

## **MINUTES OF MEETING--JUNE 25, 1996**

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

On the 25th day of June 1995, the Travis County Commissioners' Court convened the Voting Session at 9:10 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 10:18 AM and reconvened at 12:00 Noon.

The Commissioners' Court adjourned the Voting Session at 12:03 PM.

### **RESOLUTIONS & HEARINGS**

1. APPROVE THE REQUEST FOR A STREET NAME CHANGE IN PRECINCT TWO, "KIRTOMY LOOP EAST" TO "KIRTOMY LOOP" IN PICADILLY RIDGE, PHASE 2, SECTION 1. (9:13 AM)

Motion by Commissioner Bristol and seconded by Commissioner Biscoe that the Public Hearing be opened.

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

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

Motion by Commissioner Bristol and seconded by Commissioner Biscoe that the Public Hearing be closed.

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

2. APPROVE THE REQUEST FOR A STREET NAME CHANGE IN PRECINCT THREE, "OLD MORMON TRAIL" TO "RIVER GARDEN TRAIL".  
(9:14 AM)

Motion by Commissioner Bristol and seconded by Commissioner Gómez that the Public Hearing be opened.

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

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

Motion by Commissioner Bristol and seconded by Commissioner Biscoe that the Public Hearing be closed.

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

## CITIZENS COMMUNICATION

No respondents noted. (9:15 AM)

### 3. CONSENT ITEMS

Motion by Commissioner Biscoe and seconded by Commissioner Gómez to approve the following Consent Items: 4, 6, 7--noting that Margaret Gómez will be appointed to serve on the Emergency Medical Services Panel and that County Judge Bill Aleshire will be appointed to serve on the Fire/Emergency Management Strategic Planning Panel, 14, and Items C.1 - C.19. (9:15 AM)

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

- 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 VOTING SESSION OF JUNE 11, 1996.
- C.4 APPROVE PROCLAMATION DESIGNATING JUNE 24, 1995, AS "TEAM PATRICK DAY", COMMENDING SANDRA FARMER-PATRICK AND WISHING HER GREAT SUCCESS IN THE 1996 OLYMPIC GAMES.
- C.5 APPOINT MARCUS E. GILLER TO UNEXPIRED TERM OF COMMISSIONER OF EMERGENCY SERVICES DISTRICT #1, DUE TO THE DEATH OF COMMISSIONER ORVILLE KIRK; THIS APPOINTMENT EFFECTIVE THROUGH DECEMBER 31, 1997.
- C.6 APPROVE BUDGET AMENDMENTS AND BUDGET TRANSFERS.
- C.7 APPROVE PERSONNEL AMENDMENTS.
- C.8 CONSIDER AND TAKE ACTION ON AMENDMENT TO CONTRACT WITH PATHWAYS COMMUNITY COUNSELING.
- C.9 APPROVE GRANT PROPOSALS, APPLICATIONS, AND PERMISSION TO CONTINUE.
- A. APPROVE RENEWAL APPLICATION FOR THE COMMUNITY SERVICES RETIRED SENIOR VOLUNTEER PROGRAM TEXAS DEPARTMENT ON AGING (TDoA) GRANT.

**CONSENT ITEMS CONTINUED:**

- C.10** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 95CO229-RH, FOR JANITORIAL SERVICES FOR RURAL COMMUNITY CENTERS; CONTRACT APPROVED ON 9/26/96; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION.
- C.11** APPROVE CONTRACT MODIFICATION NO. 2 TO CONTRACT NO. 95TO227-CG, AUS-TEX CONCESSIONS, INC., EXPOSITION CENTER CONCESSION OPERATIONS; CONTRACT APPROVED ON 9/12/95; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION.
- C.12** APPROVE CONTRACT AWARD FOR THE PROVISION OF PATHOLOGY SERVICES TO DR. TOMMY BROWN IN THE AMOUNT OF \$26,200.00.
- C.13** APPROVE CONTRACT AWARD FOR THE PROVISION OF PROPRIETARY FIRE ALARM MONITORING SYSTEM, IFB B960078-RG, TO THE SOLE QUALIFIED BIDDER, AUTOMATIC PROTECTION SYSTEMS IN THE AMOUNT OF \$22,045.00.
- C.14** APPROVE STATE CATALOG PURCHASE OF COMPUTER FOR HUMAN SERVICES FROM DENSON CONSULTING IN THE AMOUNT OF \$16,401.00.
- C.15** APPROVE CONTRACT AWARD FOR THE PROVISION OF AUTOMOTIVE PARTS (OEM) AND MAINTENANCE LABOR, IFB #B960084-JJ, TO THE LOW QUALIFIED BIDDER, CAPITOL CHEVROLET.
- C.16** APPROVE THE FOLLOWING PLATS FOR RECORDING:
  - A.** CINEMARK SUBDIVISION - (SHORTFORM - NO FISCAL REQUIRED - 5 LOTS - 27.3176 ACRES - FM 1825), IN PRECINCT ONE.
  - B.** POINT VENTURE, SECTION FOUR - (SHORTFORM - NO FISCAL REQUIRED - 11 LOTS - 14.04 ACRES - LAKEFRONT DRIVE - OETJ), IN PRECINCT TWO.
  - C.** LAUREL CANYON SUBDIVISION PHASE I - (LONGFORM - FISCAL WITH CITY OF AUSTIN - 27 LOTS - 28.3842 ACRES - CENTENNIAL TRAIL), IN PRECINCT TWO.

**CONSENT ITEMS CONTINUED:**

- D.** APPROVE PLAT FOR RECORDING AND POSTING OF FISCAL FOR LAKECLIFF ON LAKE TRAVIS, SECTION THREE - (LONGFORM - FISCAL WITH TRAVIS COUNTY - 11 LOTS - 22.223 ACRES - CLIFF POINT ROAD - OETJ), IN PRECINCT THREE.
- E.** LAKE POINTE PHASE II - (LONGFORM - FISCAL WITH TRAVIS COUNTY - 162 LOTS - 63.127 ACRES - FM 2244 - BEE CAVES ETJ), IN PRECINCT THREE.
- F.** SOUTHLAND OAKS, SECTION FOUR, PHASE B - (LONGFORM - FISCAL WITH CITY OF AUSTIN - 79 LOTS - 18.087 ACRES - FRATE BARKER ROAD), IN PRECINCT THREE.
- G.** SOUTHLAND OAKS, SECTION FOUR, PHASE C - (LONGFORM - FISCAL WITH CITY OF AUSTIN - 45 LOTS - 10.692 ACRES - FRATE BARKER ROAD), IN PRECINCT THREE.
- C.17** APPROVE A PUBLIC HEARING DATE OF JULY 9, 1996, TO APPROVE THE REQUEST FOR STREET NAME ASSIGNMENTS OF SIX EASEMENTS OFF BOGGY FORD ROAD BE KNOWN AS: "DRAPERS COVE"; "DRAPER MOUNTAIN TRAIL"; "PA DRAPER LANE"; "MA DRAPER LANE"; "COLINA DRIVE"; AND "TREAT TRAIL", IN PRECINCT TWO.
- C.18** APPROVE THE REQUEST FOR A STREET NAME CHANGE IN PRECINCT TWO, "KIRTOMY LOOP EAST" TO "KIRTOMY LOOP" IN PICADILLY RIDGE, PHASE TWO, SECTION ONE.
- C.19** APPROVE THE REQUEST FOR A STREET NAME CHANGE IN PRECINCT THREE, "OLD MORMON TRAIL" TO "RIVER GARDEN TRAIL".

**ADMINISTRATIVE ITEMS**

- 4.** APPROVE LICENSE AGREEMENTS WITH JERRY AND SHARON MULLICAN AND LARRY COKER FOR ACCESS ACROSS FRITZ HUGHES PARK. (9:11 AM)

Item 4 added to Consent Items.

5. APPOINT COMMITTEE TO INVESTIGATE POSSIBLE COUNTY USE OF THE COMMUNITY JUSTICE CENTER IN CONJUNCTION WITH THE PROPOSED STATE USE, AND TAKE APPROPRIATE ACTION. (9:12 AM)

Item 5 postponed until July 9, 1996.

6. APPROVE THIRD AMENDMENT INTERLOCAL COOPERATION AGREEMENT BETWEEN CITY OF AUSTIN AND TRAVIS COUNTY FOR EMERGENCY MEDICAL SERVICES AND HELICOPTER SERVICES. (9:11 AM)

Item 6 added to Consent Items.

7. APPOINT MEMBERS OF THE TRAVIS COUNTY COMMISSIONERS COURT TO SERVE ON THE EMERGENCY MEDICAL SERVICES AND FIRE/EMERGENCY MANAGEMENT STRATEGIC PLANNING PANELS. (9:11 AM)

Item 7 added to Consent Items noting that Margaret Gómez will be appointed to serve on the Emergency Medical Services Panel and that County Judge Bill Aleshire will be appointed to serve on the Fire/Emergency Management Strategic Planning Panel.

8. RECEIVE AND DISCUSS SECOND REVENUE ESTIMATE FOR FY 1997 BUDGET PROCESS. (9:15 AM)

Members of the Court heard from Susan Spataro, Auditor; Blain Keith, Auditor's Office; and Charles Vaughn, Auditor's Office.

Discussion only. No action taken.

9. DISCUSS AND APPROVE ASSUMPTIONS ON EFFECTIVE TAX RATE CALCULATIONS, INCLUDING DEBT SERVICE SCHEDULES, EXEMPTIONS, AND COLLECTION RATE. (9:24 AM)

Members of the Court heard from Christian Smith, Executive Director of Planning and Budget; Dusty Knight, Tax Office; Leroy Nellis, Planning and Budget; Mike Wickburn, Auditor's Office; and Susan Spataro, Auditor.

Discussion only.

Item 9 to be reposted for July 2, 1996.

- 10. DISCUSS, APPROVE, AND/OR GIVE STAFF DIRECTION REGARDING PROPOSED COST EXPENDITURES ASSOCIATED WITH RELOCATION OF OVERHEAD ELECTRICAL POWER AND COMMUNICATION LINES IN ALLEYWAYS ADJACENT TO PARKING GARAGE. (9:50 AM)**

Members of the Court heard from Kevin Bailey, Facilities Manager and Mike Barrow, Fluor Daniels.

Motion by Commissioner Gómez and seconded by Commissioner Bristol to approve staff direction to proceed with relocating the lines underground and to work with the Purchasing Department through the appropriate contracting purposes.

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

- 11. REVIEW AND APPROVE LISTING OF AUTOMATIC RENEWAL PROFESSIONAL SERVICES CONTRACTS FOR THE FOLLOWING:  
(9:57 AM)**

- A. TNR**
  - (1) SURVEYING
  - (2) EMS MEDICAL DIRECTOR
- B. MEDICAL EXAMINER**
  - (1) OUT-OF-COUNTY AUTOPSIES
- C. SHERIFF**
  - (1) NURSES
  - (2) CHAPLAINS
  - (3) COUNSELING (BATTERING INTERVENTION)
  - (4) PHYSICIANS
  - (5) INMATE VOCATIONAL TRAINING
- D. COUNSELING CENTER**
  - (1) REGISTRARS
  - (2) INSTRUCTORS
- E. RISK MANAGEMENT**
  - (1) LEGAL SERVICES

Members of the Court heard from Cyd Grimes, Purchasing Agent; Assistant County Attorney Jim Collins; and Dr. Mattye Mauldin-Taylor, Director of Human Resources Management.

Discussion only. No action taken.

12. APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 95TO176-OJ, DIGITAL PRODUCTS CORPORATION, FOR THE PROVISION OF ELECTRONIC MONITORING; CONTRACT APPROVED ON 7/11/95; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION. (10:11 AM)

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

Motion by Commissioner Bristol and seconded by Commissioner Gómez to approve contract modification No. 1--as is--to contract no. 95TO176-OJ, Digital Products Corporation, for the provision of Electronic Monitoring.

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

13. APPROVE CONTRACT AWARDS FOR THE PROVISION OF AMMUNITION, IFB #B960080-JJ, TO THE LOW QUALIFIED BIDDERS, B-K BULLET CO., IN THE ESTIMATED AMOUNT OF \$14,508.96; PRECISION DELTA CORPORATION, IN THE ESTIMATED AMOUNT OF \$2,065.60; ULTRA MAX AMMUNITION, IN THE ESTIMATED AMOUNT OF \$3,100.00; G.T. DISTRIBUTORS, IN THE ESTIMATED AMOUNT OF \$2,507.40; ALLIED PRODUCTS, IN THE ESTIMATED AMOUNT OF \$1,806.00; C & G WHOLESALE, IN THE ESTIMATED AMOUNT OF \$3,212.00; AND LAW ENFORCEMENT EQUIPMENT CO., IN THE ESTIMATED AMOUNT OF \$760.00. TWO TIE BIDS BETWEEN C & G WHOLESALE AND BAILEY'S HOUSE OF GUNS, AND G.T. DISTRIBUTORS AND LAW ENFORCEMENT EQUIPMENT CO., TO BE DECIDED BY THE DRAWING OF LOTS BY COMMISSIONERS' COURT. (10:15 AM)

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

Motion by Commissioner Biscoe and seconded by Commissioner Gómez to approve the contract awards for the provision of ammunition and to approve the awards by drawing of lots to C & G Wholesale (Item 10) and to Law Enforcement Equipment (Item 11).

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



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

Item 14 added to Consent Items.

15. REVIEW AND APPROVE THE FOLLOWING LIABILITY CLAIM RECOMMENDATION FOR KATHERINE PLATZ. (PEREZ) (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.071). (10:18 AM) (12:00 PM)

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

Members of the Court agreed to consider one Motion for Items 15, 16, 17, 18, 19, 20, 21, and 22.

Motion by Judge Aleshire and seconded by Commissioner Biscoe:

- 15. to approve the settlement of this claim in the amount of \$5,000.00;
- 16. to authorize the approval of this budget amendment from fund 419 in the amount of \$36,441.00; to authorize payment of taxes out of this amount; and to request that the County Auditor's and any other associated offices expedite payment to ensure that this payment is made by the end of this month to the Tax Collector;
- 17. to postpone this item until July 2, 1996;
- 18. to instruct TNR staff to prepare a letter; to meet with the appropriate officials and staff at the LCRA to discuss our position concerning the buoy markers;
- 19. to postpone this Item until July 2, 1996;
- 20. to reject the offer and to counter offer in the amount of \$62,017.00;
- 21. to reject the offer and to counter offer in the amount of \$46,807.00; and
- 22. to reject the offer in the amount of \$900,000.00 and to place this Item back onto the Agenda.

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

16. RECEIVE LEGAL ADVICE FROM COUNTY ATTORNEY RE: TRAVIS COUNTY V. RESOLUTION TRUST CORPORATION; CAUSE NO. X95-07279, CONCERNING TAX LIEN AND TAKE APPROPRIATE ACTION. (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.071). (10:18 AM) (12:00 PM)

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

Members of the Court agreed to consider one Motion for Items 15, 16, 17, 18, 19, 20, 21, and 22. Refer to Item 15 for a summary of the Court's action on this Item.

17. 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). (9:50 AM) (12:00 PM)

Item 17 postponed until July 2, 1996.

Members of the Court agreed to consider one Motion for Items 15, 16, 17, 18, 19, 20, 21, and 22. Refer to Item 15 for a summary of the Court's action on this Item.

18. RECEIVE BRIEFING FROM COUNTY ATTORNEY ON COUNTY'S AUTHORITY AND LIABILITY FOR PLACING HAZARD BUOY MARKERS ON LAKE TRAVIS AND TAKE APPROPRIATE ACTION. (GIESELMAN) (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.071). (10:18 AM) (12:00 PM)

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

Members of the Court agreed to consider one Motion for Items 15, 16, 17, 18, 19, 20, 21, and 22. Refer to Item 15 for a summary of the Court's action on this Item.

19. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING EMPLOYMENT MATTER RELATED TO PATRICIA FAGAN AND TAKE APPROPRIATE ACTION. (GIESELMAN; EMPLOYMENT MATTER). (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.071). (10:18 AM) (12:00 PM)

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

Members of the Court agreed to consider one Motion for Items 15, 16, 17, 18, 19, 20, 21, and 22. Refer to Item 15 for a summary of the Court's action on this Item.

20. APPROVE, REJECT, OR COUNTER COUNTER-OFFER FROM J. TIM BROWN, TRUSTEE CINCOBBIE ENTERPRISES, A TEXAS JOINT VENTURE, AND GARRIE STEVEN BRAY, TRUSTEE, FOR ACQUISITION OF RIGHT-OF-WAY IN CONNECTION WITH CIP PROJECT NO. 1-003B (PARMER LANE EAST), PARCEL 23. (GIESELMAN) (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.072). (10:18 AM) (12:00 PM)

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

Members of the Court agreed to consider one Motion for Items 15, 16, 17, 18, 19, 20, 21, and 22. Refer to Item 15 for a summary of the Court's action on this Item.

21. APPROVE, REJECT, OR COUNTER COUNTER-OFFER FROM MORRIS MCKAY FOR ACQUISITION OF RIGHT-OF-WAY IN CONNECTION WITH CIP PROJECT NO. 1-003B (PARMER LANE EAST) PARCEL 24. (GIESELMAN). (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.072). (10:18 AM) (12:00 PM)

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

Members of the Court agreed to consider one Motion for Items 15, 16, 17, 18, 19, 20, 21, and 22. Refer to Item 15 for a summary of the Court's action on this Item.

22. AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER IN RICHARD CONNER V. TRAVIS COUNTY, ET AL. (CONNER; KEEL; CIVIL RIGHTS). (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.071). (10:18 AM) (12:00 PM)

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

Members of the Court agreed to consider one Motion for Items 15, 16, 17, 18, 19, 20, 21, and 22. Refer to Item 15 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 Bristol to adjourn the Voting Session. (12:03 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

**MINUTES APPROVED BY THE COMMISSIONERS' COURT****Date of Approval**

**Bill Aleshire, Travis County Judge**