

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 23, 1978

9:00 A.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, Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino

Absent: None

Rabbi Louis Firestein, Temple Beth Israel, gave the Invocation.

VISITING MAYOR RECOGNIZED

Mayor Skelly, Smithville, Texas, who is in town for a Texas Municipal League meeting, was recognized as being a visitor in the Council Chamber by Mayor McClellan.

AMERICAN GI FORUM WEEK

RICARDO D. FLORES and LARRY KINCOMES appeared and thanked Mayor McClellan for a proclamation designating March 20-26, 1978, as American GI Forum Week.

MINUTES APPROVED

Councilmember Himmelblau moved that the Council approve the Minutes of the Meeting of March 16, 1978, as corrected. (Page 15, "four" changed to "for") The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

EASEMENT RELEASE

Councilmember Himmelblau moved that the Council adopt a resolution to authorize the release of the following easement:

A five (5.00) foot electrical and anchor easement on the south side of a tract of land out of the T. J. Chambers Survey, locally known as 6420 Hart Lane. (Requested by Mr. Alfred Tramp, Agent for the Ascension Lutheran Church.)

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

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

Noes: None

REQUEST TO SELL BEER

Councilmember Himmelblau moved that the Council adopt a resolution to allow the Youth Emergency Services to sell beer within 300 feet of the Congregational Church of Austin on April 1 and 2, 1978. The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

TEMPORARY STREET CLOSINGS

Councilmember Himmelblau moved that the Council adopt a resolution to temporarily close West 23rd Street between Guadalupe and San Antonio Street (400 block, from 12:00 noon until 10:00 p.m., April 1 and 2, 1978, (rain dates April 8 and 9) as requested by Mr. Michael Kleinman of Youth Emergency Services. The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to temporarily close Stratford Drive lying within Zilker Park between 10:30 a.m. and 7:00 p.m., Saturday, April 15, 1978 and Sunday, April 16, 1978, in connection with the Natural Science Center Safari. (Requested by Parks and Recreation Department) The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

CONTRACTS APPROVED

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contracts:

Bid Award:

- Golf Course Maintenance Equipment, Parks and Recreation Department.

GOLDTHWAITES OF TEXAS
10751 Sentinel
San Antonio, Texas

- Items 2, 3, 5, 6, 7, 9, 11 - \$26,991.00

WATSON DISTRIBUTING COMPANY
9111 Broadway
San Antonio, Texas

- Item 10 - 1 ea. - \$1,293.33

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Mayor Pro Tem Trevino, Mayor McClellan
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

DECOR ELECTRONICS CORPORATION
4711 East 5th Street
Austin, Texas

- CAPITAL IMPROVEMENTS PROJECT -
Zilker Hillside Theatre,
Parks and Recreation Department.
Lighting System
Item 1 - 1 ea. @ \$11,500.00

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Mayor Pro Tem Trevino, Mayor McClellan
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

VAUGHAN & ASSOCIATES, INC.
2852 Walnut Hill Lane
Dallas, Texas

- CAPITAL IMPROVEMENTS PROJECT -
Givens Park, Park Shelter
Building, Parks and Recreation
Department.
Item 1 - 1 ea. 2 \$6,239.00

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Mayor Pro Tem Trevino, Mayor McClellan
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

CHEMICAL AND TURF SPECIALTY
COMPANY
10211 Plano Road
Dallas, Texas

- Fertilizer, Furnish & Apply,
Parks and Recreation Department.
Eight (8) month Supply/Service
Agreement including option for
three (3) month period.
Item 1 - 125 tons @ \$98.90
Item 2 - 60 tons @ \$96.90
Total \$18,176.50

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Mayor Pro Tem Trevino, Mayor McClellan
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

DALMARK, INC.
4424 Brandt Road
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Construction of electric ductline
and concrete foundations at
Warren Substation - \$77,151.20

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Mayor Pro Tem Trevino, Mayor McClellan
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

WESTINGHOUSE ELECTRIC
CORPORATION
201 North St. Mary's Street
San Antonio, Texas

- Magnetic Tape Translation
System, Electric Utility Department
Items Nos. 1 and 2 - \$53,265

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Mayor Pro Tem Trevino, Mayor McClellan
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

DALMARK, INC.
4424 Brandt Road
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Victory Drive/Prather Lane
8" and 6" Water Mains -
\$15,902.50 C.I.P. No. 75/40-04

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Mayor Pro Tem Trevino, Mayor McClellan
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

JACK McKAY LUMBER COMPANY
1645 East 6th Street
Austin, Texas

- Cement, Portland and Masonry,
Central Stores.
12 months supply agreement with
option for extension up to twelve
months.
Items Nos. 1 and 2 - \$23,483.00

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Mayor Pro Tem Trevino, Mayor McClellan
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

D. L. CURBOW CONSTRUCTION COMPANY
8330 Burnet Road, Suite #107
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Parking Improvements, Ricky
Guerrero Park - \$11,398.82
C.I.P. No. 74/86-04

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Mayor Pro Tem Trevino, Mayor McClellan
Noes: None

TRAFFIC SIGNAL

Councilmember Himmelblau moved that the Council adopt a resolution to authorize an agreement with the State Department of Highways and Transportation for maintenance and operation of the traffic signal at the intersection of South First Street and Stassney Lane. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Mayor Pro Tem Trevino, Mayor McClellan
Noes: None

WEATHERIZATION GRANT

Councilmember Himmelblau moved that the Council adopt a resolution to authorize a contract with the Texas Department of Community Affairs for \$5,345 for a Weatherization grant (March 1978 - June 30, 1978). The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Mayor Pro Tem Trevino, Mayor McClellan
Noes: None

PUBLIC HEARINGS SET

Councilmember Himmelblau moved that the Council set public hearings for April 13, 1978, at 10:00 a.m. on appeals of the following Planning Commission decisions:

1. Hearing a Special Permit for a 24-unit townhouse project called Creekcliffe, from Barbara Anderson, Jim Ferguson, Lilla Kay and David A. Anderson.
2. Denying a Special Permit for a 26-unit townhouse (24 units granted) from Bill Clendenning, applicant.
3. Denying a Special Permit application of Wayne I. Dayton, Jr., C14p-76-021, from Daniel E. Thornton (request additions to the Lumberyard Lounge, 9200 Burnet Road.)

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Mayor Pro Tem Trevino, Mayor McClellan
Noes: None

HEARING SET - ZONING AMENDMENT

Councilmember Himmelblau moved that the Council set a public hearing at 11:00 a.m., April 13, 1978, on an amendment to the Zoning Ordinance Chapter 45-18 of the Austin City Code to permit home occupations in "BB" or less restrictive zoning districts subject to certain conditions and by special permit only. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Mayor Pro Tem Trevino, Mayor McClellan
Noes: None

CODE AMENDMENT - MOBILE HOME

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 36 OF THE AUSTIN CITY CODE OF 1967, BY ADDING THERETO SECTION 36-5618, PROVIDING FOR THE CONTROL AND REGULATION OF MOBILE HOMES IN FEDERALLY DESIGNATED FLOOD HAZARD AREAS; DEFINING A MOBILE HOME; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Mayor Pro Tem Trevino, Mayor McClellan
Noes: None

The Mayor announced that the ordinance had been finally passed.

ELECTION OFFICIALS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE APPOINTING ELECTION OFFICIALS TO CONDUCT THE SPECIAL MUNICIPAL ELECTION TO BE HELD APRIL 1, 1978, FOR PRECINCTS 146, 147, 254, AND 420; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Himmelblau 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 Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Mayor Pro Tem Trevino, Mayor McClellan
Noes: None

The Mayor announced that the ordinance had been finally passed.

ELECTION PRECINCTS - NEWLY ANNEXED AREAS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE INCORPORATING ANNEXED AREAS OF THE CITY INTO EXISTING ELECTION PRECINCTS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Himmelblau 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 Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Mayor Pro Tem Trevino, Mayor McClellan
Noes: None

The Mayor announced that the ordinance had been finally passed.

AFRO AMERICAN PLAYERS

Two agenda items were taken together, the Citizens Communication of MS. GLO DEAN GARDNER, Director, Afro American Players, requesting consideration for company funding; and the report of the Arts Commission concerning Recommendations for grants to cultural agencies from Hotel-Motel Tax.

Ms. Gardner appeared before Council to request funding for a production of "Purlie." She said the Afro American Players request for the money had been denied them by the Arts Commission. Councilmember Snell asked her why the funding was denied, and Ms. Gardner replied that the Commission felt the Players would not have enough time to do a decent production. Councilmember Snell asked how the production would be funded if it was continued. She replied that they have \$1,500 cash, and plan on 1200 people a night at the Paramount for the performance which should bring in \$4,500 to \$5,000. LELAND WEATHERSPOON, the Budget Coordinator for the Players reiterated Ms. Gardner's comments on funding and projected box office revenue.

Councilmember Himmelblau wondered if salaries of staff could be donated time and Ms. Gardner answered that some of the staff lives by their art. She said the dates for the play are April 23 and 24. Councilmember Snell noted that the projected budget for the play had been pared down and wondered if they could get by on their projected total. Ms. Gardner replied they could. At this point Councilmember Cooke said he wanted more information from the Arts Commission regarding their decision to deny the request for money. He was told by Leland Weatherspoon that rehearsals for the show have been going on since December and no problem was anticipated with funding. He said the Arts Commission should have been given more information about the rehearsals already in progress and the fact that some of the actors have appeared in "Purlie" previously so it is not as difficult for them to rehearse and be ready for an April production.

MR. ALVIN GOLDEN, Chairman, Austin Arts Commission, said that the Commission had a long meeting about the funding and had been told on March 15 that there was no director for the production of "Purlie". He said the Commission felt the budget is too high and that rehearsals without a director are not good. He pointed out that this production would require a full-scale staging and the Afro American Players have not done this before. Mr. Golden went on to say that recently four board members had resigned as well as two staff members, so there is internal dissension. He concluded that the Commission made their decision on the theory that there is not enough time to insure a good production.

Discussion ensued between Mr. Golden and Ms. Gardner concerning the budget request and Mayor McClellan suggested that representatives of the Afro American Players and Mr. Golden should go to a room adjacent to the Council Chambers, discuss the problem and then return to the Council Meeting later.

MR. ED HILL stated before Council that on March 23, 1978, he had resigned from the Board of the Afro American Players, with cause. He suggested that a close look should be taken at what the Players are proposing and the reasons behind their loss of board members and actors.

Later in the morning Mr. Golden and Ms. Gardner returned to the Council Chamber. Mr. Golden stated that after meeting, the Commission still does not recommend funding of the production of "Purlie." He said there has been a serious communication break-down in the past and there are problems.

Motion

Councilmember Snell moved that the Council take \$4,000 from the Parks and Recreation allotment and give it to the Afro-American Players and approve the recommendation of the Arts Commission for the remaining grants. The motion was seconded by Councilmember Goodman.

Mr. Golden questioned how money can be taken from Parks and Recreation Department (PARD), when the money allotted was to pay the salary of a person added to help with the increased work load. Councilmember Mullen stated that the Arts Commission had spent 18 hours in meetings trying to make the wisest decisions for the use of the tax money. He said that there obviously were some internal problems with the Afro American Players since board members and actors have resigned. Mayor McClellan summarized the difficulty in making decisions for funding and said that what the Arts Commission had to wrestle with is not enough money to fill all the requests it had for funding. She said that each proposal must be judged on its own particular merits.

MR. BILL FUEHRER appeared before Council to say that he was one of the Board members of Afro American Players. He had volunteered to give his time as a director and producer, then later had seen an allocation in the proposed budget of "Purlie" for a director. He pointed out to Council that four weeks is not enough time to produce a major musical. Broadway rehearsals go on for eight hours a day and this is not possible with the Afro Players. He also pointed out that "Little Night Music" will be playing at the Zachary Scott Theatre during the same time as "Purlie" is proposed and the projected income from theater goes would not be as much.

MS. NANCY WOOD appeared before Council to say she has serious concerns regarding the management of Afro American Players from a fiduciary standpoint. She feels they need help and do not take advice. Ms. Wood is a former board member of the group.

Ms. Gardner told Council that Mr. Fuehrer told them he could not be their director. Mr. Fuehrer answered that he had told them he would give them as much time as he could, but could not be full time.

Councilmember Snell told Council that the issue here was not structure and management but money for the production of "Purlie." He suggested that the money for the production should be given to the Afro American Players to see what they can do with a big production in a short time. That will give Council guidance for future funding.

Roll Call on Motion - Failed

Ayes: Councilmembers Snell, Cooke, Goodman
Noes: Councilmember Mullen, Mayor Pro Tem Trevino, Mayor
McClellan, Councilmember Himmelblau

The Mayor announced that the motion had failed.

Motion

Councilmember Mullen moved that the Council take the recommendation of the Arts Commission as it stands. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Mayor McClellan, Councilmembers
Cooke, Goodman, Himmelblau, Mullen
Noes: Councilmember Snell

(SEE APPENDIX I FOR ARTS COMMISSION RECOMMENDATIONS)

WIDENING OF RED RIVER STREET FROM 32ND TO 38-1/2 STREET

Mayor McClellan opened the public hearing scheduled for 9:30 a.m. on the widening of Red River Street from 32nd Street to 38-1/2 Street and consideration of a resolution approving the following contract:

AUSTIN ROAD COMPANY
428 East Anderson Lane
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Widening of Red River Street,
32nd Street to 38-1/2 Street -
C.I.P. No. 75/62-07, 73/50-03 and
75/40-09.

Mr. Joe Ternus, Director of the Urban Transportation Department, gave the following presentation/history of the widening project:

"In 1973, three representatives of the Austin City Council and three representatives of the University of Texas Systems Board of Regents negotiated a recommended agreement to widen, realign and relocate portions of Red River Street, extending from 200 feet south of Martin Luther King, Jr., Boulevard to east of 38th Street. This alignment was based on a study of various alternatives to handle traffic when San Jacinto was closed to non-student traffic. These alternatives include:

1. Red River, San Jacinto, Duval one-way system.
2. San Jacinto with pedestrian overpasses.
3. A depressed Red River.
4. An elevated San Jacinto Boulevard.
5. An elevated San Jacinto Boulevard with a depressed Red River.

6. A relocation of Red River.
7. And a relocation of San Jacinto Boulevard.

After review by the full City Council, and at a public hearing, the agreement was approved and executed in December, 1973. The principle elements of that agreement includes a minimum of 80 feet of right-of-way to be acquired by the University of Texas at Austin and given to the City; a 60-foot wide street with sidewalks to be constructed by the City of Austin. Upon completion of the Red River Street construction and its opening to public traffic, the City would vacate the following rights-of-way:

1. Red River Street from 200 feet south of Martin Luther King, Jr. Boulevard to East 26th Street.
2. Manor Road from I.H. 35 property line to Red River Street.

In December, 1974, the construction contract for 60-foot roadway on Red River, from M.L.King Boulevard to Manor Road, was approved and consequently constructed. The contract currently being considered by the City Council includes the widening from East 32nd Street to East 38-1/2 Street. As required by the agreement, the University has purchased all the right-of-way needed for this project. In this area, the land was all purchased from the east side of Red River. As required by the agreement, the design includes a 60-foot wide street. It also has an 8-foot wide sidewalk/pedestrian way on the west, and sidewalks on the east side. In designing this project, the consultants considered all of the comments of residents as recorded in the Minutes of the December 13, 1973, and September 5, 1974, public hearings. In fact, purchase of 20 feet of additional right-of-way on the east side was intended to recognize the concerns of the neighborhood by widening the street to the east away from the major residential properties. Normal procedure for the City would be to acquire right-of-way equally on both sides of the street. The timing of this project is critical. Included in the bid documents was a provision that Red River would be closed to through traffic between the 15th day of May and the 15th of September. However, the contractor was required during that same period to complete all of the utility work and the first course of base material so that through traffic could again utilize the facility beginning September 15th. Any delays in this project past March 30th will seriously effect the successful completion of this work by September 15th. If the project is delayed, the entire project would need to be readvertised for bids. New provisions would be added to require the contractor to maintain two-way traffic during this entire project. This, of course, would extend the project for one year longer than the project is currently envisioned. The neighborhood would be more severely impacted during this extended period by the presence of construction equipment, detours and dust. The City staff recommends that this contract be awarded. It is recognized that there may be local areas where sidewalks, curb radius or other facilities may be desirable to move slightly. And these minor modifications can be made through appropriate change orders as they are identified."

Councilmember Himmelblau indicated that she was concerned about the traffic flow from the widened part of Red River Street into the more narrow part. Mr. Tarnus indicated that there was also a plan to widen Red River Street from 38-1/2 to 41st Street.

DR. WILLIAM SHIVE told the Council that he was spokesman for neighborhood residents living on 87th, 38th, 38-1/2 and Red River Streets. He felt that there was a need to have additional public hearings on the project. Dr. Shive indicated that they were opposed to extending the plan further than 38th Street, as was outlined on the original widening plan. He also suggested that the Council not approve the proposed hike and bike trail outlined for the project. Dr. Shive recommended that four lanes analogous to what exists north of 38-1/2 be carried through to 38th Street, and to meet with four lanes of 48 feet. At that point, a 4-foot median could be placed with an 8-foot hike and bike trail running along the east side of the street.

MR. ROGER PINCKNEY, President of the Friends of Eastwood Neighborhood Association, told the Council that his group was originally formed because of the widening project. He told the Council that he was in agreement with the comments made by the previous speaker, Dr. Shive, and that he would appreciate anything that could be done about the project.

MR. SHANNON RATLIFF told the Council that some of the right-of-way for the project was purchased by threat of condemnation by the University of Texas. He felt that this raised a substantial issue on the basis of any property owner who conveyed property on the representation that if he didn't convey that property, it could be taken by eminent domain. Mr. Ratliff stated that they were asking for consideration of some way to minimize the street project. He asked that if the City cannot delay the project, that it at least study it further if the agreement with the University of Texas is carried out.

MS. DOROTHY RICHTER, a resident of the Hyde Park area, told the Council that the project does effect traffic through the Duval Street area. She stated that she was in agreement with the previous speakers.

Mayor McClellan told Mr. Harris and Mr. Ternus that Council needs a total refresher on what has happened here in the past. Mr. Ternus said that use of the area is in the hands of the University of Texas and the City has been looking into alternative routes. Councilmember Goodman pointed out that when these plans were made there was no upper deck on I.H. 35 and there was an increasing population at U.T. Now the picture has changed, he said, and the neighborhood integrity is being challenged. He said the neighborhood had been given the plans only two days before the last Council meeting. Mr. Davidson said that the neighborhood did not have to be contacted but that on the City's initiative, they were. There was then discussion of previous public hearings on this subject in 1973 and 1975. The Mayor asked if, at that time, a commitment was made to have more public hearings. Mr. Ternus said there was not. He said reference is made to an awarding of the contract during a public session, not a public hearing.

Mr. Davidson commented that it is clearly understood in the minds of staff that Council did direct that the concerns of the citizens will be observed as the project is designed. There is to be an alignment of the street, trees, and hike and bike trail. All these things have been considered, he said. Councilmember Himmelblau asked if they could go with what Dr. Shive had suggested. Mr. Ternus told Council they could award the contract today, and then if they wanted a more detailed study, he would make it available. Mr. Davidson said a hold could be placed on the hike and bike trail. In answer to Mr. Goodman's question concerning Council options, Mr. Ternus said that if the contract is not awarded by the next meeting, then it will not be (Red River)

back in shape by September 15, 1978. After further discussion concerning the contract, commitments, etc., the following motion was made:

Motion

Councilmember Goodman moved that the Council direct the City Manager to prepare by March 30, 1978, all the options the Council had in the matter under consideration, plus a complete briefing speaking to the legality of condemning of land; public hearing to be continued at 1:30 p.m. on March 30, 1978. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

Noes: None

Mayor McClellan requested a complete report be prepared for the March 30, 1978, meeting on past actions of previous Councils, information on the legal contest, and advice as to what Council should do.

TREE ORDINANCE

Councilmember Cooke moved that the Council continue the public hearing on the Tree Ordinance to March 30, 1978, at 2:30 p.m. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

PARADE PERMITS

Councilmember Cooke moved that the Council grant the request of MR. BALSTON CRESWELL for a Parade Permit for the American Heart Association, Austin-Travis County Division, from 10:00 a.m. to 5:00 p.m., Saturday, April 15, 1978, beginning at Rollingwood and Park Road (Vale Street), proceed on Park Road north to Stratford Drive, The High Road, Toro Canyon Drive, Trail of the Madrones, Westlake Drive back to Rollingwood and Park Road. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

Councilmember Cooke moved that the Council grant the request from REV. JEROME BURNET O.M.I. for a Parade Permit for Our Lady of Guadalupe Church from 3:00 p.m. to 4:00 p.m., Friday, March 24, 1978, beginning in the 1200 block of East 9th Street, west to 800 block of East 9th Street, east on 9th to Waller, north on Waller to East 10th, east on 10th to Lydia, south on Lydia back to East 9th to church. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

CAPITAL INCREMENT CHARGE - MARIOTT HOTEL PROJECT

MR. DOUGLASS D. HEARNE, representing the Associated General Contractors and the mechanical subcontractor on the Marriott Hotel, appeared before the Council to request a reversal of the decision to apply Part 2, Paragraph 6 of the Capital Increment Charge, Ordinance No. 760325-D in determining the wastewater increment fee to be levied against the Marriott Hotel Project. He asked that the charge be calculated under Paragraph 5 which would reduce the charge from \$28,000 to \$11,250.

MR. ROYCE FAULKNER, Chairman, Construction Advisory Committee, stated that the Committee had voted unanimously to let Paragraph 5 of the Ordinance prevail and to recommend that the City Council and City Manager provide guidance to the Director of Water and Wastewater in determining when Paragraph 6 would be applied.

Councilmember Goodman moved that the Council accept the recommendation of the Construction Advisory Committee and ~~approve~~ the fee based on Part 2, Paragraph 5 of Ordinance No. 760325-D and request the Legal Department to draft a revision of the Ordinance to clarify it. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

Noes: None

PINNELLI DISCUSSES BRACKENRIDGE

MR. JOE PINNELLI, Business Manager, AFSCME, appeared before Council to tell them that the City of Austin has some of the best personnel policies in the State of Texas. He said that Brackenridge Hospital, from a personnel standpoint, is in a world of its own, and becomes complicated when there are dealings with medical staff members. It is his belief that if the City continues to manage Brackenridge Hospital, then the City Personnel Department should take over the Personnel Department of Brackenridge Hospital. He said that the hospital has some of the best people working for it and some of the worst and it is difficult to know how to deal with the situation and not get rid of the wrong people. He believes that the City's policies imposed on Brackenridge would result in a lower turnover, and strengthen the morale as well as the procedures of personnel working in Brackenridge Hospital.

Councilmember Goodman asked City Manager Davidson if Mr. Pinnelli's request a valid consideration. Mr. Davidson replied that the proposal can and should be looked at.

ROUND-UP CARNIVAL

Councilmember Goodman moved that the Council approve the request of the University of Texas Interfraternity Council for the use of Pease Park for the Round-Up Carnival to be held on April 5 and 6, 1978, from 3:00 p.m. to 9:00 p.m., subject to the approval of the Parks and Recreation Department. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor McClellan, Councilmember Cooke

Noes: None

Not in Council Chamber when roll was called: Mayor Pro Tem Trevino

RECESS

Council recessed its meeting at 12:15 p.m. and resumed the meeting at 1:45 p.m.

GARRISON PARK WASTEWATER MAIN

Mayor McClellan opened the public hearing scheduled for 10:00 a.m. to consider extension of an 8-inch wastewater main 25 feet into Garrison Park. No one appeared to be heard. Councilmember Mullen asked Mr. Curtis Johnson, Director of Water and Wastewater, the following questions:

1. In your opinion is there any feasible alternative to the use of this park land for wastewater purposes?
2. In your opinion has all reasonable planning been undertaken to minimize any harm to use of this land as a park?

Mr. Johnson answered, "No," to the first question and "Yes," to the second.

Motion

Councilmember Goodman moved that the Council close the public hearing and find that there is no feasible and prudent alternative to the use of this land for wastewater purposes, that this project includes all reasonable planning to minimize harm to such land in the park, and approve the project. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

Noes: None

ZONING HEARING

Mayor McClellan opened the public hearing scheduled for 11:00 a.m. on the following zoning change:

C14-76-003
DAVID C. T.
WOOLLETT

501 West 38th Street

From "A" Residence
1st Height and Area
To "B" Residence
2nd Height and Area
RECOMMENDED DISMISSAL by the
Planning Commission

No one appeared to be heard.

Mayor Pro Tem Trevino moved that the zoning case be DISMISSED. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Noes: None

The Mayor announced that the zoning case had been dismissed.

MESSAGE BUSINESS ORDINANCE

Mayor McClellan opened the public hearing scheduled for 1:30 p.m. to consider amendments to Chapter 45, Zoning Ordinance of the Austin City Code regarding Massage Business. No one appeared to be heard.

Mayor McClellan said the only change from the ordinance presented before was the wording which would read 500 feet from the lot, rather than 500 feet from the building. Mr. Lillie, Director of Planning, commented that the original ordinance had "AA" and "A." Now the terms "Interim AA" and "Interim A" are in the ordinance.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE AUSTIN CITY CODE OF 1967, PROVIDING FOR THE LOCATION OF MESSAGE BUSINESSES; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Goodman 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 McClellan, carried by the following vote:

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

ECONOMIC DEVELOPMENT PROGRAM

Council had before it for consideration a resolution to consider approval of the recommended Economic Development Program. It also had before it a resolution to consider an amendment to the 1977-78 Annual Operating Budget to appropriate funds and approve priorities for the Economic Development Program. It also had before it a resolution to consider an amendment to the 1977-78 Annual Operating Budget to appropriate funds and approve priorities for the Economic Development Program.

Mr. Dan Davidson told Council, "Since presenting this report earlier this month, I've had the opportunity to visit with several interested parties concerning this program. I continue to believe that this particular format would achieve a policy for Economic Format that was adopted by the Austin City Council. So I would ask today that you consider two items. One is a resolution that would approve the organizational format and the establishment of an office, and second, is an ordinance which would amend the annual operating budget in order to provide funding for the remainder of the current year. And I respectfully request favorable consideration."

Councilmember Cooke told Council he appreciates everything that has been done by the City Manager in his research into what other cities have done. He said that they have also had a chance to visit with the Economic Development Administration under the Department of Commerce. He also noted that he has had opportunity to visit with some groups who are interested in this major policy step. He cited that among them have been the Mexican-American Chamber of Commerce, the Austin Chamber of Commerce, representatives of the National Business League, the Downtown Council, and Downtown Unlimited. He said he wanted to make two amendments to the proposal the City Manager had submitted to Council on March 1st. Under Item III, Proposed Program of Action, he wanted to delete the word "downtown Austin" and insert "for the development of the Central City, including areas south of Town Lake and along the corridors of First, Sixth, and Eleventh Street in the eastern fringe of the traditional downtown area." He said he also wanted to see consideration given to areas of the budget where it addresses "Operations and expenditures in the vicinity of \$100,000 for next year and \$50,000 thereafter for studies." Councilmember Cooke said he would like to see that reduced in increments of \$25,000. He pointed out that this is a result of his visits with the Downtown Council in Minneapolis, Minnesota during the past weekend. Councilmember Cooke feels these amendments would be adequate and would not take away from the specific task proposed by the City Manager.

Motion

Councilmember Cooke moved that the Council approve the resolution and the ordinance with the two amendments he proposed. Mayor McClellan seconded the motion.

Councilmember Trevino wondered if the description of the area for development could be less explicitly defined in order to take in the areas needed for this project. Councilmember Cooke said this would be fine.

RAY SOLIS, Consultant Engineer, appeared before Council to say that east Austin is one of his prime concerns and that economic support needs to be stressed in the area. He pointed out that there is not a major shopping or recreation center in east Austin and he wants funds to incorporate and upgrade the character of East Austin.

BURT ADAMS, President, Austin Chapter, National Business League, made the following statement:

"The Austin Chapter of the NBL organized only nine months ago, but since that time our membership roster has grown to include a cross-section of Black businessmen, educators, doctors, and public servants. We are working together to build a better Austin for today and tomorrow. We hereby propose the following resolution:

WHEREAS the Austin Cen-Tex Chapter of the National Business League is committed to the economic development of the City of Austin and its citizenry and whereas the City of Austin through its City Council has seen fit to provide leadership in this direction; and

WHEREAS the identification, purpose, and direction of the Economic Development Program as drafted by the City Manager does not include the quality of life requisites for the Black community;

WHEREAS in the future the Black community requests ample time for thorough investigation and analysis of any and all proposals which effect our community; and

WHEREAS the document fails to make partnership with Black citizens in the development of a better social and economic environment; and

WHEREAS, community economic development and ownership, as well, do not focus on the Afro-American community; and

WHEREAS, the illusion is given to include the Black community in the process and the outcome; and

WHEREAS, the document and the dialogue with City Council and administrators does not consider the severe urban problems of disinvestment, absentee ownership of housing and business accruing nothing to the economic and social welfare of the community; and

WHEREAS, there is continual deterioration of housing, and increasing blight; and

WHEREAS, our neighborhoods are continually vulnerable to large insensitive institutional designs; and

WHEREAS, the plan for development leaves the Black community as a footnote to the downtown redevelopment scheme with only a mention of rehabilitation of 11th Street; and

WHEREAS, this area of our community is necessary to our betterment, such plans are not sufficient; and

WHEREAS, there are no plans for the East Austin Black community to stabilize its economy, to provide incentives for local investment which will bring venture capital to the East Austin community; and

WHEREAS, land-use policies and other regulatory powers have not been instituted to insure a safe and socially beneficial plan for Black citizens; and

WHEREAS there is no policy or program in said document to provide jobs for the unemployed and underemployed; and

WHEREAS, neighborhood preservation is important to the Black community, little is provided for the stability of this community; and

WHEREAS, the national rehabilitation experience of other core-city efforts have once again afforded only Anglos with the opportunity to return to the urban centers, forcing former Black tenants into unaffordable living circumstances;

We, the NBL, do hereby reject the current document and seek immediate dialogue with City officials in the preparation of a truly economically democratic process and proposal development.

THEREFORE, we request a tabling of the proposed action by the City Council until satisfactory arrangements can be made between the City Council and the Black community."

DAVID DAVENPORT, Chairman of Downtown Unlimited, appeared before Council to state that downtown is not dead but more can be done to improve its image. He congratulated the Mayor, Council and City Manager on their foresight and vision.

MS. DOROTHY ROWLAND, Austin Chamber of Commerce, endorsed the City Manager's Economic Development Plan after reviewing the history of the Chamber of Commerce. She congratulated the Council for its plan.

MS. MELDA CABRERA, representing Mexican-American Chamber of Commerce, appeared before Council to state they support downtown revitalization but also want an overall revitalization. She proposed Council take a second look at the City Manager's proposal and put an Advisory Board under the Office of Economic Development so that there will be representatives from all over the City.

WARREN BEEMAN, speaking for Austin Downtown Unlimited, said he thought the plan should involve the whole city...downtown Austin is the center and business there is important for White, Black and Brown. He said his organization has held meetings since 1960 with the idea of redeveloping the downtown area. "The program will mean nothing but good for everyone," he said. "Also, tax returns will be very, very good and growth in an existing area is profitable."

RUSH EVANS, Past President Chamber of Commerce, addressed Council by saying he endorses the revitalization program wholeheartedly and wants to see some short term goals.

Mayor McClellan commented that she shares the concerns of Mr. Adams and the central core plan must be for everyone in the City of Austin. She said we cannot wait to get on with the plans to revitalize. Councilmember Cooke responded to the suggestion of an advisory board by saying the City already has so many boards and commissions, and ten of them will have direct input into the Economic Development Office. Therefore, he feels reserved about having one more board or commission established.

Councilmember Goodman stated that he is supportive of the Office of Economic Development and as the plan stands now, it is for policy-making and administrative procedures. He proposed that the wording in Section III, IV and VIII should delete the word "downtown" and read "for development of Austin," "for the benefit of Austin," and "approved plan and objectives for Austin." He said that any other emphasis can be added at will.

Mayor McClellan said that in addition to Councilmember Goodman's proposed changes, Section III of the Proposed Plan of Action should be changed to: "City Council should specifically direct the Planning Commission to complete and recommend a schematic plan for development of Austin, with initial emphasis on the central core area;....."

Mayor Pro Tem Trevino thought that these changes would give Council the flexibility it is looking for, and Councilmember Cooke said that this Council and future ones will have their say about what is to be done.

Councilmember Goodman said, "I think this is one of the more significant steps this Council has ever taken. In the future, as this department continues to grow and enhance our economic development and our economic well-being, we will know the value of this decision." Mayor Pro Tem Trevino added, "I think it's going to be more significant during budget time when we commit the money to do it." Councilmember Himmelblau stated, "I'm completely supportive of it, but I hate to add the additional employees. It seems like any time the Council is innovative and things come from various Council offices we're always amending the budget and adding employees. I don't look very favorably on that. But I will be completely supportive of the program."

Roll Call on Motion

Roll call on Councilmember Cooke's motion, Mayor McClellan's second, to adopt a resolution to approve the recommended Economic Development Program, with the following changes:

- III. City Council should specifically direct the Planning Commission to complete and recommend a schematic plan for development of Austin; with initial emphasis on the central core area, delineating its boundaries; proposing general land use and dividing the plan into project increments for subsequent design into detailed development strategies.
- IV. The City Manager shall immediately establish an Austin Economic Development Office, under direction of a competent administrator reporting directly to the City Manager. The office will be responsible for coordination of all economic development programs approved by City Council; coordination of municipal activities or

projects within Austin's central business district; provide municipal assistance to potential investors, developers or business proprietors who may be designing proposals or investment decisions effecting Austin; cooperate and support economic development activities of private enterprise organizations to stimulate the use of private capital for the benefit of Austin.

VIII. All municipal departments and agencies will examine existing or proposed programs and projects to insure that all are capable of supporting and enhancing development decisions which comply with the City Council approved plan and objectives for Austin.

showed the following vote:

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

Noes: None

Abstain: Councilmember Snell*

*Later Councilmember Snell changed his vote to Yes, making the final vote 7-0.

Mayor McClellan introduced the following ordinance:

Councilmember Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance, with the following changes:-

Operation and Maintenance: Beginning in 1978-79, \$75,000 included for special studies; reduced to \$50,000 per year thereafter. Includes \$12,000 annually for travel, except 1977-78.

Roll call on the motion, seconded by Mayor McClellan, showed the following vote:

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

Noes: None

Abstain: Councilmember Snell*

*Later Councilmember Snell changed his vote to Yes, making the final vote 7-0.

At the time of roll call, Councilmember Snell stated: "Because I'm a member of the group that submitted the request for a resolution, I will have to abstain." Later in the meeting, Councilmember Snell read the following from

Ord No
780323-E

H.7

Ordinance No. 780323-E

H.7.

caption goes here

appropriating funds + approving priorities
for Economic Development Program.

Bert Adams. As a point of clarification at the end of his earlier statement, he wants inserted: "Therefore we hereby support the Economic Development Program of the City of Austin and hope it will correct some of the past problems of Black business men and women." Because of that statement, I certainly would like to change my vote to Yes, said Councilmember Snell.

The Mayor announced that the ordinance had been finally passed.

CONGRESS AVENUE BRIDGE

The Council had before it for consideration a Capital Improvements Project for repairs to the Congress Avenue Bridge. Mr. John German, Director of Public Works, said this was asking Council to authorize the City Manager to enter into an agreement with the Highway Department to provide our participation in the Congress Avenue Bridge Project. Total cost will be \$123,500.00. That, he said, will be divided up in three parts. The first part is Public Works share which is \$13,000 plus; second part is the Electric Department for \$75,000; and the Telephone Company for \$34,000. The project, Mr. German continued, will begin in May. The Highway Department will be taking bids in April and the Highway Commission will be awarding those bids in late April. As soon as the contract can be signed, work will start in May or June.

Councilmember Cooke moved that the Council adopt a resolution to authorize an agreement with the State Department of Highways and Public Transportation for repairs to the Congress Avenue Bridge and the City's portion of the costs of payment of repairs, CAPITAL IMPROVEMENTS PROJECT, Congress Avenue Bridge, No. 76/65-03. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Mayor Pro Tem Trevino, Mayor McClellan
Noes: None

REHABILITATION LOANS

The Council had before it for consideration an agreement for local approval of Section 312 Rehabilitation Loans, designating the authorized official.

MR. CHARLES WILTZIUS, Urban Renewal Department, said the origination for this request came from the HUD regional office for us to make the self approval which will in essence cut down on the processing time for clients. The loan application is still approved by the HUD regional office, or area office, as the case may be. But, he said, a great deal has been cut out of the red tape that goes with it and processing time because they can request a check at the same time they send in the loan application. Mr. Wiltzius said that it is a requirement of HUD regulations that a person who is not directly involved in the processing of the application check the application prior to approval.

Councilmember Cooke moved that the Council adopt a resolution to authorize agreement for local approval of Section 312 Rehabilitation Loans, designating the authorized official. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Not in Council Chamber when roll was called: Councilmember Himmelblau

NORTHWEST AUSTIN FIRE STATION

Councilmember Mullen moved that the Council deny the appeal of Fire Chief Ed S. Kirkham regarding the Planning Commission's decision to deny a Special Permit on Case No. C14p-77-050, Northwest Austin Fire Station; and to look for another site. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Noes: Mayor McClellan

The Mayor said, "I'll probably be a minority of one on this, but I just think that, I just don't want to leave any misconception about fire stations not being compatible with neighborhoods. They are. I think fire stations have to be placed in various locations about the community. I dare say if we put the fire station in this proposed site and after it was in six months, if we tried to take it out, we'd have to fight everybody in the neighborhood trying to do so. I think it adds to and enhances the neighborhood from a lot of stand-points other than just the fire protection. I think they are designed in a manner to fit into the neighborhood area. I don't think it in any way decreases or worsens the zoning. I have asked for transcripts of those last public hearings. Wanted to be sure and read into the minutes those concerns."

Councilmember Himmelblau said she felt this would be spot zoning, in effect. A fire station per se would be a good neighbor but I think this would lead to further requests for intensified zoning in the future.

GENERAL PUBLIC PARKING

The Council had before it an ordinance to amend Section 21.31 of the Austin City Code of 1967 by adding a new subsection (2) which reads as follows:

"The City Manager may designate an area for general public parking."

Joe Ternus, Director of Urban Transportation, said, "This is in response to a request from the University of Texas. They are currently part of the new Red River between MLK and Manor Road which was constructed. The City used this for a while for a shuttle service to Brackenridge Hospital. Since the opening of the Brackenridge Hospital Parking Garage there have been very few City employees using this facility. The University is asking that in the interim the facility be opened to the general public. He said he is recommending

Council to authorize the City Manager to designate an area of this for public parking. We will continue to retain the authority that the City Manager has to designate portions of that for City employee parking if necessary but the surveys we have made out there indicate very little of that parking is City employee parking, most of it is University oriented or public oriented. He said this would be an all-day zone."

Councilmember Himmelblau said she did not know if she believes in this. She said, "I don't think we build streets for that purpose. When that street is open to traffic will this be deleted?" Mr. Ternus said it would be. He said that this particular facility is asphalt and it is good to have vehicles on the facility so that from a construction and maintenance standpoint it is good to use it, and the best use is parking. It will be for the general public, for students and non-students alike. The Mayor commented that she thought it makes sense to let the area be used since it is not needed now.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 21-31 (1) OF THE AUSTIN CITY CODE OF 1967; ADDING A NEW SUBSECTION (2) ENABLING THE CITY MANAGER TO DESIGNATE CERTAIN AREAS FOR PARKING BY THE GENERAL PUBLIC; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Mullen 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 Trevino, carried by the following vote:

Ayes: Councilmember Snell, Mayor Pro Tem Trevino, Mayor McClellan, Councilmembers Cooke, Himmelblau, Mullen

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

CONSTRUCTION ADVISORY COMMITTEE

The Council had before it an amendment to the ordinance establishing the Construction Advisory Committee.

Motion

Councilmember Cooke made a motion that Item 1, Part 2 should be deleted from the Ordinance. Councilmember Goodman seconded the motion.

Mayor McClellan asked, "Do you still want the expanded Commission?" "Yes," Councilmember Cooke replied, "nine members."

Second to Motion Withdrawn

Councilmember Goodman withdrew his second. The motion died for lack of a second.

Motion

Councilmember Goodman moved that the composition remain the same, but eliminate Item 1, Part 2 of the Construction Advisory Committee's responsibilities and functions. Mayor Pro Tem Trevino seconded the motion.

Councilmember Cooke said he still strongly supports increasing this particular committee to nine people.

Substitute Motion

Councilmember Cooke made a motion, seconded by Councilmember Mullen to expand the number on the committee to nine, and delete Item 1 of Part 2.

Councilmember Goodman wanted to know if there is any particular reason for the expansion of this. He said a larger committee only creates a greater drain on City staff. The Mayor said she thought there could be diversity and good representation with seven members.

PAT BOND, representing Associated Builders and Contractors, told Council that they have made a start toward diversification of the committee by adding an individual in the paving industry. He said he thought someone in the utility construction business and the residential building industry should be added to the committee. He said he objected to adding more members of labor.

Councilmember Mullen asked Mr. Cooke if he would consider taking the word labor out of the amendment and putting in something more applicable to what they have been talking about like a utility contractor. Councilmember Cooke said he did not want to get too specific.

Second to Substitute Motion Withdrawn

Councilmember Mullen withdrew his second to the substitute motion.

Roll Call on Original Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 760401-A (CONSTRUCTION ADVISORY COMMITTEE); SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. (To delete Item 1, Part 2 of the Construction Advisory Committee's responsibilities and functions, with composition of ordinance remaining the same.) The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

ANNEXATION ORDINANCES

Council had before it ordinances to annex two areas, as well as a City Manager Report on the Annexation Study. Mayor Pro Tem Trevino said, "The information we requested from City Planning regarded the impact that annexation had on the minority population in the City has been proven. As I mentioned there was some reason to believe that the annexation that had occurred had been primarily Anglo and therefore, would have an impact on the minority population of the City. The Planning Department has also given us information that led them to believe that the immigration has pretty much balanced the amount of Anglos that have been brought in by annexation. But I still think it's the point we made two weeks ago, that while it doesn't necessarily dilute the minority in the City it certainly neutralizes any kind of increase which occurred by annexation. ...Dick (Lillie) I was trying to locate in the material you gave us. You say you believe that immigration into the City has been predominantly minority. Is this correct?" Mr. Lillie replied that it is...between 1970 and 1976, according to census reports, of the 57,000 people increase between the two censuses, that 35-1/2% were minority. 20,380 of the 50,144 were minority. Councilmember Trevino asked, "In the amount of land that has been annexed into the City between 1972-76, what percentage has been minority?" Mr. Lillie said, 14% of the 8,000 people annexed between 1972-78. Mayor Pro Tem Trevino said, "In your professional opinion, if we had not annexed since 1972 the minority population would have been higher than it is now?" Mr. Lillie said, "In 1970 it was 28%, in 1976 it was 29%. If you add the immigration and take out the area annexed, it might be another 1/2% higher. Mayor Pro Tem Trevino asked about the projection of annexation which will occur between now and the next five years. Mr. Lillie said they will be predominantly Anglo. Most of the annexations taking place are northwest and southwest. Annexation study areas that have 29% of minorities are located east and southeast of the City. Most of the annexations do not occur there...but it doesn't mean that they couldn't. It depends on where Council selects area of annexation as to whether or not the proportion of minority within a community will be maintained. Mr. Trevino asked another question concerning annexation of raw land and Mr. Lillie told him that the Annexation Report which the Planning Department is working on will be before Council in May and it is up to the Council how they want to proceed with the various areas. Each one of the separate 37 study areas will have the ethnic breakdown listed and projected, as well as the cost to serve and the cost that will be generated by revenue. Councilmember Trevino said that if Council wants to act today, he will personally abstain until he has further information.

Motion

Councilmember Cooke moved that the Council waive the requirement for three readings and finally pass the annexation ordinances before them. The motion was seconded by Councilmember Mullan.

RAZ REDWINE appeared just before roll was called to ask, if possible, that the annexation ordinances be passed on one reading and waive the requirement for three readings. The reason is because this land is subject to a zoning application that will be heard very soon by the Planning Commission and it would have to be postponed if this land is not annexed. He also said they have contracts with the Southern Union Gas Company that they cannot execute until the annexation comes in. He said that this land is in the direction of

annexation and the City has agreed that the oversizing of utilities should go into the area. Mayor McClellan asked if he wanted it passed on an emergency basis. City Attorney Harris said that if it goes through the three readings today, it just needs five votes and it will be effective in 10 days. Unless there is a real emergency "we prefer it be passed through the three readings." Mr. Lillie told him the Planning Commission will consider the zoning on April 4 or 5, so there is plenty of time.

Councilmember Himmelblau asked a question on the annexation of the 79.36 acres. She said the staff report shows that fire protection is not adequate and commits us to a Capital Improvements Program project with the next year or so. Mr. Lillie said the annexation will include a portion of Wells-Tarleton Drive, which will probably have a culvert on a drainage way near one of the schools. Councilmember Himmelblau asked if the Planning Commission still recommends annexation with the commitment to C.I.P. and the lack of fire protection? Mr. Lillie said yes, although they did raise a concern about the C.I.P. and want to make sure there is adequate notice of the improvements because of the major development which will take place. He said they have discussed moving the Southwest Fire Station to the north of its proposed location in order to take care of the needs. Mr. Davidson told Mrs. Himmelblau that one of the values of the annexation studies that the staff is producing will be to fill in some of the missing links. When looking at proposed annexations one will be able to see how a fire station, for example, can serve a larger area. He said there will be a number of annexations that ought to be approved even though maybe on the short pull they will not be economically feasible because of some other needs.

Substitute Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 356.09 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES MITCHELL SURVEY AND THE JAMES COLEMAN SURVEY, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Great Hills VII, Great Hills VIII, AED School Tract, a portion of Loop 360 and unplatted land, Case No. C7a-77-014)

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

Ayes: Councilmembers Himmelblau, Mullen, Mayor McClellan,
Councilmembers Cooke, Goodman

Noes: None

Abstain: Councilmember Snell, Mayor Pro Tem Trevino

The Mayor announced that the ordinance had been finally passed.

Substitute Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 79.36 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE PATTERSON MOORE SURVEY AND THE A. EANES SURVEY, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Case No. C7a-77-013)

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

Ayes: Councilmember Mullen, Mayor McClellan, Councilmembers
Cooke, Goodman, Himmelblau,

Noes: None

Abstain: Councilmember Snell, Mayor Pro Tem Trevino

The Mayor announced that the ordinance had been finally passed.

8TH STREET PEDESTRIAN MALL

The Council had before it for consideration an ordinance creating a pedestrian mall and passageway on 8th Street between San Antonio and Guadalupe Streets. Mayor McClellan said she understands the staff recommendation is to approve the concept but wait until the library is complete to actually close the street.

Motion

Councilmember Goodman moved that the Council pass the ordinance, adopting the concept of the mall, but wait until the library is complete to proceed with construction. The motion was seconded by Mayor McClellan.

Mayor Pro Tem Trevino said that since they have been informed, the Capital National Band will be built at the intersection of 8th and Guadalupe, that before they commit themselves and build a park, the City should allow construction to take place and see whether there would be any serious congestion, parking problems, etc. He said no one is opposed to a park but perhaps it would be more serious to commit themselves and then find out they would have to try to remove the park later on.

Motion Withdrawn

Councilmember Goodman withdrew his motion after listening to Mayor Pro Tem Trevino.

Motion

Mayor Pro Tem Trevino moved that the Council delay their decision on creating a pedestrian mall and passageway on 8th Street between San Antonio and Guadalupe until Capital National Bank has been constructed and then barricade the street for a period of time to find out whether or not the closing of the street would cause any problems.

Mr. Joe Ternus, Director of Urban Transportation, said that the City has not seen the construction plans of Capital National Bank, but can predict what the traffic demands will be if the bank will give them some information on their usage. When the American Bank was constructed, they found there was very little increase in traffic. He said that traffic volumes around that area will not double or triple, but there will be a redistribution of traffic that is already there. He said he thinks that if the street is closed, it will solve some problems. Mr. Ternus said the other option should be to see what the street should be west of San Antonio. He is concerned that it may become a major thoroughfare. Traffic circulation around the block can be handled much better with the street closed than with it open. He said to delay until the bank is built will continue some of the operational problems that they have sought to solve for three years with this proposal.

Mr. Davidson said that if Council delays this until the bank is constructed, they are talking about 18 months to two years before that would be considered. Mayor Pro Tem Trevino said maybe representatives of staff should get together with representatives of Capital National Bank, Lamar Savings and Loan, and American Bank. Councilmember Cooke agreed this would be a good idea ...to get advice of Mr. Ternus, after discussion with the banks and savings and loan company involved.

Substitute Motion

Councilmember Cooke moved that the Council postpone decision on the 8th Street Mall to a point where the construction committees of Capital National Bank and Lamar Savings and Loan will have the kind of concrete data that the City's Urban Transportation Department can analyze. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Noes: None

SIDEWALK PROGRAM

Mr. George Henry, Urban Transportation Department, told Council they have submitted to them a list of sidewalks they propose to construct in the 1977-78 School Sidewalk Program under the Capital Improvements Program. He asked if there were any questions from Council. Mayor McClellan commented that it is a great program.

CPR TRAINING PROPOSAL

Mr. Bill Bulloch, Emergency Medical Services (EMS) Director, appeared before Council to discuss the two-phase training proposal for City employees to learn the techniques of Cardio-Pulmonary Resuscitation (CPR). He said the first phase would enable training for all EMS personnel that administer the technique in the field and also in the hospital. Second, he said a number of employees that work out in the field and experience this type of trauma will be able to respond to their fellow employees. During the past two weeks, he said, he has visited with members of the Quality Assurance Team and the Heart Association and have come up with a modification and a recommendation for Phase 2. He said the more people who are out in the field and can recognize life threatening situations know how to quickly access services the City provides and then stabilize the individual in the field. He said the fee, which is proposed to offset the cost to the City, should be reduced from \$10.00 to \$5.00 to encourage more people to participate in the program. Instructors will be reimbursed at the rate of \$20.00 per class, which is \$5.00 an hour for their time and service to the public. Mr. Bulloch stated they will insure close working with the Heart Association in order to insure quality in instructor-trainers and the people who are instructed.

Mr. Bulloch said they are asking Council consideration of two things:

1. Council allow them to proceed with the City employee training program. They are in the process of preparing a grant application to several associations to allow them to try to obtain the money to buy equipment needed in the program.
2. Council allow them to bring back to them during the budget process the revised alternative to Phase 2.

MR. ROGER WINES appeared before Council to say that what is being proposed is greatly needed. He said he is presently working with the American Heart Association as their CPR Task Force Chairman and has been training people throughout Austin for the past two years. The total program, he said, needs not only Council support, but also the support of the total city.

Councilmember Goodman moved that the Council approve the CPR Training Proposal for a net cost to the City of \$18,000. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,
Mayor Pro Tem Trevino, Mayor McClellan
Noes: None

Councilmember Himmelblau asked if they were going to schedule a Saturday morning for the Council to take the training program. Mr. Davidson said he would circulate a proposed roster so Council can select the time they want to go through the training.

ANNEXATION STUDY

Mr. Davidson referred to the Annexation Study which had been prepared for Council and which Mayor Pro Tem Travino has already referred to under the annexation ordinances passed today by Council. Council had no further questions concerning the report.

**PRODUCTIVITY STUDY
WATER AND WASTEWATER**

Mr. Davidson referred to the Water and Wastewater Productivity Study - Implementation Phase, which Council had received. He said they would note the savings of \$117,000 once these items are implemented. Council had no questions concerning the report, but indicated they would review the report.

NAACP VETERAN'S OUTREACH PROGRAM

Mr. Davidson reminded Council that the report on the Veteran's Outreach Program is a result of the discussion at last week's Council Meeting by Councilmember Snell. Councilmember Snell thanked staff for working with the Outreach Program and trying to come up with a solution. He said he felt greatly responsible, as a member of the City Council, for creating this problem and he certainly wants to take part in helping to solve it.

Motion

Councilmember Snell moved that the Council grant NAACP Veteran's Outreach Program Option I of the proposals, in the amount of \$10,583.00, maximum, and one time only. Councilmember Goodman seconded the motion.

Councilmember Goodman said that in spite of all its problems the program has proved to be one that has a lot of enthusiasm and he said Council can further assist it by helping the program work. He said it was a planning error, but the present situation has to be faced. Mayor McClellan pointed out that the staff continues to recommend against a supplemental appropriation; however, if one of the options is selected, a contract can be prepared, and special conditions should be a part of the grant to insure that similar appeals can be discouraged and become a routine expense to the City. The contract should specify it is an emergency grant and non-renewable. If something is granted, staff recommends an austere budget which is the \$10,583.00 figure.

Roll Call on Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE 1977-1978 OPERATING BUDGET BY APPROPRIATING FROM THE GENERAL FUND THE SUM OF \$10,583.69 FOR THE PURPOSE OF FUNDING THE NAACP BLACK VETERANS OUTREACH PROGRAM; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmembers Goodman, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan

Noes: Councilmembers Himmelblau, Cooke

At the time of roll call, Councilmember Himmelblau stated: "No, I believe this would set a dangerous precedent."

Councilmember Mullen said, "Is there some way we can make sure that everybody who comes up for these next year signs an agreement to make it absolutely clear that there will be no administrative costs, so that there are no more problems like this?" Mr. Davidson said, "Yes, sir, we can do that. I'm not sure that will always insure that they will understand it four months later, but we can certainly try." Mr. Mullen said it should be made very clear that there will be no other funds, that those will have to be supplied, and "I would like to suggest that as a part of that agreement that if a group comes up short in that area, then they lose their funds and whatever is left is returned to the City." Mr. Davidson said he believed that would be proper. Mayor McClellan said this should be recorded in the Minutes and they will make sure it is done when they get to that point with grant requests next year. Mr. Davidson said that staff would provide the forms and will make sure it is made clear.

WAIVER OF USE FEES FOR PARKS AND RECREATION FACILITIES

The Council had before it an item introduced by Councilmember Snell requesting the waiver of use fees for Parks and Recreation Facilities to be used for Community Business Training Workshops co-sponsored by the African and Afro-American Research and Study Center, at the University of Texas and the Austin Urban Alternatives. MR. B. L. SWEAKY addressed Council and asked for free space at workshops in the Rosewood-Zaragosa, Rosewood Recreation and Maplewood Centers.

Councilmember Snell moved that the Council waive the use fees for Parks and Recreation Facilities to be used for Community Business Training Workshops co-sponsored by the African and Afro-American Research and Study Center, at the University of Texas and the Austin Urban Alternatives. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Noes: None

BOAT RACES AT FESTIVAL BEACH

Mr. Davidson said that the report on boat races at Festival Beach will be considered at a future meeting. They are studying insurance rates and other items.

ADJOURNMENT

Council adjourned its meeting at 3:55 p.m.

APPROVED

Carole Keeton McClellan
Mayor

ATTEST:

Grace Monroe

City Clerk

APPLICANT	PROPOSAL	REQUEST	ARTS COMMISSION RECOMMENDATION
1. Afro-American Players	"Purlie" at Paramount	\$8,750	0
2. American Institute on Learning Differences	Art for Pre-delinquents	\$3,860	\$1,000
3. Austin Ballet Theatre	"Romeo & Juliet" at Zilker and Paramount	\$6,000	\$4,950
4. Austin Civic Ballet	2 Zilker Performances	\$5,213	\$5,213
5. Austin Civic Wind Ensemble	3 full ensemble concerts, 10 small group performances	\$2,900	\$ 450
6. Austin Contemporary Visual Artists Association (ACVAA)	Artists in School	\$4,000	0
7. Austin Contemporary Visual Artists Association	Senior Citizen Workshops	\$2,300	\$1,200
8. Austin Fed. of Musicians	Free Concerts in Parks	\$6,925	\$6,925
9. Austin Int'l Folk Dancers	Performances in Schools	\$1,902	
10. Austin Natural Science Association	General Store	\$15,000	0
11. Austin Natural Science Association	Coordinator for Pioneer Farm Volunteers	\$10,000	0
12. Austin Natural Science Association	2 quilts for sale for Pioneer Farm	\$12,000	0
13. Austin PAID	Contract Administrator (Supervisor III)	\$8,524	\$8,524
14. Austin Theatre Group	Two One-Act Plays	\$1,725	\$1,200
15. Mjobergti Players	Mexican Puppetry - Workshop	\$1,000	0

16. Center Stage	Authors' Conference and Series of Productions	\$5,425	\$3,825
17. Child & Family Service	Tour Dramas on Alcohol and Aging with Discussions "Plays for Living"	\$1,325	0
18. Chord Rangers	Performance at Auditorium to Raise Funds	\$1,100	0
19. Dance Umbrella	Choreograph and Perform	\$2,600	0
20. Esther's Pollies	Community Center Performances	\$4,000	\$2,500
21. Heritage Society	10,000 Historic Maps	\$3,000	0
22. Hyde Park Neighborhood Association	Brochure and Tours	\$2,000	500
23. Interart/Public Art	Document CETA Project	\$4,249.34	0
24. Invisible, Inc.	Dance at Capitol	\$3,250	0
25. Invisible, Inc.	Waterworks (Barton Springs Performance)	\$4,712	\$4,000
26. Junior League	Mexican Toy Exhibit at Family Place	\$6,500	0
27. KERN	Televised Opera "The Bear"	\$12,400	
28. KMTA	Simulcast Music	\$826	\$826
29. Laguna Gloria	Book of Days (Photography)	\$3,500	\$2,500
30. Laguna Gloria	Conferences for Arts Administrators	\$5,000	\$4,500
31. Laguna Gloria	Art Booklets for Students	\$2,500	0
32. L.U.C.H.A.	Ballet Folklorico Workshop	\$1,772	\$1,727
33. L.U.C.H.A.	Casa Anthology	\$2,812	\$800

34. L.U.C.H.A.	LUCHA Murals-Shops and Documentation	\$7,525	\$5,391
35. Music/Dance Umbrella	Compose, Choreograph, and Perform	\$10,500	\$8,500
36. Paramount Theatre	Brandy-type Play - Locally Produced	\$17,000	0
37. Prickly Pear Press	Poetry Readings in Various Locations	\$4,975	\$3,500
38. Spectrum	Drama Performance for the Deaf	\$2,323	\$2,323
39. Symphony Square	Free Concerts for Opening	\$4,000	\$2,000
40. Texas Society of Sculptors	Produce and Tour Slide Show and Demonstrations	\$1,192.90	\$550
41. Theatre in the Eye	Undervitè 1 year Season	\$4,000	0
42. Women and Their Works	Drama Writing Workshop	\$600.44	\$450
43. Y.M.C.A.	Summer Drama Tour	\$18,961	0
44. Zachary Scott	Instrumental Support for Production of Mikado	\$8,250	\$7,500

TOTAL REQUESTED: \$236,998.32

TOTAL RECOMMENDED: \$80,854