

## **MINUTES –JUNE 16, 1998**

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

On Tuesday, the 16<sup>th</sup> day of June 1998, the Commissioners' Court convened the Voting Session at 9:17 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 11:41 AM and reconvened the Voting Session at 1:37 PM.

The Commissioners' Court retired to Executive Session at 1:38 PM and reconvened the Voting Session at 3:10 PM.

The Commissioners' Court adjourned the Voting Session at 3:13 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, convened the NWTCRD #3 Voting Session at 3:14 PM and adjourned at 3:14 PM.

The Commissioners' Court record notes that Precinct Two Commissioner Karen Sonleitner was not present during this Voting Session.

The Commissioners' Court record notes that Precinct Four Commissioner Margaret J. Gómez was not present during this Voting Session.

**RESOLUTIONS & HEARINGS**

- 1. APPROVE PROCLAMATION RECOGNIZING THE 1998 TRAVIS COUNTY AND CITY OF AUSTIN EMANCIPATION DAY "JUNETEENTH" CELEBRATION HOSTED BY COMMISSIONER DARWIN MCKEE AND FORMER COMMISSIONER SAMUEL T. BISCOE. (9:19 AM)

**Members of the Court heard from:** Cheryl Brown, Assistant to the Commissioner, Precinct One; (former) Commissioner Sam Biscoe, Precinct One; Trent Spears, Accounting Clerk, Travis County Treasurer’s Office; Mark McCray, Budget Analyst, Planning and Budget Office (PBO); and Eldridge Nelson, Public Information Specialist, Travis County Tax-Assessor Collector’s Office.

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

**Motion carried:**

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

**CITIZENS’ COMMUNICATION**

**Members of the Court heard from:** Gus Peña, President, East Austin Concerned Hispanics; Dan Neal, (retiring) Superintendent, Del Valle Independent School District; Jim Stewart, (newly appointed) Superintendent, Del Valle Independent School District; John Foreman, Host, Texas Best Seminars and Producer, In Your Face Campaign; Steve Lane, Private Citizen; and Leona Sary, Private Citizen. (9:34 AM)

CONSENT ITEMS

2. Motion by Judge Aleshire and seconded by Commissioner McKee to approve the following Consent Items: 22, and C1 – C14, excluding C9 and with a note on C5 to exclude the last entry (Slot #94 in the County Attorney’s Office). (9:48 AM)

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

C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.

C2. AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION FACILITIES.

C3. APPROVE COMMISSIONERS’ COURT MINUTES FOR VOTING SESSIONS OF APRIL 28, 1998; AND JUNE 2, 1998.

C4. APPROVE DISTRIBUTION OF PAYROLL STUFFERS IN THE JUNE 30, 1998 PAYROLL AND PROVIDE STAFF DIRECTION IN SCHEDULING A PUBLIC HEARING FOR EMPLOYEES ON FY ‘99 BUDGET.

C5. APPROVE PERSONNEL AMENDMENTS.

Clerk’s Note: The last Item on the Personnel Amendments was excluded for being non-routine (Slot #94 from the County Attorney’s Office).

C6. APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 97TO297-RH WITH REMINGTON TIRE DISTRIBUTORS FOR TIRES AND TUBES; CONTRACT WAS APPROVED BY COMMISSIONERS’ COURT ON JULY 29, 1997. MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION.

C7. APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 97TO256-BA WITH WRIGHT OIL CO. FOR ENGINE OILS AND LUBRICANTS; CONTRACT WAS APPROVED ON JUNE 17, 1997; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION.

**CONSENT ITEMS CONTINUED**

- C8. REVISED** - APPROVE CONTRACT AWARD FOR THE PROVISION OF REMANUFACTURED TONER CARTRIDGES, IFB B980085-RG TO THE LOW QUALIFIED BIDDER, INTER-STATE COMPUTER IN THE ESTIMATED AMOUNT OF \$22,406.25.
- C9.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: THE PARK AT GRAND AVENUE SECTION ONE - (SHORTFORM - NO FISCAL REQUIRED - 2 LOTS - 2.296 ACRES - ROYSTON LANE - WASTEWATER SERVICE TO BE PROVIDED FOR BY THE WINDERMERE UTILITY COMPANY. (9:48 AM)

Item C9 postponed until June 23, 1998.

- C10.** APPROVE PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 27 AND 28, BLOCK A, WESTVIEW ON LAKE AUSTIN PHASE "B" P.U.D. (AMENDED PLAT - NO FISCAL REQUIRED - 1 LOT - 1.216 ACRES - MANTLE DRIVE - COA ETJ - SEWER SERVICE PROVIDED BY CITY OF AUSTIN WASTEWATER.
- C11.** APPROVE PLAT FOR RECORDING IN PRECINCT ONE: HARRIS BRANCH PHASE ONE-D, (LONGFORM - FISCAL POSTED WITH THE CITY OF AUSTIN AND TRAVIS COUNTY - 176 LOTS - 49.865 ACRES - ST. MERRYNDRIVE - WASTEWATER SERVICE TO BE PROVIDED FOR BY THE CITY OF AUSTIN).
- C12.** APPROVE A PUBLIC HEARING DATE OF JUNE 30, 1998 TO APPROVE A TEMPORARY ROAD CLOSURE OF SOUTHWEST PARKWAY BETWEEN TRAVIS COOK ROAD AND SH 71 FOR THE PURPOSE OF PROVIDING SAFETY AND IMPROVED QUALITY DURING RESURFACING IN PRECINCT THREE.
- C13.** APPROVE A PUBLIC HEARING DATE OF JUNE 30, 1998 FOR APPROVAL OF PROPOSED STREET NAME ASSIGNMENT FOR 8400' OF UNNAMED EASEMENT FROM ROUND MOUNTAIN ROAD TO ITS END TO BE KNOWN AS "BINGHAM CREEK ROAD" IN PRECINCT TWO.
- C14. ADDED ITEM:** - APPROVE ORDER FROM COUNTY JUDGE TEMPORARILY TRANSFERRING RESPONSIBILITIES OF THE TEXAS ALCOHOL BEVERAGE COMMISSION (TABC) LICENSE AND PERMIT APPROVALS TO JUDGE JADE MEEKER FOR ALL TABC CASES PRESENTED TO HER BETWEEN JUNE 19, 1998 THRU JUNE 29, 1998; ORDER TO BE RESCINDED EFFECTIVE AT CLOSE OF BUSINESS JUNE 29, 1998.

**ADMINISTRATIVE ITEMS**

3. APPROVE EXTENSION OF DISASTER DECLARATION BANNING OUTDOOR BURNING IN UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:50 AM)

**Members of the Court heard from:** Pete Baldwin, Emergency Management Coordinator, Transportation and Natural Resources (TNR); Ernie Smith, Instant Commander of the Travis County Team, Texas Forest Services; and Richard Robbins, Fuels Analyst, United States Forest Services.

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

**Motion carried:**

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

Item 3 to be reposted on June 23, 1998.

4. APPROVE NOTICE TO TEXAS COUNTY AND DISTRICT RETIREMENT SYSTEM (TCDRS) INDICATING TRAVIS COUNTY DOES NOT INTEND TO MAKE ANY CHANGES TO THE RETIREMENT PLAN FOR FY 1999. (9:53 AM)

**Motion by** Commissioner McKee **and seconded by** Commissioner Moore to approve the Notice under Item 4.

**Motion carried:**

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

- 5. REVIEW AND APPROVE REQUIREMENTS AS STATED IN CHAPTER 775.082 OF THE HEALTH AND SAFETY CODE, EMERGENCY SERVICES DISTRICTS. (9:54 AM)

**Members of the Court heard from:** Susan Spataro, Travis County Auditor; David Escamilla, First Assistant County Attorney; and Barbara Wilson, Assistant County Attorney.

Discussion Only.

Item 5 to be reposted on June 23, 1998.

- 6. A. APPROVE PROPOSAL FOR A LEASE BETWEEN HARRY M. WHITTINGTON D/B/A TRAVIS PROPERTIES AND TRAVIS COUNTY, TEXAS FOR THE LEASE SPACE FOR TRAVIS COUNTY, COUNTY ATTORNEY'S, 911, EMS AND TRANSPORTATION NATURAL RESOURCES TO BE LOCATED AT 207 W. 9TH STREET AND FOR THE LEASE SPACE FOR TRAVIS COUNTY IVD MASTER COURT, CES INTAKE, AND DRUG DIVERSION COURT TO BE LOCATED AT 205 W. 9TH STREET. (10:09 AM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; and Belinda Poppa, Planner, Facilities Management.

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

**Motion by** Commissioner Moore **and seconded by** Commissioner McKee to approve Items 6.A, B and C, with C being at the 49<sup>th</sup> Street and Airport location.

**Motion carried:**

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

Item 6.A to be reposted on June 23, 1998.

**ITEM 6 CONTINUED**

- B. APPROVE PROPOSAL TO AMEND THE TRAVIS COUNTY COMMUNITY ACTION NETWORK (CAN) AGREEMENT TO PROVIDE SPACE FOR LEGAL AID TO BE LOCATED AT 2201 POST ROAD. (10:09 AM)**

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Belinda Poppa, Planner, Facilities Management; and John Hille, Assistant County Attorney.

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

Item 6.B to be reposted on June 23, 1998.

- C. APPROVE PROPOSAL FOR LEASE SPACE FOR TRAVIS COUNTY COUNSELING EDUCATION SERVICES AND EXEMPT LEASE AGREEMENT FROM COMPETITION. (10:09 AM)**

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Belinda Poppa, Planner, Facilities Management; and Caryl Colburn, Director, Travis County Counseling and Education Services.

**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.C to be reposted on June 23, 1998.

- 7. APPROVE REALLOCATION OF CAPITOL RESERVE FUNDS FOR A COMMUNICATION LINK BETWEEN THE CITY OF AUSTIN POLICE DEPARTMENT AND TRAVIS COUNTY SHERIFF'S OFFICE. (9:48 AM)**

Item 7 postponed until June 23, 1998.

8. REVIEW AND APPROVE RENEWAL OF INTERLOCAL ASSISTANCE AGREEMENT WITH THE CAPITOL AREA NARCOTICS TASK FORCE.  
(10:27 AM) (3:10 PM)

**Members of the Court heard from:** Jim Connolly, Assistant County Attorney; and Patty Eacret, Director of Fiscal and Personnel, Travis County Sheriff's Office (TCSO).

**Motion by Judge Aleshire and seconded by Commissioner Moore** to approve Item 8.

**Clerk's Note:** Judge Aleshire announced that the Court would leave the Motion pending and would come back to it later in the day.

**Clerk's Note:** Judge Aleshire restated the Motion.

**Motion by Judge Aleshire and seconded by Commissioner Moore** to approve Item 8.

**Motion carried:**

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

9. APPROVE AGREEMENT AMONG FM PROPERTIES, INC., THE NATURE CONSERVANCY OF TEXAS, AND TRAVIS COUNTY FOR THE IMPLEMENTATION OF SAFETY IMPROVEMENTS ON TRAVIS COOK ROAD.  
(9:17 AM) (11:16 AM)

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

No action taken on Item 9.

Item 9 to be reposted on June 23, 1998.



10. APPROVE OR DISAPPROVE A REQUEST FOR VARIANCE FROM TRAVIS COUNTY RULES FOR ON-SITE PRIVATE SEWAGE FACILITIES FOR THE FOLLOWING: (10:33 AM)

A. LYNWOOD AND JUANITA PIERCE TO REDUCE THE SETBACK FROM THE LEACHING CHAMBERS TO A LIMESTONE ROCK RESTRICTIVE HORIZON FROM 4.09 FEET TO 2.0 FEET AT 14103 CEDAR RIDGE, LEANDER, TEXAS. (10:33 AM)

**Members of the Court heard from:** Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services and Veterans' Services (HHS/VA); and Matt Phelps, Engineer, Austin-Travis County Health and Human Services (HHS).

**Motion by** Commissioner McKee **and seconded by** Commissioner Moore to approve the variance requested under Item 10.A.

**Maker and Second accept the Friendly Amendment made by** Judge Aleshire that the County is requiring, as a condition for this Variance, that the pretreatment occur, and that it be documented with a maintenance agreement that would be monitored and reported to the agency.

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

**Motion carried:**

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

**ITEM 10 CONTINUED**

**B.** LYNN AND DONALD O'CONNOR (1) 5TO ALLOW INSTALLATION OF THE PROPOSED DRAINFIELD TO WITHIN FIVE (5) FEET OF THE FRONT PROPERTY LINE, AND (2) TO LOCATE LOW PRESSURE DOSED TRENCHES WITH A SEPARATION OF LESS THAN ONE FOOT TO THE FRACTURED ROCK. (10:33 AM) (10:38 AM)

**Members of the Court heard from:** Stephen Williams, Executive Manager, HHS/VA; Jim Fulton, Plan Reviewer, HHS; Darrell Primeaux, P.E., Civil Engineer/Consultant; Matt Phelps, Engineer, HHS; and Mary Etta Gerhardt, Assistant County Attorney.

**Motion by** Commissioner McKee **and seconded by** Commissioner Moore to approve the variance requested under Item 10.B.

**Motion carried:**

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

11. A. APPROVE ALTERNATE FISCAL FOR JACK'S POND SECTION 3, A SUBDIVISION IN PRECINCT TWO. (10:53 AM)

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

**Members of the Court agreed** to consider one Motion for Items 11.A and B.

**Motion by** Commissioner Moore **and seconded by** Commissioner McKee to approve Items 11.A and B.

**Motion carried:**

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

B. APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN JACK'S POND SECTION 1, A SUBDIVISION IN PRECINCT TWO. (10:53 AM)

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

**Members of the Court agreed** to consider one Motion for Items 11.A and B. Please refer to Item 11.A for a summary of the Court's action on this Motion.

12. A. ACCEPT DEDICATION OF CHAPEL AT DEL VALLE CORRECTIONAL COMPLEX FROM THE INTERFAITH CHAPEL DEVELOPMENT CORPORATION. (10:29 AM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Dan T. Richards, Chief Deputy, TCSO; and Dukes DeFore, Representative, Interfaith Chapel Development Corporation.

**Members of the Court agreed** to consider one Motion for Items 12.A and B.

**Motion by** Commissioner McKee **and seconded by** Commissioner Moore to approve Items 12.A and B.

**Motion carried:**

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

**ITEM 12 CONTINUED**

- B. APPROVE FOURTH AMENDMENT TO AGREEMENT WITH INTERFAITH CHAPEL DEVELOPMENT CORPORATION. (10:29 AM)**

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Dan T. Richards, Chief Deputy, TCSO; and Dutes DeFore, Representative, Interfaith Chapel Development Corporation.

**Members of the Court agreed** to consider one Motion for Items 12.A and B. Please refer to Item 12.A for a summary of the Court's action on this Motion.

- 13. 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. (10:55 AM)**

**Members of the Court heard from:** Frank Curcio, Director, Information and Telecommunications Systems (ITS); Joe Gieselman, Executive Manager, TNR; Cyd Grimes, Travis County Purchasing Agent; Rebecca Solter, Buyer; and John Hille, Assistant County Attorney.

Discussion Only.

Item 13.A to be reposted on June 23, 1998.

- B. APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. M950015, HTE MAINTENANCE CONTRACT IN THE AMOUNT OF \$16,074.50. (10:55 AM)**

**Members of the Court heard from:** Frank Curcio, Director, Information and Telecommunications Systems (ITS); Joe Gieselman, Executive Manager, TNR; Cyd Grimes, Travis County Purchasing Agent; Rebecca Solter, Buyer, Purchasing; and John Hille, Assistant County Attorney.

Discussion Only.

Item 13.B to be reposted on June 23, 1998.

- 14. APPROVE SALE BY COMMISSIONER OF SALE KAREN SONLEITNER FOR A PORTION OF OLD PFENNING LANE RIGHT-OF-WAY IN PRECINCT TWO. (9:17 AM) (9:48 AM)

Item 14 postponed until June 23, 1998.

- 15. APPROVE CONTRACT AWARD FOR THE PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR THE BRATTON LANE RECONSTRUCTION PROJECT, RFQ #Q980019-JJ, TO ESPEY, HUSTON AND ASSOCIATES, IN THE NOT TO EXCEED AMOUNT OF \$189,160.30. (11:31 AM)

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

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

**Motion carried:**

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

- 16. APPROVE CONTRACT AWARD FOR THE PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR THE CAMERON ROAD BRIDGE (NO. 223) REPLACEMENT PROJECT, RFQ #Q980019-JJ, TO DOUCET & ASSOCIATES, INC., IN THE NOT TO EXCEED AMOUNT OF \$44,978.00. (11:32 AM)

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

**Motion by** Commissioner McKee **and seconded by** Commissioner Moore to approve Item 16 as stated.

**Motion carried:**

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

- 17. DISCUSS, APPROVE AND AUTHORIZE COUNTY PURCHASING AGENT TO ENTER INTO NEGOTIATIONS WITH THE TOP QUALIFIED PROPOSER FOR THE MEDICAL EXAMINER INFORMATION SYSTEMS SOFTWARE, RFP #P980024-JP. (11:32 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; and Jerome Pilgrim, Buyer, Purchasing.

**Motion by** Commissioner Moore **and seconded by** Commissioner McKee to approve Item 17 as stated.

**Motion carried:**

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

- 18. APPROVE TERMINATION OF CONTRACT #96T0428-JP, FLEXIBLE BASE, TYPE A, WITH AUSTIN CRUSHED STONE CO., AND CONSIDER APPROPRIATE LEGAL ACTION. (11:34 AM) (1:38 PM) (3:10 PM)

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

Judge Aleshire announced that Item 18 would be considered in Executive Session.

**Motion by** Judge Aleshire **and seconded by** Commissioner McKee to request the Purchasing Agent, assisted by the County Attorney’s Office, to give the notice as required by the contract, to Austin Crushed Stone, Inc., of the County’s intention to terminate this contract.

**Motion carried:**

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

19. APPROVE CONTRACT AWARD FOR FLEX BASE TYPE A, IFB #B980082-JP, TO THE LOW QUALIFIED BIDDER, COLORADO MATERIALS, INC. IN THE ESTIMATED AMOUNT OF \$593,178.00. (11:35 AM) (1:38 PM) (3:11 PM)

Judge Aleshire announced that Item 19 would be considered in Executive Session.

**Motion by** Commissioner McKee **and seconded by** Commissioner Moore to approve Item 19 as stated.

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

20. APPROVE CONTRACT AWARD FOR THE PROVISION OF AUTOMOTIVE PARTS (OEM) AND MAINTENANCE LABOR, IFB #B980080-LD TO THE SOLE RESPONSIVE BIDDER, CAPITOL CHEVROLET FOR CHEVROLET AND GMC OEM PARTS. (11:36 AM)

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

**Motion by** Commissioner McKee **and seconded by** Commissioner Moore to approve Item 20 as stated.

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

**21. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (11:37 AM)**

**Members of the Court heard from:** Karen Shafer Castro, Senior Budget Analyst, Planning and Budget Office (PBO).

**Members of the Court agreed** to consider one Motion for Items 21 and 21.A.

**Motion by** Commissioner Moore **and seconded by** Commissioner McKee to approve Items 21 and 21.A.

**Motion carried:**

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

**A. DISCUSS AND APPROVE TRANSFER TO THE CITY OF AUSTIN IN THE AMOUNT NOT TO EXCEED \$11,226 FOR FCC LICENSE COORDINATION FEES REQUIRED TO RESERVE RADIO FREQUENCIES FOR 9-1-1 RDMT TRUNKED RADIO SYSTEM. (11:37 AM)**

**Members of the Court heard from:** Karen Shafer Castro, Senior Budget Analyst, Planning and Budget Office (PBO); Tommy Blackwell, Director of Information Services, TCSO; and Gordon Bowman, Assistant County Attorney.

**Members of the Court agreed** to consider one Motion for Items 21 and 21.A. Please refer to Item 21 for a summary of the Court's action on this Motion.

**22. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:48 AM)**

Item 22 added to Consent. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.



**EXECUTIVE SESSION ITEMS**

**Note 1** - Gov't Code Ann 551.071, Consultation with Attorney

**Note 2** - Gov't Code Ann 551.072, Real Property

**Note 3** - Gov't Code Ann 551.074, Personnel Matters

- 23. 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> (1:38 PM) (3:11 PM)

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

**Motion by Judge Aleshire and seconded by Commissioner McKee** to reject the proposed amendment from Fluor Daniels, Inc., and request the County Attorney's Office to organize a litigation team to be prepared for litigation with them if the Court determines in the future that that is necessary.

**Motion carried:**

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

- 24. **REVISED** - AUTHORIZE COUNTY ATTORNEY TO TAKE APPROPRIATE LEGAL ACTION AGAINST ZURICH-AMERICAN INSURANCE GROUP. <sup>2</sup> & <sup>1</sup> (1:38 PM) (3:12 PM)

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

**Motion by Judge Aleshire and seconded by Commissioner Moore** to authorize the County Attorney's Office to send a demand letter to Zurich American Insurance Group to pay the County's insurance claim concerning the lost business at Parks. If they fail to meet the demands in that demand letter, the Commissioners' Court hereby authorizes the County Attorney's Office to file suit against the insurance group and the agent as they see fit.

**Motion carried:**

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

- 25. ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER IN TRAVIS COUNTY, TEXAS VS. BEKINS MOVING & STORAGE CO., AND EDC MOVING SYSTEMS (ALESHIRE; PROPERTY DAMAGE). <sup>1</sup> (1:38 PM) (3:13 PM)

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

**Motion by** Judge Aleshire and **seconded by** Commissioner Moore to accept the offer of settlement in Travis County vs Bekins Moving & Storage Co., and EDC Moving Systems in the amount of \$2,750.

**Motion carried:**

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

- 26. A. APPROVE A PRELIMINARY PLAN IN PRECINCT FOUR: PETERSON TRACT PRELIMINARY PLAN (SHORTFORM - 3 LOTS - 14.023 ACRES - OLD LOCKHART ROAD - COA ETJ - SEWER SERVICE TO BE PROVIDED BY CITY OF AUSTIN WASTEWATER). <sup>1</sup> (1:38 PM) (3:13 PM)

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

Item 26.A postponed until June 23, 1998.

- B. APPROVE VARIANCE TO SECTION 82.401 (a)(1) TO ALLOW SUBDIVISION DEVELOPER RATHER THAN OWNER TO POST FISCAL SECURITY FOR 151 ACRE TRACT SUBDIVISION IN PRECINCT FOUR. <sup>1</sup> (1:38 PM) (3:13 PM)

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

Item 26.B postponed until June 23, 1998.

- C. APPROVE PLAT FOR RECORDING IN PRECINCT FOUR: 151 ACRE TRACT SUBDIVISION. (SHORTFORM - FISCAL WITH TRAVIS COUNTY - 1 LOT - 137.342 ACRES - SLAUGHTER LANE - COA ETJ - SEWER SERVICE PROVIDED BY CITY OF AUSTIN WASTEWATER). (1:38 PM) (3:13 PM)

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

Item 26.C postponed until June 23, 1998.

- 27.** 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>  
(1:38 PM) (3:13 PM)

Judge Aleshire announced that Item 27 would be considered in Executive Session.

Item 27 postponed until June 23, 1998.

- 28.** 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> (9:18 AM)

Item 28 pulled from the agenda.

- 29.** 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> (1:38 PM) (3:13 PM)

Item 29 postponed until June 23, 1998.

- 30.** 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> (1:38 PM) (3:13 PM)

Judge Aleshire announced that Item 30 would be considered in Executive Session.

Item 30 postponed until June 23, 1998.

**ADJOURNMENT**

**Motion by** Commissioner Moore and **seconded by** Commissioner McKee to adjourn the Voting Session. (3:13 PM)

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

**MINUTES APPROVED BY THE COMMISSIONERS' COURT**

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**Date of Approval**

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**Bill Aleshire, Travis County Judge**