MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 16, 1972 10:00 A. M.

COUNCIL CHAMBERS, CITY HALL

The meeting was called to with Mayor Pro Tem Love presiding.

Roll Call:

Present: Councilman Nichols, Mayor Pro Tem Love, Councilmen Friedman,

Handcox, Dryden

Absent: Mayor Butler

The Invocation was delivered by REVEREND LONNIE DILLARD, Westminster Presbyterian Church.

APPROVAL OF MINUTES

Councilman Nichols moved the Council approve the Minutes of the Regular Meeting of February 29, 1972. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman

Handcox, Dryden

Noes: None

Absent: Mayor Butler

PROCLAMATIONS

A proclamation was read calling attention to the achievements and contributions the Settlement Club had made in caring for 75 children each year and the Council proclaimed the week of March 20-25, 1972 as SETTLEMENT CLUB WEEK IN AUSTIN

Councilman Lebermann announced some principals from the Settlement Club Home were present and he asked that they come forward and be congratulated on the outstanding work the Club and Settlement Club Home does for the young people. Introduced were Mrs. Harry Akin, Mrs. Carey Meritt, and Mr. Harold Scoggins, Director of the Settlement Club Home.

Councilman Nichols read a document whereby Mayor Butler proclaimed the week of March 16, 1972, as "COUNTRY AND WESTERN MUSIC WEEK IN AUSTIN" and presented this proclamation to Mr. Raymond Donley. Miss Shirley Hester, Miss Texas Country and Western Music, thanked the Council, and invited everyone to the Dripping Springs Festival.

PROCLAMATION CONGRATULATING THE LONGHORN BASKETBALL TEAM

Councilman Dryden sponsored and read a proclamation, noting the achievements of the Texas Longhorn Basketball Team, particularly its winning the 1972 Southwest Conference Championship. Councilman Dryden moved the Council adopt a proclamation congratulating the Longhorn Basketball Team, and calling on all residents to support the demonstration of skill and strength shown by these students. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Friedman,

Handcox

Noes: None

Absent: Mayor Butler

Not in Council Room when Roll was called: Councilman Lebermann

RECOGNITION OF CLASS

Ms. Lillian Scales, teacher at Burnet Jr. High, was present with a group of her pupils. The Council recognized the students, and welcomed them to the Council meeting.

EASEMENTS RELEASED

Councilman Nichols moved the Council adopt a resolution authorizing the release of the following easements:

A public utilities easement out of Lot 25, Block C, CORONADO HILLS, SECTION ONE.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Dryden,

Nichols

Noes: None

Absent: Mayor Butler

Councilman Nichols moved the Council adopt a resolution authorizing the release of the following easement:

A portion of a public utilities easement out of Lot 20, Block A, COMMUNITY OF FAIRVIEW, SECTION FOUR.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Dryden,

Nichols

Noes: None

Absent: Mayor Butler

Councilman Nichols moved the Council adopt a resolution authorizing the release of the following easement:

A portion of a public utilities easement out of Lots 11 and 12, Block 11, WALSH PLACE.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Dryden,

Nichols

Noes: None

Absent: Mayor Butler

Councilman Nichols moved the Council adopt a resolution authorizing the release of the following easement:

Portions of drainage easements out of Lots 10, 11, 12 13, 37, 38, and 39, Block One, BARTON HOLLOW; and Lots 6, 7, and 18, Block Two, BARTON HOLLOW.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Dryden,

Nichols

Noes: None

Absent: Mayor Butler

Councilman Nichols moved the Council adopt a resolution authorizing the release of the following easement:

A drainage easement out of Lots J5 and J6, NORTHWEST HILLS RANCH, SECTION ONE.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Dyrden,

Nichols

Noes: None

Absent: Mayor Butler

LICENSE AGREEMENT

Councilman Nichols moved the Council adopt a resolution granting a license agreement for the use of the following easement:

HOUSING AUTHORITY of the City of Austin - encroachment into a drainage easement on Lot 7, Block 14, Mass Addition.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Dryden, Nichols, Mayor Pro

Tem Love

Noes: None

Absent: Mayor Butler

Councilman Nichols moved the Council adopt a resolution granting a license agreement for the use of the following easement:

KENNETH G. WALKER and wife, JUNE WALKER - encroachment into drainage and public utilities easement on Lot 24, Block A, Western Trails Estates.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Dryden, Nichols, Mayor Pro

Tem Love

Noes: None

Absent: Mayor Butler

Councilman Nichols moved the Council adopt a resolution granting a license agreement for the use of the following easement:

WALTER CARRINGTON - encroachment into a drainage and public utilities easement on Lot 21, Block C, the Lakeside of University Hills.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Dryden, Nichols, Mayor Pro

Tem Love

Noes: None

Absent: Mayor Butler

ANNEXATION HEARING SET

Councilman Friedman moved the Council set a public hearing at 2:00 P.M., March 30, 1972, to consider annexing the following:

Total of 228.25 acres of land, more or less, out of the H. T. Davis Survey and the J. C. Tannehill League:

65.71 acres, Crystalbrook, Section Two. (requested by onwer's representative)

52.97 acres - Austin Independent School District Tract and three dedicated and unnamed streets. (initiated by City)

12.64, 9.43 and 87.5+ acres - three unplatted tracts. (initiated by City)

10.49 acres of land out of the Theodore Bissel League - proposed "THE VILLAGE SECTION FIVE". (requested by owner's representative)

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Friedman, Dryden, Nichols, Mayor Pro Tem Love, Councilman

Lebermann

Noes: None

Not in Council Room when the Roll was called: Councilman Handcox

Absent: Mayor Butler

COST DIFFERENCE

Councilman Nichols moved the Council adopt a resolution authorizing payment to MISSOURI IMPROVEMENT CO., J.E. Angst, President and Chairman of the Board, for cost difference of 12"/8" water mains; 10"/8", 12"/8", and 15"/8" sewer mains in Missouri Pacific Industrial, Section 1 - \$12,531.27 for water mains and \$7,671.55 Total Cost Difference \$20,202.82. The motion, seconded by Councilman Dryden,

carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilman Lebermann

Noes: Councilman Friedman

Not in Council Room when Roll was called: Councilman Handcox

Absent: Mayor Butler

LICENSE AGREEMENTS

Councilman Nichols moved the Council adopt a resolution authorizing the City Manager to enter into license agreement with the following:

MISSOURI PACIFIC RAILROAD COMPANY to install an 84-inch concrete gravity flow wastewater interceptor south of milepost 176 - \$300.00 clerical and handling expenses.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Por Tem Love, Councilmen Lebermann,

Friedman

Noes: None

Not in Council Room when Roll was called: Councilman Handcox

Absent: Mayor Butler

Councilman Nichols moved the Council adopt a resolution authorizing the City Manager to enter into a license agreement with the following:

SOUTHERN PACIFIC TRANSPORTATION COMPANY to install a 24-inch sanitary sewer line beneath the Railroad's Austin Branch Main Track at Mile Post 107.90. Cost to the City of Austin: \$10.00 standard license fee which has been waived by the Company for this agreement.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann,

Friedman

Noes: None

Not in Council Room when Roll was called: Councilman Handcox

Absent: Mayor Butler

JOINT USE AGREEMENT

Councilman Nichols moved the Council adopt a resolution authorizing the City Manager to enter into a utility joint use agreement with the Texas Highway Department - City of Austin to place an 18-inch sewer pipe in portions of the right-of-way along Loop 360. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman

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Noes: None

Absent: Mayor Butler

Not in Council Room when Roll was called: Councilman Handcox

Councilman Nichols noted this was costing the City nothing.

CONTRACTS AWARDED

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

BILL TABOR CONSTRUCTION COMPANY

- For the Linstallation of approximately 2994 feet of 12-inch water pipe and 1095 feet of 8-inch water pipe and appurtenances; and approximately 1630 feet of 8-inch sanitary sewer pipe and appurtenances for MoPac Boulevard-\$87,671.40. (Capital Improvements Program Project Nos. 4024-7 and 5054-2 120 working days for completion; City's estimate - \$90,439.00)

Councilman Nichols noted the high bid on this was \$206,000.00. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Dryden, Nichols, Mayor Pro

Tem Love

Noes: None

Absent: Mayor Butler

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

BILL TABOR CONSTRUCTION COMPANY

- For salvage of approximately 13,000 feet of 30-inch water main and associated appurtenances in conjunction with the construction of MoPac Boulevard - \$37,430.00. (60 working days for completion; Capital Improvements Program Project No. 4024-4; Engineer's estimate \$98,775.00.)

The motion, seconded by Councilman Dryden, carried by the following wote:

Ayes: Councilmen Friedman, Handcox, Dryden, Nichols, Mayor Pro Tem Love,

Councilman Lebermann

Noes: None

Absent: Mayor Butler

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

AUSTIN CONCRETE WORKS,

INC.

(Austin, Texas)

- Bid Invitation No. 20492 - Twelve (12) month supply agreement, Concrete Pipe for Street and Bridge Division - \$15,852.88

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Handcox, Dryden, Nichols, Mayor Pro Tem Love, Councilman

Friedman

Noes: None

Absent: Mayor Butler

Not in Council Room when Roll was called: Councilman Lebermann

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

- (1) GIBSON PRODUCTS CO. (Austin, Texas)
- Bid Invitation No. 20473 93 each Lawn Mowers @ \$58.99 Total \$5,485.14.

(2) KROGER COMPANY (Houston, Texas)

- 14 each Grass Trimmers @ \$62.45 - Total \$874.30.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Friedman,

Handcox

Noes: None

Not in Council Room when Roll was called: Councilman Lebermann

Absent: Mayor Butler

Councilman Nichols asked a question regarding the next contract to be awarded. In answer to Councilman Dryden's inquiry, Mr. Eldrige, Director of Construction Engineering, stated the Alston Construction Company has been in Sweetwater, Texas, for about 30 years, and Mr. Alston, the principal of the firm, has moved to Austin. Mr. Davidson stated the golf course would be finished by October 1, 1972; however, there is a long growing period and it would probably be the summer of 1973 before the Course is opened.

Councilman Nichols then moved the Council adopt a resolution awarding the following contract:

ALSTON CONSTRUCTION COMPANY INC. (Sweetwater, Texas)

- For the construction of Williamson Creek Municipal Golf Course - \$382,000.00. (Capital Improvements Program Project No. 8627; work to be completed by October 20, 1972; Engineer's estimate - \$387,400.00).

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Dryden

Noes: None

Absent: Mayor Butler

The next contract to be awarded was to Thomas Computer Corporation. The Deputy City Manager, Dan Davidson, explained the Thomas Computer Corporation is purchasing and the City is selling used computer equipment or data processing equipment at \$30,101.00; and it is believed this is the best price the City can obtain for the equipment which is obsolete. Councilman Dryden asked if this equipment could be used at all, as he wanted to be certain that the City would not need it in a newly created area in the Finance Department or elsewhere. It was pointed out the Council had authorized additional computer equipment of the latest type which is necessary to supply the City's needs. The equipment to be sold cannot be used along side the new equipment.

Mr. Homer Reed stated computer equipment is not being purchased now, but is being leased. The purchases in 1969 were tape drives and are compatible only to this computer and not the new equipment.

Councilman Friedman noted the \$1.00 difference between high and second bidder which should be checked.

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

THOMAS COMPUTER CORP. (Chicago, Illinois)

- Bid Invitation No. 20425, sale of used computer equipment, Data Processing Department - \$30,101.00 total, net, "as is, where is".

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Dryden, Nichols, Mayor Pro Tem Love

Noes: None

Absent: Mayor Butler

Not in Council Room when Roll was called: Councilman Lebermann

REJECTION OF BIDS

Councilman Nichols moved the Council adopt a resolution rejecting all bids for Twelve (12) Month Supply Agreement for Concrete Sand. (Bid Invitation No. 2-0481). The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Dryden, Nichols, Mayor Pro

Tem Love

Noes: None

Absent: Mayor Butler

SUBSTANDARD STRUCTURES

Councilman Nichols moved the Council accept the recommendations of the Building Standards Commission and direct the Law Department to take proper legal disposition of the following substandard structures which have not been repaired or demolished within the required time:

2107 Alamo - J. E. Mosby, Jr.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Dryden, Nichols, Mayor Pro Tem Love,

Councilman Lebermann

Noes: None

Absent: Mayor Butler

Suit Delayed

2803 E. 19th St. - Ollie Bonner Estate

Mr. Don Butler had talked with Mr. Bob Sneed, and they can get this handled satisfactorily, and suit will be delayed about 30 days.

SALE OF HOUSES

Councilman Nichols moved the Council adopt a resolution authorizing the sale of houses and accepting positive bids on houses to be moved as follows:

R. B. Carlow

1001 Winsted Lane

\$2,779.87

L. T. Adams

2013 Sunset

\$ 606.99

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Handcox, Dryden, Nichols, Mayor Pro Tem Love, Councilmen

Lebermann, Friedman

Noes: None

Absent: Mayor Bulter

REQUEST FOR CONSTRUCTION DELAYED

Councilman Nichols moved the Council delay the application of Mr. Christie Sarris until a more favorable time after information is received from the City Attorney as to a possible ordinance regarding lake construction. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann,

Friedman, Handcox

Noes: None

Absent: Mayor Butler

Councilman Handcox moved the Council delay the application of Mr. and Mrs. David T. Davenport for permission to construct a small land fill area to serve as a walkway to a boat dock located at 3704 Meadowbank, until further study of the standards are presented to the Council. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman

Handcox

Noes: Councilman Dryden Absent: Mayor Butler

MAYOR ENTERS

At this point in the meeting, Mayor Roy Butler enters.

SALE OF STRUCTURES

Councilman Nichols moved the Council adopt a resolution approving the sale of the following structure in the Urban Renewal Area:

University East Project Tex. R-103:

(1) Parcel # 12-6 2005 Sabine St. E. A. Bradford \$3,287.87

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann,

Ayes: Friedman, Handcox, Mayor Bulter

Noes: None

Councilman Nichols moved the Council adopt a resolution approving the sale of the following strucutre in the Urban Renewal Area:

Brackenridge Area, Tex. A-11-1:

(1) Parcel # 12-5

1609 Neches St.

E. A. Bradford

\$997.97

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann,

Friedman, Handcox, Mayor Butler

Noes: None

Councilman Nichols moved the Council adopt a resolution approving the sale of the following structures in the Urban Renewal Area:

Brackenridge Area, Tex. A-11-1:

(2) Parcel #'s 10-10,

10-11

1601 Sabine St.

John F. Carter.Jr. \$750.98

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann,

Friedman, Handcox, Mayor Butler

Noes: None

MAY 11 SET TO RECEIVE BIDS ON BONDS

Mayor Pro Tem Love moved the Council set May 11, 1972, at 10:30 A. M., C.D.T. to receive bids on ELECTRIC, LIGHT AND POWER, WATERWORKS AND SEWER SYSTEM BONDS as follows:

Electric, Authorization 3/28/70

4,500,000 Progress payments on

Holly Four

Water, Authorization 3/28/70

2,000,000 Water Distribution

Projects

Sewer System, Authorization

3/28/70

1,000,000 Various Sewer Projects \$7,500,000

,

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilmen

Dryden, Nichols, Mayor Pro Tem Love

Noes: None

CASH SETTLEMENT

Councilman Nichols moved the Council adopt a resolution authorizing the following cash settlement agreements:

Northeast Investors, Ltd., C. B. Carpenter, General Partner, Northeast Terrace Subdivision - 40% cost share for water and sewer service - \$704.00.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor

Pro Tem Love

Noes: Councilman Friedman

Not in Council Room when Roll was called: Councilman Lebermann

HEARING ON DEVELOPMENT PLAN SET

Councilman Handcox moved the Council adopt a resolution setting a public hearing at 2:00 P. M., March 30, 1972, on amendment to the Austin Development Plan for the following:

An area of approximately 818 acres known as Travis County Subdivision plus an additional area of 1,759 acres - from undesignated and suburban residential to low density residential - requested by Walter Carrington, owner, by Paul Jones, attorney.

The motion, seconded by Councilman Nichols, carried by the following vote;

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler

SOUTH TEXAS PROJECT MEMORANDUM

Councilman Nichols moved the Council adopt a resolution authorizing the City Manager to execute the South Texas Project Memorandum of Intent in co-operation with the following:

Central Power & Light
City Public Service Board
Houston Lighting and Power
Lower Colorado River Authority

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor

Butler, Councilmen Dryden, Nichols

Noes: None

HEARING SETTON APPLICATIONS FOR FUNDS

Councilman Nichols moved the Council adopt a resolution setting a public hearing on April 20, 1972, at 2:00 P. M., concerning application for federal funds to assist in the City purchase of buses. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilmen

Dryden, Nichols, Mayor Pro Tem Love

Noes: None

MODEL CITIES PROPOSAL

Councilman Handcox moved the Council adopt a resolution authorizing the City Manager to amend the existing agreement with the Department of Housing and Urban Development for an additional \$3,454,000 to implement the Model Cities Second Program Year. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann,

Friedman, Handcox, Mayor Butler

Noes: None

ANNEXATION HEARING

Mayor Butler opened the annexation hearing scheduled for this time. No one appeared to be heard.

Councilman Dryden moved the hearing be closed and the Council direct the administration to institute annexation proceedings to annex the following:

28.30 acres of land out of the Santiago Del Valle Grant as follows:

- a. 24.00 acres proposed VILLAGE SOUTH, PHASE ONE. (Requested by owner's representative)
- 4.30 acres unplatted land and portion of Teri Road (initiated by City)

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilman Handcox, Mayor Butler

Noes: None

Not in Council Room when Roll was called: Councilmen Lebermann, Friedman

ANNEXATION ORDINANCE - 1ST & 2ND READINGS

Mayor Butler introduced an ordinance annexing the following:

10.36 acres of land out of the J. C. Tannehill League - proposed CAVALIER PARK, SECTION THREE. (Requested by owner's representative)

10.20 acres of land out of the J. C. Tannehill League - proposed JOHNSTON TERRACE, SECTION EIGHT. (Requested by owner's representative)

86.66 acres of unplatted land out of the J. C. Tannehill League. (initiated by City)

Councilman Nichols moved the Council pass the ordinance through its first reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor

Butler, Councilmen Dryden, Nichols

Noes: None

Councilman Nichols moved the Council pass the ordinance to the third reading and suspend the requirement of readings on three separate days. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor

Butler, Councilmen Dryden, Nichols

Noes: None

The Mayor announced that the ordinance had passed its first and second readings.

REFUND CONTRACTS

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH CAL MARSHALL; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, delcare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Mayor Butler,

Councilmen Dryden, Nichols

Noes: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH EDWARD RETARTHGEBER, JR. AND CECIL D. PERKINS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Mayor Butler,

Councilmen Dryden, Nichols

Noes: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH MISSOURI IMPROVEMENT COMPANY, J. E. ANGST, PRESIDENT AND CHAIRMAN OF THE BOARD; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare and emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Mayor Butler,

Councilmen Dryden, Nichols

Noes: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES PASSED

MRS. SAM SILBERSTEIN

1611 No. IH 35

From "C" Commercial

C14-62-002

District First Height and Area to"C" Commercial District Fifth Height and

Area

SAM WINETROB C14-72-003 3205 Helms St.

From "A" Residential District First Height and Area to "B" Residential Second

Height and Area

Mayor Butler 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: (1) LOT 5, OUTLOT 43, DIVISION "B", FOSTER LUDLOW AND COMPANY SUBDIVISION, LOCALLY KNOWN AS 1611 NORTH INTERSTATE HIGHWAY 35, FROM FIRST HEIGHT AND AREA DISTRICT TO FIFTH HEIGHT AND AREA DISTRICT; AND, (2) LOT 11, SPARKS AND MOORE RESUBDIVISION OF THE NORTH ONE-HALF OF BLOCK 16, GROOMS ADDITION, LOCALLY KNOWN AS 3205 HELAMS STREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden,

Nichols, Mayor Pro Tem Love, Councilman Lebermann

Noes: None

Mayor Butler announced that the ordinance had been finally passed.

EARL EASTBURN C14-72-008

Tract 1

From "LR" Local Retail 2211 Richcreek Rd. to "GR" General Retail

Tract 2

7415-7419 Burnet Rd. From "C" Commercial to "C-2" Commercial

REUBEN TALASEK C14-72-009

1155 No. IH 35

From "C" Commercial to "C-2" Commercial

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: (1) TRACT 1: A 14,017 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 2211 RICHCREEK ROAD, FROM "LR" LOCAL RETAIL DISTRICT TO "GR" GENERAL RETAIL DISTRICT; AND, TRACT 2: A 1,127 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 7415-7419 BURNET ROAD, FROM "C"COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; AND, (2) A 2,120 SQUARE FOOT TRACT OF LAND, LCOALLY KNOWN AS 1155 NORTH INTERREGIONAL HIGHWAY. FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDIN-ANCES ON THREE SEPARATE DAYS: AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare and emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols

Mayor Pro Tem Love, Councilman Lebermann

Noes: None

The Mayor announced that the ordinance had been finally passed.

JAN VON WUPPERFIELD C14-71-217

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2917-2919 West Ave. 705-709 W. 30th St.

From "BB" Residence District First Height and Area to "B" Residence District Second

Height and Area

JOHN HARRIS, J.T. & ROBERT WAUGH C14-71-277

900-908 Banister

Lane

From "BB" Residence District to "B" Residence District

Mayor Butler 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: (1) LOTS 11 AND 12, BLOCK 4, LEANDER BROWN SUBDIVISON, LOCAL-LY KNOWN AS 2917-2919 WEST AVENUE: 705-709 WEST 30TH STREET, FROM "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT; AND (2) LOTS 1, 2, 3, AND 4, MOCKRY & CAMERON SUBDIVISION, NO. 2, LOCALLY KNOWN AS 900-908 BANISTER LANE, FROM "BB" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden,

Nichols, Mayor Pro Tem Love, Councilman Lebermann

Noes: None

The Mayor announced that the ordinance had been finally passed.

HARRY PETERSON C14-71-285 8729-8923 Burnet Rd. 9007-9049 Hwy. 183

From Interim "A" Residence District First Height and Area to "DL" Light Industrial District Second Height and Area

Mayor Butler introduced the following ordinance:

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

LOT 1, MAYFIELD PUBLIC FREIGHT TRACKS, LOCALLY KNOWN AS 8729-8923 BURNET ROAD; 9007-9049 U. S. HIGHWAY 183, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, 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 DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden,

Nichols, Mayor Pro Tem Love, Councilman Lebermann

Noes: None

The Mayor announced hthat the ordinance had been finally passed.

KENNETH COLLINSWORTH C14-71-307

2804 S. 1st. St.

From "B" Residence District to "GR" General Retail District

Mayor Butler introduced the following ordinance:

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 EAST 200 FEET OF A 1.2 ACRE TRACT OF LAND, LOCALLY KNOWN AS 2804 SOUTH FIRST STREET, FROM "B" RESIDENCE 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 DAYSAND DECLARING AN EMERGENCY,

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden,

Nichols, Mayor Pro Tem Love, Councilman Lebermann

Noes: None

The Mayor announced that the ordinance had been finally passed.

W. R. RICHARDS C14-69-303

8418-8440 Research

Boulevard

From Interim "A" Residence District First Height and Area to "C" Commercial District First Height and

Mayor Butler 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 5.12 ACRE TRACT OF LAND, LOCALLY KNOWN AS 8418-8440 RESEARCH BOULEVARD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCAT-ED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS: AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden,

Nichols, Mayor Pro Tem Love, Councilman Lebermann

Noes: None

The Mayor announced that the ordinance had been finally passed.

TEXACO, INC. C14-72-005

4547-4563 US 290 West

From "C" Commercial District First Height and Area To "C" Commercial District Fifth

Height and Area

TEXACO, INC. C14-72-006

600 E. Anderson Ln.

From "GR" General Retail District First Height and Area To "GR" General Retail Fifth Height and Area

The Mayor introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN HEIGHT AND AREA AND CHANGING THE HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: (1) A 1,050 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 4547-4563 U.S. HIGHWAY 290 WEST, FROM FIRST HEIGHT AND AREA

DISTRICT; AND, (2) A 1,050 SQUARE FOOT TRACT OF LAND, LOCAL-LY KNOWN AS 600 EAST ANDERSON LANE, FROM FIRST HEIGHT AND AREA DISTRICT TO FIFTH HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilman Nichols, Mayor Pro Tem

Love, Councilman Lebermann

Noes: Councilmen Dryden, Friedman

The Mayor announced that the ordinance had been finally passed.

SEWER TAP

Councilman Nichols noted this payment for the tap for Mr. Wayne B. Talley for property located in Travis Williamson County Water Improvement District #1, on Lot 4, Block F of the Angus Valley Subdivision was in cash, and he asked if letters of credit were not acceptable. The Deputy City Manager, Mr. Dan Davidson, stated he would work up a schedule for the Council.

Councilman Nichols moved the Council adopt a resolution authorizing City Forces to make this installation of a sewer tap. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Dryden,

Nichols

Noes: None

Not in Council Room when Roll was called: Mayor Butler

REPORT ON PENDING ZONING CASES

Mr. Richard Lillie reported that 200 owners had been notified of their respective zoning cases which have been pending over six months, and the first group would be before the Council about June 1st, for dismissal or continuance.

BULL CREEK SEWER LINE

Mr. Richard Baker, represented the developers of the land which will be served by lift stations \$1 and \$2, and the force main line in Bull Creek area. He reviewed the various phases of the development as to this date. Lift station No. 1 will serve Great Hills; and No. 2, Vista West Development. Constructed also will be the force main line. The lift stations are temporary developments pending completion of the crosstown tunnel approximately three years hence. Mr. Baker gave detailed accounts of the numbers of connections, and storage capacity within the wet well; that by July 1, 1972, ten units will be hooked up to the lift station, meaning a storage capacity in excess of six hours; in July 1974, with 140 units, there would be a storage capacity of two hours. At the maximum there would be a storage capacity of about 36 minutes before overflow.

The longest "outtage" was 45 minutes, caused by a train derailment. Other than that, the longest outtage lasted seven minutes. Baker, Jones and Crow feel

certain requirements requested by the residents are unnecessary considering the storage capacity and considering the outtage in the electrical system, which will even be improved when Loop 360 lines are in place.

Mr. Baker took the request submitted by the residents at the meeting on March 9th, and listed each one, and the developers' reaction to each. He pointed out again the design of the system was such that the pumps could be increased to handle more capacity; and if there is a delay in the construction of the tunnel, they would have no objections to modifying the plans to serve Lakewood Park.

Mr. Elbert Hooper, representing the Lakewood Park residents, questioned Mr. Bryant Currington, Engineer for Baker, Jones and Crow, on various items. Mr. Hooper spoke on the lift station issue and on behalf of Bull Creek and its immediate future development and activities. He stated that Mr. Baker's group was coming to something that they could accept, but he continued expression of their views — the criteria for sites of lift stations — accessibility, potential nusiance aspects, not being subject to flooding, continuous operation and emergency treatments and alternate electrical loops, or a standby generator or a holding capacity in their system, and telemetering.

Mr. Baker stated they would get with their engineers, the Water and Waste-water Engineer, Mr. Johnson, and Mr. Hooper, and discuss a telemetering system that would be satisfactory.

BULL CREEK

Mr. Hooper spoke on the sewer line in Bull Creek proper, asking the Council to direct its staff to consider alternatives. The Mayor stated the Council had directed that the Staff explore the alternatives to the construction of a major sewer line in the Bull Creek area and the cost of each alternative.

Mr. Don Berman, Sierra Club, brought the discussion to a conclusion.

Councilman Nichols moved that adequate telemetering service be provided by the developers at Lift Stations 1 and 2; that the elevation of the overflow line shall be raised from 611' to 614' and return to the first manhole which shall be bolted; and the assurance that there will be at least 1000' of storage pipe, including that pipe leading to the first manhole; that the area surrounding the lift stations shall be seeded with grass; that the number of connections to this system should be monitored to prevent overloading, and concur in the statement that their construction calls for water tight pipe for water and sanitary sewer lines beneath the water. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Mayor Butler,

Councilmen Dryden, Nichols

Noes: None

Not in Council Room when Roll was called: Councilman Friedman

Mr. O'Neill thanked the Council, and congratulated it for recognizing Bull Creek is to be protected. In working with the new Ecologist, Mr. Stewart Henry, they can protect Bull Creek.

LEGACY OF PARKS FUNDS

Councilman Handcox moved the Council adopt a resolution authorizing the City Manager to submit a final application to the Department of Housing and Urban Development for Legacy of Parks funds totalling \$311,000 and agreeing to all

standard provisions and conditions of HUD grant awards. The motion, seconded by Councilman Friedman, carried by the following vote:

Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann,

Friedman, Handcox, Mayor Butler, Councilman Dryden

Noes: None

Councilman Lebermann stated this was a difficult project, and Congressman J. J. Pickle should be commended and heartily thanked publicly for his great yoeman services in getting this done. There has been a fantastic amount of work done on this.

ARCHITECTURAL SERVICES

Councilman Nichols moved the Council select the following Capital Improvements Project architectural service:

CROW & PRINCLE - Second floor addition to the existing building-Water and Wastewater Treatment, and Construction Engineering -Project No. 4928 (Estimated construction cost is \$105,000).

The motion, seconded by Councilman Dryden, carried by the following vote:

Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden,

Nichols, Mayor Pro Tem Love, Councilman Lebermann

Noes: None

Councilman Dryden moved the Council select the following architectural service for the specified Capital Improvements Project:

SIMPSON & LACKEY - An addition to the Seaholm Plant to be used as a machine shop by power production personnel - Project No. 3905. (Estimated Construction cost is \$85,000).

The motion, seconded by Councilman Nichols, carried by the following vote:

Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Ayes:

Mayor Pro Tem Love, Councilmen Lebermann, Friedman

Noes: None

Councilman Nichols moved the Council select the following architectural service for the specified Capital Improvements Project:

FEHR, GRANGER, EMERSON - Alterations and additions to the main terminal building at the Airport - Project No. 8106. (Estimated construction cost is \$600,000).

The motion, seconded by Councilman Dryden, carried by the following vote:

Mayor Butler, Councilman Dryden, Nichols, Mayor Pro Tem Love,

Councilmen Lebermann, Friedman

Noes: None

Councilman Handcox moved the Council select the following architectural service for the specified Capital Improvements Project:

SCUTTER AND WADSWORTH - Fire Station - a new single story masonry building to house one engine company with room for expansion - Project No. 8303. (Estimated construction cost is \$130,000).

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann,

Friedman, Handcox, Mayor Butler

Noes: None

The item of selecting architectural services for a new single story masonry clubhouse for the Williamson Creek Golf Course Facility - Project No. 8627, (Estimated construction cost is \$100,000) was delayed so that additional information might be brought to the Council.

It was pointed out that Mr. Allen Tanniguchi had requested in writing that his name for consideration of architectural services for the building at the Airport be deleted, as he was a member of the Planning Commission and wanted to serve his tenure.

Mayor Butler suggested that it be called to the attention of the Council when it is considering professional services, if there are any imembers of the Boards or Commissions involved.

FIRE AND EXTENDED COVERAGE

Mr. Shackleford and Mr. Allen were present to speak to this insurance program. Mr. Shackelford stated the Austin Association of Insurance Agents has an advisory committee for wiriting the City of Austin insurance program, and it has made certain recommendations which he discussed. He pointed out a correction, stating the premium was on a three year basis.

Mr. Allen discussed one recommendation that the City not renew the comprehensive plate glass policy as the catastrophic coverage is already under the fire and extended coverage. Mr. Allen also recommended reviewing the insurance and placing it on statement of values filed and approved by the Board of Insurance as being the recommended values. He pointed out a new general trend of handling municipal insurance. Most of the municipalities expanding like Austin are handled on a blanket basis; but Austin has been handled on an individual basis. He would suggest cutting out the lower valued properties below \$25,000; and coupled with a deductible of \$25,000 there would probably be much savings.

After discussion, Mayor Butler suggested that the Council delay action on this item on the basis of what Mr. Allen had recommended in that perhaps a blanket coverage and then a blanket cut-off point of values would save, and that they visit with the City Manager and the Finance Director, and report back in two weeks.

ACQUISITION OF LAND

Councilman Nichols -nquired about the determination of the value either as appraised or as to the market value. Mr. Morahan discussed the procedures followed.

Councilman Nichols moved the Council adopt a resolution authorizing the acquisition of certain land as follows:

For Bull Creek Park - Lakewood Drive at Bull Creek - Jeanne S. Willson (Partial Acquisition)

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann,

Handcox, Mayor Butler, Councilman Dryden

Noes: None

Not in Council Room when Roll was called: Councilman Friedman

Councilman Nichols moved the Council adopt a resolution authorizing the acquisition of certain land as follows:

For MoPac Expressway - Phase 4:

2108 Newfield Lane - Patricia D. Rivera et vir (Partial Acquisitión)

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann,

Handcox, Mayor Butler, Councilman Dryden

Noes: None

Not in Council Room when Roll was called: Councilman Friedman

Councilman Nichols moved the Council adopt a resolution authorizing the acquisition of certain land as follows:

For MoPac Expressway - Phase 4

3018 Perry Lane - William M. Branch et us (Partial Acquisition)

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann,

Handcox, Mayor Butler, Councilman Dryden

Noes: None

Not in Council Room when Roll was called: Councilman Friedman

Mayor Butler noted there are several parcels of City Property that are up for lease to private individuals -- Airport properties and others. The Council could make a more intelligent decision if it had the amount of land and buildings being rented and their approximate market value. The Mayor stated he would like to make it a policy that any time a lease comes before the Council, that it be accompanied by an appraisal, market value, and the amount of land being leased, buildings, and worth of the improvements.

Councilman Lebermann asked about property contiguous to Westenfield Park, a partial taking for MoPac, as it appears to be land that will be sold. He asked if it would not be proper to include it in the park land. The Deputy City Mazager stated they would look into this. Mr. Morahan pointed out one adjacent lot which was dedicated as a park on the plan, but it was small and is not being used as a park. There is question as to its category. Councilman Lebermann pointed out one of the thrusts of the Outdoor Recreation is the development of some of the smaller parks.

The Mayor stated when the surplus property is being considered for sale, and it is brought before the Council, that Mr. Morahan provide information on when the City acquired the property and what was paid for it.

FINAL PASSAGE OF TAXICAB ORDINANCE

The Council had before it the third reading for the Taxicab Ordinance to effect an increase in rates. Mrs. Helena Hardcastle again spoke in opposition to the increased rates and a stated age for the taxicabs. She suggested a ten year service for the cabs. Mr. Royal Masset, speaking for the County of Travis People's Party asked for a postponement of the final reading of the taxicab ordinance..

After discussion, Mayor Butler brought up the following ordinance:

AN ORDINANCE AMENDING SECTION 34-18; SECTION 34-27(b); SECTION 34-42(b); SECTION 34-59(b); BY CHANGING THE MAXIMUM PERMISSIBLE AGE OF VEHICLES TO BE USED AS TAXI-CABS, CHANGING THE RATE AND FARE SCHEDULE, AND BY CHANGING THE AMOUNT OF FEES FOR TAXICAB PERMITS.

Councilman Dryden moved the taxicab ordinance be passed through its final reading. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Mayor Butler, Councilman

Dryden

Noes: Councilmen Lebermann, Handcox

Not in Council Room when Roll was called: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

APPROPRIATION OF FUNDS

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 710909-I TO APPROPRIATE FROM UNAPPROPRIATED GENERAL FUNDS AND CREDIT TO CERTAIN DEPARTMENT OF FINANCE ACCOUNTS AN AMOUNT TO BE EXPENDED FOR THE ESTABLISHMENT OF A CENTRAL COLLECTIONS SECTION; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Love moved the Council waive the requirement for the reading of ordinances on three separate days, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Butler, Councilman Nichols, Mayor Pro Tem Love, Councilmen

Lebermann, Friedman, Handcox

Noes: None

Not in Council Room when Roll was called: Councilman Dryden

The Mayor announced that the ordinance had been finally passed.

Deputy City Manager Davidson explained that a great deal of the work which will necessitate the additional people is the result of having to keep proper controls over the moneys the City receives in connection with new Federal grants

and in connection with the expanded Capital Improvement Program which has occurred and will continue to occur in the next 12-18 months. The two persons mentioned in the collection will help upgrade the City's central records as to the money owed, the paymets rendered and those outstanding. These people would not be involved in collecting for Brackenridge Hospital.

The Director of Finance stated these people will set up and make uniform the procedures of aging accounts and determining the procedures necessary to implement these collections. They will not be door to door collectors. Those people now collecting Brackenridge bills will remain. These will be keeping their books in better shape.

REMODELING OF CITY HALL

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 710909-I TO APPROPRIATE FROM UNAPPROPRIATED GENERAL FUNDS, AND CREDIT TO A CERTAIN DEPARTMENT OF OFFICE SERVICES ACCOUNT, AN AMOUNT TO BE EXPENDED FOR REMODELING EXPENSES; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Love moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann,

Friedman, Handcox, Mayor Butler

Noes: None

Councilman Nichols noted that this remodeling of City Hall was initiated in 1970, before this Council took office.

The Mayor announced that the ordinance had been finally passed.

REMUNERATION TO POLICE WHO USE SPARE TIME TO TESTIFY IN COURT

Judge Mace Thurman, Jr., appeared before the Council in the interest of administration of justice, stating this Council has done more to promote the efficient administration of justice than of any he knew. There is a problem of utmost urgency in the minds of the people, and the Council has already come forward with a program that is showing results. He commended the Council in its accepting its challenge.

He had a suggestion to present, having to do with policemen having to testify in trials of cases. He said a policeman had to know how to testify in court and to be well-prepared. The Police Officer recognizes his duty in this regard, and all of them respond to their summons. The problem is the pay for off-duty police officers while testifying in examining trials, court appearances, before the Grand Jury, and at pre-trial hearings. The present policy is to pay the Police Officer time and half for two hours; or a minimum of two hours. He definitely believed the police officers should be paid for the time they are in court. It is hard work, and is his duty. He requested that the Council inagurate the policy of paying the police officers time and a half for the time they are testifying with a minimum of two hours, from the time they arrive in court to the time they leave, with a minimum of two hours. This is on their off-duty time.

Councilman Nichols moved the recommendation be taken into consideration and enacted as a policy of the City of Austin and the officers to be paid accordingly. The motion was seconded by Councilman Lebermann.

Councilman Friedman then referred to a memorandum of this date from Chief Miles' Office restating the pay policy. He suggested obtaining the memorandum sent out to the officers yesterday, which was overturned by this memorandum of this date, stating the officer would be paid time and a half for the first two hours and straight time for every hour thereafter. He stated the Council needed to have this memorandum before it.

Councilman Nichols restated his motion, moving that the officers be paid on their time off for testifying a minimum of two hours which shall be paid for at the rate of one and a half times their regular pay; any testimony beyond that shall be paid at the rate of one and a half times of their regular pay. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love,

Councilmen Lebermann, Friedman, Handcox

Noes: None

SANCHEZ STREET PAVING REPORT

City Manager Andrews stated the Sanchez Street paving has continued to be a problem for two years. The theory followed by previous Councils was if the general public had no particular interest in paving a certain street, that the property owners along that street should assume responsibility of furnishing right of-way. In this instance there are two out of twon owners who are not interested in dedicating their right-of-way, while others are willing to do so. The problem is either leaving it as under the past policy or, making an exception on this one street, or setting a new policy, where everyone except a few owners cause condemnation, resulting in the City's paying the others on the street. This would be costly to the City. He pointed out other disadvantages in such a policy. He suggested that when a street of this nature has been hanging fire for two years, if the people had agreed to dedicate the land, that it be dedicated free and the others will have to come out of the taxpayers' pocket, and then proceed with the condemnation. Councilman Nichols stated this was the proper procedure and he agreed that two years would be an adequate time.

Councilman Nichols moved the City proceed as the City Manager recommended that right of way which has already been given be accepted; and eminent domain proceedings with those who refuse to give the right of way be authorized, and the paving completed. The motion, seconded by Councilman Handcox, carried by the fellowing vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Dryden, Nichols

Noes: None

Not in Council Room when Roll was called: Mayor Butler, Councilman Friedman

Councilman Nichols said the same situation exists on South 2nd Street, and asked that this be brought back to the Council.

TRANSPORTATION MANAGEMENT CONTRACT

Mayor Butler called for further discussion of the Transportation Management contract, including Mr. Clyde Malone, Manager of Austin Transit Corporation; and Messrs. Charles W. Hunter, International Vice-President of Amalgamated Transit

Union; and Cecil Barnes, Recording Secretary and Treasurer of Local 1091. He stated they were trying to proceed as rapidly as possible to get the application approved so that Austin could expand its bus service. He reviewed various aspects of the management contract to be certain all parties were in agreement. Mayor Butler emphasized the three year contract which would make the management contract run concurrently with the Union contract. Mr. Charles W. Hunter answered that they thought that the contract's being concurrent might work well with the renewals; however, they would not refuse to go forward with the 13-C and would assist in any way possible in getting the grant application through regardless of what the dates are. They do have some preference, but he emphasized they were not going to do anything or throw any stumbling blocks in the path. It was stated they could live with the three year term. Councilman Nichols suggested that the Union be recognized by the terms of the contract. Mayor Butler pointed out the terms of the contract recognized the Union and the contract includes the 13-C provision. He stated the Union was satisfied that they are well-protected.

Mayor Pro Tem Love moved the Council approve the management contract as recommended by the Staff, and through the co-operation and agreement with the representatives who met with the Council today (Messrs. Charles W. Hunter, Cecil Barnes, and Clyde Malone) and this is the three year contract. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor

Pro Tem Love, Councilman Lebermann

Noes: None

Not in Council Room when Roll was called: Councilman Friedman

WATER & SEWER EXTENSION STUDY COMMITTEE REPORT

Mr. Tom Bradfield presented the report on Water-Sewer Extensions in behalf of the Study Committee. He stated the more they went into this study, the more they seemed to realize that many of the things that Austin does has really been done quite well and with a great deal of success. With some trepidation, they made this report as they believe it is, not particularly imaginative or innovative and in it can be seen a great deal of what has already been done. Mayor Butler concurred with the Committee in what the status quo is good. Mayor Butler expressed concern in pledging the credit of the City of Austin utility system for the benefit of running utility lines outside the City limits to non-taxpaying users. Although when they hook on to the system, they are paying for the utility lines, but they are not paying their pro-rata share of Brackenridge Hospital, Library, Police and Fire Departments and the many other entities that running a City requires. Mr. Bradfield stated the report included the intent that these areas be annexed . The City could ill afford not to annex these areas regardless as the City would be fringed with satellite towns which must be avoided at all costs. The Mayor stated the formula called for those receiving the service paying for them; and when they came into the City they would resume the same posture that other utility users had. He asked if there were concern that those will have paid 20% of the line at that point in time whereas someone in the City did not pay it? Mr. Bradfield emphasized that policy did not provide mandatory annexation and the Committee thought that was very important -- the protection of the boundaries of the City. This area is one in which a great deal of future development will take place.

Mr. W. T. Williams, Jr., listed two or three places where the City had placed lines outside the City -- Williamson Creek and Little Walnut Creek Valley. The line extended to FM 1325 to serve practically no property that was in the City.

Councilman Nichols stated this is a good report and the Council needs to study it.

Mr. Russell Fish, a member of the Committee, pointed out the questions the Council had asked the Committee as to "how much of the financial obligation was the developer to take?" Mr. Fish did not concur in the recommendation stating the individual committee members did not agree with each other. It is a real problem and these men are sincere. Mr. Horsefeldt spoke generally about allowing different cities to set up around the City of Austin.

Mayor Butler thanked the Committee for its diligent work and study on this report.

FIVE YEAR CONTRACT AUTHORIZED

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH MISSOURI IMPROVEMENT COMPANY, J. E. ANGST, PRESIDENT AND CHAIRMAN OF THE BOARD; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Lebermann, Handcox, Mayor Butler, Councilmen Dryden,

Nichols, Mayor Pro Tem Love

Noes: None

Present but not voting: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

REQUEST FOR VARIANCE OF BUILDING ELEVATIONS

Mr. M. K. Parsons appeared before the Council, outlining an honest error he had made on an elevation, stating he had subdivided a small tract of land in East Austin which the Council, in previous years, had set an elevation construction level on. He filed a set of plans drawn by an architect showing the elevations, etc., but the men who formed the concrete read the elevations off the pins so designated on the plat. These were grade elevations rather than pin elevations; therefore, two of the slabs are low — one a little over six inches low; the other about six inches low. The City Inspector OK'd the forms. It was an error on his. part: and on the inspector's.

City Attorney, Don Butler, suggested having an instrument executed by Mr. Parsons, and by the City whereby it would be acknowledged that this had been constructed at an elevation of so many inches, and the document be placed on record so that it would be a covenant running with the land.

Councilman Nichols moved the Council grant the request subject to the approval of the City Attorney's working out this agreement and placing it on record. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Lebermann, Handcox, Mayor Butler, Councilmen Dryden,

Nichols, Mayor Pro Tem Love

Noes: None

Not in Council Room when Roll was called: Councilman Friedman

M.A.Y.O. NOT REPRESENTED

Mr. Raul Noriega, Mexican American Youth Organization from the University of Texas (M.A.Y.O.), who requested to appear, did not appear, nor did a substitute.

STREET CLOSED TEMPORARILY

Councilman Nichols moved the Council grant the request of Mr. Lynn Griffin to close Dawson Road to through traffic between the hours of 6:00 A. M. and 12:00 Noon, Tuesday, March. 21st. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann,

Handcox, Dryden

Noes: None

Not in Council Room when Roll was called: Mayor Butler, Councilman Friedman

INSURANCE COVERAGE ON UTILITY ASSETS

In discussion of the insurance coverage, Councilman Lebermann noted the Council had very little judgment latitute as far as utility insurance is concerned as the requirements are more or less set by the bonding people. The Director of Finance, Mr. Norman Barker, stated the coverage was \$1,700,000 on Holly Street Station; \$2,700,000 on the Seaholm Plant, and roughly \$1,000,000 coverage on the Central Stores which is almost exclusively utility raw materials. This is a three year premium.

Councilman Dryden moved the Council adopt a resolution approving the payment of \$9,313.00 for insurance coverage on the utility assets. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor

Butler, Councilmen Dryden, Nichols

Noes: None

USE OF FIESTA GARDENS

Mr. Dismukes, speaking in behalf of Mr. Ted White, representing Austin Chamber of Commerce, requested the use of Fiesta Gardens for five nights in May, offering to pay \$200 a night, or \$1,000.00 for the five nights, with the City's doing a certain amount of the work.

Councilman Nichols moved the Council grant the request as submitted with the City preforming a certain amount of work, generally speaking, and receiving \$200 a night. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Handcox, Dryden, Nichols, Mayor Pro Tem Love, Councilman

Lebermann

Noes: None

Not in Council Room when Roll was called: Mayor Butler, Councilman Friedman

INSURANCE REPORT

City Manager Andrews stated this report was to cover bids received on the City employees' insurance. Bids have been delayed one week, and he asked that this be deferred. Councilman Dryden asked that he have a change to study these before he received the agenda. Mr. Andrews stated he would send the data to the Council and then hold it over a week before placing the item on the Agenda —— about two weeks from today.

DISPOSAL OF CITY BARGE

The Council had before it the request to dispose of the City barge.

Councilman Nichols moved that the barge be submitted for bids. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor

Pro Tem Love, Councilman Lebermann

Noes: None

Not in Council Room when Roll was called: Councilman Friedman

AMENDMENT TO ZONING CODE - OPEN LOUNGE

The Council had before it the first reading of the ordinance enabling owners of apartment houses and apartment groups with 51 or more units to have an "open lounge by special permit". Since Councilman Friedman was out, the Council, after discussion decided to postpone the item. Mayor Pro Tem Love moved the Council table the item until seven members of the Council are present. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilman Nichols, Mayor Pro Tem

Love, Councilman Lebermann

Noes: Councilman Dryden

Not in Council Room when Roll was called: Councilman Dryden

DEL VALLE

The City Manager, Mr. Andrews, reported having provided the Council with a proposed contract with the Del Valle School District. The Council has obligated itself to build a line out to the new state park which will run right by this school. The School System says they will advance the money to the City to build this line so the City would not be out any interest on its money. They will pay whatever the connection charge is and whatever monthly sewer usage charge the Council adopts. The City Manager recommended this he done as outlined.

Councilman Lebermann moved the Council approve the City Manager's recommendation as set out. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Lebermann, Handcox, Dryden, Nichols, Mayor Pro Tem Love

Noes: None

Not in Council Room when Roll was called: Mayor Butler, Councilman Friedman

trict Sixth Height and

Area to "C-2" Commercial Sixth Height and Area

SIERRA CLUB - TOWN LAKE

Mr. Pat Patterson, representing the Sierra Club, stated the Capital Aggregates had been requested to discontinue their dredging operations in the immediate downtown area, but they have now moved downstream and are dredging near Holly Power Plant near Longhorn Dam. Mayor Butler stated information would be brought to the Council on this matter. He said the Council was hopefully catching Town Lake in the "nick of time"; and in fairness to the property owners, the Council felt they must put the owners on notice about the change. He said there are some real estate trades going on; and the City Attorney is to bring to the Council some recommendations in the area of creating higher standards — zoning, etc. Mayor Butler said Mr. Berman, Mr. Patterson, and Mr. Fish could be a great help to the City Attorney in this line, and they should get with him right away. Again Mayor Butler invited Mr. Patterson and Mr. Berman to get with the City Attorney and work with him and see how they react to some of his suggestions. This will go before the Planning Commission, the Environmental Department and then finally the Council.

ZONINGS SET FOR HEARING MAY 4, 1972

The City Manager reported that the following zoning applications had been referred to the Planning Commission for recommendation and had been set for public hearing on May 4, 1972.

JAMES K. EICHLEBERGER, JR. C14-72-032	Rear of 7107-7203 Burnet Road	From "A" Residence Dis- trict to "O" Office Dis- trict (as amended)
CARPENTER AND ASSOCIATES By C. B. Carpenter C14-72-041	1819-1919 U.S. 290	From "C", Commercial, "GR" General Retail, & "A" Residence District to "C" Commercial District
ROBERT C. NOREN By Tom Curtis C14-72-042	4614-4616 Glissman Road	From "A" Residence Dis- trict to "C" Commercial District
ODAS JUNG By Joe Jung C14-72-043	Rear of 2251-2257 Post Oak Road	From "C" Commercial Second Height and Area-Tract 1, "A" Residence, First Hei- ght and Area-Tract 2 To "C-2" Commercial Second Height and Area-Tract 1, "C" Commercial Second Hei- ght and Area-Tract 2
EMILY S. WEST, TRUST By Byron L. Kidd, Trust Officer C14-72-044	2501-2507 So.1st Street	From "A" Residence Dis- trict and "C" Commercial to "C" Commercial District
FRANCIS KARBER	8312-8316 No. Lamar	From "C" Commercial Dis-

Boulevard

By Edward J. Voltin

C14-72-045

DOUGLAS R. DAY By John Selman C14-72-046	2832 Salado Street	From "A" Residence Dis- trict to "B" Residence District
Q. S. FRANKS C14-72-047	1702-1726 Tannehill Street	From "A" Residence Dis- trict to "MH" Mobile Home District
E. W. CULLERS C14-72-048		From "A" Residence Dis- trict to "B" Residence District
H. I. GALLAWAY WAYLAND GALLOWAY & W. H. WHITE By Price R. Ashton C14-72-049	5211-5215 Duval Street	From "A" Residence Dis- trict to "LR" Local Re- tail Distirct
JOHN J. STOKES By Edgar James, Architect C14-72-050	4510-4528 South Congress Avenue 125-209 St. Elmo Road	From "DL" Light Indus- trial District to "C" Commercial District
WEST BUILDING AND DEVELOPMENT, INC. By John R. Campbell C14-72-051	6808-6900 S. 1st.	From Interim "A" Residen- ce First Height and Area To "B" Residence First Height and Area
CALVIN A. BRAGG C14-72-052	Rear of 2539-2601 So. Congress Ave.	From "A" Residence Dis- trict First Height and Area to "C" Commercial District Second Height and Area
DON J. JACKSON C14-72-053	2005-2201 Ohlen Road	From "A" Residence Dis- trict to "B" Residence District
DON J. JACKSON C14-72-054	8016 Gault St.	From "A" Residence Dis- trict First Height and Area to "B" Residence District Second Height and Area
DON J. JACKSON C14-72-055	4310-4312 Eilers Avenue	From "A" Residence Dis- tirct First Height and Area to "B" Residence Dis- trict Second Height and Area
CONRAD BLEVINS C14-72-056	6901-6903 Bennett Avenue 924-928 Atkinson Road	From "A" Residence Dis- trict to "O" Office Dis- trict

R. H. SWENSON By Joseph Cotruzzola C14-72-057	2821-2825 Rio Grande Street	From "B" Residence Dis- trict Second Height and Area to "O" Office Dis- trict Second Height and Area
MR. F. O. REINKE By Ruben V. Soto	5214-5220 Jim Hogg Avenue	From "A" Residence First Height and Area & "C" Commercial Second Height and Area to "C" Residence Second Height and Area
MARY E. BAYLESS C14-72-059	901-903 Taulbee Ln.	From "A" Residence Dis- trict to "B" Residence District
M. J. KOURI C14-72-060	5701 Woodrow Ave.	From "A" Residence Dia- trict to "B" Residence District
CONWAY TAYLOR By Milton A. Morse, Jr. C14-72-061	1509 W. No. Loop	From "A" Residence District to "O" Office District
C. L. REEVES C14-72-062	Rear of 3442-3512 Greystone Drive at the north end of Shadow Park Drive	From "A" Residence Dis- trict To "LR" Local Retail District
C. L. REEVES By Robert Davis C14-72-063		From "B" Residence Dis- trict to "GR" General Retail District
MRS. STUART LONG C14-72-064	615-617 Peacock Ln.	From "A" Residence Dis- trict to "B" Residence District
WILBURN E. VASQUEZ C14-72-065	4608-4610 Bennett Avenue	From "A" Residence Dis- trict to "B" Residence District
ROBERT F. HIGGINBOTHAM By John Selman C14-72-066	6935 Hwy. 290 East	From "A" Residence Dis- trict First Height and Area to "C" Commercial District Second Height and Area
CLEAR CREEK PROPERTIES, INC. ET AL By Carl B. Morris C14-72-067	1700-2217 Bitter Creek Drive 6619-6717 Old Lockhart Highway	From "A" Residence Dis- trict to "MH" Mobile (Home District

CLEAR CREEK PROPERTIES, INC. By Carl Morris C14-72-068 CLEAR CREEK PROPERTIES, INC. By Carl Morris C14-72-069 J. C. PETERSON C14-72-070 WALTER R. CARRINGTON C814-72-02

R. L. SMITHERS, W. R. COLEMAN & LARRY NIEMANN C814-72-03

BUCKINGHAM PLACE DEVELOPMENT, INC. By Donald L. West & Edward R. Rathgeber. C814-72-04

6601-6619 01d Lockhart Highway 1801-1807 North Bluff Retail District

From "A" Residence District to "LR" Local

1809-2001 North Bluff From "A" Residence District to "C" Commercial Drive District

Rear of 2100 East Riverside Drive

From "GR" General Retail District to "C-2" Commercial District

PLANNED UNIT DEVELOPMENT

Cluster homes and recrea-

tional facilities for the

North end of Quail Boulevard: Rear of 9726-9800 North Lamar Boulevard

West 38th Street on the north; Pecos Street on the west: Maywood Street on the south.

PLANNED UNIT DEVELOPMENT with ten two bedroom units and forty three bedroom units with pools.

homeowners

South First Street & PLANNED UNIT DEVELOPMENT Turtle Creek Blvd.

with twenty-eight three bedroom units, twentythree two bedroom units tennis court, club house and pool.

COUNCIL RECESSED

At 4:30 P. M., the Council recessed until 7:30 P. M., when they will meet at the City Electric Building for a hearing on the proposed Civic Cepter.

ATTEST:

City Clerk