MINUTES -- JULY 29, 1997

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 29th day of July 1997, the Commissioners' Court convened the Voting Session at 9:14 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 Anna M. Valdez.

The Commissioners' Court recessed the Voting Session at 12:06 PM and reconvened at 1:38 PM.

The Commissioners' Court retired to Executive Session at 2:32 PM and reconvened the Voting Session at 2:48 PM.

The Commissioners' Court retired to Executive Session at 7:26 PM and reconvened the Voting Session at 8:50 PM.

The Commissioners Court adjourned the Voting Session at 8:53 PM.

Clerk's Note: The Commissioners' Court record notes that Precinct Three Commissioner Valarie Scott Bristol was not present during this Voting Session.

RESOLUTIONS AND HEARINGS

1. APPROVE CANCELING LOTS 14, 15, 16, 17 AND A PORTION OF TERRELL STREET ROW, LAKE TRAVIS SUBDIVISION NO. 2, A SUBDIVISION IN PRECINCT TWO.
(9:22 AM)

Motion by Commissioner Sonleitner and **seconded by** Commissioner Biscoe that the public hearing be opened.

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

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

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); and John Hille, Assistant County Attorney.

Motion by Commissioner Sonleitner and **seconded by** Commissioner Biscoe that the public hearing be closed.

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

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

Clerk's Note: Item 1 is Consent Item C16. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

2. APPROVE THE VACATION OF A DRAINAGE EASEMENT ON LOT 1, BLOCK I, NORTH PARK SECTION FIVE, A SUBDIVISION IN PRECINCT TWO. (9:25 AM)

Motion by Commissioner Sonleitner and **seconded by** Commissioner Biscoe that the public hearing be opened.

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

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

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR.

Motion by Commissioner Sonleitner and **seconded by** Commissioner Biscoe that the public hearing be closed.

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

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

Clerk's Note: Item 2 is Consent Item C17. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

3. APPROVE THE VACATION OF A WATER AND WASTEWATER EASEMENT ON LOT 4 FERGUSON COMMERCIAL SECTION I, A SUBDIVISION IN PRECINCT ONE.
(9:24 AM)

Motion by Commissioner Biscoe and **seconded by** Commissioner Sonleitner that the public hearing be opened.

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

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

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR.

Motion by Commissioner Biscoe and **seconded by** Commissioner Sonleitner that the public hearing be closed.

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

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

Clerk's Note: Item 3 is Consent Item C18. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

4. APPROVE PROPOSED STREET NAME ASSIGNMENT FOR 3100' EASEMENT EXTENDING WEST OF WERCHAN ROAD APPROXIMATELY 1800' SOUTH OF WILLIAMSON COUNTY LINE TO "SVENSKA ROAD", IN PRECINCT ONE. (9:26 AM)

Motion by Commissioner Biscoe and **seconded by** Commissioner Sonleitner that the public hearing be opened.

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

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

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR.

Motion by Commissioner Biscoe and **seconded by** Commissioner Sonleitner that the public hearing be closed.

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

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

Clerk's Note: Item 4 is Consent Item C19. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

CITIZENS' COMMUNICATION

There were no respondents who addressed the Court. (9:27 AM)

CONSENT ITEMS

5. Motion by Commissioner Gómez and **seconded by** Commissioner Biscoe to approve the following Consent Items: 23, 25, 27, 30, 31, 33, 39.A, 39.B, 40.A, 41; and C.1 - C.20, excluding Items C.6, C.9, and C.16. (9:28 AM) (6:24 PM)

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

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

Motion by Commissioner Sonleitner and **seconded by** Commissioner Gómez to reconsider the Consent Motion and Vote taken earlier today for Item C.5.

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

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

Motion by Commissioner Sonleitner and **seconded by** Commissioner Biscoe to approve Item C.5 as amended.

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- **C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION FACILITIES.
- **C3.** APPROVE COMMISSIONERS' COURT MINUTES FOR THE FOLLOWING VOTING SESSIONS: APRIL 14, 1997; MAY 13, 1997; AND MAY 20, 1997.
- **C4.** APPOINT ELECTION JUDGES AND ALTERNATE JUDGES TO THEIR ONE-YEAR TERM.
- **C5.** APPROVE ORDER DESIGNATING REGULAR POLLING PLACES FOR THE AUGUST 9, 1997 CONSTITUTIONAL AMENDMENT ELECTION. (6:24 PM)
- **C6.** APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:15 AM) (10:35 AM)

Item C6 pulled for discussion.

Clerk's Note: Items C.6, 7, 8, 9 and 10 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney; Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans Affairs Services; Cora Wright, Director, Neighborhood Services, Austin-Travis County Health and Human Services Department; Alfredo Carrasco, Manager, Housing Services, Austin-Travis County Health and Human Services Department; Elaine Carol, Manager, Medical Assistance Program, Austin-Travis County Health and Human Services Department; and Jane Nelson, Manager, Medical Assistance Program, Austin-Travis County Health and Human Services Department.

Motion by Commissioner Sonleitner and **seconded by** Commissioner Biscoe to approve Item C.6, including the add-ons for the rental assistance program.

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

- C7. APPROVE CONTRACT MODIFICATION NO. 2 TO EXERCISE THE OPTION TO RENEW CLAUSE FOR OPTION YEAR #2 AND TO INCLUDE A NOT-TO-EXCEED CLAUSE OF \$5,000.00 AND \$115,000.00 RESPECTIVELY, IN CONTRACT NOS. PS960019OJ, AND PS9600290OJ, DR. NICOLAS CARRASCO AND DR. CARLOS LOREDO, SEX OFFENDER PROGRAM; CONTRACT APPROVED ON 11/8/95.
- **C8.** APPROVE SCOPE OF WORK REQUESTED BY ALDERMAN BOBBIE CROSBY, FOR CRACK SEALING STREETS IN THE VILLAGE OF SAN LEANNA, IN ACCORDANCE WITH THE TERMS OF THE INTERLOCAL AGREEMENT.
- C9. APPROVE CONTRACT MODIFICATION NO. 2 TO EXERCISE THE OPTION TO RENEW CLAUSE FOR OPTION YEAR #2 IN CONTRACT NOS. PS960019OJ, AND PS960029OJ, DR. NICOLAS CARRASCO AND DR. CARLOS LOREDO, SEX OFFENDER PROGRAM; CONTRACT APPROVED ON 11/8/95. (9:15 AM)

Item C.9 pulled from Agenda (duplicate of Item C.7)

- C10. APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. PS960094LH, BETWEEN TRAVIS COUNTY AND THE OAKS PSYCHIATRIC HOSPITAL, INC. TO CORRECT A CLERICAL ERROR CONTAINED IN APPENDIX A PAYMENT. THE AMOUNT CONTAINED IN THE CONTRACT IS \$99.68 PER CLIENT PER DAY FOR LEVEL 5 CARE; MODIFICATION CORRECTS THE DAILY REIMBURSEMENT RATE FOR LEVEL 5 CARE TO REFLECT THE APPROVED HEALTH AND HUMAN SERVICES RATE OF \$118.20 PER CLIENT PER DAY.
- C11. APPROVE CONTRACT AWARD FOR THE PROVISION OF EMERGENCY RESPONSE AND REMEDIATION SERVICES, IFB # B970112-JJ TO THE LOW, QUALIFIED BIDDERS, ENVIRONMENTAL MANAGEMENT CORP. AS PRIMARY CONTRACTOR, AND GARNER ENVIRONMENTAL SERVICES, INC., AS SECONDARY CONTRACTOR.
- C12. APPROVE CONTRACT AWARD FOR THE PROVISION OF TIRES AND TUBES, IFB # B970117-BA TO THE LOW QUALIFIED BIDDER, REMINGTON TIRE DISTRIBUTORS, FORT WORTH, TEXAS IN THE ESTIMATED AMOUNT OF \$245,935.05.

- C13. APPROVE A PUBLIC HEARING DATE OF AUGUST 12, 1997 TO APPROVE THE VACATION OF A PUBLIC UTILITY EASEMENT ON LOT 21, WESTCLIFF SECTION 1-A, A SUBDIVISION IN PRECINCT TWO.
- C14. APPROVE A PUBLIC HEARING DATE OF AUGUST 12, 1997 TO APPROVE THE VACATION OF A PUBLIC UTILITY EASEMENT ON LOT 2, CAMELOT WEST, A SUBDIVISION IN PRECINCT THREE.
- C15. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: THE MANSFIELD SUBDIVISION (SHORTFORM SUBDIVISION NO FISCAL 1 LOT 30.044 ACRES MANSFIELD DAM ROAD).
- **C16.** APPROVE CANCELING LOTS 14, 15, 16, 17 AND A PORTION OF TERRELL STREET ROW, LAKE TRAVIS SUBDIVISION NO. 2, A SUBDIVISION IN PRECINCT TWO.

Item C16 pulled from Consent.

Clerk's Note: Item C16 is also Item 1.

C17. APPROVE THE VACATION OF A DRAINAGE EASEMENT ON LOT 1, BLOCK I, NORTH PARK SECTION FIVE, A SUBDIVISION IN PRECINCT TWO.

Clerk's Note: Item C17 is also Item 2.

C18. APPROVE THE VACATION OF A WATER AND WASTEWATER EASEMENT ON LOT 4 FERGUSON COMMERCIAL SECTION I, A SUBDIVISION IN PRECINCT ONE.

Clerk's Note: Item C18 is also Item 3.

C19. APPROVE PROPOSED STREET NAME ASSIGNMENT FOR 3100' EASEMENT EXTENDING WEST OF WERCHAN ROAD APPROXIMATELY 1800' SOUTH OF WILLIAMSON COUNTY LINE TO "SVENSKA ROAD", IN PRECINCT ONE.

Clerks' Note: Item C19 is also Item 4.

ADDED CONSENT ITEM:

C20. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOT 5, BLOCK EE AQUA MONTE SECTION TWO RESUBDIVISION OF LOTS 1,3, 4 AND 5 BLOCK E, AND LOTS 5, 6, 7, 8, 9, 13, AND 14 BLOCK D AND LOT 1 RIO ROBLES SECTION ONE (AMENDED PLAT - NO FISCAL REQUIRED - 2 LOTS - 4.219 ACRES - LISA DRIVE).

COUNTY POLICIES AND PROCEDURES

6. AMEND THE FLOOD PLAIN MANAGEMENT GUIDELINES AND PROCEDURES FOR DEVELOPMENT PERMITS, CHAPTER 64 OF THE TRAVIS COUNTY POLICIES AND PROCEDURES MANUAL. (9:40 AM) (7:26 PM) (8:50 PM)

Members of the Court heard from: Ruben Cantu, TNR; Pete Baldwin, Emergency Management Coordinator, TNR; Joe Gieselman, Executive Manager, TNR; Donald Grigsby, TNR; Chris Corriere, Graveyard Point Resident; and John Hille, Assistant County Attorney.

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

Clerk's Note: Items 6 and 13 are associated with one another and were called for concurrent discussion.

Item 6 to be reposted on August 5, 1997.

7. APPROVE THE SUBSTANTIVE CONTENT OF THE EDITED VERSION OF THE TRAVIS COUNTY POLICIES, PROCEDURES, AND REGULATIONS MANUAL, CHAPTER 74 - TRAVIS COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES POLICIES FOR TRAVIS COUNTY MEDICAL ASSISTANCE PROGRAM. (10:35 AM)

Clerk's Note: Items C.6, 7, 8, 9 and 10 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney; Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans Affairs Services; Cora Wright, Director, Neighborhood Services, Austin-Travis County Health and Human Services Department; Elaine Carol, Manager, Medical Assistance Program, Austin-Travis County Health and Human Services Department; and Jane Nelson, Manager, Medical Assistance Program, Austin-Travis County Health and Human Services Department.

Motion by Commissioner Gómez and **seconded by** Commissioner Biscoe to give staff direction to complete the drafting work, with the addition of not denying service due to inability to make co-payment.

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

8. APPROVE THE SUBSTANTIVE CONTENT AMENDMENT TO THE TRAVIS COUNTY RURAL DENTAL ASSISTANCE PROGRAM POLICIES. (10:35 AM) (11:00 AM)

Clerk's Note: Items C.6, 7, 8, 9 and 10 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney; Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans Affairs Services; Cora Wright, Director, Neighborhood Services, Austin-Travis County Health and Human Services Department; Elaine Carol, Manager, Medical Assistance Program, Austin-Travis County Health and Human Services Department; and Jane Nelson, Manager, Medical Assistance Program, Austin-Travis County Health and Human Services Department.

Discussion Only.

9. APPROVE SUBSTANTIVE CONTENT AMENDMENT TO THE TRAVIS COUNTY EMERGENCY ASSISTANCE PROGRAM POLICIES INCLUDING: RENTAL ASSISTANCE; UTILITIES ASSISTANCE; AND OTHER ASSOCIATED PROGRAMS. (10:35 AM)

Clerk's Note: Items C.6, 7, 8, 9 and 10 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney; Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans Affairs Services; Cora Wright, Director, Neighborhood Services, Austin-Travis County Health and Human Services Department; Alfredo Carrasco, Manager, Housing Services, Austin-Travis County Health and Human Services Department; and Kathleen Rodriguez, Policies and Procedures, Austin-Travis County Health and Human Services Department.

Motion by Commissioner Gómez and **seconded by** Commissioner Sonleitner to approve Item 9.

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

10. APPROVE THE SUBSTANTIVE CONTENT HOUSING SERVICES PROGRAM POLICIES AND PROCEDURES. (10:35 AM)

Clerk's Note: Items C.6, 7, 8, 9 and 10 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney; Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans Affairs Services; Cora Wright, Director, Neighborhood Services, Austin-Travis County Health and Human Services Department; and Alfredo Carrasco, Manager, Housing Services, Austin-Travis County Health and Human Services Department.

Motion by Commissioner Gómez and **seconded by** Commissioner Biscoe to approve Items 9 and 10 as recommended by staff.

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

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

11. APPROVE THE SUBSTANTIVE CONTENT REVISED EMPLOYEE PAY AND COMPENSATION POLICY. (1:37 PM)

Item 11 postponed until August 5, 1997.

12. DISCUSS AND APPROVE THE CATASTROPHIC SICK LEAVE POLICY. (9:15 AM)

Item 12 postponed until August 5, 1997.

ADMINISTRATIVE ITEMS

13. EXTEND FLOOD DISASTER DECLARATION AND RECEIVE UPDATE AND GIVE DIRECTION CONCERNING FLOOD DAMAGE AND RESPONSE EFFORTS AND STATUS OF APPLICATIONS FOR REBUILDING IN THE FLOODPLAIN. (9:40 AM)

Members of the Court heard from: Ruben Cantu, TNR; Pete Baldwin, Emergency Management Coordinator, TNR; Joe Gieselman, Executive Manager, TNR; and Donald Grigsby, TNR.

Clerk's Note: Items 6 and 13 are associated with one another and were called for concurrent discussion.

Motion by Commissioner Sonleitner and **seconded by** Commissioner Gómez to approve Item 13. (9:52 AM)

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

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

14. A. CONSIDER ALTERNATIVE SITES FOR A NORTHEAST COUNTY METRO PARK AND GIVE STAFF DIRECTION, AND/OR TAKE OTHER APPROPRIATE ACTION. ² (1:38 PM) (7:26 PM) (8:50 PM)

Discussion Only.

B. APPROVE AGREEMENT FOR BROKER SERVICE TO LOCATE PARK SITE. (1:38 PM) (7:26 PM) (8:50 PM)

Discussion Only.

Judge Aleshire announced that Items 14.A and B would be considered in Executive Session.

Item 14.A and B to be reposted on August 5, 1997.

15. APPROVE CLOSURE OF TOM HUGHES PARK TO THE PUBLIC ON SATURDAY, AUGUST 9, 1997 FOR A PRIVATE WEDDING. (1:54 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; John Hille, Assistant County Attorney; and Dinah Dinwiddie, Executive Manager, Criminal Justice Planning (CJP).

Discussion Only.

16. CONSIDER ALTERNATIVE PROVISIONS AND APPROVE SECOND AMENDMENT TO PARK LEASE WITH THE LCRA. (9:18 AM) (2:05 PM)

Item 16 postponed until August 5, 1997.

17. APPROVE RECOMMENDATIONS OF APPLICATION REVIEW COMMITTEE FOR SERVICES TO BE FUNDED THROUGH THE TRAVIS COUNTY CRIME VICTIMS FUND FOR 1998. (9:28 AM)

Members of the Court heard from: Caryl Colburn, Director, Travis County Counseling and Education Services; Efrain Davila, Manager, Education Services; Karen Cox, Executive Director of CASA, Travis County; Don Cox, For The Love of Christi; Lisa Ramirez, Austin Rape Crisis Center; Mark Hudgins, Parents Anonymous of Texas; Cathy Hamilton, Pebble Project (Project HELP); Regina Rogoff, Executive Director, Legal Aid of Central Texas; Wendy Andreades, Associate Director of Austin/Travis MHMR.

Motion by Commissioner Biscoe and **seconded by** Commissioner Gómez to approve Item 17.

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

18. A. PROVIDE DIRECTION CONCERNING PREFERRED STRATEGIES FOR PROVIDING HEALTH AND HUMAN SERVICES THROUGH PRIVATE CONTRACT AGENCIES. (3:42 PM)

Members of the Court heard from: Pandora Wood, Austin-Travis County Health and Human Services Department; Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans' Affairs Services; Mary Etta Gerhardt, Assistant County Attorney; and Dinah Dinwiddie, Executive Manager, CJP.

Discussion Only.

Clerk's Note: Items 18.A, 18.B and 19 are associated with one another and were called for concurrent discussion.

B. CONSIDER AND APPROVE RELEASE OF A REQUEST FOR APPLICATIONS (RFA) FOR SOCIAL SERVICES TO BE CONTRACTED BY THE AUSTIN/TRAVIS COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT FOR 1998 AND TO BE EXTENDED THROUGH 1999 CONTINGENT ON FUNDING AVAILABILITY AND CONTRACT PERFORMANCE.

Clerk's Note: Items 18.A, 18.B and 19 are associated with one another and were called for concurrent discussion.

Motion by Commissioner Biscoe and **seconded by** Commissioner Gómez to approve Item 18.B, making changes based on staff recommendations.

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

19. RECEIVE STATUS REPORT ON COMMUNITY JUSTICE CENTER, INCLUDING IMPLEMENTATION OF TRANSITION COMMITTEE RECOMMENDATIONS, AND TAKE APPROPRIATE ACTION. (3:42 PM) (5:24 PM)

Members of the Court heard from: Dinah Dinwiddie, Executive Manager, CJP.

Clerk's Note: Items 18.A, 18.B and 19 are associated with one another and were called for concurrent discussion.

Discussion Only.

Item 19 to be reposted on August 5, 1997.

20. A. RECEIVE IJS NEGOTIATION UPDATE AND TAKE APPROPRIATE ACTION, IF NECESSARY, RFP #R960072-OJ. (5:33 PM)

Members of the Court heard from: Dinah Dinwiddie, Executive Manager, CJP; Frank Curcio, Director, Information and Telecommunications Systems (ITS); Brad Powell, Assistant Director, ITS; Alicia Perez, Executive Manager, Administrative Operations; Don Warren, ITS; and Susan Spataro, Travis County Auditor.

Discussion Only.

Item 20.A to be reposted on August 5, 1997.

B. DISCUSS AND RECEIVE APPROVAL TO BEGIN A PROJECT FOR THE CONVERSION OF THE CRIMINAL AND CIVIL JUSTICE COMPUTER SYSTEMS WHICH RESIDE ON THE COUNTY'S UNISYS MAINFRAME TO BRING THEM INTO YEAR 2000 COMPLIANCE. (5:58 PM)

Discussion Only.

Item 20.B to be reposted on August 5, 1997.

- 21. ADOPT ORDER SETTING THE SALARY SUPPLEMENTS FOR JUDICIAL POSITIONS EFFECTIVE SEPTEMBER 1, 1997. (9:18 AM)
 - **A.** COURT OF APPEALS
 - **B.** DISTRICT JUDGES
 - C. COUNTY COURT AT LAW JUDGES, PROBATE JUDGE, COUNTY ATTORNEY AND DISTRICT ATTORNEY.

Items 21.A, B and C postponed until August 5, 1997.

22. UPDATE AND APPROVE METHODOLOGY FOR COUNTY EMPLOYEE SALARY SURVEY AND GIVE STAFF DIRECTION. (6:28 PM)

Members of the Court heard from: Carlotta Valdez, Compensation Manager, Human Resources Management Department (HRMD); Marilyn A. Hancock, Interim Director, HRMD; Frank Wagner Personnel Specialist, HRMD; and Cynthia Wise Galvan Compensation Specialist, HRMD; Frank Curcio, Director, ITS; and Joe Gieselman, Executive Manager, TNR.

Motion by Commissioner Biscoe and **seconded by** Commissioner Gómez to approve the Trainer job family as recommended by Staff.

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

ITEM 22 CONTINUED

Motion by Commissioner Biscoe and **seconded by** Commissioner Gómez to approve the Technical job family based on Staff recommendations, and to defer action on Media Producer I and II.

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

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

Motion by Commissioner Biscoe and **seconded by** Commissioner Gómez to approve the Counseling job family as recommended by Staff, and to defer action on the Victim Witness Counselor I and II.

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

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

Motion by Commissioner Biscoe and **seconded by** Commissioner Sonleitner to approve the proposed revisions to the methodology (listed in Marilyn A. Hancock's memo to the Court, dated July 15, 1997).

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

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

23. APPROVE AMENDMENT OF MEMORANDUM OF UNDERSTANDING WITH BLUE CROSS/BLUE SHIELD OF TEXAS, INC. TO EXTEND TIME FOR EXECUTION OF SERVICES OF AGREEMENT. (9:19 AM)

Item 23 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

REVISED WORDING:

24. DISCUSS AND APPROVE THE COUNTY'S CONTRIBUTION TO EMPLOYEE HEALTH INSURANCE PLAN AND/OR T-FLEX FOR MEDICAL EXPENSES IN FY '98. (5:21 PM) (6:28 PM) (6:52 PM) (7:20 PM)

Members of the Court heard from: Barbara Wilson, Assistant County Attorney; Marilyn A. Hancock, Interim Director, HRMD; Daniel Mansour, Risk Manager, HRMD; Alicia Perez, Executive Manager, Administrative Operations; Karen Shafer Castro, Senior Budget Analyst, Planning and Budget Office (PBO); Leroy Nellis, Budget Manager, PBO; and Susan Spataro, Travis County Auditor.

Motion by Judge Aleshire and seconded by Commissioner Biscoe that the County Commissioners' Court indicate that it will pay a minimum of \$171.02 toward the employee health insurance premium and that the HRMD staff be authorized to indicate that and proceed with printing for open enrollment and to repost this item on August 5, 1997 to consider whether the limit will be exceeded.

Maker and Second accept the Friendly Amendment by Commissioner Sonleitner that PBO run various scenarios to determine what the results would be based on different contribution amounts by the County.

Acceptance of the Friendly Amendment was made by Judge Aleshire and seconded by Commissioner Biscoe.

Second accept the Friendly Amendment made by Judge Aleshire to see some projections on what the real need is for the market salary adjustments.

Acceptance of the Friendly Amendment was made by Commissioner Biscoe.

Maker accept the Friendly Amendment made by Commissioner Biscoe that the County bear the cost to keep the contribution for retirees the same.

Acceptance of the Friendly Amendment was made by Judge Aleshire.

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

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

Item 24 to be reposted on August 5, 1997.

25. APPROVE PERSONNEL AMENDMENTS. (9:19 AM)

Item 25 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

26. REVIEW AND APPROVE TUITION REFUNDS FOR EMPLOYEES COMPLETING THE SPRING 1997 SEMESTER. (5:21 PM)

Item 26 postponed until August 5, 1997.

27. APPROVE INTERAGENCY AGREEMENT BETWEEN THE SHERIFF'S OFFICE AND CSCD FOR THE COORDINATION OF ACTIVITIES AT THE SMART FACILITY, INCLUDING THE CHALLENGE COURSE. (9:19 AM)

Item 27 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

28. AWARD THE OCIP CONSULTANT CONTRACT. (9:15 AM)

Item 28 postponed until August 5, 1997.

29. APPROVE REQUEST TO ADVERTISE FOR PROCUREMENT OF SERVICES, RFS #S970139SG, PROFESSIONAL ARBITRAGE CALCULATION SERVICES. (5:22 PM)

Motion by Commissioner Sonleitner and **seconded by** Commissioner Gómez to approve Item 29.

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

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

Clerk's Note: Judge Aleshire notes that he has questions, which will be brought up later.

30. APPROVE AMENDMENT TO THE LEASE BETWEEN TRAVIS COUNTY AND HORTON INVESTMENTS FOR SPACE LOCATED AT 201 WEST 5TH STREET. (9:19 AM)

Item 30 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

31. APPROVE DECLARATION OF ATTACHED LISTING OF EQUIPMENT AS SURPLUS PROPERTY PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (9:19 AM)

Item 31 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

32. APPROVE ALLOCATION OF ADDITIONAL FUNDING RECEIVED BY COUNTY THROUGH TEXAS COMMISSION ON ALCOHOL AND DRUG ABUSE FROM REALLOCATED FY '97 FUNDS FOR THE JUVENILE OFFENDER SUBSTANCE ABUSE TREATMENT SERVICES PROGRAM FOR: (A) CONTRACT MODIFICATION NO. 2 TO CONTRACT NO. PS960294LH BETWEEN COUNTY AND YOUTH ADVOCACY, INC. TO INCREASE THE CONTRACT TO AN AMOUNT NOT TO EXCEED \$177,655.00; AND (B) CONTRACT MODIFICATION NO. 2 TO CONTRACT NO. PS960295LH BETWEEN COUNTY AND AUSTIN CHILD GUIDANCE CENTER TO INCREASE THE CONTRACT TO AN AMOUNT NO TO EXCEED \$89,095.00. (5:22 PM)

Motion by Commissioner Sonleitner and seconded by Commissioner Gómez to approve Item 32.

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe yes

Precinct 2, Commissioner Karen Sonleitner

yes

Precinct 3, Commissioner Valarie Scott Bristol -Precinct 4, Commissioner Margaret J. Gómez

absent yes

County Judge Bill Aleshire

yes

33. APPROVE QUANTUM MERUIT CLAIMS FOR \$15,730.00 FOR COUNTY-WIDE ADVERTISEMENTS TO THE AUSTIN AMERICAN-STATESMAN. (9:19 AM)

Item 33 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

34. RECEIVE REPORT ON STATUS OF CIP RESERVE FROM VOTER APPROVED 1984 BOND REFERENDUM, INCLUDING A BREAKDOWN OF EXPENDITURES BY PRECINCT, AND TAKE APPROPRIATE ACTION. (2:07 PM) (2:48 PM) (7:26 PM) (8:50 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Carol B. Joseph, Assistant Director, TNR.

Judge Aleshire announced that Item 34 would be considered in Executive Session.

Item 34 to be reposted on August 5, 1997.

35. APPROVE USE OF CAPITAL ACQUISITION RESERVE (CAR) FUNDS TO COVER DIFFERENCE BETWEEN RISK FUND PAYMENT AND REPLACEMENT COST OF TOTAL LOSS VEHICLES. (9:15 AM)

Item 35 postponed until August 12, 1997.

36. APPROVE ADVANCE FUNDING AGREEMENT WITH TXDOT FOR SURFACE TRANSPORTATION PROGRAM (STP) 4C PROJECT IN CONNECTION WITH THE DEVELOPMENT OF DESSAU ROAD NORTH, CIP PROJECT NO. 2-019. (5:23 PM)

Item 36 postponed until August 5, 1997.

37. DISCUSS AND GIVE STAFF DIRECTION ON DRAINAGE ISSUES IN SWISS ALPINE SUBDIVISION. (9:19 AM)

Item 37 postponed until August 5, 1997.

38. CONSIDER OPTIONS AVAILABLE TO ADDRESS PROBLEM OF ILLEGAL DUMPING ON OLD JOHNNY MORRIS ROAD, INCLUDING VACATION OF RIGHT-OF-WAY, AND TAKE APPROPRIATE ACTION. (9:15 AM)

Item 38 postponed until August 5, 1997.

- **39.** A. APPROVE CASH SECURITY AGREEMENT WITH WEBB TROUP ENTERPRISES, INC., FOR CIRCLE C RANCH PHASE C SECTION 8, A SUBDIVISION IN PRECINCT THREE. (9:28 AM)
 - **B.** APPROVE ALTERNATE FISCAL FOR CIRCLE C RANCH PHASE C SECTION 8. A SUBDIVISION IN PRECINCT THREE.

Items 39.A and 39.B added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- **40.** APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSION TO CONTINUE.
 - **A.** APPROVE GRANT APPLICATION FROM THE CORPORATION FOR NATIONAL SERVICE FOR THE TRAVIS COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT, (RSVP PROGRAM). (9:19 AM)

Items 40.A added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

B. APPROVE GRANT APPLICATION FOR BUILD GREATER AUSTIN PROGRAM FOR TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT (TNR). (5:23 PM)

Item 40.B postponed until August 5, 1997.

41. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:19 AM)

Item 41 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

EXECUTIVE SESSION ITEMS

- **Note 1 -** Gov't Code Ann 551.071, Consultation with Attorney
- Note 2 Gov't Code Ann 551.072, Real Property
- Note 3 Gov't Code Ann 551.074, Personnel Matters
- 42. DISCUSSION OF SETTLEMENT OFFER FROM THE PLAINTIFF'S ATTORNEY AND GENERAL MERITS OF THE CASE AND TAKE APPROPRIATE ACTION IN CAUSE NO. A-96-CA-674-SS (CURETON V. TERRY KEEL, TRAVIS COUNTY SHERIFF AND TRAVIS COUNTY, TEXAS). ¹ (9:15 AM) (2:32 PM) (7:26 PM) (8:50 PM)

Judge Aleshire announced that Item 42 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 42, 52, 53, and 54.

Motion by Judge Aleshire and **seconded by** Commissioner Sonleitner to approve the following Items as summarized below:

- 42. Reject their offer and offer a settlement in the total amount of \$55,000.00
- **52.** Reject their offer and counter in the amount of \$35,000.00
- 53. Accept their offer of \$2,600.00
- **54.** Accept their offer of \$9,990.00

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

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

43. RECEIVE ADVICE FROM COUNTY ATTORNEY CONCERNING FLOOD PLAIN REGULATIONS AND FEMA RULES AND TAKE APPROPRIATE ACTION. ¹ (7:26 PM) (8:50 PM)

Judge Aleshire announced that Item 43 would be considered in Executive Session.

Item 43 pulled from the agenda.

44. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, TEXAS V. JERRY OERTLI AND META OERTLI PRIEM. ¹ (7:26 PM) (8:50 PM)

Judge Aleshire announced that Item 44 would be considered in Executive Session.

Item 44 pulled from the agenda.

45. APPROVE, REJECT, OR COUNTER OFFER FROM WELLS BRANCH JOINT VENTURE AND TANDEM COMPUTERS WITH REGARD TO IMPROVEMENT OF DOUBLE FILE TRAIL TO COUNTY STANDARDS. ¹ (5:24 PM)

Item 45 postponed until August 5, 1997.

46. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY V. RYLANDER INVESTMENT COMPANY; CASE NUMBER 96-50100 AND USDC NUMBER A-94-CA-561-SC, AND TAKE APPROPRIATE ACTION. ¹ (7:26 PM) (8:50 PM)

Judge Aleshire announced that Item 46 would be considered in Executive Session.

Item 46 pulled from the Agenda.

47. APPROVE PURCHASE CONTRACT WITH JIMMY SPILLAR FOR ACQUISITION OF APPROXIMATELY 650 SQUARE FEET OUT OF SPILLAR PROPERTY AT 2701 S. CONGRESS IN CONNECTION WITH JUVENILE JUSTICE PROJECT AND/OR APPROVE COST OF SURVEY, TITLE COMMITMENT AND POLICY, AND CLOSING COSTS. (DINWIDDIE) ² (7:26 PM)

Item 47 postponed until August 5, 1997.

48. AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER; RECEIVE BRIEFING, AND/OR TAKE APPROPRIATE ACTION IN CAUSE NO. 93-06143; KATHLEEN URIBE V. TRAVIS COUNTY, TEXAS (TNR; JOE GIESELMAN; PERSONAL INJURY). ¹ (9:15 AM)

Item 48 postponed until August 5, 1997.

49. AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER; RECEIVE BRIEFING, AND/OR TAKE APPROPRIATE ACTION IN RICHARD CONNER V. TRAVIS COUNTY, ET AL. (CONNER; KEEL; CIVIL RIGHTS). ¹ (9:15 AM)

Item 49 postponed until August 5, 1997.

50. RECEIVE BRIEFING AND/OR AUTHORIZE COUNTY ATTORNEY TO TAKE APPROPRIATE ACTION IN LORENZO LEWIS V. LAURA DAVENPORT, ET AL; (FRASIER; § 1983; EXCESSIVE FORCE). (9:15 AM)

Item 50 postponed until August 5, 1997.

51. AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER; RECEIVE BRIEFING, AND/OR TAKE APPROPRIATE ACTION IN RICHARD CONNER V. TRAVIS COUNTY, ET AL. (CONNER; KEEL; CIVIL RIGHTS). ¹ (9:15 AM)

Item 50 pulled from the agenda (duplicate of Item 49).

52. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE STAFF DIRECTION AND/OR TAKE APPROPRIATE ACTION; AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN JOE BOGGAN AND JOANN BOGGAN, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF JOSEPH SCOTT BOGGAN, DECEASED VS. COUNTY OF TRAVIS, CAUSE NO. 97-01926 (BOGGAN; GIESELMAN; WRONGFUL DEATH). 1 (7:26 PM) (8:50 PM)

Judge Aleshire announced that Item 52 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 42, 52, 53, and 54. Please refer to Item 42 for a summary of the Court's action on this motion.

53. APPROVE, REJECT OR COUNTER THE COUNTER-OFFER RECEIVED FROM ACHIE AND BRENDA BASEY FOR PARCEL 4 FOR ROUND MOUNTAIN BRIDGE #206 PROJECT. ² (7:26 PM) (8:50 PM)

Judge Aleshire announced that Item 53 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 42, 52, 53, and 54. Please refer to Item 42 for a summary of the Court's action on this motion.

54. APPROVE, REJECT OR COUNTER THE COUNTER-OFFER RECEIVED FROM KEVIN SCHWARTZ FOR PARCEL 3 ON HAMILTON POOL ROAD (CIP NO. 3-004A). ² (7:26 PM) (8:50 PM)

Judge Aleshire announced that Item 54 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 42, 52, 53, and 54. Please refer to Item 42 for a summary of the Court's action on this motion.

55. GIVE STAFF DIRECTION ON ANY PROPOSED SETTLEMENT OFFER ON TEXAS COMMISSION ON HUMAN RIGHTS COMPLAINT TCHR #1960001. 1 (7:26 PM) (8:50 PM)

Judge Aleshire announced that Item 55 would be considered in Executive Session.

Item 55 postponed until August 5, 1997.

THE FOLLOWING IS AN ADDENDUM:

A.1. APPROVE STATE CATALOGUE PURCHASE OF NORTHERN TELECOM TELEPHONE SYSTEMS/EQUIPMENT UPGRADES FROM WILTEL COMMUNICATIONS IN THE AMOUNT OF \$111,147.02. (6:25 PM)

Members of the Court heard from: Frank Curcio, Director, ITS; and Brad Powell, Assistant Director, ITS.

Motion by Commissioner Sonleitner and **seconded by** Commissioner Biscoe to approve Item A.1. (6:25 PM)

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes

ADJOURNMENT

Motion by Commissioner Sonleitner and **seconded by** Commissioner Biscoe to adjourn the Voting Session. (8:53 PM)

Motion carried: Precinct 1, Commissioner Samuel T. Biscoe - yes
Precinct 2, Commissioner Karen Sonleitner - yes

Precinct 2, Commissioner Karen Sonieliner - yes
Precinct 3, Commissioner Valarie Scott Bristol - absent
Precinct 4, Commissioner Margaret J. Gómez - yes
County Judge Bill Aleshire - yes

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval
Bill Aleshire, Travis County Judge