

MINUTES -- FEBRUARY 3, 1998

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 3rd day of February 1998, the Commissioners' Court convened the Voting Session at 9:17 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 12:10 PM and reconvened at 1:47 PM.

The Commissioners' Court recessed the Voting Session at 3:50 PM pending conclusion of the Corporations Board of Directors and Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors meetings.

The Commissioners' Court, meeting as the Corporations' Board of Directors, convened the Corporations' Voting Session at 3:50 PM and adjourned at 3:51 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, convened the NWTCRD #3 Voting Session at 3:51 PM and adjourned at 3:52 PM.

The Commissioners' Court reconvened the Voting Session at 3:52 PM.

The Commissioners' Court retired to Executive Session at 5:03 PM and reconvened the Voting Session at 5:56 PM.

The Commissioners' Court adjourned the Voting Session at 6:00 PM.

RESOLUTIONS & HEARINGS

- 1. APPROVE RESOLUTION RECOGNIZING STEVE COLE'S DEDICATION AND SERVICE TO TRAVIS COUNTY. (9:21 AM)

Members of the Court heard from: Christian Smith, Executive Manager, Planning and Budget Office (PBO); Leroy Nellis, Budget Manager, PBO; Alan Miller, Budget Analyst, PBO; Dan T. Richards, Deputy Chief, Travis County Sheriff's Office (TCSO); Tommy Blackwell, Director of Information Services, TCSO; Bruce Elfant, Travis County Constable, Precinct Five; Commissioner Margaret J. Gómez, Precinct Four; and Commissioner Karen Sonleitner, Precinct Two.

Motion by Judge Aleshire and **seconded by** Commissioner McKee, Commissioner Sonleitner, Commissioner Moore and Commissioner Gómez to approve the Resolution under Item 1.

Motion carried:

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

CITIZENS' COMMUNICATION

Members of the Court heard from: Jimmy Castro, Private Citizen, Member, Greater Austin Chamber of Commerce, Member Hispanic Chamber of Commerce; Wes Curtis, Texas Best Seminars; Steve Lane, Texas Best Seminars; and Craig Erikson, Texas Best Seminars. (9:32 AM)

CONSENT ITEMS

- 2. Motion by** Commissioner Sonleitner and **seconded by** Commissioner McKee to approve the following Consent Items: 9, 10.A, 11 (with a note that substitute pages in the Annual Workplan should be inserted by the Executive Manager of Transportation and Natural Resources (TNR) so the Annual Workplan can remain up to date), 12, 17, 18, 19, 20, 25, A.1 and C1 - C11, excluding C8. (9:43 AM)

Motion carried:

County Judge Bill Aleshire	- yes
Precinct 1, Commissioner Darwin McKee	- yes
Precinct 2, Commissioner Karen Sonleitner	- yes
Precinct 3, Commissioner Margaret Moore	- yes
Precinct 4, Commissioner Margaret J. Gómez	- 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 VOTING SESSIONS OF DECEMBER 23, 1997.
- C4.** APPOINT LAWRENCE G. ROBINSON TO THE CAPITAL AREA WORKFORCE DEVELOPMENT BOARD (PRIVATE-LARGE CATEGORY) TO SERVE THE UNEXPIRED TERM THROUGH OCTOBER 31, 1998.
- C5.** APPROVE ORDER FROM COUNTY JUDGE TEMPORARILY TRANSFERRING RESPONSIBILITIES OF THE TEXAS ALCOHOL BEVERAGE COMMISSION (TABC) LICENSE AND PERMIT APPROVALS TO JUDGE JADE MEEKER FOR ALL TABC CASES PRESENTED TO HER BETWEEN FEBRUARY 6 THRU 23, 1998; ORDER TO BE RESCINDED EFFECTIVE AT CLOSE OF BUSINESS FEBRUARY 23, 1998.
- C6.** APPOINT MARGARET GOSSELINK AS PRECINCT THREE'S REPRESENTATIVE TO THE TRAVIS COUNTY HOUSING AUTHORITY TO FILL EXPIRED APPOINTMENT.
- C7.** APPROVE ADOPT-A-COUNTY ROAD AGREEMENT WITH HAYS HILLS BAPTIST CHURCH FOR BRODIE LANE FROM FM 1626 TO EDWARDS HOLLOW RUN.

CONSENT ITEMS CONTINUED

C8. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: REPLAT OF LOT 153 AND 154, THE RESUBDIVISION OF LOTS 31-39 BARTON CREEK LAKESIDE, PHASE ONE AND LOTS 1-34 BARTON CREEK LAKESIDE, PHASE TWO - (SHORTFORM - NO FISCAL REQUIRED - 2 LOTS - .651 ACRES).

Item C8 pulled from the agenda.

C9. APPROVE PLAT FOR RECORDING IN PRECINCT TWO: CHEZ SOLEIL - (SHORTFORM - NO FISCAL REQUIRED - 4 LOTS - 10.27 ACRES - LIME CREEK ROAD).

C10. APPROVE A PUBLIC HEARING DATE OF FEBRUARY 24, 1998 TO APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 5' PUBLIC UTILITY EASEMENT ON LOT 4, BLOCK 32, AUSTIN LAKE ESTATES, SECTION THREE, A SUBDIVISION IN PRECINCT THREE.

C11. ADDED ITEM: - APPROVE PLAT FOR RECORDING IN PRECINCT TWO: CENTRAL COMMERCE PARK - (LONGFORM - FISCAL POSTED WITH CITY OF AUSTIN - 12 LOTS - 79.712 ACRES - EAST SERVICE ROAD I.H. 35 NORTH AND ROYSTON LANE.

COUNTY POLICIES AND PROCEDURE

3. APPROVE AMENDMENT TO CHAPTER 1, OF THE TRAVIS COUNTY POLICIES AND PROCEDURES MANUAL TO AMEND THE COMMISSIONERS' COURT RULES OF PROCEDURE. (9:47 AM)

Motion by Judge Aleshire and **seconded by** Commissioner Gómez to approve the change in procedures for the Commissioners' Court.

Motion carried:	County Judge Bill Aleshire	-	yes
	Precinct 1, Commissioner Darwin McKee	-	yes
	Precinct 2, Commissioner Karen Sonleitner	-	yes
	Precinct 3, Commissioner Margaret Moore	-	yes
	Precinct 4, Commissioner Margaret J. Gómez	-	yes

ADMINISTRATIVE ITEMS

- 4. DISCUSS AND GIVE STAFF DIRECTION ON THE TECHNICALLY PREFERRED ALIGNMENT FOR STATE HIGHWAY 130 IN THE VICINITY OF NORTHEAST METRO PARK AND RECOMMEND COUNTY PREFERENCES TO TEXAS DEPARTMENT OF TRANSPORTATION. (9:57 AM)

Members of the Court heard from: Craig Erikson, Texas Best Seminars and Private Citizen; K. C. Anderson, Private Citizen; and Steve Lane, Texas Best Seminars

Motion by Commissioner Sonleitner and **Seconded by** Commissioner Gómez approve the “T4” alignment in the Resolution as the Court’s preferred alignment for SH 130.

Motion carried:

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

- 5. A. RECEIVE AND ACCEPT A STATUS REPORT ON THE ABSENT STUDENT ASSISTANCE PROGRAM (ASAP) AND TAKE APPROPRIATE ACTION. (9:18 AM) (10:37 AM)

Members of the Court heard from: Roger Martinez, ASAP Coordinator, Criminal Justice Planning (CJP); Bruce Elfant, Travis County Constable, Precinct Five; Bob Vann, Travis County Constable, Precinct Two; Mel Coleman, Director, Accountability Student Services, Austin Independent School District (AISD); Wes Curtis, Texas Best Seminars; and Steve Lane, Texas Best Seminars.

Discussion Only.

ITEM 5 CONTINUED

B. APPROVE INTERLOCAL AGREEMENT WITH THE AUSTIN INDEPENDENT SCHOOL DISTRICT FOR THE ASAP PROGRAM. (9:18 AM) (10:37 AM)

Members of the Court heard from: Roger Martinez, ASAP Coordinator, CJP; Bruce Elfant, Travis County Constable, Precinct Five; Bob Vann, Travis County Constable, Precinct Two; Mel Coleman, Director, Accountability Student Services, Austin Independent School District (AISD); Wes Curtis, Texas Best Seminars; and Steve Lane, Texas Best Seminars.

Members of the Court agreed to consider one Motion for Items 5.B and C.

Motion by Commissioner Gómez and **Seconded by** Commissioner McKee to approve the Interlocal Agreements under Items 5.B and C.

Clerk’s Note: Judge Aleshire requested that the record reflect that he is voting against the Motion because he believes that the school districts’ money should not be paid as opposed to some other method of investment. Judge Aleshire is in support of the program.

Motion carried: County Judge Bill Aleshire	-	no
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

C. APPROVE INTERLOCAL AGREEMENT WITH THE DEL VALLE INDEPENDENT SCHOOL DISTRICT FOR THE ASAP PROGRAM. (9:18 AM) (10:37 AM)

Members of the Court heard from: Roger Martinez, ASAP Coordinator, CJP; Bruce Elfant, Travis County Constable, Precinct Five; Bob Vann, Travis County Constable, Precinct Two; Mel Coleman, Director, Accountability Student Services, Austin Independent School District (AISD); Wes Curtis, Texas Best Seminars; and Steve Lane, Texas Best Seminars.

Members of the Court agreed to consider one Motion for Items 5.B and C. Please refer to Item 5.B for a summary of the Court’s action on this Motion.

- 6. RECEIVE REPORT AND GIVE DIRECTION ON PILOT PROJECT IN COMPOSTING AS A MEANS OF DISPOSAL FOR DEAD ANIMALS PICKED UP FROM COUNTY RIGHT-OF-WAY. (11:39 AM) (5:03 PM) (5:56 PM)

Members of the Court heard from: Gordon Bowman, Assistant County Attorney; Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); Charles Bergh, Division Manager, TNR; Scott McCoy, Texas Natural Resource Conservation Commission (TNRCC); and Joe Ventura, Member, Village of Bee Caves.

Motion by Commissioner Moore and **seconded by** Commissioner Gómez to direct staff to thoroughly study the optimum location for an animal composting site in Western Travis County and report their findings to the Court. In the meantime, continue the abatement of the program at Precinct Three.

Withdrawal of the previous Motion was made by Commissioner Moore.

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

Motion by Commissioner Moore and **seconded by** Commissioner Sonleitner to instruct staff to continue the abatement of the operation of the animal composting facility in Precinct Three and to study all the possible sites available in Western Travis County as to what would be the optimum site to locate such a facility; to instruct the County Attorney’s Office to inform TNRCC that the Court is not interested in pursuing the non-permit that was on the wrong form but that the Court will come back to them, upon determination of what the proper course of action is for Travis County, to get the right authorization.

Motion carried:

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

7. RECEIVE AND DISCUSS INTEGRATED JUSTICE SYSTEM PROJECT UPDATE.
(9:18 AM) (1:48 PM)

Members of the Court heard from: Dinah Dinwiddie, Executive Manager, CJP; Frank Curcio, Director, Information and Telecommunications Systems (ITS); and Brad Powell, Assistant Director, ITS.

Clerk's Note: Item 21 was called up during the discussion of Item 7 (for action taken).

Motion by Commissioner Sonleitner and **seconded by** Commissioner McKee to give direction to the IJS team that the first call on bills to be paid should come from bond funds and the General Fund should be last. There should be a reclassification of the bill that has been paid, and from which fund it is being drawn.

Motion carried:

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

Item 7 to be reposted February 10, 1998.

8. DISCUSS, APPROVE, AND/OR GIVE STAFF DIRECTION REGARDING CRIMINAL JUSTICE IMPROVEMENT PROGRAM AT DEL VALLE. (9:18 AM) (2:08 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; David Balagia, Major, TCSO; John Geyer, Project Director, Pfluger, Wiginton, Hooker/NBBJ; Belinda Poppa, Planner, Facilities Management; Mike Barrow, Project Construction Manager, Fluor Daniel; Ken Gaede, Project Administrator, Facilities Management; Marvin Brice, Construction Procurement Manager, Purchasing; Kevin Bailey, Director, Facilities Management; and John Hille, Assistant County Attorney.

Motion by Judge Aleshire and seconded by Commissioner Gómez to:

1) Ask staff to come back to the Commissioners' Court with a project organization and options that would recognize that the Del Valle project would best be handled as a single project, using both the 1997 bond money and the 1993 bond money plus the supplemental amounts for the telecommunications and drainage issues. 2) Staff should include, in those recommendations, the best way to proceed in terms of putting together the AE contract (or contracts) to appropriately handle that as a single project. 3) As an additional matter, but separate, an issue about the project management and Travis County's relationship with Fluor Daniel. 4) Issue #1 - Approve the proposed program variances, which were outlined in the Item's discussion today. Issue #2 - Approve the cost estimates but not to approve the Items listed as alternates to be bid as alternates but to instead be bid as part of one base bid package. Issue #3 - Agree to the multiple bid release (the two-part bid release) basically for ground versus building. Issue #3a - Reiterate and reaffirm the Court's commitment to the multiple prime contracting method as opposed to the single prime contractor. Issue #4 - Take no action but to simply note that the project is staying on schedule. Issue #5 - Approve the Design Development Package. Issue #6a - Indicate interest in including the underground site distribution conduits. Issue #6b - Indicate to the Purchasing Office the Court's interest in adding a contract modification for an amount not to exceed \$5,000.00, with Pfluger, Wiginton, Hooker/NBBJ for design services on the central control for security electronics infrastructure. Issue #7a and b - Ask Purchasing to prepare an additional contract modification with Pfluger, Wiginton, Hooker/NBBJ for an amount not to exceed \$30,000.00, for the design of the construction documents, for an additional 24 medical beds that were discussed today. The Court also indicates that the construction budget be adjusted to include those additional beds (adjusted from the 5 to 24). The Court asks that all necessary contracts be brought back for approval as soon as possible.

ITEM 8 CONTINUED

A Clarification was made of the previous motion by Judge Aleshire that on Issue #4 – The Court recognizes and approves that there is a delay in Release 1 (land) by one month but not an overall project delay.

Maker and Second accept the Friendly Amendment by Commissioner Sonleitner that, regarding the approved delay, the Court immediately be told of any shift beyond four weeks or the 30 days that have been authorized.

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

A Clarification was made of the previous motion by Commissioner Gómez that the modifications need to be signed by February 10, 1998.

Second accept the Friendly Amendment by Judge Aleshire that the Court request all appropriate County offices (Facilities Management, Contractors, Purchasing and the County Attorney) to work to bring back to the Court all necessary documents for approval next Tuesday, February 10, 1998. The agenda procedures are waived for that purpose.

Acceptance of the Friendly Amendment was made by Commissioner Gómez.

Motion carried:	County Judge Bill Aleshire	-	yes
	Precinct 1, Commissioner Darwin McKee	-	yes
	Precinct 2, Commissioner Karen Sonleitner	-	yes
	Precinct 3, Commissioner Margaret Moore	-	yes
	Precinct 4, Commissioner Margaret J. Gómez	-	yes

9. AUTHORIZE COUNTY JUDGE TO SIGN AN APPLICATION FOR VARIANCE TO GO TO THE TEXAS COMMISSION ON JAIL STANDARDS; THE VARIANCE ALLOWS A UNIT IN THE PHASE 1A HEALTH SERVICES BUILDING TO BE BUILT TO PROVIDE MORE THAN 48 INMATES IN A SINGLE DAY ROOM. (9:43 AM)

Item 9 added to Consent. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

10. A. APPROVE ORDER DESIGNATING MAIN EARLY VOTING POLLING PLACE AND TEMPORARY BRANCH EARLY VOTING POLLING PLACES FOR THE MARCH 10, 1998 DEMOCRATIC AND REPUBLICAN PRIMARY ELECTIONS. (9:43 AM)

Item 10.A added to Consent. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- B. DISCUSS OTHER ISSUES RELATED TO CONDUCT OF THE MARCH 10, 1998 PRIMARY ELECTIONS. (3:41 PM)

Item 10.B pulled from the agenda.

11. APPROVE AMENDMENTS TO THE 1998 TNR WORK PROGRAM FOR ROADWAY RESURFACING AND RECONSTRUCTION PROJECTS. (9:43 AM)

Item 11 added to Consent. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

Clerk's Note: Judge Aleshire stated that substitute pages in the Annual Workplan should be inserted by the Executive Manager of Transportation and Natural Resources (TNR) so the Annual Workplan can remain up to date.

- 12. APPROVE EXEMPTION ORDER FROM BIDDING REQUIREMENTS FOR CONTRACT WITH NEW HORIZONS FOR PURCHASE OF TRAINING ON WINDOWS 95 AND APPROVE CONTRACT. (9:43 AM)

Item 12 added to Consent. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 13. APPROVE CONTRACT MODIFICATIONS FOR GEOTECHNICAL/CONSTRUCTION TESTING SERVICES POOL CONTRACTORS; ENVIRONMENTAL DRILLING SERVICES, MAXIM TECHNOLOGIES, HBC ENGINEERING, FUGRO-MCCLELLAN, RABA-KISTNER-BRYTEST, MLA AND PSI; MODIFICATIONS WILL EXPAND THE EXISTING SERVICES UNDER EACH CONTRACT TO INCLUDE PAVEMENT DESIGN, FOUNDATION DESIGN, AND ENVIRONMENTAL INVESTIGATION WORK. (3:41 PM)

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

Qualification prior to the Motion was made by Judge Aleshire that the Court approves the contract modifications and the internal procedure as to whether TNR or Purchasing uses this approach. That it be clear that the two departments have at their own option, without having to come back to the Court, to use this option to get these testing services on "in-house" projects. But before either department would use this option on a contract that the Court has out-sourced to an engineering firm, to do a road project or a bridge project, the departments must get approval by the Court.

Motion by Commissioner Gómez and **seconded by** Commissioner McKee to approve Item 13 with the qualification as stated by Judge Aleshire.

Motion carried:

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

14. APPROVE AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH HNTB, INC., FOR ADDITIONAL SERVICES IN CONNECTION WITH ENVIRONMENTAL SITE ASSESSMENT(S) OF PROPOSED NORTHEAST AND/OR SOUTHEAST PARK SITES. (3:49 PM) (5:03 PM) (5:56 PM)

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

Judge Aleshire announced that Item 14 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 14, 15, 28, 31, 35 and A.3. Please refer to Item 28 for a summary of the Court's action on this Motion.

15. APPROVE CALL DOWN ON BANK ONE, TEXAS N.A. LETTER OF CREDIT NO. 3552 FOR THE ACCOUNT OF IRA J. YATES IN CONNECTION WITH CONSTRUCTION OF WYLDWOOD CUL-DE-SAC. (5:03 PM) (5:56 PM)

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

Members of the Court agreed to consider one Motion for Items 14, 15, 28, 31, 35 and A.3. Please refer to Item 28 for a summary of the Court's action on this Motion.

- 16. APPROVE ADDRESS COORDINATION INTERLOCAL AGREEMENT WITH CITY OF AUSTIN TO PROVIDE ADDRESSING ASSIGNMENT IN UNINCORPORATED AREAS OF THE COUNTY. (1:47 PM) (5:57 PM)

Members of the Court agreed to consider one Motion for Items 16 and 24.

Motion by Commissioner Sonleitner and **seconded by** Commissioner Gómez to approve Items 16 and 24.

Motion carried:

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	absent
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

Clerk’s Note: Items 16 and 24 were further discussed at 5:57 PM with a request by Commissioner McKee for the record to reflect a corrected Vote. Judge Aleshire instructed that, with no objection, the Minutes would reflect Commissioner McKee voting yes for the referenced Items. The Commissioners’ Court Record does reflect the Corrected Vote.

Motion carried:

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

- 17. APPOINT COMMISSIONERS COURT MEMBER TO SERVE ON THE "CLEAN AIR FORCE" BOARD FOR A TERM EXPIRING JANUARY, 1999. (9:43 AM)

Item 17 added to Consent. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

Clerk’s Note: Precinct One Commissioner Darwin McKee was appointed to the Board.

18. APPOINT MEMBERS OF THE CITIZENS BOND PROJECT ACCOUNTABILITY COMMITTEE AND ADOPT CHARTER FOR THE COMMITTEE. (9:43 AM)

Item 18 added to Consent. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

Clerk's Note: Akwasi Evans was appointed to the Committee (nominated by Precinct One Commissioner McKee).

19. APPOINT MEMBERS OF THE ON-SITE SEWAGE FACILITY RULES ADVISORY COMMITTEE. (9:43 AM)

Item 19 added to Consent. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

Clerk's Note: Neil Franklin, representing Barton Springs Edwards Aquifer Conservation District, was appointed to the Committee.

20. RECEIVE AND APPROVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF DECEMBER, 1997. (9:43 AM)

Item 20 added to Consent. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

21. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (2:04 PM) (3:52 PM)

Clerk’s Note: Item 21 was called up during the discussion of Item 7 (for action taken).

Members of the Court heard from: Leroy Nellis, Budget Manager, PBO; and Christy Ryno, Division Manager, Justice of the Peace Office, Precinct Four.

Motion by Commissioner Sonleitner and **seconded by** Commissioner Gómez to approve the Budget Amendments and Transfers as laid out and recommended by the PBO staff, approving all except D1.

Motion carried:	County Judge Bill Aleshire	-	yes
	Precinct 1, Commissioner Darwin McKee	-	yes
	Precinct 2, Commissioner Karen Sonleitner	-	yes
	Precinct 3, Commissioner Margaret Moore	-	yes
	Precinct 4, Commissioner Margaret J. Gómez	-	yes

A. DISCUSS, APPROVE AND/OR GIVE STAFF DIRECTION ON PROPOSED SCOPE OF THE ANNUAL INSPECTION SUMMARY (AIS) PROJECT INITIATED BY FACILITIES MANAGEMENT AND AUTHORIZE RELEASE OF IFB BASED ON PROPOSED SCOPE WITH FUNDING IN ALLOCATED RESERVES. (3:58 PM)

Members of the Court heard from: John Carr, Division Manager, Facilities Management; Kevin Bailey, Director, Facilities Management; and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Commissioner Gómez and **seconded by** Commissioner Moore indicate to staff that the Court is interested in seeing the annual inspection summary done and using outside assistance to complete it. The Court understands that the funding comes from Allocated Reserve. The Court asks staff to get their proposal together and interface with Purchasing and bring it back to the Court for final approval before releasing the bid for proposals.

Motion carried:	County Judge Bill Aleshire	-	yes
	Precinct 1, Commissioner Darwin McKee	-	yes
	Precinct 2, Commissioner Karen Sonleitner	-	yes
	Precinct 3, Commissioner Margaret Moore	-	yes
	Precinct 4, Commissioner Margaret J. Gómez	-	yes

22. A. DISCUSS AND GIVE DIRECTION ON UPDATING THE MARKET SALARY SURVEY FOR FY 1999. (9:18 AM) (4:30 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Carlotta Valdez, Compensation Manager, Human Resources Management Department (HRMD); and Linda Moore Smith, Director, HRMD.

Members of the Court agreed to consider one Motion for Items 22.A and B. Please refer to Item 22.B for a summary of the Court's action on this Motion.

B. DISCUSS AND APPROVE THE FY 1998 MARKET SALARY SURVEY - APPEALS PROCESS. (9:18 AM) (4:14 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Carlotta Valdez, Compensation Manager, HRMD Lynne Andrus, Senior Human Resources Analyst, HRMD; and Linda Moore Smith, Director, HRMD

Motion by Commissioner Sonleitner and **seconded by** Commissioner Gómez to give conceptual approval to the Market Salary Appeals process as presented and recommended by Human Resources with the further direction to staff to formalize this in the form of changes to the Policies and Procedures Manual for submittal to the Court as quickly as possible.

Maker and Second accept the Friendly Amendment by Judge Aleshire that under the section titled What May Not Be Appealed that Job Descriptions be added.

Acceptance of the Friendly Amendment was made by Commissioner Sonleitner and **seconded by** Commissioner Gómez.

Maker and Second accept the Friendly Amendment by Judge Aleshire that under the section titled What May Be Appealed "Internal Equity/Reporting Relationships" that the words"and inconsistent with the Market" be added.

Acceptance of the Friendly Amendment was made by Commissioner Sonleitner and **seconded by** Commissioner Gómez.

Maker and Second accept the Friendly Amendment by Judge Aleshire that the date for the appeals deadline be changed from February 28, 1998 to March 15, 1998.

Acceptance of the Friendly Amendment was made by Commissioner Sonleitner and **seconded by** Commissioner Gómez.

ITEM 22.B CONTINUED

Clerk’s Note: Judge Aleshire requested that the court hold this Motion for a discussion of Agenda Item 22.A due to a relationship between the two Items and a question about what action the Court is going to take.

The previous Motion was held.

Clerk’s Note: The Court did not take a Vote on the Standing Motion at this time.

Maker and Second accept the Friendly Amendment by Judge Aleshire that the Court give direction to the Human Resources Management Department to plan on starting and finishing a Market Salary Survey Update, recognizing that it will not be all of the positions, to be completed no later than the end of June and available for implementation at the beginning of FY ’99. The Court may choose when to actually implement but staff should have it completed and available so it can be implemented at that time.

Acceptance of the Friendly Amendment was made by Commissioner Sonleitner and **seconded by** Commissioner Gómez.

Clerk’s Note: The Court took a Vote on the Standing Motion at this time (with the Friendly Amendments that were offered and accepted).

Motion carried:	County Judge Bill Aleshire	-	yes
	Precinct 1, Commissioner Darwin McKee	-	yes
	Precinct 2, Commissioner Karen Sonleitner	-	yes
	Precinct 3, Commissioner Margaret Moore	-	yes
	Precinct 4, Commissioner Margaret J. Gómez	-	yes

23. DISCUSS AND TAKE APPROPRIATE ACTION ON THE FOLLOWING PROPERTY AND LIABILITY CLAIM RECOMMENDATIONS FOR: (4:53 PM)
- A. CONSTABLE, PCT. 5 – SETTLE
 - B. T.C.S.O. - SETTLE
 - C. T.C.S.O. - SETTLE
 - D. TNR - SETTLE
 - E. FACILITIES MANAGEMENT - SETTLE
 - F. PIO ABUNDO RIVERA - SETTLE

Members of the Court heard from: Daniel Mansour, Risk Manager, HRMD.

Motion by Commissioner Sonleitner and **seconded by** Commissioner Gómez to approve the property and liability claims A - F, excluding D (which will be rolled over until February 10, 1998), as recommended by the Risk Manager.

Motion carried:

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

24. APPROVE PERSONNEL AMENDMENTS. (1:47 PM) (5:57 PM)

Members of the Court agreed to consider one Motion for Items 16 and 24. Please refer to Item 16 for a summary of the Court's action on this Motion.

Clerk's Note: Items 16 and 24 were further discussed at 5:57 PM with a request by Commissioner McKee for the record to reflect a corrected Vote. Judge Aleshire instructed that with no objection, the Minutes would reflect Commissioner McKee voting yes for the referenced Items. The Commissioners' Court Record does reflect the Corrected Vote. Please refer to Item 16 for a summary of the Corrected Vote.

25. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:43 AM)

Item 25 added to Consent. Please refer to Agenda Item 2 (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

- 26.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, TEXAS V. LAURELWOOD PARTNERS, LTD., (LAURELWOOD/MANCHACA; GIESELMAN; CONDEMNATION). ¹ (9:20 AM)

Item 26 pulled from the agenda.

- 27.** RECEIVE BRIEFING FROM COUNTY ATTORNEY; AND/OR TAKE APPROPRIATE ACTION IN: JAMES WALTON V. TRAVIS COUNTY, AND ALLEN EVANS, P.A.; (WALTON; FRASIER; TEXAS TORT CLAIMS ACT; PREMISES, AND PERSONAL INJURY). ¹ (9:20 AM)

Item 27 postponed until February 10, 1998.

- 28. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND REQUEST MEDICAL EXPERT AND/OR TAKE APPROPRIATE ACTION IN; JOHNSON V. GORENA AND TRAVIS COUNTY, (JOHNSON; SMITH; TEXAS TORT CLAIMS ACT AND PERSONAL INJURY) ¹ (5:03 PM) (5:56 PM)

Judge Aleshire announced that Item 28 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 14, 15, 28, 31, 35 and A.3.

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

- 14. No action taken on Item 14.
- 15. Approve call down on the Bank One Letter of Credit. Judge Aleshire will sign the call down form (with authorization from the Court) subject to the County Attorney’s Office determining when and whether to execute it.
- 28. Authorize the County Attorney’s Office to hire a medical expert.
- 31. Item 31 postponed until February 10, 1998.
- 35. Reject their offer and counter the proposed settlement in the amount of \$3,378.34 as well as the letter drafted by the County Attorney’s Office.
- A.3. Authorize Judge Aleshire to sign notice from Travis County to Conquest Airlines a Notice of Default of their Tax Abatement Agreement.

Motion carried:

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

29. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER OFFER OR SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN: CURTIS S. CANTWELL AND TAMMY CANTWELL V. TRAVIS COUNTY AND TRAVIS COUNTY; (TEXAS TORT CLAIMS ACT; PERSONAL INJURY).¹ (9:20 AM)

Item 29 postponed until February 10, 1998.

30. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO TAKE APPROPRIATE ACTION IN RICHARD CONNER V. TRAVIS COUNTY, ET AL, (CONNER; KEEL; CIVIL RIGHTS).¹ (9:20 AM)

Item 30 postponed until February 10, 1998.

31. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN: DANIEL MAUL DEATH IN CUSTODY; (MAUL; FRASIER; TEXAS TORT CLAIMS ACT, PERSONAL INJURY).¹ (5:03 PM)
(5:56 PM)

Judge Aleshire announced that Item 31 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 14, 15, 28, 31, 35 and A.3. Please refer to Item 28 for a summary of the Court's action on this Motion.

32. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN CRESENCIO HERNANDEZ V. TRAVIS COUNTY, ET AL; (HERNANDEZ; FRASIER; VIOLATION OF CIVIL RIGHTS).
(9:20 AM)

Item 32 postponed until February 10, 1998.

33. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION REGARDING GREG ESTEPP CLAIM FOR EMPLOYMENT DISCRIMINATION. (ESTEPP; MEDINA; EMPLOYMENT DISCRIMINATION). ¹ (9:20 AM)

Item 33 pulled from the agenda.

34. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT OR REJECT SETTLEMENT OFFER AND TAKE APPROPRIATE ACTION IN CUMMINS, TWC# 97-048648. ¹ (9:20 AM)

Item 34 postponed until February 10, 1998.

35. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION REGARDING PROPOSED SETTLEMENT OF EEOC COMPLAINT 31C971030, EXECUTIVE SESSION ALSO. ¹ (5:03 PM)
(5:56 PM)

Judge Aleshire announced that Item 35 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 14, 15, 28, 31, 35 and A.3. Please refer to Item 28 for a summary of the Court's action on this Motion.

THE FOLLOWING ITEMS ARE ADDENDA:

A.1 AUTHORIZE COUNTY CLERK TO SIGN LEASE AGREEMENT FOR THE USE OF SPACE IN THE SPRINGDALE SHOPPING CENTER AS AN EARLY VOTING POLLING PLACE FOR THE MARCH 10, 1998 DEMOCRATIC AND REPUBLICAN PRIMARIES. (9:43 AM)

Item A.1 added to Consent. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

A.2 APPROVE CALL DOWN OF TEXAS COMMERCE BANK LETTER OF CREDIT NO. A-434568 IN THE AMOUNT OF \$258,000 AND NO. A-434605 IN THE AMOUNT OF \$52,000 POSTED IN CONNECTION WITH GREAT HILLS PHASE III, ALSO EXECUTIVE SESSION, PURSUANT TO TEX. GOV. CODE SECTION 551.071. (9:21 AM) (9:31 AM)

Members of the Court heard from: Gordon Bowman, Assistant County Attorney.

Motion by Commissioner Sonleitner and **seconded by** Commissioner McKee to approve the Call Down Letter.

Motion carried: County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

A.3 RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON THE TAX ABATEMENT AGREEMENT OF CONQUEST AIRLINES AND TRAVIS COUNTY. (CONQUEST AIRLINES; CONTRACT) EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV. CODE SECTION 551.071.

Members of the Court agreed to consider one Motion for Items 14, 15, 28, 31, 35 and A.3. Please refer to Item 28 for a summary of the Court's action on this Motion.

ADJOURNMENT

Motion by Commissioner Sonleitner and **seconded by** Commissioner McKee to adjourn the Voting Session. (6:00 PM)

Motion carried: County Judge Bill Aleshire - yes
Precinct 1, Commissioner Darwin McKee - yes
Precinct 2, Commissioner Karen Sonleitner - yes
Precinct 3, Commissioner Margaret Moore - yes
Precinct 4, Commissioner Margaret J. Gómez - yes

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Bill Aleshire, Travis County Judge