

MINUTES – NOVEMBER 24, 1998

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 24th 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 10:45 AM.

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 10:46 AM and adjourned at 10:47 AM.

The Commissioners' Court reconvened the Voting Session at 10:47 AM.

The Commissioners' Court retired to Executive Session at 10:47 AM and reconvened the Voting Session at 12:42 PM.

The Commissioners' Court adjourned the Voting Session at 12:47 PM.

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

RESOLUTIONS AND HEARINGS

1. APPROVE PUBLIC SERVICE RESOLUTION. (9:57 AM)

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

Motion by Judge Aleshire **and seconded by** Commissioner Gómez to approve Item 1.

Motion carried:

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

2. RECEIVE BRIEFING ON TRAVIS COUNTY COMBINED CHARITIES. (9:08 AM)

Item 2 postponed until December 1, 1998.

3. APPROVE PROPOSED STREET NAME CHANGE FROM SEA PINES DRIVE TO “MICHAEL NEILL DRIVE” IN RIVER PLACE SECTION 13, IN PRECINCT TWO. (9:10 AM)

Motion by Commissioner Gómez **and seconded by** Commissioner Davis that the Public Hearing be opened.

Motion carried:

County Judge Bill Aleshire	-	absent
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	absent
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 Gómez **and seconded by** Commissioner Davis that the Public Hearing be closed.

Motion carried:

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

Clerk’s Note: The action Item for Item 3 is Consent Item C14. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 4. APPROVE A RESOLUTION AMENDING THE BCCP SHARED VISION AGREEMENT TO ALLOW ACCEPTING CONSERVATION EASEMENTS IN LIEU OF FEES TO BENEFIT THE BCCP. (9:11 AM) (10:07 AM)

Motion by Commissioner Moore **and seconded by** Commissioner Gómez to approve Item 4.

Motion carried:

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

Clerk’s Note: Item 4 was further discussed at 10:07 AM with a request by Judge Aleshire that the Commissioners’ Court record reflect a Corrected Vote on Item 4. Judge Aleshire instructed that, with no objection, the Minutes reflect that the Court approved by Consensus, Judge Aleshire voting yes on the referenced Item. The Commissioners’ Court record does reflect the Corrected Vote.

Motion carried:

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

CITIZENS COMMUNICATION

Members of the Court heard from: Gus Peña, President, East Austin Concerned Hispanics; Shonda Wiggington, President, Freedom Lovers International; John Foreman, Producer, In-Your-Face Campaign; Robert Kurtz, Private Citizen; Kenneth Snyder, Resident, Northridge Subdivision; and Mary Aleshire, Democratic Precinct Chair, Precinct 462. (9:13 AM)

CONSENT ITEMS

- 5. **Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C14 (excluding C5, C6, and C9), and 15, 18, 20.A, B, and C, 21, 22, 23, 24, and 27. (9:30 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Jim Connolly, Assistant County Attorney.

Motion carried:

County Judge Bill Aleshire	-	absent
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	absent
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. CORRECTED WORDING: APPROVE COMMISSIONERS' COURT MINUTES FOR VOTING SESSION OF NOVEMBER 10, 1998.
- C4. APPROVE DONATION FROM ST. GEORGE'S EPISCOPAL CHURCH FOR 50 PLASTIC CHAIRS TO SHERIFF'S OFFICE (THE INMATE SERVICES AREA AND THE INMATE CHAPEL).
- C5. APPROVE BOND FOR RESERVE DEPUTY FOR CONSTABLE PRECINCT 5 OFFICE FOR TRACY JEAN VAUGHN. (9:32 AM)

Item C5 postponed until December 1, 1998.

- C6. CORRECTED WORDING: APPROVE STREET NAME CHANGE FROM SEA PINES DRIVE TO "MICHAEL NEILL DRIVE" IN RIVER PLACE SECTION 13, IN PRECINCT 2. (9:09 AM)

Item C6 pulled from the Agenda.

- C7. APPROVE A PUBLIC HEARING DATE OF DECEMBER 15, 1998 IN ORDER TO APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A FIVE FOOT PUBLIC UTILITY EASEMENT ON LOT 11 AND A FIVE FOOT UTILITY EASEMENT ON LOT 12, BLOCK 5, AUSTIN LAKE ESTATES SECTION ONE, A SUBDIVISION IN PRECINCT 3.

CONSENT ITEMS CONTINUED

- C8.** APPROVAL OF SETTING A PUBLIC HEARING ON DECEMBER 29, 1998 FOR THE REVISION OF A SUBDIVISION IN PRECINCT 3: RESUBDIVISION OF LOT 26, THURMAN BEND ESTATES (SHORTFORM – NO FISCAL REQUIRED – 2 LOTS – 11.18 ACRES – THURMAN BEND ROAD – OUTSIDE ETJ – SEPTIC APPROVAL BY LCRA).

- C9.** APPROVAL OF PLAT FOR RECORDING IN PRECINCT TWO: RANCH AT CYPRESS CREEK SECTION 9 – (FISCAL POSTED WITH THE CITY OF . (9:09 AM)

Item C9 postponed until December 1, 1998.

- C10.** APPROVE CONTRACT AWARD FOR THE PROVISION OF SHERIFF’S UNIFORMS, IFB #B990007-LD, TO THE LOW QUALIFIED BIDDER, MILLER UNIFORMS AND EMBLEMS, AUSTIN, TX.

- C11.** APPROVE MODIFICATION NO. 3 TO INTERLOCAL AGREEMENT NO. IL960396LH, AUSTIN INDEPENDENT SCHOOL DISTRICT FOR THE PROVISION OF PARENTING SKILLS EDUCATION, THROUGH THE POSITIVE PARENTS PROGRAM, FOR PARENTS OF FIRST TIME AND REPEAT JUVENILE OFFENDERS. MODIFICATION EXTENDS THE PERIOD OF SERVICE FOR AN ADDITIONAL YEAR, OCTOBER 1, 1998 THROUGH SEPTEMBER 30, 1999. ORIGINAL CONTRACT WAS APPROVED BY COMMISSIONERS’ COURT ON AUGUST 27, 1996.

- C12.** REQUEST AUTHORIZATION TO ENTER INTO CONTRACT NEGOTIATIONS WITH ALL SUBMITTING PROPONENTS OF RFQ #Q980032JJ, PROFESSIONAL SURVEYING SERVICES.

- C13.** AUTHORIZE COUNTY JUDGE TO SIGN CLOSING DOCUMENTS FOR THE PURCHASE OF LAND AND IMPROVEMENTS FOR THE TCSO EAST COMMAND CENTER AND WAREHOUSE FACILITY IN THE AMOUNT OF \$2,100,060.00.

- C14.** APPROVE PROPOSED STREET NAME CHANGE FROM SEA PINES DRIVE TO “MICHAEL NEILL DRIVE” IN RIVER PLACE SECTION 13, IN PRECINCT 2.

Clerk’s Note: Item C14 is the action Item for Agenda Item 3.

ADMINISTRATIVE ITEMS

6. ACCEPT FILING OF OFFICIAL BONDS OF COUNTY COMMISSIONERS.
(9:33 AM)

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 6.

Motion carried:

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

7. 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 7 pulled from the Agenda.

8. RECEIVE UPDATE ON THE ON-SITE SEWAGE FACILITIES RULES AND GIVE STAFF DIRECTION. (9:34 AM) (10:47 AM) (12:42 PM)

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

Commissioner Moore announced that Item 8 would be considered in Executive Session.

Item 8 to be reposted on December 1, 1998.

9. A. DISCUSS, APPROVE, OR GIVE DIRECTION REGARDING THE FOLLOWING CONTRACT MODIFICATIONS FOR PHASE I TCCC IMPROVEMENTS. (9:35 AM)

- 1. CONTRACT MODIFICATION NO. 2 TO RGM CONSTRUCTORS L.P. (SITE GRADING PACKAGE, CONTRACT NO. 98K0708A) FOR A DECREASE TO THE CONTRACT AMOUNT OF (-\$7,606.00).
- 2. CONTRACT MODIFICATION NO. 3 TO RGM CONSTRUCTORS, L.P. (SITE GRADING PACKAGE, CONTRACT NO. 98K0708A) FOR AN INCREASE TO THE CONTRACT AMOUNT OF \$6,859.47.
- 3. CONTRACT MODIFICATION NO. 4 TO RGM CONSTRUCTORS L.P. (SITE GRADING PACKAGE, CONTRACT NO. 98K0708A) FOR AN INCREASE TO THE CONTRACT AMOUNT OF \$46,525.02 AND AN INCREASE TO THE CONTRACT TIME OF 23 CALENDAR DAYS.

B. DISCUSS, APPROVE, OR GIVE DIRECTION REGARDING REALLOCATING \$11,300.00 FROM THE WATER QUALITY IMPROVEMENTS PROJECT BUDGET TO THE TCCC PHASE 1 PROJECT BUDGET TO CONSTRUCT A PORTION OF THE WATER QUALITY IMPROVEMENTS WORK AT THE TCCC UNTIL REMAINING WATER QUALITY MEASURES CAN BE RESOLVED AND PERMANENT FEATURES COMPLETED.

Items 9.A.1, 2, and 3, and 9.B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Kevin Bailey, Director, Facilities Management; Mike Barrow, Construction Project Manager, Fluor Daniel; and Ken Gaede, Project Manager, Facilities Management.

Motion by Commissioner Moore **and seconded by** Commissioner Gómez to approve Items 9.A.1, 2, and 3, and 9.B.

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

- 10. DISCUSS, APPROVE, OR GIVE DIRECTION REGARDING THE FOLLOWING CONTRACT MODIFICAITONS TO KANETZKY ELECTRIC, INC. (SITE ELECTRICAL PACKAGE, CONTRACT NO. 98K0708C) FOR THE TCCC PHASE 1 PROJECT: (10:05 AM)
 - A. CONTRACT MODIFICATION #1 FOR AN INCREASE TO THE CONTRACT AMOUNT OF \$6,313.00.
 - B. CONTRACT MODIFICATION #2 FOR AN INCREASE TO THE CONTRACT AMOUNT OF \$9,042.00.
 - C. CONTRACT MODIFICATION #3 FOR AN INCREASE TO THE CONTRACT AMOUNT OF \$29,182.00.
 - D. CONTRACT MODIFICATION #4 FOR AN INCREASE TO THE CONTRACT AMOUNT OF \$35,096.00.

Clerk's Note: Items 10.A, B, C, and D are associated with one another and were called for concurrent discussion.

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

Motion by Commissioner Gómez **and seconded by** Commissioner Moore to approve Items 10.A, B, C, and D.

Motion carried:

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

11. RECEIVE BRIEFING, DISCUSS AND/OR TAKE APPROPRIATE ACTIONS REGARDING THE POTENTIAL PURCHASE OF PROPERTIES LOCATED AT 812 SAN ANTONIO AND 1601 RIO GRANDE. (10:10 AM) (10:47 AM) (12:43 PM)

Members of the Court heard from: Belinda Poppa, Capital Planning Coordinator, Planning and Budget Office (PBO); John Hille, Assistant County Attorney; and David Escamilla, First Assistant County Attorney.

Judge Aleshire announced that Item 11 would be considered in Executive Session.

Motion by Judge Aleshire **and seconded by** Commissioner Davis to request the owners, or appropriate representatives of the owners of 1601 Rio Grande, to provide access to any and all records, and the facility, in order to perform necessary due diligence on the potential purchase of that property; that that request be transmitted through the County Attorney’s Office and Facilities Management; that, to the extent authorized by law, there be preparations made for action by the Commissioners’ Court next week to perform that due diligence inspection; and that the County Judge, or, in the absence of the County Judge, any Commissioner, be authorized to sign the documents that may be necessary in order to achieve that access.

Motion carried:	County Judge Bill Aleshire	-	yes
	Precinct 1, Commissioner Ron Davis	-	yes
	Precinct 2, Commissioner Karen Sonleitner	-	absent
	Precinct 3, Commissioner Margaret Moore	-	yes
	Precinct 4, Commissioner Margaret J. Gómez	-	no

Item 11 to be reposted on December 1, 1998.

12. APPROVE AND/OR GIVE STAFF DIRECTION ON FIVE-YEAR CONTRACT AWARD TO THE SOLE BIDDER, SEVERN TRENT ENVIRONMENTAL SERVICES, INC., IN THE ESTIMATED AMOUNT OF \$121,300.00 (\$20,000.00 IN FY '99) FOR WASTEWATER TREATMENT PLANT SERVICES (IFB #B990009-MG). (10:13 AM)

Members of the Court heard from: Kevin Bailey, Director of Facilities Management; Patricia Goodman, Assistant County Attorney; and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Commissioner Moore **and seconded by** Commissioner Gómez to approve Item 12.

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

13. A. DISCUSS FY '99 BUDGET FOR VOTER-APPROVED BONDS AND CERTIFICATES OF OBLIGATION. (10:20 AM)

B. GIVE ALL OTHER AUTHORIZATIONS NECESSARY FOR ISSUING CERTIFICATES OF OBLIGATION AND VOTER-APPROVED BONDS.

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

Members of the Court heard from: Christian Smith, Executive Manager, PBO; and Karen Shafer Castro, Senior Planning and Budget Analyst, PBO.

Motion by Commissioner Moore **and seconded by** Commissioner Davis to give Staff authorization to prepare the necessary paperwork to issue \$37,810,000.00 in voter-approved bonds, \$5,005,000.00 in short-term CO's, and \$13,100,000.00 in long-term CO's, for a total issuance of \$55,915,000.00.

A Division of the Vote was requested by Commissioner Gómez regarding Item 13.B, so that the issuance of \$37,810,000.00 in voter-approved bonds, and \$5,005,000.00 in short-term CO's could be considered separately from the issuance of \$13,100,000.00 in long-term CO's.

First Division of the Vote: Approve the issuance of \$13,100,000.00 in long-term CO's for building purchase.

Motion carried: County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	absent
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	no

Second Division of the Vote: Approve the issuance \$37,810,000.00 in voter-approved bonds, and \$5,005,000.00 in short-term CO's.

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

Item 13 to be reposted on December 1, 1998.

14. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:08 AM)

Item 14 pulled from the Agenda.

15. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTHS OF SEPTEMBER AND OCTOBER, 1998. (9:30 AM)

Item 15 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court’s Motion and Vote.

16. APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSION TO CONTINUE. (10:42 AM)

Item 16 pulled from the Agenda.

17. APPROVE PERSONNEL AMENDMENTS. (10:43 AM)

Members of the Court heard from: Norm McRee, Lead Personnel Analyst, Human Resources Management Department (HRMD).

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Staff recommendations on Item 17, pulling Slot 76 as requested by Judge Denton.

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

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

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

19. REVIEW AND APPROVE THE FOLLOWING LIABILITY CLAIM RECOMMENDATION: (10:44 AM)

A. LIDIA MARQUEZ – SETTLE

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

Motion by Commissioner Gómez and seconded by Commissioner Moore to approve Staff recommendation on Item 19.

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

20. A. APPROVE A PRELIMINARY PLAN IN PRECINCT 3: MADRONE RANCH SUBDIVISION (38 LOTS – 188.56 ACRES – FM 3238 – ON-SITE SEPTIC SYSTEM). (9:30 AM)

B. APPROVE THE USE OF A FORM OF LETTER OF CREDIT DIFFERENT FROM THE STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS FOR THE POSTING OF ALTERNATIVE FISCAL FOR MADRONE RANCH, A SUBDIVISION IN PRECINCT 3.

C. APPROVAL OF AN ALTERNATE FISCAL AGREEMENT WITH LEE F. SIGNOR FOR MADRONE RANCH, A SUBDIVISION IN PRECINCT 3.

Items 20.A, B, and C added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court’s Motion and Vote.

21. APPROVE AGREEMENT WITH GEORGE WIMPEY OF TEXAS, INC. FOR THE IMPROVEMENT OF A PORTION OF BRATTON LANE, A COUNTY ROAD, ADJACENT TO THE LAKE AT WELLS BRANCH SECTION 1 AND SECTION 2, IN PRECINCT 2. (9:30 AM)

Item 21 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 22. APPROVE A CASH SECURITY AGREEMENT FOR RESIDENTIAL SIDEWALK IMPROVEMENTS FOR THE LAKE AT WELLS BRANCH SECTION 1 AND 2, TWO SUBDIVISIONS IN PRECINCT 2. (9:30 AM)**

Item 22 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- 23. APPROVAL OF ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN LAKE AT WELLS BRANCH SECTION 1 AND SECTION 2, SUBDIVISIONS IN PRECINCT 2. (9:30 AM)**

Item 23 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- 24. APPROVE LICENSE AGREEMENT WITH LAKE AT WELLS BRANCH OWNERS ASSOCIATION FOR LANDSCAPING AND IRRIGATION IN THE RIGHT-OF-WAY OF LOON LAKE DRIVE AT LAKE AT WELLS BRANCH SECTION 1, IN PRECINCT 2. (9:30 AM)**

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

- 25. APPROVE THE USE OF A FORM OF LETTER OF CREDIT DIFFERENT FROM THE STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS FOR THE POSTING OF ALTERNATIVE FISCAL FOR THE MADRONE RANCH, A SUBDIVISION IN PRECINCT 3. (9:08 AM)**

Item 25 pulled from the Agenda.

- 26. APPROVAL OF PLAT FOR RECORDING IN PRECINCT 3: LAKECLIFF ON LAKE TRAVIS SECTION FIVE – (SHORTFORM – NO FISCAL REQUIRED – 4 LOTS – 6.855 ACRES – CLIFF OVERLOOK – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY). (9:08 AM)**

Item 26 postponed until December 1, 1998.

27. CONSIDER AND TAKE ACTION ON THE RENEWAL OF THE INTERLOCAL COOPERATION AGREEMENT BETWEEN TRAVIS COUNTY AND CALDWELL-TRAVIS SOIL AND WATER CONSERVATION DISTRICT #304. (9:30 AM)

Item 27 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

28. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT, OR COUNTER SETTLEMENT PROPOSAL REGARDING PROJECT 97-21, HOWARD LANE, PARCELS NO. 13, 14, & 15; RIDGE INVESTORS, A TEXAS LIMITED PARTNERSHIP, AND TRAVIS COUNTY, TEXAS; (RIDGE, INVESTORS; GIESELMAN; CONDEMNATION). ¹ (10:47 AM) (12:45 PM)

Judge Aleshire announced that Item 28 would be considered in Executive Session.

Item 28 to be reposted on December 1, 1998.

29. PRESENT DETAILS OF SETTLEMENT IN SAWYER VENDING V. RICKS ALONG WITH FINAL RELEASE; DISCUSS FUTURE SETTLEMENTS. (9:09 AM)

Item 29 pulled from the Agenda.

30. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER IN THE MATTER OF RAYMOND LEE ARRINGTON V. TRAVIS COUNTY FILE NO. 186.1 (ARRINGTON; MERCER; GRIEVANCT). ³ (10:47 AM) (12:45 PM)

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

Item 30 to be reposted on December 1, 1998.

31. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING POSSIBLE LITIGATION INVOLVING DANIEL AND AMELIA GRIZAS AND VARIOUS CONTRACTORS, INSTALLERS, ENGINEERS AND SANITARIANS REGARDING THE APPLICATION OF THE COUNTY'S ON-SITE SEWAGE FACILITY RULES, AND TAKE APPROPRIATE ACTION. ¹ (10:47 AM) (12:45 PM)

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

Item 31 to be reposted on December 1, 1998.

32. RECEIVE BRIEFING AND/OR AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN LORENZO LEWIS V. LAURA DAVENPORT, ET AL. (FRASIER; 1983; EXCESSIVE FORCE). ¹ (10:47 AM) (12:45 PM)

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

Item 32 to be reposted on December 1, 1998.

33. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN BEDFORD, KATHY ET AL., V. TRAVIS COUNTY, ET AL., CAUSE NO. A-97-CA-661 JN (BEDFORD; RUST; EMPLOYEE MATTER). ¹ (10:47 AM) (12:45 PM)

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

No Action Necessary. Judge Aleshire extended the Court's congratulations to the County Attorney's Office for a job well done.

34. **ADDED ITEM:** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT, OR COUNTER SETTLEMENT PROPOSAL IN STATE OF TEXAS V. THE LUNDELL 1991 TRUST, CIP PROJECT 1-003C, PARMER LANE EAST; (LUNDELL; GIESELMAN; CONDEMNATION). ¹ (10:47 AM) (12:45 PM)

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

Item 34 to be reposted on December 1, 1998.

- 35. **ADDED ITEM:** APPROVE AGREEMENT WITH BRE/BALDWIN RANCH, L.P., FOR DEDICATION OF B.C.C.P. HABITAT LAND AND PAYMENT OF \$32,160.00 FOR HABITAT MAINTENANCE. ¹ (10:47 AM) (12:45 PM)

Judge Aleshire announced that Item 35 would be considered in Executive Session.

Motion by Commissioner Moore **and seconded by** Commissioner Gómez to approve Item 35.

Motion carried:

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

ADDENDUM:

- A.1 APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. MA980138, CERTIFIED SYSTEMS, INC. (C.S.I.), MAINTENANCE FOR CHILD SUPPORT ENFORCEMENT OPERATIONS FOR DOMESTIC RELATIONS OFFICE. CONTRACT APPROVED IN COMMISSIONERS' COURT ON APRIL 28, 1998. MODIFICATION WILL ALLOW FOR A TWELVE (12) MONTH RENEWAL. (12:45 PM)

Motion by Judge Aleshire **and seconded by** Commissioner Gómez to approve Item A.1 with the added Caveat that cancellation of the contract cannot occur without a vote from the Court.

Motion carried:

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

ADJOURNMENT

Motion by Commissioner Moore **and seconded by** Commissioner Davis to adjourn the Voting Session. (12:47 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge