

## **MINUTES – AUGUST 25, 1998**

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

On Tuesday, the 25<sup>th</sup> day of August, 1998, the Commissioners' Court convened the Voting Session at 9:07 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Travis County Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Nuñez.

The Commissioners' Court recessed the Voting Session at 10:52 AM.

The Commissioners' Court, meeting as the Board of Directors of the Northwest Travis County Road District #3 (Golden Triangle), convened the NWTCRD #3 Voting Session at 10:52 AM.

The Commissioners' Court reconvened the Voting Session at 10:56 AM.

The Commissioners' Court recessed the Voting Session at 11:21 AM and reconvened the Voting Session at 11:27 AM.

The Commissioners' Court recessed the Voting Session at 11:49 AM.

The Commissioners' Court, meeting as the Board of Directors of the Travis County Housing Finance Corporation (TCHFC), convened the Corporation's Voting Session at 1:39 PM and adjourned the Voting Session at 1:51 PM.

The Commissioners' Court, meeting as the Board of Directors of the Travis County Health Facilities Development Corporation (TCHFDC), convened the Corporation's Voting Session at 1:51 PM and adjourned the Voting Session at 1:51 PM.

The Commissioners' Court reconvened the Voting Session at 1:52 PM.

The Commissioners' Court retired to Executive Session at 1:52 PM and reconvened the Voting Session at 2:53 PM.

The Commissioners' Court adjourned the Voting Session at 2:58 PM.

The Commissioners' Court record notes that Judge Aleshire was not present during this Voting Session.

**ADDITIONAL MOTION/VOTE**

**Motion by** Commissioner Gómez **and seconded by** Commissioner McKee to authorize Precinct 2 Commissioner Karen Sonleitner to sign all documents approved by the Court in today's Voting Session (August 25, 1998). (1:52 PM)

**Motion carried:** County Judge Bill Aleshire - absent  
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

**RESOLUTIONS AND HEARINGS**

1. APPROVE RESOLUTION HONORING AUSTIN PARTNERS IN EDUCATION (FORMERLY ADOPT-A-SCHOOL) AND TO RECOGNIZE THEIR NEW NAME AND PROGRAM GOALS. (9:08 AM)

**Members of the Court heard from:** Toni Turner, Allyson Peerman, and Pat Crovisier, Austin Partners in Education.

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

**Motion carried:** County Judge Bill Aleshire - absent  
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

- 2. APPROVE A TEMPORARY ROAD CLOSURE OF OLD MANOR ROAD FOR THE PURPOSE OF STREET AND DRAINAGE IMPROVEMENTS IN PRECINCT ONE. (9:13 AM)

**Motion by** Commissioner McKee **and seconded by** Commissioner Sonleitner that the Public Hearing be opened.

**Motion carried:**

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

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

**Motion by** Commissioner McKee **and seconded by** Commissioner Sonleitner that the Public Hearing be closed.

**Motion carried:**

County Judge Bill Aleshire	-	absent
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:** Item 2 is Consent Item C17. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

### CITIZENS’ COMMUNICATION

**Members of the Court heard from:** Ira Caulkins, Director, Inter-Governmental Research Center; Gus Peña, President of East Austin Concerned Hispanics; Alex Jones, Private Citizen; John Foreman, TX Best Seminars, Producer, In Your Face Campaign; Rusty Fields, Resident of Southwest Travis County; Mrs. Sary, Private Citizen; and Richard Lyons, Attorney. (9:14 AM)

## CONSENT ITEMS

- 3. Motion by Commissioner Gómez and seconded by Commissioner Moore to approve the following Consent Items: 6, 7, 9.A-G, 10, 22.A and B, 24, 27, 30, and C.1-C.17, excluding Items C.13 and C.14. (9:39 AM)**

**Motion carried:**

County Judge Bill Aleshire	-	absent
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 FOLLOWING VOTING SESSIONS: AUGUST 4, 1998; AUGUST 5, 1998; AUGUST 6, 1998; AND AUGUST 11, 1998.**
- C4. 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 AUGUST 24, 1998 THROUGH AUGUST 28, 1998; ORDER TO BE RESCINDED EFFECTIVE AT CLOSE OF BUSINESS AUGUST 28, 1998.**
- C5. CONSIDER AND TAKE ACTION ON AMENDMENTS TO PROVIDER PARTICIPATION AGREEMENT BETWEEN CITY OF AUSTIN, TRAVIS COUNTY, AND: (A) FOUNDATION HEALTH CORP. AFF. (3<sup>RD</sup> AMENDMENT); (B) VISTA HEALTH PLAN, INC. (3<sup>RD</sup> AMENDMENT); AND (C) PCA HEALTH PLANS OF TEXAS, INC. (7<sup>TH</sup> AMENDMENT) TO EXERCISE HOLD-OVER OPTION FOR NO MORE THAN TWO (2) MONTHS TO ALLOW CONTINUED NEGOTIATION.**
- C6. APPROVE THE FOLLOWING APPOINTMENTS TO THE CAPITAL AREA WORKFORCE DEVELOPMENT BOARD TO FILL TWO UNEXPIRED TERMS UNTIL OCTOBER 31, 2000; CHERYL RUMMEL (PRIVATE-LARGE CATEGORY) AND ROSE RAMON (PRIVATE-LARGE CATEGORY).**

**CONSENT ITEMS CONTINUED**

- C7.** APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSION TO CONTINUE.
- A.** APPROVE GRANT CONTRACT FROM TEXAS PARKS AND WILDLIFE FOR MANSFIELD DAM BOAT RAMP FOR TNR DEPARTMENT.
  - B.** APPROVE REVISED RESOLUTION FOR GRANT CONTRACT FROM THE CRIMINAL JUSTICE DIVISION OF OFFICE OF THE GOVERNOR FOR JUVENILE JUSTICE & DELINQUENCY PREVENTION ACT FOR JUVENILE COURT.
  - C.** APPROVE PERMISSION TO CONTINUE GRANTS FOR HEALTH AND HUMAN SERVICES FOR THE FOLLOWING GRANTS: NEIGHBORHOOD CONFERENCE COMMITTEE; DEL VALLE: SAFE SCHOOLS; GANG INTERVENTION YOUTH CORPS; AND ST. JOHNS: SAFE SCHOOLS.
- C8.** APPROVE CONTRACT AWARD FOR THE PROVISION OF DRUG COURT MAGISTRATION SERVICES, TO JOEL B. BENNETT, IN THE NOT-TO-EXCEED AMOUNT OF \$46,680.00.
- C9.** APPROVE CONTRACT AWARDS FOR THE PROVISION OF PATROL CAR EQUIPMENT, IFB #B-980120-LD, TO THE LOW RESPONSIVE BIDDERS, GT DISTRIBUTORS OF AUSTIN, TX., AND EMERGENCY VEHICLE EQUIPMENT CO. OF PORT ARTHUR, TX., FOR A TOTAL AMOUNT OF \$22,660.92.
- C10.** APPROVE STATE TERM CONTRACT PURCHASE OF AN ESTIMATED SIXTY (60) AIR CONDITIONING UNITS FOR THE AUSTIN/TRAVIS COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT FOR AN ESTIMATED AMOUNT OF \$22,540.00 FROM FRIEDRICH AIR CONDITIONING CO. OF SAN ANTONIO, TEXAS.
- C11.** APPROVE PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT ON LOTS 7, 8, 9, AND 10, BLOCK Z, APACHE SHORES SECTION 6 – (AMENDED PLAT – NO FISCAL REQUIRED – 1 LOT – 2.125 ACRES – HUNTERS PASS – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY).
- C12.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: OAK SHORES ON LAKE AUSTIN SECTION FOUR (LONGFORM – FISCAL POSTED WITH CITY OF AUSTIN – 11 LOTS – 13.27 ACRES – PEARCE ROAD – SEWAGE SERVICE TO BE PROVIDED BY ONSITE SEWAGE FACILITY).

**CONSENT ITEMS CONTINUED**

- C13.** APPROVE PLAT FOR RECORDING IN PRECINCT THREE: STERLING ACRES – (LONGFORM – FISCAL POSTED WITH THE CITY OF AUSTIN – 24 LOTS – 26.42 ACRES – LISA DRIVE – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY). (9:07 AM)

Item C13 to be reposted on September 1, 1998.

- C14.** APPROVE PLAT FOR RECORDING IN PRECINCT THREE: STERLING ACRES – (LONGFORM – FISCAL POSTED WITH THE CITY OF AUSTIN – 22 LOTS – 23.94 ACRES – LISA DRIVE – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY). (9:07 AM)

Item C14 pulled from the agenda.

- C15. A.** APPROVE CASH SECURITY AGREEMENT FOR ADDITIONAL FISCAL FOR LAKE POINTE RESACA BOULEVARD, A SUBDIVISION IN PRECINCT THREE.

- B.** APPROVE PLAT FOR RECORDING IN PRECINCT THREE: LAKE POINTE, RESACA BOULEVARD – (LONGFORM – FISCAL POSTED WITH TRAVIS COUNTY) – 1 LOT – 2.9754 ACRES – RESACA BOULEVARD).

- C16. A.** APPROVE CASH SECURITY AGREEMENT FOR JACK’S POND SECTION 3, A SUBDIVISION IN PRECINCT TWO.

- B.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: JACK’S POND SECTION THREE (FISCAL POSTED WITH THE CITY OF AUSTIN AND TRAVIS COUNTY – 35.666 ACRES – 125 LOTS – JACK’S POND ROAD – WASTEWATER SERVICE TO BE PROVIDED FOR BY CITY OF AUSTIN).

- C17.** APPROVE A TEMPORARY ROAD CLOSURE OF OLD MANOR ROAD FOR THE PURPOSE OF STREET AND DRAINAGE IMPROVEMENTS IN PRECINCT ONE.

**Clerk’s Note:** Item C.17 is associated with Item 2.

**ADMINISTRATIVE ITEMS**

- 4. DISCUSS STATUS OF EMS NEGOTIATIONS WITH THE CITY OF AUSTIN AND OTHER INCORPORATED CITIES AND TAKE APPROPRIATE ACTION. (9:42 AM)

Item 4 to be reposted on September 1, 1998.

- 5. PROVIDE GUIDANCE AND GIVE DIRECTION TO THE DEPARTMENT OF EMERGENCY SERVICES REGARDING POTENTIAL CONTRACT MODIFICATION FOR CONTRACT #98800270-JP RELATING TO THE PURCHASE OF AMERICAN EUROCOPTER EC-135 HELICOPTERS, SPECIFICALLY RELATED TO PERFORMANCE SPECIFICATIONS. (9:47 AM)

**Members of the Court heard from:** Chris Callsen, Director of Emergency Services; and Eric Walden, Vice President of Sales and Marketing, American Eurocopter.

**Motion by** Commissioner McKee **and seconded by** Commissioner Gómez to advise Staff to proceed in the direction that they have outlined to the Court and to bring their recommendations back to the Court at the earliest convenience.

**Motion carried:**

County Judge Bill Aleshire	-	absent
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 INTERLOCAL AGREEMENT WITH AUSTIN INDEPENDENT SCHOOL DISTRICT (AISD) IN THE AMOUNT OF \$50,000.00 TO SUPPORT THE ADULT BASIC EDUCATION/ENGLISH AS A SECOND LANGUAGE COLLABORATION FOR THE 1997-98 SCHOOL YEAR. (9:39 AM)

Item 6 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 7. APPROVE PUBLIC HEARING DATE OF SEPTEMBER 22, 1998, TO CONSIDER ABOLITION OF NORTHEAST TRAVIS COUNTY ROAD DISTRICT NUMBER TWO. (9:39 AM)

Item 7 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

8. RECEIVE AND DISCUSS THE FOURTH REVENUE ESTIMATE FOR THE FY 1999 BUDGET PROCESS. (9:55 AM)

**Members of the Court heard from:** Blain Keith, Director of Financial Services, Travis County Auditor's Office; and Susan Spataro, Travis County Auditor.

Discussion Only.

9. APPROVE OR DISAPPROVE A REQUEST FOR VARIANCE FROM THE TRAVIS COUNTY RULES FOR ONSITE PRIVATE SEWAGE FACILITIES FOR THE FOLLOWING: (9:39 AM)
  - A. ROBERT FINCH, TO LOCATE LOW PRESSURE DOSED TRENCHES WITH A SEPARATION OF TWELVE (12) INCHES BETWEEN THE BOTTOM OF THE LATERAL TRENCHES AND FRACTURED ROCK AT 1105 CRYSTAL CREEK DRIVE, LOT 11, BLOCK C, BARTON VALLEY SUBDIVISION.
  - B. DETER BILLIK, TO ALLOW REDUCTION OF THE THICKNESS OF SOIL BELOW THE BOTTOM OF THE GRAVEL LAYER FROM FOUR (4) FEET OF SOIL TO TWO (2) FEET OF WASHED SAND AT 17709 NORTH RIM DRIVE, LOT 20, NORTH RIM SUBDIVISION.
  - C. JACKSON GLASS/GARY BAHL, TO LOCATE LOW PRESSURE DOSED TRENCHES IN FRACTURED ROCK AND TO LOCATE A PRIVATE WATER WELL ONE HUNDRED (100) FEET FROM THE ONSITE WASTEWATER DISPOSAL DRAINFIELD AT 20520 AUGER LANE, LOT 350, TRAVIS SETTLEMENT.
  - D. R.H. ATKINSON, TO ALLOW THE INSTALLATION OF THE DRIP IRRIGATION DRAINFIELD SETBACK TO A STREAM REDUCED FROM 75 FEET TO 25 FEET AT 14901 ZURICK DRIVE, LOT 354, SWISS ALPINE VILLAGE.
  - E. LAGUNA MADRE, TO ALLOW THE DISCHARGE OF SECONDARILY TREATED AND DISINFECTED EFFLUENT INTO ONE (1) FOOT OF SUITABLE SOIL ABOVE FRACTURED ROCK AT 20005 DOS AMIGOS DRIVE, LOT 136, LOGO RANCHOS SUBDIVISION.
  - F. LAGUNA MADRE LTD., TO ALLOW THE DISCHARGE OF SECONDARILY TREATED AND DISINFECTED EFFLUENT INTO ONE (1) FOOT OF SUITABLE SOIL ABOVE FRACTURED ROCK AT 19904 AGUA FRIO DRIVE, LOT 98, LOGO RANCHOS SUBDIVISION.

**ITEM 9 CONTINUED**

**G. ROY SHULTY, TO ALLOW INSTALLATION OF A SOIL SUBSTITUTION DRAINFIELD WITH LESS THAN 4.0 FEET OF SEPARATION FROM A RESTRICTIVE SOIL (ROCK) HORIZON. THIS WILL PROVIDE MORE THAN 2.0 FEET OF SUITABLE SOIL (CLASS 1b) BELOW AND TO ALL SIDES OF THE DISPOSAL PIPES AT 8511 HORSESHOE LEDGE, LOT 3, BLOCK B, LONG CANYON PHASE 1-B SUBDIVISION.**

Item 9.A-G added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

**THE FOLLOWING ITEM WAS ADDED:**

**H. DAVID BERNSTEIN, ALLOWING LOCATION OF A DRIP IRRIGATION TYPE ON-SITE WASTEWATER DISPOSAL SYSTEM WITH THIRTY-TWO (32) TO THIRTY-THREE (33) INCHES VERTICAL SEPARATION TO GROUND WATER AND FORTY (40) INCHES TO A RESTRICTIVE HORIZON AT 8205 YAUPON DRIVE, LOT 13, BLOCK 1, YAUPON TERRACE. (10:18 AM)**

**Members of the Court heard from:** Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department (HHSD) and Veterans Services; Darrell Freemond, Engineer; Jim Fulton, Private Sewage Facilities Associate Engineer, Austin-Travis County HHSD; Matt Phelps, Private Sewage Facilities Engineer, Austin-Travis County HHSD; and Mrs. Sary, Private Citizen.

**Motion by Commissioner Moore and seconded by Commissioner Gómez** to approve the variance request as stipulated in the agreement that was made between the Engineer and the Health Department Personnel this morning.

**A Clarification was made of the previous Motion by Commissioner Sonleitner** for the Court to be notified when there are issues that are not being approved by the Health Department.

**A Clarification was made of the previous Motion by Commissioner McKee** to ask that if the distance from an existing sewer line is less than 500 feet, the distance should be measured again, but if the distance is more than 500 feet, the Court should not have to take up this issue again.

**Motion carried:**

County Judge Bill Aleshire	-	absent
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. DISCUSS, APPROVE, AND/OR GIVE STAFF DIRECTION ON CANCELLATION OF ANNUAL MAINTENANCE AGREEMENT AT END OF CURRENT TERM (SEPTEMBER 30, 1998) WITH HONEYWELL, INC., FOR BUILDING ENERGY MANAGEMENT SYSTEMS (CONTRACT MA-950010) WITH ANNUAL COST OF \$14,243.00. (9:39 AM)

Item 10 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

11. REJECT BID FOR 1101 NUECES STREET REROOF (B-980718-JG) AND DIRECT STAFF TO READVERTISE WITH THE RECOMMENDED CHANGES TO THE SPECIFICATIONS. (10:00 AM)

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

**Motion by** Commissioner Moore **and seconded by** Commissioner Gómez to accept Staff recommendation to reject the bids and re-advertise.

**Motion carried:**

County Judge Bill Aleshire	-	absent
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. DISCUSS AND TAKE APPROPRIATE ACTION REGARDING THE BEST AND FINAL OFFER RECEIVED FROM ONMI-GEN TECHNOLOGIES (AKA ORGANIC WASTE TECHNOLOGIES, INC.) ON RFP #P-970113-JJ, LEACHATE EVAPORATION SYSTEM, AND GIVE DIRECTION CONCERNING A LEACHATE DISPOSAL SYSTEM FOR THE 290 EAST CLOSED LANDFILL. (10:44 AM) (10:56 AM)

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

**Motion by** Commissioner McKee **and seconded by** Commissioner Gómez to approve the Staff recommendations.

**A Clarification was made of the previous Motion by** Commissioner Sonleitner that Staff recommendations are to reject the best and final offer from Omni-Gen Technologies and to give further direction to TNR to come back to the Court with a new recommendation, possibly, but not limited to going with a conventional waste water solution.

**Motion carried:**

County Judge Bill Aleshire	-	absent
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. DISCUSS, APPROVE AND/OR GIVE STAFF DIRECTION ON AWARD OF CAFETERIA/VENDING MACHINE CONCESSION CONTRACT TO THE TOP RANKED PROPOSER, SAWYER’S VENDING AND FOOD SERVICE (RFP #P-980106-MG). (10:03 AM) (10:42 AM) (1:52 PM) (2:53 PM)

- B. APPROVE PROPOSED VERSUS ALTERNATIVE REVENUE SCHEDULE WITH GUARANTEED REVENUES OF \$35,000.00 FOR FY 1999; \$36,000.00 FOR FY 2000; \$37,000.00 FOR FY 2001; AND \$38,000.00 FOR FY 2002.

Items 13.A and B are associated with one another and were called for concurrent discussion.

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

Commissioner Sonleitner announced that Item 13.A and B would be considered in Executive Session.

Items 13.A and B to be reposted on September 1, 1998.

**Clerk's Note:** Commissioner Sonleitner noted that Sawyer Vending is agreeing to extend service until next Tuesday, September 1, 1998 without altering the contractual language.

14. A. REVIEW AND APPROVE INTERLOCAL COOPERATION AGREEMENT WITH PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT. (11:02 AM)

B. REVIEW AND APPROVE INTERLOCAL COOPERATION AGREEMENT WITH DEL VALLE INDEPENDENT SCHOOL DISTRICT.

Items 14.A and B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Mike Hemby, Research Analyst, Travis County Sheriff's Office (TCSO).

**Motion by Commissioner Moore and seconded by Commissioner McKee** to approve Items 14.A and B.

**Motion carried:**

County Judge Bill Aleshire	-	absent
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. APPROVE CONTRACT AWARD FOR WORK AND SAFETY SHOES AND BOOTS, IFB #B-980119-JP, TO THE SECOND LOW QUALIFIED BIDDER, IRON AGE CORPORATION IN THE ESTIMATED AMOUNT OF \$32,827.20. (10:05 AM)

**Members of the Court heard from:** Cyd V. Grimes, Travis County Purchasing Agent; Mr. Moghadassi, President, Safe Environment; and Joe Gieselman, Executive Manager, TNR.

Item 15 to be reposted on September 1, 1998.

16. APPROVE CONTRACT AWARD FOR JANITORIAL SERVICES FOR TNR SATELLITE SHOPS, IFB #B-980118-JP, TO THE SECOND LOW, QUALIFIED BIDDER, K-B CONTRACT CLEANING IN THE ESTIMATED AMOUNT OF \$51,310.00. (10:07 AM)

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

**Motion by Commissioner Gómez and seconded by Commissioner McKee** to approve the contract award to the second low qualified bidder K-B Contract Cleaning.

**Motion carried:**

County Judge Bill Aleshire	-	absent
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 MODIFICATION NO. 1 TO CONTRACT NO. 97-T0345-JP, JANITORIAL SERVICES – RURAL CLINICS AND CENTERS; CONTRACT APPROVED ON 9/9/97; MODIFICATION ALLOWS FOR A 12-MONTH RENEWAL. (10:09 AM)

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

**Motion by** Commissioner Gómez **and seconded by** Commissioner McKee to approve the contract modification.

**A Clarification was made of the previous Motion by** Commissioner Sonleitner that if there is a change in terms of the Court's leasing of these facilities there is a way to get out of the contract.

**Motion carried:** County Judge Bill Aleshire - absent  
 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. APPROVE CONTRACT WITH KORN/FERRY AS THE EXECUTIVE SEARCH FIRM TO RECRUIT THE INFORMATION & TELECOMMUNICATIONS (ITS) DIRECTOR. (11:05 AM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Rob Golding, Managing Director, Korn/Ferry; and Dinah Dinwiddie, Executive Manager, Justice and Public Safety.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the contract with Korn/Ferry as the executive search firm to recruit the Information and Telecommunications Director with the changes made to the contract.

**Maker and Second accept the Friendly Amendment by** Commissioner Sonleitner to also approve Item #25 Budget Amendments and Transfers Item #T4 which would put the money in place for this contract.

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

**Motion carried:** County Judge Bill Aleshire - absent  
 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 CONTRACT AWARD FOR BAY NETWORKS EQUIPMENT FOR INFORMATION & TELECOMMUNICATIONS SYSTEMS TO DEPARTMENT OF INFORMATION RESOURCES IN THE AMOUNT OF \$36,881.00. (11:11 AM) (11:14 AM)

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

**Motion by** Commissioner Gómez **and seconded by** Commissioner Moore to approve the contract award for Bay Networks Equipment for the amount listed on the agenda.

**Motion carried:**

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

**Clerk’s Note:** Item 19 was further discussed at 11:14 AM with a request by Commissioner McKee for the record to reflect a Corrected Vote. Commissioner Sonleitner instructed that with no objection, the minutes would reflect Commissioner McKee voting yes for the referenced Item. The Commissioner’s Court Record does reflect the Corrected Vote.

**Motion carried:**

County Judge Bill Aleshire	-	absent
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. APPROVE REORGANIZATION OF MEDICAL DIRECTOR FUNCTION FOR EMERGENCY SERVICES. (9:07 AM) (9:54 AM)

Item 20 to be reposted on September 1, 1998.

21. APPROVE REAL ESTATE PURCHASE AND RELATED DOCUMENTS CONCERNING STARFLIGHT HANGAR, WAREHOUSE, AND SHERIFF’S EAST COMMAND CENTER PROJECTS. (11:13 AM) (1:52 PM) (2:53 PM)

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

Commissioner Sonleitner announced that Item 21 would be considered in Executive Session.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Moore to reject the counteroffer that the Court received from Gore and counter with an offer of \$1.9 million dollars and everything that is on our “fix-it” list that Facilities has, with everything on that list to be taken care of as part of the asking price, especially everything related to the Fire Suppression System.

**Motion carried:**

County Judge Bill Aleshire	-	absent
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 September 1, 1998.

22. A. APPROVE CASH SECURITY AGREEMENT FOR VILLAGE AT VOLENTE PHASE THREE, A SUBDIVISION IN PRECINCT TWO. (9:39 AM)
- B. APPROVE PLAT FOR RECORDING IN PRECINCT TWO: VILLAGE AT VOLENTE PHASE THREE – (FISCAL POSTED WITH TRAVIS COUNTY – 27.79 ACRES – 14 LOTS – LIME CREEK ROAD – WASTEWATER SERVICE TO BE PROVIDED FOR BY ONSITE SEWAGE SERVICE). (9:39 AM)

Items 22.A and B are associated with one another and were called for concurrent discussion.

Item 22.A and B added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

23. APPROVE PLAT FOR RECORDING IN PRECINCT TWO: RIVER BEND (FISCAL POSTED WITH CITY OF AUSTIN – 38 LOTS – 210.93 ACRES – QUINLAN PARK ROAD – WASTEWATER SERVICE TO BE PROVIDED BY ONSITE SEWAGE SERVICE). (9:07 AM)

Item 23 postponed until September 1, 1998.

24. APPROVE QUITCLAIM AND REJECTION OF DEDICATION OF 0.3165 ACRE ROADWAY DEDICATION (TRACT 3) RECORDED AT VOLUME 7377, PAGE 447, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TX., SUBJECT TO ANY APPLICABLE UTILITY EASEMENT RIGHTS. (9:39 AM)

Item 24 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

25. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (11:14 AM)

**Members of the Court heard from:** Leroy Nellis, Budget Manager, Planning and Budget Office (PBO).

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the Budget Amendments and Transfers as recommended by PBO, noting that it’s A1 and T1-T5, also noting that the Court already acted on item T4 under Item 18.

**Clerk’s Note:** Commissioner Sonleitner requested that the Clerk note that there is one that is called Budget Add Ons (the \$4,700.00 figure), and that it should be listed as T5.

**Motion carried:**

County Judge Bill Aleshire	-	absent
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

26. REVIEW AND APPROVE THE FOLLOWING LIABILITY CLAIM RECOMMENDATION: (11:16 AM)

A. MICHAEL LOFTON – SETTLE

**Members of the Court heard from:** Daniel Mansour, Risk Manager, Human Resources Management Department (HRMD); and Sherine Thomas, Assistant County Attorney.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Moore to approve Item 26 as recommended by Staff.

**Motion carried:**

County Judge Bill Aleshire	-	absent
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. APPROVE PERSONNEL AMENDMENTS. (9:39 AM)**

Item 27 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

**28. DISCUSS CLAIM FROM THE INTERNAL REVENUE SERVICE FOR PAYMENT OF DELINQUENT PAYROLL TAXES, AND TAKE APPROPRIATE ACTION. (11:19 AM) (2:53 PM)**

Item 28 to be reposted on September 1, 1998.

**29. APPROVE EXTENSION OF DISASTER DECLARATION BANNING OUTDOOR BURNING IN UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:07 AM)**

Item 29 pulled from the agenda.

**30. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:39 AM)**

Item 30 added to Consent Items. 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

- 31.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN WARREN H. DRONEBARGER, ET AL, V. DELTA TRUST, ET AL (DRONEBARGER; ALESHIRE; STATE LAW CLAIMS). <sup>1</sup>  
(1:52 PM) (2:55 PM)

Commissioner Sonleitner announced that Item 31 would be considered in Executive Session.

No action taken on Item 31.

**Clerk's Note:** Commissioner Sonleitner noted that the lawsuit is now over and expressed the Court's thanks to the County Attorney's Office for their work.

- 32.** APPROVE, REJECT, OR COUNTER COUNTER-OFFER FROM PAP REALTY PARTNERSHIP, CMG PARTNERSHIP, LTD., WESLEY PEARSON, AND MVE VENTURE FOR ACQUISITION OF 0.67 ACRE OF SLOPE EASEMENTS IN CONNECTION WITH ARTERIAL V. PROJECT. <sup>1</sup> (1:52 PM) (2:55 PM)

Commissioner Sonleitner announced that Item 32 would be considered in Executive Session.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner to accept the \$24,960.00 that has been offered.

**Motion carried:**

County Judge Bill Aleshire	-	absent
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

- 33. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN JUDY FRANCIS PAINTER V. ESCO ELEVATORS CORPORATION, MONTGOMERY KONE, INC. F/K/A MONTGOMERY ELEVATOR COMPANY AND TRAVIS COUNTY, (PAINTER; PEREZ; TEXAS TORT CLAIMS ACT, PREMISES, AND PERSONAL INJURY). <sup>1</sup> (1:52 PM) (2:55 PM)

Commissioner Sonleitner announced that Item 33 would be considered in Executive Session.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Moore to offer \$16,000.00 to settle this particular lawsuit with Ms. Painter, that this Item be reposted for next Tuesday, and that Commissioner Sonleitner be authorized to sign any documents that might come in between now and then.

**Motion carried:**

County Judge Bill Aleshire	-	absent
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 33 to be reposted on September 1, 1998.

- 34. APPROVE TRAVIS COUNTY PURCHASE AGREEMENT WITH TINA TROCHTA-LANCASTER FOR THE FUTURE EXTENSION OF FRATE BARKER ROAD IN PRECINCT THREE. <sup>1</sup> (1:52 PM) (2:56 PM)

Commissioner Sonleitner announced that Item 34 would be considered in Executive Session.

Item 34 to be reposted on September 1, 1998.

- 35. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING EXTENSION OF LIMITATIONS PERIOD FOR STATE COMPTROLLER AUDIT OF VARIOUS FUNDS, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (1:52 PM) (2:56 PM)

Commissioner Sonleitner announced that Item 35 would be considered in Executive Session.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner McKee to ratify the signing of the extension that Judge Aleshire signed last week.

**Motion carried:**

County Judge Bill Aleshire	-	absent
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

- 36. RECEIVE BRIEFING REGARDING APPARENT WORK STOPPAGE AT THE GARDNER BETTS JUVENILE JUSTICE CENTER PARKING GARAGE PROJECT AND TAKE APPROPRIATE ACTION. <sup>1</sup> (1:52 PM) (2:56 PM)

Commissioner Sonleitner announced that Item 36 would be considered in Executive Session.

Item 36 to be reposted on September 1, 1998.

- 37. RECEIVE BRIEFING FROM CONSTABLE, PRECINCT 5, REGARDING EXTENSION OF FIVE (5) DAY ADMINISTRATIVE LEAVE POLICY FOR EMPLOYEE IN CONSTABLE, PRECINCT FIVE OFFICE, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (1:52 PM) (2:57 PM)

Commissioner Sonleitner announced that Item 37 would be considered in Executive Session.

No action taken on Item 7.

**THE FOLLOWING ITEMS WERE ADDED:**

- A.1** CONSIDER ITEMS REGARDING THE ISSUANCE OF THE COUNTY'S CERTIFICATES OF OBLIGATION, SERIES 1998A (LIMITED TAX), UNLIMITED TAX ROAD BONDS, SERIES 1998A AND PERMANENT IMPROVEMENT BONDS, SERIES 1998A (LIMITED TAX): (10:10 AM) (10:46 AM)
- A.** OPEN BIDS FOR THE TRAVIS COUNTY, TEXAS, CERTIFICATES OF OBLIGATION, SERIES 1998A (LIMITED TAX), THE TRAVIS COUNTY, TEXAS UNLIMITED TAX ROAD BONDS, SERIES 1998A AND THE TRAVIS COUNTY, TEXAS, PERMANENT IMPROVEMENT BONDS, SERIES 1998A (LIMITED TAX); (10:11 AM)
  - B.** AWARD OF SALE OF THE TRAVIS COUNTY, TEXAS, CERTIFICATES OF OBLIGATION, SERIES 1998A (LIMITED TAX), TO THE WINNING BIDDER; (10:46 AM)
  - C.** AWARD OF SALE OF THE TRAVIS COUNTY, TEXAS, UNLIMITED TAX ROAD BONDS, SERIES 1998A, TO THE WINNING BIDDER; (10:46 AM)
  - D.** AWARD OF SALE OF THE TRAVIS COUNTY, TEXAS, PERMANENT IMPROVEMENT BONDS, SERIES 1998A (LIMITED TAX), TO THE WINNING BIDDER; (10:46 AM)
  - E.** APPROVE AND ADOPT AN ORDER AUTHORIZING THE ISSUANCE OF THE TRAVIS COUNTY, TEXAS, CERTIFICATES OF OBLIGATION, SERIES 1998A (LIMITED TAX), IN THE AGGREGATE AMOUNT OF \$10,500,00.00; (10:46 AM)
  - F.** APPROVE AND ADOPT AN ORDER AUTHORIZING THE ISSUANCE OF THE TRAVIS COUNTY, TEXAS, UNLIMITED TAX ROAD BONDS, SERIES 1998A, IN THE AGGREGATE AMOUNT OF \$7,470,000.00; AND (10:46 AM)
  - G.** APPROVE AND ADOPT AN ORDER AUTHORIZING THE ISSUANCE OF THE TRAVIS COUNTY, TEXAS, PERMANENT IMPROVEMENT BONDS, SERIES 1998A (LIMITED TAX), IN THE AGGREGATE AMOUNT OF \$22,825 ,00.00; (10:47 AM)

**ITEM A.1 CONTINUED**

**H. AUTHORIZE COUNTY OFFICIALS TO TAKE SUCH ACTIONS, EXECUTE AND DELIVER SUCH DOCUMENTS AND PERFORM SUCH ACTS AS NECESSARY TO CARRY OUT THE ISSUANCE, SALE, AND DELIVERY OF SUCH CERTIFICATES OF OBLIGATION AND BONDS. (10:47 AM)**

**Members of the Court agreed** to consider one Motion for Items A.1.B, C, D, E, F, G, and H.

**Members of the Court heard from:** Ladd Pattillo, Owner, D. Ladd Pattillo and Associates, Inc.; and Glen Opal, Bond Counsel, Vinson and Elkins.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the recommendation of the Court's Bond Counsel.

**A Clarification was made of the previous Motion by** Commissioner Sonleitner that the winning bidder is Prudential along with the very specific numbers in terms of the rate that is being offered, and the appropriate orders, related to all of those.

<b>Motion carried:</b>	County Judge Bill Aleshire	-	absent
	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 AN UPDATE ON CAPCO BUDGET AND MANAGEMENT ISSUES AND TAKE APPROPRIATE ACTION. (11:27 AM)

**Members of the Court heard from:** Teresa Reel, Manager of Emergency and Wireless Communications, JPS; Dinah Dinwiddie, Executive Manager, JPS; Joe Gieselman, Executive Manager, TNR.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner McKee to direct Teresa Reel and all appropriate Staff that the Travis County Commissioners' Court is supportive of a Risk Assessment Audit to be conducted by the City of Austin, and that Travis County stands ready to assist and to also direct Staff to be investigating options on funding.

**Clerk's Note:** Commissioner Sonleitner sincerely thanked Commissioner Gómez for advocating on the Court's behalf, and also thanked Senator Gonzalo Barrientos and Representative Terry Keel for their efforts.

<b>Motion carried:</b>	County Judge Bill Aleshire	-	absent
	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.3** RECEIVE BRIEFING FROM COUNTY ATTORNEY ON LEASE FOR CES AT 1609 SHOAL CREEK AND TAKE APPROPRIATE ACTION. (11:20 AM) (1:52 PM) (2:57 PM)

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, JPS; John Hille, Assistant County Attorney, Transactions Division.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Moore that an appropriate letter be sent stating the Court's legal position from the County Attorney's Office. But in the letter we will make it clear that, with our regrets, we will not be able to be out of that space by August 31,<sup>st</sup> and anticipate taking advantage of what is in our lease in terms of our ability to stay over, and that this Item be reposted for next Tuesday, September 1, 1998.

**Maker accepts the Friendly Amendment by** Commissioner McKee to give the Staff direction to take whatever action they need to make sure that the center remains open.

**Acceptance of the Friendly Amendment was made by** Commissioner Sonleitner.

<b>Motion carried:</b>	County Judge Bill Aleshire	-	absent
	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 A.3 to be reposted on September 1, 1998.

**ADJOURNMENT**

**Motion by** Commissioner McKee **and seconded by** Commissioner Sonleitner to adjourn the Voting Session. (2:58 PM)

**Motion carried:** County Judge Bill Aleshire - absent  
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**