

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Special Called Meeting

January 4, 1978
7:15 P.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro
Tem Himmelblau, Councilmembers Mullen, Snell, Trevino

Absent: None

PUBLIC HEARING ON BOARDS AND COMMISSIONS

Mayor McClellan noted that there would be a Public Hearing on Boards and Commissions, in compliance with the recently adopted Sunset Ordinance which requires a review of the Boards and Commissions between November 1 and February 1 of each year, with the Council making a decision to continue, modify or terminate each of the Boards or Commissions.

The Mayor stated that it would be the Council's desire to have a brief presentation by the Chairperson or the person representing the Chairperson of each Board or Commission, with a limit of no more than ten minutes. She also stated that following the Chairperson speaking to the Council, any interested citizen would have the opportunity to speak.

Mayor McClellan then read Section 1.05, Ordinance No. 770707-J - Criteria for Review. The City Council shall consider the following criteria in determining whether a public need exists for the continuation of a commission:

- (a) An identification of the objectives intended for the commission and the problems or needs which the commission was intended to address, and the extent to which the objectives have been achieved.
- (b) The extent to which the commission is needed and is used.
- (c) The efficiency with which the commission operates.

January 4, 1978

(d) The promptness and effectiveness with which the commission disposes of its business.

(e) The extent to which the jurisdiction of the commission overlaps or duplicates the jurisdiction of other commissions and the extent to which the functions of the commission can be consolidated with the functions of other commissions.

(f) The cost of operating the commission.

(g) An assessment of less restrictive or other alternative methods of performing any function of the commission which could adequately protect the public.

(h) The impact in terms of Federal intervention or loss of Federal funds if the commission is abolished.

Mayor McClellan said that she hoped the Chairpersons would speak to one of the above listed issues, particularly if they represented one of the boards being considered for abolishment. She further stated that the Council did have reports from every Board or Commission which was being reviewed. She said that there would be no decisions made at this particular meeting and that action would be taken on a regular Council Agenda at a future date.

Energy Conservation Commission

Mayor McClellan called on DR. ARCHIE STRAITON, the Vice-Chairperson representing the commission which is being considered for abolishment.

Dr. Straiton briefly reviewed the history of the Energy Conservation Commission over the past four years. He stated that the recommendation that the Commission made for the insulation of houses for air-conditioning ducts, as well the Energy Efficiency Ratio (EER) for air-conditioning units have been partly adopted by the state and that the Commission had shown some leadership in helping to accelerate the others into similar type actions.

Dr. Straiton further stated that he thought it very important that the public be made aware that the City is making a sincere effort to conserve energy.

Dr. Straiton also discussed the commissions recommendation to have a permit to sub-meter apartment dwellings, under the assumption that if you can assign the cost of operation directly to the user, that user is going to be more careful in turning the switches off. He stated that the commission had made a small study of sub-metering, in direct connection with the City Electric Department, and it had been determined that the savings would be in the category of 20% to 30% when the owner is permitted to sub-meter the apartments and let the individual pay his own bill. He added that the commission is currently considering the possibility of extending the permission to sub-meter to commercial buildings. He said that they were holding off on this particular recommendation until the new electric rate is established.

Dr. Straiton said that the commission is also reviewing, at the current time, the various actions which are being taken around the country to protect the people who put in solar collectors for heating or other purposes.

At the time that the Commission was formed, people were almost in a state of panic, stated Dr. Straiton. He further noted that he didn't think anyone was in that current state but that in his opinion the need was as great now as when the commission was originally formed. He appealed to the Council to retain the commission as a catalyst between energy conservation and large businesses, noting that I.B.M. and the City National Bank have already made strides in that direction.

Dr. Straiton said that it would not be appropriate to put the work of Energy Conservation Commission with another group, because he feels that it would be submerged in the activities of the other group.

Councilmember Himmelblau asked why the printing cost of the Watt Watcher was charged to this commission, as it is a public service brochure which is usually charged to the department.

Dr. Straiton replied that he couldn't answer that question because all of these things were done in City Hall. He called on Kenneth Clapham, Electric Power Production, to answer the Councilmembers question.

Mr. Clapham said that on the printing of the 20,000 brochures there were other things that went into the cost. He said that he would be happy to get a breakdown from Pete Sybesma and advise the Council at a future date.

Councilmember Cooke asked if the Commission met on an "as needed" basis.

Dr. Straiton stated that in general the commission met as needed, but that there were a number of sub-committees which also met frequently.

Councilmember Mullen asked the Chairperson if he would have any objection to reducing the size of the commission, as nearly half of the members do not attend the meetings.

Dr. Straiton replied that he thought that might be a good move.

Councilmember Cooke noted that although there are twenty two members on the commission, the most to ever meet at a given time is ten.

Dr. Straiton stated that usually the same ten people come to the meetings.

Mayor McClellan stated that the people who had been active had also been quite productive.

Councilmember Cooke asked why those persons who have missed more than three consecutive meetings are still on the commission.

Dr. Straiton stated that there has been a large turnover on this commission and that a number of effective members have left for various reasons. He again stated that it might be quite effective to make the commission smaller.

Mr. Davidson reverted to Mayor Pro Tem Himmelblau's question regarding the cost of the brochures. He stated that throughout the commission reports an attempt has been made to tabulate any costs which could directly or indirectly be related to the commissions work. He said that it is debatable as to whether or not it should be charged to this commission and that in the budget it is charged to the Electric Utility Department.

The Mayor Pro Tem acknowledged that the charge did show up in the report.

Councilmember Cooke stated that he would like to see any cost that might be applicable to a commission that might be working, even though it might be charged to a particular departments budget. He said that way we can have the benefit of the doubt on either what direct or indirect costs are being incurred by that commission.

VENDING COMMISSION

Mayor McClellan recognized JAMES JANKNEGT, Chairperson of the Vending Commission.

Mayor Pro Tem Himmelblau asked Mr. Janknegt why the frequent meetings and how things were going with the commission.

Mr. Janknegt replied that the sole jurisdiction of the Vending Commission was over the Twenty Third Street Marketplace. He said that the commission was to meet once a month, with the main purpose being to license new vendors who are just beginning in the market.

The Mayor Pro Tem inquired as to whether the City was obtaining enough in the form of license fees to compensate for the support given to the commission.

Mr. Janknegt replied yes, although not included in the report to the Council, his figures reflect that the cost of the commission was \$1,642.60 and during approximately the same time period the revenue was \$9,521.00, a figure solely supported by the license fees.

Councilmember Trevino addressed the Council, inquiring as to whether the Council would consider opening the Drag to include other people, in addition to those covered by the present ordinance.

Councilmember Goodman replied that he considered Councilmember Trevino's point a good one in that when the Council considered the issue before he was a bit concerned. Councilmember Goodman shared an experience he had in the Marketplace at Christmastime. He purchased a buckle for his nephew, believing it be handcrafted. As he was leaving the market, he saw imprinted on the buckle the words "made in Korea". He said that there was a great inconsistency with the products and the way they are allowed to be sold. He said that he knew the thought of the Council when they decided to reaffirm a previous decision and allow only craftsmen to sell there. He said that it was strange that a person could have three belts that he has made hanging in his booth and sell a thousand buckles, still satisfying the requirements of the

January 4, 1978

ordinance. He noted that the real creativity originally found in the marketplace is vanishing.

Mr. Janknegt replied that the vendor from whom Mr. Goodman purchased his buckle was violating the criteria of the commission in that a craftsman is not supposed to sell a belt buckle, unless the purchaser has also purchased a belt which was handcrafted. He noted that the commission has had a real problem in enforcing the criteria.

Councilmember Trevino noted that a tremendous burden has been placed on the commission and that even the artisans themselves have begun to be critical of each other. He admonished the Council to open the market, thus bringing life back to the area and increasing the number of vendors, as the present system does not appear to be successful.

Councilmember Mullen acknowledged that there would be more vendors, but that they would also be in direct competition with those who pay rent, taxes, etc., "which I don't agree with at all."

Councilmember Goodman noted that the Council should be concerned to the extent that the commission established the criteria and that it is not even being enforced. He further noted that the most essential function of this commission is failing.

The Mayor Pro Tem said, "You have one instance there. I don't know how many Korean belt buckles are sold, but I think that they can do their own policing and the permit could be taken up without and difficulty."

Councilmember Goodman stated that it looked pretty prevalent to him and that it wasn't the exception.

Councilmember Mullen stated that he would vote to get rid of the whole thing, rather than to put them in direct competition, although he was one of the backers in what they are trying to accomplish there, in that "I think it's unique and it should be." He further stated that he did not think the City should supply police protection and space on the street while the owner of the building has to pay the taxes. The folks we would be opening it up to would not be paying taxes for a building or a place to be.

Mayor McClellan suggested that the Council put the issue back on the Agenda for an Ordinance Amendment, to be debated again at that time.

Councilmember Cooke inquired of Councilmember Trevino what he saw in San Francisco. Mr. Trevino replied that he saw vendors on the corner selling everything from flowers to food. He said that "Surely if San Francisco can survive that type of activity, I think Austin can too."

The Mayor Pro Tem stated, "I'm not going to change my mind, no matter how you argue. I voted the same way twice. If you want to bring it up again, fine; but, as the Mayor says, let's get on to what the nights about."

A lady from the audience spoke, calling the Council's attention to a recent article from Newsweek Magazine. In the article it was noted that there are many problems related to street vendors and that Philadelphia, in fact, has

totally excluded them, whereas Austin now grants permits only to bonafide craftsmen. She stated that "We're hoping that maybe some of that bed tax can come our way and that the street market can really become a tourist attraction. We've talked aesthetics too long, perhaps; maybe, if we begin talking about the fact that \$9,000 in revenue from the licensing certainly takes care of some of the expenses..."

She further noted that when the commission was asked to do the job that they had no idea that it was also going to be part of the job to enforce. She asked if other commissions were responsible for enforcing the criteria of the commission.

She stated that the commission feels they are in a transition time. They would like to sit down with Councilmembers Trevino, Goodman and Well and discuss with them the fact that the commission does not feel it can do the job, if the marketplace is opened to all vendors. She said that she could not personally remain on the commission.

Councilmember Trevino stated that the commission was a result of the fact that many people wanted to make the marketplace a true place for artisans; but, the result has been that the marketplace has dwindled in numbers, to the point that eventually there may be only one craftsman selling there - still they are not in compliance with the ordinance.

The lady from the audience, a commission member, stated that they didn't desire a policing agency and that if they held back long enough, the people themselves would start policing themselves; the Committee to Preserve the Marketplace grew from that thought. She said that a group of vendors pooled their resources and had a brochure made, depicting the marketplace as perhaps a tourist attraction. She said that there is a group in the marketplace who feels that they have enough vested interest in it that they are willing to step out of their single roll as a craftsman down there and try to pull the other people together who are of like feeling. She appealed to the Council for a "little bit of that bed tax" so that the area could perhaps be made into a tourist attraction.

Councilmember Trevino said that he would like very much to sit with her, as perhaps some other Councilmembers might like to do as well.

ON-GOING OF GOALS COMMITTEE

Mayor McClellan recognized Mr. JIM WELLS, the Chairperson of the Committee.

Mr. Wells identified himself and addressed the Council as follows: "First of all, I would like to say that this has been one of the best committees that I have ever worked on. They have done a fine job, and they, along with the Planning Department, Planning Commission, this Council and previous Councils have come to a point that you have a Comprehensive Plan that I think is second to none. This committee has worked long and hard. They have a very unique composition in that they come from the ten zones, as originally the City was sub-divided for the purpose of the Austin Goals Program. This committee, as it functions today, agrees with you that its work on the Comprehensive Plan has been completed. There is only minor editing and the final publishing of that

document to be done. This committee feels that this Council, in examining this new Comprehensive Plan and in implementing this Comprehensive Plan, should appoint its own committee - committee perhaps that is not as large as the On-Going Committee has been, which was twenty one. If we had a suggestion, it would be that it be limited to ten or eleven members, appointed by the Council, that could work with this Council in the process of implementing the Comprehensive Plan."

Mr. Wells further stated that the Comprehensive Plan has a unique feature that is the key to its long range success - the two year review process. The two year process is carried out for two consecutive periods and on the sixth year the Comprehensive Plan comes for major revision. After the eighteenth year, it is time to write another Comprehensive Plan.

Mr. Wells noted that this Committee is one of a kind - the only one to have geographic representation from each area of the community. He said that the committee feels it is imperative, in order to gather meaningful information, to maintain the committee so that the Council can make sound decisions on the two year periods, concerning the Capital Improvements, major utility expansion and the goals set in this Comprehensive Plan for three major development corridors can be emphasized. The committee which this Council would appoint would be intended to help guide, not control or limit, the development of the City.

Mayor McClellan asked Mr. Wells to repeat the number of persons he believes should be appointed to the committee. Mr. Wells stated again that he believes the committee should be reduced to ten or eleven members.

Councilmember Cooke inquired as to what would happen to the integrity of the concept of zones for the committee, if only ten or eleven members are appointed to the committee.

Mr. Wells answered Councilmember Cooke's question by stating that if that were to occur, the Council would hopefully replace that vacancy with a new member from that particular zone.

Councilmember Cooke asked Mr. Wells to further explain the zone concept of representation.

Mr. Wells stated, "We had two per zone and we also carried an alternate at one time, which really pushed us up to thirty three or whatever it was. This is an unwieldy number and I think you need to reduce the number and get it down to a point that it is an advisory committee to you - one that can take the information that your Planning Commission is going to absolutely have to gather in the next year now, in the next eighteen months, so that you, this Council, can make a decision; because, you will be in office when this Comprehensive Plan is at its first two year review period. At least, this will give you a concentrated approach to interpreting the data that the Planning Department, the staff people, gather as to which direction development is going. Where are the pressures? Where are the zoning changes? Where are the neighborhoods that are being threatened in the older sections of the City by the changing in zoning, by deterioration, by the lowering of standards of maintenance? This Comprehensive Plan is so very big; it spans some ten or twelve facets of our community - from housing, to health care. Each of these need some looking at, carefully and independently without the burdens that other Boards and Commissions might have; But, this group would be unique, in that they would be looking at a City, looking at the total metabolism, if you will, of a City as it grows, as it ex-

January 4, 1978

pands and as it becomes the kind of a City that we are so proud that we live in today and virtually everyone wants to protect that image today."

Councilmember Cooke inquired as to whether the plan, as Mr. Wells intends it, would make the committee like another Planning Commission.

Mr. Wells replied, "Hopefully not. No Sir. I would say, definitely not a Planning Commission. I would not want this committee to ever get bogged down into the routine details of such things as last night when they were having public hearings, they were running about I left here at 8:30 or so, they had already gotten to their 6:00 Public Hearings. No sir, this is not the kind of thing I visualize this committee being. This is the reason that I think that a separate group that is dedicated and is willing to do the kinds of time and hours, without getting bogged down into the Bolts and nut turning and the day to day activities of the City."

Councilmember Cooke remarked that it seemed to him that this body would be like a long-range Planning Commission.

Mr. Wells replied that he didn't think there was anything more important than the long-range planning of this City and that we have moved a great step in that direction the past three or four years.

Councilmember Cooke said that in the past the historic purpose of the Planning Commission had certainly included zoning and that sometimes it does get bogged down in zoning; however, their functions are much broader than zoning. He said that the implication Mr. Wells was presenting was that there would be a breakaway of the responsibilities of the Planning Commission and the On-Going Goals Committee would, in essence, take over the responsibility of the overview of long-range planning for the City and that the Planning Commission would go out of business. In the past, the things that Mr. Wells presented had been a function of the Planning Commission.

Mr. Wells stated that he visualized the final decisions, in every case, remaining in the same pattern. Mr. Wells said that the only difference would be that a very tired and overworked group of people would have persons involved in a way not politically influenced. He said that we need a working committee at this level, but in no way would he want to suggest that the On-Going Goals Committee have a supplanting role of any function of the Planning Commission.

The Mayor recognized Francie Breyfogle who said that the Committee realizes that they are a part of a past Council; but, they do feel that there is need for long-range planning. The group is very concerned that what has been done in the Master Plan be carried through. She suggested that the Council start with a new committee, part of which might be composed of present members, but the most important thing is that they continue with the long-range planning.

Councilmember Cooke asked of Mr. Davidson if he, in his experience to other cities, had ever seen any trends in the country drifting toward having a group that takes on responsibilities in major urban centers for long-range planning for where that city is going, in relation to the traditional role of the Planning Commission.

Mr. Davidson replied that yes, in a couple of instances, the load in connection with the consideration of zoning cases and even sub-division plats

has become so great on the Planning Commission that they don't do any advance planning in connection with the future of the city. There have been some cities who have split the Planning Commission into two separate bodies, in some cases calling it a Planning Commission and a Zoning Board. "In another case," Mr. Davidson remarked, "I remember they utilized an Advanced Planning Commission and they used a Current Planning Commission, two separate bodies - one that dealt entirely with things like Master Planning, Capital Improvements Programing and the other group dealing with zoning, sub-divisions, the administration of the plans once they have been adopted by the City Council."

Councilmember Mullen asked Mr. Walls how it is determined when to call a meeting. He remarked that sometimes the meetings are seven days apart and sometimes they are two months apart.

Mr. Walls replied that when the committee first started its work eighteen months ago, it was decided that they would meet on a monthly basis. Each member had a specific assignment to meet with the other Boards and Commissions in the City. The members reported once a month on the meetings they had attended. As they began to move into the writing process, the staff began to bring into the committee the proposed condensations of each of the nine topic areas. They then broke down into sub-committees which met one to three times a week. As the workload began to level off and they began to pass this on to the Planning Commission, which was the process specified in the Austin Goals Program, they began to back off and only attend Commission meetings when they were on the Agenda. As of the last three months, the committee has dropped to a monthly meeting again.

Councilmember Mullen spoke regarding the lack of attendance by some of the members, noting that some had missed more meetings than the ordinance governing Boards and Commissions allows.

Tom Shefelman, a member of the goals program for the past four years, spoke next. He said that he thought it was a very valuable thing to have a citizens committee and very valuable to have new people pulled into the committee who understand the problems of the City from a long-range point of view. He said that a committee that looks at all aspects of the city's growth is needed. No Master Plan is any better than the participation that it has. He stated that perhaps some of the committee members have fallen into a pattern of apathy. He acknowledged that at times he has thought that perhaps the Planning Commission should play its role more strongly; but, he noted that in order to do that, it would have to be restructured.

Helen Hill spoke briefly, lauding the committee for its good works and accomplishments during the period in which she has been associated with them.

Sarah Ann Robertson spoke concerning what she considers the most valuable function that the committee can offer - one group of people whose sole focus is the Master Plan, under which we are currently operating. She stated that the Master Plan document which the Council received May 12 is significantly different from the first draft which was issued by the Planning Department and the On-Going Goals Committee.

Stroud Kelley spoke to the issue, stating that when the Council talks about turning the functions entirely back to the Planning Commission that the Comprehensive Plan covers much more than what is traditionally encompassed in the Planning Commission's duties. There are many areas which the Planning Commission will never have time to examine in detail. Mr. Kelley stated that a committee is needed, not to make the decisions, but to advise on the long-range problems concerning the physical growth of the City, as well as the social and economic growth.

Father Joe Znatos, a member of the committee since its conception, spoke about the value of the committee and his hope that the committee would continue to exist.

EXPLOSIVE APPEALS BOARD

Mayor McClellan called on the Chairperson of the board, JACK BARTON, to give his report; however, Mr. Barton was not present. She said that the Council had wondered about the duties of the board, as they had never had an appeal; thus, they had never met. She asked Mr. Davidson if there might be some way for the duties of the board to be handled in some other manner.

CHARLIE GRAVES, Director of Engineering, said that he would suggest that if the appeals were handled elsewhere, it would be by some other Board or Commission. He said that the only problem would be that they do need some expertise in the field of explosives.

Mr. Davidson asked Mr. Graves if perhaps this could be an administrative committee. Mr. Graves answered that he thought it could, as they do not expect any appeals, although one could certainly happen. He did say that he thought it highly unlikely that there would ever be an appeal.

Mr. Davidson recommended that the Explosive Appeals Board be abolished and that if a problem should later arise, the Council could again create a structure to handle that problem.

BOGGY CREEK AD HOC COMMITTEE

KEVIN MOTA, Chairperson of the committee, read a report to the Council concerning the potential of extensive flood damage in the Boggy Creek area. He said that the residents are especially concerned with flood conditions in the area which might affect their neighborhood. He stated that the committee has an important role to play in the development of the large scale U.S. Corp of Engineers and city projects planned for the area. He said that thus far there had been only a sporadic need for contact with citizens; however, he said that work is intensifying and that it is expected that the next few weeks will involve active communication with the residents of the area.

Mr. Mota further stated that the residents of the area will have no effective vehicle through which to express their wishes without the committee. He said that the function of the committee is unique and is not carried out by any other city Board or Commission. Mr. Mota said, "If the City desires the active participation of the residents of the Boggy Creek area in the planning and implementation of this critical project, the AD HOC must continue to exist."

Mayor McClellan recognized Father Joe Znatos who discussed the importance of the committee and the fact that this coming year is a very crucial time for the issue concerning the Boggy Creek area.

CONSTRUCTION ADVISORY COMMITTEE

Mayor McClellan recognized Mr. Royce Faulkner, Chairperson of the committee, and stated that this committee is being studied for composition, rather than abolishment.

Mr. Faulkner addressed the Council and introduced his fellow members on the committee: Ira Crofford; Charles Wright; Buddy McGee; James Wise and Isom Hale.

Mr. Faulkner stated that the Construction Advisory Committee has been in existence twenty one months and that it is composed of the following: (3) members from the field of labor; (3) from the construction field and (1) non-affiliated at large member. He said that if there were no questions on the items included in the annual report, he would like to take the opportunity to define what the members of the committee feel are additional responsibilities that the committee would like to see the Council add to the Ordinance.

Mr. Faulkner referred to some of the items which were included in the annual report given to the Council. They were as follows:

Item # 3 - Discusses what works shall be done by competitive bid process vs. force account. The committee recommended that the Council look at the proposed revision concerning specific projects, rather than categories, for review by the committee. He further stated that the committee would like the Council to consider having the committee review with all departments those procedures affecting the purchase and/or rental of construction equipment, materials and services, including advertising policies, specifications, and lease-purchase agreements, prior to advertising for bid.

Item # 6 - To review annually those contracts that are performed on an open-ended basis (hourly rental, time, material or cost plus basis).

Item # 7 - To review all private, state and federal grants to the City involving construction or engineering improvements, prior to allocation of these funds. Mr. Faulkner said that the Boggy Creek project would be a good example.

Item # 8 - To review all new ordinances and/or changes to existing ordinances which directly or indirectly affect the construction industry, such as the proposed concrete truck weight ordinance.

Item # 9 - To review with all departments, prior to their advertising construction equipment, materials or services, as to necessity and proposed specifications.

Item # 10 - To review staff recommendations on construction awards, prior to submission to the City Council to assure compliance with the City of Austin bidding and awarding policy.

Mayor Pro Tem Himmelblau addressed Mr. Faulkner stating that she had been very much concerned over the past two and one half years about the number of change orders from Brackenridge Hospital. She asked if he thought that when change orders reach a certain percentage of the construction contract, should there be a review of the change orders as they come to pass.

Mr. Faulkner replied that a lot of routine change orders are altered; he did suggest that if a significant amount over the original contract is altered,

the Council should have a review of it.

Mr. Davidson remarked that each change order which is processed before the Council has support material indicating the total dollars worth of change orders that have been processed thus far on the contract, as well as an indication of the total percentage of the contract that has been involved in the change order. He asked if the Council would like additional information.

Councilmember Cooke asked Mr. Faulkner to address the Council as to how he feels the composition of the committee is reflective of the community in general, with regard to the construction industry.

Mr. Faulkner replied that the composition of the committee would reflect the appointments of the Council seated at the time. He said that the committee should be held to seven people. There are approximately one hundred contractors in the City of Austin and some twenty thousand construction workers, according to Mr. Faulkner. He further stated that at the present time the records do not reflect any representation on the committee by the utility contractor or the street contractor, but that the building contractors on the committee also have business in the fields of utility and street contracts.

Councilmember Mullen asked why there were three labor people on the committee and no members of the non-labor field were appointed.

Mr. Faulkner replied that the ordinance reads "Representatives of Labor" people who are construction workers but not necessarily members of an organized labor union. He said that it would be at the discretion of the Council to appoint labor or non-labor people.

Councilmember Goodman said that he appreciated the advice of the committee. Councilmember Cooke said that he would like to concur with Mr. Goodman, noting that he would like to utilize the committee and would like to seriously look at some of the recommendations of the committee.

Mr. Isom Hale, a consulting engineer who serves a non-affiliated member of the committee, appealed to the Council for a little broader representation. He said that he would like to see the independent contractors better represented and that perhaps it would be advisable to appoint an architect or engineer to the committee. Although he disagreed with Mr. Faulkner that the number of members should remain at seven, he did say that he would not want to see an unwieldy number of persons serving on the committee.

Mr. Pat Bond, Executive Director and General Council of the Associated Builders and Contractors, addressed the Council. He stated that his association has no representation on the Construction Advisory Committee, although they are building 75% of the commercial buildings in the City. He said that he believes his association deserves some representation on the committee. He further stated that the City of Austin is the last major city in the state of Texas that is presently setting a union wage scale.

Councilmember Mullen inquired as to what it is costing the City to bid everything union, as compared to non-union, but noted that it was a difficult question to answer without the figures.

EMS QUALITY ASSURANCE TEAM

Mr. Mike Levy, Chairperson of the EMS Quality Assurance Team, was recognized by the Mayor.

Mr. Levy stated that he did not receive any response from the other members of the team and that he would be speaking for himself, rather than as chairperson of the team.

Mr. Levy said that it was his opinion that the role of EMS could be more effective with three targets of attack:

1 - The committee should either be given over to Dr. Patrick's committee at Brackenridge, with official standing of his committee being given by ordinance; or

2 - The committee should be appointed directly by the Council, rather than by the City Manager.

Councilmember Goodman inquired as to what would be the advantages of being appointed by the City Council.

Mr. Levy replied that he would like to talk more about disadvantages. He said that the team is monitoring City Staff and at the same time, they are being appointed by the manager of the staff and accountable to him. He said that although he and the members of his committee have a healthy relationship with the City Manager, it is not necessarily a comfortable feeling "going after windmills and raising hell."

Councilmember Goodman said that he agreed and that it was an obvious flaw. He said that the team was probably set up under a different notion at the time to coordinate all the agencies that might be involved. He also said that the EMS team probably should be broader, encompassing all the public safety agencies operated by the City.

The Mayor noted that when the Council discussed the EMS Team they looked at the new committee which Dr. Patrick is now heading and discussed with the Travis County Medical Society what the possibility would be of the Council appointing that commission.

Mayor McClellan recognized Dr. Patrick of Brackenridge and asked him to discuss the composition of the committee, as it now stands.

Dr. Patrick said that the EMS Team has been devised as a Travis County Medical Society Emergency Medical Service Committee, the Central Texas Medical Foundation Emergency Room Committee and the Brackenridge Hospital Emergency Room Committee.

Mr. Levy next approached the area of the composition of the committee. He stated that in communities around the country where EMS has been successful there always has been active participation by members of the medical profession. Mr. Levy said that when needed in the past, local members of the medical profession have gotten involved with EMS and have made very important contributions.

Mr. Levy recommended the following composition for the committee: There should be nine physicians representing the fields of (1) anesthesiology, (2) orthopedics, (3) internal medicine (4) cardiology (5) pediatrics (6) OBGYN (7) neuropsychiatry (8) neuro-surgery, as well as a registered nurse, two consumers and two ex-officio members (the President of the Travis County Medical Society and

a representative from the Travis County Commissioners Court.

Finally, Mr. Levy suggested that the responsibilities of the committee be expanded and the name be changed to Emergency Health Services Committee, to include the emergency room at Brackenridge. Adding to the list of responsibilities in purview of the committee, Mr. Levy suggested services for acute psychiatric and drug related emergencies in the community, rape crisis and public education (CPR) in First Aid, disaster planning, fire protection and police department services.

Mayor Pro Tem Himmelblau asked Mr. Levy to repeat the number of sub-specialties that he would suggest. She said, "I like a mix of the consumer and the provider, not quite as top heavy as Mr. Levy mentioned. I do agree that some of the sub-specialties should be represented, more so than we are seeing now, but I'm not sure I would make it that heavy."

ENVIRONMENTAL BOARD

Mr. Don Calloway, Chairperson of the Environmental Board, briefly discussed some of the projects and accomplishments of the board. He then spoke to the issue of jurisdiction, which the Council was to consider.

Mr. Calloway said that there were two concerns that are valid: (1) Everything in which the City is involved has some aspect of environmental concern and (2) the board does overlap some other boards and commissions, thru this particular aspect.

Next, he spoke to the composition of the board which is three members short. He said that there are some minor disadvantages to having such a large board (seventeen members, currently); but, there are two distinct advantages to having such a large board; (1) there is a lot of expertise in many areas and (2) the type of service is partially review, but mainly creative. He also noted that the board is very diverse with a broad perspective.

Mr. Levy introduced the other board members present at the meeting.

Mayor Pro Tem Himmelblau asked Mr. Calloway what areas of expertise was the board missing.

Mr. Calloway replied that there were three areas which he would like to see filled; (1) land developer or home builder, (2) lawyer, and (3) geographical balance.

The Mayor Pro Tem thanked the board, stating that she is not always in agreement with them, but she certainly appreciates them.

COMMUNITY DEVELOPMENT COMMISSION

Mr. Elliott Naishtat, Chairperson of the CDC, briefly reviewed accomplishments of the commission. Mr. Naishtat also stated that the County Services Administration, formerly OEO, requires this type of board in order to be eligible for the receipt of Community Services Administration federal money. Mr. Naishtat further pointed out that HUD is moving forward regarding its requirements in citizen participation. He said that the Housing and Community Development Act of 1977, which was very recently passed, was mentioned in the October edition of the Federal Register which said, "A major change from the past is a requirement that the applicant prepare a written citizen participation plan which provides continuity of participation by citizens through all stages of the program." In Austin, the CDC is the mechanism for this type of input.

It was noted that the CBO does not duplicate functions of other commissions, as such; it does, however, work in conjunction with other boards and commissions on an AD HOC basis.

Mr. Naishtat introduced eleven of the sixteen active members of the commission who were in attendance.

Councilmember Gooke noted that there are twelve members of the commission which are appointed by the City Council and six which are selected by the "target" area. He said that information had been provided regarding the fact that sometimes it is difficult getting representatives from the target area and that if a representative is elected from the target area, sometimes it is difficult getting that representative to be a full fledged member. He asked Mr. Naishtat if the information he had was valid.

Mr. Naishtat replied that he was surprised, as the attendance record of the representatives from the target areas was as good, if not better, than the attendance record of those appointed by the Council. He said that at times the regular elected representative is unable to attend the meetings and the commission is trying to get permission for the alternate representative to not only sit in, but to vote as well.

TRAFFIC SAFETY ADVISORY BOARD
(Municipal)

Traffic Safety Official, George Henry, representing the Traffic Safety Advisory Board, Municipal, said that the board members had been polled and all agreed that the board should be abolished.

TRAFFIC SAFETY ADVISORY BOARD
(Citizens)

Mr. Bill Nolen, Chairperson of the Board, addressed the Council concerning a brief review of the past functions of the board on which he serves. He said that the board addresses itself particularly to the safety aspect and that they, the members, feel that traffic safety is a very serious matter which should be dealt with on its own merits and not in conjunction with any other areas of citizen concern. He further pointed out that traffic safety is a part of our daily lives that requires constant attention and continuous improvement and that because of the sincere concern regarding local traffic safety, it is recommended that the Traffic Safety Advisory Board, Citizens, continue in its present manner.

Mr. George Gustafson, member of the board and General Manager of the Texas Traffic Safety Association, spoke in support of the continued activity of the Citizens Traffic Safety Advisory Board. He said that there are funds available for local traffic safety programs. He said that he didn't know what the effect would be on the continuation of the receipt of these funds, in the event that the board is abolished or merged.

Mr. Gustafson said that he thought there were three factors or ingredients to a good, effective safety program at the local level. One would be good traffic law enforcement. The second would be engineering. He said that where we are totally remiss is in the field of education. He did say that the board needs to be restructured to gain more citizen involvement and to develop more community programs.

January 4, 1978

Mr. John Gray, Vice-Chairperson of the board, also spoke in support of the continuation of their work, noting that it is such a vital function for each citizen to maintain traffic safety.

Mr. Doug Nichols, a member of the board, spoke concerning the problem of DWI. He suggested that we use a video machine and tape recorder at the time of arrest, to be used later for prosecution in the courts. He said that our courts are a "joke" when it comes to DWI.

URBAN TRANSPORTATION COMMISSION

Mr. Bill Moore, Chairperson of the Commission, read the following statement to the Council: "The original charge to the Urban Transportation Commission, in the ordinance which created it in January of 1976, was to serve as an Advisory Body to the City Council, the Manager and the Department of Urban Transportation and other transportation related departments of the City on all transportation matters, which covers everything from grant applications, streets and highways, bikeways, bus and rails, ~~pedestrians, safety related programs, programs~~ for the needs and mobility impaired, transportation franchise request renewals, rate adjustments, etc."

Mr. Moore stated that there has been some functional overlap between the Citizens Traffic Safety Board and the Urban Transportation Commission concerning certain matters in which both had jurisdiction. He said that it is the policy of the Urban Transportation Commission that all traffic safety matters be referred and held within the purview of the Citizens Traffic Safety Board.

Mr. Moore briefly discussed some of the issues which have come before the Urban Transportation Commission in the past, in order to show the broad spectrum of matters which come before the commission. Some of those issues are as follows: MO PAC; taxicab permits; UT shuttlebus route revisions; Johnson Creek hike and bike trail; arterial street improvement; Congress Avenue Bridge; ambulance franchise requests; Central Business District Task Force and the vehicle weight and load limit.

In summary, Mr. Moore said that the singular most important figure he could point out is that in the two years the Commission has been in existence, they have brought dozens of recommendations to the Council and they have not had 100% support by the Council.

The Mayor Pro Tem said that she appreciated the work of the Commission but is a bit concerned about the high overhead. She asked if there was any way the overhead could be cut in the future.

Mr. Moore replied that he thought most of the overhead came as a result of having personnel at their meetings.

Joe Ternus, Director of Urban Transportation, said that Mr. Moore was correct in stating that most of the charges did come from having personnel present at the meetings; also, the information distribution is costly. Mr. Ternus stated that many of the projects the commission reviews have a major impact on the community and a vast number of reports have been sent to individuals in the community. Mr. Ternus stated that the expense could be reduced, but noted that one of the biggest roles that the Commission plays is bringing the community together in reviewing various transportation proposals, prior to the time it comes to the Council. He acknowledged that it is an expensive process but remarked that it is well worth the investment.

January 4, 1978

Councilmember Cooke inquired as to whether the process was similar to that of the Planning Commission.

Mr. Ternus replied, "Yes sir, its pretty close to that. We use the same list that the Planning Commission uses."

Councilmember Cooke asked Mr. Davidson if, to his knowledge, were there any other Boards and Commissions, other than the Planning Commission or Urban Transportation Commission, where we might utilize a similar technique.

Mr. Davidson replied that in fairness to the cost figure in trying to indicate both direct and indirect cost attributed to one of the Boards or Commissions, it has not been possible to use, in a form guideline, as to what costs ought to be assigned to a Commission. He said that he did not think that the cost involved at all represents the importance of the work or the impact of the work that the Commission has undertaken. He recommended that the Council not place too much stock in the cost attributed to one Commission as compared to another. He said that there were no uniform standards as to how cost factors were assigned.

Mr. Nolen noted that this is possibly more cost effective than it would be in the absence of having centralization.

ADJOURNMENT

The Council then adjourned at 10:00 P.M.

APPROVED

Carol Kester McCall
Mayor

ATTEST:

Grace Monroe

City Clerk