

MINUTES OF MEETING--APRIL 16, 1995

TRAVIS COUNTY COMMISSIONERS' COURT

On the 16th day of April 1996, the Travis County Commissioners' Court convened the Voting Session at 9:11 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 Julianne Rompel.

The Commissioners' Court recessed the Voting Session at 12:06 PM and reconvened the Voting Session at 1:45 PM.

The Commissioners' Court retired to Executive Session at 1:49 PM and reconvened at 2:08 PM.

The Commissioners' Court adjourned the Voting Session at 2:10 PM.

RESOLUTIONS & HEARINGS

1. PRESENT QUARTERLY RECYCLING ACHIEVEMENT AWARDS TO COUNTY EMPLOYEES AND DEPARTMENTS. (9:13 AM)

Members of the Court heard from Charles Williams, Travis County Recycling Coordinator. Recycling achievement awards were presented to Dominic Pospisil, Facilities Management, Post Road Custodian; Martha Klement, Guardian Ad Litem, Domestic Relations Division; Keith Rawlings, Maintenance Technician from TNR Parks Program; and Jason Collins, TNR Roads Maintenance Division. Jose Villereal and Rosie Cardenas accepted a recycling achievement award for the Community Supervision and Corrections Division.

2. APPROVE PROCLAMATION DECLARING THE WEEK FROM APRIL 21 TO 27, 1996, AS "NATIONAL CRIME VICTIMS" RIGHTS WEEK. (9:11 AM)

Item 2 postponed until April 23, 1996.

CITIZENS COMMUNICATION

Members of the Court heard from Bob Barstow, Windy Point Park. (9:22 AM)

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

3.

Motion by Commissioner Gómez and seconded by Commissioner Sonleinter to approve the following Consent Items: 7 (with the clarification that this Item is to appoint Alvin Shaw, TCSO, and Joe Gieselman, Executive Direction of Transportation and Natural Resources), 10, 18, and Items C.1 - C.11; excluding Consent Item 8, Consent Item 9, and Consent Item 10. (9:44 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 APPOINT NELDA OJEDA SAVOY TO SERVE AS THE PRECINCT FOUR APPOINTEE OF THE CAPITAL AREA AGENCY ON AGING FOR A ONE-YEAR TERM.
- C.4
 - A. APPROVE MODIFICATION TO LEASE WITH DR. WILL WHITE FOR SPACE FOR THE MEDICAL EXAMINER'S OFFICE.
 - B. APPROVE MORGUE SUB-LEASE WITH THE DAUGHTERS OF CHARITY HEALTH SERVICES OF AUSTIN.
 - C. APPROVE AMENDMENT TO JOINT USE AGREEMENT WITH THE CITY OF AUSTIN FOR USE OF SABINE STREET FOR THE MEDICAL EXAMINER FACILITY.
- C.5 APPROVE STATE CATALOG PURCHASE OF TOKEN RING ADAPTERS FOR HUMAN SERVICES DEPARTMENT FROM AUSTIN RIBBON AND COMPUTER SUPPLY IN THE AMOUNT OF \$15,460.00.
- C.6 APPROVE STATE TERM CONTRACT PURCHASE OF RECYCLED COPIER PAPER FOR RECORDS MANAGEMENT AND COMMUNICATION RESOURCES IN THE AMOUNT OF \$19,339.20.
- C.7 APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. PS960253LH, CLINICAL PATHOLOGY LABORATORIES, FOR REFERENCE LABORATORY AND CONSULTANT/TESTING SERVICES; CONTRACT WAS APPROVED ON 12/12/95; MODIFICATION ALLOWS FOR A TWELVE (12) MONTH EXTENSION.

CONSENT ITEMS CONTINUED:

- C.8** APPROVE ACCEPTANCE OF DEDICATION OF STREETS AND DRAINAGE FACILITIES IN STEINER RANCH, PHASE 1, SECTION 1, IN PRECINCT TWO. (9:44 AM)

Consent Item 8 postponed until April 23, 1996.

- C.9** APPROVE ACCEPTANCE OF DEDICATION OF STREETS AND DRAINAGE FACILITIES IN STEINER RANCH, PHASE 1, SECTION 1A, IN PRECINCT TWO. (9:44 AM)

Consent Item 9 postponed until April 23, 1996.

- C.10** APPROVE ACCEPTANCE OF DEDICATION OF STREETS AND DRAINAGE, FACILITIES IN STEINER RANCH, PHASE 1, SECTION 2, IN PRECINCT TWO. (9:44 AM)

Consent Item 10 postponed until April 23, 1996.

- C.11** APPROVE THE FOLLOWING PLATS FOR RECORDING:

- A.** THIEM RANCH SUBDIVISION - (SHORTFORM - NO FISCAL - 3 LOTS - 98.726 ACRES - ABRAHAMSON ROAD), IN PRECINCT ONE.
- B.** CHILDREN'S COURTYARD - (SHORTFORM - NO FISCAL REQUIRED - 2 LOTS - 5 ACRES - HARRIS BRANCH PARKWAY), IN PRECINCT ONE.
- C.** THE TUMBLEWEED SUBDIVISION - (SHORTFORM - NO FISCAL - 1 LOT - 9.748 ACRES - FM 2222), IN PRECINCT TWO.
- D.** RESUBDIVISION OF LOTS 1 - 7, THREE POINTS COMMON - (SHORTFORM - NO FISCAL - 7 LOTS - 21.23 ACRES - I.H. 35 AND FM 1825), IN PRECINCT TWO.
- E.** GLOWKA ACRES SUBDIVISION - (SHORTFORM - NO FISCAL REQUIRED - 1 LOT - 6.632 ACRES - BLISS SPILLAR ROAD), IN PRECINCT THREE.

COUNTY POLICIES AND PROCEDURES

4. DISCUSS AND APPROVE CHANGES TO CHAPTER 10 OF THE TRAVIS COUNTY POLICIES AND PROCEDURES MANUAL TO REFLECT NEW CATEGORY OF COUNTY POSITIONS WHICH ARE REGULAR, BUT WORK LESS THAN 900 HOURS PER YEAR. THESE EMPLOYEES ARE NOT ELIGIBLE TO RECEIVE BENEFITS NOR PARTICIPATE IN THE RETIREMENT SYSTEM. (9:52 AM)

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

Commissioner Sonleitner requested a reflection in the record that the emphasis of this policy is on employees working less than 900 hours per year rather than those working less than 18 hours per week.

Motion by Commissioner Gómez and seconded by Commissioner Biscoe to approve the proposed policy, as revised.

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

5. RECEIVE PRESENTATION OF THE REPORT PREPARED BY FLUOR DANIEL TEAM ON "PRELIMINARY MASTER PLAN RECOMMENDATIONS FOR THE TRAVIS COUNTY CORRECTIONAL SYSTEM", FOR DISCUSSION, APPROVAL, AND TO GIVE STAFF DIRECTION. (9:11 AM) (10:02 AM)

Judge Aleshire announced that Item 5 would be discussion only.

Members of the Court heard from Belinda Poppa, Facilities Management; Kevin Bailey, Facilities Manager; and Alicia Perez, Executive Manager of Administrative Operations.

Discussion only. Item 5 to be reposted for April 23, 1996.

6. DISCUSS, APPROVE, AND/OR GIVE STAFF DIRECTION ON THE BIDDING OPTIONS PRESENTED BY FLUOR DANIEL FOR THE TRAVIS COUNTY PARKING GARAGE PROJECT. (10:15 AM)

Members of the Court heard from Marvin Brice, Purchasing; Alicia Perez, Executive Manager of Administrative Operations; John Hille, Assistant County Attorney; Kevin Bailey, Facilities Manager; Mike Barrow, Fluor Daniels; Maria Rodriguez-Barr, Barr Construction; and Donna Carter, Carter Design Associates.

Motion by Commissioner Gómez and seconded by Commissioner Sonleitner to approve Option Three in the documentation presented to the Court today which will award packages BP-02 (Elevator), BP-04 (Concrete Cleaning), BP-05 (Electrical), BP-08 (metals--with the option 3 scope change), BP-09 (Finishes), and BP-10 (General Cleaning), if at all possible, based on recommendations by the County Attorney.

Commissioner Biscoe requested a division of the Vote as follows:

For everything except the metals package (BP-08):

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

To accept the metals package (BP-08--with the option 3 scope change), requesting that staff explore the possibility of awarding this contract or rebidding this project next week:

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. APPROVE RESOLUTION SUPPORTING THE DEVELOPMENT OF A UNIFIED PUBLIC SAFETY COMMUNICATION SYSTEM AND A COMBINED REGIONAL COMMUNICATIONS CENTER AND MAKE APPOINTMENTS TO THE 911-RDMT EXECUTIVE BOARD. (9:12 AM)

Members of the Court heard from Joe Gieselman, Executive Director of Transportation and Natural Resources.

Item 7 added to Consent Items with the clarification that this Item is to appoint Alvin Shaw, TCSO, and Joe Gieselman, Executive Direction of Transportation and Natural Resources.

**8. APPROVE BY-LAWS FOR TRAVIS COUNTY HISTORICAL COMMISSION.
(9:44 AM)**

Members of the Court heard from Jane Mannaster, Historical Commission.

Motion by Commissioner Bristol and seconded by Commissioner Gómez to approve the by-laws as recently submitted.

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

**9. APPROVE BUDGET AMENDMENTS AND BUDGET TRANSFERS.
(11:45 AM)**

Members of the Court heard from Leroy Nellis, Planning and Budget; Dobbs Rogers, Assistant Chief Juvenile Court; Estella Medina, Chief Deputy Juvenile Probation; and Joy Stallings, Planning and Budget.

Motion by Commissioner Biscoe and seconded by Commissioner Bristol 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

**A. APPROVE 1996 PREVAILING HOURLY RATES FOR ADDITIONAL
SERVICES AS PROVIDED IN PROFESSIONAL SERVICES AGREEMENT
WITH VINSON AND ELKINS, L.L.P. (11:54 AM)**

Members of the Court heard from Assistant County Attorney David Escamilla.

Motion by Commissioner Biscoe and seconded by Commissioner Bristol to approve the new prevailing rates for additional services with Vinson and Elkins.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	absent
	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 Bristol to recess the Voting Session until 1:30 PM. (12:06 PM)

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

10. APPROVE PERSONNEL AMENDMENTS. (9:12 AM)

Item 10 added to Consent Items.

11. REVIEW AND APPROVE THE FOLLOWING PROPERTY AND LIABILITY CLAIM RECOMMENDATIONS:

A. T.C.S.O. (11:26 AM)
TNR FLEET SERVICES

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

Members of the Court agreed to consider one Motion for Items 11 (A), 11 (B), and 11 (C).

Motion by Commissioner Sonleitner and seconded by Commissioner Biscoe to approve staff recommendations for Items 11 (A), 11 (B), and 11 (C).

B. FACILITIES MANAGEMENT

Members of the Court agreed to consider one Motion for Items 11 (A), 11 (B), and 11 (C). Refer to Item 11 (A) for a summary of the Court's action on this Item.

C. TNR
STATE FARM INSURANCE COMPANY

Members of the Court agreed to consider one Motion for Items 11 (A), 11 (B), and 11 (C). Refer to Item 11 (A) for a summary of the Court's action on this Item.

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

ITEM 11 CONTINUED:

D. DONNA DETMER (11:20 AM) (1:49 PM) (2:08 PM)
DENY

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

Commissioner Biscoe, presiding, announced that Item 11 (D) would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 11 (D), 11 (E), 19, 20, 21, and 22.

Motion by Commissioner Biscoe and seconded by Commissioner Sonleitner:

- 11(D). to repost this Item for April 23, 1996;
- 11(E). to, based on the County Attorney's opinion, reject the claim of David Pool;
- 19. to authorize the County Attorney to initiate appropriate legal action against Bekins;
- 20. to postpone this Item until April 23, 1996;
- 21. to postpone this Item until April 23, 1996;
- 22. to postpone this Item until April 23, 1996;
- 23. to take no action on this Item.

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

E. DAVID POOL (11:08 AM) (1:49 PM) (2:08 PM)
DENY

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

Commissioner Biscoe, presiding, announced that Item 11 (E) would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 11 (D), 11 (E), 19, 20, 21, and 22. Refer to Item 11 (D) for a summary of the Court's action on this Item.

- 12. APPROVE CONTRACT AWARD FOR THE PROVISION OF MODULAR SYSTEMS FURNITURE, TO THE LOW, QUALIFIED BIDDER, KNOLL FURNITURE, IFB#B9660030-OJ. (11:08 AM)**

Members of the Court agreed to consider one Motion for Items 12, 13, 14, 15, and 17.

Motion by Judge Aleshire and seconded by Commissioner Sonleitner to accept the Purchasing Department's recommendations on Items 12, 13, 14, 15, and 17.

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 CASE FILE FOLDERS, IFB B960066-RG TO THE NEXT LOW QUALIFIED BIDDER, INTERSTATE FILING IN THE ESTIMATED AMOUNT OF \$16,733.70. (11:08 AM)**

Members of the Court agreed to consider one Motion for Items 12, 13, 14, 15, and 17. Refer to Item 12 for a summary of the Court's action on this Item.

- 14. APPROVE CONTRACT AWARDS TO SOUTHWEST SURGICAL SYSTEMS, INC., AND VALDEZ SUPPLY COMPANY FOR MEDICAL AND SURGICAL SUPPLIES, IFB #960034-JP. (11:08 AM)**

Members of the Court agreed to consider one Motion for Items 12, 13, 14, 15, and 17. Refer to Item 12 for a summary of the Court's action on this Item.

- 15. APPROVE CONTRACT AWARD FOR THE PROVISION OF PHOTOGRAPH NEGATIVE PRINTER, IFB B960023-RH TO THE LOW QUALIFIED BIDDER, RAYCO PHOTO EQUIPMENT SERVICES, HOUSTON, TEXAS IN THE AMOUNT OF \$21,030.00. (11:08 AM)**

Members of the Court agreed to consider one Motion for Items 12, 13, 14, 15, and 17. Refer to Item 12 for a summary of the Court's action on this Item.

16. APPROVE CONTRACT AWARD FOR THE PROVISION OF WATER AND WASTEWATER IMPROVEMENTS AT BOB WENTZ PARK, IFB NO. B960701, TO THE QUALIFIED LOW BIDDER, PEABODY GENERAL CONTRACTORS, IN THE AMOUNT OF \$94,800.00. (11:29 AM)

Members of the Court heard from Frank Holder, Assistant Purchasing Agent; Marvin Bryce, Purchasing Department; and Bob Barstow, Windy Point Park.

Motion by Commissioner Sonleitner and seconded by Commissioner Bristol to approve contract award for the provision of water and wastewater improvements at Bob Wentz Park, IFB No. B960701, to the qualified low bidder, Peabody General Contractors, in the amount of \$94,800.00.

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

17. APPROVE CONTRACT AWARDS FOR THE PROVISION OF PATROL CAR EQUIPMENT, IFB #B960050-RH TO THE LOW, QUALIFIED BIDDERS: GT DISTRIBUTORS, AUSTIN, TEXAS; C & G WHOLESALE, GARLAND, TEXAS; AND WHELEN ENGINEERING, CHESTER, CONNECTICUT, IN THE AMOUNT OF \$103,575.68. (11:08 AM)

Members of the Court agreed to consider one Motion for Items 12, 13, 14, 15, and 17. Refer to Item 12 for a summary of the Court's action on this Item.

18. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE THE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:44 AM)

Item 18 added to Consent Items.

19. AUTHORIZE COUNTY ATTORNEY TO TAKE APPROPRIATE LEGAL ACTION AGAINST BEKINS MOVING. (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.072).
(1:49 PM) (2:08 PM)

Commissioner Biscoe, presiding, announced that Item 19 would be considered in Executive Session

Members of the Court agreed to consider one Motion for Items 11 (D), 11 (E), 19, 20, 21, and 22. Refer to Item 11 (D) for a summary of the Court's action on this Item.

20. APPRISE COURT OF STATUS OF LITIGATION AND TAKE APPROPRIATE ACTION; ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER IN STATE OF TEXAS V. BEARD FAMILY PARTNERSHIP, CIP NO. 2-012, PARCEL 12. (GIESELMAN; CONDEMNATION CASE). (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.071). (1:49 PM) (2:08 PM)

Commissioner Biscoe, presiding, announced that Item 20 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 11 (D), 11 (E), 19, 20, 21, and 22. Refer to Item 11 (D) for a summary of the Court's action on this Item.

21. 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). (1:49 PM) (2:08 PM)

Commissioner Biscoe, presiding, announced that Item 21 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 11 (D), 11 (E), 19, 20, 21, and 22. Refer to Item 11 (D) for a summary of the Court's action on this Item.

22. 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). (1:49 PM) (2:08 PM)

Commissioner Biscoe, presiding, announced that Item 22 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 11 (D), 11 (E), 19, 20, 21, and 22. Refer to Item 11 (D) for a summary of the Court's action on this Item.

23. CONDUCT PERFORMANCE APPRAISALS FOR EXECUTIVE MANAGERS.
(EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN.
SECTION 551.074). (1:49 PM)

No action taken.

ADDENDA ITEM 1.

APPROVE CHANGE ORDER NO. 1 FOR JOHNNY MORRIS ROAD, RECONSTRUCTION
OF ASPHALT PAVEMENT CONTRACT #950177, ESTIMATED AT \$50,000.00.
(9:15 AM) (1:45 PM)

Members of the Court heard from Joe Gieselman, Executive Director of Transportation and Natural
Resources. Discussion only.

Members of the Court heard from Joe Gieselman, Executive Director of Transportation and Natural
Resources, Assistant County Attorney Gordon Bowman, and Leroy Nellis Planning and Budget.

Addenda Item 1 to be postponed until April 23, 1996.

A D J O U R N M E N T

Motion by Commissioner Sonleitner and seconded by Commissioner Bristol to adjourn the Voting
Session. (2:10 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Bill Aleshire, Travis County Judge