

MINUTES – MARCH 31, 1998

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 31st day of March 1998, the Commissioners' Court convened the Voting Session at 9:13 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 11:57 AM and reconvened the Voting Session at 1:41 PM.

The Commissioners' Court retired to Executive Session at 2:34 PM and reconvened the Voting Session at 4:56 PM.

The Commissioners' Court adjourned the Voting Session at 5:04 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 5:04 PM and adjourned at 5:05 PM.

RESOLUTIONS & HEARINGS

1. APPROVE PROCLAMATION HONORING CONSTABLE DON NESBY ON HIS RETIREMENT FROM TRAVIS COUNTY. (9:15 AM)

Members of the Court heard from: Don Nesby, Constable, Precinct One; Bob Vann, Constable, Precinct Two; Bruce Elfant, Constable, Precinct Five; and Margaret Gómez, Commissioner, Precinct Four (former Constable, Precinct Four).

Motion by Judge Aleshire and **seconded by** Commissioner Gómez to approve the Proclamation posted under Item 1.

Motion carried:

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

2. APPROVE RESOLUTION HONORING BIANCA ORTA, SARAH LANGLEY, DENISE NEUNABER, SARAH SHULMAN, AND MEISA OWEN FOR RECEIVING THE 1998 "FIVE KIDS WHO CARE" AWARD. (9:21 AM)

Motion by Commissioner Gómez and **seconded by** Commissioner Moore to approve the Resolution posted under Item 2.

Motion carried:

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

- 3. APPROVE RESOLUTION RECOGNIZING THE EFFORTS AND DEDICATION OF THE HUMAN RESOURCES MANAGEMENT STAFF AND OTHER DEPARTMENTS IN COMPLETING THE FY'98 MARKET SALARY SURVEY. (9:26 AM)

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.

Motion by Commissioner Gómez and **seconded by** Commissioner Moore to approve the Resolution posted under Item 3.

Motion carried:

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

- 4. APPROVE PROCLAMATION DESIGNATING THE MONTH OF APRIL, 1998 AS "CHILD ABUSE PREVENTION MONTH" IN TRAVIS COUNTY. (9:33 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans Affairs Services; Karen Haywood, Maternal and Child Healthcare Unit, Austin-Travis County Health and Human Services Department; Karen Mueller, Healthy Start Program, Austin-Travis County Health and Human Services Department; and Karen Hamlett, Children’s Hospital.

Motion by Judge Aleshire and **seconded by** Commissioner Moore to approve the Proclamation posted under Item 4.

Motion carried:

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

CITIZENS' COMMUNICATION

Members of the Court heard from: Linda Moore Smith, Director, HRMD; Cynthia Wise Galvan, Human Resources Analyst, HRMD; Carlotta Valdez, Compensation Manager, HRMD; Norman McCree, Compensation Specialist, HRMD; Gus Peña, President, East Austin Concerned Hispanics; Wes Curtis, Texas Best Seminars; Greg Erikson, Representative, Texas Best Seminars; John Hille, Assistant County Attorney; John Foreman, Host, Texas Best Seminars; Mrs. Sary, Private Citizen; and Kenneth Snyder, Private Citizen and Resident at 4406 Northridge. (9:46 AM)

CONSENT ITEMS

5. Motion by Commissioner Gómez and **seconded by** Commissioner Moore to approve the following consent Items: 19, 20.A, 21 (Appointees: Robert Morris, Janet Dunkelberg and Chris Favre) and 21.A (Appointee: Herndon Bailey), 22, 23 and C1 – C12, excluding C6. (10:13 AM)

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

Motion by Judge Aleshire and **seconded by** Commissioner Gómez to reconsider the Motion to approve the Consent Items (taken earlier in the day). (4:56 PM)

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

CONSENT ITEMS CONTINUED

Motion by Judge Aleshire and **seconded by** Commissioner Gómez to move the same Motion taken earlier in the day, deleting Item C10, which was approved last week and was a duplicate on this week’s agenda. The same Motion is urged for the approval of the Consent Items without Item C10. (4:56 PM)

Motion carried: County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	absent
Precinct 2, Commissioner Karen Sonleitner	-	absent
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 THE FOLLOWING VOTING SESSION MEETING DATES: SESSION OF BUDGET MARK-UP SESSION OF SEPTEMBER 11, 1997; RECONVENED BUDGET MARK-UP SESSION OF SEPTEMBER 12, 1997; BUDGET MARK-UP SESSION OF SEPTEMBER 18, 1997; AND VOTING SESSION OF MARCH 17, 1998.
- C4. APPROVE PRINTING OF 1,000 BROCHURES FOR THE TRAVIS COUNTY LOCAL EMERGENCY PLANNING COMMITTEE.
- C5. APPROVE BUDGET AMENDMENTS AND TRANSFERS.
- C6. CONSIDER AND APPROVE AMENDMENTS TO THE FOLLOWING AGREEMENTS: (A) OPERATION AND MANAGEMENT SERVICES AGREEMENT FOR TRAVIS COUNTY COMMUNITY JUSTICE CENTER BY AND BETWEEN TEXAS BOARD OF CRIMINAL JUSTICE AND TRAVIS COUNTY COMMISSIONERS COURT; (B) OPERATION AND MANAGEMENT SERVICES AGREEMENT FOR TRAVIS COUNTY COMMUNITY JUSTICE CENTER BY AND BETWEEN TRAVIS COUNTY COMMISSIONERS COURT AND WACKENHUT CORRECTIONS CORPORATION.

Item C6 pulled from Consent.

Item C6 to be reposted on April 7, 1998.

CONSENT ITEMS CONTINUED

- C7.** APPROVE LICENSE AGREEMENT WITH SAFEPLACE AND THE AUSTIN RAPE CRISIS CENTER FOR USE OF THE FIRST FLOOR OF THE SAN ANTONIO GARAGE ON SUNDAY, APRIL 19, 1998.
- C8.** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 97T0208-RG, MAKIN' WAVES PERSONAL WATERCRAFT RENTALS FOR WATERCRAFT RENTALS; CONTRACT APPROVED ON 4/15/97; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION.
- C9.** APPROVE CONTRACT MODIFICATION NO. 3 TO CONTRACT NO. MA970207, MONROE-SAVIN, PHOTOCOPIER MAINTENANCE AND REPLACEMENT PARTS; CONTRACT APPROVED ON 4/21/97; MODIFICATION ALLOWS FOR A 12-MONTH RENEWAL AND ADD AND DELETION OF PHOTOCOPIERS.
- C10.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: AMENDED PLAT OF LOTS 32 AND 33, COMANCHE TRAIL NO. 3 - (SHORTFORM - NO FISCAL REQUIRED - 2 LOTS - 1.074 ACRES - PANORAMA DRIVE).

Item C10 pulled from agenda.

- C11.** APPROVE PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 80, LAKE SHORE ADDITION - (SHORTFORM - NO FISCAL REQUIRED - 1 LOT - 2.737 ACRES - WESTLAKE DRIVE - CITY OF AUSTIN ETJ).
- C12.** APPROVE A PUBLIC HEARING DATE OF APRIL 21, 1998 TO APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 5' PUBLIC UTILITY EASEMENT ON THE WEST SIDE OF LOT 1, BLOCK 24, AUSTIN LAKE ESTATES SECTION ONE, A SUBDIVISION IN PRECINCT THREE.

ADMINISTRATIVE ITEMS

6. ACCEPT BOND AND APPOINT CONSTABLE FOR PRECINCT ONE DUE TO VACANCY. (9:13 AM)

Item 6 postponed until April 7, 1998.

7. APPROVE PARTICIPATION OF TRAVIS COUNTY IN THE NORTHEAST AUSTIN WEED & SEED INITIATIVE AND RELATED MEMORANDUM OF AGREEMENT AMONG THE FOLLOWING PARTIES: ST. JOHNS NEIGHBORHOOD ASSOCIATION (NA); WINDSOR PARK NA; UNIVERSITY HILLS NA; PECAN SPRINGS/SPRINGDALE NA; CORONADO HILLS NA; THE CITY OF AUSTIN; UNITED STATES ATTORNEY'S OFFICE; AUSTIN INDEPENDENT SCHOOL DISTRICT; AND TRAVIS COUNTY. (9:13 AM)

Item 7 postponed until April 7, 1998.

8. APPROVE THE RE-PROGRAMMING OF SAVINGS IDENTIFIED FROM THE FY'96 AND FY'97 HOT MIX OVERLAY PROGRAM (CERTIFICATES OF OBLIGATION) AND FROM THE BUILD GREATER AUSTIN PROGRAM FOR USE ON RECOMMENDED TRAVIS COUNTY ROADWAYS NEEDING HMAC OVERLAYS. (10:17 AM)

Clerk's Note: Items 8, 9, 10, 11, 12.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); and Sharon Gilman, Assistant Purchasing Agent, Purchasing.

Discussion Only.

Item 8 to be reposted on April 7, 1998.

9. APPROVE REVISIONS TO 1998 BUILD GREATER AUSTIN PROGRAM AND RE-PROGRAM SAVINGS FROM FY'96 AND FY'97 BUILD GREATER AUSTIN PROGRAM. (10:23 AM)

Clerk's Note: Items 8, 9, 10, 11, 12.A and B are associated with one another and were called for concurrent discussion.

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

Discussion Only.

Item 9 to be reposted on April 7, 1998.

10. APPROVE COUNTY REQUEST OF CANDIDATE PROJECTS TO THE CITY OF AUSTIN BOND ELECTIONS. (10:23 AM)

Clerk's Note: Items 8, 9, 10, 11, 12.A and B are associated with one another and were called for concurrent discussion.

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

Motion by Commissioner Gómez and **seconded by** Commissioner Moore to approve the list (the one sheet, Attachment A, presented in the back-up material) representing Travis County's request to the City of Austin, adding William Cannon, Knuckles' Crossing and deleting SH 45 (with the understanding that that will be pursued a different way).

Motion carried:

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

- 11. APPROVE MODIFICATION OF THE PROFESSIONAL SERVICES AGREEMENT WITH CARTER BURGESS, INC., FOR THE ENGINEERING DESIGN AND PROJECT MANAGEMENT OF HOWARD LANE CIP PROJECT. (10:21 AM)

Clerk’s Note: Items 8, 9, 10, 11, 12.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Susan Spataro, Travis County Auditor; Gordon Bowman, Assistant County Attorney; and Christian Smith, Executive Manager, Planning and Budget Office (PBO).

Judge Aleshire announced that Item 11 would be considered in Executive Session.

Motion by Judge Aleshire and **seconded by** Commissioner Gómez to approve the modification of the Professional Services Agreement with Carter Burgess, Inc., for the engineering design and project management of Howard Lane CIP Project.

Motion carried:

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

- 12. A. APPROVE AGREEMENT WITH E.E. REED FOR DEDICATION OF RIGHT-OF-WAY FOR THE REALIGNMENT OF LOHMANS CROSSING ROAD. (9:13 AM) (10:23 AM) (2:34 PM) (4:57 PM)

Clerk’s Note: Items 8, 9, 10, 11, 12.A and B are associated with one another and were called for concurrent discussion.

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

Judge Aleshire announced that Item 12.A would be considered in Executive Session.

Item 12.A to be reposted on April 7, 1998.

ITEM 12 CONTINUED

- B. APPROVE MODIFICATION OF PROFESSIONAL SERVICES AGREEMENT WITH CARTER BURGESS, INC. FOR ENGINEERING DESIGN OF LOHMANS CROSSING ROAD. (10:23 AM) (2:34 PM) (4:57 PM)**

Clerk's Note: Items 8, 9, 10, 11, 12.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Susan Spataro, Travis County Auditor; and Gordon Bowman, Assistant County Attorney.

Judge Aleshire announced that Item 12.B would be considered in Executive Session.

Item 12.B to be reposted on April 7, 1998.

- 13. DISCUSS COUNTY VOLUNTEER PROJECTS FOR CLEAN SWEEP 98 SPONSORED BY KEEP AUSTIN BEAUTIFUL AND TAKE APPROPRIATE ACTION. (11:22 AM)**

Members of the Court heard from: Jeff Hahn, President, Keep Austin Beautiful Board; and Terrie Smythe, Executive Director, Keep Austin Beautiful.

Discussion Only.

- 14. A. APPROVE ORDER DESIGNATING MAIN EARLY VOTING POLLING PLACE AND TEMPORARY BRANCH EARLY VOTING POLLING PLACES FOR THE APRIL 14, 1998 DEMOCRATIC AND REPUBLICAN PRIMARY RUNOFF ELECTIONS. (11:50 AM) (5:02 PM)

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk.

Motion by Commissioner Moore and **seconded by** Commissioner Gómez to approve the Order under Item 14.A.

Motion carried:

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

- B. DISCUSS OTHER ISSUES RELATED TO CONDUCT OF THE APRIL 14, 1998 PRIMARY RUNOFF ELECTIONS. (11:50 AM)

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

Discussion Only.

- 15. DISCUSS, APPROVE AND/OR GIVE STAFF DIRECTION REGARDING ROLLING OWNER CONTROLLED INSURANCE PROGRAM (ROCIP) COVERAGE FOR MW BUILDERS, CRIMINAL JUSTICE CENTER RELEASE 2/3 CONTRACTOR. (1:41 PM)

Members of the Court heard from: Mike Barrow, Construction Project Manager, Fluor Daniel; Daniel Mansour, Risk Manager, HRMD; and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Commissioner Moore and **seconded by** Commissioner Gómez to amend the project budget.

Motion carried:

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

- 16. APPROVE CONTRACT AWARD FOR THE REMOVAL AND REPLACEMENT OF COOLING TOWERS, AT DEL VALLE CORRECTIONAL COMPLEX, IFB# B980040-JP, TO THE LOW, QUALIFIED BIDDER, WATTINGER SERVICE CO., INC., IN THE AMOUNT OF \$183,162.00. (1:52 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; David Balagia, Major, Travis County Sheriff's Office (TCSO); Jerome Pilgrim, Buyer III, Purchasing; Joe Truchard, Maintenance Engineer, TCSO; and John Hille, Assistant County Attorney.

Motion by Commissioner Moore and **seconded by** Commissioner Gómez that the Court does have the intent to enter into the agreement and to accept that bid based upon what has been verbally expressed (to the Court) as the agreement that Wattinger would agree to make and if the Court can have a written confirmation of that, then they will get this bid.

Motion carried:

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

Item 16 to be reposted on April 7, 1998.

- 17. CONSIDER THE PROPOSED WAIVER OF SECTION 32.004 OF THE TRAVIS COUNTY ETHICS POLICY AND WAIVER OF A PORTION OF THE STANDARD INDEMNIFICATION LANGUAGE REGARDING THE PROPOSED CONTRACT BETWEEN TRAVIS COUNTY AND THE AUSTIN-TRAVIS COUNTY MENTAL HEALTH AND MENTAL RETARDATION CENTER (MHMR) FOR SERVICES OF THE COMMUNITY ACTION NETWORK (CAN) EXECUTIVE DIRECTOR AND EXECUTIVE ASSISTANT; TAKE ACTION AS NECESSARY. (2:23 PM)

Motion by Judge Aleshire and **seconded by** Commissioner Gómez to approve the waiver.

Motion carried:

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

18. 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. (9:13 AM) (2:24 PM)

Members of the Court heard from: Kevin Bailey, Director, Facilities Management.

Discussion Only.

Item 18 to be reposted on April 7, 1998.

19. REVIEW AND APPROVE THE PLANNING AND BUDGET PROCESS TO DEVELOP THE FY'99 BUDGET. (10:13 AM)

Item 19 added to Consent. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

20. APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSION TO CONTINUE. (9:13 AM) (10:13 AM)

A. APPROVE GRANT APPLICATION FOR JUVENILE OFFENDER SUBSTANCE ABUSE TREATMENT SERVICES (JOSATS). (9:13 AM) (10:13 AM)

Item 20.A added to Consent. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

B. DISCUSS AND APPROVE APPLICATION TO GOVERNOR'S OFFICE OF BUDGET AND PLANNING FOR WORKFORCE DEVELOPMENT FUND TO ADMINISTER ON BEHALF OF AUSTIN INTERFAITH. (9:13 AM) (11:30 AM)

Members of the Court heard from: Alan Miller, Budget Analyst, PBO; Willie Bennett, Lead Organizer, Austin Interfaith; Steven Jacobs, Austin Interfaith; John Hille, Assistant County Attorney; Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans Affairs Services; Mary Molina, Austin Interfaith; and Anita Hardeman, Austin Interfaith.

Motion by Commissioner Gómez and **seconded by** Commissioner Moore to authorize the County Judge to sign the application, on behalf of Travis County, so it can be submitted.

A Clarification was made of the previous Motion by Judge Aleshire that this is with the understanding that the application does not obligate any County funding at this point.

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

21. APPOINT MEMBERS OF THE ON-SITE SEWAGE FACILITY RULES ADVISORY COMMITTEE. (10:13 AM)

Item 21 added to Consent. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

Clerk's Note: Judge Aleshire's appointees are Robert Morris, Janet Dunkelberg and Chris Favre.

A. APPOINT HERNDON BAILEY TO THE ON-SITE SEWAGE FACILITY RULES ADVISORY COMMITTEE. (10:13 AM)

Item 21.A added to Consent. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

Clerk's Note: Commissioner McKee's Appointee is Herndon Bailey.

22. APPROVE PERSONNEL AMENDMENTS. (10:13 AM)

Item 22 added to Consent. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

23. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:13 AM)

Item 23 added to Consent. 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

- 24. APPROVE OR REJECT OR TAKE OTHER APPROPRIATE ACTION IN REFERENCE TO CLAIM FROM THE INTERNAL REVENUE SERVICE FOR THE TRAVIS COUNTY COUNSELING CENTER. ¹ (2:34 PM) (4:58 PM)

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

Item 24 to be reposted on April 7, 1998.

- 25. RECEIVE LEGAL ADVICE FROM COUNTY ATTORNEY RE: ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER ON TAX SALE OF PROPERTY LOCATED AT ON U.S. HWY. 183, BEING ABS 24, DEL VALLE S. ACR. 16.490 AND TAKE APPROPRIATE ACTION. ¹ (2:34 PM) (4:58 PM)

Judge Aleshire announced that Item 25 would be considered in Executive Session.

Motion by Judge Aleshire and **seconded by** Commissioner Gómez to request that the County Attorney’s Office and the County Tax Assessor Collector seek a personal judgement against the owners of the property in an effort to collect the taxes due for that property. As far as the property is concerned, the Court encourages the County Attorney’s Office, working with the County Tax Assessor Collector, to see to it that the property is put up for Tax Sale in accordance with law. After that is done, if the property does not sell at a Tax Sale, to indicate that the Travis County Commissioners’ Court would be open to consideration of alternatives in conjunction with the Del Valle School District.

Motion carried:

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

- 26. 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 (2:34 PM) (4:59 PM)

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

Item 26 to be reposted on April 7, 1998.

- 27. 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). ¹ (2:34 PM)

Item 27 pulled from the agenda.

- 28. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN ROY JOHNSON AND MARY JOHNSON VS. ALFONSO ROEL GORENA AND TRAVIS COUNTY, (JOHNSON; SMITH, J. TEXAS TORT CLAIMS ACT, AND PERSONAL INJURY). ¹ (2:34 PM) (4:59 PM)

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

Motion by Judge Aleshire and **seconded by** Commissioner Moore to accept their offer in the amount of \$90,000.00 and authorize the County Judge to sign the settlement papers.

Motion carried:

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

- 29. RECEIVE BRIEFING FROM COUNTY ATTORNEY RE: AUTHORIZE ACCEPT, REJECT, OR COUNTER AGREEMENT TO MUTUAL TERMINATION AND/OR TAKE APPROPRIATE ACTION ON CONTRACT WITH ATTORNEY AD LITEM ON AD VALOREM TAX CASES. ¹ (2:34 PM) (4:59 PM)

Judge Aleshire announced that Item 29 would be considered in Executive Session.

Motion by Judge Aleshire and **seconded by** Commissioner Moore to agree to a mutual termination of the contract with Keith Lauerman, who has had a contract to serve as an Attorney Ad Litem on Ad Valorem Tax Cases. The Judge, has in his possession, a Mutual Termination document of that contract and will be authorized to sign it on behalf of the Court.

Motion carried:

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

THE FOLLOWING ITEMS ARE ADDENDA:

- A.1 APPROVE PROCLAMATION RECOGNIZING THE WEEK OF APRIL 6-11, 1998 AS "PUBLIC HEALTH WEEK" IN TRAVIS COUNTY. (9:13 AM) (9:38 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans Affairs Services; and Dr. Stephen Harris, Acting Health Authority, Austin-Travis County Health and Human Services Department.

Motion by Judge Aleshire and **seconded by** Commissioner Gómez to approve the Proclamation posted under Item A.1.

Motion carried:

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

- A.2** RECOGNIZE TRAVIS COUNTY SERVICES FOR THE DEAF AND THE TRAVIS COUNTY MEDIA SERVICES FOR BEING A RECIPIENT OF THE BARBARA JORDAN AWARD GRANTED BY THE GOVERNOR'S COMMITTEE FOR INDIVIDUALS WITH DISABILITIES. (9:13 AM) (9:41 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans Affairs Services; Nancylynn Bridges, Manager, Austin Travis County Services for the Deaf; Steven Broberg, Director, Records Management and Communication Resources; Susan Verhoef, Media Specialist, Media Services; and Marilyn Moffet, Austin-Travis County Services for the Deaf.

- A.3** RECEIVE BRIEFING REGARDING RELOCATION OF CITY OF AUSTIN WATERMAIN IN CONNECTION WITH PARMER LANE EAST PROJECT AND TAKE APPROPRIATE ACTION, EXECUTIVE SESSION ALSO PURSUANT TO TEX. GOV. CODE SECTION 551.071. (2:34 PM) (4:59 PM)

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

Item A.3 to be reposted on April 7, 1998.

A.4 RECEIVE LEGAL ADVICE AND GIVE STAFF DIRECTION CONCERNING THE ADMINISTRATION OF THE TRAVIS COUNTY ON-SITE SEPTIC SYSTEM RULES, EXECUTIVE SESSION ALSO PURSUANT TO TEX. GOV'T. CODE SECTION 551.071. (2:34 PM) (5:00 PM)

Judge Aleshire announced that Item A.4 would be considered in Executive Session.

Motion by Judge Aleshire and **seconded by** Commissioner Moore to instruct the Health and Human Services Department Staff to conduct a review or audit of pending permits for on-site sewage systems to determine whether those permits are being processed in compliance with the following Rules of Interpretation of the County rules in light of the new State rules for on-site septic systems.

1. If there is a provision in the County rules that is not addressed by the new State rules, then the County rules apply.
2. If a provision in the County rules specifically addresses a provision in the new State rules and the County rules are more stringent, then the County rules apply.
3. If a provision in the County rules specifically addresses a provision in the new State rules and the State rules are more stringent, then the new State rules apply.
4. If a provision in the new State rules is not addressed specifically by the County rules, emphasizing specifically by the County rules, then the new State rules apply. That would include, in this last interpretation, that if the County rules address a standard only by reference to the old State rules, then the new State rules apply.

The Court requests that Staff conduct that audit and work with the County Attorney's Office on any immediate changes they would recommend to the Commissioners' Court and come back to the Commissioners' Court with a report on that as soon as possible.

Motion carried:

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

ADJOURNMENT

Motion by Commissioner Moore and **seconded by** Commissioner Gómez adjourn the Voting Session. (5:04 PM)

Motion carried:

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	absent
Precinct 2, Commissioner Karen Sonleitner	-	absent
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