## **MINUTES OF MEETING--MARCH 12, 1996**

### TRAVIS COUNTY COMMISSIONERS' COURT

On the 12th day of March 1996, the Travis County Commissioners' Court convened the Voting Session at 9:17 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 recessed the Voting Session at 12:20 PM pending conclusion of the road district meeting and reconvened the Voting Session at 12:21 PM.

The Commissioners' Court retired to Executive Session at 12:22 PM and reconvened the Voting Session at 1:01 PM.

The Commissioners' Court adjourned the Voting Session at 1:07 PM.

### RESOLUTIONS & HEARINGS

1. APPROVE PROCLAMATION KICKING OFF THE AUSTIN-TRAVIS COUNTY LIVESTOCK SHOW, YOUTH FAIR AND RODEO. (9:20 AM)

Members of the Court heard from Betty Robertson, Agricultural Extension Service; Brad Pierce, Agricultural Extension Service; and Jim Smith, Agricultural Extension Service.

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

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. APPROVE RESOLUTION RECOGNIZING RYAN SMITH, EXHIBITOR OF THE GRAND CHAMPION HOG AT THE HOUSTON LIVESTOCK SHOW AND PFLUGERVILLE RESIDENT. (9:23 AM)

Members of the Court heard from Ryan Smith, Brad Pierce, Agricultural Extension Service; Linda Smith, Cassidy Smith, and Bertha Smith.

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

**3.** APPROVE EXTENSION OF BURNING BAN IN TRAVIS COUNTY. (9:27 AM)

Members of the Court heard from Pete Baldwin, Emergency Management Coordinator.

Motion by Commissioner Gómez and seconded by Commissioner Sonleitner to approve extension of the ban for an additional seven days.

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

## CITIZENS COMMUNICATION

Members of the Court heard from Jimmy Castro, member of Greater Austin Chamber of Commerce. (9:28 AM)

### 4. CONSENTITEMS

Motion by Commissioner Biscoe and seconded by Commissioner Gómez to approve the following Consent Items: 13 and Items C.1 - C.18; excluding Consent Item 5 and Consent Item 11. (9:31 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 AND JUVENILE DETENTION FACILITIES.
- C.3 APPROVE COMMISSIONERS' COURT MINUTES FOR THE FOLLOWING MEETING DATES: FEBRUARY 27, 1996, AND FEBRUARY 29, 1996.
- C.4 APPOINT MAGGIE GABLE TO THE BOARD OF COMMISSIONERS OF TCESD #3 (OAK HILL) FOR THE UNEXPIRED TERM OF OFFICE TO END 12/31/96.
- C.5 APPROVE APPOINTMENT OF ROBERT C. BEALS TO THE TRAVIS COUNTY CHILDREN'S PROTECTIVE SERVICES BOARD EFFECTIVE IMMEDIATELY. (9:18 AM)

Consent Item 5 pulled from the Agenda.

- **C.6** APPROVE BUDGET AMENDMENTS AND BUDGET TRANSFERS.
- C.7 APPROVE REIMBURSEMENT OF TRAVEL EXPENSES FOR SHERIFF'S OFFICE EMPLOYEE PREVIOUSLY ENCUMBERED, BUT NOT FILED WITHIN 30 DAYS.
- C.8 APPROVE LICENSE AGREEMENT WITH WELLS BRANCH MUNICIPAL UTILITY DISTRICT FOR CONSTRUCTION AND MAINTENANCE OF HIKE AND BIKE TRAIL AND RELATED IMPROVEMENTS IN UNUSED PORTION OF BRATTON LANE RIGHT-OF-WAY.
- **C.9** APPROVE EXEMPTION ORDER FOR THE PROVISION OF PROFESSIONAL GEOTECHNICAL ENGINEERING SERVICES FOR TNR.

### **CONSENT ITEMS** CONTINUED:

- **C.10** APPROVE EXEMPTION ORDER FOR FORENSIC PSYCHIATRIC SERVICES FOR THE DISTRICT ATTORNEY'S OFFICE.
- C.11 APPROVE CONTRACT AWARD FOR THE PROVISION OF RESIDENTIAL TREATMENT SERVICES FOR JUVENILE COURT TO THERAPEUTIC FAMILY LIFE. (9:18 AM)

Item C.11 pulled from the Agenda.

- C.12 APPROVE CONTRACT AWARD FOR THE PROVISION OF CABLING INSTALLATION SERVICES AND MATERIALS, TO THE LOW, QUALIFIED BIDDER, COMPLETE COMMUNICATION SERVICES, INC., IN THE ESTIMATED AMOUNT OF \$112,200.00.
- C.13 APPROVE CONTRACT MODIFICATION NO. 2 TO CONTRACT NO. PS960094LH, THE OAKS PSYCHIATRIC HOSPITAL, INC., RESIDENTIAL TREATMENT SERVICES; CONTRACT APPROVED BY COMMISSIONERS' COURT ON 9/27/94. MODIFICATION ALLOWS FOR INCLUDING SERVICES AT LEVEL OF CARE 5.
- C.14 APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT PS960016FH, YOUTH ADVOCATE PROGRAMS, MENTOR PROGRAM. CONTRACT APPROVED BY COMMISSIONERS' COURT ON 10/31/95. MODIFICATION ALLOWS FOR MENTORING SERVICES TO BE PROVIDED TO CRCG CLIENTS.
- C.15 APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 95TO147-OJ, TEXAS STATE DISTRIBUTORS, BODY ARMOR. CONTRACT WAS APPROVED BY COMMISSIONERS' COURT ON 5/23/95. MODIFICATION ALLOWS FOR A TWELVE (12) MONTH EXTENSION.
- C.16 APPROVE CONTRACT MODIFICATION NO. 2 TO CONTRACT NO. 96TO001-JJ, ARMORED TRANSPORT, TEXAS, INC., ARMORED CAR SERVICE. CONTRACT WAS APPROVED ON 9/26/95. MODIFICATION CHANGES THE PICKUP TIME ON ITEM 12,M LOCATION L, FOR P.A.C.S. AT 1609 SHOAL CREEK FROM A.M. ONCE EACH DAY TO P.M. ONCE EACH DAY.

### **CONSENT ITEMS** CONTINUED:

- **C.17** APPROVE THE FOLLOWING PLATS FOR RECORDING:
- **A.** STEINER RANCH, PHASE 1, SECTION 4-A (LONGFORM FISCAL POSTED WITH TRAVIS COUNTY 52 LOTS 25.58 ACRES STEINER RANCH BLVD).
- C.18 APPROVE A PUBLIC HEARING DATE OF MARCH 26, 1996, TO APPROVE A TEMPORARY ROAD CLOSURE OF PATTERSON ROAD FOR THE PURPOSE OF PROVIDING SAFETY FOR A FUN RUN ON MARCH 30, 1996, IN PRECINCT THREE.

### ADMINISTRATIVE ITEMS

5. CONSIDER AND TAKE ACTION ON PROPOSAL TO ADMINISTRATIVELY PLACE THE PRE-TRAIL SERVICES AND SUBSTANCE ABUSE COUNSELING AND ASSESSMENT (SACA) DEPARTMENTS UNDER THE CRIMINAL COURTS INSTEAD OF REPORTING TO THE COMMISSIONERS' COURT. (9:32 AM)

Members of the Court heard from District Judge Wilford Flowers; District Judge Mike Lynch; Jim Rust, Pretrial Services; Christian Smith, Executive Director of Planning and Budget; and District Judge David Crane.

Motion by Judge Aleshire and seconded by Commissioner Sonleitner to request that Christian Smith pursue formation of a committee, including Commissioners Biscoe and Sonleitner; that all members of the Court who may have questions or concerns address them with the committee as soon as possible; that the committee be empowered to decide when it is ready to report back to the Commissioners' Court; and to request that Dinah Dinwiddie provide a plan, as of April 1, 1996, for the management of Pretrial Services.

| 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 |     |

**6.** APPROVE LEASE WITH CPC HOSPITAL FOR SPACE FOR JUVENILES. (9:18 AM)

Item 6 postponed until March 19, 1996.

# 7. APPROVE FY95 PARKS OPERATION AND MANAGEMENT REPORT AND POLICY, PROCEDURE AND FEE CHANGES. (10:40 AM)

Members of the Court heard from Charles Burg, Transportation and Natural Resources; Bob Barstow, Windy Point Park; and Carol Joseph, Transportation and Natural Resources.

Motion by Commissioner Bristol and seconded by Commissioner Sonleitner to change Dink Pearson Park hours to day-use only; to adopt the seasonal schedule for Bob Wentz Park, Richard Moya Park, and Webberville Park, as indicated by the proposal; that Tom Hughes Park's schedule be revised to show that it be closed December 1 through January 31; to close Richard Moya and Del Valle softball fields to public use (excluding little league use) on Fridays--reflecting that all games must end by 11 AM or pay an additional \$25.00 per half hour playtime with no time limit notice on this at this time; to begin accepting checks for a minimum of \$20.00; that proposals be prepared for solicitation of grant funding by sponsors and other areas as discussed; that the County evaluate the amount of staff effort required to establish these alternate funding sources; that the County permit County firewood concessions at \$5.00 per bundle; that the County extend the claim time for the paying shelter customers from 10 AM to 2 PM; to the extend the closure of the restored area of Pace Bend Park until May 1, 1997; that the County authorizes the closure of the small parking area on the Point at Bob Wentz Park and that this be converted to sand volleyball courts; and that the County implement a permanent voucher system in lieu of refunds.

Motion carried: Commissioner 1, Samuel Biscoe - absent Commissioner 2, Karen Sonleitner - yes

Commissioner 3, Valarie Bristol - yes Commissioner 4, Margaret Gómez - yes

County Judge, Bill Aleshire - yes

# **8.** APPROVE A PROPOSED STREET NAME CHANGE FROM A PORTION OF DESSAU ROAD TO HOWARD LANE IN PRECINCT TWO. (11:36 AM)

Members of the Court heard from Carol Joseph, Transportation and Natural Resources.

Motion by Commissioner Sonleitner and seconded by Commissioner Gómez to approve the proposed street name change from a portion of Dessau Road to Howard Lane in Precinct Two.

Motion carried: Commissioner 1, Samuel Biscoe - absent

Commissioner 2, Karen Sonleitner - yes
Commissioner 3, Valarie Bristol - absent
Commissioner 4, Margaret Gómez - yes

County Judge, Bill Aleshire - yes

# 9. APPROVE APPOINTMENT TO FILL VACANCY TO THE TRAVIS COUNTY SHERIFF'S CIVIL SERVICE COMMISSION. (10:38 AM)

Motion by Commissioner Biscoe and seconded by Commissioner Gómez to nominate Velva Price to fill the vacancy.

Motion carried: Commissioner 1, Samuel Biscoe - yes

Commissioner 2, Karen Sonleitner - opposed Commissioner 3, Valarie Bristol - opposed Commissioner 4, Margaret Gómez - yes

County Judge, Bill Aleshire - yes

Commissioner Sonleitner and seconded by Commissioner Bristol nominated Dr. Exalton Delco to fill the vacancy.

No vote taken.

## **10.** APPROVE PERSONNEL AMENDMENTS. (11:39 AM)

Members of the Court heard from Dr. Mattye Mauldin-Taylor, Director of Human Resources Management and Willie Ramirez, Human Resources Management.

Motion by Commissioner Bristol and seconded by Commissioner Sonleitner to approve staff recommendations on all personnel amendments, as outlined in the documentation presented to the Court.

Maker and second accept the Friendly Amendment by Judge Aleshire that an extension for the temporary employees be granted that not exceed 60 days (through the end of May) without further review of the Policy.

Judge Aleshire requested that the Vote be divided as follows:

For the Motion as stated above, excluding the hire above entry for the Sheriff's Department:

Motion carried: Commissioner 1, Samuel Biscoe - absent

Commissioner 2, Karen Sonleitner - yes Commissioner 3, Valarie Bristol - yes Commissioner 4, Margaret Gómez - yes

County Judge, Bill Aleshire - yes

For the hire above entry in the Sheriff's Department (Admin Tech.):

Motion carried: Commissioner 1, Samuel Biscoe - absent

Commissioner 2, Karen Sonleitner - yes
Commissioner 3, Valarie Bristol - yes
Commissioner 4, Margaret Gómez - yes
County Judge, Bill Aleshire - opposed

- 11. REVIEW AND APPROVE THE FOLLOWING LIABILITY CLAIM RECOMMENDATIONS: (11:49 AM)
- A. T.C.S.O. TNR FLEET SERVICES
- **B.** WILLIAM SMITH UNION STANDARD INSURANCE CO.
- C. RONDALL SKINNER USAA
- **D.** OSSIE TORRES CHARTER GENERAL AGENCY

Members of the Court heard from Dan Mansour, Risk Manager.

Motion by Commissioner Sonleitner and seconded by Commissioner Bristol to approve the liability claim staff recommendations.

Motion carried: Commissioner 1, Samuel Biscoe - absent

Commissioner 2, Karen Sonleitner - yes Commissioner 3, Valarie Bristol - yes Commissioner 4, Margaret Gómez - yes

County Judge, Bill Aleshire - yes

12. DISCUSS AND APPROVE THE CONSULTING ON HUMAN RESOURCES FUNCTIONS FOR THE TRAVIS COUNTY HUMAN RESOURCES MANAGEMENT DEPARTMENT RFP #R960037-OJ. (9:18 AM)

Item 12 postponed until March 19, 1995.

**13.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:31 AM)

Item 13 added to Consent Items.

14. RECEIVE ADVICE FROM COUNTY ATTORNEY ON REQUEST FROM CELIS BREWERY FOR TAX ABATEMENT ON NEW CONSTRUCTION, AND TAKE APPROPRIATE ACTION. (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.071). (12:21 PM) (1:02 PM)

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

Members of the Court agreed to consider one Motion for Items 14, 15, 17, and 21.

Motion by Judge Aleshire and seconded by Commissioner Gómez:

- 14. that the Court request that the County Attorney respond to the inquiry of the Celis Brewery indicating to them that the County does not agree that the tax abatement contract would allow them additional tax abatement for the new phase of construction; and to advise them that the contract could be amended, but that the contract cannot stand as a tax abatement in its current form;
- 15. that the Court instructs staff to accept the 135 certificate for the Star Flight helicopter on the basis that it would not affect our ability to obtain a decision on the County's exemption request; that the County recognizes that it may mean that the County may not be able to charge patients, pursuant to the 135 certificate, for the helicopter's use during time, under certain circumstances, when there are minor deficiencies with the helicopter, yet the helicopter is still flight worthy and will be in use; and that the County request Senator Hutchinson, Congressman Doggett; as well as, the members of the Congress from other districts served by Star Flight, to pursue a technical amendment to the law which states that Star Flight's operation is not included in the definition of commercial operation;
- 17. to authorize the County Attorney to initiate condemnation on Parcel 19 on RM 2244 construction project; and
- 21. that the County reject the settlement offer from Mr. Ferguson and offer a counter offer in the amount of \$60,000.00.

Motion carried:

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

15. RECEIVE BRIEFING FROM COUNTY ATTORNEY ON DEVELOPMENTS RELATED TO COMMUNICATIONS WITH THE FEDERAL AVIATION ADMINISTRATION AND AUTHORIZE APPROPRIATE ACTION. (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.071). (12:21 PM) (1:02 PM)

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

Members of the Court agreed to consider one Motion for Items 14, 15, 17, and 21. Refer to Item 14 for a summary of the Court's action on this Item.

16. AUTHORIZE COUNTY ATTORNEY TO POST AND/OR APPEAL THE AWARD OF SPECIAL COMMISSIONERS REGARDING CIP PROJECT NO. 3-U017, RM 2244, PARCEL #2 (OWNER - JAMES R. HOLCOMB, III, AND LACY LYNNE HOLCOMB). (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.071). (9:18 AM)

Item 16 pulled from the Agenda.

17. AUTHORIZE COUNTY ATTORNEY TO INITIATE CONDEMNATION REGARDING CIP PROJECT NO. 3-U017, RM 2244, PARCEL #19 (OWNER - AUSTIN ENGINEERING) (GIESELMAN: CONDEMNATION CASE). (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.071). (12:21 PM) (1:02 PM)

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

Members of the Court agreed to consider one Motion for Items 14, 15, 17, and 21. Refer to Item 14 for a summary of the Court's action on this Item.

18. AUTHORIZE COUNTY ATTORNEY TO HIRE CONSULTING EXPERT IN TRAVIS COUNTY, TEXAS, V. JESUS TURRULLOLS, CAUSE NO. 2087, AND TAKE APPROPRIATE ACTION, CIP PROJECT NO. 4-003, PARCEL 07 (JESUS TURRULLOLS; CONDEMNATION CASE). (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.071). (12:21 PM) (1:02 PM)

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

Item 18 postponed until March 19, 1996.

19. CONSIDER EMPLOYMENT OF OUTSIDE COUNSEL FOR TRAVIS COUNTY CONCERNING KOBUS VS. TRAVIS COUNTY, ET. AL (KEEL - FALSE ARREST ACTION). (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.071). (12:21 PM) (1:02 PM)

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

Item 19 postponed until March 19, 1996.

20. AUTHORIZE COUNTY ATTORNEY TO MAKE, ACCEPT, OR REJECT SETTLEMENT OFFER CONCERNING ANNETTE KOBUS VS. TRAVIS COUNTY, ET AL. (KEEL - FALSE ARREST ACTION). (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.071). (12:21 PM) (1:02 PM)

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

Item 20 postponed until March 19, 1996.

AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER 21. SETTLEMENT OFFER CONCERNING ROBERT FERGUSON V. TRAVIS COUNTY AND DANA DEBEAUVOIR (FERGUSON: DEBEAUVOIR: WRONGFUL TERMINATION). (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.071). (12:21 PM) (1:02 PM)

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

Members of the Court agreed to consider one Motion for Items 14, 15, 17, and 21. Refer to Item 14 for a summary of the Court's action on this Item.

### ADDENDA ITEM 1.

APPROVE TEMPORARY ARCHITECT FOR FACILITIES MANAGEMENT WITH NO IMPACT ON THE BUDGET. (11:50 AM)

Members of the Court heard from Alicia Perez, Executive Manager of Administrative Operations and Christian Smith, Executive Director of Planning and Budget.

Motion by Commissioner Sonleitner and seconded by Commissioner Gómez to approve.

Motion carried: Commissioner 1, Samuel Biscoe absent Commissioner 2, Karen Sonleitner yes

Commissioner 3, Valarie Bristol yes Commissioner 4, Margaret Gómez yes

County Judge, Bill Aleshire yes

### ADDENDA ITEM 2.

APPROVE CONTRACT AWARD TO CROSLIN AND ASSOCIATES, INC., FOR THE PROVISION OF NEEDS ASSESSMENT AND A/E SERVICES FOR JUVENILE COURT. (12:00 PM)

Members of the Court heard from Cyd Grimes, Purchasing Agent; Belinda Poppa, Facilities Management; Gordon Bowman, Assistant County Attorney; Dinah Dinwiddie, Executive Coordinator of Justice and Public Safety; and Dobbs Rogers, Juvenile Court.

[Clerk's Note: the following Motion is recorded as it occured. There was a Motion made and a Vote taken; however, there was no second made to the Motion.]

Motion by Commissioner Sonleitner and seconded by (no second noted) to approve the contract and the budget amendment from juvenile board's budget to the facilities' budget line item.

Motion carried: Commissioner 1, Samuel Biscoe - absent

Commissioner 2, Karen Sonleitner - yes Commissioner 3, Valarie Bristol - yes Commissioner 4, Margaret Gómez - yes

County Judge, Bill Aleshire - yes

### RECESS

Motion by Commissioner Sonleitner and seconded by Commissioner Bristol to recess the Voting Session pending conclusion of the road district meeting. (12:20 PM)

Motion carried: Commissioner 1, Samuel Biscoe - absent

Commissioner 2, Karen Sonleitner - yes Commissioner 3, Valarie Bristol - yes Commissioner 4, Margaret Gómez - yes

County Judge, Bill Aleshire - yes

### ADJOURNMENT

Motion by Commissioner Sonleitner and seconded by Commissioner Bristol to adjourn the Voting Session. (1:07 PM)

Motion carried: Commissioner 1, Samuel Biscoe - absent

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**