

## **MINUTES OF MEETING--JANUARY 23, 1996**

### **TRAVIS COUNTY COMMISSIONERS' COURT**

On the 23rd 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.

The Commissioners' Court retired to Executive Session at 11:09 AM and reconvened the Voting Session at 12:04 PM.

The Commissioners' Court recessed the Voting Session at 12:04 PM and reconvened the Voting Session at 2:03 PM.

The Commissioners' Court retired to Executive Session at 2:03 PM and reconvened the Voting Session at 2:33 PM.

The Commissioners' Court adjourned the Voting Session at 2:34 PM.

### **CITIZEN'S COMMUNICATION**

No respondents noted. (9:16 AM)

#### **1. CONSENT ITEMS**

Motion by Commissioner Biscoe and seconded by Commissioner Sonleitner to approve the following Consent Items: 9 (with the recognition that Travis County does not give up any claims to any other governmental body with regard to the reimbursement of this expense), 10, 11, 12, and C.1 - C.20; excluding Item C.3. (9:17 AM)

**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 APPOINTMENT OF MS. VELVA L. PRICE TO THE TRAVIS COUNTY SHERIFF'S CIVIL SERVICE COMMISSION EFFECTIVE JANUARY 1, 1996, THROUGH DECEMBER 31, 1997. (9:14 AM)

Consent Item 3 pulled from the Agenda.

**CONSENT ITEMS CONTINUED:**

- C.4** APPROVE BONDS FOR RESERVE DEPUTIES IN PRECINCT FIVE CONSTABLE'S OFFICE FOR: RONALD GLENN WALKER AND JEFFREY BRYAN MALLET.
- C.5** APPOINT DWAYNE E. ADAMS, CM CFE, TO CHILDREN'S PROTECTIVE SERVICES BOARD.
- C.6** APPOINT PAUL CRAVEN TO COMMISSIONER OF EMERGENCY SERVICES DISTRICT #6, EFFECTIVE JANUARY 1996 THROUGH DECEMBER 31, 1997.
- C.7** APPOINT PENNY POALSON TO THE BOARD OF COMMISSIONERS OF T.C.E.S.D. #8 FOR THE TERM OF OFFICE TO EXPIRE DECEMBER 31, 1997.
- C.8** APPROVE COMMISSIONERS' COURT MINUTES FOR THE FOLLOWING MEETING DATES: NOVEMBER 28, 1995; DECEMBER 1, 5, & 27, 1995.
- C.9** APPROVE BUDGET AMENDMENTS AND BUDGET TRANSFERS.
- C.10** APPROVE PERSONNEL AMENDMENTS.
- C.11** APPROVE LEASE PROPOSAL WITH GOP INVESTMENT FOR THE DISTRICT ATTORNEY'S APPROPRIATE PUNISHMENT TEAM LOCATED AT 1300 GUADALUPE.
- C.12** APPROVE ADOPT-A-ROAD AGREEMENT WITH THE BOWIE HIGH SCHOOL TX-958 AF JUNIOR ROTC FOR SLAUGHTER LANE WEST, FROM BRODIE LANE TO LOOP 1.
- C.13** APPROVE TERMINATION OF PARKING LOT LEASE AGREEMENT WITH WHOLE FOODS MARKET, INC., FOR PROPERTY AT REAR OF 1000 N. LAMAR BLVD.
- C.14** AUTHORIZE COUNTY JUDGE TO SIGN DIVISION ORDER COVERING OIL LEASE LAND IN THROCKMORTON COUNTY.
- C.15** APPROVE CONTRACT AWARDS FOR THE PROVISION OF RESIDENTIAL PLACEMENT SERVICES FOR JUVENILE COURT TO: A) CARING FAMILY NETWORK AND (B) SHOAL CREEK HOSPITAL. FUNDING SOURCES: 001-4530-593-6205; 171-4580-593-6205; 174-4592-593-6205; AND 174-4591-593-6205.

**CONSENT ITEMS CONTINUED:**

- C.16** APPROVE CONTRACT MODIFICATION TO CONTRACT NO. 95TO131-RH WITH PS TRADING INC., FOR AVIATION TURBINE FUEL. MODIFICATION ALLOWS FOR A ONE (1) YEAR EXTENSION THROUGH APRIL 17, 1997.
- C.17** APPROVE MODIFICATION TO CONTRACT 950128-FH FOR THE PROVISION OF AUCTIONEER SERVICES FOR COUNTY VEHICLES.
- C.18** APPROVE MODIFICATION TO CONTRACT NO. 94TO134-MB WITH LONGHORN DISPOSAL FOR RENTAL AND SERVICING PORTABLE TOILETS. MODIFICATION ALLOWS FOR A ONE-YEAR EXTENSION THROUGH APRIL 24, 1997.
- C.19** APPROVE MODIFICATION #1 TO CAP-TEX SEPTIC SERVICES, CONTRACT #950125-MB, FOR SEPTIC SERVICES. MODIFICATION EXERCISES AN OPTION CLAUSE TO EXTEND THE CONTRACT FOR ONE YEAR THROUGH APRIL 10, 1997.
- C.20** APPROVE THE FOLLOWING PLATS FOR RECORDING:

  - A.** DAVENPORT RANCH PHASE 1, SECTION 4 (LONGFORM - FISCAL WITH CITY OF AUSTIN - 18 LOTS - 13.7782 ACRES - WESTLAKE DRIVE), IN PRECINCT THREE.
  - B.** AMENDED PLAT OF LOTS 837 & 838, THE HILLS OF LAKEWAY, PHASE THREE (AMENDED PLAT - NO FISCAL - 1 LOT - 0.598 ACRES - APPLEWOOD COURT), IN PRECINCT THREE.
  - C.** SALGADO'S ACRES (SHORTFORM - NO FISCAL - 1 LOT - 3.92 ACRES - LYNNBROOK DRIVE), IN PRECINCT THREE.
  - D.** ERA McCLISH SUBDIVISION, AN AMENDED PLAT OF LOTS 1, 2, 9, AND 10, BLOCK D, EUBANK ACRES, SECTION 1 - (AMENDED PLAT - NO FISCAL REQUIRED - 3 LOTS - 2 ACRES - TEDFORD STREET), IN PRECINCT TWO.

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**COUNTY POLICIES & PROCEDURES**

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2. REPEAL CHAPTER 32 - SUBCHAPTER 'C', INTERIM PURCHASING RULES AND PROCEDURES OF THE TRAVIS COUNTY POLICIES, PROCEDURES, AND REGULATIONS MANUAL AND ADOPT PURCHASING POLICY & PROCEDURES MANUAL. (9:14 AM)

Item 2 postponed until January 30, 1996.

3. APPROVE AMENDMENT TO THE TRAVIS COUNTY POLICIES, PROCEDURES, AND REGULATIONS MANUAL TO ADD TWO CONTRACT CLAUSES TO CHAPTER 32, SUBCHAPTER C, "TERMS AND CONDITIONS OF INVITATION FOR BIDS (IFB)". (9:14 AM)

Item 3 postponed until January 30, 1996.

**ADMINISTRATIVE ITEMS**

4. RECEIVE MONTHLY REPORT FROM THE FAMILY VIOLENCE TASK FORCE. (9:17 AM) (9:25 AM)

Item called.

Members of the Court received a report from Theresa Reel, Constable Precinct Five Office; Mike Denton, District Attorney's Office; and Carol Goldberg, Co-Chairperson of Family Violence Task Force.

Discussion only.

5. DISCUSS AND GIVE DIRECTION REGARDING INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN FOR EMERGENCY MEDICAL SERVICES. (9:32 AM)

Members of the Court heard from Joe Gieselman, Executive Director of Transportation and Natural Resources; Chris Carlson, Director of Emergency Services; Don Smith, Chief, Travis County Fire Control; Comer Tuck, President of ESD No. 5; Patrick May, T-BAR Volunteer Fire Department, Precinct Three; and Bruce Watson, Chief, T-BAR Volunteer Fire Department, Precinct Three.

Discussion only.

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- 6. APPROVE REQUEST BY AUSTIN/TRAVIS COUNTY LIVESTOCK SHOW TO BUILD, AT THEIR EXPENSE, A PEDESTRIAN BRIDGE AT THE EAST END OF THE MAIN ARENA. (9:18 AM)**

Members of the Court heard from Joe Gieselman, Executive Director of Transportation and Natural Resources and John Emmons, Manager of the Travis County Exposition Center.

Motion by Commissioner Biscoe and seconded by Commissioner Sonleitner 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

- 7. REVIEW STATUS OF HUB PARTICIPATION SUB-CONTRACT WITH BUSINESS RESOURCE CONSULTANTS UNDER FLUOR DANIEL MANAGEMENT CONTRACT ON TRAVIS COUNTY CRIMINAL JUSTICE PROJECT, AND TAKE APPROPRIATE ACTION. (11:09 AM) (2:03 PM) (2:34 PM)**

Judge Aleshire announced that Item 7 would be considered in Executive Session.

Judge Aleshire announced that Item 7 would be considered in Executive Session.

Item 7 to be reposted for January 30, 1996.

- 8. CONSIDER REQUEST FOR COMPENSATION FOR SERVICES RENDERED TO TRAVIS COUNTY PROBATE COURT BY FAMILY ELDER CARE, AND TAKE APPROPRIATE ACTION. (11:01 AM)**

Members of the Court heard from Debra Greene, President, Family Eldercare Board and Mary Etta Gerhardt, Assistant County Attorney.

Motion by Commissioner Biscoe and seconded by Commissioner Sonleitner to give staff direction, to identify a source of funding, and that a contract be brought back to the Court on a later date.

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

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- 9. DISCUSS AND/OR APPROVE CHANGE ORDER NO. ONE TO CONTRACT WITH CON REAL CONSTRUCTION FOR REMOVAL OF A UTILITY DUCT BANK. (9:16 AM)**

Item 9 added to Consent Items.

- 10. APPROVE CONTRACT AWARD FOR THE PROVISION OF PHARMACEUTICALS AND PHARMACEUTICAL SUPPLIES, TO THE LOW, QUALIFIED BIDDER, FOX MEYER DRUG CO., IFB# B960019-OJ. (9:16 AM)**

Item 10 added to Consent Items.

- 11. APPROVE PROPOSAL FOR COPIER PAPER DELIVERY. (9:16 AM)**

Item 11 added to Consent Items.

- 12. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:16 AM)**

Item 12 added to Consent Items.

- 13. RECEIVE BRIEFING FROM COUNTY ATTORNEY CONCERNING TRAVIS COUNTY, TEXAS VS. HARRY PETERSON, AND TAKE APPROPRIATE ACTION; CIP PROJECT NO., 4-003, PARCEL 09 (HARRY PETERSON; GIESELMAN; CONDEMNATION CASE). (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T. CODE ANN. SECTION 551.071 AND 551.072). (11:09 AM) (2:03 PM) (2:33 PM)**

Judge Aleshire announced that Item 13 would be considered in Executive Session.

Judge Aleshire announced that Item 13 would be considered in Executive Session.

No action taken.

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- 14.** RECEIVE BRIEFING FORM COUNTY ATTORNEY CONCERNING ELGIN BANK OF TEXAS VS. TRAVIS COUNTY, TEXAS; PROVIDE DIRECTION AND/OR TAKE APPROPRIATE ACTION. (GIESELMAN - DECLARATORY JUDGMENT CASE RE: A SUBDIVISION) (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T. CODE ANN. SECTION 551.071). (11:09 AM) (2:03 PM) (2:33 PM)

Judge Aleshire announced that Item 14 would be considered in Executive Session.

Judge Aleshire announced that Item 14 would be considered in Executive Session.

No action taken.

- 15.** AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER IN STATE OF TEXAS VS. JAMES B. BEARD AND WIFE, CIP NO. 2-012-B, PARCEL 11. (GIESELMAN) (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T. CODE ANN. SECTION 551.071). (11:09 AM) (2:03 PM) (2:33 PM)

Judge Aleshire announced that Item 15 would be considered in Executive Session.

Judge Aleshire announced that Item 15 would be considered in Executive Session.

Item 15 pulled from the Agenda.

- 16.** APPRISE COMMISSIONERS' COURT OF STATUS OF LITIGATION AND TAKE APPROPRIATE ACTION; ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER IN STATE OF TEXAS VS. BEARD FAMILY PARTNERSHIP, CIP NO. 2-012, PARCEL 12. (GIESELMAN) (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T. CODE ANN. SECTION 551.071). (11:09 AM) (2:03 PM) (2:33 PM)

Judge Aleshire announced that Item 16 would be considered in Executive Session.

Judge Aleshire announced that Item 16 would be considered in Executive Session.

No action taken.

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- 17.** 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 KUYKENDALL SEWARD), AND/OR INITIATE CONDEMNATION. (GIESELMAN; CONDEMNATION CASE). (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T. CODE ANN. SECTION 551.071).  
(11:09 AM) (2:03 PM) (2:33 PM)

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

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

Item 17 pulled from the Agenda.

- 18.** 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).  
(11:09 AM) (2:03 PM) (2:33 PM)

Judge Aleshire announced that Item 18 would be considered in Executive Session.

Judge Aleshire announced that Item 18 would be considered in Executive Session.

Item 18 pulled from the Agenda.



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- 19.** AUTHORIZE COUNTY ATTORNEY TO MAKE, ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER IN TRAVIS COUNTY, TEXAS VS. JAMES A. HOPKINS, ET AL., CAUSE NUMBER 2004 (GIESELMAN; CONDEMNATION CASE). (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T. CODE ANN. SECTION 551.071). (11:09 AM) (2:03 PM) (2:33 PM)

Judge Aleshire announced that Item 19 would be considered in Executive Session.

Judge Aleshire announced that Item 19 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 19 and 21.

Motion by Judge Aleshire and seconded by Commissioner Gómez:

- 19.** to reject and counter the settlement offer in the amount of \$39,000.00 and reject their requested stipulation; and  
**21.** to reject and counter offer in the amount of \$5,000.00, as agreed to by Sheriff Keel.

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

- 20.** AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, AND/OR COUNTER SETTLEMENT OFFER IN DONALD G. EWING VS. THE TRAVIS COUNTY CORRECTIONAL COMPLEX, ET AL., (DONALD GARY EWING; KEEL; LOSS/DESTRUCTION OF PERSONAL PROPERTY). (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T. CODE ANN. SECTION 551.071). (11:09 AM) (2:03 PM) (2:33 PM)

Judge Aleshire announced that Item 20 would be considered in Executive Session.

Judge Aleshire announced that Item 20 would be considered in Executive Session.

Item 20 postponed until January 30, 1996.

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- 21.** 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).  
(11:09 AM) (2:03 PM) (2:33 PM)

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

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

Members of the Court agreed to consider one Motion for Items 19 and 21. Refer to Item 19 for a summary of the Court's action on this Item.

**R E C E S S**

Motion by Commissioner Biscoe and seconded by Commissioner Gómez to recess the Voting Session until 1:30 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

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**A D J O U R N M E N T**

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Motion by Commissioner Sonleitner and seconded by Commissioner Biscoe to adjourn the Voting Session. (2:34 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**