

## **MINUTES –JUNE 9, 1998**

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

On Tuesday, the 9<sup>th</sup> day of June 1998, the Commissioners' Court convened the Voting Session at 9:10 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 12:19 PM and reconvened the Voting Session at 1:48 PM.

The Commissioners' Court retired to Executive Session at 3:53 PM and reconvened the Voting Session at 4:55 PM.

The Commissioners' Court adjourned the Voting Session at 5:00 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 5:00 PM and adjourned at 5:01 PM.

**RESOLUTIONS & HEARINGS**

- 1. RECOGNIZE THE "COMMUNITY COLLABORATION AWARD" WON BY THE COUNTY CLERK, HER COMMUNITY PARTNERS AND THE COMMISSIONERS' COURT FOR THE EARLY VOTING PROGRAM. (9:13 AM)

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

Discussion Only.

No action taken on Item 1.

- 2. APPROVE RESOLUTION CONGRATULATING THE RIVER CITY YOUTH FOUNDATION ON THEIR FIFTEENTH ANNUAL "KEYS TO THE FUTURE" YOUTH RECOGNITION AWARDS CEREMONY. (9:18 AM)

**Members of the Court heard from:** Chuck Tilley, Vice-President, River City Youth Foundation and Project Manager for development of the new facility; Mona Gonzalez, Executive Director, River City Youth Foundation; Susan Alexander, Neighborhood Youth Coordinator; Sheree Allen, Youth Corp Participant; and Donna WinebergerYork, Program Specialist at Dove Springs Recreation Center.

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

**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

3. APPROVE RESOLUTION FOR ADOPTION OF THE HEALTHWISE HANDBOOK AND SELFCARE PROGRAM PROVIDED BY THE TEXAS ASSOCIATION OF COUNTIES TO PROMOTE THE HEALTH AND WELL-BEING OF COUNTY EMPLOYEES. (9:30 AM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Linda Moore Smith, Director, Human Resources Management Department; Lauren Henry, Representative, Texas Association of Counties; and Rachel Mitchell, Representative, Texas Agriculture Extension Service.

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

**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:** Gus Peña, President, East Austin Concerned Hispanics; Robert Brandess, Private Citizen; Kenneth Snyder, Resident at 4406 Northridge; Jan Barstow, Private Citizen; John Foreman, Host, Texas Best Seminars and Producer, In Your Face Campaign; and Wes Curtis, Texas Best Seminars. (9:35 AM)

**CONSENT ITEMS**

4. **Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the following Consent Items: 8, 17, 23, 24, 25, 26.A, B, C and D, 30, and C1 – C18 (with a note on C17 that this plat anticipates using on-site sewage but that has been okayed by the Health Department). (9:57 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 THE VOTING SESSIONS OF MAY 12, 1998; MAY 26, 1998; AND SPECIAL VOTING SESSION OF MAY 27, 1998.
- C4. APPROVE BUDGET AMENDMENTS AND TRANSFERS.
- C5. APPROVE LICENSE AGREEMENT WITH THE TRAVIS COUNTY CREDIT UNION AUTHORIZING INSTALLATION OF AN AUTOMATED TELLER MACHINE IN THE ENTRY AREA OF THE TRAVIS COUNTY TAX ASSESSOR COLLECTOR'S OFFICE AT 1010 LAVACA STREET WITH ALL COSTS ASSOCIATED WITH INSTALLATION AND OPERATION OF THE ATM TO BE PAID BY CREDIT UNION.
- C6.
  - A. APPROVE LICENSE AGREEMENT WITH STEINER RANCH RESIDENTIAL OWNERS ASSOCIATION, INC., FOR AN ENTRANCE SIGN, LANDSCAPING, IRRIGATION AND LIGHTING IN THE RIGHT-OF-WAY OF JOHN SIMPSON AND STEINER RANCH BLVD. IN STEINER RANCH PHASE 1 SECTION 3 IN PRECINCT TWO.
  - B. APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN STEINER RANCH PHASE 1 SECTION 3, A SUBDIVISION IN PRECINCT TWO.

**CONSENT ITEMS CONTINUED**

- C7. A. APPROVE LICENSE AGREEMENT WITH STEINER RANCH RESIDENTIAL OWNERS ASSOCIATION, INC., FOR LANDSCAPING, IRRIGATION AND LIGHTING IN THE RIGHT-OF-WAY OF STEINER RANCH BLVD. IN STEINER RANCH PHASE 1 SECTION 4A IN PRECINCT TWO.**

**B. APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN STEINER RANCH PHASE 1 SECTION 4A, A SUBDIVISION IN PRECINCT TWO.**
- C8. APPROVE ORDER EXEMPTING CONTRACTS FOR THE PURCHASE OF PROFESSIONAL CONTRACT STAFF PATHOLOGIST AND AUTOPSY SERVICES FROM THE COMPETITIVE PROPOSAL REQUIREMENTS OF THE COUNTY PURCHASING ACT.**
- C9. APPROVE CONTRACT AWARD FOR COMMERCIAL MOVING SERVICES, IFB# B980081-JP TO THE LOW QUALIFIED BIDDER, ALL POINTS MOVING & STORAGE, IN THE ESTIMATED AMOUNT OF \$241,325.00.**
- C10. APPROVE CONTRACT AWARD FOR PROVISION OF PROFESSIONAL DAY REPORTING/DAY TREATMENT SERVICES FOR JUVENILE OFFENDERS, RFS #S980044-LH, TO SOUTHWEST KEY PROGRAM, INC., IN THE NOT TO EXCEED AMOUNT OF \$183,200.00.**
- C11. APPROVE CONTRACT MODIFICATION NO. 2 TO CONTRACT NO. 97T0259-JP, FOR EROSION CONTROL SERVICES; CONTRACT APPROVED ON 6/17/97; MODIFICATION ALLOWS FOR A 12-MONTH RENEWAL.**
- C12. APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NOS. 97T0276-OJ THROUGH 970281-OJ, WITH BARKER OFFICE FURNITURE, AUSTIN BUSINESS FURNITURE; OFFICE DEPOT BUSINESS SERVICES; OFFICE PAVILION; SHELTON KELLER GROUP, AND THE WELLS GROUP FOR FURNITURE; CONTRACTS APPROVED ON JULY 1, 1997; MODIFICATIONS ALLOWS FOR A 12-MONTH EXTENSION.**
- C13. APPROVE PURCHASE OF COMPUTERS FROM THE DEPARTMENT OF INFORMATION RESOURCES IN AN AMOUNT NOT TO EXCEED \$99,514.00.**
- C14. APPROVE CONTRACT AWARD FOR CUSTODIAL SERVICES AT THE EXECUTIVE OFFICE BUILDING, IFB# B980071-JP, TO THE LOW, QUALIFIED BIDDER, SUNRAY BUILDING SERVICES, IN THE ESTIMATED AMOUNT OF \$38, 456.26.**

**CONSENT ITEMS CONTINUED**

- C15.** APPROVE CONTRACT AWARD FOR THE PROVISION OF PIGGYBACK STORM WINDOWS AND SCREENS, IFB #B980070-JP TO THE LOW, QUALIFIED BIDDER, AUSTIN BUILDING PRODUCTS, IN THE ESTIMATED AMOUNT OF \$174,300.00.
- C16.** APPROVE A PUBLIC HEARING DATE OF JUNE 30, 1998 TO APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A DRAINAGE EASEMENT ALONG THE COMMON LOT LINE BETWEEN LOTS 19 AND 21, ROUND MOUNTAIN ESTATES, A SUBDIVISION IN PRECINCT TWO.
- C17.** APPROVE PLAT FOR RECORDING IN PRECINCT ONE: INDUSTRIAL GROUP 30.00 & 86.37 ACRE TRACTS - (SHORTFORM) - NO FISCAL REQUIRED - 2 LOTS - 116.65 ACRES - JOHNNY MORRIS ROAD - WASTEWATER SERVICE TO BE PROVIDED BY ONSITE SEWAGE SERVICE).
- C18.** **ADDED ITEM** - ENDORSE TRAVIS COUNTY AS THE SITE FOR THE SOUTH TEXAS COUNTY JUDGES' AND COMMISSIONERS' ASSOCIATION "YEAR 2000 SUMMER CONFERENCE".

**ADMINISTRATIVE ITEMS**

- 5. RECEIVE THE FIRST ANNUAL REPORT REGARDING THE 1997-2002 BOND PROGRAM FROM THE TRAVIS COUNTY CITIZENS BOND PROJECT ACCOUNTABILITY COMMITTEE. (9:59 AM)

**Members of the Court heard from:** Jim Vanderford, Precinct Three Appointee; Charles Akins, Precinct One Appointee, and Co-Chair, Transportation and Natural Resources (TNR) Subcommittee; Walter Timberlake, Precinct Four Appointee, and Building Projects Oversight Subcommittee; Lesley Pool, County Judge’s Appointee, and Co-Chair, Building Projects Oversight Subcommittee; Howard Jones, Precinct One Appointee, and TNR Subcommittee; Paula Wong; and Joe Gieselman, Executive Manager, TNR.

- 6. A. CONSIDER AND GRANT PETITION FILED ON MAY 26, 1998 FOR THE CREATION OF A LIBRARY DISTRICT IN PRECINCT TWO. (10:28 AM)

**Members of the Court heard from:** Dana DeBeauvoir, Travis County Clerk and John Hille, Assistant County Attorney.

**Members of the Court agreed** to consider one Motion for Items 6.A, B, C and D.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Moore to move forward in terms of the election process for the library district in Precinct Two for the Wells Branch Neighborhood Association, to order an election on August 8, 1998, to confirm the creation of a library district and to authorize the imposition of a Sales and Use Tax for that district in Precinct Two, and to authorize the advertising notice of the election. The Court takes notice of the County Clerk’s expenses in the amount of \$3,551.84, which have been covered by Wells Branch. But if it needs to come back to the Court at a later date in terms of budgetary constraints, the Court takes notice that this item is a differential that is different from what the County Clerk had allotted in her original budget and the Court will handle it at that point.

**A Clarification was made of the previous Motion by** Commissioner Sonleitner that, in terms of staff instruction regarding the leftover business with Westbank, the Court wants it to be clear that they have every intent of being consistent with Wells Branch, and will work on the appropriate way to make that happen.

**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 6 CONTINUED**

**B. REVISED WORDING: ORDER AN ELECTION ON AUGUST 8, 1998 TO CONFIRM THE CREATION OF A LIBRARY DISTRICT AND TO AUTHORIZE THE IMPOSITION OF A SALES AND USE TAX FOR THAT DISTRICT, AND TO ELECT FIVE PERSONS WHO SHALL SERVE AS THE INITIAL BOARD OF TRUSTEES, IN PRECINCT TWO. (10:28 AM) (3:52 PM)**

**Members of the Court heard from:** Dana DeBeauvoir, Travis County Clerk; Jessica Rio, Budget Analyst, Planning and Budget Office (PBO); and John Hille, Assistant County Attorney.

**Members of the Court agreed** to consider one Motion for Items 6.A, B, C and D. Please refer to Item 6.A for a summary of the Court’s action on this Motion.

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

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Moore to reconsider Item 6.B and approve the change on Page 3, a typographical correction adding Precinct 109 to the other Precincts which are already correctly listed.

<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

**C. AUTHORIZE ADVERTISING NOTICE OF THE ELECTION. (10:28 AM)**

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

**Members of the Court agreed** to consider one Motion for Items 6.A, B, C and D. Please refer to Item 6.A for a summary of the Court’s action on this Motion.



**ITEM 6 CONTINUED**

**D. APPROVE BUDGET AMENDMENT TO THE COUNTY CLERK'S BUDGET FOR THE CONDUCT OF THE AUGUST 8, 1998 WELLS BRANCH COMMUNITY LIBRARY DISTRICT CREATION ISSUE ELECTION.**

**Members of the Court heard from:** Dana DeBeauvoir, Travis County Clerk; Diane Kohler, Representative, Citizens of Wells Branch; Jessica Rio, Budget Analyst, PBO; and John Hille, Assistant County Attorney.

**Members of the Court agreed** to consider one Motion for Items 6.A, B, C and D. Please refer to Item 6.A for a summary of the Court's action on this Motion.

7. RECEIVE UPDATE FROM CAPITAL AREA RURAL TRANSPORTATION SYSTEMS. (10:44 AM)

**Members of the Court heard from:** David Marsh, Executive Director, Capital Area Rural Transportation System (CARTS).

Discussion Only.

No action taken on Item 7.

8. ENDORSE THE CREATION OF AN EXTENDED SERVICE AREA (ESA) FOR THE AREA OF TRAVIS COUNTY WEST OF THE PEDERNALES RIVER, WHICH IS IN THE MARBLE FALLS TELEPHONE EXCHANGE. (9:57 AM)

Item 8 added to Consent. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

9. DISCUSS AND AUTHORIZE ISSUANCE OF 9-1-1 RDMT TRUNKED RADIO SYSTEM REQUEST FOR PROPOSALS. (10:56 AM)

**Members of the Court heard from:** Teresa Reel, Manager of Emergency and Wireless Communications, Justice and Public Safety (JPS); and Gordon Bowman, Assistant County Attorney.

**Motion by** Commissioner Moore **and seconded by** Commissioner Gómez to approve the RFP under Item 9.

**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

10. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION CONCERNING TEXAS NATURAL RESOURCE CONSERVATION COMMISSION (TNRCC) PROPOSED EDWARDS AQUIFER WATER QUALITY RULES. (11:10 AM)

**Members of the Court heard from:** John Pool, Natural Resources Program Manager, TNR; Dave Fowler, Environmental Project Manager, TNR; Larry Smith, Regional Manager, Texas Natural Resources Conservation Commission (TNRCC); and Mary Ambrose, Policy and Regulations Division, TNRCC; James Banks, Water Engineer; and Gordon Bowman, Assistant County Attorney.

Discussion Only.

No action taken on Item 10.

- 11. CONSIDER A DRAFT LETTER IN RESPONSE TO THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION (TNRCC) AUDIT AND TAKE APPROPRIATE ACTION. (11:36 AM) (1:49 PM) (3:44 PM)

**Members of the Court heard from:** Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans' Services.

**Motion by** Commissioner Moore **and seconded by** Commissioner Gómez to approve the draft letter as the Commissioners' Court response to the TNRCC audit.

**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 OR DISAPPROVE A REQUEST FOR VARIANCE FROM TRAVIS COUNTY RULES FOR ON-SITE PRIVATE SEWAGE FACILITIES FOR THE FOLLOWING: (11:36 AM)

A. 9603 BROWN LANE - BOBBY PARKER.

**Motion by** Judge Aleshire **and seconded by** Commissioner Moore to approve the request for variance under Item 12.A.

**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

- 13. A. ACCEPT DEDICATION OF CHAPEL AT DEL VALLE CORRECTIONAL COMPLEX FROM THE INTERFAITH CHAPEL DEVELOPMENT CORPORATION. (10:56 AM)

Item 13.A postponed until June 16, 1998.

B. APPROVE FOURTH AMENDMENT TO AGREEMENT WITH INTERFAITH CHAPEL DEVELOPMENT CORPORATION. (10:56 AM)

Item 13.B postponed until June 16, 1998.

- 14. A. DISCUSS REQUEST FROM PFLUGER WIGINTON HOOKER/NBBJ FOR ADDITIONAL COMPENSATION FOR PHASE 1 DESIGN SERVICES. (1:59 PM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Kevin Bailey, Director, Facilities Management; Ken Gaede, project Manager, Facilities Management; John Hooker, Principal, Pfluger Wiginton Hooker/NBBJ; and Tom Wiginton, Principal, Pfluger Wiginton Hooker/NBBJ.

**Motion by** Judge Aleshire **and seconded by** Commissioner McKee to respectfully decline the request from Pfluger Wiginton Hooker/NBBJ.

**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	-	abstain

- B. APPROVE CONTRACT MODIFICATION TO THE CONTRACT BETWEEN TRAVIS COUNTY AND PFLUGER WIGINTON HOOKER/NBBJ IN THE AMOUNT OF \$1,088,147.00 FOR ARCHITECTURAL ENGINEERING SERVICES FOR THE PHASE 2 CAPITAL IMPROVEMENT PROGRAM AT THE TRAVIS COUNTY CORRECTIONAL COMPLEX AT DEL VALLE. (1:59 PM)

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

**Clerk’s Note:** Alicia Perez provided the Court with the accurate amount being \$1,081,822.

**Motion by** Judge Aleshire **and seconded by** Commissioner Sonleitner to approve Item 14.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

15. A. APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 930290, H.T.E., INC., EXTENDING CONTRACT DELIVERY DATES/IMPLEMENTATION SCHEDULE; CONTRACT APPROVED ON JANUARY 10, 1990. (2:28 PM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Cyd Grimes, Travis County Purchasing Agent; and Brad Powell, Assistant Director, Information and Telecommunications Systems (ITS).

Discussion Only.

Item 15.A to be reposted on June 16, 1998.

- B. APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. M950015, HTE MAINTENANCE CONTRACT IN THE AMOUNT OF \$16,074.50. (2:28 PM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Cyd Grimes, Travis County Purchasing Agent; and Brad Powell, Assistant Director, ITS.

Discussion Only.

Item 15.B to be reposted on June 16, 1998.

16. REVIEW AND APPROVE RENEWAL OF INTERLOCAL ASSISTANCE AGREEMENT WITH THE CAPITOL AREA NARCOTICS TASK FORCE. (9:11 AM)

Item 16 postponed until June 16, 1998.

17. CONSIDER AND TAKE ACTION ON 1998 CONTRACT WITH SALVATION ARMY FOR SOCIAL SERVICES. (9:57 AM)

Item 17 added to Consent. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 18. APPROVE CHANGE ORDER FOR \$56,369.90 TO WIDEN BIG SANDY DRIVE TO PROVIDE A GUARDRAIL AT LOW WATER CULVERT CROSSING INTO THE CONTRACT WITH JAY-REESE CONTRACTORS, CONTRACT # 97K0703JJ FOR 1996 TRAVIS COUNTY BRIDGE REPLACEMENT PROJECT. (1:49 PM)

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

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Moore to approve Item 18 as stated.

**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

- 19. CONSIDER REQUEST BY THE TEXAS DEPARTMENT OF TRANSPORTATION FOR AN ADDITIONAL \$47,000 FOR TRAVIS COUNTY'S SHARE OF RIGHT-OF-WAY COST FOR THE FM 1431 SAFETY PROJECT AND TAKE APPROPRIATE ACTION. (1:50 PM)

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

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez that the Court send a letter to TXDOT declining to further provide money for this project until they provide the Court with an explanation as to how their estimates were so far off and whether this estimate is actually any closer to reality.

**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 19 to be reposted on June 16, 1998.

- 20. APPROVE FIRST AMENDMENT TO HOWARD LANE INTERLOCAL COOPERATION AGREEMENT WITH CITY OF AUSTIN AND TRAVIS COUNTY. (9:12 AM) (1:59 PM) (2:41 PM)

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

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the Item 20 as stated.

**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

- 21. APPROVE SALE BY COMMISSIONER OF SALE KAREN SONLEITNER FOR A PORTION OF OLD PFENNING LANE RIGHT-OF-WAY IN PRECINCT TWO. (9:11 AM) (1:59 PM) 2:41 PM)

**Members of the Court heard from:** John Hille, Assistant County Attorney; and Gordon Bowman, Assistant County Attorney.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to authorize Precinct Two Commissioner Karen Sonleitner, as Commissioner of Sale, to execute a deed to the Pfluger family on the receipt of the appraised value, the cost of the appraisal and the cost of the advertising, a figure which is \$12, 217.13. This item will be carried over next week to report any such sale.

**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 21 to be reposted on June 16, 1998.

22. APPROVE CONTRACT FOR FINANCIAL ADVISORY SERVICES WITH D. LADD PATILLO AND ASSOCIATES. (9:12 AM) (1:59 PM) (2:44 PM)

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

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the contract for financial advisory services with D. Ladd Patillo and Associates as amended as the Purchasing Agent has stated for the record.

**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. REJECT BIDS RECEIVED FOR ELECTRICAL TIME AND MATERIALS, IFB #980054-MG; APPROVE RE-ADVERTISEMENT OF REQUIREMENTS WITH REVISED SPECIFICATIONS. (9:57 AM)

Item 23 added to Consent. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

24. REJECT BIDS RECEIVED FOR OFFSITE RECORDS STORAGE, IFB #B980059-LD; APPROVE RE-ADVERTISEMENT OF REQUIREMENTS WITH REVISED SPECIFICATIONS. (9:57 AM)

Item 24 added to Consent. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

25. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS970143LH, PHOENIX HOUSE, FOR PROVISION OF SUBSTANCE ABUSE TREATMENT SERVICES FOR THE JUVENILE OFFENDER SUBSTANCE ABUSE TREATMENT SERVICES (JOSATS) NETWORK; CONTRACT APPROVED ON 5/20/97; MODIFICATION INCREASES THE NOT TO EXCEED AMOUNT FROM \$320,015.50 O \$670,861.50. (9:57 AM)

Item 25 added to Consent. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.



**26. APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSION TO CONTINUE. (9:57 AM)**

**A. APPROVE GRANT CONTRACT FOR THE PARKS RECYCLING EQUIPMENT FOR TNR DEPARTMENT. (9:57 AM)**

Item 26.A added to Consent. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

**B. APPROVE GRANT CONTRACT FOR SOLID WASTE ENFORCEMENT FOR TNR DEPARTMENT. (9:57 AM)**

Item 26.B added to Consent. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

**C. APPROVE GRANT CONTRACT FOR STATE CRIMINAL ALIEN ASSISTANCE PROGRAM FOR SHERIFF'S OFFICE. (9:57 AM)**

Item 26.C added to Consent. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

**D. APPROVE GRANT CONTRACT SB102 EMS GRANT FOR EMERGENCY SERVICES DEPT.**

Item 26.D added to Consent. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

**E. APPROVE GRANT APPLICATION TO U.S. DEPARTMENT OF JUSTICE FOR 'COPS MORE 98 GRANT' FOR SHERIFF'S OFFICE. (2:53 PM)**

**Members of the Court heard from:** Shoshanna Lansberg, Budget Analyst, Planning and Budget Office (PBO); Michael Hemby, Research and Planning, Travis County Sheriff's Office (TCSO); Dan T. Richards, Deputy Chief, TCSO; and Dinah Dinwiddie, Executive Manager, JPS.

**Motion by** Commissioner Moore **and seconded by** Commissioner Sonleitner to approve the grant application under Item 26.E.

<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

27. APPOINT COUNTY COMMISSIONER TO REPRESENT TRAVIS COUNTY ON THE REGIONAL COMMUTER RAIL PLANNING BOARD. (2:53 PM)

No action taken on Item 27.

A. ADDED ITEM: - RECEIVE UPDATE AND DISCUSS ITEMS RELATED TO REGIONAL COMMUTER RAIL ON THE AUSTIN TRANSPORTATION STUDY AGENDA ON JUNE 8 AND TAKE APPROPRIATE ACTION. (2:53 PM)

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner McKee that the Commissioners' Court indicate support for creating the Commuter Rail Facilitation Committee, and the MOU. The Court requests that Precinct 4, Commissioner Margaret J. Gómez be put on as the Travis County Commissioners' Court Representative.

<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

28. REVIEW AND APPROVE THE FOLLOWING PROPERTY AND LIABILITY CLAIM RECOMMENDATIONS: (3:13 PM)

A. T.C.S.O. - SETTLE

B. FRANK MCINTYRE - SETTLE

**Members of the Court heard from:** Daniel Mansour, Risk Manager, Human Resources Management Department (HRMD).

**Motion by** Commissioner Gómez **and seconded by** Commissioner Moore to approve the property and liability claims as recommended by the Risk Manager.

<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

29. APPROVE PERSONNEL AMENDMENTS. (3:15 PM) (3:53 PM) (4:55 PM)

**Members of the Court heard from:** Norman McRee, Lead Human Resources Analyst, HRMD; Carlotta Valdez, Compensation and Benefits Manager, HRMD; Lynne Andrus, Senior Human Resources Analyst, HRMD; Alicia Perez, Executive Manager, Administrative Operations; Eric Shepperd, Assistant County Attorney; Joe Gieselman, Executive Manager, TNR; and Brad Powell, Assistant Director, ITS.

Judge Aleshire announced that Item 29 would go into Executive Session (Slot 94).

**Motion by Judge Aleshire and seconded by Commissioner Sonleitner** to approve the personnel amendments with the exception of the Facilities Management Slot 9004, which will be brought back to the Court next week; the County Attorney Item, listed under non-routine, Slot 94 will also be brought back next week; and to clarify on the ITS position under Slot 71, that it is a re-naming of the Security Analyst position to Security Administrator with the changes in the job description, and it be slotted against a Systems Programmer. Any appropriate changes related to that are to be brought in with MSS '99.

<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

30. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:57 AM)

Item 30 added to Consent. Please refer to Agenda Item 4 (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

- 31.** RECEIVE STATUS REPORT ON STAFFING AND SECURITY ISSUES AT COMMUNITY JUSTICE CENTER AND TAKE APPROPRIATE ACTION. EXECUTIVE SESSION ALSO, PURSUANT TO GOVT CODE ANN 551.071 AND 551.076. (3:53 PM) (4:58 PM)

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

No action taken on Item 31.

- 32.** APPROVE, REJECT OR COUNTER THE REQUEST FOR AMENDMENT NO. 4 TO CONTRACT WITH FLUOR DANIELS, INC., FOR SERVICES, OR TAKE OTHER APPROPRIATE ACTION. <sup>1</sup> (3:53 PM) (4:58 PM)

Judge Aleshire announced that Item 32 would be considered in Executive Session.

Item 32 to be reposted on June 16, 1998.

- 33. RECEIVE BRIEFING FROM COUNTY ATTORNEY CONCERNING THE CLASS CLAIM IN THE TEXAS POLITICAL ENTITIES ASBESTOS CLASS ACTION; AND TAKE APPROPRIATE ACTION AS TO THE FINAL DETERMINATION OF ALLOWED COSTS (GRACE; ALESHIRE; ASBESTOS CLASS ACTION).<sup>1</sup> (3:53 PM) (4:58 PM)

Judge Aleshire announced that Item 33 would be considered in Executive Session.

**Motion by Judge Aleshire and seconded by Commissioner Gómez** to authorize the County Judge to sign the appropriate papers as submitted by the County Attorney’s Office on this case, and, as mentioned to the County Attorney’s Office, that they work with PBO and the Auditor’s Office to see if they can get the anticipated additional settlement payment, that will come in January of next year, certified for revenue for the FY ‘99 budget.

**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

- 34. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION ON CIP PROJECT 3-002, PARCEL NO. 2D, JAMES A. HOPKINS AND WIFE, JEAN C. HOPKINS AND STATE OF TEXAS; (GIESELMAN; CONDEMNATION).<sup>1</sup> (3:53 PM) (4:59 PM)

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

Item 34 postponed until June 16, 1998.

- 35.** RECEIVE BRIEFING FROM COUNTY ATTORNEY; AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN GALVAN, ABRAHAM V. TERRY KEEL, ET AL, CAUSE NO. A-96-CA-353-JN ( FRASIER; CIVIL RIGHTS). <sup>1</sup>  
(10:56 AM) (4:59 PM)

Item 35 postponed until June 16, 1998.

- 36.** RECEIVE BRIEFING AND/OR AUTHORIZE COUNTY ATTORNEY TO TAKE APPROPRIATE ACTION IN LORENZO LEWIS V. LAURA DAVENPORT, ET. AL. (FRASIER; SECTION 1983; EXCESSIVE FORCE). <sup>1</sup> (3:53 PM) (4:59 PM)

Judge Aleshire announced that Item 36 would be considered in Executive Session.

Item 36 postponed until June 16, 1998.

- 37.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT OR COUNTER SETTLEMENT DEMAND ON CIP PROJECT NO. 4-005, PARCEL NO. 1, SHANNON L. AND RUTH MADISON AND TRAVIS COUNTY, TEXAS; (GIESELMAN; CONDEMNATION). <sup>1</sup> (3:53 PM) (4:59 PM)

Item 37 postponed until June 16, 1998.

**THE FOLLOWING ITEMS ARE ADDENDA:****A.1 REVIEW AND TAKE ACTION ON LIMITED HIRING FREEZE, AND DESIGNATION OF CERTAIN BUDGETED POSITIONS FOR ELIMINATION AS OF OCTOBER 1, 1998. (10:56 AM) (11:38 AM)**

**Members of the Court heard from:** Christian Smith, Executive Manager, PBO; Leroy Nellis, Budget Manager, PBO; and Margo Frasier, Travis County Sheriff.

**Motion by Judge Aleshire and seconded by Commissioner Moore** that the Commissioners' Court instruct the employees who work for them, specifically the Executive Managers, that they are to freeze filling the positions (that were identified by PBO, and submitted to the Court in the back-up material, that have been vacant for more than six (6) months) until PBO has an opportunity to double-check whether those positions are in fact justified to be listed in the Budget as permanent positions at all, or whether there is some other category in which the time that the Court pays for those services should be used (such as temporary or contract employees). Secondly, the Court indicates (through PBO) to the Elected Officials that PBO has targeted, for potential elimination from the FY '99 Budget, the other positions identified that have been vacant for six (6) months that fall under the independent Elected and Appointed Officials for which the Court sets the Budget. Subject to additional review by PBO, the Court will make a determination later on if those positions will be eliminated. As for additional positions between now and the end of the fiscal year that have been vacant for more than six (6) months, they will automatically come under the review of PBO so they can check again the justification of those positions, and the Court can anticipate whether they will be filled or whether they will be included in the FY '99 budget.

**Maker accept the Friendly Amendment by Commissioner Moore** that this would not apply to documented offers for filling these positions that were outstanding as of noon today.

**Acceptance of the Friendly Amendment was made by Judge Aleshire.**

**A Clarification was made of the previous Motion by Commissioner Sonleitner** that (in terms of the list that the Court is referring to) the Court is referring to this list that has been put together without regard to when these positions were authorized by the Commissioners' Court.

**A Clarification was made of the previous Motion by Judge Aleshire** that PBO recommended to the Court that they target for this analysis, and at least for the time being, freezing the positions that the Court has jurisdiction over and that have been vacant for six (6) months or more as of June 3. That would not include positions that were newly authorized but have not been vacant for six months.

**ITEM A.1 CONTINUED**

**Clerk's Note:** Christian Smith informed the Court that the following positions had been listed in error because they no longer exist and were supposed to be off of the computer. Those positions/slot numbers are: Financial Analyst III - Slot 23, Secretary, Sr. - Slot 24, Law Clerk - Slot 116, and Pre-Trial Services Manager - Slot 136.

**A Clarification was made of the previous Motion by** Judge Aleshire that the intent of his Motion is to recognize that, for other personnel reasons, some choices have been made about how to provide those services (for example, providing the services on a temporary basis instead of using the budgeted slot). If departments choose to continue for the rest of this fiscal year as well as next fiscal year, PBO has raised a valid issue regarding whether to shift that money (less money – overall cost) to the temporary salary category. It would still be a savings.

**Clerk's Note:** Precinct Three Commissioner Moore informed Judge Aleshire that Precinct Four Commissioner Gómez requested that the record reflect her voting “yes” on Item A.1. 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 Vote as instructed.

**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.2** RECEIVE BRIEFING FROM COUNTY ATTORNEY CONCERNING POTENTIAL LITIGATION INVOLVING GASOLINE PIPELINE IN TRAVIS COUNTY. EXECUTIVE SESSION ALSO, PURSUANT TO GOV'T CODE ANN 551.071. (3:53 PM) (4:55 PM)

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

**Motion by Judge Aleshire and seconded by** Commissioner Gómez to request that the County Attorney's Office continue to monitor this litigation and to provide assistance to the Plaintiffs in this case. The County Attorney's office should be prepared, without granting authority at this time, to intervene on behalf of Travis County if it appears to be necessary to protect the aquifer and the environment in Travis County in the future. The County Attorney's Office should coordinate with other local agencies' and organizations' legal counsel and representatives to make them aware of Travis County's interest in this litigation. The County Attorney's Office is authorized to send a letter, on behalf of the Court, to the Department of Army indicating the Court's belief that a full environmental impact statement should be done on this project. Copies of that correspondence should be sent to Representative Doggett, Senator Gramm and Senator Hutchison.

**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. (5:00 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**

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**Date of Approval**

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**Bill Aleshire, Travis County Judge**