

**MINUTES OF MEETING--JULY 16, 1996**

**TRAVIS COUNTY COMMISSIONERS' COURT**

On the 16th day of July 1996, the Commissioners' Court convened the Voting Session at 9:09 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 and Deputy Jaki Frost.

The Commissioners' Court recessed the Voting Session at 12:17 PM and reconvened the Voting Session at 1:53 PM.

The Commissioners' Court retired to Executive Session at 2:40 PM and reconvened the Voting Session at 3:40 PM.

The Commissioners' Court adjourned the Voting Session at 3:53 PM.

**RESOLUTIONS & HEARINGS**

1. APPROVE TEMPORARY ROAD CLOSURES OF AND TEMPORARY NO PARKING ON DECKER LAKE ROAD, HOG EYE ROAD, AND BLUE BLUFF ROAD DURING THE AUSTIN AQUA FESTIVAL BOAT RACES ON JULY 20, 1996, AND JULY 21, 1996, IN PRECINCT ONE. (9:12 AM)

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

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

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

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

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 Members of Project Bridge; Gus Peña, East Austin Concerned Hispanics; Valarie Bristol, Commissioner, Precinct Three; and Jan Barstow. (9:13 AM)

**2. CONSENT ITEMS**

Motion by Commissioner Sonleitner and seconded by Commissioner Biscoe to approve the following Consent Items: 14, 16, and Items C.1 - C.9. (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 WAIVER OF TRAVIS COUNTY TELEVISION POLICIES IN ORDER TO TELEVISION ROUND ROCK SCHOOL DISTRICT BOARD MEETINGS FOR JULY AND AUGUST, 1996.
- C.4** APPROVE FOURTH AMENDMENT INTERLOCAL COOPERATION AGREEMENT BETWEEN CITY OF AUSTIN AND TRAVIS COUNTY FOR EMERGENCY MEDICAL SERVICES AND HELICOPTER SERVICES FOR CONVERSION OF STARFLIGHT PARAMEDICS TO 12-HOUR SHIFTS.
- C.5** APPROVE BUDGET AMENDMENTS AND BUDGET TRANSFERS.
- C.6** APPROVE GRANT PROPOSALS, APPLICATIONS, AND PERMISSION TO CONTINUE:
  - A.** APPROVE APPLICATION TO THE TEXAS FOREST SERVICE FOR A 1996 URBAN FORESTRY GRANT FOR TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT (TNR).
- C.7** APPROVE ASSIGNMENT OF CONTRACT FROM FILE BOX, INC., TO PIERCE LEAHY ARCHIVES, CONTRACT 95TO155-RH FOR OFF-SITE RECORDS STORAGE.

**CONSENT ITEMS CONTINUED:**

- C.8** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO.'S 95TO209 THROUGH 95TO212-OJ, MONROE SYSTEMS FOR BUSINESS, XEROX CORP., EASTMAN KODAK CO., AND TEXAS COPY SYSTEMS, INC., FOR COPIER CHEMICAL SUPPLIES. CONTRACTS APPROVED BY COMMISSIONERS' COURT ON AUGUST 15, 1995; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION.
  
- C.9** APPROVE TEMPORARY ROAD CLOSURES OF AND TEMPORARY NO PARKING ON DECKER LAKE ROAD, HOG EYE ROAD, AND BLUE BLUFF ROAD DURING THE AUSTIN AQUA FESTIVAL BOAT RACES ON JULY 20, 1996, AND JULY 21, 1996, IN PRECINCT ONE.

**COUNTY POLICIES AND PROCEDURES**

- 3.** APPROVE NOTICE BY PUBLICATION AND PUBLIC HEARING DATE OF JULY 30, 1996, TO CONSIDER AMENDING SECTION 82.009(d) OF THE TRAVIS COUNTY POLICIES, PROCEDURES, AND REGULATIONS MANUAL TO CLARIFY REQUIREMENTS FOR NEW SUBDIVISION ACCESS. (9:31 AM)

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

Motion by Judge Aleshire and seconded by Commissioner Sonleitner to approve.

Maker and second accepted the Friendly Amendment by Commissioner Sonleitner that the Public Hearing be posted for August 6, 1996, rather than July 30, 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

**ADMINISTRATIVE ITEMS**

4. DISCUSS PARK ISSUES AT BOB WENTZ PARK AND RECONSIDER THE ELIMINATION OF PARKING SPACES ON "THE POINT", IN PRECINCT TWO. (9:41 AM)

Members of the Court heard from Joe Gieselman, Executive Director of Transportation and Natural Resources; Steve Manila, TNR; Charles Burgh, TNR; Lisa C. Fancher, Attorney; Guy Miller, Austin Windsurfer's Club; John Lithgow, Austin Windsurfer's Club; and Bob Barstow, Windy Point Park.

Motion by Commissioner Sonleitner and seconded by Commissioner Gómez to reverse the Court's decision to eliminate the parking spaces out on the Point at Bob Wentz Park and to continue the County's newly-found relationship with the wind surfing community about other management issues which may arise in this park.

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

5. RECEIVE BRIEFING ON STATUS OF THE DEVELOPMENT OF THE TAX ABATEMENT JOB TRAINING PROGRAM, PROVIDE DIRECTION AND TAKE APPROPRIATE ACTION. (10:26 AM)

Members of the Court received a report from Stephen Williams, Executive Manager of Health, Human Services, and Veteran's Affairs; Verna Browning, Human Services Department; Alan Miller, Workforce Development Board; Father John Korcfmar, Austin Interfaith; Margarine Beaman, Workforce Development Board; and John Bercen, Vice President and Director of Human Resources Management for Samsung.

Discussion only.

**6. APPROVE AUSTIN TRANSPORTATION STUDY (ATS) ADOPTED BY-LAWS AND RECOMMENDED JOINT POWERS AGREEMENT. (11:47 AM)**

Members of the Court received a report from Valarie Bristol, Commissioner, Precinct Three.

Motion by Commissioner Bristol and seconded by Commissioner Biscoe to approve the Joint Powers Agreement with the understanding of Judge Aleshire that there is better representation of the persons outside the City of Austin; that the Judge does not agree that the City of Austin should have another representative on this committee; and that the Judge does not believe it is appropriate that Capital Metro is a signatory on the Joint Powers Agreement.

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. CONSIDER AND TAKE ACTION ON MEMORANDUM OF UNDERSTANDING BETWEEN CITY OF AUSTIN, TRAVIS COUNTY AND THE FQHC BOARD REGARDING BOARD SELECTION, FQHC BUDGET PROCESS, AND SCOPE OF SERVICE. (1:54 PM)**

Motion by Commissioner Gómez and seconded by Commissioner Sonleitner to approve the memorandum of understanding.

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

**8. APPOINT COMMITTEE TO INVESTIGATE POSSIBLE COUNTY USE OF THE COMMUNITY JUSTICE CENTER IN CONJUNCTION WITH PROPOSED STATE USE, AND TAKE APPROPRIATE ACTION. (9:11 AM)**

Item 8 postponed until July 23, 1996.

9. APPROVE THE ACCEPTANCE OF STREETS AND DRAINAGE IN HARRIS BRANCH PHASE 1-B SECTIONS 1 AND 2 AND PHASE 1-A SECTIONS 2, 3, 5, AND 6, AND STONEY RIDGE (MOORES CROSSING PHASE A, SECTIONS 1 AND 2) WHICH WERE NOT ACCEPTED BY TRAVIS COUNTY PRIOR TO ANNEXATION BY THE CITY OF AUSTIN. (1:56 PM)

Members of the Court heard from Joe Gieselman, Executive Director of Transportation and Natural Resources and John Hille, Assistant County Attorney.

Motion by Commissioner Biscoe and seconded by Commissioner Sonleitner that the County accept for maintenance all of the portions of Ross, Elroy, Giles, Cameron, and Blue Goose Roads, Harris Branch, Phase 1-B, Sections 1 and 2, and Stoney Ridge (also known as Moore’s Crossing), Phase A, Section 1 and 2.

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. APPROVE REJECTION OF THE SOLE BID FROM WST BUILDING SPECIALTIES, INC., FOR SECURITY WINDOWS AND SCREENS, IFB #B960082-JP, AND APPROVE RESOLICITATION OF THE IFB. (11:47 AM)

Members of the Court heard from Cyd Grimes, Purchasing Agent; Donna Scarbrough, TCSO; Assistant County Attorney, Jim Collins; Steve Cole, Planning and Budget Office; and Aaron Almstead, WST Building Specialties, Inc.

Motion by Commissioner Bristol and seconded by Commissioner Sonleitner to reject the sole bid from WST Building Specialties, Inc., for security windows and screens, IFB #B960082-JP, and to approve resolicitation of new bids.

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

11. APPROVE STATE PURCHASE FROM TEXAS CORRECTIONAL INDUSTRIES OF SECURITY LIGHTS FOR CORRECTIONAL COMPLEX IN THE AMOUNT OF \$21,120.00. (12:16 PM)

Motion by Commissioner Bristol 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

12. APPROVE CONTRACT MODIFICATION NO. 5 TO CONTRACT NO. 940245-FH, SAWYER VENDING SERVICES, INC., CAFETERIA AND VENDING MACHINE CONCESSIONS; CONTRACT APPROVED BY COMMISSIONERS; COURT ON 08/23/94; MODIFICATION ALLOWS CONTRACTOR TO INCREASE VENDING MACHINE PRICES FOR PASTRIES, CHIPS, AND CHOCOLATES. (12:16 PM)

Motion by Commissioner Bristol 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

**R E C E S S**

Motion by Commissioner Bristol and seconded by Commissioner Sonleitner to recess the Voting Session until 1:30 PM. (12:17 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

13. RECEIVE AND DISCUSS THIRD REVENUE ESTIMATE FOR FY 1997 BUDGET PROCESS. (2:27 PM)

Members of the Court received a report from Blaine Keith, Auditor's Office.

Discussion only.

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

Item 14 added to Consent Items.

15. REVIEW AND APPROVE THE FOLLOWING PROPERTY AND LIABILITY CLAIM RECOMMENDATIONS. (2:32 PM)

- A. GORDON AND MONIKA MATTHEWS; LONE STAR DAMAGES
- B. ROBERTA MARRERO; DENY
- C. JUAN GARZA; DENY
- D. ALTO NAUERT; DENY

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

Motion by Commissioner Biscoe and seconded by Commissioner Sonleitner to approve staff recommendations concerning Item A; to approve staff recommendations to deny Items B and C; and to approve, subject to receipt of a written claim, staff recommendations for Item D, Alto Nauert, in the amount of \$213.20.

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

16. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:10 AM)

Item 16 added to Consent Items.

17. APPROVE CONTRACTUAL AGREEMENT BETWEEN TRAVIS COUNTY AND SIX-TWENTY SHOPPING CENTER, LTD., KNOWN AS LOHMANS CROSSING, FOR VIOLATIONS OF THE HEALTH AND SAFETY CODES AND THE WATER CODE, CAUSED BY SEPTIC VIOLATIONS AND SEWAGE DISCHARGE. (WILLIAMS; ENVIRONMENTAL MATTER) (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.071). (3:41 PM)

Members of the Court received a report from Valarie Bristol, Commissioner Precinct Three.

Item 17 to be reposted for July 30, 1996.

18. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING STATUS OF LITIGATION IN PRIEM, ET AL., V. NORTHWESTERN NATIONAL LIFE



INSURANCE COMPANY, ET AL., AND TAKE APPROPRIATE ACTION. ((PEREZ; MAUDLIN-TAYLOR) INSURANCE CLAIM LITIGATION) (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.071). (2:40 PM) (3:43 PM)

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

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

Motion by Judge Aleshire and seconded by Commissioner Gómez:

- 18. to offer the law firm involved in this case a settlement in the amount of \$262,282.15;
- 19. to repost this Item for July 23, 1996;
- 20. to approve Item 20 and 21 (the agreements) and request that the Auditor expedite payment to the two physicians for the claim settlement amount; and
- 21. (refer to Item 20).

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

- 19. AUTHORIZE COUNTY ATTORNEY TO INSTITUTE LAWSUIT SEEKING DAMAGES, PENALTIES, AND PERMANENT INJUNCTION AGAINST RANDALL R. MCLERRAN, JOE BARAGAS, METRO-PAVING COMPANY AND METRO-HAULING COMPANY AND AUTHORIZE THE APPROVAL OF LITIGATION EXPENSES. (GIESELMAN) (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.071). (2:40 PM) (3:43 PM)

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

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

20. APPROVE AMENDED FORM OF PROFESSIONAL SERVICES AGREEMENT WITH JOHN H. BLEWETT, M.D. FOR MEDICAL DIRECTOR SERVICES FOR COUNTY CORRECTIONAL FACILITIES INCLUDING CENTRAL BOOKING AND ESTABLISH BASIS FOR PAYMENT FOR SERVICES AT CENTRAL BOOKING FROM FEBRUARY 1, 1996, TO THE PRESENT. (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.071). (2:40 PM) (3:43 PM)

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

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

21. APPROVE AMENDED FORM OF PROFESSIONAL SERVICES AGREEMENT WITH DON CONNELL, M.D., FOR CONTRACT PHYSICIAN SERVICES FOR COUNTY CORRECTIONAL FACILITIES, INCLUDING CENTRAL BOOKING, AND ESTABLISH BASIS FOR PAYMENT FOR SERVICES AT CENTRAL BOOKING FROM FEBRUARY 1, 1996, TO THE PRESENT. (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE, ANN. SECTION 551.071). (2:40 PM) (3:43 PM)

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

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

22. AUTHORIZE TERRY KEEL TO HIRE OUTSIDE COUNSEL 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). (2:40 PM) (3:43 PM)

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

No action taken.

**ADDENDA ITEM 1.**

ACCEPT PART OR ALL OF THE SOLE BID FROM WST BUILDING SPECIALTIES, INC., FOR SECURITY WINDOWS AND SCREENS, IFB #B960082-JP, AND AMEND BUDGET ACCORDINGLY, OR APPROVE AN EXEMPTION ORDER FROM THE COMPETITIVE BIDDING REQUIREMENTS PURSUANT TO THE COUNTY PURCHASING ACT, SECTION 262.024 FOR THE SHERIFF'S OFFICE IN ORDER TO EXPEDITE THIS PROJECT. (11:48 AM) (2:38 PM) (3:43 PM)

Members of the Court agreed to discuss Items 10 and Addenda Item 1 concurrently.

Members of the Court heard from Cyd Grimes, Purchasing Agent; Donna Scarbrough, TCSO; and Assistant County Attorney, Jim Collins.

Discussion only.

Members of the Court heard from Steve Cole, Planning and Budget and Cyd Grimes, Purchasing Agent.

Discussion only.

Members of the Court heard from Donna Scarbrough, TCSO; Cyd Grimes, Purchasing Agent; and Steve Cole, Planning and Budget.

Motion by Judge Aleshire and seconded by Commissioner Biscoe to approve the 376 screens and 22 windows; to authorize an exemption from the Purchasing Act; to request that the Purchasing Agent contact all known vendors which may be interested in doing this work to offer them an opportunity to submit proposals for this project; to authorize Purchasing, in conjunction with the Sheriff's Office, to include in this bid an opportunity (an optional item) to maintain the screens after installation; and that the Commissioners' Court wishes to support the maintenance of the screens from vandalism by the inmates via some mechanism to prevent a future Commissioners' Court from being placed in the same position as to have to catch up with the repairs of the vandalism which has accumulated over many years.

Maker and second accepted the Friendly Amendment by Commissioner Sonleitner to amend the budget adjustment form to state the quantity of 22 windows and 376 screens.

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

Motion by Commissioner Biscoe and seconded by Commissioner Sonleitner to adjourn the Voting Session. (3:53 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**