

## **MINUTES – APRIL 7, 1998**

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

On Tuesday, the 7<sup>th</sup> day of April 1998, the Commissioners' Court convened the Voting Session at 9:16 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 11:55 AM.

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 11:55 AM and adjourned at 11:56 AM.

The Commissioners' Court reconvened the Voting Session at 1:46 PM.

The Commissioners' Court retired to Executive Session at 1:46 PM and reconvened the Voting Session at 4:30 PM.

The Commissioners' Court adjourned the Voting Session at 5:08 PM.

The Commissioners' Court, meeting as the Corporations' Board of Directors, convened the Corporations' Voting Session at 5:08 PM and adjourned at 5:09 PM.

**RESOLUTIONS & HEARINGS**

1. APPROVE THE VACATION OF A PORTION OF RIGHT-OF-WAY AND ACCEPTANCE OF NEW RIGHT OF WAY DEDICATION FOR A PORTION OF PARK DRIVE THAT PASSES THROUGH HUGHES PARK LAKE SUBDIVISION NO. 1 IN PRECINCT TWO. (9:19 AM)

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner McKee 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:** Steve Manilla, Director of Engineering and Planning, Transportation and Natural Resources (TNR); Michael Lakely, Resident on Park Drive and Owner of Lots 92, 93 and 94; and Troy Osborne, Resident at 12890 Park Drive and Owner of Lot 91.

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner McKee 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 Item 12. Please refer to Agenda Item 12 for the Court's Motion and Vote.

2. APPROVE RESOLUTION PROCLAIMING THE WEEK OF APRIL 12 "NATIONAL TELECOMMUNICATORS WEEK". (9:33 AM)

**Members of the Court heard from:** Dan T Richards, Deputy Chief, Travis County Sheriff's Office (TCSO); Lynn Boydston, Communications Manager, TCSO; Shannon Peters, Senior Dispatcher, TCSO; and Jessica Borak, Senior Dispatcher, TCSO.

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

<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

## CITIZENS' COMMUNICATION

**Members of the Court heard from:** Gus Peña, President, East Austin Concerned Hispanics; Kenneth Snyder, Private Citizen and Resident at 4406 Northridge; Wes Curtis, Texas Best Seminars; John Foreman, Host, Texas Best Seminars and Producer, In Your Face Campaign; Robert Kurtz, Texas Best Seminars; and Kennard Wright, Elections Specialist, Travis County Clerk's Office. (9:40 AM)

**CONSENT ITEMS**

- 3. Motion by** Commissioner Gómez and **seconded by** Commissioner Moore to approve the following consent Items: 20 (swapping out Ken Martin of Pflugerville, for Charles Simone in terms of the small cities representation), 21, A.1, and C1 – C17. (10:07 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 SESSION OF FEBRUARY 24, 1998; SPECIAL VOTING SESSION OF MARCH 23, 1998; VOTING SESSION (EXECUTIVE SESSION) OF MARCH 26, 1998.
- C4.** APPOINT CHRISTINE DUVALL, DVM, TO ANIMAL ADVISORY COMMISSION AS PRECINCT TWO APPOINTEE; MS. DUVALL IS THE CAPITAL AREA VETERINARY MEDICAL ASSOC. REPRESENTATIVE AND IS FILLING AN UNEXPIRED TERM UNTIL 6/1/98.
- C5.** 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.
- C6.** APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSION TO CONTINUE.
- A.** APPROVE GRANT CONTRACT WITH CORPORATION FOR NATIONAL SERVICE FOR RETIRED AND SENIOR VOLUNTEER PROGRAM (RSVP) FOR GRANT AUGMENTATION FOR HEALTH AND HUMAN SERVICES DEPT.

**CONSENT ITEMS CONTINUED**

- C7.** APPOINT MANAGER, EMERGENCY AND WIRELESS COMMUNICATIONS TO THE CAPCO EMERGENCY COMMUNICATIONS ADVISORY COMMITTEE.
- C8.** APPROVE PERSONNEL AMENDMENTS.
- C9.** DECLARE THE ATTACHED LIST OF PROPERTY AS SURPLUS PROPERTY, PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE.
- C10.** APPROVE STATE TERM CONTRACT PURCHASE OF ONE (1) FORD CROWN VICTORIA, FOR CONSTABLE PRECINCT TWO, IN THE AMOUNT OF \$19,069.00.
- C11.** APPROVE CONTRACT MODIFICATION NO. 2 TO CONTRACT NO. 97K0710D, SCHNURR, INC., CJC RELEASE 4 PAINTING PACKAGE; MODIFICATION ALLOWS FOR THE ASSIGNMENT OF PAYMENTS TO THE CONTRACTOR'S SURETY, UNIVERSAL SURETY OF AMERICA.
- C12.** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 97T0209-JP, WITH AT&T WIRELESS SERVICES, INC., FOR RENTAL OF PAGERS; CONTRACT APPROVED ON APRIL 29, 1997; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION.
- C13.** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 97T0182-JP, WITH LUCKY LADY OIL COMPANY FOR AVIATION TURBINE TYPE FUEL; CONTRACT APPROVED ON 4/8/97; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION.
- C14.** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 97T0206-JJ, WITH CAPITAL CHEM CAN COMPANY FOR PORTABLE TOILET RENTAL AND SERVICING; CONTRACT APPROVED ON 4/21/97; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION.
- C15.** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 97T0214-JP AND 97T0215-JP, WITH TRIOLOGIC, INC., AND AMERICAN 3CI FOR HAZARDOUS AND BIO HAZARDOUS WASTE DISPOSAL SERVICES; CONTRACT APPROVED ON 4/29/97; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION.

**CONSENT ITEMS CONTINUED**

- C16.** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 97T0180-JJ, WITH CAP TEX SEPTIC SERVICES FOR SEPTIC AND HOLDING TANK SERVICES; CONTRACT APPROVED ON 4/1/97; MODIFICATIONS ALLOW FOR A 12-MONTH EXTENSION.
- C17.** APPROVE PLAT FOR RECORDING IN PRECINCT THREE: REPLAT OF LOT 153 AND LOT 154 THE RESUBDIVISION OF LOTS 31-39, BARTON CREEK LAKESIDE, PHASE ONE AND LOTS 1-34, BARTON CREEK LAKESIDE, PHASE TWO- (SHORTFORM - NO FISCAL - 2 LOTS - 0.651 ACRES - CRESCENT RIDGE - OETJ).

**COUNTY POLICIES AND PROCEDURES**

- 4.** APPROVE ORDER AMENDING CHAPTER 23, INVESTMENT POLICY AND PROCEDURES, OF THE TRAVIS COUNTY POLICY, PROCEDURES, AND REGULATIONS MANUAL. (10:11 AM)

**Members of the Court heard from:** Cheryll Adair, Manager, Cash Investment Division; Barbara Wilson, Assistant County Attorney; and Mary Mayes, Assistant, Cash Investment Division.

**Motion by** Commissioner Moore and **seconded by** Commissioner McKee to approve the amendments.

<b>Motion carried:</b> County Judge Bill Aleshire	-	abstain
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:** Judge Aleshire asked that he be allowed to disclose the fact that his wife has worked, for several years, in the industry that does investments and securities activity through banks and savings loans (subsidiaries of banks). To the best of his knowledge, there is no actual linkage to the company that his wife works for but it is so close to that kind of business that he would prefer not to raise any questions about it and would abstain from further discussion and from casting a vote.

**ADMINISTRATIVE ITEMS**

5. ACCEPT BOND AND APPOINT CONSTABLE FOR PRECINCT ONE DUE TO VACANCY. (9:19 AM) (10:32 AM) (1:46 PM) (4:30 PM)

Judge Aleshire announced that Item 5 would be considered in Executive Session.

**Members of the Court heard from:** Dan T Richards, Deputy Chief, TCSO; Bruce Elfant, Constable, Precinct Five; and Luke Mercer, Constable, Precinct One.

**Motion by** Commissioner McKee and **seconded by** Commissioner Gómez to appoint Luke Mercer to be Constable of Precinct One.

**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

6. APPROVE PROJECT TEAM AND STUDY CONTENT AND APPROVE CONTRACT AWARD FOR THE DOMESTIC RELATIONS OFFICE, RFS #S970122 TO H.V. VILLEGAS & CO., IN THE AMOUNT OF \$15,000. (10:32 AM)

**Members of the Court heard from:** Sharon Gilman, Assistant Purchasing Agent for Professional Services, Purchasing; Rick Valadez, Director, Travis County Domestic Relations Office; and Dinah Dinwiddie, Executive Manager, Criminal Justice Planning (CJP).

**Motion by** Judge Aleshire and **seconded by** Commissioner Moore to approve the budget amendment posted under Item 19 (for this particular Item's budget amendment only) to move \$15,000.00 from contracted employees to consulting services and to approve the contract posted under Item 6 on the agenda with H.V. Villegas & Co..

**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. DISCUSS AND APPROVE SOFTWARE LICENSE AND MAINTENANCE AGREEMENTS WITH DIGITAL DESCRIPTOR SYSTEMS, INC., FOR THE INTEGRATED JUSTICE SYSTEM (I J S) COMPU-CAPTURE VIDEO MUGSHOT SYSTEM. (10:46 AM)

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

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner McKee to approve and execute the License and Maintenance Agreement with DDSI as recommended by staff.

**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

8. DISCUSS, APPROVE AND AUTHORIZE THE PURCHASING AGENT AND THE COUNTY CLERK TO ENTER INTO NEGOTIATIONS WITH THE TOP RANKING VENDOR FOR THE COUNTY CLERK DEED INDEXING SYSTEM, RFO 028.

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

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to authorize the County Clerk and the Purchasing Agent to enter into negotiations with the top-ranking vendor, Hart Systems, for the County Clerk Deed Indexing System as listed on the agenda.

**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 informed the Court that the County Clerk received the first (ever) Community Collaboration Awards sponsored by CitySearch and the Greater Austin Chamber of Commerce. Dana DeBeauvoir won the award on behalf of Travis County for the Elections Program in terms of Early Voting.



9. 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. (11:01 AM) (4:38 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; and Cyd Grimes, Travis County Purchasing Agent.

**Motion by** Commissioner Moore and **seconded by** Commissioner McKee to approve Option 5.

**A Clarification was made of the previous Motion by** Commissioner McKee that it would be a principled vote that every Commissioners' Court could stand behind and defend in front of it's constituency if it is used as a way to prioritize the way that the money is spent.

**A Clarification was made of the previous Motion by** Commissioner Sonleitner that in doing it as a principled vote, people would know that it is in every single category that she is willing to let the chips fall where they may and she would make that same principled vote in each category presented to her.

**Maker and Second accept the Friendly Amendment by** Judge Aleshire that the Court request TNR to lay out the make-up of these priority rankings so they can use that as a test case. A copy of the formula could be re-supplied and then show, in detail, how it was applied here.

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

<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

10. APPROVE REVISIONS TO 1998 BUILD GREATER AUSTIN PROGRAM AND RE-PROGRAM SAVINGS FROM FY'96 AND FY'97 BUILD GREATER AUSTIN PROGRAM. (11:41 AM)

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

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner Moore to approve the revisions to the 1998 Build Greater Austin Program and Re-Program Savings from Fiscal Year '96 and '97 Build Greater Austin Program.

**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

11. A. APPROVE AGREEMENT WITH E.E. REED FOR DEDICATION OF RIGHT-OF-WAY FOR THE REALIGNMENT OF LOHMANS CROSSING ROAD. (9:17 AM)

Item 11.A postponed until April 14, 1998.

- B. APPROVE MODIFICATION OF PROFESSIONAL SERVICES AGREEMENT WITH CARTER BURGESS, INC. FOR ENGINEERING DESIGN OF LOHMANS CROSSING ROAD. (11:44 AM) (1:46 PM) (5:02 PM)

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

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

**Motion by** Commissioner Moore and **seconded by** Commissioner Sonleitner to approve the modification under Item 11.B.

**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

12. APPROVE THE VACATION OF A PORTION OF RIGHT-OF-WAY AND ACCEPTANCE OF NEW RIGHT OF WAY DEDICATION FOR A PORTION OF PARK DRIVE THAT PASSES THROUGH HUGHES PARK LAKE SUBDIVISION NO. 1 IN PRECINCT TWO. (9:17 AM)

Item 12 postponed until April 14, 1998.

13. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF BROKER/DEALER APPLICANTS FOR CONDUCTING INVESTMENT BUSINESS. (10:26 AM)

**Members of the Court heard from:** Cheryll Adair, Manager, Cash Investment Division; and Mary Mayes, Assistant, Cash Investment Division.

**Motion by** Commissioner Moore and **seconded by** Commissioner Sonleitner to approve Item 13 as recommended by staff.

**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. 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. (9:17 AM) (11:45 AM) (11:46 AM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations.

Discussion Only.

Item 14 pulled from agenda; will resubmit when staff has all documentation on hand.

15. 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. (11:45 AM) (11:47 AM) (11:53 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; and John Hille, Assistant County Attorney.

**Motion by** Commissioner Moore and **seconded by** Commissioner McKee to approve Item 15.

**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

**Clerk's Note:** Item 15 was further discussed at 11:53 AM with a request by Commissioner Gómez for the record to reflect a Corrected Vote. Judge Aleshire instructed that with no objection, the minutes would reflect Commissioner Gómez voting yes for the referenced Item. 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

16. APPROVE CONTRACT AWARD FOR THE PROVISION OF CONCRETE AND GROUT MIX, IFB# B980049-JP, TO THE SECOND LOW BIDDER, CENTEX MATERIALS, INC., IN THE ESTIMATED AMOUNT OF \$244,500.00; REJECT BID FROM THE LOW BIDDER, CUSTOM CRETE, INC., AS NON-RESPONSIVE. (11:49 AM) (11:56 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner McKee to reject the low bidder and award the contract to the second low bidder, Centex Materials, Inc.

**Motion carried:**

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

**Clerk's Note:** Item 16 was further discussed at 11:56 AM with a request by Commissioner Moore for the record to reflect a Corrected Vote. Judge Aleshire instructed that with no objection, the minutes would reflect Commissioner Moore voting yes for the referenced Item. 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. APPROVE CONTRACT AWARD FOR GUARDRAIL AND BRIDGERAIL INSTALLATION, IFB #B980029-RH, TO THE SOLE QUALIFIED BIDDER, H & H FENCE CO., IN THE ESTIMATED AMOUNT OF \$336,445.00. (11:50 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent.

**Motion by** Commissioner McKee **and seconded by** Commissioner Sonleitner to approve Item 17 as recommended by staff.

**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

18. REJECT BIDS RECEIVED FOR TRAFFIC SIGN GRAPHIC SYSTEM, IFB# B980041-JP; APPROVE RE-ADVERTISEMENT OF REQUIREMENTS WITH REVISED SPECIFICATIONS. (11:54 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; and Joe Gieselman, Executive Manager, TNR.

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner McKee to approve Item 18 as recommended by staff.

**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

19. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (11:46 AM)

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner McKee to approve Item 19, the Budget Amendments with the add-ons.

**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

20. APPOINT MEMBERS OF THE ON-SITE SEWAGE FACILITY RULES ADVISORY COMMITTEE. (10:07 AM)

Item 20 added to Consent. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

**Clerk's Note:** Ken Martin (in place of Charles Simone) for the Small Cities Representation – Pflugerville.

21. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:07 AM)

Item 21 added to Consent. Please refer to Agenda Item 3 (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

- 22.** APPROVE OR REJECT OR TAKE OTHER APPROPRIATE ACTION IN REFERENCE TO CLAIM FROM THE INTERNAL REVENUE SERVICE FOR THE TRAVIS COUNTY COUNSELING CENTER. <sup>1</sup> (1:46 PM) (5:03 PM)

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

Item 22 pulled from the agenda.

- 23.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT, OR COUNTER SETTLEMENT DEMAND REGARDING CIP PROJECT NO., 3-006B, PARCEL #91; PROPOSED FM 2304/MANCHACA ROAD IMPROVEMENTS; (OWNER, ROBERT KYLE FRANKLIN, III; GIESELMAN; CONDEMNATION). <sup>1</sup> & <sup>2</sup> (9:17 AM) (5:03 PM)

Item 23 postponed until April 14, 1998.

- 24.** 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> (9:17 AM) (5:03 PM)

Item 24 postponed until April 14, 1998.

- 25.** 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. (1:46 PM) (5:03 PM)

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

No action taken on Item 25.

26. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON THE TAX ABATEMENT AGREEMENT OF CONQUEST AIRLINES AND TRAVIS COUNTY. <sup>1</sup> (1:46 PM) (5:03 PM)

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

**Motion by** Judge Aleshire and **seconded by** Commissioner Sonleitner to terminate the Tax Abatement Agreement with Conquest Airlines, due to their default on the provisions, and authorize the County Judge to sign notice provided by the County Attorney's Office (to Conquest) of that termination.

**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

27. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION REGARDING GREG ESTEPP V. TRAVIS COUNTY (MEDINA; TEXAS LABOR CODE). <sup>1</sup> (9:17 AM)

Item 27 postponed until April 14, 1998.

### THE FOLLOWING ITEMS ARE ADDENDA:

- A.1 APPROVE CONTRACT MODIFICATION N0.3 TO 96T0118-RG, LABCORP, DRUG TESTING; CONTRACT APPROVED BY COMMISSIONERS' COURT ON FEBRUARY 6, 1996; MODIFICATION EXTENDS CONTRACT FOR 4 MONTHS. (10:07 AM)

Item A.1 added to Consent. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.



**A.2** 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. (1:46 PM) (5:04 PM)

Judge Aleshire announced that Item A.2 would be considered in Executive Session.

**Motion by** Judge Aleshire and **seconded by** Commissioner Moore that in addition to the instructions given to the Health and Human Services staff by the Commissioners' Court last week (in their Motion) the Court instructs staff to complete the analysis of errors that may have been made in applying rules since February, 1997 and to complete that in conjunction with the County Attorney's Office as soon as possible. **Part A:** With completion of that, to evaluate in light of that analysis, whether permits that are pending for which comments have been sent out, whether those comments were correct and to ensure that any comments sent out in reviews of those pending permits from this day forward, to ensure that those comments are consistent with the proper application of the rules. The Court also wants to see an analysis of any permits that were issued within the last six months on which construction has not begun, to ensure that those permits were issued in accordance with the proper application of the rules. And on any permits that have expired (issued more than six months ago) and renewal requests are received, that those renewals are reviewed in light of the proper application of the rules. The Court directs staff to report to them regularly as information is gained (to identify for the Court) the number, if any, of permits that have been issued with a misapplication of the rules. **Part B:** The Court requests that staff draft a response to the state audit from the Texas Natural Resources Conservation Commission (TNRCC), dated April 3, and submit it to the Commissioners' Court for consideration on the agenda as the official response to TNRCC and that all responses to the TNRCC audit be coordinated through 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

## ADJOURNMENT

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner McKee to adjourn the Voting Session. (5:08 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

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**Date of Approval**

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**Bill Aleshire, Travis County Judge**