

MINUTES OF MEETING--JANUARY 9, 1996
TRAVIS COUNTY COMMISSIONERS' COURT

On the 9th day of January 1996, the Travis County Commissioners' Court convened the Voting Session at 9:14 AM in the Commissioners' Courtroom, 1st Floor of the Travis County Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Mary Ann Roel and Deputy Dolores Rosales.

The Commissioners' Court recessed the Voting Session at 12:06 PM and reconvened the Voting Session at 1:35 PM.

The Commissioners' Court retired to Executive Session at 2:48 PM and reconvened the Voting Session at 4:09 PM.

The Commissioners' Court adjourned the Voting Session at 4:14 PM.

R E S O L U T I O N S & H E A R I N G S

1. APPROVE RESOLUTION HONORING DOBBS ROGERS. (9:16 AM)

Members of the Court heard from Dobbs Rogers, Juvenile Court..

Motion by Judge Aleshire and seconded by Commissioner Biscoe to approve the Resolution.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire-		yes

**2. RECEIVE BRIEFING ON THE ACCOMPLISHMENTS OF THE AUSTIN-
TRAVIS COUNTY FOOD POLICY COUNCIL DURING 1995. (9:19 AM)**

Members of the Court heard from Kate Fitzgerald, Food Policy Council.

Discussion only.

CITIZENS COMMUNICATION

Members of the Court heard from Gus Peña, President of East Austin Concerned Hispanics.
(9:41 AM)

3.**C O N S E N T I T E M S**

Motion by Commissioner Bristol and seconded by Commissioner Sonleitner to approve the following Consent Items: 14, 16, 18, 19, 20, and Items C.1 - C.10. (10:01 AM)

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire-		yes

C.1 RECEIVE BIDS FROM COUNTY PURCHASING AGENT.

C.2 AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY
CORRECTIONAL FACILITIES & JUVENILE DETENTION FACILITIES.

C.3 APPROVE 1995-96 TRAVIS COUNTY HUMAN SERVICE CONTRACTS
WITH THE FOLLOWING AGENCIES: (1) VAUGHN HOUSE; (2)
CHILDREN'S SHELTER & ASSESSMENT CENTER OF TEXAS; (3)
HELPING OUR BROTHERS OUT, INC.; AND (4) SUSTAINABLE FOOD
CENTER.

C.4 APPROVE TRANSFER OF FY' 95 NET PARK REVENUES OF \$1,123,595
FROM THE LCRA PARKS ESCROW FUND TO TRAVIS COUNTY
GENERAL FUND.

C.5 APPROVE LEASE AGREEMENT BETWEEN W.L. BUSINESS
ENTERPRISES AND TRAVIS COUNTY FOR STORAGE SPACE.

C.6 REAPPOINT DEANE ARMSTRONG TO COMMISSIONER OF
EMERGENCY SERVICES DISTRICT #7, EFFECTIVE JANUARY 1, 1996,
THROUGH DECEMBER 31, 1997.

C.7 REAPPOINT THOMAS L. ATWOOD TO COMMISSIONER OF
EMERGENCY SERVICES DISTRICT #7, EFFECTIVE JANUARY 1, 1996,
THROUGH DECEMBER 31, 1997.

CONSENT ITEMS CONTINUED:

- C.8** REAPPOINT LAWRENCE REID TO COMMISSIONER OF EMERGENCY SERVICES DISTRICT #7, EFFECTIVE JANUARY 1, 1996, THROUGH DECEMBER 31, 1997.
- C.9** APPOINT CARMEN MARTIN SEIM TO COMMISSIONER OF TRAVIS COUNTY FIRE PROTECTION DISTRICT #11, EFFECTIVE JANUARY 1, 1996, THROUGH DECEMBER 31, 1997.
- C.10** REAPPOINT GAIL GRAHAM TO COMMISSIONER OF EMERGENCY SERVICES DISTRICT #6, EFFECTIVE JANUARY 1, 1996, THROUGH DECEMBER 31, 1997.

COUNTY POLICIES AND PROCEDURES

- 4.** DISCUSS AND ADOPT TRAVIS COUNTY POLICIES, PROCEDURES AND REGULATIONS MANUAL CHAPTER 66 - WEAPONS ON COUNTY PROPERTY POLICY. (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T. CODE ANN. SECTION 551.071). (10:01 AM) (2:48 PM) (4:10 PM)

Members of the Court heard from Assistant County Attorney Gordon Bowman; Dr. Mattye Mauldin-Taylor, Director of Human Resources Management; Alicia Perez, Executive Manager of Administrative Operations; Assistant County Attorney Darwin McKee; and April Bacon, Chief Deputy TCSO.

Discussion only.

Judge Aleshire announced that Item 4 would be considered in Executive Session.

Members of the Court heard from Assistant County Attorney, Gordon Bowman.

Motion by Judge Aleshire and seconded by Commissioner Biscoe to approve the policy.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire-		yes

5. DISCUSS AND ADOPT TRAVIS COUNTY POLICIES, PROCEDURES AND REGULATIONS MANUAL CHAPTER 78 - TRAVIS COUNTY SHERIFF'S OFFICE'S NON-CONSENT TOWING POLICY. (10:45 AM)

Members of the Court heard from April Bacon, Chief Deputy, TCSO.

Motion by Commissioner Biscoe and seconded by Judge Aleshire to approve.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire-		yes

ADMINISTRATIVE ITEMS

6. CONSIDER AND ADOPT AN ORDER AUTHORIZING THE ISSUANCE OF TRAVIS COUNTY, TEXAS, LIMITED TAX REFUNDING BONDS, SERIES 1996; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID BONDS; AWARDING THE SALE THEREOF; AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE CONTRACT RELATING TO SAID BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT; APPROVING THE OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT.
(9:49 AM)

Members of the Court heard from Ladd Patillo, Travis County Bond Counsel.

Item 6 postponed until January 16, 1996.

7. DISCUSS AND APPROVE THE ISSUANCE OF BONDS BY TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 2. (9:51 AM)

Members of the Court heard from Ladd Patillo, Travis County Bond Counsel and Assistant County Attorney, David Escamilla.

Motion by Commissioner Sonleitner and seconded by Commissioner Biscoe to approve the Resolution.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire-		yes

8. RECEIVE BRIEFING ON FEDERALLY QUALIFIED HEALTH CENTER (FQHC) ISSUES. (10:54 AM)

Members of the Court heard from Steven Williams, Executive Manager of Health, Human Services, and Veteran's Affairs; Dr. Sue Milam, Director of Austin-Travis County Health and Human Services; Dr. Theresa Spalding; and Thomas Watson, Financial Advisor, FQHC;

Discussion only.

9. AUTHORIZE THE COUNTY JUDGE TO SIGN NON-BINDING LETTERS OF INTENT/INTEREST TO HEALTH MAINTENANCE ORGANIZATIONS (HMOs) APPLYING TO PARTICIPATE IN THE STATE MEDICAID MANAGED CARE PROGRAM, WHICH WOULD ALLOW INDIGENT HMO ENROLLEES TO BE SERVED AT AUSTIN/TRAVIS COUNTY CLINICS. (12:02 PM)

Members of the Court heard from Debbie Blunt, MAP and RMAP, and Dr. Sue Milam, Director of Austin-Travis County Health and Human Services.

Motion by Commissioner Gómez and seconded by Commissioner Biscoe to indicate the Court's intent in a letter to be drafted by Assistant County Attorney Mary Etta Gerhardt.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire-		yes

R E C E S S

Motion by Commissioner Biscoe and seconded by Commissioner Sonleitner to recess the Voting Session until 1:30 PM. (12:06 PM)

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire-		yes

10. DISCUSS AND GIVE DIRECTION TO DEPARTMENT REGARDING THE SALE OF THE WATER DELIVERY PROGRAM. (1:36 PM)

Members of the Court heard from Joe Gieselman, Executive Director of Transportation and Natural Resources; Assistant County Attorney, Darwin McKee; and Cyd Grimes, Purchasing Agent.

Discussion only.

11. RECEIVE UPDATE ON THE STATUS OF THE BALCONES CANYONLANDS CONSERVATION PLAN, THE REGIONAL 10(a) PERMIT APPLICATION, AND THE PROGRESS IN PREPARATIONS FOR PERMIT ADMINISTRATION. (2:19 PM)

Members of the Court heard from Assistant County Attorney, David Escamilla; Cliff Ladd, Transportation and Natural Resources; Terri Siegenthaler, Transportation and Natural Resources; and Heather Cox, Legislative Aide to Valarie Bristol, Commissioner, Precinct Three.

Discussion only.

12. APPROVE CHANGE ORDER NO. 5 TO DESIGN/BUILD CONTRACT BETWEEN FAULKNER CONSTRUCTION COMPANY AND TRAVIS COUNTY. (2:40 PM)

Motion by Commissioner Biscoe and seconded by Commissioner Sonleitner to approve change order.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire-		yes

13. APPROVE CONTRACT AWARD FOR THE PROVISION OF LEASING VEHICLES, B960016-RH TO THE LONE QUALIFIED BIDDER, CAPP RENT-A-CAR. FUNDING SOURCE: 00137205626104. (2:41 PM)

Members of the Court heard from Cyd Grimes, Purchasing Agent.

Motion by Commissioner Bristol and seconded by Commissioner Biscoe to approve.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire-		yes

- 14. APPROVE ACCEPTANCE OF 917 LINEAR FEET OF NEW BRATTON LANE ALIGNMENT ONTO THE COUNTY-MAINTAINED ROADWAY SYSTEM, PRECINCT TWO. (9:15 AM)**

Item 14 added to Consent Items.

- 15. APPROVE BUDGET AMENDMENTS AND BUDGET TRANSFERS. (9:15 AM)**

Item 15 struck from the Agenda.

- 16. REVIEW AND APPROVE GRANT PROPOSALS, APPLICATIONS, AND PERMISSION TO CONTINUE. (10:01 AM)**

Item 16 added to Consent Items.

17. REVIEW AND APPROVE THE FOLLOWING PROPERTY AND LIABILITY CLAIM RECOMMENDATIONS: (2:45 PM) (2:48 PM) (4:09 PM)

**A. CARLOS HERNANDEZ
LONE STAR DAMAGE**

Members of the Court heard from Barb Sanders, Risk Management.

Discussion only.

Judge Aleshire announced that Item 17 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 17 (A), 21, 22, 24, and 27.

Motion by Judge Aleshire and seconded by Commissioner Gómez:

- 17.A.** to make an offer to settle the liability claim of Mr. Hernandez in the amount of \$1,350.00;
- 21.** to designate Commissioner Biscoe as the County representative on this matter;
- 22.** to authorize the County Attorney to employ an outside expert witness and to reject the settlement offer in Velasquez V. Sheriff Terry Keel;
- 24.** to authorize the County Attorney to make the deposit in the case involving Mr. Peterson; and
- 27.** to reject the settlement offer.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire-		yes

18. APPROVE PERSONNEL AMENDMENTS. (10:01 AM)

Item 18 added to Consent Items.

19. REVIEW TREASURER'S REPORT AND GRANT ORDER APPROVING TREASURER'S REPORT. (9:15 AM)

Item 19 added to Consent Items.

20. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:15 AM)

Item 20 added to Consent Items.

21. DESIGNATE TRAVIS COUNTY REPRESENTATIVE FOR DEPOSITION IN PELZEL & ASSOCIATES, INC., VS. TRAVIS COUNTY, TEXAS (PEREZ; CONSTRUCTION/CONTRACT LAWSUIT). (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T. CODE ANN. SECTION 551.071).
(2:48 PM) (4:09 PM)

Judge Aleshire announced that Item 21 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 17 (A), 21, 22, 24, and 27. Refer to Item 17 (A) for a summary of the Court's action on this Item.

22. AUTHORIZE COUNTY ATTORNEY TO EMPLOY EXPERT WITNESSES AND/OR ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER IN VELASQUEZ VS. SHERIFF TERRY KEEL, ET AL. (KEEL; EXCESSIVE FORCE-SECTION 1983). (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T. CODE ANN. SECTION 551.071). (2:48 PM) (4:09 PM)

Judge Aleshire announced that Item 22 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 17 (A), 21, 22, 24, and 27. Refer to Item 17 (A) for a summary of the Court's action on this Item.

23. AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER CONCERNING REGINALD SWISHER CLAIM (SWISHER; KEEL; PERSONAL INJURY NEGLIGENCE CLAIM) (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T. CODE ANN. SECTION 551.071). (2:48 PM) (4:09 PM)

Judge Aleshire announced that Item 23 would be considered in Executive Session.

Item 23 postponed until January 16, 1996.

24. RECEIVE BRIEFING FROM COUNTY ATTORNEY CONCERNING TRAVIS COUNTY, TEXAS VS. HARRY PETERSON, ET AL AND AUTHORIZE COUNTY ATTORNEY TO DEPOSIT THE SPECIAL COMMISSIONERS AWARD NOT TO EXCEED \$500,000.00.; CIP PROJECT NO. 4-003, PARCEL 09. (PETERSON; GIESELMAN; CONDEMNATION CASE). (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T. CODE ANN. SECTION 551.071). (2:48 PM) (4:09 PM)

Judge Aleshire announced that Item 24 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 17 (A), 21, 22, 24, and 27. Refer to Item 17 (A) for a summary of the Court's action on this Item.

25. AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER REGARDING CIP PROJECT NO. 3-U017, RM 2244, PARCEL 17 (OWNER - LAWRENCE RAY SEWARD AND SIDONEE KUYKENDAL SEWARD), AND/OR INITIATE CONDEMNATION. (GIESELMAN; CONDEMNATION CASE). (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T. CODE ANN. SECTION 551.071).
(2:48 PM) (4:09 PM)

Judge Aleshire announced that Item 25 would be considered in Executive Session.

Item 25 postponed until January 16, 1996.

26. AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER REGARDING CIP PROJECT NO. 3-U017, RM 2244, PARCEL 18 (OWNER-MICHAEL SLOAN), AND/OR INITIATE CONDEMNATION. (GIESELMAN; CONDEMNATION CASE). (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T. CODE ANN. SECTION 551.071). (2:48 PM) (4:09 PM)

Judge Aleshire announced that Item 26 would be considered in Executive Session.

Item 26 postponed until January 16, 1996.

27. AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER IN STATE OF TEXAS VS. BEARD FAMILY PARTNERSHIP, CIP NO. 2-012, PARCEL 12. (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T. CODE ANN. SECTION 551.071).
(2:48 PM) (4:09 PM)

Judge Aleshire announced that Item 27 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 17 (A), 21, 22, 24, and 27. Refer to Item 17 (A) for a summary of the Court's action on this Item.

A D J O U R N M E N T

Motion by Commissioner Biscoe and seconded by Commissioner Sonleitner to adjourn the Voting Session. (4:14 PM)

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire-		yes

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Bill Aleshire, Travis County Judge