to Mrs. Marilyn Simpson proclaiming October 31, 1976, as "UNICEF DAY" in Austin and urged every citizen, old and young alike, to buy UNICEF Christmas cards and to

participate in trick or treat for UNICEF and to welcome properly identified trick or treaters at the door - those whose orange and black containers carry the official printed UNICEF message with the UNICEF symbol of a mother and child. Mrs. Simpson thanked the Council for the proclamation.

REQUEST TO WITHDRAW ZONING CASE

Councilmember Linn moved that the Council grant a request to withdraw Zoning Case No. C14-76-053, from Mr. Randell W. Livingston, Attorney representing AMPCO CORPORATION, 1100 Interstate Highway 35, also bounded by East Riverside Drive, as application for the Special Permit has been granted. The motion, seconded by Councilmember Lebermann, carried by the following vote:

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

PARADE PERMIT - EMERGENCY ITEM

Councilmember Linn moved that the Council grant a request for a Parade Permit from Mr. Val Mendoza for Mexican-American Democrats, for a parade on October 30, 1976, from 11:00 a.m. to 2:00 p.m., beginning at Gillis Park, north on South 1st Street to Barton Springs, east on Barton Springs to Congress Avenue, north to East 7th Street, east to West Frontage Road of E.H. 35, south to East 6th Street, to Canadian, south on Canadian to East 2nd Street, west on East 2nd Street to San Marcos, south on San Marcos to East 1st Street, east on East 1st Street to Pedernales, south on Pedernales to Metz Park area. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

Mayor Friedman stated that this item is due consideration as an emergency item due to the fact that Thursday, October 28, 1976, is the last day the City Council meets prior to the scheduled parade.

RELEASE OF EASEMENT

Councilmember Himmelblau moved that the Council adopt a resolution authorizing release of the following Easement:

The seven and one-half (7.50) foot Public Utilities Easement in Lot 2B, Macmor Acres, Resubdivision of Lot 2 of Block A. (Requested by W. Harvey Smith, Registered Public Surveyor, representing Mr. Gary E. Caywood, owner of Lot 2B)

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

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

CHANGE ORDER FOR RENOVATIONS AT BRACKENRIDGE SCHOOL OF NURSING

Councilmember Linn moved that the Council adopt a resolution for approval of Change Order No. 4, in the amount of \$8,195 to STIEFER PAINTING AND CONTRACTING COMPANY, INC., in connection with the contract for Renovations at Brackenridge School of Nursing. 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

CONTRACTS AWARDED

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

INTERNATIONAL BUSINESS MACHINES
CORPORATION
1609 Shoal Creek Boulevard
Austin, Texas

- Extended Term Plan, Communications Control Unit, Data Systems Department. Item 1, Communications Control Unit at \$1,531.00/month, two (2) year Extended Term Plan including options for up to three (3) one (1) year extensions.

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

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

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

WEST COAST ORGANIZATION
PLAN, INC.
560 East Shields, Suite 105
Fresno, California

- Subscription service for magazines and newspapers, Austin Public Libraries Twelve month Supply Agreement including option for an additional twelve month extension, 3% discount.
Estimated expenditure: \$25,000.00

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

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

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

STIEFER PAINTING AND
CONTRACTING COMPANY, INC.
P. O. Box 9924
Austin, Texas

- Remodeling for Model Cities Services
Center, 1601 East 6th Street -
\$19,489.00.

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

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

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

TECHLINE
8750 Shoal Creek Boulevard
Austin, Texas

- 200 Each 25 foot Street Light Poles,
Central Stores Division
Item 1 - \$37,560.00

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

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

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

Bid Award:

- Generic drugs for Brackenridge
Hospital Pharmacy.
Twelve month Supply Agreement.
Total \$503,616.18

THE UPJOHN COMPANY
4114 North Central Expressway
Dallas, Texas

- \$72,094.10

AMFAC DRUG SUPPLY COMPANY
11927 Warfield
San Antonio, Texas

- \$71,795.19

HYLAND LABORATORIES
P. O. Box 2214
Costa Mesa, California

- \$61,413.22

METABOLIC, INC.
4520 Yoakum
Houston, Texas

- \$44,070.10

MEGAW LABORATORIES 3310 Quebec Dallas, Texas	- \$37,273.50
WYETH LABORATORIES 8717 Dorectors Row Dallas, Texas	- \$32,718.25
BRISTOL LABORATORIES P. O. Box 657 Syracuse, New York	- \$28,998.26
E. R. SQUIBB & SONS 3101 Buffalo Speedway Houston, Texas	- \$15,185.44
BEECHAM LABORATORIES 4601 Spring Valley Road Dallas, Texas	- \$13,697.64
PFIZER, INC. P. O. Box 22249 Dallas, Texas	- \$10,520.27
MCKESSON & ROBBINS DRUG COMPANY 1110 Hoefgen Avenue San Antonio, Texas	- \$10,369.77
PANRAY DIVISION ORMONT DRUG COMPANY P. O. Box 150 Englewood, New Jersey	- \$8,930.90
RIKER LABORATORIES 19901 Nordhoff Street Northridge, California	- \$8,500.00
BEHRENS, INC. P. O. Box 1467 Austin, Texas	- \$8,084.00
TRAVENOL LABORATORIES 2001 110th Street Grand Prairie, Texas	- \$7,192.80
E. G. FIELD PHYSICIAN & SURGEONS SUPPLY COMPANY 705 North Lamar Boulevard Austin, Texas	- \$6,891.28
CUTTER LABORATORIES 8610 Directors Row Dallas, Texas	- \$6,586.08

ELKINS-SINN, INC. 4601 Spring Valley Road Dallas, Texas	- \$6,102.52
ABBOTT LABORATORIES P. O. Box 5295 Dallas, Texas	- \$5,400.96
Total	- \$455,824.28

Twenty-nine (29) other awards are \$5,000.00 or less and will be handled by Administrative action, totaling \$47,791.90.

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

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

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

Bid Award:	- Item 1, Hot Mix Asphaltic Concrete, Type D; Item 2, Hot Mix-Cold Laid Asphaltic Concrete; and Item 3, Hot Mix Asphaltic Concrete, Modified Type D, Street and Bridge Division.
AUSTIN ROAD COMPANY 428 East Anderson Lane Austin, Texas	- Items 1 and 2 to be picked up by City trucks for Kramer Lane location; Item 3 to be delivered by supplier to Kramer Lane and FM 1325, 45th and Guadalupe, and Riverside and Parker Lane locations. Estimated total: \$138,480.00/annually.
CAPITOL AGGREGATES, INC. Bolm Road Austin, Texas	- Item 1 to be picked up by City trucks for US 183 and Harold Court, South First and Center Streets, and River Street locations; Item 2 to be picked up for River Street location; Item 3 to be delivered by supplier to East 12th and Airport Boulevard location. Estimated total: \$120,250/annually.

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

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

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

Bids received October 26, 1976
(AUSTIN ROAD COMPANY)

- Construction of Median Islands in Anderson Lane from Burnet Road to Shoal Creek Boulevard.

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

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

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

Bids received October 26, 1976
(AUSTIN ROAD COMPANY)

- Construction of Robert Mueller Municipal Airport Parking Lot Expansion.

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

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

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

SUPERIOR SOUTHWEST, INC.
Overton Road
Dallas, Texas

- Emergency Medical Vehicle, Modular Ambulance, Vehicle and Equipment Services Department.
Item 1 - 1 ea. @ \$22,686.60

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

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

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

MOTOROLA, INC.
300 East Huntland
Austin, Texas

- Mobile Radios, Vehicle and Equipment Services Department.
Item 1 - 7 ea. @ \$1,418.00
Total - \$9,926.00

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

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

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

Bid Award:

- Retread and Section Repair of Tires, Vehicle and Equipment Services and Various Other City Departments. Twelve (12) months Service Agreement including option for extension for up to twelve months.

WALKER TIRE COMPANY
7107 North Lamar Boulevard
Austin, Texas

- Items 1 through 26 and 33 through 37 - \$19,981.50.

PERRY ROSE FIRESTONE
2201 Airport Boulevard
Austin, Texas

- Items 27 through 32 - \$3,681.00

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

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

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

Bid Award:

- Trailers, Vehicle and Equipment Services Department.

HOBBS TRAILERS
1605 Ackerman Road
San Antonio, Texas

- Item 1 - 2 ea. @ \$22,500.00
Item 2 - 1 ea. @ \$17,500.00
Total - \$62,500.00

WEHRING-GOSS EQUIPMENT
I.H. 35 and Weidner Road
San Antonio, Texas

- Item 3 - 1 ea. @ \$11,790.00

POLAR MANUFACTURING COMPANY
Rural Route 1
Holdingford, Minnesota

- Item 4 - 1 ea. @ \$22,873.00

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

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

APPROVAL TO AUCTION SURPLUS VEHICLES AND EQUIPMENT

Councilmember Hofmann moved that the Council adopt a resolution for approval to dispose by Auction on October 30, 1976, Surplus Vehicles and Equipment. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

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

In response to Councilmember Linn's question, City Manager Dan Davidson commented that the fire squad trucks would not be sold and arrangements have been made to retain those units.

CONTRACT FOR TECHNICAL STUDIES GRANT

Councilmember Linn moved that the Council adopt a resolution for authorization to enter into a contract with the Urban Mass Transportation Administration, U. S. Department of Transportation for a Technical Studies Grant of \$70,000. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

ACCEPTANCE OF HIGHWAY COMMISSION MINUTE ORDER

Councilmember Linn moved that the Council adopt a resolution for acceptance of Highway Commission Minute Order 71797 for 1975-1976 Urban System Projects Supplement. 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

CONTRACT FOR AN OPERATING ASSISTANCE GRANT WITH URBAN MASS TRANSPORTATION ADMINISTRATION

Councilmember Himmelblau moved that the Council adopt a resolution authorizing execution of a contract with the Urban Mass Transportation Administration for an Operating Assistance Grant under Section 5 of the Urban Mass Transportation Act of 1964 for \$417,179. 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

OPTIONS FOR CONTRACTUAL AGREEMENTS FOR CASWELL AND PHARR TENNIS CENTERS

The Council had before it for consideration possible authorization to exercise options in the Contractual Agreements for the Caswell and Pharr Tennis Centers.

Motion

Councilmember Linn moved that the Council adopt a resolution authorizing renewal of contracts with John Fulton for Caswell Tennis Center and Edgar Chew, Jr., for Pharr Tennis Center - exercising the following options in the Contractual agreements:

1. Section IIA. Rental - Contract changed to read:

"an additional 7.0% of all gross sales in excess of seventy thousand and no/100 dollars (70,000) and an additional 3.0% of all gross sales in excess of one hundred thousand and no/100 dollars (100,000)."

This revision expands the revenue potential to the City.

2. Section III. Period of Agreement - Contract changed to read:

"extend the time for performance of this agreement for two additional years."

The previous agreement read one year.

3. Section VI. Tennis Instruction - Contract changed to read:

"...and further provided that no more than three (3) courts be used for instruction at any one time without the written permission of the Director of the Parks and Recreation Department."

Previous contract read four (4) courts. This reduces the maximum amount of courts that may be utilized for instruction at any one time.

4. Section XV. Records and Reports -

The previous contract wording has been modified to clarify the types of records and reports required of the Pro Manager. No change in the scope of the contract with this revision.

5. Section XIX. Termination - Contract changed to read:

"It is understood and agreed that either party may terminate this agreement sixty (60) days after delivering notice in writing."

The previous contract read thirty (30) days.

Councilmember Hofmann stated that she wanted to make one change in the contract which involved the Period of Agreement, that it be extended for only one year and not two years. Mr. Jack Robinson, Director of Parks and Recreation, noted that this change was agreeable to him.

In response to Councilmember Himmelblau's question concerning the lessons on the courts, Mr. Robinson stated that three courts have been allocated for this purpose and if there is time where some of the courts are not being used, then the Director of Parks and Recreation can allocate additional court spaces. Councilmember Himmelblau stated that she had received calls from citizens that expressed a desire that the group lessons continue.

In response to Mayor Friedman's question, Mr. Robinson commented that the one-year contract with a renewal every year would have a bearing on the operation of the courts. He pointed out that on a yearly basis it would make it very difficult for the pro's to take care of their large inventory. Mayor Friedman stated that in all fairness the two-year contract is more reasonable. Mr. Robinson felt that the two-year contract would be more reasonable also. Councilmember Hofmann pointed out that she had met with the person in charge of the tennis program and she felt that the one-year would be a better solution and would give the Council an opportunity to review the entire picture next year. City Manager Davidson stated that he still recommended the two-year contract.

Second and Roll Call

Councilmember Himmelblau seconded Councilmember Linn's motion, and the motion carried by the following vote:

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

GRANT APPLICATION FOR "DEVELOPMENT ASSISTANCE FOR REHABILITATION, INC."

Councilmember Trevino moved that the Council adopt a resolution authorizing submission of a grant application to the Texas Criminal Justice Division for the project entitled "Development Assistance for Rehabilitation, Inc." in the amount of \$39,927. (Program period: November 1, 1976, through October 31, 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

AUTHORIZATION TO REDIRECT APPROVED CITY FUNDING

The Council had before it for consideration possible authorization to permit Child, Inc. to redirect \$75,000 approved City funding from the Title XX Child Care program to Health, Education and Welfare Head Start Program.

Motion

Mayor Pro Tem Snell moved that the Council adopt a resolution for authorization to permit Child, Inc. to redirect \$75,000 approved City funding from the Title XX Child Care program to the HEW Head Start Program. The motion was seconded by Councilmember Trevino.

Councilmember Himmelblau asked if this could be postponed for one week.

Mr. Andy Ramirez, Director of Human Resources, reviewed the situation by stating that there had been a request by the citizens who have children in the half day Head Start Program to turn the program into a full day operation. After these citizens met with the regional director of the Department of Public Welfare, he proposed that it would take approximately \$75,000 to turn this half day program into a full day. The regional director stated that if the City allowed Child Inc. to shift \$75,000 of the Title XX match money that is provided by the City then the Department of Public Welfare would come back and in turn give an additional \$75,000 in state money to match the Title XX Child Care Program.

In response to Councilmember Himmelblau's question, Mr. Ramirez stated that next year the state could not say the program would be entirely dependent upon the City because a letter was received from them stating that this would not obligate the City for any future matching funds.

Councilmember Hofmann referred to the letter and noted that recommendations from the Council are needed by October 20, 1976, and was concerned with this date since it is already October 28. Mr. Ramirez stated that all they were requesting at this time was an administrative response and he informed them that this item would have to come before the Council. Councilmember Hofmann expressed some reservation about this since it is an entirely new program and inquired as to whether or not the Community Development Commission has examined this program. Mr. Ramirez stated that they had not looked at this program because they have not had the time.

Councilmember Linn pointed out that a full day program is needed. Councilmember Hofmann agreed with Councilmember Linn but also felt that the Community Development Commission should review it.

Roll Call on Motion

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

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

APPROACH MAIN CONTRACT

Councilmember Linn moved that the Council deny authorizing the following approach main contract:

WESTOVER HILLS, INC.

- Construction of a 12-inch water and a 12-inch wastewater approach main to serve The Courtyard Planned Unit Development.
Estimated cost - \$14,775.00

The motion died for lack of a second.

Councilmember Himmelblau moved that the Council adopt a resolution authorizing the aforementioned Approach Main Contract. The motion, seconded by Councilmember Lebermann, carried by the following vote:

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

ORDINANCE CONCERNING SPEED LIMIT

Mayor Friedman introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 21-42 OF THE AUSTIN CITY CODE OF 1967, MAKING A CERTAIN DELETION AND ADDITION TO SUBSECTIONS (b) AND (a) THEREOF, THEREBY DECLARING MAXIMUM PRIMA FACIE SPEED LIMITS UPON A CERTAIN STREET WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS" (VERNON'S ANN. CIV. ST., ART. 6701d); SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Anderson Lane)

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

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

The Mayor announced that the ordinance had been finally passed.

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 1: A 2.546 ACRE TRACT OF LAND, SAVE AND EXCEPT THE EASTERNMOST 70.73 FEET, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; AND,
TRACT 2: THE EASTERNMOST 70.73 FEET OF THE ABOVE DESCRIBED 2.546 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;
ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 8815-8829 NORTH LAMAR BOULEVARD AND 602 DEEN AVENUE, 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. (Odus S. Crumley, Charles Tyler, M. D. Saxton, and John C. Shirley, C14-76-015)

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Friedman brought up the following ordinance for its second reading:

AN ORDINANCE ORDERING A CHANGE IN HEIGHT AND AREA AND CHANGING THE HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
TRACT 1: A 73.80 ACRE TRACT OF LAND, FROM "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT; AND,
TRACT 2: A 254.91 ACRE TRACT OF LAND, FROM "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT;
ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 11400 F. M. ROAD, 1325, 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.
(International Business Machines Corporation, C14-76-008)

The ordinance was read the second time, and Councilmember Linn moved the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

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:

LOT 29 AND THE SOUTH TEN FEET OF LOT 28, OUTLOT 20, DIVISION "D," LOUIS HORST SUBDIVISION, LOCALLY KNOWN AS 1907 WHITIS AVENUE, FROM "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (The Austin National Bank Trustee, C14-76-045)

Councilmember Lebermann moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor Pro Tem Snell, 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.

Mayor Friedman brought up the following ordinance for its second reading:

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:

(1) TRACT 1: THE MOST WESTERLY FIFTY FEET OF LOT 4A, RESUBDIVISION OF LOTS 4, 5, 6, AND PART OF 7, BLOCK 3, ELIZABETH M. PATTERSON ADDITION, FROM "A" RESIDENCE, FIFTH HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2: LOT 3, RESUBDIVISION OF LOTS 4, 5, 6, AND PART OF 7, BLOCK 3, ELIZABETH M. PATTERSON ADDITION, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCALLY KNOWN AS 1007-1009 WEST 32ND STREET; AND,

(2) A 0.797 ACRE TRACT OF LAND, LOCALLY KNOWN AS 9237 JOLLYVILLE ROAD (OLD BURNET ROAD), FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; ALL OF 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. (Bernard J. Hillen, C14-76-054; F. A. Hildebrand, Jr., C14-76-075)

The ordinance was read the second time, and Councilmember Linn moved that the Council waive the requirement for the third reading, declare an emergency, and finally pass the ordinance. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

Mayor Friedman brought up the following ordinance for its second reading:

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:

LOT 14, OUTLOT 20, DIVISION "D," HORST SUBDIVISION, LOCALLY KNOWN AS 1910 WHITIS AVENUE, AND ALSO BOUNDED BY WEST 20TH STREET, FROM "GR" GENERAL RETAIL, THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Mrs. Kyong Hui Shuey, C14-76-076)

The ordinance was read for the second time, and Councilmember Linn moved that the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

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

Noes: None

Abstain: Mayor Friedman

The Mayor announced that the ordinance had been finally passed.

Mayor Friedman brought up the following ordinance for its third reading:

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

TWO TRACTS OF LAND CONSISTING OF APPROXIMATELY 11,907 SQUARE FEET OF LAND, LOCALLY KNOWN AS 3409 WEST AVENUE, AND ALSO BOUNDED BY THE END OF WEST 35TH STREET, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND PROVIDING AN EFFECTIVE DATE. (34th & West Investment Group, Inc., C14-75-106)

The ordinance was read the third time, and Councilmember Trevino moved that the Council finally pass the ordinance. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

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

Noes: Councilmember Linn, Mayor Friedman

The Mayor announced that the ordinance had been finally passed.

ORDINANCE AUTHORIZING STREET NAME CHANGE

Mayor Friedman brought up the following ordinance for its second reading:

AN ORDINANCE CHANGING THE NAME OF JACARANDA DRIVE TO DOVE SPRINGS DRIVE; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was read the second time, and Councilmember Trevino moved that the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

ORDINANCE RESCHEDULING REGULAR COUNCIL MEETING

Mayor Friedman brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING THAT THE REGULAR COUNCIL MEETING OF NOVEMBER 11TH, 1976, SHALL BE RESCHEDULED FOR NOVEMBER 9TH, 1976, AT 1:30 P.M.; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the second time, and Councilmember Hofmann moved that the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance. 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

The Mayor announced that the ordinance had been finally passed.

ORDINANCE CANCELLING COUNCIL MEETING

Mayor Friedman introduced the following ordinance:

AN ORDINANCE CANCELING THE REGULAR COUNCIL MEETING OF NOVEMBER 25TH, 1976; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

Councilmember Hofmann moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. 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

The Mayor announced that the ordinance had been finally passed.

HEARING ON VACATION OF ALLEY

Mayor Friedman opened the public hearing on the proposed vacation of the following alley and passage of the ordinance:

WEST 1ST STREET ALLEY, from the west line of Colorado Street in a westerly direction to the east line of Lavaca Street and from the west line of Guadalupe Street in a westerly direction to the east line of San Antonio Street. (Requested by Mr. S. Reuben Rountree, Jr., P. E., Director of Public Works Department)

Mayor Friedman introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THOSE CERTAIN PORTIONS OF WEST FIRST STREET ALLEY IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR DRAINAGE AND PUBLIC UTILITY PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

The Mayor announced that the ordinance had been finally passed.

HEARING ON VACATION OF STREET

Mayor Friedman opened the public hearing on the proposed vacation of the following street and passage of the ordinance:

VALDEZ STREET, fifty (50.00) feet in width, and extending from the north line of Ponca Street in a northerly direction 750.00 feet. (Requested by Mr. Woodrow Sledge, representing the Austin Independent School District, owners of the property on the west side of Valdez Street and Mr. Joseph Pearson, owner of the property on the east side of Valdez Street)

Mayor Friedman introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF VALDEZ STREET IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR DRAINAGE AND PUBLIC UTILITY PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Trevino moved that the Council close the public hearing, waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

SETTING PUBLIC HEARING ON PROVISION OF BRANCH LIBRARY IN SOUTH
AUSTIN MULTIPURPOSE CENTER

Councilmember Linn moved that the Council set a public hearing on November 4, 1976 at 2:30 p.m. on the provision of Branch Library in South Austin Multipurpose Center. 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

SETTING PUBLIC HEARING ON THE TRUTH IN SELLING ORDINANCE

Mayor Friedman moved that the Council set a public hearing on November 18, 1976, at 8:00 p.m. to discuss the Truth in Selling Ordinance. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

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

Mayor Friedman stated that copies of the proposed ordinance are available in his office and in the Public Information Department. He instructed the City Clerk to mail copies of the proposed ordinance to the Board of Realtors.

SETTING PUBLIC HEARING ON FISCAL NOTE ORDINANCE

Mayor Friedman pointed out that a public hearing was not required on this matter. He suggested that it be placed on the agenda under ordinances for the November 4, 1976, Council meeting. He explained that this ordinance involved a proposal requiring that any program or policy of the Council or the administration be accompanied by a cost statement.

ANIMAL CONTROL ENFORCEMENT REPORT

City Manager Davidson stated that a report had been distributed to the Council earlier in the week concerning this matter of animal control enforcement. He noted that the report distributed to the Council this morning reviews the actions already taken in order to increase the enforcement of this new animal control program.

The following measures have already been taken to improve the animal control program:

1. Animal control units have been rescheduled to increase evening hours and week-end coverage.
2. Animal control districts have been redrawn to equalize work loads between units.
3. Animal control units are assigned routine patrol areas where there are numerous complaints, particularly to coincide with garbage activities.
4. The new dispatch radio is now ready for installation to provide 24-hour emergency call service.

Within the next two weeks, these additional changes will be made within budgetary allocations:

1. A Health Department clerk will be trained to operate dispatch radio equipment and assigned to work early morning, evening, and week-end shifts.
2. Animal control vehicles will be operated with one warden instead of two to further increase early morning, late evening, and week-end coverage.
3. An animal warden will be put on call to provide emergency service on off duty hours.

Councilmember Hofmann expressed her appreciation for these steps that have and will be taken to insure the enforcement of this program. She stated that a meeting had been held with Mr. Larry Sullivan, Deputy Director of the Health Department, and others concerned with this matter in order to incorporate some of the suggestions that had been made; she felt that some of these steps as outlined by Mr. Davidson would address themselves to the points discussed.

PUBLIC HEARING TO ALLOW LAKEWOOD PLANNED UNIT DEVELOPMENT

Mayor Friedman opened the public hearing scheduled for 11:00 a.m. to discuss possible authorization of the Lakewood Planned Unit Development, File No. C814-74-013 and passage of the ordinance. MR. DICK LILIE, Director of Planning, reviewed the proposed development by stating that it consists of approximately 167 acres of land and showed the staff report map by way of a slide. He noted that the Planning Commission approved the PUD plan in 1975 and was located outside of the City limits at that time. The Commission approved the PUD subject to the ordinance and departmental requirements; the prohibition of cut and fill on slopes over 30%; and reducing the commercial area within the tract from 7.5 acres to just under 6 acres. The applicant is in agreement with the conditions that have been made by the Planning Commission.

October 28, 1976

Mr. Lillie stated that the area was annexed to the City in October, 1975, and in January, 1976, the final plat on the first section was submitted and reviewed by the Planning Commission. Since January, 1976, due to the hold on plats and because of the approach main requirements that had to be worked on, and because of the Lake Austin Growth Management Plan, all of these issues had to be reviewed by the concerned parties. Therefore, it was not until September, 1976, that these questions were settled. The approach main has been approved and the final plat on section one has been approved by the Planning Commission and is being held subject to Council action today.

Mr. Lillie pointed out that Mr. Maury Hood, developer, and Mr. Bechtol had volunteered to work with the staff and the Planning Commission dealing with these proposed standards as a test case to see how the standards apply to an actual situation. In conclusion, Mr. Lillie recommended that this PUD be approved by the Council. In response to Councilmember Himmelblau's question, Mr. Maury Hood stated that the mounds of dirt that are presently in the area will be cleared away as soon as possible.

Councilmember Linn asked if the present Planning Commission had voted on this project, and Mr. Lillie noted that the present Planning Commission had not voted on the whole project, but had reviewed only section one.

In response to Councilmember Lebermann's question, Mr. Lillie stated that the total project had not been reviewed in relation to the standards of the Lake Austin Development Plan, but would be reviewed as they come up.

Mayor Friedman introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 BY PERMITTING A 126.95 ACRE TRACT OF LAND KNOWN AS "LAKEWOOD," LOCATED ON LAKEWOOD DRIVE ACROSS FROM THE CITY'S DISTRICT PARK IN THE BULL CREEK AREA, TO BE USED FOR A PLANNED UNIT DEVELOPMENT; 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. (C814-74-013)

Councilmember Lebermann moved that the Council close the public hearing, waive the requirement for three readings, and finally pass the ordinance. The motion, seconded by Councilmember Hofmann, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

PUBLIC HEARING TO CONSIDER REVISION TO PLANNED UNIT DEVELOPMENT
CALLED "TIMBERLINE TOWNHOUSES"

Mayor Friedman opened the public hearing scheduled for 11:00 a.m. to consider a revision to a previously approved Planned Unit Development called "Timberline Townhouses" reducing the number of units from 66 townhouse units to 36 townhouse units. (C814-73-012) MR. SID JAGGER, applicant, stated that he had been presented with a legal brief which raised some questions as to procedural adequacy of some of the actions that have been taken on this particular proposal through the last two to three years. Mr. Jagger agreed that the best thing to do is to request that this particular public hearing be stricken and that he would like to present a new proposal, starting with the Planning Commission.

MR. JIM BANNEROT, representing Mrs. Margaret Leach and Mrs. Carolyn Jenkins, who are opposed to this application, stated that he had prepared to make a presentation concerning his opposition to this project, but in view of the withdrawal of this application and the intent of Mr. Jagger to begin all over, he would not go into detail at this time. He pointed out that a petition had been distributed in the community and would be ready at the proper time for submission.

In response to Councilmember Linn's concern about notification, Mr. Lillie stated only those people that live within 300 feet of the property line would be notified of this project. Councilmember Linn felt that maybe the City should look into the possibility that if the City owns creek property that they notify property owners adjacent to the City property. Mr. Lillie stated that this could be done.

Mr. Lillie noted that this still is a pending application because certain conditions have not been met. He stated that he was preparing a list of pending cases for the Council to act on and it would be presented to the Council in the near future.

Mayor Friedman pointed out that all that is being discussed today is to cancel this public hearing and take no other action.

Councilmember Lebermann moved that the Council cancel the public hearing to consider a revision to a previously approved Planned Unit Development called "Timberline Townhouses," reducing the number of units from 66 townhouse units to 36 townhouse units. (C814-73-012) The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Mayor Friedman thanked Mr. Jagger and Mr. Bannerot for their cooperation in working together on this project.

Mayor Friedman stated that the Council would recess until 3:30 p.m.

AFTERNOON SESSION
3:30 P.M.

Mayor Pro Tem Snell called the afternoon session to order noting that Mayor Friedman would not be present.

PARADE PERMIT - EMERGENCY ITEM

Councilmember Linn moved that the Council approve a request to reschedule a Parade Permit granted for David Crockett High School Student Council by the City Council on October 14, 1976, from October 28, 1976, to October 29, 1976. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

Noes: None

Absent: Mayor Friedman

Not in Council Chamber when roll was called: Councilmember Lebermann

This item is due consideration as an emergency item due to the fact that bad weather conditions existed on the date scheduled for the parade.

PUBLIC HEARING ON PROPOSED ORDINANCE REQUIRING INDIVIDUAL ELECTRIC
METERING

Mayor Pro Tem Snell opened the public hearing scheduled for 3:30 p.m. to discuss the proposed Ordinance requiring individual electric metering. MR. MAC HOLDER, Chairperson of the Energy Conservation Commission, presented to the Council the proposed Ordinance which would require individual metering for all new dwelling units, duplex through apartments, constructed in the City of Austin. This study has been conducted over the last 18 months and factual information has been obtained on this matter. Mr. Holder stated that a report entitled "Apartment Survey" confirmed that apartments which were individually metered, whether or not the tenant paid the bill, had 20% less electrical energy used when compared to similar apartments with a master meter. He stressed that this Ordinance would apply only to new construction and would not require people to retrofit existing apartments. He noted that separate meters would be installed on common areas such as swimming pools, club rooms and other types of facilities. Common metering will be allowed according to this proposed ordinance for heating, cooling, and water heating when the units that are used, serve four or more individual units. Mr. Holder noted that the ordinance does not include an effective date and recommended that it become effective as of January 1, 1977. In response to Councilmember Hofmann's question, Mr. Holder commented that he had considered single metering for office buildings and was working on this at the present time. This would include retrofitting office buildings.

MR. BARRY GILLINGWATER, a member of the commission, stated that they had been contacted by residents wanting the individual metering. He felt that since some people disregard the energy problem this individual metering will help to conserve energy.

MR. JOE HUDSON, associated with an electronics firm in Dallas, Texas, addressed his concern to a portion of the ordinance pertaining to item number 4 under "Individual metering, Exception." He asked what percentage of new construction did the Commission think would make up the new complexes that have a central air conditioning system. Mr. Holder stated that since the ordinance addresses itself to high and low-rise buildings, this area in number 4 would involve high-rise construction. He noted that presently there are no plans for central air conditioning systems.

Mr. Hudson felt that the reason the exception was included in the ordinance was because of a lack of technology to monitor the units described in the exemption. He noted that his company is manufacturing and has developed an electronic metering system which can do this and would also allow for retrofitting of apartments at a very inexpensive rate. Mr. Hudson felt that if there is going to be any kind of percentage of units in the future that will require a central air conditioning system, then this exemption should not be included in the ordinance.

Mr. Holder noted that this particular paragraph being referred to by Mr. Hudson was put in for the exact reason as stated by Mr. Hudson. It would allow for central systems to be installed, but the metering referred to by Mr. Hudson would be done by the landlord and not by the City. This ordinance is addressing the metering done by the City. Mr. Hudson pointed out that landlords could not be involved in any type of remetering.

Mr. Gillingwater stated that he was working with the City and other offices on the problem of submetering and that he had learned that submetering could not be done; however, this situation is being studied and he felt it should not be involved with this discussion. Mr. Hudson reiterated his statement that there is no reason for this exception to be included in the ordinance.

Councilmember Linn stated as she understood this, in high-rises where common air conditioning is present the City is at a point where they could have individual meters. Mr. Hudson stated this is correct. Councilmember Himmelblau felt that Mr. Hudson was making this comment because of his attempt to market his company's product. She would rather listen to the Commission's report and when the time comes to amend the ordinance and sufficient proof has been shown, then she possibly would consider this thought. Councilmember Himmelblau stated that she was not interested in a monopoly of a company that is not even within the City to come here and wanting to sell their product.

Mr. Hudson commented that he was only trying to inform the Commission and the Council that there is technology available that they are possibly unaware about. Councilmember Himmelblau felt that the City has very qualified and capable people involved in this project and she was interested in listening to the Commission. Mayor Pro Tem Snell stated that the points being outlined by Mr. Hudson could possibly be correct and when the time comes that this technology is needed then Mr. Hudson would have the opportunity to request that the ordinance be amended.

In response to Councilmember Linn's question, Mr. Holder stated that he was acquainted with people who are able to monitor water, air, electricity and any other service that might go into a complex. He felt that the City of Austin and the Electric Utility Department should not get into the business of metering air, water, and non-electrical consumption in apartments. He felt that the City ordinance should not strive to pick one type of meter over another one. In response to Mr. Hudson's question, Mr. Holder commented that the reason for the exemption is because of an attempt to save energy.

KEN FINK, a member of the State Building Commission, felt that what was being accomplished by this ordinance is to allow central systems to exist on a minimum or maximum basis so the central systems can continue to function and save energy. Mr. Fink noted that it has been found in various studies that the use of energy has been less by individual metering; the two types of systems have been studied and single metering is cheaper than central systems.

Councilmember Linn felt that what Mr. Hudson was saying is that even if the exemption is deleted, it would not mean that central air conditioning would be done away with. She felt one could delete the exemption, require individual meters but still have central air conditioning.

City Manager Davidson pointed out to Mr. Hudson that the type of metering he was referring to could not be done by the City of Austin Electrical Department, and that was the reason it is not applicable to the ordinance that is before the Council today. Councilmember suggested that the Council proceed on this ordinance and that Mr. Hudson meet with the Commission to discuss his amendment to the ordinance. Councilmember Linn stated she felt Mr. Hudson had a good idea and that many apartment owners would be ready to talk with him immediately about his product. Mr. Fink stated that the Commission would be more than happy to meet with Mr. Hudson to discuss his idea. Mayor Pro Tem Snell thanked Mr. Hudson for his input and the work of the Commission.

Councilmember Linn moved that the Council close the public hearing on the proposed ordinance requiring individual electric metering, and instruct the Legal Department to come back with the proper ordinance on November 4, 1976, which will be effective as of January 1, 1977. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

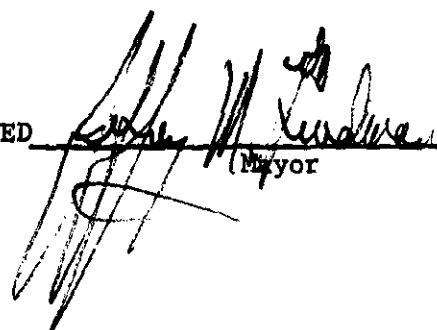
Noes: None

Absent: Mayor Friedman

ADJOURNMENT

The Council adjourned at 4:05 p.m.

APPROVED


Mayor

ATTEST:


City Clerk