

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 20, 1978
6:00 P.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

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

INVOCATION

Reverend Harold L. Cooper, of St. James Episcopal Church, gave the Invocation.

PARAMOUNT THEATRE WEEK

Mayor McClellan read a proclamation designating the week of July 20-29, 1978 as Paramount Theatre Week in Austin. Accepting the proclamation, with their appreciation, were John Bernardoni, Charles Eckerman, and Mary Margaret Albright.

APPROVAL OF MINUTES

Councilmember Cooke moved that the Council approve the Minutes for July 6, 1978 and July 13, 1978. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau,
Trevino
Noes: None
Not in Council Chamber when roll was called: Mayor Pro Tem Mullen
Absent: Councilmember Snell

EQUALIZATION BOARD APPOINTMENT

Councilmember Trevino moved that the Council approve the appointment of Mr. Jose Alcorta for a one year term to the Board of Equalization. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

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

FUTURE BOARD & COMMISSION APPOINTMENTS

Mayor McClellan announced that next week Council will be making appointments to the Building Standards Commission, Parks and Recreation Board, Man-Power Advisory Council, Airport Zoning Board, Commission on Status of Women, Dental Health Advisory Board, Environmental Board, Energy Conservation Commission and Ethics Review Commission.

AGENDA ITEM POSTPONED

Councilmember Himmelblau moved that the Council postpone consideration of a resolution to appoint an independent auditor to perform the financial audit of the city for the year ending September 30, 1978, until July 27, 1978. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

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

EMINENT DOMAIN PROCEEDINGS

Councilmember Himmelblau moved that the Council adopt a resolution to authorize the following eminent domain proceedings to acquire the following tracts of land:

- a. 1,660 square feet of land of Lot 1, Block 4, and Lot 3, Block 6, E.H. Deets et al Estate for an enclosed drainageway easement for Model Cities Project. (Velma Maxine McDonald and Clarence R. Lindsey, owners.)

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

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

Noes: None

Absent: Councilmember Snell

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

Councilmember Himmelblau moved that the Council adopt a resolution to authorize the following eminent domain proceedings to acquire the following tracts of land:

- b. 1,026 square feet of land out of the northwest one-fourth of Lot 7, Block 13 Maas Addition for drainage and public utilities easement. (Milton Deen, et ux, owner.)

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

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

Noes: None

Absent: Councilmember Snell

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

Councilmember Himmelblau moved that the Council adopt a resolution to authorize the following eminent domain proceedings to acquire the following tracts of land:

- c. 162 square feet of land out of the northwest one-fourth of Lot 7, Block 13, Maas Addition for the widening and improvement of Waterson Avenue. (Milton Deen, et ux, owner.)

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

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

Noes: None

Absent: Councilmember Snell

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

(City Manager Davidson pointed out that the reason for condemnation on b. and c. is that these properties are owned by City employees.)

RELEASE OF EASEMENT

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

A portion of a twenty (20.00) Public Utility Easement as recorded in Book 48, Page 87, Plat Records of Travis County, Texas, located on a part of Lot 3A of Austin Mall, of record in Book 51, Page 10 of the Plat Records of Travis County, Texas, locally known as Highland Mall Shopping Center. (Requested by Bryant-Curington, Inc., Consulting Engineers for Highland Mall.)

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

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

Noes: None

Absent: Councilmember Snell

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

AGENDA ITEM WITHDRAWN

Councilmember Himmelblau moved that the Council withdraw consideration of a license agreement authorizing installation of condensor and drain piping, a water service line and an electric service line in conduit to serve an air-conditioning cooling tower across the public alley north of and parallel to East 7th Street at a point 80± west of Trinity Street. (Requested by Mr. Tom Wattinger, representing St. David's Episcopal Church.) The motion, seconded by Councilmember Trevino, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

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

SIGN COMMITTEE REACTIVATED

Councilmember Himmelblau moved that the Council adopt a resolution to reactivate the Sign Committee Task Force and appointed under an emergency clause, the following to serve for as long as the committee is needed: Ms. Joyce Klein, Mr. David Minter, Mr. Hugh Hornsby, and Mr. Bob Miller Jr., with other members to be added later. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

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

TEMPORARY STREET CLOSING

Councilmember Himmelblau moved that the Council adopt a resolution to temporarily close East 4th Street from the 1000 block to the 1400 block from 6:30 A.M. to 4:00 P.M., Sunday, July 23, 1978, as requested by Mr. Brent Ramsey representing the Educational Film Center. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

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

1979 MINI-BLOCK GRANT

Councilmember Himmelblau moved that the Council adopt a resolution to authorize acceptance of a 1979 Mini-Block grant award from the Criminal Justice Division, Governor's Office in the amount of \$122,845 for the 1979 Federal Fiscal Year, for the following projects:

- a.) Rape Crisis Center in the amount of \$12,046.00
- b. Greater Austin Organized Crime Control Unit in the amount of \$110,799.00.

URBAN CETA TITLE VI PROJECT

Councilmember Himmelblau moved that the Council adopt a resolution to authorize negotiation of expansion of Austin/Travis County MHMR Urban CETA VI project with private non-profit agency. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Snell
Not in Council Chamber when roll was called: Mayor Pro Tem Mullen

AGENDA ITEM POSTPONED

Councilmember Himmelblau moved that the Council postpone until July 27, 1978, consideration of setting a public hearing on an appeal of the decision of the Planning Commission from Mr. Jerry J. Raizch, 2800 San Pedro granting a Special Permit for the Texas Youth Council to operate a house for boys at 2704 Salado, Case No. C14P-78-037. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Snell
Not in Council Chamber when roll was called: Mayor Pro Tem Mullen

PUBLIC HEARINGS SET

Councilmember Himmelblau moved that the Council adopt a resolution to set a public hearing on an appeal of the Planning Commission's decision to deny a Special Permit for the Patterson Townhouses, 801-809 Patterson Avenue from the applicant owner, James W. Person, Case No. C14P-78-038, for August 17, 1978 at 7:00 P.M. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Snell
Not in Council Chamber when roll was called: Mayor Pro Tem Mullen

July 20, 1978

Councilmember Himmelblau moved that the Council adopt a resolution to set a public hearing to consider an amendment of Chapter 45, Section 45-30 (c) regarding offstreet parking for furniture stores for August 10, 1978 at 10:00 A.M. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

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

POLICE DEPARTMENT TO USE BERGSTROM AFB
FIREARMS RANGE

Councilmember Himmelblau moved that the Council adopt a resolution to authorize an agreement with Bergstrom Air Force Base for limited use of their Firearms Range by the Austin Police Department. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

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

City Manager Davidson stated: "I wish the Council's consideration of this could include a thanks which we could transmit to Bergstrom." Mayor McClellan said, "It certainly will."

SPEED ZONES MODIFIED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SUBSECTIONS (a) AND (h) OF SECTION 21-41 AND SUBSECTIONS (c) AND (d) OF SECTION 21-42 OF THE AUSTIN CITY CODE OF 1967, MAKING CERTAIN DELETIONS AND ADDITIONS TO SAID SUBSECTIONS, THEREBY DECLARING THE MAXIMUM PRIMA FACIE SPEED LIMITS UPON CERTAIN STREETS AND HIGHWAYS WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS" (VERNON'S ANN. CIV. ST., ART. 7601d); REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

Noes: None

Absent: Councilmember Snell

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

The Mayor announced that the ordinance had been finally passed.

SPEED ZONES WERE MODIFIED AS FOLLOWS:

DELETIONS SECTION 21-41

Subsection a - 15 mph

<u>ON</u>	<u>FROM</u>	<u>TO</u>
Lantana Drive	Pershing Circle West	Pershing Circle East
Sage Drive	Pershing Circle West	Pershing Circle East

Subsection h - 10 mph (7:30 a.m. - 4:00 p.m.)

Guadalupe Alley	West M.L. King, Blvd.	West 21st Street
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ADDITIONS

Subsection a - 15 mph

On all streets and parking areas within the Municipal Airport Complex

Subsection h - 10 mph

Guadalupe Alley	West M.L. King Blvd.	West 21st Street
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DELETIONS SECTION 21-42

Subsection c - 45 mph

Jollyville Road	Broad Oaks Drive	Hamilton Road
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ADDITIONS

Subsection c - 45 mph

Freidrich Lane	St. Elmo Road	Teri Road
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Subsection d - 50 mph

Jollyville Road	Broad Oaks Drive	Hamilton Road
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Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 3 OF THE 1967 CODE OF THE CITY OF AUSTIN BY ADDING A NEW ARTICLE VII THERETO; PROVIDING FOR APPEALS TO THE BOARD OF ADJUSTMENT; PROVIDING FOR THE PROCEDURES FOR SUCH AN APPEAL; GRANTING THE BOARD THE POWER TO INTERPRET OR VARY THE PROVISIONS OF THIS CHAPTER; PROVIDING FOR AN APPEAL TO THE CITY COUNCIL; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

Noes: None

Absent: Councilmember Snell

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

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 2.90-ACRE TRACT OF LAND, LOCALLY KNOWN AS 10615-10629 BURNET ROAD; FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL. 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. (B.F. MCCOY & LOTS MCCOY, C14-73-253.)

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

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

Noes: None

Absent: Councilmember Snell

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

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan brought up the following ordinance for its first reading.

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

APPROXIMATELY 28.84 ACRES OF LAND, BEING PORTIONS OF THE JAMES ROGERS SURVEY #19, THE JAMES P. WALLACE SURVEY #18, AND THE JAMES M. MITCHELL SURVEY #17; LOCALLY KNOWN AS 4504-4509 CELETA LANE, 4502-4500 CELETA LANE, 4501 CELETA LANE, 4507 CELETA LANE, 10109-10409 U.S. HIGHWAY 183, AND 10513-10605 U.S. HIGHWAY 183; FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL, 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. (Leon A. Schmidt Childrens Trust #1, C14-78-090)

The ordinance was read the first time, and Councilmember Trevino moved that the ordinance be passed to its second reading. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Abstain: Councilmember Himmelblau

Absent: Councilmember Snell

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

The Mayor announced that the ordinance had been passed through its first reading only.

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

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

LOT 8A, RESUBDIVISION OF LOT 6 AND PART OF LOT 8, CAMERON ACRES, LOCALLY KNOWN AS 8718 LEISURE DRIVE; FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" 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. (J. Marvin & Janell Basey, C14-78-066)

The ordinance was read the second time, and Councilmember Trevino moved that the Council waive the requirement of third reading, and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

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

The Mayor announced that the ordinance had been finally passed.

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

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
BLOCK C, GASTON PLACE, PART OF DINSMORE SIMPSON SURVEY, LOCALLY KNOWN AS 5813 BERKMAN DRIVE; FROM "GR" GENERAL RETAIL DISTRICT TO "C" COMMERCIAL 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. (Henry S. Miller Realty Trust, C14-78-071.)

The ordinance was read the second time, and Councilmember Trevino moved that the Council waive the requirement of third reading, and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

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

The Mayor announced that the ordinance had been finally passed.

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

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
A 3.8345-ACRE TRACT OF LAND, LOCALLY KNOWN AS 9401-9423 NORTH LAMAR BOULEVARD AND 500-700 WEST RUNDBERG LANE; FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA IDSTRIC; 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. (Edward and Ted Wendlandt, C14-78-086)

The ordinance was read the second time and Councilmember Trevino moved that the Council waive the requirement of third reading, and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

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

The Mayor announced that the ordinance had been finally passed.

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

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

A 0.1692-ACRE TRACT OF LAND, LOCALLY KNOWN AS 8101 MESA DRIVE; FROM "LR" LOCAL RETAIL DISTRICT TO "GR" GENERAL RETAIL 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. (Robert T. Mayfield, C14-78-091)

The ordinance was read the second time, and Councilmember Trevino moved that the Council waive the requirement of third reading, and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

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

The Mayor announced that the ordinance had been finally passed.

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

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

THE WESTERN 488.35 FEET OF LOT 1, 183 PARK SUBDIVISION, LOCALLY KNOWN AS 829-857 ANDERSON LANE AND 901-911 ANDERSON LANE; FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (W.W. Patterson, Trustee, C14-78-102)

The ordinance was read the second time, and Councilmember Trevino moved that the Council waive the requirement of third reading, and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

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

The Mayor announced that the ordinance had been finally passed.

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

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
THE CENTRAL 90 FEET OF THE WEST 138 FEET OF OUTLOT 19, LESS THE EAST 30 FEET, DIVISION E, ORIGINAL CITY, LOCALLY KNOWN AS 1803 WEST AVENUE; FROM "B" RESIDENCE DISTRICT TO "O" OFFICE 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. (A.L. Moyer and Vincent Moyer, C14-78-009)

The ordinance was read the second time and Councilmember Trevino moved that the Council waive the requirement of third reading, and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

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

The Mayor announced that the ordinance has been finally passed.

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

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
A 2.64-ACRE TRACT OF LAND, LOCALLY KNOWN AS 9201-9213 OLD U.S. HIGHWAY 183 AND 9389-9408 NEW U.S. HIGHWAY 183; FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Leon A. Schmidt Childrens Trust #1, C14-78-089)

The ordinance was read the second time and Councilmember Trevino moved that the Council waive the requirement of third reading, and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

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

The Mayor announced that the ordinance had been finally passed.

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

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

TRACT 1: A 1.0286 ACRE TRACT OF LAND, SAVE AND EXCEPT A 0.24 ACRE TRACT AND A 0.05 ACRE TRACT, HEREINBELOW DESCRIBED AS TRACT 2 AND TRACT 3, RESPECTIVELY; FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2: A 0.024 ACRE TRACT OF LAND; FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; AND

TRACT 3: A 0.05 ACRE TRACT OF LAND; FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 8411 NORTH INTERREGIONAL HIGHWAY 35; 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. (Martin B. Lively, C14-78-097)

The ordinance was read the second time and Councilmember Trevino moved that the Council waive the requirement of third reading, and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

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

The Mayor announced that the ordinance had been finally passed.

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

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

A 3.389-ACRE TRACT OF LAND, LOCALLY KNOWN AS 501-603 STASSNEY LANE; FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT AND "A" 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. (Thomas G. Bradfield and Paul S. Wakefield, C14-78-098)

The ordinance was read the second time and Councilmember Trevino moved that the Council waive the requirement of third reading, and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

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

The Mayor announced that the ordinance had been finally passed.

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

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

THE CENTRAL 90 FEET OF THE WEST 138 FEET OF OUTLOT 19, LESS THE EAST 30 FEET, DIVISION E, ORIGINAL CITY, LOCALLY KNOWN AS 1803 WEST AVENUE; FROM "B" RESIDENCE DISTRICT TO "B-H" RESIDENCE-HISTORIC 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. (Denny-- Holliday house, C14h-78-017)

The ordinance was read the second time and Councilmember Trevino moved that the Council waive the requirement of third reading, and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Trevino, Mayor McClellan, Councilmember Cooke'

Noes: None

Absent: Councilmember Snell

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

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan brought up the following ordinance for its second reading.

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
LOT 1, LESS THE EASTERNMOST 10 FEET, AND LOT 2, LESS THE EASTERNMOST 10 FEET, BLOCK A, OAKRIDGE HEIGHTS, SECTION 1; LOCALLY KNOWN AS 2612-2614 SOUTH FIRST STREET AND 600 CUMBERLAND ROAD; FROM "A" RESIDENCE DISTRICT TO "O" OFFICE 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. (Forest M. Cruse, Sr., C14-78-025)

The ordinance was read the second time and Councilmember Trevino moved that the Council waive the requirement of third reading, and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

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

The Mayor announced that the ordinance had been finally passed.

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

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
LOT 1, BLOCK 154, ORIGINAL CITY, LOCALLY KNOWN AS 1301 RIO GRANDE, AND ALSO BOUNDED BY WEST 13TH STREET; FROM "O" OFFICE DISTRICT TO "LR" LOCAL RETAIL 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. (Claud A. Martin, C14-78-094)

The ordinance was read the second time and Councilmember Trevino moved that the Council waive the requirement of third reading, and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

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

The Mayor announced that the ordinance had been finally passed.

PUBLIC HEARING - WRECKER ORDINANCE

Mayor McClellan opened the Public Hearing scheduled for 6:30 P.M. to consider passage of the Wrecker Ordinance. The Mayor announced that the public hearing would be continued, after hearing speakers tonight, to next week's meeting because Mr. Tom Shortes who was active in the discussions concerning the ordinance amendment has a broken ankle and wants to be able to appear before Council. Councilmember Goodman stated that he was very involved along with his aide Ed Wendler Jr., and many others, in getting the ordinance together. He observed that this ordinance is an example of something that is inherited as a housekeeping measure and they served mainly as intermediaries between the wrecker industry and a student consumer type representative, Ron Shortes, and Jonathon Davis, Assistant City Attorney, who patiently drafted the amendments. Mr. Goodman continues, "I will say right from the outset, it's a compromise, and it's a well hammered out compromise, and I think one that has unanimous approval from all those who participated who represent the huge block of those effected by it. It was a very necessary ordinance revision."

CECIL HAYS, owner of Cecil's Wrecker Service, appeared before Council to say that he agrees with the new ordinance, except Section 34-124 which deals with the establishment of a Wrecker Standards Commission -- its powers, duties and procedures. Councilmember Cooke said he also has reservations concerning the establishment of a Wrecker Commission. And Mr. Hays continued that he too objects to same. He said the Chief of Police has done a wonderful job and thinks the responsibility should remain with the Police Chief and his men.

Councilmember Cooke said he questioned Alternative A and B of Section 34-124. Mr. Davis told him, "When we prepared this most recent draft, we compromised as much as possible. When it came down to this particular point we compromised as far as we could and neither side felt that further compromise would be beneficial so this is one of a few political considerations contained in the ordinance which, for better or worse, are going to be Council's responsibility. Basically we couldn't compromise, and presented both of them. That is the only place in the ordinance that has a provision like that." Mr. Jerry Harris, City Attorney, said that the only difference is, "under Alternative B would mean that if there was a quorum of four there that person's permit could be suspended on a vote of three, whereas if Alternative A is chosen it's always going to take four votes and if a bare quorum is there it will take a unanimous vote." Councilmember Cooke said he thought Alternative B would be a precedent that would make the deciding factor the majority of the quorum rather than the majority of the committee and said he would be opposed to Alternative B. Mr. Davis said he understood

most city commissions do have a majority quorum as the deciding vote under the Texas Open Meetings Act. He said he thought Alternative A would be a precedent setting procedure. Mr. Harris said that in most commissions, the majority quorum is the number of votes it takes to take action, and pointed out that the City Council has a quorum requirement and the minimum number of votes happens to be that also.

MR. PHILIP PATMAN, Legal Counsel, Independent Garagemen's Association, appeared before Council representing the Austin Chapter of the statewide trade association which has 272 members. He said they participated as the industry group in the deliberations resulting in the draft which Council is considering. He reiterated Councilmember Goodman's statement that the draft is a compromise and it is not the draft, he feels, that would be presented to Council either by industry or consumers. The draft, according to his interpretation, accomplishes three things: (1) It contains new protections for consumers, (2) It contains some advantages for the industry such as slight increases for fees for services offered, (3) From the public interest point of view, the most important thing about the ordinance is that it makes it possible to put out of business persons who violate the terms of the ordinance. Under the present proposal, he said, it will not be possible for offenders to remain in business under another name. That specific provision will result in a vastly improved quality of wrecker service for the people of Austin. Mr. Patman concluded by saying, "The reason we find the Wrecker Standards Commission an integral part of the proposal is really for that reason. This ordinance will make it possible to put people out of business permanently in the City of Austin. If enforcement is confined only on an administrative basis to a city official, no matter how competent, to withdraw from a man the right to make his livelihood then the person in question should have the right to a hearing and to present evidence and to have the evidence weighed by an impartial decision making authority. We were unable to see that that could be done on any basis other than a quasi-judicial commission, and I believe all of those who participated in the drafting of the ordinance are in accord in that regard."

MR. JOE MIGLACCIO, Chairman of the Wrecker Service Committee, Independent Garagemen's Association, appeared before Council. He commented on some of the salient points of the amended wrecker ordinance. The increase in fees was not contested by any individual working on the amendments and all felt the proposed fees to be fair. He said that I.G.A. feels that the proposed Wrecker Standards Commission is a necessary and integral part of the ordinance. Permit holders in the City of Austin have put a lot of strength into the proposed ordinance as opposed to the "lukewarm" piece of legislation they now work with. He said it tracks good business practice with industry participation and allowance for impartial citizens to be on the commission. "We are not asking to control the enforcing of the ordinance, but are asking that enforcement be impartial on the part of the Chief of Police and his people, and that the judicial process be carried out by a judicial body without putting the burden on the Chief of Police," Mr. Miglaccio told the Council. In addition to the adoption of a Wrecker Standards Commission, I.G.A. is asking for the adoption of Alternative A requiring a 4 to convict on revocation and suspension.

(AT THIS POINT COUNCILMEMBER MULLEN ENTERED THE COUNCILCHAMBER.)

Councilmember Goodman publicly thanked Mr. Miglaccio for all the time he has devoted to the discussions on amendments to the ordinance.

The owner of the C.W. Wrecker Service appeared before Council to say that his only complaint is that from 1975 back they paid \$5.00 for a permit and now they pay \$90.00 for a permit, with insurance on wreckers which are a 3/4 and a one ton, higher than on a six-wheeler running down the highway. He said they carry 50-100-50 and doesn't understand why their insurance should be so high. "But," he said, "for the city ordinance, we got the best there is."

Mr. Davis said the original ordinance drafted and passed in 1975 had the \$25,000-\$50,000-\$10,000 limits which are presently imposed. Representatives from the industry, he stated, were the ones who suggested the increases on the insurance requirements to what they are in the proposed draft. Mr. Davis said he did not object to the proposed increase and felt they would give more protection to the citizens of Austin. Councilmember Goodman pointed out that he thinks the increase in insurance is in order and pointed out some of the instances, including hidden damage which may show up later in a car that has been towed. Under the old ordinance it was difficult to make any recovery. This ordinance helps to rectify that. Mr. Davis pointed out that there are some provisions that if you discover latent damage after you take possession of your car and drive it off the lot that at within a given time you can go back to the permit holder and put him on notice of the car problem. Mr. Davis told Council this provision is designed to assist someone in a civil lawsuit against a wrecker company. The city will not become involved in something like that but should offer the consumer some protection against hidden or latent damages.

Motion

Councilmember Goodman moved that the Council continue the public hearing and consider passage of the Wrecker Ordinance on July 27, 1978 at 10:45 A.M. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

HONORARY MEMBERSHIP

Mrs. Joanie Almorez, President of the Austin Police Wives Club, appeared before Council to request permission to present an honorary membership from their club to Councilmember Betty Himmelblau. Councilmember Himmelblau, upon approaching the rostrum, was presented with a certificate designating honorary membership in the Club. Councilmember Himmelblau indicated that she was deeply honored. She was also presented with a T-shirt and a membership pin.

BOAT RACES

Mrs. Mary B. Muniz and others, representing the East Town Lake Citizens Club, appeared before Council to discuss boat races and other problems in the East Town Lake Community area. Mr. Pancho Lopez, interpreter for Mr. Rendone, President of the East Town Lake Citizens Club, stated that they were in opposition to the August 12th and 13th boat races scheduled to take place on Town Lake. Mr. Lopez stated that they were opposed to all commercial plans for East Austin. He stated that the convictions against the protestors at the last boat race were unjust. Mr. Lopez indicated that unless the boat races are stopped, demonstra-

tions in East Austin would continue.

MR. PETE MARTINEZ questioned if the Council really cared about the neighborhoods in East Austin. He stated that as long as there are boat races in East Austin the demonstrations would continue. He gave a brief history of development in East Austin.

MRS. MARY B. MUNIZ spoke in opposition to the boat races. She stated that they wanted to know the Council's position on boat races prior to the August races. Mrs. Muniz pointed out that the noise from the boat races can be heard as far back as East 12th Street. Mayor McClellan stated the Council has addressed many of the concerns of the neighborhood but that it was not feasible to relocate the boat races. Mrs. Muniz felt that anything could be changed if there was a desire to do so. She stated that the Council was simply being stubborn. Councilmember Trevino stated that whereas it might be unrealistic to move the August boat races now, it might be more feasible for the Council to make a commitment to move the races scheduled for next year. Mayor McClellan told Mrs. Muniz that the Council would be taking the matter under advisement. Councilmember Goodman indicated that he was still in favor of relocating the boat races. Councilmember Trevino indicated that he would be in favor of moving the boat races, just as the Fest Nights were relocated. Councilmember Cooke stated that he was still in favor of having the boat races in August as previously decided. Councilmember Himmelblau felt that the Council needed to work with the Chamber of Commerce to find another event to replace the boat races.

Motion

Councilmember Trevino moved to set a work session to discuss the boat races. The motion was seconded by Councilmember Goodman.

Councilmember Goodman felt that it was incumbent upon the Council to put an end to the boat races during their term in office.

Friendly Amendment

Councilmember Goodman made a friendly amendment to the motion that the Council also appoint a three-person, Council subcommittee to look into the boat races.

Friendly Amendment Withdrawn

Councilmember Goodman later withdrew his amendment appointing a Council subcommittee to look into the boat races.

Roll Call On Motion

Councilmember Trevino moved that the Council have a work session on July 31, 1978, at 7:00 P.M., to discuss the boat races, and instructed the City

Manager to notify the neighborhood associations, the Chamber of Commerce, the Boat Club and the Aqua Festival. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Noes: None

Absent: Councilmember Snell

ITEM POSTPONED

City Clerk Grace Monroe told Council that Mr. Peter J. Fears had requested to be placed on the agenda for July 27, 1978, to discuss a community park and playground for Swede Hill neighborhood, to be located on City-owned property at 14th and Waller Streets.

EMPLOYEE'S PERSONNEL FILE

MR. ALLEN LEROY BUSSLER appeared before Council to discuss review of employee's personnel file. In response to a question from Mayor McClellan, City Manager Dan Davidson indicated that the City Personnel Policy provides that an individual can request to review his or her own file, and that the Personnel Director has the authority to approve that request. Mr. Davidson stated that Mr. Bussler should contact the Personnel Director about his request. Mayor McClellan asked if there was any procedure for removing items from a person's personnel file. Ms. Quen Cole, Assistant Director of Personnel, stated that an employee can request the Personnel Director to remove items from their personnel file, and that they would look into the request to determine if the item is an appropriate part of the file. She stated that an employee could also appeal to the City Manager's Office regarding the removal of items from their personnel file. City Manager Davidson told Mr. Bussler that they would address his problem if one should be encountered in the Personnel Department.

ITEM WITHDRAWN

The Council had before it for consideration, a request from Mr. J. Michael McNamara, State Director, Austin Jaycees, to set up an approximate two-mile course on Lake Austin on or about August 8, 1978, for the attempt of Raymond Hrdlicka to break the world record (30 Hrs.) for continuous water skiing. The item was withdrawn from the agenda at the request of interested parties.

ORDINANCE AMENDMENT

The Council had before it for consideration, a request from Ms. Ruth Shepherd, Junes Bussler, Betsy Smith and Marty Knott, that the Council amend City Ordinance to allow swimming, wading and dogs off leash in Barton Creek, south of Barton Springs Pool. No one appeared to speak before the Council.

An unidentified woman in the audience asked Council why swimming is not allowed south of Barton Springs Pool. Mr. David Michael Segrest, Acting Director of the Parks and Recreation Department, stated that swimming is not allowed south of Barton Springs Pool because this area posed certain safety hazards.

PASS THROUGH AGENCY

MR. JOHN ALBACH, Executive Director of the Texas Council on Crime and Delinquency, appeared before Council to request approval for the City to serve as a pass through agency for CJD funds to continue operation of TCCD sponsored victim assistance program. Mr. Albach told the Council that since February they have contacted over 650 crime victims and worked with about 500 of them. He indicated that they would be submitting a project summary to the Council of how the program is operated today and what is proposed for the future. Mr. Albach stated that they were requesting Council approval of a resolution which would authorize the City to serve as the local unit of government for pass through of funds purposes for funds through the Criminal Justice Division of the Governor's Office. Mr. Albach stated that they currently want to work out a way to serve crime victims with a volunteer-based effort. He stated that the project would not involve any City funds and that the City would simply serve as the sponsor. Mr. Albach pointed out that he had discussed the program with Mr. Andy Ramirez, Director of the Human Services Department, and Councilmember Himmelblau. Council member Himmelblau indicated that she was in complete sympathy with the program but wanted some assurance from the staff that the City would not be expected to fund the program if it assumed the role as a pass through agency.

Motion

Councilmember Trevino moved to instruct staff to come back with recommendations about acting as a pass through agency. Mayor Pro Tem Mullen seconded the motion.

Mr. Albach pointed out that if they did not receive some tentative commitment from the Council they could not proceed to get in on the project review process. City Manager Dan Davidson indicated that they could return to Council with recommendations by next week, July 27th. He recommended that the Council express its satisfaction with the program but wait until staff returned with recommendations before taking any final action.

SUBSTITUTE MOTION

Mayor Pro Tem Mullen moved that the Council vote for a favorable impression with the program, and instructed staff to come back with recommendations for the Council the following week. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

EMPLOYEE RIGHTS

MR. JOE PINNELLI, representing the American Federation of State, County and Municipal Employees (AFSCME), appeared before the Council to discuss employee rights. Mr. Pinnelli, speaking in behalf of Mr. Allen Bussler, stated that Mr. Bussler had been terminated because of his outspokenness before the City Council. He cited an incident where Mr. Bussler had refused to sign a work order for an AM radio he installed in a fire captain's automobile. Mr. Pinnelli stated that Mr. Bussler was never counselled prior to his termination. He suggested that the Council initiate some kind of investigative procedure for looking at employees who speak before the Council. Mr. Pinnelli indicated that where it is easy to inspect an employees personnel file, there is a crisis problem involved with gaining access to files kept by individual supervisors. City Manager Dan Davidson felt that it was unfair to downgrade the possibilities of the personnel policy without a basis for the allegations being made. Mr. Pinnelli felt that there is too much red tape involved with an employee attempting to change something on his or her personnel file. Councilmember Goodman felt that there is intimidation involved in an employee going before management, and hoped that the employee attitude survey proposed by Councilmember Lee Cooke would help alleviate this problem. City Manager Dan Davidson made the following statement for the record: "Mr. Pinnelli, for the record, you've made some very serious charges which are untrue unless you've got some documentation for it. And in fairness to Mr. Bussler, and I certainly agree he does have rights and I would intend to see that they're protected as if he did still work for the City. But we do have a process to look into that kind of thing, it is necessary to have some documentation before such a thing can be looked into and you've made some untrue statements which I'm sure were passed on to you by someone, and for the record I think that needs to be made clear." Mr. Pinnelli replied by stating that he had made no untrue statement.

PUBLIC HEARING - HISTORIC LANDMARK REVIEW

Mayor McClellan opened the public hearing scheduled for 7:00 P.M. to consider amendments of Chapter 45 (Zoning Ordinance) providing for review by the Historic Landmark Commission of permit applications to build or demolish within National Register Districts.

Mr. Lillie, Director of Planning, appeared before Council and stated: "On June 15th Council received a recommendation from the Landmark Commission and the Planning Commission to amend the zoning ordinance dealing with the National Landmark Districts. The effect of that amendment would be to require that building permits, removal permits and demolition permits for structures located in National Register Districts be submitted to the Landmark Commission for review and comment prior to issuance. Within 40 days of receipt of that request they would complete their review and their comments to the Building Inspection Department. At that meeting several individuals appeared before Council, Mr. Carl Daywood, Mr. Gellman and others, requesting Council to give them 30 days to get a better idea of what the ordinance would permit and how it would effect their buildings on East 6th Street. Council did grant them that extension until this evening. Yesterday Tom Knickerbocker and Betty Baker from my office met with those individuals and ten others, discussed the ordinance and I believe a letter was directed to Council signed by these two gentlemen which indicated they have no objection to the proposed amendment. So, you have before you an amendment to the zoning ordinance that would permit the review of permits in National

Register Districts only and I will be happy to answer any questions the Council might have and Mr. Creer, the Chairman of the Landmark Commission is here to assist."

Councilmember Himmelblau stated that her only question is, "Why 40 working days instead of 40 calendar days? Does that make it too short? Mr. Lillie said there would be no problem, that the 40 working days was at the request of the Planning Commission. Attorneys representing property in the National Register District requested some kind of a time limit on the review process. Mrs. Himmelblau indicated she wanted to see that change in the ordinance.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 45-51.1 OF CHAPTER 45 OF THE CODE OF ORDINANCES OF THE CITY OF AUSTIN, 1967; ADDING A NEW SUBSECTION (d) THERETO; PROVIDING SPECIAL REGULATIONS FOR NATIONAL REGISTER DISTRICTS; PROVIDING A DEFINITION; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Himmelblau moved that the Council close the public hearing, waive the requirement for three readings and finally pass the ordinance amending Chapter 45 (Zoning Ordinance) providing for review by the Historic Landmark Commission of permit applications to build or demolish within National Register Districts and with further amendment to change "40 working days" to "40 calendar days." The motion, seconded by Councilmember Cooke, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

ZONING HEARING

Mayor McClellan opened the public hearing scheduled for 7:30 P.M. on the following zoning application. Pursuant to published notice thereof, the following zoning was publicly heard:

RAYMOND E. THOMAS
By Jones & Norris
Inc.
C14-78-088

11801-11929 Angus Road
5208-5214 Duval Road
5209-5215 Bull Run

From Interim "AA" Residence
1st Height and Area
To "A" Residence
1st Height and Area
No Recommendation from
Planning Commission.
(Tie Vote.)

Mr. Lillie reviewed the application by use of slides. Mr. Paul Jones, attorney for Mr. Thomas appeared before Council to state that his client wants to build duplexes along with single family homes in the area, but that the duplexes will not join or abut single family lots. He then passed out the plans to Council. A discussion ensued among Councilmembers as to what the proper zoning should be for the area.

MR. LARRY DUSSER, spokesman for the neighborhood, who lives at 11200 Mustang Chase appeared before Council to object to the area having duplexes. He presented a petition with 300 names to Council which stated opposition to a zoning change that would permit high density close to existing homes. He then introduced the following speakers in order present, who also stated their objections as part of the neighborhood group.

Mr. Jim Robie, who lives on West Cowpath, said he would prefer a development which would be compatible with the existing neighborhood and requested Council to deny zoning.

Mr. Donald Edwards, told Council he did not think the area compatible to multi-family dwellings.

Roseann Shorie, 11000 Mustang Chase asked Council to deny the proposed zoning change, and pointed out what she thought to be defective in the proposed site plans, such as drainage problems, the cutting down of many trees, etc. She opposed the site plan and then requested Council to convert the Interim AA to permanent SR.

Mr. Joseph Yurra, who lives on Bull Run also requested Council to deny the zoning change. Mr. Dusser then returned to the podium and summarized what the speakers had said, and repeated the request for permanent SR zoning. He asked members of the audience who were behind the SR zoning to stand and be counted. Councilmember Goodman counted 40 people.

MR. LESLIE R. HERFORD JR., who lives on Cowpath, appeared to state he was also opposed to zoning change.

A man who did not identify himself also expressed his desire for SR zoning in the area under discussion.

MR. E.J. HOOD, who lives on Mustang Chase, said he was the original owner and subdivider of the property in question. He said he still has 13 acres he wants to subdivide, but the real problem is the cost involved and one has to justify the amount of money one can get out of a piece of property.

Mr. Ward Boyce appeared before Council to say that Mr. Hood spoke because he owns a lot of land and a zoning change, as requested, would be in his best interests.

MR. PAUL JONES summarized for his client by saying duplexes are not high density zoning and that Mr. Thomas is not asking for something unreasonable. He asked that Council limit them to 43 total units.

Councilmember Cooke stated he appreciates the neighborhood point of view but does not feel that SR is appropriate and made the following motion:

Motion

Councilmember Cooke moved that the Council close the public hearing and grant "AA" Residence 1st Height and Area District zoning. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

The Mayor announced that the change had been granted to "AA" Residence, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

Councilmember Goodman stated his reasons for seconding the motion as follows: (1) If we were to impose "SR" Suburban Residence District, the City Legal Department would be tied up for some time defending that and I don't think we could successfully defend it despite the wishes of the neighborhood, (2) Also the argument concerning the adjacency of "SR" Suburban Residence District, type uses is not supported by the fact that just as close, maybe 100 yards difference or so, there is that higher "AA" density, (3) Even though we will pass "AA" Residence District this evening this plan will still go to the Planning Commission and the calculation of 45 units, I predict, will be less than that.

RECESS

Council took a 5 minute recess.

TRANSMISSION LINE - FAYETTE POWER PROJECT

Council had before it a resolution to consider rejecting all bids received for construction of 345 KV transmission line, Fayette Power Project to Austrop Substation. Mr. R.L. Hancock, Director of Electric Utility, said the bid for construction of 345 KV transmission line was put out with some very tough restrictions with a rather limited right of way acquisition. It hit the market the same time a number of other contracts were being bid. He said they had estimated the construction contract at about \$2,000,000 and it came in at about \$3.3 million. "We feel that now we have acquired a little more right of way we can make some changes in the right of way clearing and hopefully obtain a little bit better bidding. Consequently they are requesting authority to reject the bid and re-bid, making minor modifications as far as the clearance goes."

Mayor McClellan asked what this would do in timing. Mr. Hancock answered that timing is quite critical on the project because it needs to be completed by the time the plant goes commercial which is mid 1979. Mr. Hancock said that if they re-bid it immediately and award it, they can get the line section in. Mayor McClellan commented, "So this should not delay in any way...." Councilmember Cooke completed, "Fayette coming on line."

Motion

Councilmember Goodman moved that the Council adopt a resolution rejecting all bids received for construction of 345 KV transmission line, Fayette Power Project to Austrop Substation, Capital Improvements Program. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Mr. Hancock commented that this would not delay the project unless some unforeseen problems as far as construction are encountered. Material and labor problems might develop he said, but one cannot really anticipate them.

Mr. Davidson, City Manager, said, "If we were talking about a smaller amount it might be worth the time to proceed, but when we're talking about this much difference, we cannot recommend any such thing."

Mr. F.R. Files, of the L.E. Meyers Company, Longview, Texas, low bidder for the project, appeared before Council and stated, "When the bids were opened my company was the low bidder. At the time the bids were opened it was suggested and agreed that the low bidder be determined and then the unit price of the low bidder would be given to the other bidders, which we did. If this job is to be re-bid my request is that I be given the information on the low bid, the second low bid and the third low bid. In order for me to get in a bid which will be justified, we need to know what their unit prices are, they know what ours are. Mr. Davidson told him that the city appreciates his bid, and he will consult with the City Attorney but does not see how they can require other bidders to give the information to him. Mr. Davidson also said that it appears that there will be enough changed conditions that the information may not be too material anyway. Mr. Files replied that in construction business of this type each contractor has his particular way of bidding. Some load up on foundations, some on wire stringing, etc. The information on our bid, he said, was given when their bid was opened and he thinks in the spirit of fair play his request is within reason. Mr. Hancock pointed out that in the bid specifications they required identification of some costs on various units in the bids, and if that is what Mr. Files wants to see, it is public information. Mr. Files stated he wants the totals on clearings, foundations, structured wire, and miscellaneous. Mr. Hancock told Mr. Files that he could get the information the next day. Mayor Pro Tem Mullen asked if there would be any problem getting the information for Mr. Files. Mr. Hancock said if these components were same as those bid out for the Meyers Company low bid, the figures would be same as presented with other bids and is public information. Mr. Mullen said that if the city cannot give Mr. Files the information he requests, he would like to know about it. Councilmember Cooke said he would also like to know if there is a problem supplying the information.

APPROVAL OF CONTRACT POSTPONED

Council had before it a resolution to consider approval of the following contracts:

- | | |
|---|--|
| Bid Award: | - Athletic Equipment for Parks and Recreation. |
| (1) ROOSTER ANDREWS SPORTING
GOODS
3901 Guadalupe Street
Austin, Texas | - Items 2, 3, 5, 9 10, 12-24, 26-28, 32, 37, 38, 44-46, 48, 50, 51, 53-56, 60, 61, 63, 65, 66, 68, 69, 71, 73, 76, 95, 97, 98, 104, 106, 107, 109-111, 114, 115, 117, 119, 121-123, 125, 126, 131, 136, 137, 139-141, 144-149, 151-154, 156, 160, 161, 163, 164, 167, 169, 181-184 - \$24,619.07 |
| (2) SELECT SERVICE & SUPPLY CO.
2905 E. Amwiler Road
Atlanta, Georgia | - Items 1, 4, 6-8, 11, 25, 29-31, 33, 35, 36, 39-43, 47, 57-59, 61a, 62, 64, 67, 70, 77, 83-93, 96, 99, 105, 112, 113, 116, 120, 124, 127-130, 132-134, 138, 142, 150, 157-159, 162, 165, 166, 168, 170, 171, 175, 178 - \$21,110.62 |
| (3) PERSENAIRE PARKS & PLAYGROUND
6610 Harwin Drive, Suite 115
Houston, Texas | - Items 34, 81, 82, 101-103 - \$4,541.70 |
| (4) VAUGHAN & ASSOCIATES, INC.
2852 Walnut Hill Lane
Dallas, Texas | - Items 49, 52, 108 - \$3,272.92 |
| (5) TEXAS STRINGING
8201 Brookview Road
Austin, Texas | - Items 72, 75, 78, 79, 80, 100 - \$2,966.25 |
| (6) CASWELL PRO SHOP
2312 Shoal Creek Boulevard
Austin, Texas | - Items 74 & 94 - \$1,607.50 |

Councilmember Himmelblau asked why some of this equipment needs to be purchased. Mr. Segrest, Acting Director of Parks and Recreation Department told her that many of the people who participate in recreation programs and lessons cannot afford the clothes and equipment. He pointed out that this is a supply contract, and that some of the equipment needed may also be purchased through private donations. Mr. Davidson, City Manager, pointed out that this contract can be compared with the kind of contract the city has with auto parts. Mrs. Himmelblau said she would like a list of the items purchased in this manner last year. By unanimous consent, Council agreed to bring this contract back to the meeting on July 27, 1978.

CAPITAL IMPROVEMENTS PROGRAM

The Council had before it a resolution to approve the following contract:

ALLIED CONTRACTING COMPANY
103 Red Bird Lane
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Construction of Fiesta Gardens Restrooms,
Buttermilk Park Restrooms & Shelter, Town
Lake Restrooms and Zilker Hillside
Theater Sound Booth - \$225,500.00
CAPITAL IMPROVEMENTS PROGRAM Nos. 73/86-43,
75/86-23, 73/86-37 and 73/86-31

Councilmember Himmelblau said she had received information from Mr. Daron Butler concerning the above, but still hasn't found one of the CAPITAL IMPROVEMENTS PROGRAM commitments...whether it was passed by this Council or the Council before, and that is for the Fiesta Gardens restrooms. She said there is nothing which speaks specifically to that like it does in the other CAPITAL IMPROVEMENTS PROGRAM projects.

Mr. Segrest answered her, "The original description in the Capital Improvements document does not reflect restrooms as part of that description. In the formulation and development of the Master Plan, renovation and expansion into more land for Fiesta Gardens had their needs identified in the western end suitable for community activity. It was decided there was a need for restrooms to be constructed for the various private rental facilities. In the basic concept of the Master Plan it was considered that by acquiring the additional land the Fiesta Gardens area could be divided up into separate rental areas allowing more effective use of the area." Mrs. Himmelblau said "I don't doubt that, but last year and the year before I worked to find \$50,000.00 to free up out of CAPITAL IMPROVEMENTS PROGRAMS for restrooms at Zilker Gardens and if we are going to spend all of our time switching CAPITAL IMPROVEMENTS PROGRAM projects around then I think when something new, before it goes to bid, it should come back to Council. I agree these are needed but I don't like to see anything new come up to Council for bid until we've seen it...I found out what unencumbered funds were the other day, but why put the work in if things can be done at will?"

Mr. Segrest replied, "I can't answer all the questions you might have because I wasn't actively involved in some of the previous considerations and planning process in detail, but I do know the Council did consider the selection of architects for this particular project, whether the Council at that time, which was last July had a complete understanding that it was an addition to the scope of the program, I really can't answer. I'm sure you're all in a better position than I am to answer whether or not you realized that was indeed a part of the plan and had been included in the overall part of the development program."

Councilmember Himmelblau said, "I hope in the current Capital Improvements Program things are spelled out better, and I also want a list of all unencumbered funds for every category in the CAPITAL IMPROVEMENTS PROGRAM because I want to see what's there. I'll go ahead and recommend the bids."

Councilmember Cooke questioned the amount of \$225,000.00 as opposed to the original \$175,000 had been proposed. Mr. Segrest explained to him the cost increase was due to inflation and the difficulty it is to get contractors to bid on small jobs which require much supervision...e.g. a plumber may be needed for only a couple of hours but will have to be paid for the whole day.

Councilmember Mullen stated: "Fiesta Gardens bothers me. We've heard testimony tonight that the neighborhood doesn't want anything there...now we're talking about spending more money there. If the Council is going to go along with the idea and not commercialize Fiesta Gardens at all then why spend any money over there...let's spend it somewhere else." Mr. Segrest said that a great deal of the use of Fiesta Gardens is by groups and individuals and organizations from the East Austin area.

Motion

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

ALLIED CONTRACTING COMPANY
103 Red Bird Lane
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Construction of Fiesta Gardens
Restrooms, Buttermilk Park Restrooms and
Shelter, Town Lake Restrooms and Zilker
Hillside Theater Sound Booth - \$225,500.00
CAPITAL IMPROVEMENTS PROGRAM Nos. 73/86-43,
75/ 86-23, 73/86-37 and 73/86-31

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

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

At the time of vote, Councilmember Goodman said he concurs with Councilmember Himmelblau's suggestion regarding breaking down the funds and letting Council know what they are going to be used for.

SWIMMING POOL FOR MABEL DAVIS PARK

The Council had before it a resolution to authorize acceptance of a grant from the Heritage, Conservation and Recreation Service in the amount of \$384,250 for construction of an olympic swimming pool and related improvements Mabel Davis District Park.

Councilmember Cooke said this project has been funded, according to a memo received, in CAPITAL IMPROVEMENTS PROGRAM project 8667 and he could not find it. Mr. Segrest told him that the CAPITAL IMPROVEMENT PROGRAM number is 75/86-45 Southwest District Park.

Mr. Davidson, City Manager, pointed out that acceptance of this grant will mean the availability of an additional \$200,000.00 for the Council to allocate in connection with these total Capital Improvements.

Motion

Councilmember Goodman moved that the Council adopt a resolution to authorize acceptance of a grant from the Heritage Conservation and Recreation Service in the amount of \$384,250 for construction of an olympic swimming pool and related improvements Mabel Davis District Park. (City Match \$384,250.) The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

CODE AMENDMENT

The Council had before it for consideration, amending Sections 23-12 and 23-13 of the Austin City Code to provide that permits for the use of amplified sound devices shall be granted subject to certain hours limitations, conditioned upon the location of the use of such a device.

Mr. Joe Ternus, Director of the Urban Transportation Department, stated that they became involved with the amplification of sound in relation to street closures. He indicated that the Ordinance separates two types of permits, one proposed which is within 600' of a public street, public land or a dwelling unit. This permit allows for extended hours of operation to as late as 2:00 A.M. in the morning. Mr. Ternus pointed out that the Council could restrict this type of permit if so desired. Councilmember Himmelblau felt that 600' was not very much minimal distance, and that this provision would not help residential neighborhoods very much. Councilmember Goodman requested a report on the historical background of sound amplification in Austin. Councilmember Himmelblau indicated that she wanted information on atmospheric conditions also included in the report. Mayor McClellan pointed out that she would be more in favor of 10:00 P.M. as a maximum cut off point for hours of operation. Mr. Ternus indicated that the Ordinance did provide for an 8:00 P.M. maximum cut off point for sound amplification, in areas such as the University of Texas which is within 600' of residential areas. He stated that the 2:00 A.M. cut point would be only for areas that were not within 600' of a residential area, such as the Zilker Park area.

Councilmember Himmelblau asked to see the two additions that were sent out. Mr. Jerry Harris, City Attorney, stated that one made a provision in the Ordinance for sound amplification as relates to government employees in the performance of their duties, and a provision allowing the City to specify the time limit to which sound can be amplified on any properties belonging to the City. Mr. Harris passed out copies of these amendments to the Council.

Councilmember Himmelblau stated that the 600' minimal distance would still not be very much protection for residential areas. Councilmember Goodman suggested including in the Ordinance, a provision allowing the City Council to specify earlier time limits if it so desired. Mr. Ternus pointed out that this was already included in the Ordinance, and that the Council would retain the ability to reduce time limits at its own discretion. Mr. Harris felt that the proposed Ordinance is better than what the City has had in the past and could be amended further if problems are encountered later on.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SECTIONS 23-12 AND 23-13 OF THE AUSTIN CITY CODE OF 1967 BY REQUIRING A PERMIT FOR THE USE OF AMPLIFIED SOUND; PROVIDING THAT SUCH PERMITS SHALL NOT BE ISSUED FOR THE USE OF SOUND DEVICES WITHIN THREE HUNDRED (300) FEET OF A SCHOOL, CHURCH OR HOSPITAL WITHOUT THE WRITTEN PERMISSION OF THE SCHOOL, CHURCH OR HOSPITAL; PROVIDING THAT SUCH PERMITS SHALL ONLY BE ISSUED CONDITIONED UPON THE LIMITATIONS FOR THE USE OF SUCH AMPLIFIED SOUND; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Goddman moved that the Council waive the requirement for three readings and finally passed an ordinance amending Sections 23-12 and 23-13 of the Austin City Code to provide that permits for the use of amplified sound devices shall be granted subject to certain hours limitations, conditioned upon the location of the use of such a device, with the adjusted paragraph from the Legal Department, and the inclusion of the term "other governmental entities." The motion, seconded by Councilmember Cooke, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

At request of Mayor McClellan, City Manager Dan Davidson stated that he would return to the Council with a report on the process for sound truck amplification.

STREET CLOSURE PROCEDURES

Mr. Joe Ternus, Director of the Urban Transportation Department, stated that a report has already been submitted to the Council. He stated that they were recommending that the City continue as it has in the past. In response to a question from Mayor McClellan, Mr. Ternus stated that the hours for street closure are based upon individual request and that there is no limit on the hours of street closure at the present time. He stated that the requests are submitted and reviewed by the City Council. City Manager Dan Davidson pointed out that street closure requests come before the Council after receiving the recommendations from various City Departments on any restrictions that should be added.

Ms. Betty Phillips, representing Safe University Neighborhoods, left suggestions on street closures with the Council.

TASK FORCE REPORT ON EMPLOYEE ATTITUDE SURVEY

Assistant City Manager Andrea Beatty told the Council that a task force was formed to study the proposed employee attitude survey. She pointed out that the task force has made recommendations regarding objectives, the timetable and cost for the program. (SEE: Appendix 1) Ms. Beatty then gave a brief outline of those recommendations made by the task force.

Councilmember Cooke questioned how beneficial it would be to survey seasonal employees. He also felt that the survey should be administered by staff from a neutral department, not necessarily from the Manager's Office. In response to a question from Councilmember Goodman, Ms. Beatty indicated that the Council would have a chance to make recommendations prior to any consultant being hired. Councilmember Cooke felt that it was very critical that the results of the survey be communicated to City Employees. He felt that the results of the survey should be forwarded to employees within 8-10 weeks after the survey is completed.

Motion

Councilmember Goodman moved that the Council approve the employee attitude survey. The motion was seconded by Councilmember Cooke.

Councilmember Goodman asked if additional staff would have to be added in order to conduct the survey. Ms. Beatty stated that they would not have to add additional staff and that the survey will be conducted by present personnel.

Roll Call On Motion

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

Noes: None

Absent: Councilmember Snell

Councilmember Cooke asked City Manager Dan Davidson to express the Council's appreciation for the work already done to the staff involved with the program. Mr. Davidson indicated that he would do this.

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APPENDIX 1

Memo to: Mayor and Members of
City Council

From : Dan H. Davidson
City Manager

Subject: Status Report: Employee Attitude Survey

On May 18, 1975, I provided the Council with a report by the Personnel Department on employee attitude surveys. The major recommendations contained in the report were that a survey should be conducted among City of Austin employees and that a task force should be appointed to formulate specific objectives and develop a strategy for conducting the survey.

As a result of Council approval, a task force was formed, composed of Quen Cole, Personnel; Chester Falk, Electric; Joe Word, Public Works; Ella Salazar, Urban Transportation; Ken Roberson, Water and Wastewater; David E. Holt, Library; Fannie Lowe, Brackenridge Hospital and led by Assistant City Manager Andrea Beatty. As a part of its review, the task force has examined available information on attitude surveys as well as various sample questionnaires.

OBJECTIVES

The Task Force determined that the attitude survey should be designed to measure employee perceptions of:

- the effectiveness of communications within the organization
- the level of job satisfaction
- the quality and fairness of supervision
- working conditions
- the quality of the City's compensation program
including salary, fringe benefits, merit increases
- acceptance of organizational rules, procedures
and policies
- interest in unions

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CONSIDERATIONS, BENEFITS AND RESULTS

Based on the above objectives, the task force felt that an attitude survey could have the following benefits for the City of Austin:

- provide information for decision-making about policies, programs
- provide a means for employees to communicate on a broad scope of issues
- serve to improve employee morale and productivity
- provide a general measure of employee job satisfaction

In order for the survey to achieve these results, the task force felt the following considerations were important:

- the survey must be viewed as an important management process by employees. Employees should perceive that their opinions are important and that some action will be taken in response to their concerns
- a survey questionnaire must be expertly constructed that valid results can be achieved. Questions should be clear and concise and directly related to the survey objectives
- the development of a valid questionnaire is a complex process requiring specialized expertise not currently available on staff
- important demographic information, such as department, tenure, work location, employment status (i.e.; supervisory, non-supervisory, temporary, regular, seasonal, etc.) must be collected to allow for effective analysis and evaluation of the results
- employees must clearly perceive that their confidentiality will be protected so that they will provide candid responses

RECOMMENDATIONS

The following recommendations are made by the task force:

1. Professional assistance should be used in the development of the attitude survey process. This assistance should include:
 - design of a survey questionnaire based on the objectives developed by the task force

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- the development of specific survey questions to achieve the desired objectives
 - design of the survey format
 - provide technical assistance in determining methodology for administering the survey questionnaire
 - provide technical assistance in the analysis and evaluation of survey results
2. The survey should be administered by City staff.
 3. The task force should be closely involved with all phases of the survey process.
 4. Results of the survey should be communicated to City employees.
 5. Survey results should be used by management to determine the strengths and weaknesses of the organization and to make effective plans for change, where appropriate.

TIMETABLE AND COSTS

If Council approves, I will immediately begin to implement the recommendations of the task force. The first step will be to select a firm to provide technical assistance to the survey process. This should be accomplished during August, 1978. It is projected that the questionnaire can be administered to employees before December, 1978.

Generally, cost estimates for the survey range from \$4,000 to \$7,000, including fees for consultant services, printing and other administrative costs. These estimates are based on preliminary discussions with various consultants. This estimate does not, of course, include the cost of City staff time to administer the survey. Every effort will be made to assure a high quality survey at the lowest possible cost.

I will be glad to answer any questions that Council may have or to provide any additional information on this proposal.


Dan H. Davidson
City Manager

DHD:jmc

ANNUAL OPERATING BUDGET

The Council had before it a request from Councilmember Himmelblau and Mayor Pro Tem Mullen that the Annual Operating Budget be submitted to Council by August 1st in regard to Council policy adopted February 10, 1977 that states the Annual Operating Budget be submitted to the Council between July 15th and August 1st. Councilmember Himmelblau stated that she was disappointed that the Council would not be receiving the budget document until August 8th, and felt that the Council needed as much time as possible to review the budget. City Manager Dan Davidson stated that they wanted to present the budget on August 8th at a special called public hearing to be held in the Municipal Auditorium. However, he indicated that he had spoken to the budget staff and that the budget could be presented by August 1st if the Council so desired. Councilmember Himmelblau felt that a presentation would be fine but wanted to receive a copy of the budget prior to it being submitted to the public. Mayor McClellan suggested that the Council receive the budget by August 1st with a discussion to be held on August 8th at Municipal Auditorium. City Manager Davidson stated that they would be able to present at least Volume 1 of the budget on August 1st, and indicated that he would appreciate the Council designating a special called meeting on the budget for August 8th. Mr. Daron Butler, Director of the Research and Budget Department, indicated that there will be three volumes to this year's budget. In response to a question from Mayor Pro Tem Mullen, Mr. Davidson indicated that they would be printing a small version of the budget for public distribution.

In response to a question from Councilmember Himmelblau, Mr. Butler stated that Volume 1 of the budget will contain the new format presentation of the departmental budgets and increments. It will contain all of the fund summaries and the total departmental budget figure with the recommended spending for service areas, the number of employees in each service area and a description of what the money is to be spent for. Volume II will be the specification of the budget material with the Appropriations Ordinance as meets Charter requirements. Volume III will provide the listing of employees and the salaries and numbers associated with that. There will also be a separate volume which will address grants made by the City.

Mayor McClellan directed that the City Manager present Volume 1 of the budget to the Council by August 1, 1978, and all other volumes if possible, and that a special called meeting be scheduled for August 8, 1978, to present the budget to the public. Mr. Davidson replied that he would do this and that no motion was necessary on the matter.

ADJOURNMENT

The Council then adjourned at 11:30 P.M.

APPROVED

Carole Keeton Miller
Mayor

ATTEST:

Grace Monroe
City Clerk