

MINUTES – NOVEMBER 10, 1998

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 10th day of November, 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 11:59 AM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC), called to order the TCHFC Voting Session at 1:37 PM.

The Commissioners' Court adjourned the TCHFC Voting Session at 1:45 PM.

The Commissioners' Court reconvened the Voting Session at 1:45 PM.

The Commissioners' Court retired to Executive Session at 1:48 PM and reconvened the Voting Session at 3:10 PM.

The Commissioners' Court recessed the Voting Session at 3:21 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 3:22 PM and adjourned at 3:22 PM.

The Commissioners' Court reconvened the Voting Session at 4:05 PM.

The Commissioners' Court adjourned the Voting Session at 4:16 PM.

Clerk's Note: The Commissioners' Court record notes that Precinct One Commissioner-Elect Ron Davis was sworn in and took his seat as Precinct One Commissioner at 4:08 PM.

RESOLUTIONS AND HEARINGS

- 1. PRESENT RECYCLING AWARDS TO EMPLOYEES AND DEPARTMENTS DOING AN EXEMPLARY JOB SUPPORTING AND PROMOTING THE COUNTY'S RECYCLING PROGRAMS. (9:09 AM)

Discussion Only.

- 2. APPROVE COMMISSIONERS' COURT RESOLUTION PROCLAIMING NOVEMBER 11, 1998 "VETERANS' DAY". (9:13 AM)

Members of the Court heard from: William McLemore, Veterans' Services Officer, Travis County Veterans' Services Office.

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

- 3. APPROVE PUBLIC SERVICE RESOLUTIONS. (10:03 AM)

Motion by Judge Aleshire **and seconded by** Commissioner Moore to approve Item 3.

Motion carried:

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

- 4. APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF UNDESIGNATED ACCESS FOR LOTS 1, 2, 3, 11, AND 12, BLOCK 25, AUSTIN LAKE ESTATES SECTION ONE. (9:16 AM)

Motion by Commissioner Moore **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	-	absent

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

Motion by Commissioner Moore **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	-	absent

Clerk’s Note: The action Item for Item 4 is Consent Item C22. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court’s Motion and Vote.

CITIZENS COMMUNICATION

Members of the Court heard from: Albert Almanza, President, Board of Directors, River City Youth Foundation; Mona Gonzalez, Executive Director, River City Youth Foundation; Gus Peña, President, East Austin Concerned Hispanics; Shonda Wiggington, President, Freedom Lovers International; Alex Jones, Private Citizen; Mike Hansen, Texans for Freedom; Mrs. Sary, Private Citizen; John Foreman, Texas Best Seminars; Robert Kurtz, Private Citizen; James Pamplin, Precinct 1 Resident, Imperial Valley Neighborhood Association; and David Escamilla, First Assistant County Attorney. (9:19 AM)

CONSENT ITEMS

5. **Motion by** Commissioner Sonleitner **and seconded by** Commissioner McKee to approve the following Consent Items: C1-C22, and 11, 12, 13.A, B, and C, 16, and 22. (9:49 AM) (3:14 PM)

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney.

Motion carried:

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

Clerk’s Note: Item C16 was further discussed at 3:14 PM.

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and David Escamilla, First Assistant County Attorney.

Motion by Commissioner Moore **and seconded by** Commissioner Gómez to reconsider the Court’s earlier Motion to approve all the Consent Items, including Item C16.

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

Motion by Commissioner Moore **and seconded by** Commissioner Gómez to re-approve all Consent Items that were approved earlier, including Items 11, 12, 13.A, B, and C, 16, and 22, as well as C1-C22, with the exception of Item C16, and to reject all bids on Item C16, and re-advertise for bids.

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.

CONSENT ITEMS CONTINUED

- 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: OCTOBER 27, 1998; AND NOVEMBER 3, 1998; ALSO PLANNING AND BUDGET VOTING SESSIONS OF JULY 8 AND 9, 1998.
- C4. APPROVE PRINTING OF 500+ COPIES OF FLYER FOR 1998 BROWN SANTA PROGRAM AND APPROVE DISTRIBUTION WITH PAYROLL CHECK ON NOVEMBER 13, 1998.
- C5. ESTABLISH CHANGE FUND FOR TRAVIS COUNTY COMMUNITY SUPERVISION AND CORRECTIONS (CSCD) FROM THE GENERAL FUND PER COUNTY AUDITOR'S NEW PROCEDURE (LOCAL GOV'T CODE SECTIONS 130.902 AND 130.904).
- C6. APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSION TO CONTINUE.
 - A. APPROVE GRANT APPLICATION TO TARGET STORES FOR SENIOR AND VOLUNTEERS FOR CHILDHOOD IMMUNIZATION (SVC1) PROJECT FUNDING.
 - B. APPROVE PERMISSION TO CONTINUE ACCESS AND VISITATION GRANT FOR JUVENILE COURT.
- C7. APPROVAL TO TNR PARKS DEPARTMENT TO REVISE THE CHANGE FUND (CASH BANKS) TOTAL FROM \$2,510.00 TO \$2,210.00.
- C8. APPROVE LICENSE AGREEMENT FOR USE OF TRAVIS COUNTY ADMINISTRATION BUILDING PARKING GARAGE ON NOVEMBER 14 AND NOVEMBER 15, 1998 TO TEXAS BOOK FESTIVAL.
- C9. APPROVE CONTRACT FROM TEXAS DEPARTMENT OF HUMAN SERVICES FOR THE CARE OF ELDERLY AND DISABLED FOR THE PROPOSED AMOUNT OF \$27,590.00. THESE FUNDS WILL BE USED TOWARD CASE MANAGEMENT SERVICES AT TRAVIS COUNTY SERVICES FOR THE DEAF.
- C10. APPROVE WACKENHUT RECOMMENDATION OF MS. PRISCELLA MILES FOR THE POSITION OF ASSISTANT WARDEN OF PROGRAMS.

CONSENT ITEMS CONTINUED

- C11.** DECLARE THE ATTACHED LIST OF VEHICLES AND HEAVY EQUIPMENT AS SURPLUS (PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE).
- C12.** REVIEW AND APPROVE AUTOMATIC RENEWAL OF PROFESSIONAL SERVICES CONTRACT PS980067TS, FIRST SOUTHWEST ASSET MANAGEMENT, INC.; CONTRACT APPROVED ON 3/17/98.
- C13.** APPROVE MODIFICATION NO. 3 TO CONTRACT NO. PS960020LH, CARLOS M. LOREDO, PH.D., P.C., FOR PROVISION OF SEX OFFENDER TREATMENT SERVICES FOR JUVENILE COURT; MODIFICATION EXTENDS THE PERIOD OF SERVICE FOR AN ADDITIONAL YEAR, NOVEMBER 1, 1998 THROUGH OCTOBER 31, 1999; ORIGINAL CONTRACT APPROVED ON 10/31/95.
- C14.** APPROVE MODIFICATION NO. 5 TO CONTRACT NO. PS960294LJ, YOUTH ADVOCACY, INC., FOR PROVISION OF CASE MANAGEMENT SERVICES FOR THE JUVENILE OFFENDER SUBSTANCE ABUSE TREATMENT SERVICES NETWORK (JOSATS); MODIFICATION EXTENDS THE PERIOD OF SERVICE FOR AN ADDITIONAL YEAR, SEPTEMBER 30, 1998 THROUGH SEPTEMBER 30, 1999; ORIGINAL CONTRACT APPROVED ON JUNE 11, 1996.
- C15.** APPROVE MODIFICATION NO. 1 TO PURCHASE ORDER 152785 TO HOUSTON/GALVESTON AREA COUNCIL, PICKUP, CREW CAB; PURCHASE ORDER APPROVED ON 10/20/98; MODIFICATION ALLOWS FOR AN INCREASE OF \$780.00 FOR THE TOTAL AMOUNT OF \$46,607.18.
- C16.** APPROVE CONTRACT AWARD FOR ON-SITE COMMISSIONED SECURITY GUARD SERVICES, IFB B990003-DM, TO THE LOW, QUALIFIED BIDDER, COMPREHENSIVE INVESTIGATIONS & SECURITY, IN THE TOTAL AMOUNT OF \$57,200.00. (9:49 AM) (3:14 PM)
- Clerk's Note:** The Court voted to reconsider Item C16. Please refer to Item C5 (CONSENT ITEMS) for the Court's action on this Item.
- C17.** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACTS NO. 98T0055-JP, THROUGH 98T0058-JP, CAPITOL AGGREGATES, INC., COLORADO MATERIALS, AUSTIN ASPHALT CO. AND INDUSTRIAL ASPHALT, INC. RESPECTIVELY, FOR ASPHALTIC ROAD MATERIALS; CONTRACT APPROVED ON 12/23/97; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION.

CONSENT ITEMS CONTINUED

- C18.** APPROVE A PUBLIC HEARING DATE OF NOVEMBER 17, 1998 TO APPROVE A TEMPORARY ROAD CLOSURE OF PFLUGERVILLE LOOP WEST ROAD AT CULVERT BETWEEN HEATHERWILDE ROAD AND REGIS DRIVE FOR THE PURPOSE OF DRAINAGE IMPROVEMENTS IN PRECINCT TWO BY CAPITAL EXCAVATION.
- C19.** APPROVE A PUBLIC HEARING DATE OF NOVEMBER 24, 1998 FOR APPROVAL OF PROPOSED STREET NAME CHANGE FROM SEA PINES DRIVE TO "MICHAEL NEILL DRIVE" IN RIVER PLACE SECTION 13, PRECINCT TWO.
- C20.** APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN WILLOW RUN SECTION 7, A SUBDIVISION IN PRECINCT TWO.
- C21.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: STEINER RANCH PHASE 2 SECTION 3D- (LONGFORM – FISCAL POSTED WITH TRAVIS COUNTY – 45 LOTS – 17.7626 ACRES – QUINLAN PARK ROAD – WASTEWATER SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17).
- C22.** APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF UNDESIGNATED ACCESS FOR LOTS 1, 2, 3, 11, AND 12, BLOCK 25, AUSTIN LAKE ESTATES SECTION ONE.

Clerk's Note: Item C22 is the action Item for Agenda Item 4.

ADMINISTRATIVE ITEMS

- 6. CANVASS THE TRAVIS COUNTY GENERAL ELECTION RESULTS HELD ON NOVEMBER 3, 1998. (9:50 AM)

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk; Alex Jones, Private Citizen; Tamara Armstrong, Assistant County Attorney; Mike Hansen, Private Citizen; and Mrs. Sary, Private Citizen.

Motion by Commissioner McKee **and seconded by** Commissioner Moore to waive the full reading of the report and accept the canvass of the General Election held on November 3, 1998.

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. ACCEPT FILING OF OFFICIAL BONDS OF COUNTY COMMISSIONERS. (4:05PM)

Members of the Court heard from: Judge Wilford Flowers, 147th District Court; and Ron Davis, Commissioner-Elect, Precinct 1.

Motion by Commissioner McKee **and seconded by** Commissioner Moore to accept the filing of the bonds.

Motion carried:

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

- 8. RECEIVE BRIEFING ON RECOMMENDATIONS FROM CONSULTANT DAVID M. GRIFFITH ON OPPORTUNITIES FOR INCREASED FEDERAL AND STATE REIMBURSEMENTS AND TAKE APPROPRIATE ACTION. (10:10 AM)

Members of the Court heard from: Christian Smith, Executive Manager, Planning and Budget Office (PBO); Mark Epstein, Vice President, David M. Griffith and Associates; Bill Benton, Consultant, Benton and Associates; Joe Borgo, Consultant with David M. Griffith and Associates; Barbara White, Dean of the School of Social Work, University of Texas; Mike Lauderdale, Consultant, Professor, University of Texas at Austin; Barbara Swift, Deputy Director of Juvenile Court; Steve Lane, Private Citizen; Florence Charity, Private Citizen; and Mike Hansen, Private Citizen.

Discussion Only.

Item 8 to be reposted on November 24, 1998.

- 9. CONSIDER AND DECIDE AN APPEAL BY REYNALDO RAMIREZ, OWNER, OF THE DETERMINATION BY THE HEALTH AUTHORITY THAT A PUBLIC NUISANCE EXISTS AT THE PROPERTY LOCATED AT SADDLE CIRCLE AND REATA (LOT 16, EL RANCHO), PURSUANT TO CHAPTER 61 OF THE TRAVIS COUNTY CODE. (9:08 AM)

Item 9 postponed until November 24, 1998.

- 10. RECEIVE BRIEFING, DISCUSS AND/OR TAKE APROPRIATE ACTIONS REGARDING THE POTENTIAL PURCHASE OF PROPERTIES LOCATED AT 812 SAN ANTONIO AND 1601 RIO GRANDE. (11:31 AM) (1:48 PM) (3:10 PM)

Members of the Court heard from: Belinda Poppa, Capital Planning Coordinator, PBO.

Commissioner Sonleitner announced that Item 10 would be considered in Executive Session.

Motion by Judge Aleshire and seconded by Commissioner Sonleitner to renew the letter of intent until 5:00 PM, December 1, 1998 for the same amount of \$13 million and that the County continue negotiations with the seller.

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	-	no

Item 10 to be reposted on November 17, 1998.

- 11. APPROVE A CONSTRUCTION LICENSE AGREEMENT TO IMPROVE A PORTION OF DAFFAN LANE FOR THE PURPOSE OF STREET REHABILITATION IN PRECINCT ONE. (9:49 AM)**

Item 11 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- 12. APPROVE SECOND AMENDMENT TO STEINER RANCH MASTER ROADWAY PHASING AGREEMENT TO ALLOW SALE OF FOUR SUBDIVISIONS IN DEVELOPMENT WHILE MAINTAINING FISCAL OBLIGATIONS. (9:49 AM)**

Item 12 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- 13. A. APPROVE PRELIMINARY PLAN IN PRECINCT TWO: RIDGE AT STEEDS CROSSING SECTION TWO – (FISCAL POSTED WITH TRAVIS COUNTY – 254 LOTS – 49.279 ACRES – PETER MARTIN ROAD – WASTEWATER SERVICE TO BE PROVIDED FOR BY THE KELLEY LANE UTILITY COMPANY). (9:49 AM)**
- B. APPROVE A CASH SECURITY AGREEMENT WITH 685, LTD., STEED DEVELOPMENT, INC., FOR RESTORATION FISCAL FOR THE RIDGE AT STEEDS CROSSING SECTION TWO, PHASE A, A SUBDIVISION IN PRECINCT TWO.**
- C. APPROVE AN ALTERNATIVE FISCAL AGREEMENT WITH 685, LTD., STEED DEVELOPMENT, INC., FOR THE RIDGE AT STEEDS CROSSING SECTION TWO, PHASE A, A SUBDIVISION IN PRECINCT TWO.**

Items 13.A, B, and C added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

14. CONSENT TO SUBLEASE BETWEEN MANCHACA VOLUNTEER FIRE DEPARTMENT AS SUBLESSOR AND MANCHACA VOLUNTEER FIRE DEPARTMENT AND MANCHACA EMERGENCY MEDICAL SERVICES, INC. (11:27 AM)

Members of the Court heard from: Clarence Vogel, President, Manchaca Volunteer Fire Dept.; and Barbara Wilson, Assistant County Attorney.

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

Motion carried:

County Judge Bill Aleshire	-	yes
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

15. APPROVE REQUEST FOR OUTSIDE LIGHTING AT SMART FACILITY. (9:08 AM)

Item 15 postponed until November 17, 1998.

16. APPROVE STATE CATALOG PURCHASE OF NETWORK INTERFACE CARDS FOR INFORMATION AND TELECOMMUNICATIONS SYSTEMS FROM INACOM INFORMATION IN THE AMOUNT OF \$20,850.00. (9:49 AM)

Item 16 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

17. APPROVE CONTRACT AWARD FOR RESIDENTIAL HVAC SERVICES, IFB B980137-JP, FOR HEALTH AND HUMAN SERVICES, HOUSING DIVISION. (11:38 AM) (1:48 PM) (3:11 PM)

Commissioner Sonleitner announced that Item 17 would be considered in Executive Session.

Members of the Court heard from: Jerome Pilgrim, Travis County Purchasing Office; Cyd Grimes, Travis County Purchasing Agent; John Hille, Assistant County Attorney; and David Escamilla, First Assistant County Attorney.

Motion by Commissioner Moore **and seconded by** Commissioner Sonleitner to approve Staff recommendations on Item 17, awarding the contract to the second-lowest bidder, TK Mechanical, with the exceptions of Group A, Category D, and Group B, Category D, and advertise for re-bids for those items, with the opportunity for a second or third award.

Motion carried:

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

18. APPROVE REQUEST FOR PAYMENT OF FEES TO THE TEXAS NATURAL RESOURCES CONSERVATION COMMISSION (TNRCC) FOR ON-SITE WASTEWATER TREATMENT RESEARCH COUNCIL FEES IN THE AMOUNT OF \$2,370.00. (11:50 AM)

Item 18 pulled from the Agenda.

19. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (11:52 AM)

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

Motion by Commissioner Gómez **and seconded by** Commissioner McKee to approve Item 19.

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. APPROVE PERSONNEL AMENDMENTS. (11:53 AM)

Members of the Court heard from: Carlotta Valdez, Compensation and Benefits Manager, Human Resources Management Department (HRMD); and Norman McRee, Lead Personnel Analyst, HRMD.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 20, with the worker in Slot 78 approved to fill Slot 111 for the period of time that the Slot 111 worker is on unpaid leave; and that approval of Slot 1 (Commissioner, Precinct 1) be contingent upon the Commissioner-Elect taking office this afternoon.

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. REVIEW AND APPROVE THE FOLLOWING PROPERTY AND LIABILITY CLAIM RECOMMENDATIONS: (11:50 AM)

- A. CONSTABLE, PCT. 3 – SETTLE.
- B. CONSTABLE, PCT. 5 – SETTLE.
- C. TCSO – SETTLE.
- D. KIMBERLY SEIBERT – SETTLE.
- E. PIERCE LEAHY CORP. – SETTLE.
- F. STEVEN RODRIGUEZ – SETTLE.
- G. SOUTHWESTERN BELL – DENY.

Motion by Commissioner McKee **and seconded by** Commissioner Gómez to approve Staff recommendations on Items 21.A-G.

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

- 22. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST FUNDS. (9:49 AM)

Item 22 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

- 23. DISCUSS LEGAL ISSUES ASSOCIATED WITH NEGOTIATIONS RELATED TO DEVELOPMENT OF AGREEMENT WITH TEXAS AGRICULTURAL EXTENSION SERVICE AND PROVIDE DIRECTION IN NEGOTIATION OF AGREEMENT. ¹
(1:48 PM) (3:17 PM)

Commissioner Sonleitner announced that Item 23 would be considered in Executive Session.

Item 23 to be reposted on December 1, 1998.

- 24. PRESENT DETAILS OF SETTLEMENT IN SAWYER VENDING V. RICKS ALONG WITH FINAL RELEASE; DISCUSS FUTURE SETTLEMENTS. ¹ (1:48 PM)
(3:17 PM)

Commissioner Sonleitner announced that Item 24 would be considered in Executive Session.

Motion by Commissioner McKee **and seconded by** Commissioner Moore that Judge Aleshire be authorized to sign the final release document.

Motion carried:

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

Item 24 to be reposted on November 17, 1998 with amended wording.

- 25. 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 (1:48 PM) (3:18 PM)

Commissioner Sonleitner announced that Item 25 would be considered in Executive Session.

Item 25 to be reposted on November 17, 1998.

- 26. RECEIVE BRIEFING FROM COUNTY ATTORNEY CONCERNING THE CLASS CLAIM IN THE TEXAS POLITICAL ENTITIES ASBESTOS CLASS ACTION; SETTLEMENT WITH UNITED STATES GYPSUM COMPANY; AND TAKE APPROPRIATE ACTION AS TO THE FINAL DETERMINATION OF ALLOWED COSTS FOR MEMBERS OF THE COUNTIES AND HOSPITAL DISTRICTS SUBCLASS (GRACE; ALESHIRE; ASBESTOS CLASS ACTION). ¹ (1:48 PM) (3:18 PM)

Commissioner Sonleitner announced that Item 26 would be considered in Executive Session.

Motion by Commissioner Moore **and seconded by** Commissioner Gómez to approve the settlement that has been offered to the County in the amount of \$82,286.80 for the University Savings Building and \$83,337.20 for the CSCD Building, according to the agreement.

Motion carried:

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

27. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN STEPHEN P. BROWN V. TRAVIS COUNTY ET AL, CAUSE NO. A-98-CA-004-SS; (BROWN; FRASIER; CIVIL RIGHTS). ¹ (1:48 PM) (3:19 PM)

Commissioner Sonleitner announced that Item 27 would be considered in Executive Session.

Motion by Judge Aleshire and seconded by Commissioner Gómez to reject the settlement offer.

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

28. APPROVE SETTLEMENT AGREEMENT WITH SHANNON L. MADISON, RUTH MADISON, AND THE DEAN WORD COMPANY FOR ACQUISITION OF RIGHT-OF-WAY AND SLOPE EASEMENT FOR DEE GABRIEL COLLINS ROAD, CONVEYANCE OF INTEREST IN MADISON LANE, PAYMENT OF CASH CONSIDERATION, AND RELEASE OF CAUSE NUMBER 2240 FILED IN THE PROBATE COURT NUMBER ONE. ¹ (1:48 PM) (3:20 PM)

Commissioner Sonleitner announced that Item 28 would be considered in Executive Session.

Motion by Commissioner Moore and seconded by Commissioner Sonleitner that Judge Aleshire be authorized to sign the settlement documents when they are received and to accept the settlement offer.

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

- 29.** APPROVE LICENSE AGREEMENTS WITH LAKE AUSTIN SPA INVESTORS, LTD., FOR ACCESS ACROSS MARY QUINLAN PARK. ¹ (1:48 PM) (3:20 PM)

Commissioner Sonleitner announced that Item 29 would be considered in Executive Session.

Item 29 to be reposted on November 17, 1998.

- 30.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION IN STATE OF TEXAS V. THE LUNDELL 1991 TRUST, CIP PROJECT 1-003C, PARMER LANE EAST; (LUNDELL; GIESELMAN; CONDEMNATION). ¹ (1:48 PM) (3:20 PM)

Commissioner Sonleitner announced that Item 30 would be considered in Executive Session.

Item 30 pulled from the Agenda.

- 31.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT, OR COUNTER SETTLEMENT DEMAND ON PROJECT 97-21, HOWARD LANE, PARCEL NO. 15; RIDGE INVESTORS, A TEXAS LIMITED PARTNERSHIP, THE CITY OF AUSTIN AND TRAVIS COUNTY, TEXAS; (RIDGE INVESTORS; GIESELMAN; CONDEMNATION). ¹ (1:48 PM)

Item 31 pulled from the Agenda.

- 32.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT OR COUNTER SETTLEMENT DEMAND ON PROJECT 97-21, HOWARD LANE, PARCELS NO. 13 AND 14; RIDGE INVESTORS, A TEXAS LIMITED PARTNERSHIP, AND TRAVIS COUNTY, TEXAS; (RIDGE INVESTORS; GIESELMAN; CONDEMNATION). ¹ (1:48 PM)

Item 32 pulled from the Agenda.

- 33. **ADDED ITEM:** - APPROVE OR REJECT RIGHT-OF-ENTRY AGREEMENT ON PROJECT 97-21, HOWARD LANE, PARCELS NO. 13, 14, AND 15; RIDGE INVESTORS, A TEXAS LIMITED PARTNERSHIP, AND TRAVIS COUNTY, TEXAS; (RIDGE INVESTORS; GIESELMAN; CONDEMNATION). ¹ (1:48 PM) (3:13 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner McKee to approve Item 33 and to ask that Judge Aleshire immediately sign these documents.

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

THE FOLLOWING ITEMS ARE ADDENDA:

- A.1 APPROVE CONTRACT, CONTRACT MODIFICATION AND MAKING OF CONTRACT TO THE SOLE BIDDER, FAR WEST CONSTRUCTION FOR THE POST ROAD RENOVATION PROJECT, IFB NO. B980722-JG, IN THE AMOUNT OF \$432,600.00. (1:45 PM)

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

A.2 APPROVE AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND THE CITY OF AUSTIN IMPLEMENTING THE BALCONES CANYONLANDS CONSERVATION PLAN – SHARED VISION.
(1:46 PM)

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

ADJOURNMENT

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to adjourn the Voting Session. (4:16 PM)

Motion carried: County Judge Bill Aleshire - yes
Precinct 1, Commissioner Ron Davis - 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

Date of Approval

Bill Aleshire, Travis County Judge