

## **MINUTES -- FEBRUARY 24, 1998**

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

On Tuesday, the 24<sup>th</sup> day of February 1998, the Commissioners' Court convened the Voting Session at 9:07 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Travis County Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Anna M. Valdez.

The Commissioners' Court recessed the Voting Session at 11:34 AM, pending conclusion of the Corporations meeting.

The Commissioners' Court, meeting as the Corporations' Board of Directors, convened the Corporations' Voting Session at 11:34 AM and adjourned at 11:40 AM.

The Commissioners' Court reconvened the Voting Session at 11:40 AM.

The Commissioners' Court recessed the Voting Session at 12:15 PM and reconvened the Voting Session at 1:40 PM.

The Commissioners' Court retired to Executive Session at 1:49 PM and reconvened the Voting Session at 2:28 PM.

The Commissioners' Court adjourned the Voting Session at 2:31 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 2:31 PM and adjourned at 2:32 PM.

## RESOLUTIONS & HEARINGS

1. 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.  
(9:08 AM)

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

**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

**Members of the Court heard from:** Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

**Motion by** Commissioner Moore and **seconded by** Commissioner Gómez that the Public Hearing be closed.

**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

**Clerk's Note:** The action item for Item 1 is Consent Item C19. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

## **CITIZENS' COMMUNICATION**

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; Rick Hamer, Buyer, Purchasing; Greg Erikson, Private Citizen; Gus Peña, President, East Austin Concerned Hispanics; Wes Curtis, Texas Best Seminars; Steve Lane, Private Citizen; Don Bennett, parent of children attending schools in the Austin Independent School District; John Foreman, Host, Texas Best Seminars; Alex Jones, Texas Best Seminars; Russell Benson, Parent of two children who attend schools in the Austin Independent School District; Mike Hanson, Private Citizen; and Wila Lucas, Concerned Parent. (9:09 AM)

**Time for a Point of Information was requested (for Clarification) by** Commissioner Sonleitner.

**Time for the Point of Clarification was granted by** Judge Aleshire.

**Commissioner Sonleitner addressed the Court and the audience** about the fact that she had been stopped by a Police Officer in Cedar Park, Texas. She was stopped due to a safety reason. The Officer notified the Commissioner that she had a brake light out. He did not issue a citation but only wanted to bring it to her attention because it is a potential safety hazard.

## CONSENT ITEMS

- 2. Motion by** Commissioner McKee and **seconded by** Commissioner Sonleitner to approve the following Consent Items: 5, 8.A and B, 9.A, B, C, D, and E, 11, 14, 15.A, B, C, D, E and F, 16, 17, and C1 – C20, excluding C5 and noting on Item C6 that it is to amend the ratification.  
(10:26 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

**Clerk's Note:** Commissioner Sonleitner wanted to note for the record that the Court is moving ahead on the bond propositions (Items 9.A, B, C, D, and E). The projects that are being proceeded on with are: Bratton Lane, Ferguson, Bradshaw Lane Bridge, Cameron Road Bridge and Sprinkle Road Bridge.

- 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 SESSION OF JANUARY 13, 1998.
- C4. REAPPOINT LARRY MCDONALD TO EMERGENCY DISTRICT #8 (PEDERNALES) FOR A TWO-YEAR TERM EXPIRING DECEMBER, 1999.
- C5. REAPPOINT WARDALEEN BELVIN TO THE BOARD OF THE TRAVIS COUNTY HOUSING AUTHORITY FOR A TWO-YEAR TERM TO EXPIRE ON 8/31/99.  
(9:07 AM)

Item C5 pulled from the agenda.

- C6. DISCUSS AND AMEND RATIFICATION OF INTERLOCAL AGREEMENT FOR SUPPLIES, ROOM PREPARATION, AND TRAINING FOR 9-1-1 PROGRAM.  
(10:26 AM)

**Clerk's Note:** Judge Aleshire noted that there would not be a discussion on Item C6, it is to "amend the ratification".

**CONSENT ITEMS CONTINUED**

- C7.** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 97K0710B, ISEC, INC., CJC RELEASE 4 MILLWORK PACKAGE; MODIFICATION ALLOWS FOR THE INCORPORATION OF PREVAILING WAGE SCALE, AT NO COST, AND FOR VALUE ENGINEERING/COST SAVINGS MEASURES WHICH CONSTITUTE A (\$70,177.00) REDUCTION IN THE CONTRACT AMOUNT.
- C8.** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. PS970324LH, SOUTHWEST KEY PROGRAM. INC., FOR PROVISION OF EDUCATIONAL SERVICES FOR THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM; CONTRACT APPROVED ON 8/19/97; MODIFICATION INCREASES THE NOT TO EXCEED AMOUNT FROM \$453,000 TO \$488,000 TO ADD PROVISION OF SUBSTANCE ABUSE TREATMENT SERVICES.
- C9.** APPROVE CONTRACT AWARD FOR MAINTENANCE OF NOVELL NETWORK SOFTWARE VERSION 4.11 FOR DIFFERENT LOCATIONS THROUGHOUT TRAVIS COUNTY THROUGH DEPARTMENT OF INFORMATION RESOURCES IN THE AMOUNT OF \$34,580.00.
- C10.** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT 98T0075BS, NEW HORIZONS COMPUTER LEARNING CENTER, WINDOWS 95 TRAINING; CONTRACT APPROVED FEBRUARY 3, 1998; MODIFICATION WILL ALLOW 300 ADDITIONAL EMPLOYEES TRAINING ON WINDOWS 95 FOR A \$7500 INCREASE AND EXTEND THE TIME PERIOD FOR TRAINING UNTIL MAY 31, 1998.
- C11.** APPROVE CONTRACT AWARD FOR THE PROVISION OF PROFESSIONAL COUNSELING SERVICES TO MARTIN WORKS, INC.
- C12.** APPROVE PLAT FOR RECORDING IN PRECINCT THREE: LAKE POINTE SECTION THREE PHASE 2 - (LONGFORM - FISCAL POSTED WITH THE COUNTY - 31 LOTS - 8.2806 ACRES - BEE CAVE ETJ).
- C13.** APPROVE PLAT FOR RECORDING IN PRECINCT THREE: LAKE POINTE SECTION THREE PHASE 5 - (SHORTFORM - NO FISCAL REQUIRED - 3 LOTS - 7.0205 ACRES - BEE CAVE ETJ).

## CONSENT ITEMS CONTINUED

- C14. APPROVE PLAT FOR RECORDING IN PRECINCT TWO: AMENDED PLAT OF LOTS 13 AND 14, PICADILLY RIDGE PHASE THREE SECTION TWO - (SHORTFORM - NO FISCAL REQUIRED - 2 LOTS - .33 ACRES - LOCHALINE LOOP).
- C15. APPROVE A PUBLIC HEARING DATE OF MARCH 17, 1998 FOR APPROVAL OF PROPOSED STREET NAME CHANGE FROM ENGERMAN LANE TO "ENGELMANN LANE" FROM CAMERON ROAD TO THE WILLIAMSON COUNTY LINE AT COUNTY ROAD 129 IN PRECINCT TWO.
- C16. APPROVE A PUBLIC HEARING DATE OF MARCH 17, 1998 TO APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 25' PUBLIC UTILITY EASEMENT ON LOT 11 ROCKCLIFF ESTATES, P.U.D., A SUBDIVISION IN PRECINCT TWO.
- C17. APPROVE A PUBLIC HEARING DATE OF MARCH 17, 1998 TO APPROVE AN ORDER FOR THE PARTIAL CANCELLATION OF AN ACCESS EASEMENT ON A PORTION OF LOTS 27, 28, AND 29 BARTON CREEK LAKESIDE PHASE ONE, A SUBDIVISION IN PRECINCT THREE.
- C18. APPROVE A PUBLIC HEARING DATE OF MARCH 17, 1998 TO APPROVE THE VACATION OF A PORTION OF HENRY MARX LANE AND ACCEPT THE DEDICATION OF A CUL-DE-SAC AT THE END OF THE REMAINING RIGHT-OF-WAY, IN PRECINCT THREE.
- C19. 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.
- C20. **ADDED ITEM:** - APPROVE PLAT FOR RECORDING IN PRECINCT TWO: STEEDS RIDGE - (SHORTFORM - NO FISCAL REQUIRED - 1 LOT - 12.00 ACRES - KILLINGSWORTH LANE).

## ADMINISTRATIVE ITEMS

3. CONSIDER ACCEPTING PORTIONS OF GILBERT ROAD, NEZ PERCE TRACE AND ALL OF CHURCH LANE INTO THE TRAVIS COUNTY ROAD SYSTEM, AND TAKE APPROPRIATE ACTION. (10:27 AM) (1:49 AM) (2:28 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Steve Manilla, Director of Engineering and Planning, TNR; Jim Andrews, Resident near Nez Perce Trace and Gilbert Road; Reverend Hemmeter, Pastor, New Sweden Lutheran Church; and David Samuelson, former Precinct One County Commissioner.

Judge Aleshire announced that Item 3 would be considered in Executive Session.

**Clerk's Note:** Item 3 was further discussed at 11:39 AM with a request by Commissioner Gómez for the record to reflect a Corrected Vote with her voting in favor of the referenced Item. Judge Aleshire explained that there had not yet been a Motion and Vote taken on Item 3 because it would be taken in Executive Session. Judge Aleshire said that the record would reflect it later.

**Motion by** Commissioner McKee **and seconded by** Commissioner Sonleitner to accept those portions of Gilbert Road and Nez Perce Trace that are outlined in the back-up material into the County's road system. The Court authorizes staff to begin the design process for the construction of those two roads and Church Lane. The court also indicates their intention to accept Church Lane into the County road system, pending a conveyance of the necessary right-of-way for the construction of that road.

<b>Motion carried:</b>	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	-	absent

**Clerk's Note:** The Clerk reminded Judge Aleshire about the request that Commissioner Gómez made earlier in the day for the record to reflect her voting in favor of Item 3. Remembering the request, Judge Aleshire instructed that the Minutes should reflect Commissioner Gómez voting yes for the referenced Item. The Commissioners' Court Record does reflect the Corrected Vote.

<b>Motion carried:</b>	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

4. RECEIVE UPDATE ON THE YEAR 2000 PROJECT. (11:40 AM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Frank Curcio, Director, Information and Telecommunications Systems (ITS); Don Warren, Manager of Business Systems Solutions, ITS; and Woodie Smith, Project Manager, ITS.

Discussion Only.

5. APPROVE JOINT RESOLUTION WITH THE CITY OF LAGO VISTA FOR EMERGENCY MANAGEMENT PLANNING. (10:26 AM)

Item 5 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.



6. DISCUSS AND GIVE DIRECTION ON REQUEST FROM AUSTIN INDEPENDENT SCHOOL DISTRICT, AUSTIN COMMUNITY COLLEGE, AND EDWARD'S AQUIFER JURISDICTIONS FOR COUNTY INVOLVEMENT IN THEIR MAY 2, 1998 JOINT ELECTION. (11:47 AM)

**Members of the Court heard from:** Tamara Armstrong, Assistant County Attorney; and Dana DeBeauvoir, Travis County Clerk.

**Motion by** Commissioner McKee and **seconded by** Commissioner Gómez to authorize the County Clerk to continue discussions with the Austin Independent School District, Austin Community College and Edward's Aquifer Jurisdictions for the County's involvement in their elections, both the run-off election to be held in late May or June of this year and future elections.

**Maker and Second accept the Friendly Amendment by** Judge Aleshire that that also includes the other appropriate County offices that would be impacted by the election activity. That would specifically be the Planning and Budget Office, Administrative Operations and the County Attorney's Office.

**A Clarification of the previous Friendly Amendment was made by** Commissioner Sonleitner that they should try to articulate what a proposed estimated budget would be for presentation to those jurisdictions to ante up their share so it can go to the Auditor's Office.

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

<b>Motion carried:</b>	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. DISCUSS AND/OR APPROVE THE AMENDMENT TO THE LEASE AGREEMENT FOR BURNET ROAD PROPERTY BETWEEN W/M INVESTMENTS #6 AND TRAVIS COUNTY, TEXAS, DEPARTMENT OF COMMUNITY SUPERVISION AND CORRECTIONS. (11:42 AM)**

Item 7 postponed until March 3, 1998.

- 8. A. APPROVE CASH SECURITY AGREEMENT FOR WILDFLOWER, SEC. 3, A SUBDIVISION IN PRECINCT TWO. (10:26 AM)**

Item 8.A added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- B. APPROVE PLAT FOR RECORDING WILDFLOWER SECTION 3 – FISCAL POSTED WITH THE COUNTY – 44 LOTS – 9.877 ACRES – SPRING HEATH ROAD, A SUBDIVISION IN PRECINCT TWO. (10:26 AM)**

Item 8.B added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 9. REQUEST AUTHORIZATION TO ENTER INTO NEGOTIATIONS FOR PROFESSIONAL SERVICES ON THE FOLLOWING 1997 CAPACITY IMPROVEMENT PROGRAM (CIP) ROAD AND BRIDGE BOND PROJECTS WITH THE FOLLOWING FIRMS, RFQ Q980019JJ: (10:26 AM)**

- A. ESPEY, HUSTON, & ASSOCIATES, INC.; FOR THE CIP ROAD ENGINEERING PLANNING, DESIGN, PLANS, RIGHT-OF-WAY ACQUISITION SUPPORT DOCUMENTS, AND SPECIFICATIONS SERVICES ON BRATTON LANE FROM MERRILLTOWN TO 850' NORTH OF GRAND AVENUE PARKWAY, IN PRECINCT TWO. (10:26 AM)**

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

**ITEM 9 CONTINUED**

- B.** MARTINEZ, WRIGHT & MENDEZ, INC.; FOR THE CIP ROAD ENGINEERING PLANNING, DESIGN, PLANS, RIGHT-OF-WAY ACQUISITION SUPPORT DOCUMENTS, AND SPECIFICATIONS SERVICES ON FERGUSON ROAD FROM 300' NORTH OF WALL STREET TO SPRINKLE THENCE WESTWARD THROUGH NEW RIGHT-OF-WAY TO TUSCANY WAY, IN PRECINCT ONE. (10:26 AM)

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

- C.** GSG, INC.; FOR THE CIP BRIDGE REPLACEMENT ENGINEERING PLANNING, DESIGN, PLANS, RIGHT-OF-WAY ACQUISITION SUPPORT DOCUMENTS, AND SPECIFICATIONS SERVICES ENGINEERING PLANNING, DESIGN, PLANS, AND SPECIFICATIONS SERVICES ON THE BRADSHAW LANE BRIDGE (#431) OVER RINARD CREEK, IN PRECINCT FOUR. (10:26 AM)

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

- D.** DOUCET & ASSOCIATES, INC.; FOR THE CIP BRIDGE REPLACEMENT ENGINEERING PLANNING, DESIGN, PLANS, RIGHT-OF-WAY ACQUISITION SUPPORT DOCUMENTS, AND SPECIFICATIONS SERVICES ON THE CAMERON ROAD BRIDGE (#f233) OVER WILBARGER CREEK, IN PRECINCT TWO. (10:26 AM)

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

## ITEM 9 CONTINUED

- E. CFX, INC.; FOR THE CIP BRIDGE REPLACEMENT ENGINEERING PLANNING, DESIGN, PLANS, RIGHT-OF-WAY ACQUISITION SUPPORT DOCUMENTS, AND SPECIFICATIONS SERVICES ENGINEERING PLANNING, DESIGN, PLANS, AND SPECIFICATIONS SERVICES ON THE SPRINKLE ROAD BRIDGE (#103) OVER WALNUT CREEK, IN PRECINCT ONE. (10:26 AM)

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

**Clerk's Note:** Commissioner Sonleitner wanted to note for the record that the Court is moving ahead on the bond propositions (Items 9.A, B, C, D, and E). The projects that are being proceeded on with are: Bratton Lane, Ferguson, Bradshaw Lane Bridge, Cameron Road Bridge and Sprinkle Road Bridge.

10. APPROVE EXTENSION OF TEMPORARY ACCESS AND WORKING SPACE EASEMENT TO THE CITY OF AUSTIN FOR LIGHTING IMPROVEMENTS FOR MOYA PARK. (12:10 PM) (1:40 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; John Hille, Assistant County Attorney; and Pat Rhemit, City Attorney's Office (City of Austin).

**Motion by** Commissioner Gómez and **seconded by** Commissioner Moore to approve the extension through March 6, 1998.

<b>Motion carried:</b> 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

11. APPROVE REJECTION OF DEDICATION AND COUNTY'S INTEREST, IF ANY, IN THAT CERTAIN 1.394 ACRE TRACT DEDICATED TO TRAVIS COUNTY, TEXAS BY INSTRUMENT RECORDED IN VOLUME 12390, PAGE 863, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS. (10:26 AM)

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

12. RECEIVE APPEAL, AND TAKE APPROPRIATE ACTION THEREAFTER, FROM OLMOS ABATEMENT, INC., FOR DENIAL OF PAYMENT REQUEST IN THE AMOUNT OF \$7,438.25, UNDER CONTRACT NO. 97C0220-MB; REQUEST FOR PAYMENT WAS FOR EMERGENCY CLEAN UP OF MASTIC REMOVAL SOLVENT WHICH LEAKED TO THE THIRD FLOOR OF THE STOKES BUILDING DURING ASBESTOS ABATEMENT PROCESS PERFORMED ON THE FOURTH FLOOR. (9:07 AM) (10:44 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; Marvin Brice, Construction Procurement Manager, Purchasing; Bob Lake, Owner/President, Olmos Abatement, Inc.; John Hille, Assistant County Attorney; and Kevin Bailey, Director, Facilities Management.

Discussion Only.

Item 12 to be reposted for action on March 3, 1998.

13. APPROVE SOLE SOURCE EXEMPTION ORDER (SECTION 262.024, (a)(7) (A) ) FOR PROVISION OF ELECTIONS SOFTWARE AND HARDWARE AND APPROVE CONTRACT AWARD TO ELECTIONS SYSTEMS & SOFTWARE, INC., IN THE AMOUNT OF \$35,860.00. (12:05 PM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; Dana DeBeauvoir, Travis County Clerk; and Chuck Belisle, Assistant Purchasing Agent, Purchasing.

Discussion Only.

Item 13 to be reposted for action on March 3, 1998.

**14. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (10:26 AM)**

Item 14 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

**15. APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSION TO CONTINUE. (10:26 AM)**

**A. APPROVE GRANT APPLICATION FOR LEGAL AID OF CENTRAL TEXAS. (10:26 AM)**

Item 15.A added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

**B. APPROVE GRANT CONTRACT FOR STATE & LOCAL ASSISTANCE – 50 (FY '97) FOR EMERGENCY SERVICES DEPARTMENT. (10:26 AM)**

Item 15.B added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

**C. APPROVE GRANT CONTRACT FOR STATE & LOCAL ASSISTANCE – 50 (FY '98) FOR EMERGENCY SERVICES DEPARTMENT. (10:26 AM)**

Item 15.C added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

**D. APPROVE GRANT CONTRACT WITH THE CORPORATION FOR NATIONAL SERVICES (RSVP GRANT) FOR HEALTH & HUMAN SERVICES DEPARTMENT). (10:26 AM)**

Item 15.D added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

**ITEM 15 CONTINUED**

- E. APPROVE GRANT CONTRACT FOR THE JOSATS GRANT FOR JUVENILE COURT. (10:26 AM)**

Item 15.E added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- F. APPROVE PERMISSION TO CONTINUE THE DOE AND LIHEAP WEATHERIZATION GRANT FOR HEALTH & HUMAN SERVICES DEPARTMENT. (10:26 AM)**

Item 15.F added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

**16. APPROVE PERSONNEL AMENDMENTS. (10:26 AM)**

Item 16 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

**17. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:26 AM)**

Item 17 added to Consent Items. 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

- 18.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR AUTHORIZE CONDEMNATION REGARDING CIP PROJECT NO. 4-005, PARCEL #1; DEE GABRIEL COLLINS ROAD (FORMERLY SCENIC LOOP); (SHANNON L MADISON; GIESELMAN; CONDEMNATION). <sup>1</sup> & <sup>2</sup> (9:07 AM)

Item 18 postponed until March 3, 1998.

- 19.** 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). <sup>1</sup> (9:07 AM)

Item 19 postponed until March 3, 1998.



- 20.** 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). <sup>1</sup> (1:49 PM) (2:28 PM)

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

**Members of the Court agreed** to consider one Motion for Items 20, 21, 22, 23, 24, and 26.

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

- 20.** Congratulations to the County Attorney's Office for the victory in this case. The Court expresses their appreciation. No action necessary by the Court.
- 21.** Reject their settlement offer.
- 22.** Authorize the County Attorney's Office to make the settlement offer outlined to the Court.
- 23.** Item 23 to be reposted on March 3, 1998.
- 24.** Reject their settlement offer and counter in the amount of \$5,000.00 as an Offer of Judgement.
- 26.** Item 26 to be reposted on March 3, 1998.

**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	-	absent

- 21.** 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). <sup>1</sup> (1:49 PM) (2:28 PM)

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

**Members of the Court agreed** to consider one Motion for Items 20, 21, 22, 23, 24, and 26. Please refer to Item 20 for a summary of the Court's action on this Motion.

22. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT OR REJECT SETTLEMENT OFFER AND TAKE APPROPRIATE ACTION IN CUMMINS, TWC# 97-048648. <sup>1</sup> (1:49 PM) (2:28 PM)

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

**Members of the Court agreed** to consider one Motion for Items 20, 21, 22, 23, 24, and 26. Please refer to Item 20 for a summary of the Court's action on this Motion.

23. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN: DANIEL MAUL DEATH IN CUSTODY; (MAUL; FRASIER; TEXAS TORT CLAIMS ACT, PERSONAL INJURY). <sup>1</sup> (1:49 PM) (2:28 PM)

Judge Aleshire announced that Item 23 would be considered in Executive Session.

**Members of the Court agreed** to consider one Motion for Items 20, 21, 22, 23, 24, and 26. Please refer to Item 20 for a summary of the Court's action on this Motion.

24. RECEIVE BRIEFING FROM COUNTY ATTORNEY; ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION (GALVAN; FRASIER; CIVIL RIGHTS). <sup>1</sup> (1:49 PM) (2:28 PM)

Judge Aleshire announced that Item 24 would be considered in Executive Session.

**Members of the Court agreed** to consider one Motion for Items 20, 21, 22, 23, 24, and 26. Please refer to Item 20 for a summary of the Court's action on this Motion.

25. RECEIVE BRIEFING FROM COUNTY ATTORNEY; AND/OR TAKE APPROPRIATE ACTION IN; RAYMOND ZAWLOCKI V. TRAVIS COUNTY SHERIFF'S POSSE, INC., TERRY KEEL; SHERIFF OF TRAVIS COUNTY AND CLYDE RUSSELL, (ZAWLOCKI; FRASIER; TEXAS TORT CLAIMS ACT); PREMISES, AND PERSONAL INJURY). <sup>1</sup> (9:07 AM)

Item 25 postponed until March 3, 1998.

- 26. ADDED ITEM:** - RECEIVE BRIEFING FROM COUNTY ATTORNEY; AND/OR TAKE APPROPRIATE ACTION IN; JAMES WALTON V. TRAVIS COUNTY, AND ALLEN EVANS, P.A., (FRASIER; TEXAS TORT CLAIMS ACT; PREMISES, AND PERSONAL INJURY). <sup>1</sup> (1:49 PM) (2:28 PM)

Judge Aleshire announced that Item 26 would be considered in Executive Session.

**Members of the Court agreed** to consider one Motion for Items 20, 21, 22, 23, 24, and 26. Please refer to Item 20 for a summary of the Court's action on this Motion.

**THE FOLLOWING IS AN ADDENDUM:**

- A.1** APPROVE RESOLUTION IN SUPPORT OF SUPPLEMENTAL FEDERAL AND STATE FUNDING FOR PRIORITY HIGHWAY PROJECTS INCLUDING SH 71 EAST, SH 130, SH 183N, AS UNANIMOUSLY ENDORSED BY THE AUSTIN TRANSPORTATION STUDY. (1:44 PM)

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner Gómez to approve adoption of the Resolution under Item A.1.

<b>Motion carried:</b>	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

## ADJOURNMENT

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner McKee to adjourn the Voting Session. (2:31 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	-	absent

## MINUTES APPROVED BY THE COMMISSIONERS' COURT

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**Date of Approval**

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**Bill Aleshire, Travis County Judge**