

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 3, 1978
3:00 P.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

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

Absent: Councilmember Trevino

INVOCATION

Dr. Ralph Smith, Hyde Park Baptist Church gave the Invocation.

BLUEGRASS DAY

Mayor McClellan read a proclamation designating August 12, 1978 as Bluegrass Day and called on all residents to join in the fun for a night of bluegrass at the Paramount Theatre. Mr. Ted Miller and Ms. Marsha Correia thanked the Mayor for the proclamation. The musical group "No Money Down" played for Council and audience, and presented the Councilmembers with complimentary tickets to the show.

PET DAY

Ms. Netie More received a proclamation, with her thanks, from the Mayor Pro Tem Mullen, designating August 4, 1978 as Pet Day in recognition of the unique contribution of pets.

YOUTH ADVOCACY PROGRAM DAY

Mayor McClellan read a proclamation naming August 4, 1978 Youth Advocacy Program Day. Accepting the proclamation with his thanks on behalf of all dedicated people who seek to help young citizens, was Mr. Jesse Flores.

BOARD & COMMISSION APPOINTMENTS TO BE MADE

Mayor McClellan announced that the following appointments for August 10, 1978 to the boards and commissions will be:

Arts Commission, 6
Building Standards Commission, 2
Electrical Board, 3
Energy Conservation Commission, 1
Ethics Review Commission, 1
Heating, Air-Conditioning and Refrigeration Appeals Board, 2
Historic Landmark Commission, 1
Environmental Board, 2
Parks and Recreation, 1
Solicitation Board, 1
Dental Advisory Committee, 1

The Mayor said the following boards and commissions appointments to be made September 7, 1978 are:

Manpower Advisory Committee, 15
Vending Commission, 1
Community Development Commission, 1

EMINENT DOMAIN PROCEEDINGS

Mayor Pro Tem Mullen moved that the Council adopt a resolution to authorize eminent domain proceedings to acquire the following tract of land for the widening and improvement of Webberville Road:

270 square feet of land out of lot 1, block 12, Lincoln Place.
(Ralph Rich, owner)

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

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

Mayor Pro Tem Mullen moved that the Council adopt a resolution to authorize eminent domain proceedings to acquire the following tract of land for the widening and improvement of St. Elmo Road.

945 square feet of land out of lot 21, Fortview Subdivision.
(Leonard I. Johnson, owner)

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

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

CAPITAL IMPROVEMENTS PROGRAM

Mayor Pro Tem Mullen moved that the Council adopt a resolution to acquire right-of-way for drainage easements as follows: CAPITAL IMPROVEMENT PROGRAM

Two tracts of land containing 0.47 acre and 0.36 acre respectively out of 9.858 acres in the James P. Wallace Survey No. 18. (Landlock, Ltd.)

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

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

Noes: None

Absent: Councilmember Trevino

Mayor Pro Tem Mullen moved that the Council adopt a resolution to approve a Reciprocal License Agreement providing for egress and barrier curb construction on property adjacent to the Little Walnut Creek Branch Library. (CAPITAL IMPROVEMENT No. 76/85-02.) The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Noes: None

Absent: Councilmember Trevino

RELEASE OF EASEMENTS

Mayor Pro Tem Mullen moved that the Council adopt a resolution to release the following easement:

Two (2) sections of a fifteen (15.00) Wastewater Easement given to the City of Austin as described in Volume 6029, Pages 546-549 of the Deed Records of Travis County, Texas. (Requested by Mr. Franklin C. Houston, P.E., Jeryl Hart Engineers, Inc., representing Adon Sitra, owner of Dry Creek West Subdivision.)

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

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

Noes: None

Absent: Councilmember Trevino

Mayor Pro Tem Mullen moved that the Council adopt a resolution to release the following easement:

Part of an Electrical Easement given to the City of Austin as recorded in Volume 6029, Page 95 of the Deed Records of Travis County, Texas. (Requested by Mr. Reuben Trevino, representing Lost Creek Developers)

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

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

Mayor Pro Tem Mullen moved that the Council adopt a resolution to approve and release the following easement:

A twenty-five (25.00) foot Drainage Easement in Lots 5,6 and 7, Block 1, Southland Oaks Section 1, as recorded in Plat Book 76, Page 329 of the Travis County Plat Records. (Requested by Mr. Joe Simpson, Treasurer, First Service Corporation)

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

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

CONTRACTS APPROVED

Mayor Pro Tem Mullen moved that the Council adopt a resolution to approve the following contract:

1. McKESSON CHEMICAL COMPANY	- Sodium Hexametaphosphate, Water &
4351 Director Drive	Wastewater Department.
San Antonio, Texas	Item 1; 88 tons @ \$624.80
	Total \$54,982.40

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

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

Mayor Pro Tem Mullen moved that the Council adopt a resolution to approve the following contract:

2. MOORE BUSINESS FORMS, INC.	- Utility Statements, Utility Customer
833 West 12th Street	Service Office.
Austin, Texas	Item 1 - \$8,562.64

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

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

Mayor Pro Tem Mullen moved that the Council adopt a resolution to approve the following contracts:

- Bid Award:
- (1) GOLDWAITES OF TEXAS
10751 Sentinel
San Antonio, Texas - Sprinkler Replacement Parts, Parks and Recreation Department.
- Items 1-46 - \$11,551.47
 - (2) WATSON DISTRIBUTION COMPANY
9111 Broadway
San Antonio, Texas - Items 47-76 - \$6,081.35
 - (3) TELSCO INDUSTRIES
3301 Kingsley
Garland, Texas - Items 77 - \$54.21

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

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

Noes: None

Absent: Councilmember Trevino

Mayor Pro Tem Mullen moved that the Council adopt a resolution to approve the following contract:

- QUALITY CAR MARKET
6320 North Lamar Boulevard
Austin, Texas - Removal and Disposal of Junked Vehicles, Police Department.
\$21.03 per vehicle or estimated 2 year revenue of \$8,412 to City.

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

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

Noes: None

Absent: Councilmember Trevino

City Manager Davidson commented that this is revenue to the City and is an unusual arrangement as most cities have to pay someone to dispose of junked vehicles.

Mayor Pro Tem Mullen moved that the Council adopt a resolution to approve the following contract:

- WEHRING-GOSS EQUIPMENT COMPANY
I.H. 35 and Weidner Road
San Antonio, Texas - Forklift, 2,000 lbs. Vehicle and Equipment Services Department.
Item 1; 1 ea. - \$8,742.00

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

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

Noes: None

Absent: Councilmember Trevino

Mayor Pro Tem Mullen moved that the Council adopt a resolution to approve the following contracts:

- | | |
|--|---|
| Bid Award: | - Large Lamps, Central Stores Division. |
| (1) DEALER ELECTRIC SUPPLY
7121 North Lamar
Austin, Texas | - Items 1-4 - \$19,564.03 |
| (2) GENERAL ELECTRIC SUPPLY CO.
7521 North Lamar
Austin, Texas | - Item 5 - \$9,988.16 |

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

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

Mayor Pro Tem Mullen moved that the Council adopt a resolution to approve the following contracts:

- | | |
|---|--|
| BURNUP & SIMS OF TEXAS, INC.
2716 East 5th Street
Austin, Texas | -- CAPITAL IMPROVEMENTS PROGRAM -
Construction of Electric Ductlines
and Concrete Foundations at Austrop
Substation - \$29,224.00 |
|---|--|

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

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

COOLER FOR SENIOR LUNCH PROJECT

Mayor Pro Tem Mullen moved that the Council adopt a resolution to submit an application to the CAPCO Area Agency on Aging for \$4,450 in Title V Older American Act Funds to purchase a walk-in cooler for the Senior Luncheon Project. (Total project \$4,720; city share \$1,180 provided by community donations and in-place personnel services.) The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

CAPITAL IMPROVEMENTS PROGRAM

Mayor Pro Tem Mullen moved that the Council adopt a resolution to approve a change order in the amount of \$12,621.35 to Robert C. Gray Construction Company for Model Cities Street and Drainage Improvements - Fourth Year (HCD) Phase 1. (CAPITAL IMPROVEMENTS PROGRAM No. 76/62-15.) The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

AIRPORT SELECTION STUDY

Mayor Pro Tem Mullen moved that the Council adopt a resolution to accept a grant from the Federal Aviation Administration in the amount of \$95,138.00 for Airport Selection Study. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

WEATHER SERVICE OFFICE BUILDING

Mayor Pro Tem Mullen moved that the Council adopt a resolution to approve an agreement with the U.S. Weather Service to lease approximately eight-tenths of an acre for construction of a new Weather Service Office Building. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

BLACKSHEAR PROJECT

Mayor Pro Tem Mullen moved that the Council adopt a resolution to approve the disposition of Parcel R-7-2 to Onie B. Conley, Blackshear Project, Tex A-11-2 for \$2500.00. (Recommended by Urban Renewal Board.) The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Mayor Pro Tem Mullen moved that the Council adopt a resolution to approve the disposition of Parcel C-4-1 to Spencer Nobles, Blackshear Project, Tx A-11-2, for \$20,000.00. (Recommended by Urban Renewal Board) The motion, seconded by Councilmember Himmelblau carried by the following vote:

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

Noes: None

Absent: Councilmember Trevino

INTERLIBRARY LOAN OFFICE

Mayor Pro Tem Mullen moved that the Council adopt a resolution to accept a grant of \$79,661 to cover the expenses of Interlibrary Loan Office for services to Austin Public Library and the 33 other members of the Central Texas Library System, funded under the Federal Library Services and Construction Act. (Contract period: September 1, 1978 thru August 31, 1979.) The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Noes: None

Absent: Councilmember Trevino

PUBLIC HEARING SET

Mayor Pro Tem Mullen moved that the Council adopt a resolution to set a public hearing on an appeal from Mr. Paul H. Wendler of the decision of the Landmark Commission denying a Demolition Permit for the Jacob Larmour House, 1909 Whitis, (Case No. C14h-76-010) on August 24, 1978 at 10:00 A.M. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Noes: None

Absent: Councilmember Trevino

CODE AMENDMENTS EFFECTING TAXICABS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 34, ARTICLE 11 OF THE AUSTIN CITY CODE OF 1967; DELETING THE DEFINITION OF A TAXIMETER FROM SECTION 34-5; DELETING SUBSECTION (d) OF SECTION 34-6; AMENDING SECTION 34-7 BY PROVIDING THAT A TAXIMETER MAY BE MECHANICAL OR ELECTRONIC AND PROVIDING THAT THE TAXIMETER SHALL BE NON-TAMPERABLE; DELETING FROM SECTION 34-10, SUBSECTION (d) ANY REFERENCE TO A TAXIMETER FLAG; REQUIRING THE NAME OF THE FRANCHISE HOLDER TO BE ON TAXICABS BUT ELIMINATING THE NECESSITY THAT SAME BE PAINTED ON; PROVIDING THAT LETTERING AND SIGNS MAY BE BY ADHESIVE DECAL OR BY PAINTING; DELETING THE REQUIREMENT THAT A PERFORMANCE BOND BE POSTED BY FRANCHISE HOLDERS WHO HAVE DEMONSTRATED

ADEQUATE COMPLIANCE WITH THIS CHAPTER FOR FIVE YEARS OR MORE; AMENDING SECTION 34-27 (c) TO PROVIDE THAT THE TAXICAB FRANCHISE HOLDER'S REPORT SHALL INCLUDE ADDITIONAL ITEMS; AMENDING SECTION 34-33 TO REQUIRE ONLY THAT WHEN A TAXICAB IS TO BE USED FOR PERSONAL AFFAIRS THE TAXIMETER BE PLACED IN THE HIRED POSITION AND BE RECORDED IN THE DAILY MAINIFEST AS PERSONAL USE; AMENDING SECTION 34-35 TO PLACE THE RESPONSIBILITY UPON THE DRIVER OF THE TAXICAB TO BE NEAT IN APPEARANCE AND TO WEAR DISTINCTIVE UNIFORMS; AMENDING SECTION 34-40 TO LIMIT THE NUMBER OF PASSENGERS IN A TAXICAB TO THE NUMBER AT WHICH THE CAB IS RATED FOR MAXIMUM CAPACITY; DELETING FROM SECTION 34-43 ANY REFERENCE TO A TAXIMETER FLAG; AMENDING SECTION 34-71 TO PROVIDE THAT A TEMPORARY PERMIT SHALL BE VALID FOR THIRTY DAYS; AMENDING SECTION 34-73 TO PROVIDE THAT ANY FALSE OR MISLEADING INFORMATION ON AN APPLICATION SHALL RESULT IN DENIAL OR REVOCATION OF A LICENSE; AMENDING SECTION 34-74 TO PROVIDE THAT THE TEMPORARY PERMIT SHALL LAST FOR THIRTY DAYS; AMENDING SECTION 34-75 TO PROVIDE FOR GROUNDS FOR SUSPENSION AND REVOCATION OF CHAUFFEUR'S LICENSES; DELETING THE REQUIREMENT THAT THE FRANCHISE HOLDER NOTIFY THE CITY MANAGER OF DELETIONS FROM DRIVERS' LIST WITHIN TEN DAYS; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND PROVIDING FOR 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 Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Trevino

The Mayor announced that the ordinance had been finally passed.

BRACKENRIDGE COMPLEX TRAFFIC REGULATION

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 21 OF THE AUSTIN CITY CODE OF 1967; AMENDING SECTION 21-1; PROVIDING FOR THE REGULATION OF TRAFFIC IN THE BRACKENRIDGE HOSPITAL COMPLEX; DEFINING THE AREA KNOWN AS THE BRACKENRIDGE HOSPITAL COMPLEX; REPEALING ORDINANCE NO. 770825-A; ESTABLISHING A NEW SECTION 21-37.2; DETAILING AUTHORITY OF THE TRAFFIC ENGINEER TO DO CERTAIN THINGS TO REGULATE AND CONTROL TRAFFIC AT THE BRACKENRIDGE HOSPITAL COMPLEX; AMENDING SECTION 21-41 (a) TO SET THE MAXIMUM PRIMA FACIE SPEED LIMIT AT FIFTEEN MILES PER HOUR IN THE BRACKENRIDGE HOSPITAL COMPLEX; SUSPENDING THE RULE THAT ORDINANCES BE READ 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 Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Trevino

The Mayor announced that the ordinance had been finally passed.

Ordinance 780803-C
Airport Site Study

AIRPORT SITE STUDY

Mayor McClellan announced the following ordinance:

780803-C

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 Cooke, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

Mayor McClellan introduced the following ordinance:

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

A 6-ACRE TRACT OF LAND, LOCALLY KNOWN AS 11801-11929 ANGUS ROAD, 5208-5214 DUVAL ROAD, AND 5209-5215 BULL RUN; FROM INTERIN "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Raymond E. Thomas, C14-78-088)

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 Cooke, carried by the following vote:

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

Mayor McClellan introduced the following ordinance:

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

AN APPROXIMATE 96.36-ACRE TRACT OF LAND, COMPOSED OF SEVEN PARCELS OF LAND, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 1A-1: A 13.44-ACRE TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 1A-2: A 1.82 ACRE TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 1A-3: A 1.81-ACRE TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2A-1: A 9.67-ACRE TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2A-2: A 6.98-ACRE TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 3A-1: A 34.18-ACRE TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 3A-2: A 28.46-ACRE TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT, ALL OF SAID PROPERTY BEING LOCATED AT NORTH I.H. 35, RUTHERFORD LANE, AND U.S. HIGHWAY 183; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Texas State Bank, C14-78-058)

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 Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Trevino

The Mayor announced that the ordinance had been finally passed.

WASTEWATER APPROACH MAIN

Council had before it for consideration a resolution authorizing the following Wastewater Approach Main:

HASKEL G. HUDSON

- To construct a 15 inch wastewater approach main to serve the Convict Hill Subdivision. Cost participation by City \$95,659.00 if property is annexed within one year.

Mr. Curtis Johnson, Director of Water and Wastewater, told Council that the proposed line will be off the Scenic Brook West approach main which is now under construction. It will tie into that line at the point where Williamson Creek crosses Highway 290 in the Oak Hill vicinity. The proposed line is for 15" diameter line, the subdivision itself would not require that size line, however the subdivision occupies a total of 71 acres with the anticipated drainage area to be served by this line of approximately 425 acres, thus the larger sized line to serve that area as it develops. The estimated total cost of the approach main is \$116,000.00, city participation, if it is annexed within one year, would be \$95,000.00

Councilmember Himmelblau, asked if the city is paying just for the oversizing and Mr. Johnson answered Yes. After further discussion about the advisability of funding this, Councilmember Himmelblau said she hated to see piecemealing and said it would be easier for them to make a decision on this when Council has seen the annexation study. Councilmember Goodman agreed, and so did Councilmember Cooke.

Motion

Councilmember Goodman moved that the Council pull down the consideration of the wastewater approach main until Council has seen the annexation study. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Trevino

Mr. Davidson, City Manager, said that Council will receive the annexation study in a week or ten days.

DENTAL HEALTH ADVISORY COMMITTEE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 761216-C, PROVIDING FOR A CHANGE IN THE MEMBERSHIP ON THE DENTAL HEALTH ADVISORY COMMITTEE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

Noes: None

Absent: Councilmember Trevino

The Mayor announced that the ordinance had been finally passed.

ENERGY CONSERVATION COMMISSION

The Council had before it for consideration an amendment to Ordinance No. 740117-A providing that the Energy Conservation Commission shall be composed of ten (10) persons and that the Commander of the 67th Tactical Reconnaissance Wing, Bergstrom Air Force Base, be a permanent member of this Commission.

Councilmember Cooke asked for some more information on this. Mr. Albert DeLaRosa, Assistant City Attorney, said that the first draft of this had been proposed about two months ago. Councilmember Cooke said he did not recall that one of the ten members being designated was to be the Commander of the 67th Tactical Reconnaissance Wing. He said he did not know if he wanted this because "we're saying whoever and whenever that command changes, and it changes with frequency, we arbitrarily will accept that person as a member of this body, and I don't know if I want to go along with that...nothing against the Commander of the 67th Tac Recon Wing, but that's just like saying that slot is left open for that individual no matter who he is."

Mayor McClellan stated, "That's what it's saying and I have no problem with that...I can't imagine objecting to having the Commander of Bergstrom Air Force Base as a member of the Commission." Mayor Pro Tem Mullen commented that things should be left as they are and if some future Council wants to change the make-up of the Commission then it will be very simple for them to do so. He added that Bergstrom is one of the largest payers of electric bills in the City.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 740117-A TO PROVIDE THAT THE COMMANDER OF THE SIXTY-SEVENTH (67TH) TACTICAL RECONNAISSANCE WING, BERGSTROM AIR FORCE BASE, BE A PERMANENT MEMBER OF THE ENERGY CONSERVATION COMMISSION; 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. The motion, seconded by Mayor Pro Tem Mullen, carried by the following vote:

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

Noes: Councilmember Cooke

Absent: Councilmember Trevino

The Mayor announced that the ordinance had been finally passed.

MONTHLY FINANCIAL REPORT

Mr. Monty Nitcholas, Director of Finance, presented the monthly financial report for the month ending June 30, 1978. Council accepted his report, which is on file in the City Clerk's Office.

STREET ASSESSMENT DISCUSSED

MR. BOB BUCK appeared before Council to discuss street assessment on two duplexes he and his wife own on Pecos near 35th Street. He said he received a letter concerning assessment last December and called Mr. German's office; he was referred to another office who told him he had to pay the tax assessment of \$1545.00 in order to receive a 25% discount by January 5. This he did. In May of this year Mr. Buck discovered that the owner of the units next door, which were built at the same time as his and are identical, had not paid his assessment. He indicated to Mr. Buck that the street had not been upgraded and had appeared before Council and been excused from his assessment. Mr. Buck continued that the street is identical to the way it was, except the drain flow out to the gutter has been ruined. Mr. Buck told Council that he discussed this situation with his neighbors attorney who told him to bring his case before Council.

City Attorney Harris told Mr. Buck and Council that his office will look into this and report back to Council the options available in this case. Mayor McClellan pointed out that Mr. Buck has some valid points and also advised him that Council will get in touch with him after Mr. Harris studies the situation.

TEXAS FARM WORKERS

MR. JESUS MOYA of the Texas Farm Workers appeared before Council to present a resolution to the Austin City Council in reference to "collective bargaining" procedures. A copy of the resolution and fact sheet was passed out to Council who were asked to give their support in order that the resolution can be introduced during the Special Session of the Legislature.

MR. MARCIEL SYLVA, who introduced himself as an educator and supporter of the farm workers cause, spoke to Council and asked their support.

A man who did not identify himself appeared before Council to state that he represents Austin's agricultural workers, and asked them to pass the resolution, which then was read by Marciel Sylva.

Councilmember Goodman addressed those appearing before Council by telling them that he had studied the resolution, but did not think Council is ready to vote on it. Mr. Goodman discussed the conditions under which farm workers toil and stated that he personally endorses their resolution. Mayor McClellan told the speakers that she appreciated their comments and appearance in the Council Chamber.

AMENDMENT TO ZONING ORDINANCE - INOPERABLE VEHICLE

Mayor McClellan opened the public hearing scheduled for 10:00 A.M. to consider amending the Zoning Ordinance to provide a definition of an "inoperable vehicle." Mr. Lonnie Davis, Director of Building Inspection, told Council that the proposed ordinance is a result of some experiences his department has had the past several months in the removal of junked or abandoned vehicles. Chapter 45, Section 16.1, 16.2 of the Zoning Ordinance, which is the suburban use district provides that not more than four vehicles may be kept at a residence, or

not more than one vehicle per licensed driver, whichever is the largest number, none of which shall be inoperable. He said that during the past year they have had approximately 380 complaints re junked or inoperable vehicles, involving about 1,000 vehicles, all of them being located on private property. Many of these cases have been pursued in court since the owner or the resident would not move the vehicles. He said at this point they were having difficulty identifying what constitutes a junked or inoperable vehicle. This amendment attempts to identify and to define same. Mr. Davis read the amendments as follows:

PART 1. That Chapter 45 of the 1967 Code of the City of Austin be, and it is hereby, amended by adding to Section 45-16.1(i)(2) thereof the following:

".... An inoperable vehicle is any motor vehicle which for a period of time in excess of seventy-two (72) hours:

a. Has no license plates or has license plates which have been expired for more than ninety (90) days; and,

b. Has no motor vehicle safety inspection sticker or has a motor vehicle inspection safety sticker which has been expired for more than ninety (90) days; and,

c. Cannot be started, driven, operated, steered and stopped, legally under the laws of the State of Texas in a public right-of-way, under its own power and without causing damage to the vehicle, because of mechanical failure, breakdown, or because it has been wrecked, dismantled, or partially dismantled.

Provided, however, that a vehicle shall not be considered inoperable where a maximum total of two (2) vehicles owned by the occupant(s) of a residence are under ordinary repair for a reasonable period of time. In addition, no vehicle shall be considered inoperable where a maximum total of two (2) such vehicles are stored at the owner's place of residence as an antique or recreational vehicle; furthermore, provided, however, that all such antique or recreational vehicles and any related outdoor storage area(s) are maintained in such a manner that they do not constitute a health hazard and are screened from ordinary public view in an enclosed building or by means of a six (6) foot high solid wood or masonry fence.

PART 2. The rule requiring that ordinances be read on three separate days is hereby suspended, and this ordinance shall become effective ten (10) days following the date of its passage as provided by the Charter of the City of Austin.

MS. MARILYN SIMPSON, 1st Asst. Coordinator, Austin Neighborhood Council, appeared before Council to say that at their June meeting they discussed the proposed amendment and said they feel sections a., b., and c. go a long way to improve the present inoperable vehicle ordinance. The definition seems to be adequate. "We do however," she continued, "have major problems with the section

that reads, 'provided however that a vehicle shall not be considered inoperable where a maximum of two vehicles owned by the occupants of a residence are under ordinary repair for a reasonable length of time.' We feel that this one qualifying sentence undoes all the good done by a., b., and c. The ordinance seems to be condoning two junked cars per household." She went on to say that the terms ordinary repair and reasonable length of time should be defined, and felt there should be more guidance on this. She urged Council to pass the ordinance with the definitions that the Austin Neighborhood Council felt they need.

Councilmember Himmelblau agreed with Ms. Simpson and said she too wanted to see the ordinance changed with better definitions. There was discussion between the Mayor and Councilmembers as to how to have a more clear definition.

MS. MARY ALICE BROWN, President, University Hills Homeowners Association, appeared before Council to state that they are opposed to the ordinance as it is currently written. She said that police are reluctant to enforce it if cars are on private property and thought that the definition for reasonable length of time for cars being repaired should be no longer than 30 days, and no more than one vehicle under repair at a time. Council, Mr. Davis, Mr. DeLaRosa (Assistant City Attorney) and Mr. Harris all discussed this point. Councilmember Goodman suggested that the amendment be sent back to the Legal Department and let them work out the two options.

MS. JEAN MATHER appeared before Council and said that she thought Council should agree on a time limit.

Motion

Councilmember Goodman moved that the Council continue the public hearing until August 10, 1978 and instruct the City Attorney to give options for the wording to be included in the ordinance. The motion, seconded by Mayor Pro Tem Mullen, carried by the following vote:

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

ZONING HEARING, JOHNSON HOME AMERICAN LEGION POST #76

Mayor McClellan opened the public hearing scheduled for 10:15 A.M. on the following zoning case. Pursuant to published notice thereof, the following zonings were publicly heard:

JOHNSON HOME
 American Legion
 Post #76 owner
 C14h-77-023

2201 West 1st Street

From "C" Commercial
 1st Height and area
 To "C-H" Commercial Historic
 1st Height and Area
 RECOMMENDED by the Planning
 Commission

Mr. Lillie reviewed the application by use of slides. He said the finding of fact indicates the characteristics of the building. Mr. Lillie also said that the building meets 12 of the 13 criteria established for historic zoning. He said it would take 6 votes to override the Planning Commission's recommendation since the owner opposes.

MR. HARDY HOLLERS, representing the American Legion Post, introduced several members of the American Legion who were in the Council Chamber. Mayor McClellan asked him if he wanted a postponement on the hearing until a full Council would be present. (Councilmember Trevino was absent.) After some discussion Mr. Hollers said he wanted to proceed with the hearing.

Councilmember Goodman asked Mr. Hollers why the American Legion does not want it zoned "H" Historic. He replied that there is undisputed evidence that there is a depreciation in the market value of property when it is zoned "H". He also pointed out that they have kept the home in good repair and done extensive remodeling since they first acquired it in 1924. Mr. Hollers pointed out that it is difficult to obtain a loan for remodeling from a lending institution when the property is zoned "H". Mayor McClellan pointed out that there would be a tax exemption for them if the property is zoned "H". Mr. Hollers replied that the American Legion is proud to pay its taxes and just wants to be left alone. He continued, "It's hard to understand and hard to believe, but the American Legion are people who have fought for their country in time of war. They are independent people that believe in what the country stands for..that is freedom and equal rights for everybody and we believe we ought to carry our own weight, exactly. We ought to pay our taxes, which we have done and we intend to keep on paying our taxes. We're citizens of this city and we're not asking the city for anything, all we're asking is to be left alone and to discharge our own responsibilities as citizens of this great city. If I may briefly read the provisions of the ordinance as to the purpose, and I know you are all familiar with this, but I'd like to get it in the record. And that is this.... I can't find it, but you understand as well as I do the purpose is to Perpetuate and to keep these landmark properties for the benefit of the public and also for those who own the property so they can view it and things of that nature. They can still view it as they have for 54 years, but they can do it at our expense. We are beseeching you to leave it like it is and to overrule the Planning Commission because we don't believe it's necessary because we're accomplishing the same thing without the city doing that. It would also depreciate the market value of that property...we are non-profit and if we had to sell that property it would have to be devoted to a non-profit use."

Councilmember Goodman asked, "Mr. Hollers, would you be willing to make an agreement with the city that if that day ever came where you have to sell the property that you would give the city a 120 day notice?" Mr. Hollers said he saw no objection to that.

Motion

Councilmember Goodman moved that the Council close the public hearing and grant the American Legion's request to deny "H" Historic zoning to the Johnson Home, American Legion Post #76 owner, subject to that agreement that they submit to us an agreement that if they ever do sell same they will give the City of Austin 120 days prior notice. Councilmember Cooke seconded the motion.

Mayor Pro Tem Mullen asked Mr. Hollers if he thought that would effect their ability to borrow money on the building. Mr. Hollers replied no, he thinks it is a fair proposition as they never intend to sell the property. He said, "We intend to maintain the property, but I think it would be fair that we should give the city first choice and I will do this. I will recommend that we take action by the executive committee at their next meeting and we will put it in our minutes that if we have to sell the property that we will notify the city so they at least will have the opportunity to bid on the property. Isn't that what you said?" Councilmember Goodman replied, "No, that the city just simply be given 120 days notice and then if we do decide to choose to buy it we can be considered among all the other buyers. The main thing I was interested in....I, like you, believe the American Legion is never going to sell it. This is just a safeguard for us to have a 120 day notification."

Mr. Hollers said that he has been a past Commander of the Post and that he will get the Executive Committee to concur to do that. Councilmember Goodman stated, "So far as the wording goes, I spoke to the City Attorney about this and he might be able to offer some assistance in the type of agreement we would like to see." Mr. Hollers replied, "I've been practicing law for 50 years and if I need any help, I'll call on him."

The present Commander of the American Legion Post, appeared before Council and said that the Council does not need to worry...they have no intention of not continuing with the American Legion Post in its present location.

MS. INA RAY SMITH appeared before Council to state that funds and loans are available through the State Historical Commission. So, she said, there is not much worry about a loan if it were zoned Historic.

Mayor Pro Tem Mullen said, "I didn't think we'd have anybody come in when a tax exemption faced them and say they did not want to be zoned "H". If they want to pay their taxes, let's go with them. I think that's great." Councilmember Goodman commented that the American Legion Post pays taxes on \$93,120.00.

Another member of the American Legion Post, who did not identify himself, said that they have beautified the city, that is their contribution, and it costs them \$5,000 to \$6,000 a year to maintain the Johnson home. He asked the City to let them alone. Mr. Hollers then returned to read a letter from Mrs. Jenny Mary Lewis concerning the preservation of the home. She had lived in the home for many years when she was a child and asked that the Historic zoning be denied.

Councilmember Goodman stated "When the agreement is turned over to the City, I think the Council should accept it and it should be placed on the agenda for acceptance so we can vote on it." Mayor McClellan answered, "Yes".

Roll Call On Motion

The motion, made by Councilmember Goodman, to close the public hearing and grant the American Legions request to deny "H" Historic zoning to Johnson Home as agreed, carried by the following vote:

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

Noes: None

Absent: Councilmember Trevino

COUNCIL'S ADVICE SOUGHT

REVEREND S.L. DAVIS, who was not a scheduled speaker on the agenda, asked Council to be included under Citizen's Communications. He said he wanted to speak of his property on Heflin Lane, the sidewalk for his church, and the raising of taxes. Council told him they wanted to listen to him.

Reverend Davis said that he has deeded lots of land to his children so they can build their own community. (He has ten children.) However, they do not have water or electricity and asked the city's assistance in obtaining same.

Regarding his church, Reverend Davis stated that they had appealed to the city for sidewalks and a retaining wall, and that the city built the sidewalks as well as a two foot curb which is a hindrance to their parking lot.

Mayor McClellan told Reverend Davis that Mr. German, Director of Public Works, who was in the Council Chamber, would meet with him, discuss his problems and bring a recommendation to Council as quickly as possible. She told Reverend Davis that she appreciated his coming to Council.

TRANSPORTATION IMPROVEMENT PROGRAM

MS. SHARON BARTA, Assistant Director of the Urban Transportation Department, appeared before Council on behalf of Mr. Bill Moore, Chairman and Ms. Sally B. Wittliff, Vice-Chairperson of the Urban Transportation Commission to present their report. She stated that during the Urban Transportation Commission deliberation on proposed CAPITAL IMPROVEMENTS PROGRAM they were concerned that the city commission was setting priorities for projects they were going to build and the Austin Transportation Study was setting long-range priorities on projects on their own and these two efforts were coordinated with the CAPITAL IMPROVEMENTS PROGRAM efforts. She said they asked staff to bring to them the proposed T.I.P. list that had been developed by the Austin Transportation Study and go over it to see that the priorities they had set for proposed projects were consistent with what had been proposed for the Transportation Improvement Program. Councilmember Cooke asked what was presented to the Urban Transportation Commission...he wondered if it was the work that had been done by the sub-

committee of Austin Transportation Study. Ms. Barta answered, "No, it was the preliminary information presented to Council which has not been approved to this point. They thought since that was preliminary document and their work on the CAPITAL IMPROVEMENTS PROGRAM was preliminary they wanted to see the study. So they went through the list and took a vote and felt it was consistent except for one item. In the past the Urban Transportation Commission had strongly recommended that the State Department of Highways and Public Transportation include in the annual element item the MoPac sound or noise barriers." She said that Mr. Moore had pointed out that project had again been left out and so he recommends that Council endorse the proposed Public Transportation Improvement Program, with a notation that the City is disappointed again that this item has been left out.

Ms. Barta pointed out that she would explain what the Transportation Improvement Program and annual element are. They are a list of project priorities developed through the long range planning process that cover a five year period and indicate a priority and staging from this process. She explained that if you put a project on this list there is no guarantee that it will be built, but if it's not on this list you know it won't be built.

BOARD & COMMISSION APPOINTMENTS

Mayor McClellan announced that there were no board and commission appointments to announce.

SOUND TRUCK REGULATIONS

MS. SUE EDWARDS, Acting Public Health Director, reported on the Sound Truck Regulation which had been brought before Council by the Legal Department two weeks ago, as a modification to the amplified sound ordinance. It was approved by Council at that time. From that modification there were two questions asked. One was whether or not the amplified sound ordinance addressed amplifications from vehicles. The other question was the procedure through which an individual applied for that particular kind of a permit. The original ordinance did address amplified sound from moving vehicles and in the modification the change did not expressly direct vehicles but implied there would be sound permits for vehicles in that ordinance. The Law Department has recommended an amendment which would be in addition to the ordinance which was passed two weeks ago. That amendment is in the material Council received. It adds a Section 3 which speaks directly to vehicles, regulating the sound from it from 10:00 A.M. to 8:00 P.M., Monday through Saturday. Sunday regulations for sound are from 12:00 noon until 6:00 P.M. Ms. Edwards told Council that if this is agreeable with them they can bring it back for consideration at the next Council Meeting.

Councilmember Goodman told her that the thing that concerns him the most are permits for political campaigns and asked why each of five or six sound rigs being run would require its own permit if they are all for the same candidate. Ms. Edwards answered that the usual procedure is to give a political candidate one permit and xerox the permit for each of the vehicles to be used for him. She said the cost for the permit is \$5.00. Councilmember Goodman said he had interpreted it to mean "each one had a permit". There was some discussion concerning this and Councilmember Goodman asked that this be postponed for a week and come back to Council with alternatives addressed and any other are pertinent.

BETHANY CEMETERY

Mr. John German, Director of Public Works, appeared before Council to give a report on Bethany Cemetery which had been offered to the City at a recent Council Meeting. He said that there are a number of other private cemeteries in Austin and if the City takes over Bethany, they will have to take over others also. Councilmember Himmelblau asked how many other there are and Mr. German told her there could be as many as twenty. Mr. Davidson, City Manager stated that Council, in his estimation, would be wrong to either grant or deny until staff is able to do a complete report on how many private cemeteries there are and what would be involved by the City, should they take them over. He said it would be a long range study that could take eight or nine months. It would take that long, he said, because he wanted to use existing personnel.

Councilmember Snell stated he thought the study should be done but pointed out there may be a health hazard present in the conditions existing at Bethany Cemetery. Mr. Davidson informed him that the City will try to do some temporary clean-up at the site without doing anything permanent. This, he said, will eliminate any hazards.

Motion

Councilmember Snell made a motion to receive bids to see how much it would cost to clean up Bethany Cemetery. There was no second.

Mr. Davidson said he did not think this was necessary, that Mr. German and staff will look at the site and do some temporary clean-up.

Motion Withdrawn

Councilmember Snell withdrew his motion.

Mayor Pro Tem Mullen suggested that perhaps they can find an organization who would like a cemetery cleaning project. He was optimistic that this could happen.

SWEDE HILL NEIGHBORHOOD PARK

City Manager asked to postpone one week, until August 10, 1978, his report on the Swede Hill Neighborhood Park. Council agreed to this. Councilmember Goodman said he was absent for the meeting when this was first presented by Mr. Peter Fears, but that if this land can be turned over to the neighborhood, he supports it.

COST STUDY OF SOUTH TEXAS PROJECT

The Council had before it consideration of firms or individual to do cost study of the South Texas Project. City Manager Dan Davidson had presented a report to Council and stated: "I will point out that this morning I submitted a cover communication to this recommendation, pointing out to the City Council that I do strongly recommend that the Council select some firm or some individual

to undertake a study which would evaluate the work that has been done and some of the estimates made in connection with not only the South Texas Project, but with the Fayette Power Project. I feel that these two components of Austin's energy generating plants are extremely important for the future. They deal with some tough decisions that must be made by the current Council and I feel that an overall assessment of these two projects would be very beneficial to the citizens of Austin. I'd like Mr. Hancock to detail the parameters of the proposed study and indicate some firms that we know will be available to do this work."

Mr. R.L. Hancock, Director, Electric Utility, told Council, "I think Mr. Davidson's transmittal includes a general comment with respect to the need and advantage of a study of this scope. I would like to take just a moment if I may, and direct your attention to Attachment A to that memorandum, which is a general definition of the scope of the activity which would be undertaken. We have discussed this with four firms that we feel are qualified to do that type work."

Mr. Hancock then highlighted Attachment A of Mr. Davidson's transmittal, and then went on to highlight Attachment B. They are as follows:

ATTACHMENT A

PROPOSED WORK ASSIGNMENT

DESCRIPTION

To provide an assessment and opinion of the power generation facilities currently under construction for the City of Austin and to assess the reasonableness of the various studies conducted in January and May of 1978. The results need not be quantified in detail, but should address the reasonableness of the areas in the professional opinions of the experts.

SCOPE

1. An inspection and status report of each of the power generating projects.
2. An assessment of the quality of the work performed to date at each of those projects and an opinion with respect to the conduct of the job to date and the outlook in the future.
3. An assessment of the reasonableness of the project schedule.
4. An assessment of the reasonableness of the current cost estimate for the project.
5. A general comparison of costs for similar facilities in the United States.
6. A professional opinion with respect to the technical and financial viability of each of the power production projects.
7. An assessment of the cost to replace equivalent capacity at a subsequent date.
8. A review of delivered fuel cost for the current projects and a discussion of the potential for unusual change in delivered fuel cost.
9. A review of the analytical methods utilized in the economic and sensitivity

studies in the staff reports of January, 1978 and May 8, 1978 and May 26, 1978. 10. A review and opinion of the criteria and costs used in the staff studies of January, 1978 and May of 1978. This should include such items as, but not limited to:

Electrical Growth Rates
Future Fuel Costs
Unit Capacity Factor
Load Duration Curves

Interest Rates
Inflationary Trends
Future Capital Cost
Unit Heat Rates

11. A considered professional opinion with respect to the appropriateness of the engineering analysis as it relates to the generation plan.

SCHEDULE

Submittal by October 1, 1978 of a preliminary report responding to those items not requiring the schedule and cost information on STP. Completion of scope of work and submittal of a final report 30 days after receipt of information on STP schedule and cost estimated expected in late September or early October, 1978.

SUB-CONTRACTING

No portion of this proposal work assignment may be sub-contracted unless prior owner approval is obtained. Any sub-contractor will be subject to the same analysis review and experience requirements as the prime consultant.

ATTACHMENT B

CONSULTANT SELECTION CRITERIA

1. No current professional involvement in either STP or FPP either directly or indirectly.
2. No current work assignment with any of the electric utilities involved in either Fayette Power or South Texas Project.
3. Specialized professional experience and previous similar engagements.
4. Ability to assign the personnel to the project promptly and permanently.
5. The experience and professional credentials of the individuals specifically assigned to this study.
6. Ability of the consulting firm to render an opinion in accordance with the schedule outlined in the work assignment.

Mr. Hancock continued, "Attached to the preceding, there is a memorandum, just completed today, which outlines the four firms under consideration: C.T. Main, Inc. out of Boston; Stone and Webster out of New York; Huffman & Company out of Austin, and R.W. Back Co. from Denver. Attached to the tabulation is a listing of the firm, their location, the personnel they would assign to the project and their qualifications; a tabulation of recent similar work by each of those firms and finally, whether each of those four firms could comply with the schedule and the general type of financial arrangement that would be appropriate for them.

"In conclusion," Mr. Hancock said, "our estimate of the cost of the study would be somewhere between \$23,000 and \$35,000."

Mayor McClellan added for the Council's information that the Citizen's Electric Utility Commission usually reviews such requests as this, and they would like to do so. "I think it would be wise to do this, but in a very timely manner," she stated, "time is of the essence if it is going to be of benefit to us on our upcoming decision. I think they would look at this immediately if we made this request."

Motion

Councilmember Goodman moved that the Council ask the Citizen's Electric Utility Commission to consider immediately consideration of firms or individual to do cost study of the South Texas Project, assess and bring back to Council by August 10, 1978, for Council action. Councilmember Snell seconded the motion.

Councilmember Goodman told the other Councilmembers that he had some questions for Mr. Hancock. Mayor McClellan directed him to proceed.

Councilmember Goodman asked, "R.L. around 8...9 months ago I put on the agenda an Item From Council that we check into the South Texas Nuclear Project and in the absence of a staff recommendation in concurrence with that recommendation at that time, I can only assume then that you thought an investigation into the nuclear project wasn't necessary."

"No, as a matter of fact, just prior to the recent change in events," answered Mr. Hancock, "I think the Council had requested that we prepare for the Council a report on the cost difference between that conceptual estimate and the definitive cost estimate. We are prepared now to do that if the Council wishes it, however, with these impending changes it sort of changes that picture, but we're prepared to come back with that report. Now subsequent to that time there has been formulated the need for an internal audit group in the project with participation by employees of each of the participants. This probably would accomplish a portion of what you had suggested. It will not be in a very short time frame, however. There will be no productive output from that group in a short time frame, I don't believe."

"I'm disappointed that we weren't able to get something accomplished back then because I think we'd be that much ahead of the game. A lot of these things that we have since discovered we would have known about then because they would have been occurring then and we would have been discovering them then. But that's water under the bridge. When did we know, when did you know, when did the City of Austin know, that the managing partner in this, Houston Lighting and Power, had obtained a Management Analysis Incorporated and so forth. And they were doing their own investigation."

"Either late in the fall or very early in the winter," Mr. Hancock replied. "They took on that assignment in November of 1977, as I understand it." "Were we ever informed about that," asked Mr. Goodman. "No, I don't think we communicated either with the Managers office or with the Council with respect to that. I knew that they were on the job and that they were looking at the cost control aspects of the job. The need for a very rigorous schedule review,

the establishment of a task force to look at the schedule review and any costing that would be associated with any change in that schedule. That need developed in the course of the activity that they were involved in that related more directly to cost control and project management."

Mr. Goodman asked, "When did they authorize the in-house special task force...the STP people?" Mr. Hancock answered, "I cannot give you that specific date, but I would judge they put that together somewhere around April of 1978." Councilmember Goodman asked when they hired Management Analysis, Inc. and Mr. Hancock replied that they have done some previous work for them. "This assignment that they are currently on," where they were placed on the payroll in November or December, which is my understanding, or 1977..." Councilmember Goodman commented, "So what they were trying to determine back in November and December is what was going on. They had concerns then about being able to maintain their..." Mr. Hancock interjected, "They had concerns with respect to project management, cost accounting, the progress of the job, the control of the job, the schedule on the job...although I don't believe they really intensively began to pursue specifically a schedule and then any cost changes associated with that schedule until sometime in the spring as they moved deeper into that area." Mr. Goodman said, "In this memo here, and in the recent memo we received from you concerning unexplained cost rises...it was a different terminology. It says we are unable to track the differences in cost, etc. and why this was occurring. In other words it was a statement saying we don't know why costs are going up as much as they are. I detect in that memo, and in this memo, some alarm on your part concerning this project...some special concern. When did that begin to occur. When did you start getting very concerned about this project, the cost of the project, and their methods of cost control and their completion date?"

Mr. Hancock replied, "One has a continual anxiety on any construction. I would suppose those anxieties increased considerably when we received the definitive cost estimate in August of 1977 and there was a substantial increase. We began to pursue the reason for those increases, and we would have liked to have been able to establish an audit trail to account for the cost increases. But because of the method by which those estimates were made, and remember they are all estimates...the audit trail with respect to the 1977 definitive estimate and the 1975 conceptual estimate...we felt, I know the project manager of Houston Light and Power felt, that we really ought to be able to track that better and more accurately. And I think that stimulated a great deal of this sort of activity,"

"Beyond the definitive estimate," Councilmember Goodman said, "we had a cost overrun at that time, in August of 1977 announced. At the same time they revealed the definitive estimate we had, what was it, \$28,000,000.00 at that time?" "Yes," replied Mr. Hancock, "we had had a previous cost increase from the original \$161,000,000.00..." "The first one was \$19,000,000.00 that was in August of 1975, and then we went up \$28,000,000.00 in August of 1977, at the same time we got this definitive estimate. Three or four months later is when I was recommending we go into it but there wasn't enough concern at that time, but I said I'm willing to forget that."

Councilmember Himmelblau asked, "Is the same general contractor involved with Fayette as with South Texas? And also, is the same general contractor involved with Decker?" "Yes," answered Mr. Hancock, "Brown and Root had the

construction contract at Decker. That was lump sum, fixed price. The constructor at Fayette is Brown and Root. That's lump sum 1975 labor with material pass through with an escalation on labor. The engineer constructor at the South Texas Project is Brown and Root, who is functioning on a fixed fee with material and labor pass through." Councilmember Himmelblau commented, "We really put all our eggs in one basket."

Mr. Davidson stated, "Those two projects that were initially mentioned were based on bids, competitive bidding. Certainly the only project out of the three which this Council had the responsibility for awarding. I'm not sure I understand the meaning of those questions or the insinuations here. Further the project manager on both the South Texas Project and the Fayette Project have definitely responsibilities under the contracts between the city and in one case LCRA and in the other case Houston Lighting and Power. The questions as to when did we know about this and so forth, I'm sure the project manager in the South Texas Project.....they have awarded a number of contracts that I don't know about, that this Council does not know about, within the realm of their responsibilities as project managers. It's not our responsibility to size up those contracts or to award them. And I just want to make it clear that we have never brought to the City Council a detailed tabulation of all the components of work that are required to complete that project. I think that if this Council decides that you'd like to have more detailed information of that type, we'll certainly do our best to get it. But no, we have not provided that information and the project manager does have the responsibility to carry out these studies and to work with the management committee where we are represented and of course, that's where Mr. Hancock's concern began to come out. We think the studies that are underway are excellent. We think that what the Council is talking about here simply adds to the benefits that could be achieved through this kind of scrutiny. I want to make it clear that I have not tried to find out all the detailed contracts required to complete that project, nor have I tried to bring them to the City Council."

Councilmember Goddman said, "I requested them and received the bulk of them in July of last year when we went on the trip to see the South Texas Project and so forth. I wrote you a memo in which I asked for a current report on the cost overruns that could be anticipated in the Fayette Project and in the South Texas Project and I received back some voluminous information, none of which pertained to the cost overrun question. If there are any insinuations in any of the remarks I made I'll be happy to address them straight forward, if there is something that's unclear in anything I've said."

"Mr. Goodman," answered Mr. Davidson, "I'm not saying there are direct insinuations. I'm pointing out that if there's a desire that develops on the part of this Council to reflect on those joint agreements in a different way, which is certainly the prerogative of this City Council, I think we need to open up discussions on that because we are capable and willing to reflect your desires in this particular area. We happen to be following the format, however, which would not bring to the City Council all of the detailed elements of those projects and I just wanted to make that clear. And if you all would like to change that in some way, Mr. Hancock and I will stand by to assist you in any way you'd like to get it done."

"Concerning development of an internal audit group," continued Mr. Goodman, "it says it would be composed of employees from each of the project

participants. Would you be participating in that, R.L.?" "No," Mr. Hancock replied, "I think that would be someone from either the finance department or from an internal audit section that perhaps at that time would not be directly responsible to the Finance Director. But it would not be, unless they ask specifically for some engineering assistance in respect to a combination accounting-engineering type audit. I don't think the Electric Department would be participating."

Mr. Davidson said, "The original concept of that project includes some separate committees that work with the management committee. One has to do with legal matters, and our City Attorney is a member of that said committee. Another has to do with finance and Norman Barker, Finance Administrator is on that committee. Mr. Monty Nitcholas, Finance Director, is with the accounting group."

Councilmember Goodman referred to the memo sent to Mr. Davidson by Mr. Hancock, one point of which was "Proposal by a citizen to conduct a review of STP." He asked who the citizen is. Mr. Hancock replied, "I was speaking specifically of Mr. Huffman's address to the Council last week, a result of which was a request by Council for the Manager to come back with a recommendation. This is that recommendation. Councilmember Himmelblau stated, personally, from what Mr. Huffman has said here and from what he has told me in his office, I would have faith today to authorize him to go ahead. But if Council feels it needs to go back to the Commission I can live with that....I just hate to eat up any more time and their request might come in different with my thinking. Mr. Huffman's work back several years ago as far as putting the financial package together, so we could look at the STP project was an admirable one and I know of his work and I don't have to go any further." Mr. Goodman said he shares her enthusiasm to get this done as quickly as possible and "that's one of the reasons why I was asking these questions as to what we needed when because I sure would have liked to have seen a lot of this stuff started in December or January or February so we don't run up against the wall which we will with this schedule, if we have this report completed in early November. This produces a lot of problems for the Council in setting any bond election which may be required or any other type of election that may be required to allocate money and deal with our responsibilities. I don't like the timetable so obviously forced we're having to live with.. That's a major irritant."

Mr. Hancock stated, "I do think one advantage in having this formulated as it is, that we can at least get the non-nuclear aspect of this study out of the way and not have to hold that up waiting the report from the management review on the South Texas Project. So we at least do have the advantage of being able to start on that immediately."

Councilmember Goodman continued, "R.L. my questions now pertain to the proposed scope and it really concerns me...is that here we're going to at some time, possibly, award a contract for \$23,000 to \$32,000, that's the estimated cost for Attachment A. We're going to bite off all of that. If we get the right answers I'd mark into the Austin's Citizens league and defend consultant's contracts for \$200,000 on the hospital study or X thousands of dollars that we spent on all of these studies...they've involved a lot less. I'm just wondering if for \$35,000.00 we're going to be able to achieve as outlined in this attachment." Mr. Hancock replied, "All of the firms we interviewed felt that they could achieve what's outlined in this attachment within that cost frame if that's

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scope is not changed. Now if the scope gets changed, obviously it will cost more to do it. It's not the intent of this scope to establish a precise accounting type detailed cost of the project. It is to get a professional outside view of the status of the projects and the validity of the studies that the staff has conducted, and the validity of the criteria which is probably the most important point that the staff has utilized. It seems to me that would be a very valuable tool that the Council could utilize in making decisions with respect to what to do about the generation plan. It would seem to me like this outside review of numbers that have developed from within and analysis that has developed from within, would be extremely beneficial to the Council and to the citizens as well." Councilmember Goodman said he has always been in favor of outside review and said it was premature about 3-4 weeks ago, that this report was going to result in a recommendation to hire an outside firm...the Manager said he wasn't able to say that at that time...I guess it was about a month and a half ago. I think there are some items in here that rather than enlarge the scope we could decrease the scope and get more for our money. For example, assessment of the cost to replace equivalent capacity at a subsequent date. Did Decker Two cost us more than we had anticipated? Yes. Did South Texas Nuclear cost us more..." Mr. Davidson interjected, "No sir, it didn't." Mr. Goodman continued, "Yes there were added costs on Decker Two...it's irrelevant. I'll skip the point and stick with South Texas Nuclear Project costing us significantly more than we anticipated. Are we going to be able to judge, with economic trends being what they are today what it's going to cost to replace an equivalent capacity. We won't be able to judge it anymore than we were five years ago when we started making the original cost estimates for the South Texas Project which are now, you know, percentage wise, way off. There's some things I'd like to eliminate from this scope and get down to some of the central questions to be answered." Mayor Pro Tem Mullen said, "I think those are central questions to answer...if we're going to have to have additional generation in the future, which we will have to, and if we don't take necessary steps to supply that information now, we will have to supply it in the future and will need to know what the cost to the electric user will be then. If we delay, there may or may not be a cost in the future that will be astronomical and we need to know." Councilmember Goodman said that the serious cost overruns are at the South Texas Project and that's where the Council should be taking a serious look at their involvement. He said that he thought they were looking at some things needlessly when they have no control over them, and should concentrate on the part over which Council does have some control.

Mayor Pro Tem Mullen stated, "I want every bit of information possible and I want the citizens of Austin to have it. I don't want to try and make it look like we're trying to run away from any information from either side of this issue. The report said it is not going to take much time, nor much more effort to get all the information so I want it. We have been told several times that it won't increase the time element to receive all the information."

Councilmember Cooke said, "When we began this we wanted some analysis of the \$47,000.00 cost overrun on STP. That is what I thought this Council directed the staff to come back with a proposal and they've done it today. I do share the concerns that Richard shares regarding what is proposed here re the scope of the work. Although it seems to me, I thought we were trying to assess all of the cost overruns of the current project as to whether they are viable and whether we should either support the management position that would

pay that money or take it to the voters for their consideration of whether we should balk on a portion of it or whether we should balk on all of it. If I had my way, we'd run with number 4 of Attachment A, the STP project and that's where we should direct the consultant in a lot of these things."

Mayor McClellan stated, "I think your concern is valid, however there were some occurrences that happened before this discussion originally started and primarily our very heavy discussion on the Fayette Power Project which all happened after Mr. Huffman's initial conversations which happened after our initial looking into the South Texas overrun, and we've had many questions about that. I think there are still many questions floating out in the community about that and our overall generation plan. So if it is timely to be addressing South Texas, it's also very timely to be addressing that overall generation plan question and the picture somewhat. So much so, in my mind, that several weeks ago I said no more funding on South Texas before I got R.L.'s memo about more cost overrun. But I think that there have a number of concerns brought to light since we originally started talking about it that I think we should be looking into all those questions if we can do it at a reasonable figure which seems like it's virtually in the same ballpark."

Mayor Pro Tem Mullen said, "I continually hear people say that we have an overrun on the Fayette Project. That is incorrect and until that's corrected in the public's view, I continue to say we need to get the information out to them that there was not an overrun on the Fayette project. Mr. Hancock, did you check with the people that said they can do the 11 items of this scope in the time limit you said it could be done?" Mr. Hancock replied that all four have indicated they can comply with the schedule. Mayor McClellan said that "I'm ready to move timely too, but I also feel like we do have an Electric Utility Commission, and we should use them even if it takes their calling a special meeting today or tomorrow, I think we ought to either use them or change our procedure of what they are supposed to do."

Councilmember Goodman stated, "I think we should specifically send this to them and ask for an evaluation of the scope of the project and what their opinion is. One thing I'd like to say in regard to the Fayette Project, we do need to put that word out that there hasn't been a cost overrun per se, that to my knowledge the Council thinks the Fayette Project was a good deal and stands by that opinion. There was, however, something happening somewhere along the line and the project got eight months behind schedule. It's costing out of the contingency fund \$8,000,000.00 to bring it up to date." Councilmember Himmelblau commented that was the reason for "my reference with the companies." Mr. Goodman continued, "I'm convinced the company will gobble up the rest of that money in the contingency fund...they'll find a way to do it."

Mayor Pro Tem Mullen stated, "I did not know we were going to get off into all sorts of philosophies here, and if we want to get this done we need to and then discuss this next week."

Mr. Goodman told Council he had one concluding statement to make, "If we'd never gotten into the South Texas Project I think we'd be better off. The City of San Antonio may be trying to sell its share. If we're trying to sell our share at the same time, or a part of our share, we might not be able to get as much money for it as we would like and it just frightens me that San Antonio's going to be in line trying to sell and we're not going to get full

value for what we've already put into that project."

Councilmember Himmelblau stated, "Seeing as Mr. Goodman's using this as a platform for anti-nuclear, I'd like to go on record as saying I'm still as strong for nuclear plants as ever. I'm sorry about the cost overrun and I'd like to look at the validity of the cost overruns, but as far as staying in the nuclear generation I certainly am for it, and have no intentions of wanting to see us sell completely."

Councilmember Cooke told Council, "I think it's unfortunate to start making statements to the public that San Antonio may be about to sell out and we may be about to sell out, and everyone's going to be rushing to sell STP. I think those kind of things really...as they might be reported, continue to confuse the citizens of Austin rather than trying to give them all the perspectives before us and I think that's unfortunate." Mr. Goodman said he would continue to use any platform available to speak against nuclear power, that on economic grounds it is a disaster, and he does not apologize at all for his anti-nuclear stand.

Roll Call on Motion

Roll Call on Councilmember Goodman's motion, Councilmember Snell's second, to ask Citizen's Electric Utility Commission to consider immediately consideration of firms or individual to do cost study of the South Texas Project, assess and being back to Council by August 10, 1978, for Council action, showed the following vote:

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

GOLF COURSE IMPROVEMENTS

Mr. Michael Segrest, Acting Director, Parks and Recreation Department, appeared before Council to give a report on a proposed revision to the Golf Capital Improvement Program. He said it has been reviewed by the Golf Advisory Board, and the report has been given to Council. Parks and Recreation Department concurs with the recommendation which is to defer until future years when funds will be available certain items within the golf CAPITAL IMPROVEMENT PROGRAM package. Those items include restrooms and pavilions at Jimmy Clay Golf Course, restroom and a pavillion at Morris Williams Golf Course, and some of the minor renovation work that was scheduled for the Lion's Municipal Club House. These deferrals, Mr. Segrest pointed out, are recommended in order to allow the expansion of the current project which is construction of golf paths at Jimmy Clay and Morris Williams. The reason the input is requested is because staff had identified that the pavillion and restroom projects were going to cost more than had been allocated. They also found out that there was a short fall in the projected revenue account of the projected surcharge account which is the only source of funds for the golf Capital Improvement Program project. Because of those two factors there are not enough funds actually

available within the Capital Improvement Program. Mr. Segrest said that if Council approves it, they will bring back a change order to Council reflecting that change and the Golf Advisory Board anticipates making a subsequent recommendation to the department which would be forwarded to the Council as to how it is felt it might impact the recommendation that will be before you on the proposed Capital Improvement Program for the next five years.

Councilmember Snell asked, "Wasn't there money enough, from the very beginning, to complete the cart paths without transferring from somewhere else?" Mr. Segrest answered, "The project was originally established in two phases. Basically what they are wanting to do is go ahead and do the second phase which has been scheduled for 2 or 3 years from now because we already have a contractor on the job and we feel like we're getting a reasonable price, although it's higher than we expected. The contractor is doing good work and the fact that we simply do not have enough money available to do other projects, because we haven't generated enough money...they felt like the money that is available that is unobligated in the surcharge which amounts to about \$60,000.00 would be better spent and expedite the needed, visible improvements on the golf course to show the golfers that there's some benefit to the money they are paying in on the surcharge."

Motion

Councilmember Snell moved that the Council accept the recommendations re golf course improvements under the CAPITAL IMPROVEMENTS PROGRAM. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

AUSTIN POLICE DEPARTMENT TO BE INCREASED

Mayor McClellan requested consideration of options to increase staffing of the Austin Police Department on an immediate basis. She said she is requesting this not only because of the increase in violent crimes, but also because of the increase in traffic fatalities. There is a severe time lag on hiring police officers and the Mayor thinks there is a lack in number of police officers to cover the growing city. Mayor McClellan stated she asked the City Manager and the Chief of Police to submit some immediate options of what can be done now, even prior to formal study and adoption of next year's budget.

City Manager Davidson announced that Assistant Police Chief George A. Phifer, who is fully conversant with the details of this recommendation, will present a report to Council. But, he continued, as the Mayor indicated, she did talk with Chief Dyson about some of the staffing difficulties that we've had in the Police Department. Mr. Davidson said that in his communication to the Council he had told them that this is a real problem and it has been for some time, but there are a couple of things that could be done on a short term basis

to improve the staffing and help us achieve the objective of the City Council to reduce the crime rate in Austin. He further pointed out that on a short term on a reasonable basis, he currently has the authority to carry out the suggestions but it has never been done to the extent he is suggesting today. "For example," he said, "we would ask that the City Council sanction what we call an over-hire of 24 cadet positions in order to compensate for the normal attrition that occurs every time that we put on a new cadet class for training within the department. On an annual basis, I have indicated that this would not mean an over expenditure of funds from the Police Department budget for personnel. Second, and this is something that would have the biggest immediate financial impact and maybe also the biggest beneficial effect, and that's to utilize some of the existing police personnel on an overtime basis to staff the districts that we now carry without any personnel at all during certain times of the day. I pointed out that for the remainder of the fiscal year if the Council would sanction the use of this kind of a technique...we're talking a about a maximum cost of some \$90,000.00. Chief Phifer can talk with you about some of the difficulties we have at this time in being able to properly back up units that are responding to emergency calls and the problems that we have now in being able to have a good enough response time to calls from citizens during certain times of the day. That response time also speaks to one of the goals and objectives of the City Council. So, in response to the Mayor's inquiry, I would ask the Council to sanction these innovations in order to help solve the personnel problem and try to get more people out in the field to offset some of the crime trends."

Councilmember Himmelblau asked, "If this is approved by the Council, and I can see the merits to it, would there be an equitable distribution of personnel through all sections of town, particularly with the attention to west and northwest Austin that feel that they are under policed now and ask for the same number of patrol cars per square mile in all sections of town."

Assistant Chief Phifer answered, "It would be equitable in that the personnel would be assigned on the basis of whichever sector happened to be vacant. We have five sectors in the city that we have our personnel assigned to. Each sector has eight police districts in it and when we determine the need for a particular sector, then we would assign the personnel to that particular place. There wouldn't be any assignment of people doubling up in any one particular sector, it would be an assignment on the basis of actual need." Councilmember Himmelblau said she knows there are eight sectors, but wanted to know if, per square mile the sectors are alike, and alike in personnel in those sectors. Chief Phifer said the sectors are not made up by square mile, but on the basis of geographic need and the amount of crime occurring in a particular area. Some sectors, he continued, are very large, particularly in northwest Austin. In the interior of the city there are some small sectors. The workload distribution is fairly even but it does present problems on backing up when, in a large sector, a unit may not be in position to back up. We need to keep all of our districts staffed so we can, when we have an emergency call, send two units instead of one." Councilmember Himmelblau said, "If we go with more personnel will we see a beefing up on a regular basis, not on a back up basis, in northwest Austin which is such a large area. There is a feeling of panic out there with the number of homes that have gone to private security systems. Not that I'm saying that's bad, but this is the tax dollar that they are paying

for as police protection. Personally, if we're going to put more police on, and I'd like to, I'd like to see it on an equitable distribution to those tax payers who feel they are not getting their fair share."

Assistant Chief Phifer stated, "This plan is simply to fill the vacant districts. We make plans on a daily basis and this is not a new distribution of manpower. It's simply saying we have certain districts that are going to be vacant tomorrow and the next day based on the fact we only have X number of people and we want to staff every vacant district. We are going to be getting into the position of changing some of our district lines very soon. I am answering you in saying, yes, it is going to be an equal distribution of manpower, and it is going to be fairly policed throughout the city based on the system that we currently have." Councilmember Cooke said, "I think the proposal has full merit and it shows to some extent some innovativeness administratively. Is this particular proposal just to get us to the 501, or whatever the number is, to put 24 additional cadets on in an overhire situation and put them in the pipeline to get us to the 501." Assistant Chief Phifer answered, "At this particular time. Of course the thing is, in the proposal that's been put forth, it also takes into consideration our needs in the new budget year and we're saying that some time after we graduate the two cadet classes, our normal attrition rate will put us at the point where we will have a fully staffed Police Department."

Councilmember Cooke said, "We're talking about a cost of \$90,000 for the rest of the year. We plan to put police officers in an overtime situation for the next 60 days. How much overtime for the police officers and how will this effect morale?" Assistant Chief Phifer answered that this will be done on a voluntary basis. Councilmember Cooke asked if the \$90,000 would have to be budgeted from other departments. Mr. Davidson answered, "Mr. Cooke, we're not talking about other departments. We're talking about other budget revisions within the Police Department." Assistant Chief Phifer, in answer to Mr. Cooke's question as to what department of the Police Department, "It's probably coming right out of the same budget. I checked this with our fiscal affairs supervisor, and our same budget account, personnel salaries will be used, where we have not had the personnel to staff those positions. So it is the same account and there is money in that account." Councilmember Cooke asked, "Could there be any other departments in the city, public service type, where we might want to look at an overhire situation to prepare them to meet staff demand."

Motion

Councilmember Goodman moved that the Council accept the Mayor's recommendation concerning staff increase in the Austin Police Department on an immediate basis. The motion, seconded by Councilmember Snell, carried by the following vote:

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

Mayor Pro Tem Mullen asked how much manpower on the police force would be increased if funeral escorts were stopped. Assistant Chief Phifer said that this would release 1½ men or more a day.

Mr. Davidson said, "The previous report that we submitted on that, at least included the man and a half per day the Chief is talking about and maybe a little bit more. I'll get that out and send you another copy."

CORRIDOR ANNEXATION AND HEIGHT RESTRICTIONS - I.H. 35

Councilmember Himmelblau introduced two items: (1) Request the staff to prepare a study of corridor annexation along Loop 360 from Lamar Boulevard on the South to Jollyville Road on the North, (2) Request staff to prepare a study of height restrictions along IH-35. Councilmember Himmelblau said the request is to send these to Building Inspection and the Planning Department for a study.

Along with this, Councilmember Himmelblau said she wanted to see the Sign Task Force or Committee put back together again. Mayor McClellan told her that it would be put on the agenda.

CROSS-TRAINING OF BUILDING INSPECTORS

Councilmember Himmelblau introduced an item to ask staff to look at the feasibility of cross-training Building Inspectors so they can perform more than one service to save on personnel and vehicles. This way infringements could be noted and sent to the proper department without sending a special person for each task.

City Manager Davidson stated, "If I understand fully what Mrs. Himmelblau is talking about, on the long term basis this is a very good idea. Our inspectors do some of what you're now describing and hopefully they will do more of it in the future. But if you are really talking about a full-fledged cross-training program so that we can end up with one so called master inspector who can make all the inspections on a residential unit instead of having plumbing, electrical, building inspectors, etc., that can be done, but it requires 1½ to 2 years to get a program fully implemented. No city in the state of Texas has done this so far. There are some cities across the country that have done it and I wanted to make sure that's what you wanted as well as the question just described." Councilmember Himmelblau answered, "Yes, I'd like to see you subscribe to that, but on one of the previous items we had this morning on inoperable cars...the man that goes out in that district on a plumbing or electrical inspection could also see how many cars are in a driveway and note it down. And that's what I don't think is happening now...maybe I'm wrong, so I'd like to see us start with this and then work for an overall cross-training program."

Mr. Davidson said, "An awfully lot of our complaints, or notices we get about potholes in streets or hazards in streets or sub-standard conditions comes from police officers and firefighters and others. We do have other employees who try to be observant, including building inspectors, but we'll try to work up an effort to do even a better job in this area."

ADJOURNMENT

The Council Meeting was adjourned at 1:10 P.M.

APPROVED Carole Keeton McClellan
Mayor

ATTEST:

Grace Monroe
City Clerk