

MINUTES – SEPTEMBER 29, 1998

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 29th day of September, 1998, the Commissioners' Court convened the Voting Session at 9:08 AM in the Commissioners' Courtroom, 1st Floor of the Travis County Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Robert Resnick.

The Commissioners' Court recessed the Voting Session at 12:36 PM and reconvened the Voting Session at 2:08 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, (NWTCRD), convened the NWTCRD #3 Voting Session at 4:21 PM and adjourned at 4:23 PM.

The Commissioners' Court reconvened the Voting Session at 4:23 PM.

The Commissioners' Court retired to Executive Session at 4:23 PM and reconvened the Voting Session at 6:02 PM.

The Commissioners' Court adjourned the Voting Session at 6:07 PM.

RESOLUTIONS & HEARINGS

1. PRESENT PROCLAMATION TO ALVIN DENMON ON HIS RETIREMENT FROM TRAVIS COUNTY. (9:19 AM)

Members of the Court heard from: Alvin Denmon, Transportation and Natural Resources (TNR); Carol Joseph, Assistant Director, TNR; and Don Wheeler, Division Director, Road Maintenance and Fleet Services, TNR.

Motion by Commissioner McKee **and seconded by** Commissioner Gómez to approve 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 RESOLUTION RECOGNIZING THE EXCHANGE CLUB OF AUSTIN IN ITS EFFORTS TO EDUCATE OUR COMMUNITY ON SHAKEN BABY SYNDROME. (9:10 AM)

Members of the Court heard from: Barbara Hudson, Exchange Club of Austin.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 2.

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

3. PUBLIC HEARING TO RECEIVE INPUT REGARDING THE FY 1999 COUNTY ELECTED OFFICIALS SALARIES AND ALLOWANCES. (9:13 AM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner McKee 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: Ira Caulkins, Director, Inter-Governmental Research Center

Motion by Commissioner Sonleitner **and seconded by** Commissioner McKee 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

4. PUBLIC HEARING TO RECEIVE INPUT REGARDING THE PROPOSED TAX RATE AND THE FY 1999 TRAVIS COUNTY BUDGET. (9:28 AM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez 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: Kevin Pipes, Mayor, Village of the Hills; and Ira Caulkins, Director, Inter-Governmental Research Center.

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

Motion carried:

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

CITIZENS COMMUNICATION

Members of the Court heard from: Greg Erickson, Free Press International; Ira Caulkins, Director, Inter-Governmental Research Center; Layne Stone, Director and Administrator, Educational Resources; Gus Peña, President, East Austin Concerned Hispanics; John Foreman, Texas Best Seminars; and Robert Kurtz, Private Citizen. (9:46 AM)

CONSENT ITEMS

- 5. Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the following Consent Items: C1-C23 (excluding C5, C7.B, D, J, K, L, M, N, and O), 18A-F, 24 29, 33, 36A-H (excluding 36.G), 37, 38.A, B, and C (authorizing a \$7.50/hour wage for County Clerk Elections Division temporary seasonal employees and a \$1.00/hour differential for Supervisors) and 41. (10:10 AM)

Motion carried:

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

- C1.** RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION FACILITIES.
- C3.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSIONS OF SEPTEMBER 3, 1998; SEPTEMBER 15, 1998 & SEPTEMBER 18,1998.
- C4.** APPOINT JOHN MAHER TO FILL UNEXPIRED TERM OF COMMISSIONER OF EMERGENCY SERVICES DISTRICT #6 (HUDSON BEND). EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31 1999.
- C5.** APPOINT SUSAN MAGNATTI TO THE TRAVIS COUNTY EMERGENCY SERVICE DISTRICT #3 (OAK HILL) TO FULFILL TERM EXPIRING DECEMBER 31, 1999.

Item C5 postponed until October 6, 1998.

- C6.** APPROVE APPROXIMATELY 3,750 FLYERS TO ALL TRAVIS COUNTY EMPLOYEES AS PART OF AN ELECTION NIGHT WORKER RECRUITMENT EFFORT TO BE ENCLOSED IN SEPTEMBER 30, 1998 PAYCHECK.

CONSENT ITEMS CONTINUED

- C7.** APPROVE AWARD OF CONTRACTS TO THE FOLLOWING AGENCIES FOR PROVISION OF SERVICES OF VICTIMS OF CRIME IN TRAVIS COUNTY FOR FY 1999; COMMISSIONERS COURT APPROVED FUNDING RECOMMENDATIONS AND CHANGE IN FUNDING CYCLE FROM FISCAL TO CALENDAR YEAR ON AUGUST 11, 1998:

(A) CASA OF TRAVIS COUNTY; (B) DAYGLO FAMILY TREATMENT; (C) DISPUTE RESOLUTION CENTER; (D) FOR THE LOVE OF CHRISTI; (E) LEGAL AID OF CENTRAL TEXAS; (F) PARENTS ANONYMOUS; (G) PEBBLE PROJECT (H) AUSTIN CIRCLE OF THEATERS; (I) CHILDREN'S ADVOCACY CENTER; (J) YOUTH & FAMILY ALLIANCE; (K) SAFEPLACE: TEEN DATING VIOLENCE; (L) SEXUAL ASSAULT COMMUNITY ADVOCATE; (M) SEXUAL ASSAULT NURSE EXAMINER COORDINATION PROGRAM; (N) AUSTIN-TRAVIS COUNTY MHMR CHILDREN'S MENTAL HEALTH PLAN: COMMUNITY RESOURCE COORDINATION GROUP (O) TRAVIS COUNTY ATTORNEY: VICTIM WITNESS PROGRAM; (P) TRAVIS COUNTY JUVENILE COURT: VICTIM/OFFENDER MEDIATION PROGRAM; (Q) TRAVIS COUNTY SHERIFF: VICTIM SERVICES CRIME SCENE RESPONSE. (10:10 AM)

Items C7.B, D, J, K, L, M, N, and O postponed until October 6, 1998.

- C8.** DISCUSS, APPROVE AND/OR GIVE STAFF DIRECTION ON TWO CONTRACT MODIFICATIONS TO CHANGE THE CONSTRUCTION OF THE 12 JUDICIAL BENCH PLATFORMS IN THE COURTROOMS ON THE CRIMINAL JUSTICE CENTER PROJECT FOR A CUMULATIVE DEDUCTION OF (\$6,842.00) AS FOLLOWS:
- A.** APPROVE CONTRACT MODIFICATION NO. 3 TO ISEC, INC. (#97K0710B) TO REMOVE THE PLATFORMS FROM THEIR SCOPE-OF-WORK AND DEDUCT (\$39,546.00).
- B.** APPROVE CONTRACT MODIFICATION NO. 3 TO B & B CONSTRUCTION, INC. (#97K0710H) TO ADD THE PLATFORMS TO THEIR SCOPE-OF-WORK FOR AN INCREASE OF \$32,704.

CONSENT ITEMS CONTINUED

- C9.** APPROVE MODIFICATION NO. 5 TO CONTRACT NO. PS970023LH, KEEP AUSTIN BEAUTIFUL, INC. TO PROVIDE CLEANUP ACTIVITIES AT SITES WITHIN TRAVIS COUNTY AND ON-GOING COMMUNITY ACTION AND EDUCATIONAL PROGRAMS TO REDUCE LITTERING IN PARKS AND ON ROADSIDE RIGHT-OF-WAYS MAINTAINED BY TRAVIS COUNTY; CONTRACT APPROVED ON OCTOBER 26, 1992; MODIFICATION ALLOWS A TWELVE MONTH EXTENSION. OCTOBER 1, 1998 - SEPTEMBER 30, 1999.

- C10.** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO.98T0022-OJ, ALPHA DENTAL PROGRAMS, INC. DBA DELTA CARE, DENTAL SERVICES FOR TRAVIS COUNTY EMPLOYEES, RETIREES AND THEIR DEPENDENTS; CONTRACT APPROVED BY COMMISSIONERS COURT ON JULY 22, 1997. MODIFICATION ALLOWS FOR A ONE-YEAR EXTENSION TO SEPTEMBER 30, 1999.

- C11.** APPROVE MODIFICATION NO.2 TO CONTRACT NO. 97C0142-OJ, KPMG PEAT MARWICK GROUP INSURANCE BENEFITS CONSULTING SERVICES; CONTRACT APPROVED BY COMMISSIONERS COURT ON FEBRUARY 25, 1997; MODIFICATION FOR A CONTRACT PERIOD EXTENSION AT NO ADDITIONAL COST TO THE CONTRACT AWARD.

- C12.** APPROVE CONTRACT AWARD FOR THE PROVISION OF FOOD SERVICE EQUIPMENT, IFB B980126-DM, TO THE LOW, QUALIFIED BIDDERS, PASCO BROKERAGE AND ABC HOTEL & RESTAURANT SUPPLY, IN THE TOTAL AMOUNT OF \$44,378.00.

- C13.** APPROVE MODIFICATION NO. 2. TO CONTRACT NO. PS970127LH, WEILER & ASSOCIATES, FOR PROFESSIONAL COURT REPORTING SERVICES; MODIFICATION EXTENDS THE PERIOD OF SERVICE FOR AN ADDITIONAL YEAR, OCTOBER 1, 1998 THROUGH SEPTEMBER 30, 1999.

- C14.** APPROVE CONTRACT AWARDS FOR THE PROVISION OF PROFESSIONAL TITLE SERVICES TO COMMONWEALTH LAND TITLE COMPANY OF AUSTIN, CONTRACT NO. PS990001JG, AND CHICAGO TITLE CONTRACT NOS. PS990002JG.

- C15.** APPROVE MODIFICATION NO. 5 TO CONTRACT NO. PS970104LH, WALKER, BRIGHT, & WHITTENTON, P.C. FOR LEGAL SERVICES IN CAUSE NO. 95-15823, HUDSON V KEEL MODIFICATION EXTENDS THE PERIOD OF SERVICE FOR AN ADDITIONAL YEAR, OCTOBER 1, 1998 THROUGH SEPTEMBER 30, 1999. CONTRACT WAS APPROVED BY COMMISSIONERS' COURT ON APRIL 13, 1996.

CONSENT ITEMS CONTINUED

- C16.** APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS980245LH, WAYNE A. MUELLER FOR SERVICES AS ATTORNEY AD LITEM VALOREM TAX LAWSUITS; MODIFICATION EXTENDS THE PERIOD OF SERVICE FOR AN ADDITIONAL YEAR, OCTOBER 1, 1998 THROUGH SEPTEMBER 30, 1999; CONTRACT APPROVED ON AUGUST 21, 1998.

- C17.** APPROVE MODIFICATION NO 3 TO CONTRACT NO. PS970183LH, EWBANK & BYROM, P.C. FOR LEGAL SERVICES IN CAUSE NO. 379,836, BARSTOW V. TRAVIS COUNTY, AND CAUSE NO. 422,554, TRAVIS COUNTY V. BARSTOW, MODIFICATION EXTENDS THE PERIOD OF SERVICE FOR AN ADDITIONAL YEAR, OCTOBER 1, 1998 TROUGH SEPTEMBER 30. 1999. CONTRACT WAS APPROVED BY COMMISSIONERS COURT ON APRIL 15, 1997.

- C18.** APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS980024LH, LEGAL MATTERS FOR LITIGATION SUPPORT, COPYING AND DUPLICATION SERVICES; MODIFICATION EXTENDS THE PERIOD OF SERVICE FOR AN ADDITIONAL YEAR, OCTOBER 1, 1998 THROUGH SEPTEMBER 30, 1999, AND INCREASES THE NOT-TO-EXCEED CONTRACT AMOUNT TO \$75,000.00; CONTRACT WAS APPROVED BY COMMISSIONERS' COURT ON MAY 1, 1997.

- C19.** APPROVE MODIFICATION NO. 2 TO CONTRACT NO PS970232LH, AUSTIN DISCOVERY FOR PROVISION OF LITIGATION SUPPORT SERVICES. MODIFICATION EXTENDS THE PERIOD OF SERVICE FOR AN ADDITIONAL YEAR, OCTOBER 1, 1998 THROUGH SEPTEMBER 30, 1998. CONTRACT WAS APPROVED BY COMMISSIONERS COURT ON MAY 13, 1997.

- C20.** APPROVE MODIFICATION NO. 1 TO CONTRACT NO PS980001KW, THAD GILLESPIE, DDS FOR THE PROVISION OF PROFESSIONAL INMATE DENTAL SERVICES. CONTRACT APPROVED BY COMMISSIONERS COURT ON OCTOBER 14, 1997. MODIFICATION EXTENDS THE TERM OF THE CONTRACT FOR AN ADDITIONAL TWELVE (12) MONTH PERIOD, EXTENDING THE TERMINATION DATE FROM SEPTEMBER 30, 1998 TO SEPTEMBER 30, 1999.

- C21.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: COLLINWOOD WEST SECTION II-C - (FISCAL POSTED WITH THE CITY OF AUSTIN - 42 LOTS - 10.655 ACRES - CLAYWOOD DRIVE - WASTEWATER SERVICE TO BE PROVIDED FOR BY THE CITY OF AUSTIN).

- C22.** APPROVE SETTING A PUBLIC HEARING DATE OF OCTOBER 13, 1998 TO APPROVE A PROPOSED STREET NAME CHANGE FROM TULARE DRIVE TO "FORTUNA COVE" STARTING AT FORTUNA DRIVE TO END OF CUL-DE-SAC, PRECINCT THREE.

CONSENT ITEMS CONTINUED

- C23.** APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF A 10' PUBLIC UTILITY EASEMENT ON LOT 1, MOUNT LARSON SOUTH PHASE II-A, A SUBDIVISION IN PRECINCT THREE.

TAX RATE AND ANNUAL BUDGET

- 6.** APPROVE ORDER SETTING FEES TO BE CHARGED FOR SERVICES BY OFFICES OF THE SHERIFF AND CONSTABLES IN 1999. (10:18 AM)

Motion by Commissioner McKee **and seconded by** Commissioner Gomez to approve Item 6.

Motion carried:

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

- 7.** ADOPT ORDER FOR ISSUANCE OF FY 1999 CERTIFICATES OF OBLIGATION. (12:13 PM)

Members of the Court heard from: Barbara Wilson, Assistant County Attorney.

No Action taken on Item 7.

- 8.** ADOPT ORDER FOR ISSUANCE OF FY 1999 ROAD BONDS AND PERMANENT IMPROVEMENT BONDS. (12:13 PM)

Members of the Court heard from: Barbara Wilson, Assistant County Attorney.

No Action taken on Item 7.

9. ADOPT ORDER SETTING THE TAX RATE FOR THE TAX YEAR BEGINNING JANUARY 1, 1998. (12:02 PM)

Members of the Court heard from: Christian Smith, Executive Manager, Planning and Budget Office (PBO).

Motion by Commissioner McKee **and seconded by** Commissioner Sonleitner to set the Maintenance and Operation Tax at 38.65 cents per \$100 of valuation of all taxable property for general operating purposes; 12.78 cents of each \$100 of valuation of all taxable property for debt service and to provide a sinking fund, for a total of 51.43 cents of each \$100 of valuation of all taxable property, and to approve the order accompanying this tax rate.

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. ADOPT ORDER FOR FY 1999 COUNTY ELECTED OFFICIALS' SALARIES AND ALLOWANCES. (12:04 PM)

Members of the Court heard from: Christian Smith, Executive Manager, PBO.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Moore to approve Item 10.

Motion carried:

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

**11. ADOPT ORDER FOR APPROVAL OF THE FY 1999 COUNTY BUDGET.
(12:05 PM)**

Members of the Court heard from: Barbara Wilson, Assistant County Attorney.

Motion by Judge Aleshire and seconded by Commissioner Gómez to approve Item 11.

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 Restatement was made of the previous Motion by Judge Aleshire and seconded by Commissioner Gómez that, to clarify for the Minutes, the previous Motion included a correction in the amount appropriated so that it matches the salary authorized for the Treasurer. The amount should be \$64,508.00, being \$154 less than the amount originally in the Budget, and that that amount of \$154 be transferred to the Compensation Reserve.

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 AN ORDER TO DESIGNATE THE REGULAR MEETING DAY OF
COMMISSIONERS COURT OF TRAVIS COUNTY. (10:19 AM)**

Motion by Commissioner Sonleitner and seconded by Commissioner McKee to approve Item 12.

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

ADMINISTRATIVE ITEMS

- 13.** APPOINT CENTRAL COUNTING STATION ALTERNATE PRESIDING JUDGE FOR THE AUGUST 1, 1998 THROUGH JULY 31, 1999 TERM. (10:34 AM)

Clerk's Note: Items 13, 14, and 15.A and B are associated with one another and were called for concurrent discussion.

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

Members of the Court agreed to consider one Motion for Items 13, 14, and 15.A.

Motion by Commissioner Gómez **and seconded by** Commissioner Moore to approve Items 13, 14, and 15.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

- 14.** APPOINT EARLY VOTING BALLOT BOARD CO-PRESIDING JUDGES FOR THE 1998 TRAVIS COUNTY GENERAL ELECTION. (10:34 AM)

Clerk's Note: Items 13, 14, and 15.A and B are associated with one another and were called for concurrent discussion.

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

Members of the Court agreed to consider one Motion for Items 13, 14, and 15.A. Please refer to Item 13 for a summary of the Court's action on this Motion.

15. A. APPROVE ORDER DESIGNATING MAIN EARLY VOTING POLLING PLACE AND TEMPORARY BRANCH EARLY VOTING POLLING PLACES FOR THE NOVEMBER 3, 1998 GENERAL ELECTION.

Clerk's Note: Items 13, 14, and 15.A and B are associated with one another and were called for concurrent discussion.

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

Members of the Court agreed to consider one Motion for Items 13, 14, and 15.A. Please refer to Item 13 for a summary of the Court's action on this Motion.

- B. DISCUSS OTHER ISSUES RELATED TO CONDUCT OF THE NOVEMBER 3, 1998 GENERAL ELECTION.

Clerk's Note: Items 13, 14, and 15.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk; and Ira Caulkins, Director, Inter-Governmental Research Center.

Discussion Only.

16. RECEIVE AND DISCUSS A REPORT FROM THE ADVISORY COMMITTEE AND STAFF RECOMMENDATIONS REGARDING THE PROPOSED TRAVIS COUNTY ON-SITE SEWAGE FACILITY RULES. (10:47 AM) (12:16 PM)

Members of the Court heard from: Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department (HHSD) and Veterans' Services; Matt Phelps, Private Sewage Facilities Engineer, Austin-Travis County HHSD; Jim Fulton, Private Sewage Facilities Associate Engineer, Austin-Travis County HHSD; Kate Kelley, Assistant County Attorney; and Bo Burroughs, Sanitary System Installer.

Item 16 to be reposted on October 6, 1998 with new language enabling the Court to discuss interim instructions to the OSSF staff related to the Court's variance procedure.

17. DISCUSS THE TRANSITION PLAN OF THE ONSITE SEWAGE FACILITIES PROGRAM TO TRANSPORTATION & NATURAL RESOURCES AND TAKE APPROPRIATE ACTION. (2:13 PM)

Clerk's Note: Items 17 and A.1 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Carol Joseph, Assistant Director, TNR; Kathy Dupree, Administrative Director, TNR; David Lurie, Director, Austin-Travis County HHSD; and John Hille, Assistant County Attorney.

Item 17 to be reposted on October 6, 1998 with appropriate wording to incorporate Item A.1.

18. APPROVE OR DISAPPROVE A VARIANCE FROM THE TRAVIS COUNTY RULES FOR PRIVATE ONSITE SEWAGE FACILITIES AS FOLLOWS: (10:10 AM)

A. JWJ HOMES, INC. TO LOCATE A CONVENTIONAL GRAVITY FLOW DRAINFIELD TRENCHES WITH A SEPARATION OF TWO FEET OF SOIL BEFORE FRACTURED ROCK IS ENCOUNTERED, LOCATED AT 15101 FLAMINGO DRIVE NORTH, LOT 109 CARDINAL HILLS SUBDIVISION. (10:10 AM)

Item 18.A added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

B. LANCE LANGFORD, TO LOCATE LOW PRESSURE DOSED TRENCHES WITH A SEPARATION OF THIRTY-FOUR (34) INCHES OF SOIL BENEATH THE LATERAL TRENCHES BEFORE FRACTURED ROCK IS ENCOUNTERED, LOCATED AT 4502 HOUSE OF LANCASTER, LOT 128, WESTMINSTER GLEN ESTATES. (10:10 AM)

Item 18.B added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

C. B-A HOMES, INC., TO: (1) LOCATE LOW PRESSURE DOSED TRENCHES WITH 12 INCHES OF CLASS 1b SOIL IN THE BOTTOM OF THE LATERAL TRENCHES BEFORE FRACTURED ROCK IS ENCOUNTERED; AND (2) THE REDUCTION OF THE SETBACK TO A ROCK OUTCROPPING, LOCATED AT 88906 MOUNTBATTEN CIRCLE, LOT 147, WESTMINSTER GLEN SUBDIVISION 1, PHASE I. (10:10 AM)

Item 18.C added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

D. SIERRA ASSOCIATION GROUP, INC. TO ALLOW DISCHARGE OF SECONDARILY TREATED AND DISINFECTED EFFLUENT FROM A LOW PRESSURE DOSE SYSTEM INTO A MINIMUM OF 12-INCH THICK CLASS 1b SOIL THAT HAS BEEN SUBSTITUTED IN THE TRENCH BOTTOMS WHICH ARE LOCATED IN FRACTURED ROCK, AT 601 BARRETT LANE, LOT 28, BLOCK B, ROB ROY ON THE LAKE. (10:10 AM)

Item 18.D added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

ITEM 18 CONTINUED

- E** BEST/MCKINLEY HOMES, TO ALLOW (1) DRIP IRRIGATION DRAINFIELD TO A CUTBACK REDUCED FROM 60.0 FEET TO 10.0 FEET; (2) DRIP IRRIGATION DRAINFIELD TO PROPERTY LINE REDUCED FROM 10.0 FEET TO 5.0 FEET; (3) DRIP IRRIGATION DRAINFIELD TO A BUILDING FOUNDATION REDUCED FROM 15.0 FEET TO 5.0 FEET; AND (4) VERTICAL SEPARATION FROM A DRIP IRRIGATION DRAINFIELD TO FRACTURED ROCK REDUCED FROM 4.0 FEET TO 1.0 FEET, AT 4314 TRAVIS VISTA DRIVE, LOT 38, LAKE COUNTRY ESTATES. (10:10 AM)

Item 18.E added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- F.** DANIEL GRIVAS, TO LOCATE LOW PRESSURE DOSE TRENCHES WITH TWELVE TO EIGHTEEN INCHES OF SOIL BENEATH THE LATERAL TRENCHES BEFORE FRACTURED ROCK IS ENCOUNTERED AT 23011 BIG SANDY DRIVE, LOT 26, SANDY CREEK RANCHES, PHASE ONE. (10:10 AM)

Item 18.F added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

19. DISCUSS STATUS OF EMS NEGOTIATIONS WITH THE CITY OF AUSTIN AND OTHER INCORPORATED CITIES AND TAKE APPROPRIATE ACTION.
(10:20 AM)

Members of the Court heard from: Ira Caulkins, Director, Inter-Governmental Research Center.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Moore that the Travis County Commissioners' Court endorses the initiation of a transition process that will ultimately merge Austin EMS into a unified system, providing all people in Travis County with seamless protection county-wide; that the Court earmarks 1.5 cents of its proposed tax rate as a set aside for the provision of EMS services over the next fiscal year, and for the initial purchase of ambulances to be based outside the City of Austin, and for the provision of money for personnel costs associated with staffing those new stations; that the Court declares its intent to work with the City of Austin and all other incorporated cities in Travis County, along with the 13 Emergency Service Districts and Rural Fire Prevention District on this historic transition process; that Travis County, in the spirit of expediting the creation of the transition team, names Dinah Dinwiddie or her designee to fill the Travis County EMS slot on the transition team, and names Christian Smith or his designee to fill the Travis County Finance Director slot on the transition team. We declare our intent to provide sufficient staff support for the transition team, which may form work groups to address and make recommendations on the resolution of transition issues, including personnel issues such as salaries, benefits, tenure, discipline, promotion, recruitment, selection, training and retirement; and that Commissioners Karen Sonleitner and Margaret Moore continue to represent the Court as a negotiation team with the City of Austin, and that they work with the County Attorney's Office and all other necessary staff to bring back to the Court, as soon as possible, an interim interlocal agreement with the City of Austin, to cover the provision of Emergency Medical Services over the next fiscal year, laying out the specific terms and conditions of services being provided at County expense to areas outside the City of Austin. It is the Court's intent with this Motion to endorse the development of a county-wide EMS system that provides tax equity for all citizens as well as the continued provision of excellent EMS services.

Motion carried:

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

20. DISCUSS AND TAKE APPROPRIATE ACTIONS ON SOUTHEAST METRO PARK CIP PROJECT: (2:41 PM)

Clerk's Note: Items 20.A-F are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Carol Joseph, Assistant Director, TNR; Steve Manilla, Director of Engineering and Planning, TNR; and Charles Bergh, Division Manager, Natural Resources and Parks, TNR.

- A. CONSIDER PROPOSAL FROM GARFIELD WATER CORPORATION; CONSIDER OPTIONS, AND GIVE STAFF DIRECTION REGARDING WATER SUPPLY TO THE PARK.**
- B. DISCUSS ALTERNATIVES TO GROWING A GRASSED PLAYING SURFACE FOR THE PROPOSED SPORTS FIELDS AND GIVE STAFF DIRECTION.**
- C. DISCUSS AWARD OF "PARKS AND RECREATION" GRANT AND "RECREATIONAL TRAILS" GRANT BY THE TEXAS PARKS AND WILDLIFE DEPARTMENT AND IMPLICATIONS TO SCOPE AND BUDGET OF SOUTHEAST METRO PARK.**
- D. AMEND PARK MASTER PLAN TO ADD FOUR (4) ADULT BALLFIELDS AND APPROVE PHASE I CONSTRUCTION TO ROUGH GRADE ONLY THE ADDITIONAL BALLFIELDS WITH AVAILABLE FUNDS.**
- E. APPROVE FULL MITIGATION OF A DOCUMENTED ARCHEOLOGICAL SITE.**
- F. APPROVE MODIFICATIONS TO THE EXISTING CONTRACT WITH HNTB, INC., FOR ADDITIONAL SERVICES IN THE AMOUNT OF \$56,043.00.**

Motion by Commissioner Gómez and seconded by Commissioner Sonleitner to give Staff direction to move forward on Items 20.A-F as recommended by Staff.

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

21. APPROVE RESUMPTION OF COUNTY MAINTENANCE OF PORTIONS OF BOCK ROAD, AVIS ROAD, AND CALDVIS ROAD, IN PRECINCT FOUR. (2:58 PM)

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

Item 21 to be reposted on October 6, 1998.

22. A. APPROVE PRELIMINARY PLAN IN PRECINCT TWO: SETTLER'S MEADOW - (FISCAL POSTED WITH CITY OF AUSTIN - 303 LOTS - 62.2 ACRES - OLYMPIC DRIVE - WASTEWATER SERVICE TO BE PROVIDED FOR BY THE NORTHTOWN MUD). (2:59 PM) (4:23 PM) (6:02 PM)

- B. APPROVE ALTERNATE FISCAL FOR SETTLER'S MEADOW SECTION ONE, A SUBDIVISION IN PRECINCT TWO.

Clerk's Note: Items 22.A and B are associated with one another and were called for concurrent discussion.

Judge Aleshire announced that Items 22.A and B would be considered in Executive Session.

Members of the Court heard from: John Hille, Assistant County Attorney.

Motion by Commissioner Sonleitner **and seconded by** Commissioner McKee that the Court decline to approve the preliminary plan as listed on the Agenda, and decline to approve the alternate fiscal for Settler's Meadow as listed on the Agenda

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

23. APPROVE ALTERNATE FISCAL FOR THE RANCH AT CYPRESS CREEK SECTION 9, A SUBDIVISION IN PRECINCT TWO. (2:59 PM) (4:23 PM) (6:04 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner McKee to approve Item 23.

Motion carried:

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

24. APPROVE AUTHORITY FOR TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT (TNR) TO ESTABLISH CASH BANKS IN THE PARKS FOR CHANGE PURPOSES. (10:10 AM)

Item 24 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

25. A. DISCUSS IBM PROJECT CHANGE REQUEST FOR TIBURON DATA CONVERSION, AND TAKE APPROPRIATE ACTION. (2:59 PM) (3:01 PM)

- B. DISCUSS AND GIVE DIRECTION ON THE OVERALL INTEGRATED JUSTICE SYSTEM (IJS) PROJECT. (10:15 AM) (2:59 PM) (3:01 PM)

Clerk's Note: Items 25.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Dinah Dinwiddie, Executive Manager, Justice and Public Safety (JPS); Brad Powell, Acting Director, Information and Telecommunications Systems (ITS); Tommy Blackwell, Director, Information Services, Travis County Sheriff's Office (TCSO); David Escamilla, First Assistant County Attorney; and Dan Richards, Deputy Chief, TCSO.

Item 25.B pulled from the Agenda.

Clerk's Note: Item 25.B was subsequently recalled to the Agenda.

Discussion Only.

Items 25.A and B to be reposted on October 6, 1998.

26. APPROVE CONTRACT FOR LONG DISTANCE, INMATE AND PAY PHONE SERVICES RFP #98-072 -MG, AND TAKE ANY OTHER APPROPRIATE ACTION RELATED TO PURCHASE OF THESE SERVICES. (9:24 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Barbara Wilson, Assistant County Attorney; Sandy Vaello, Chief Operating Officer, Ameritel; and Mrs. Sary, Private Citizen.

Motion by Commissioner McKee **and seconded by** Commissioner Gómez to approve Item 26.

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 CONTRACT AWARD FOR THE PROVISION OF THE TNR UNDERGROUND STORAGE TANK REMOVAL AND REPLACEMENT PROJECT, IFB B9801160-JJ, TO THE SECOND LOW, RESPONSIVE BIDDER, NESCO, IN THE ESTIMATED AMOUNT OF \$235,295.00. (10:16 AM)

Pulled from the Agenda.

28. APPROVE INTERLOCAL COOPERATION AGREEMENT BETWEEN TRAVIS COUNTY AND CITY OF AUSTIN FOR SERVICES AND IMPROVEMENTS FOR THE AUSTIN DOWNTOWN PUBLIC IMPROVEMENT DISTRICT. (3:35 PM)

Members of the Court heard from: Jim Connolly, Assistant County Attorney.

Item 28 pulled from the Agenda, to be reposted at a future date.

29. APPROVE STATE CATALOG PURCHASE OF COURTHOUSE PBX EQUIPMENT UPGRADE FOR INFORMATION & TELECOMMUNICATIONS SYSTEMS (ITS) FROM SOUTHWESTERN BELL IN THE AMOUNT OF \$74,950.00. (10:10 AM)

Item 29 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

30. REJECT BIDS RECEIVED FOR THE PROVISION OF TWO RECONDITIONED T-1 CHANNEL EXTENDERS, IFB #B980127-MG; APPROVE RE-ADVERTISEMENT WITH REVISED SPECIFICATIONS. (3:39 PM)

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

Motion by Commissioner Gómez and seconded by Commissioner Moore to approve Item 30.

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

31. DISCUSS, APPROVE AND/OR TAKE ANY APPROPRIATE ACTION REGARDING EXEMPTING THE A/E SERVICES CONTRACT FROM THE COMPETITIVE PROCUREMENT PROCESS AND DIRECT ESPEY HUSTON & ASSOCIATES TO SUBMIT A PROPOSAL FOR THE DEVELOPMENT OF PLANS AND SPECIFICATIONS FOR REMODELING AND REPAIRS AT 7811 BURLESON MANOR ROAD (GORE PROPERTY). (3:40 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Patricia Goodman, Assistant County Attorney.

Motion by Commissioner McKee and seconded by Commissioner Sonleitner to approve Item 31.

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

32. APPROVE ORDER EXEMPTING PURCHASING ACTIVITY FOR THE PROVISION OF FLASHING BEACON INSTALLATION AT THE INTERSECTION OF WHARF COVE, LIME CREEK ROAD AND FM 2769 FROM THE COMPETITIVE BIDDING REQUIREMENTS OF THE COUNTY PURCHASING ACT, PURSUANT TO SECTION 262.024(A)(2) OF THE TEXAS LOCAL GOVERNMENT CODE. (3:44 PM)

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

Motion by Commissioner Sonleitner and seconded by Commissioner Gómez to approve Item 32.

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

33. REVIEW AND APPROVE LISTING OF AUTOMATIC RENEWAL OF PROFESSIONAL SERVICES CONTRACTS FOR THE PERIOD OCTOBER 1, 1998 THROUGH SEPTEMBER 30, 1999. (10:10 AM)

Item 33 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

34. AUTHORIZE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT (TNR) TO HIRE AN APPRAISER, A LAND PLANNING EXPERT, AND AN APPRAISAL REVIEWER FOR A POTENTIAL BALCONES CANYONLAND PRESERVE ACQUISITION. (3:46 PM)

Members of the Court heard from: Carol Joseph, Assistant Director, TNR.

Motion by Commissioner Moore **and seconded by** Commissioner Gómez to approve Item 34.

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

35. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (3:48 PM)

Members of the Court heard from: Leroy Nellis, Budget Manager, PBO; and Shoshanna Lansberg, Planning and Budget Analyst, PBO.

Motion by Commissioner Sonleitner **and seconded by** Commissioner McKee to approve the Budget Amendments and Transfers, in addition to the add-ons, A.1 through A.3, as presented to the Clerk, and that the Court will have a task force to address the issue of last-minute changes coming in on these Civil and Criminal line items and budget overruns.

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

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

A. APPROVE GRANT APPLICATION FOR COMMUNITY DEVELOPMENT PARTNERSHIP PROGRAM (CDPP) FOR TNR DEPARTMENT. (10:10 AM)

Item 36.A added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

B. APPROVE GRANT APPLICATION FROM TEXAS DEPARTMENT OF PUBLIC SAFETY FOR HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS FOR EMS DEPARTMENT. (10:10 AM)

Item 36.B added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

C. APPROVE GRANT APPLICATION TO GOVERNOR'S OFFICE, CRIMINAL JUSTICE DIVISION FOR JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT FOR JUVENILE COURT. (10:10 AM)

Item 36.C added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

D. APPROVE GRANT CONTRACT FROM TEXAS DEPARTMENT OF TRANSPORTATION FOR TRAVIS COUNTY SUPERCYCLISTS FOR HEALTH AND HUMAN SERVICES DEPT. (10:10 AM)

Item 36.D added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

E. APPROVE GRANT CONTRACT WITH THE TEXAS COMMISSION FOR THE DEAF AND HARD OF HEARING FOR COMMUNICATION ACCESS SERVICES, INFORMATION AND REFERRAL SERVICES AND SENIOR CITIZEN PROGRAM SERVICES. (10:10 AM)

Item 36.E added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

ITEM 36 CONTINUED

- F. APPROVE GRANT CONTRACT FROM U.S. DEPARTMENT OF JUSTICE FOR COPS UNIVERSAL HIRING PROGRAM GRANT FOR SHERIFF'S OFFICE. (10:10 AM)**

Item 36.F added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- G. APPROVE PERMISSION TO CONTINUE THE JOSATS GRANT (JUVENILE OFFENDER SUBSTANCE ABUSE TREATMENT GRANT) FOR JUVENILE COURT. (9:08 AM) (10:10 AM)**

Item 36.G pulled from the Agenda.

- H. APPROVE PERMISSION TO CONTINUE THE CLEAN AIR FORCE GRANT THROUGH TXDOT FOR THE TNR DEPARTMENT. (10:10 AM)**

Item 36.H added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- 37. APPROVE, DISCUSS, OR GIVE STAFF DIRECTION ON PAYMENT FOR TRAVIS COUNTY EMPLOYEE TO PARTICIPATE IN THE LEADERSHIP AUSTIN PROGRAM. (10:10 AM)**

Item 37 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- 38. A. APPROVE THE SCHEDULE OF POSITION TITLES AND THEIR CORRESPONDING PAY GRADES, MINIMUM HOURLY PAY RATES, AND POSITION CODES FOR ELECTION TEMPORARY SEASONAL EMPLOYEES. (10:10 AM)**

Item 38.A added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- B. APPROVE USING THE WEEKLY ADDENDUM PROCESS OF PERSONNEL AMENDMENTS TO ALSO INCLUDE REASSIGNMENT (AS WELL AS NEW-HIRE) PAF's OF TEMPORARY EMPLOYEES IN THE COUNTY CLERK ELECTIONS DIVISION. (10:10 AM)**

Item 38.B added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- C. GIVE DIRECTION AND APPROVE A MINIMUM WAGE STANDARD OF \$7.50/HR FOR COUNTY EMPLOYEES AS IT APPLIES TO COUNTY CLERK ELECTIONS DIVISION TEMPORARY SEASONAL EMPLOYEES AND ALLOW FOR \$1.00/HR DIFFERENTIAL BETWEEN EARLY VOTING DEPUTIES AND EARLY VOTING CLERKS PURSUANT TO ADOPTION OF FY 1999 BUDGET.**

Item 38.C added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

39. APPROVE PERSONNEL AMENDMENTS. (2:13 PM) (3:00 PM) (4:05 PM)

Members of the Court heard from: Carlotta Valdez, Compensation Manager, Human Resources Management Department (HRMD); Stephen Williams, Executive Manager, Austin-Travis County HHSD and Veterans' Services; and Alan Miller, Budget Analyst, PBO.

Motion by Commissioner McKee **and seconded by** Commissioner Gómez to approve Item 39.

Maker and Second accept the Friendly Amendment by Judge Aleshire to not use Slot 13, which will be reserved for the HHS Planner, and will not be supplanted.

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

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

40. REVIEW AND APPROVE THE FOLLOWING PROPERTY AND LIABILITY CLAIM RECOMMENDATIONS: (2:13 PM) (4:19 PM)

A. TCSO – SETTLE

B. TCSO – SETTLE

C. TCSO – SETTLE

D. JUVENILE COURT – SETTLE

E. STEVE BRINK – DENY

Members of the Court heard from: Dan Mansour, Risk Manager, HRMD.

Motion by Commissioner Sonleitner **and seconded by** Commissioner McKee to approve Item 40 as recommended by Staff.

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

- 41.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:10 AM)

Item 41 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

EXECUTIVE SESSION ITEMS

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

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

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

- 42.** CONSIDER PROPOSAL FROM DELL COMPUTERS FOR CONVEYANCE OF RIGHT-OF-WAY FOR HOWARD LANE SECTION II 1997 CIP PROJECT. ¹ & ².
(4:23 PM) (6:05 PM)

Judge Aleshire announced that Item 42 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, and 52.

Motion by Judge Aleshire and seconded by Commissioner Sonleitner to approve the following Items as summarized below:

- 42.** Accept their price of \$319,528.00 and agree to the median breaks that they had asked for, in exchange for recognition of the County's construction easement. This Item will come back to the Court for formal approval.
- 43.** To be reposted on October 6, 1998.
- 44.** No Action Taken. To be reposted in different form on October 6, 1998.
- 45.** No Action Taken. To be reposted on October 6, 1998.
- 46.** Accept the right of entry.
- 47.** Compromise the County's claim to the amount of \$21,000. This is the County's best and final offer.
- 48.** To be reposted on October 13, 1998.
- 49.** Accept the right of entry.
- 50.** To be reposted on October 6, 1998.
- 51.** Authorize the County Attorney's Office, through the appropriate purchasing process, to employ outside experts in the case, and appoint Commissioner Margaret Gómez and a representative of TCSO, to be chosen by Sheriff Margo Frasier, to assist the County Attorney's Office in the litigation.
- 52.** Pulled from the Agenda.

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

43. 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) ¹ (4:23 PM) (6:06 PM)

Judge Aleshire announced that Item 43 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, and 52. Please refer to Item 42 for a summary of the Court's action on this Motion.

44. RECEIVE BRIEFING, DISCUSS AND/OR TAKE ANY APPROPRIATE ACTIONS REGARDING THE CONTINUING INVESTIGATION FOR THE POTENTIAL PURCHASE OF PROPERTIES 980705 AND 980706. (REQUEST BY PEREZ) EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE ANN. SECTION 551.072. ¹ (4:23 PM) (6:06 PM)

Judge Aleshire announced that Item 44 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, and 52. Please refer to Item 42 for a summary of the Court's action on this Motion.

45. AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER PROPOSAL FROM NATIONS BANK TO INCREASE RENT AT THE PARKING LOT AT 504 W. 11TH STREET. ² (4:23 PM) (6:06 PM)

Judge Aleshire announced that Item 45 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, and 52. Please refer to Item 42 for a summary of the Court's action on this Motion.

46. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT OR COUNTER OFFER OR AUTHORIZE COUNTY ATTORNEY TO INITIATE CONDEMNATION REGARDING CIP PROJECT NO. 97-21, PARCEL #16; HOWARD LANE; (WTL, INC., A TEXAS CORPORATION; GIESELMAN; CONDEMNATION). ¹ & ² (4:23 PM) (6:06 PM)

Judge Aleshire announced that Item 46 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, and 52. Please refer to Item 42 for a summary of the Court's action on this Motion.

47. DISCUSS RESULTS OF MEDIATION HELD ON SEPTEMBER 14, 1998, WORKERS COMPENSATION CLAIM REGARDING EMPLOYEE CLAUDE RICKS AND THIRD PARTY SAWYER VENDING MACHINE; INSTRUCT COUNTY ATTORNEY REGARDING MEDIATION RESULTS AND SETTLEMENT OFFERS. ¹ (4:23 PM) (6:06 PM)

Judge Aleshire announced that Item 47 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, and 52. Please refer to Item 42 for a summary of the Court's action on this Motion.

48. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT, OR COUNTER SETTLEMENT DEMAND ON CIP PROJECT 3-002, PARCEL 2D, JAMES A. HOPKINS AND WIFE, JEAN C. HOPKINS, AND STATE OF TEXAS; (HOPKINS, GIESELMAN; CONDEMNATION). ¹ (9:08 AM) (6:06 PM)

Item 48 postponed until October 13, 1998.

Members of the Court agreed to consider one Motion for Items 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, and 52. Please refer to Item 42 for a summary of the Court's action on this Motion.

49. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT OR COUNTER OFFER OR AUTHORIZE COUNTY ATTORNEY TO INITIATE CONDEMNATION REGARDING CIP PROJECT NO. 97-21, PARCEL #17 HOWARD LANE; (PRIME TIME ENTERTAINMENT, INC.; GIESELMAN: CONDEMNATION). ¹ & ² (4:23 PM) (6:06 PM)

Judge Aleshire announced that Item 49 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, and 52. Please refer to Item 42 for a summary of the Court's action on this Motion.

50. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN LAKE TRAVIS INDEPENDENT SCHOOL DISTRICT V. CRAZY HORSE LAND CORPORATION AND TAKE APPROPRIATE ACTION. ¹ (9:08 AM) (6:06 PM)

Members of the Court agreed to consider one Motion for Items 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, and 52. Please refer to Item 42 for a summary of the Court's action on this Motion.

51. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO TAKE APPROPRIATE ACTION IN: CAUSE NO. 98-10457; REGENCY PARTNERSHIP, A LIMITED PARTNERSHIP V. THE CITY OF AUSTIN AND TRAVIS COUNTY (REGENCY PARTNERSHIP; ALESHIRE; DECLARATORY JUDGEMENT ACT/INJUNCTION). ¹ (4:23 PM) (6:07 PM)

Judge Aleshire announced that Item 51 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, and 52. Please refer to Item 42 for a summary of the Court's action on this Motion.

52. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING EXTENSION OF FIVE (5) DAY ADMINISTRATIVE LEAVE POLICY FOR EMPLOYEE IN COUNTY ATTORNEY'S OFFICE AND TAKE APPROPRIATE ACTION. ¹ (4:23 PM)
(6:07 PM)

Judge Aleshire announced that Item 52 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, and 52. Please refer to Item 42 for a summary of the Court's action on this Motion.

THE FOLLOWING ITEMS ARE ADDENDA:

- A.1 APPROVE PARTIAL TERMINATION OF THE INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN FOR HEALTH SERVICES. (2:13 PM)

Clerk's Note: Items 17 and A.1 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Carol Joseph, Assistant Director, TNR; Kathy Dupree, Administrative Director, TNR; David Lurie, Director, Austin-Travis County HHSD; and John Hille, Assistant County Attorney.

Motion by Commissioner Moore **and seconded by** Commissioner Sonleitner that, in terms of the instructions for the offer letter that the Court will send out, the Court will decline making any kind of an adjustment because of the differences in health insurance, and that the Court will put down a work assignment with a disclaimer, stating that new employees work assignments, like any other employee, may change depending on work load and needs of the County.

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 A.1 to be reposted on October 6, 1998 with wording incorporating it into Item 17.

- A.2** APPROVE ROADWAY DEVELOPMENT AGREEMENT WITH SUN COMMUNITIES TEXAS, LIMITED PARTNERSHIP, FOR IMPROVEMENTS TO KILLINGSWORTH LANE LOW WATER CROSSING IN PRECINCT TWO.
(10:46 AM) (12:01 PM) (4:20 PM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner McKee to approve Item A.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

- A.3** CONSIDER AND TAKE ACTION ON RESOLUTION AND ORDERS APPROVING THE INTERIM APPOINTMENT OF DR. NAPOLEON MAYORGA, MD., AS LOCAL HEALTH AUTHORITY. (2:09 PM)

Members of the Court heard from: David Lurie, Director of Austin-Travis County HHSD.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item A.3.

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

ADJOURNMENT

Motion by Commissioner Sonleitner **and seconded by** Commissioner McKee to adjourn the Voting Session. (6:07 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	- absent
	Precinct 4, Commissioner Margaret J. Gómez	- absent

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Bill Aleshire, Travis County Judge