MINUTES OF MEETING--JUNE 11, 1996

TRAVIS COUNTY COMMISSIONERS' COURT

On the 11th day of June 1996, the Travis County Commissioners' Court convened the Voting Session at 9:12 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 retired to Executive Session at 11:46 AM and reconvened the Voting Session at 12:15 PM.

The Commissioners' Court recessed the Voting Session at 12:15 PM and reconvened the Voting Session at 1:41 PM.

The Commissioners' Court retired to Executive Session at 1:41 PM and reconvened the Voting Session at 3:05 PM.

The Commissioners' Court adjourned the Voting Session at 3:12 PM.

RESOLUTIONS & HEARINGS

1. APPROVE PROCLAMATION RECOGNIZING THE 1996 TRAVIS COUNTY EMPLOYEES EMANCIPATION DAY "JUNETEENTH" CELEBRATION. (9:16 AM)

Members of the Court heard from Cheryl Brown, Commissioner, Precinct One Office; Angela Davis, Facilities Management; and Lee Mercer, TNR Parks Department.

Motion by Commissioner Biscoe and seconded by Commissioner Gómez 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 PROCLAMATION DECLARING THE PERIOD OF AUSTIN 2-7, 1996, AS "GOVERNMENTAL PURCHASING WEEK" IN TRAVIS COUNTY. (9:21 AM)

Members of the Court heard from Cyd Grimes, Purchasing Agent and Frank Holder, Assistant Purchasing Agent.

Motion by Commissioner Bristol and seconded by Commissioner Gómez 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

CITIZENS COMMUNICATION

No respondents noted. (9:25 AM)

3. CONSENTITEMS

Motion by Commissioner Sonleitner and seconded by Commissioner Gómez to approve the following Consent Items: 12, 13, 15, 17, and Items C.1 - C.17; excluding Items C.5 (A and B), C.6, and C.16

(A and B). (9:26 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: SEPTEMBER 7, 1995; APRIL 30, 1996; EXECUTIVE SESSION MAY 3, 1996; MAY 6, 1996; EXECUTIVE SESSION MAY 6, 1996; SPECIAL VOTING SESSION MAY 6, 1996; MAY 7, 1996; MAY 21, 1996; AND MAY 28, 1996.
- C.4 CONSIDER AND TAKE ACTION ON AMENDMENT OF INTERLOCAL COOPERATION AGREEMENT WITH CITY OF AUSTIN FOR CONSOLIDATED JURY MANAGEMENT.
- C.5 CONSIDER AND TAKE ACTION ON TRAVIS COUNTY COUNSELING CENTER INSTRUCTOR CONTRACTS WITH THE FOLLOWING:
- **A.** KATHLEEN SHEEHAN. (9:13 AM)

Item C.5 (A) postponed until June 18, 1996.

B. KAREN HUTCHINS. (9:13 AM)

Item C.5 (B) postponed until June 18, 1996.

C. MARY FRANCES LAAKE-EMERY.

CONSENT ITEMS CONTINUED:

C.6 APPOINT ANNE LUCAS TO THE UNEXPIRED TERM ON EMERGENCY SERVICE DISTRICT #7 BOARD OF COMMISSIONERS. (9:16 AM) (9:27 AM)

Judge Aleshire requested a separate vote for Consent Item 6. Consent Item 6 pulled from the Consent Items.

Motion by Commissioner Sonleitner 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 - abstain

- C.7A APPROVE REIMBURSEMENT FOR TRAINING/TRAVEL EXPENSES FOR EMPLOYEES OF JUSTICE OF THE PEACE, PRECINCT FOUR, THAT WERE NOT PREVIOUSLY ENCUMBERED FOR A SEMINAR IN DALLAS (MARCH 31-APRIL 3, 1996).
- B. APPROVE REIMBURSEMENT FOR TRAVEL EXPENSES INCURRED BY EXECUTIVE MANAGER, JUSTICE AND PUBLIC SAFETY, TO ATTEND SEMINAR ON JUVENILE OFFENDERS EFFECTIVE PROGRAMMING, MAY 19-22, 1996, THAT WAS PREVIOUSLY BUDGETED BUT NOT ENCUMBERED.
- C. APPROVE REIMBURSEMENT OF CRIMINAL JUSTICE PLANNING STAFF FOR SEMINAR REGISTRATION FEES (MAY 23 AND 24, 1996), THAT WERE NOT PREVIOUSLY ENCUMBERED.
- C.8 APPROVE CONTRACT AWARDS TO YOUTH ADVOCACY, INC., AND AUSTIN CHILD GUIDANCE CENTER FOR PROVISION OF SUBSTANCE ABUSE TREATMENT SERVICES TO JUVENILE OFFENDERS. EXEMPTION ORDER OF 11/21/95.
- C.9 APPROVE CONTRACT AWARD FOR THE PROVISION TO FURNISH AND INSTALL COOLING SYSTEM, IFB#B960075-RG, TO THE LOW QUALIFIED BIDDER, AUS-TEX PLUMBING IN THE AMOUNT OF \$23,852.00.

CONSENT ITEMS CONTINUED:

- C.10 APPROVE CONTRACT AWARD FOR THE PROVISION OF PARK UNIFORMS, IFB #B960077-JJ, TO THE LOW QUALIFIED BIDDER, R & R UNIFORMS, INC., IN THE ESTIMATED AMOUNT OF \$27,962.45.
- C.11 APPROVE CONTRACT AWARD FOR THE PROVISION OF EROSION CONTROL SERVICES, IFB #B960074-JP, TO THE LOW QUALIFIED BIDDER, SOUTHERN EROSION CONTROL, IN THE ESTIMATED AMOUNT OF \$96,405.00.
- C.12 APPROVE CONTRACT AWARD FOR THE PROVISION OF STREET AND DRAINING IMPROVEMENTS AT PEARCE LANE PHASE II, CIP NO. 4-012B, IFB #B960703, TO THE QUALIFIED LOW BIDDER, EDWARD R. COLEMAN CONSTRUCTION COMPANY, IN THE AMOUNT OF \$1,243,835.12.
- C.13 APPROVE A PUBLIC HEARING DATE OF JUNE 25, 1996, TO APPROVE THE REQUEST FOR A STREET NAME CHANGE IN PRECINCT TWO, "KIRTOMY LOOP EAST" TO "KIRTOMY LOOP" IN PICADILLY RIDGE, PHASE 2, SECTION 1.
- C.14 APPROVE A PUBLIC HEARING DATE OF JUNE 25, 1996, TO APPROVE THE REQUEST FOR A STREET NAME CHANGE IN PRECINCT THREE, "OLD MORMON TRAIL" TO "RIVER GARDEN TRAIL".
- C.15 APPROVE A PUBLIC HEARING DATE OF JULY 9, 1996, TO APPROVE A TEMPORARY ROAD CLOSURE OF CEDAR STREET AFTER WESTLAKE DRIVE AND ROYAL APPROACH ARE OPENED, FOR THE PURPOSE OF STREET AND DRAINAGE IMPROVEMENTS IN PRECINCT THREE.

CONSENT ITEMS CONTINUED:

C.16 APPROVE THE FOLLOWING PLATS FOR RECORDING:

A. GREENWOOD ACRES (THE PLACE FOR ME) - (SHORTFORM - NO FISCAL REQUIRED - 3 LOTS - 7.062 ACRES - MCNEIL ROAD), IN PRECINCT TWO. (9:15 AM) (3:05 PM)

Consent Item 16 (A) to be pulled from Consent.

Item C.16 (A) to be reposted for June 18, 1996.

B. CINEMARK SUBDIVISION - (SHORTFORM - NO FISCAL REQUIRED - 5 LOTS - 22.5308 ACRES - FM 1825), IN PRECINCT TWO. (9:15 AM)

Consent Item 16 (B) to be pulled from the Agenda.

- C. PATTERSON PLACE 2 (SHORTFORM NO FISCAL REQUIRED 14 LOTS 74.092 ACRES PATTERSON LANE), IN PRECINCT THREE.
- **D.** DEL VALLE NO. 1 (SHORTFORM NO FISCAL REQUIRED 1 LOT 2.548 ACRES DEL VALLE STREET), IN PRECINCT FOUR.
- C.17 APPROVE EXEMPTION ORDER FOR LEASE AGREEMENT WITH THE OAKS PSYCHIATRIC HEALTH SYSTEM FOR HOUSING JUVENILE OFFENDERS, PURSUANT TO SECTION 262.024 (a) OF THE COUNTY PURCHASING PLAN.

COUNTY POLICIES AND PROCEDURES

4. APPROVE ORDER OF THE TRAVIS COUNTY COMMISSIONERS' COURT AMENDING CHAPTER 23, INVESTMENT POLICIES AND PROCEDURES OF THE TRAVIS COUNTY POLICIES, PROCEDURES, AND REGULATIONS MANUAL. (9:27 AM)

Members of the Court heard from Cheryll Adair, Cash Investment Manager.

Motion by Commissioner Bristol and seconded by Commissioner Sonleitner to approve the Investment 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

ADMINISTRATIVE ITEMS

5. CONSIDER AND TAKE ACTION ON TAX ABATEMENT AGREEMENT WITH PHOTRONICS TEXAS, INCORPORATED. (9:35 AM)

Members of the Court heard from Jerry Harris, Photronics; Barry Rockwell, Photronics, Texas; and Assistant County Attorney, Mary Etta Gerhardt.

Motion by Commissioner Sonleitner and seconded by Commissioner Biscoe to approve the tax abatement agreement with Photronics, Texas.

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

6. CONSIDER PROPOSAL TO OPEN COMMUNITY JUSTICE CENTER BELOW CAPACITY IN EARLY FALL, 1996; REVIEW NECESSARY CONTRACT AMENDMENTS AND AVAILABLE PROGRAMS AND SERVICES, AND TAKE APPROPRIATE ACTION. (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.071). (11:18 AM) (1:41 PM) (3:05 PM)

Judge Aleshire announced that Item 6 would be considered in Executive Session. Judge Aleshire withdrew the Executive Session announcement.

Judge Aleshire announced that Item 6 would be considered in Executive Session.

Members of the Court heard from Dinah Dinwiddie, Executive Coordinator of Justice and Public Safety.

Motion by Commissioner Biscoe and seconded by Commissioner Gómez to notify the State that the County is favorably disposed to their offer to open the Community Justice Center below capacity, to direct the County Attorney's Office to work with the appropriate State legal counsel to amend our current contract in a manner which reflects the discussion during Executive Session; to indicate the County's intention to meet during the next seven to ten days with members of the transitional committees, as well as, community individuals and groups to lay out the proposal, to discuss pros and cons, to get their feedback; and to further indicate to the State the County's intention to take final action (which the County believes will be positive) two weeks from today--June 25, 1996.

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. APPOINT COMMITTEE TO INVESTIGATE POSSIBLE COUNTY USE OF THE COMMUNITY JUSTICE CENTER IN CONJUNCTION WITH THE PROPOSED STATE USE, AND TAKE APPROPRIATE ACTION. (3:05 PM)

Item 7 to be reposted for June 25, 1996.

8. DISCUSS AND TAKE APPROPRIATE ACTION REGARDING CONTRACT RESULTING FROM THE INTEGRATED JUSTICE SYSTEM-FINANCIAL ANALYSIS, RFQ R960047-OJ. (9:45 AM)

Members of the Court heard from Cyd Grimes, Purchasing Agent; Susan Spataro, Auditor; Donna Scarbrough, TCSO; Frank Curcio, ITS; Dinah Dinwiddie, Executive Coordinator of Justice and Public Safety; and Jim Collins, Assistant County Attorney.

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

Maker and second accept the Friendly Amendment by Commissioner Sonleitner that the Commissioners' Court receive regular reports from the executive managers.

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 - opposed

9. CONSIDER AND TAKE ACTION ON CHANGE OF SERVICES TO BE PROVIDED UNDER THE INTERLOCAL COOPERATION AGREEMENT BETWEEN TRAVIS COUNTY, THE CITY OF AUSTIN, AND AUSTIN/TRAVIS COUNTY MHMR. (10:39 AM)

Members of the Court heard from Diane Harrelson, Austin Travis County Health and Human Services Department; Patty VanBuren, MHMR; and Leroy Torres, MHMR.

Motion by Commissioner Biscoe and seconded by Commissioner Gómez 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

10. CONSIDER REQUEST TO JOIN CITY OF AUSTIN AND PRIVATE CONTRACTORS TO PROVIDE EMERGENCY FUNDING TO GATEWAY, TAKE APPROPRIATE ACTION. (10:50 AM)

Item 10 to be postponed until June 18, 1996.

11. APPROVE BUDGET AMENDMENTS AND BUDGET TRANSFERS. (10:50 AM)

Members of the Court heard from Leroy Nellis, Planning and Budget.

Motion by Commissioner Gómez and seconded by Commissioner Biscoe to approve budget amendments and budget transfers with a change in Subitems A.7 - A.25 to indicate that these funds be transferred to General Administration.

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 - abstain

A. APPROVE REQUEST TO TRANSFER TO LINE ITEM 001-1130-522-4007 CONSULTING SERVICES TO HIRE CONSULTANTS TO CONDUCT EMPLOYEE TRAINING FOR THE REMAINDER OF FY '96. (10:55 AM)

Members of the Court hard from Alicia Perez, Executive Manager of Administrative Operations; Dr. Mattye Mauldin-Taylor, Director of Human Resources Management; Marilyn Hancock, Human Resources Liaison; and Karen Castro, Planning and Budget Office.

Motion by Commissioner Bristol and seconded by Commissioner Biscoe to approve this item; to transfer the funds from salary savings available within the Human Resources Department; to obtain the remainder of the funding \$3,643.00 from other sources within Administrative Operations; and to place the funding sources on budget amendments for June 18, 1996, for consideration by the Court.

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

12. APPROVE REQUEST TO APPLY FOR FUNDS FROM THE STATE'S UNCLAIMED MONEY FUND. (9:26 AM)

Item 12 added to Consent Items.

13. APPROVE ACCEPTANCE OF DONATION OF \$3,000.00 FROM THE USAA INSURANCE COMPANY TO BE APPLIED TO THE PURCHASE OF AN ACCELERANT DETECTION (ARSON) CANINE FOR USE BY THE TRAVIS COUNTY FIRE MARSHALL'S OFFICE. (9:26 AM)

Item 13 added to Consent Items.

- 14. REVIEW AND APPROVE THE FOLLOWING PROPERTY AND LIABILITY CLAIMS RECOMMENDATIONS:
- **A.** CONSTABLE, PRECINCT FIVE TNR FLEET SERVICES (11:06 AM)

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

Motion by Judge Aleshire and seconded by Commissioner Bristol to approve staff recommendations.

Motion carried: Commissioner 1, Samuel Biscoe - yes

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

B. ANTHONY BERTUCCI DENY (11:08 AM)

Members of the Court heard from Dan Mansour, Risk Manager; Anthony Bertucci; and James Connolly, Assistant County Attorney.

Motion by Judge Aleshire and seconded by Commissioner Bristol to approve staff recommendations to deny the claim.

Motion carried: Commissioner 1, Samuel Biscoe - present, but not voting

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

15. APPROVE PERSONNEL AMENDMENTS. (9:26 AM)

Item 15 added to Consent Items.

16. APPROVE TERMINATION FOR DEFAULT OF CONTRACT NO. 950127, WITH NBS CONSTRUCTION, INC., FOR STREET AND DRAINAGE IMPROVEMENTS AT BLUE GOOSE, BRANDT, AND SKOG ROADS. (9:13 AM)

Item 16 postponed until June 18, 1996.

17. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE TREASURER TO INVEST COUNTY FUNDS.

Item 17 added to Consent Items.

18. RECEIVE LEGAL ADVICE FROM COUNTY ATTORNEY RE: ELGIN BANK V. TRAVIS COUNTY, CONSIDER PROPERTY OF REFUNDING PART OR ALL FEES PAID AND VACATING RIGHT-OF-WAY DEDICATION BY GAYLORD MAGNUSOM DURING RECENT SUBDIVISION PROCESS IN VIEW THEREOF, AND TAKE APPROPRIATE ACTION. (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.071). (11:18 AM) (11:46 AM) (3:08 PM)

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

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

No action taken.

RECESS

Motion by Commissioner Bristol and seconded by Commissioner Biscoe to recess the Voting Session until 1:30 PM. (12:15 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

19. APPROVE PLAT FOR CHIMNEY OAKS AT LAKE TRAVIS SECTION 1 SUBDIVISION, (LONGFORM - FISCAL POSTED WITH TRAVIS COUNTY - 60 LOTS - 430.91 ACRES - TRAVIS OAKS DRIVE). (GIESELMAN) (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.071). (11:18 AM) (11:19 AM) (1:41 PM) (3:08 PM)

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

Members of the Court heard from Pete Winstead, MI Investments; Michelle Thompson, MI Investments; Bob Dixon; Bill Hinkley; and Terry Uri, Travis Oaks Property Owners' Association.

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

Motion by Commissioner Sonleitner and seconded by Commissioner Biscoe to indicate the County's willingness to approve this Plat contingent upon the receipt of the appropriate legal documents and/or the drawing up of Plat notes with the County's legal department pertaining to the upgrade and the bringing up to County standards and acceptance of what is approximately .2 (two-tenths) of a mile on Travis Oaks Drive and to note that this is the end of Singleton Bend East (the end of the County-maintained road) to Risatta Drive and would ensure that this plat would be connected to a publicly-maintained and accepted road and will help Travis County work toward what is the neighborhood's goal of having this entire stretch of road brought up to County standards.

Maker and Second accepted the Friendly Amendment by Judge Aleshire that, in addition to the receipt of the legal documents, the County will require receipt of the necessary fiscal posting.

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. APPROVE, REJECT, OR COUNTER SETTLEMENT OFFER RECEIVED FROM CON-REAL, INC., FOR DISPUTE IN THE CONSTRUCTION OF THE MEDICAL EXAMINER'S BUILDING. (PEREZ - CONSTRUCTION CLAIM) (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.071). (11:18 AM) (1:41 PM) (3:08 PM)

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

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

Motion by Commissioner Bristol and seconded by Commissioner Gómez to indicate the Court's willingness to settle this claim in the amount of \$75,000.00, subject to the receipt by the County of the necessary documents and budget amendments 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

Item 20 to be reposted for June 18, 1996.

ADJOURNMENT

Motion by Commissioner Bristol and seconded by Commissioner Gómez to adjourn the Voting Session. (3:12 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