

MINUTES OF MEETING--JANUARY 21, 1997

TRAVIS COUNTY COMMISSIONERS' COURT

On the 21st day of January 1997, the Commissioners' Court convened the Voting Session at 9:15 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 Julianne Rompel.

The Commissioners' Court recessed the Voting Session at 12:10 PM and reconvened the Voting Session at 1:40 PM.

The Commissioners' Court retired to Executive Session at 1:55 PM and reconvened the Voting Session at 3:11 PM.

The Commissioners' Court recessed the Voting Session at 3:16 PM pending conclusion of the road district meeting and reconvened the Voting Session at 3:17 PM.

The Commissioners' Court adjourned the Voting Session at 3:24 PM.

RESOLUTIONS AND PUBLIC HEARINGS

- 1. INTRODUCTION OF SHERIFF FRASIER'S COMMAND STAFF. (9:15 AM)
(1:53 PM)**

Judge Aleshire announced that this Item would be taken at 1:30 PM.

Item 1 to be reposted for January 28, 1997.

- 2. RECEIVE REPORT ON TRAVIS COUNTY COMBINED CHARITIES CAMPAIGN
AND AWARD TO THE CARING CONTRIBUTORS CIRCLE CHARTER MEMBER.
(9:17 AM)**

Members of the Court heard from Amalia Rodriguez-Mendoza.

Awards were presented to David Ferris, County Clerk's Office and John Carr, Facilities Management.

Discussion and presentation only.

CITIZENS' COMMUNICATION

Members of the Court heard from Bob Barstow. (9:21 AM)

Cora Wright, Health and Human Services Department introduced Alfredo Carazco, Housing Services Manager. (9:34 AM)

CONSENT ITEMS

- 3.** Motion by Commissioner Gómez and seconded by Commissioner Biscoe to approve the following Consent Items: 19, Addenda Item 1, and C. 1 - C.14; excluding Consent Items 10 and 12. (9:35 AM)

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

Members of the Court heard from Joe Gieselman, Executive Director of Transportation and Natural Resources.

- C.1** RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C.2** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION FACILITIES.
- C.3** APPROVE COMMISSIONERS' COURT MINUTES FOR VOTING SESSIONS OF DECEMBER 17, 23 AND 31, 1996.
- C.4** CONSIDER AND TAKE ACTION ON INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF AUSTIN AND TRAVIS COUNTY UNDER THE RYAN WHITE COMPREHENSIVE AIDS RESOURCES EMERGENCY ACT OF 1990, AS AMENDED BY THE AMENDMENTS OF 1996.
- C.5** CONSIDER AND TAKE ACTION ON TERMINATION OF 1996 CONTRACT WITH GREATER AUSTIN COUNCIL ON ALCOHOLISM & DRUG ABUSE, INC.
- C.6.** (A) ACCEPT ASSIGNMENT OF OIL AND GAS LEASE COVERING TRACT 40, TRAVIS COUNTY SCHOOL LAND, THROCKMORTON COUNTY, TEXAS.
- (B) ACCEPT ASSIGNMENT OF OIL AND GAS LEASE COVERING TRACTS 48 AND 49, TRAVIS COUNTY SCHOOL LAND, THROCKMORTON COUNTY, TEXAS.
- C.7** APPROVE CONTRACT AWARD FOR THE PROVISION OF PSYCHIATRIC SERVICES FOR JUVENILES IN THE DETENTION CENTER AND THE YOUTH SHELTER TO DR SATISH BHATT.

CONSENT ITEMS CONTINUED:

- C.8** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 96TO216-JJ, COLORADO MATERIALS CO., ASPHALTIC ROAD MATERIALS DELIVERED; CONTRACT APPROVED ON APRIL 2, 1996; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION.
- C.9** APPROVE CONTRACT AWARDS FOR PROVISION OF RESIDENTIAL TREATMENT SERVICES TO (A) THE ARROW PROJECT; (B) BEHAVIOR TRAINING RESEARCH; (C) YOUTH CARE FOUNDATION; AND (D) KIDS IN DEVELOPMENT.
- C.10** APPROVE CONTRACT AWARD TO SMITH CONTRACTING CO., FOR THE PROVISION OF CONSTRUCTION SERVICES AS OUTLINED IN IFB NO. B96709, CEDAR STREET IMPROVEMENT PROJECT, IN THE AMOUNT OF \$244,372.70. (9:16 AM) (9:35 AM) (3:21 PM)

Judge Aleshire announced that the Court has yet to receive originals on this Item.

Consent Item 10 pulled from Consent Items.

Members of the Court heard from Joe Gieselman, Executive Director of Transportation and Natural Resources and Cyd Grimes, Purchasing Agent.

Motion by Commissioner Bristol and seconded by Commissioner Biscoe to approve the contract award to Smith Contracting.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

- C.11** APPROVE PLAT FOR RECORDING IN PRECINCT FOUR: VILLASENOR ADDITION - (SHORTFORM - NO FISCAL REQUIRED - 1 LOT - 2.19 ACRES - MOORE ROAD).

- C.12** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: HEB/
PFLUGERVILLE SUBDIVISION - RESUBDIVISION OF LOTS 3, 4, AND 5,
BLOCK 1, WELLS POINT COMMERCIAL SECTION 1 AND AMENDED
PLAT OF LOTS 1 AND 2, BLOCK 1, WELLS POINT COMMERCIAL,
SECTION ONE - (SHORTFORM - NO FISCAL - 3 LOTS - 18.755
ACRES - WELLS BRANCH PARKWAY). (9:16 AM)

Consent Item 12 postponed until January 28, 1997.

- C.13** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: NORTH PARK SECTION
5-A, RESUBDIVISION OF LOT 1, BLOCK G - (SHORTFORM - NO FISCAL
REQUIRED - 4 LOTS - 4.7057 ACRES - GRAND AVENUE PARKWAY).
- C.14** APPROVE A PUBLIC HEARING DATE OF FEBRUARY 4, 1997, TO APPROVE
A TEMPORARY ROAD CLOSURE ON SPICEWOOD SPRINGS ROAD BETWEEN
LOOP 360 AND OLD LAMPASSAS TRAIL FOR THE PURPOSE OF TREE AND
BRANCH REMOVAL ALONG R.O.W. ROAD CLOSURE FOR ONE DAY,
FEBRUARY 10, 1997, FROM 9:00 AM TO 3:00 PM.

ADMINISTRATIVE ITEMS

4. APPOINT A CITIZENS ADVISORY COMMITTEE FOR A 1997 BOND PROGRAM, ESTABLISH ITS CHARTER AND DIRECT STAFF TO SUPPORT THE WORK OF THE COMMITTEE. (9:37 AM)

Motion by Commissioner Sonleitner and seconded by Commissioner Biscoe to approve the appointment of Bill Mullane as a Precinct Two appointee.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

Members of the Court heard from Joe Gieselman, Executive Director of Transportation and Natural Resources.

Motion by Judge Aleshire and seconded by Commissioner Gómez to indicate that the Court anticipates having a meeting of the Commissioners' Court posted to meet with the Advisory Committee, that the Court will ask the Committee at that time whether they would prefer to select their own chair from among their members, or if the Committee would prefer for the Commissioners' Court to select their chair for the Committee; that the Court clarifies that they will not use a subcommittee of the Commissioners' Court on the Project Development Working Group, that this subcommittee will be composed of the Executive Managers, the County Auditor, County Attorney staff, and other staff which may be available from the County to support the work of the Committee; and that the Committee report to the Commissioners' Court.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

5. APPOINT AN ADVISORY COMMITTEE ON SUBDIVISION STANDARDS, ESTABLISH ITS CHARTER, AND DIRECT STAFF TO SUPPORT THE WORK OF THE COMMITTEE. (9:48 AM)

Members of the Court heard from Joe Gieselman, Executive Director of Transportation and Natural Resources.

Discussion only.

**6. CONSIDER AND APPROVE ITEMS FOR INCLUSION IN TRAVIS COUNTY'S
1997 LEGISLATIVE PACKAGE FOR THE 75TH LEGISLATIVE SESSION.
(10:00 AM)**

**[Clerk's note -- there were a total of 12 Motions made under Item 6. They are sub-itemized as
Motions A - L.]**

A. (10:07 AM)

Members of the Court heard from Heather Cox, Legislative Aide to Commissioner Bristol and Mary Tripp, Travis County Homeowner.

Motion by Commissioner Bristol and seconded by Commissioner Sonleitner to support the continued effort to obtain research funding for the near non-attainment areas to discover more information on air quality issues.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

B. (10:28 AM)

Members of the Court recognized Floyd Adams; Minnie Adams; Sandra Elder; David Ward; and Kathy Ward; Travis County Homeowners.

Motion by Judge Aleshire and seconded by Commissioner Gómez that the Travis County Commissioners' Court endorse the position that legislation should be adopted to expand county governmental authority to include regulation of location, construction, and operation of shooting ranges in the unincorporated areas of the County in the interest of public health and safety.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

ITEM 6 CONTINUED:**C. (10:45 AM)**

Motion by Judge Aleshire and seconded by Commissioner Biscoe that the Travis County Commissioners' Court support the rights of residents in the extraterritorial jurisdiction of a city to vote in city council elections and all other city elections except bond elections.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	abstain
	Commissioner 3, Valarie Bristol	-	abstain
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

D. (10:47 AM)

Motion by Judge Aleshire and seconded by Commissioner Gómez that the Commissioners' Court support a requirement that prohibits a city from annexing a developed subdivision with more than fifty percent (50%) of the subdivision lots occupied by residents unless a majority of the voters voting in an election by that subdivision agrees to be in that annexation.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	abstain
	Commissioner 3, Valarie Bristol	-	abstain
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

E. (10:50 AM)

Motion by Judge Aleshire and seconded by Commissioner Bristol that the Commissioners' Court indicates that their position is to eliminate the statutory exemption from subdivision regulations for manufactured homes and rental mobile home parks.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

ITEM 6 CONTINUED:**F. (10:51 AM)**

Motion by Judge Aleshire and seconded by Commissioner Gómez to support a requirement that any governmental body which sets tax rates be elected by the voters within that taxing district; or, if the governmental body is appointed, to require annually that the tax rate set by those officials be officially authorized by those elected officials who appointed the members of the governmental body.

[Clerk's note: Five separations of the Vote for Item 6, Subitem F, were made. They have been subitemed as F.1, F.2, F.3, F.4, and F.5.]

F.1 That the Commissioners' Court indicates that they believe the fire and emergency service district board members should be elected.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

F.2 That, should fire and emergency service district boards continue to be appointed, that those who appoint them, being the Commissioners' Court, should annually agree to, or officially authorize, the tax rate set by those officials whom the Commissioners' Court appoints.

Motion failed:	Commissioner 1, Samuel Biscoe	-	opposed
	Commissioner 2, Karen Sonleitner	-	opposed
	Commissioner 3, Valarie Bristol	-	opposed
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

F.3 That the members of the Capital Metro Board, being a taxing entity, should be elected.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

ITEM 6 CONTINUED:

- F.4** That, should the Capital Metro board continue to be appointed, those who appoint them, the City Council and the County Commissioners' Court in this case, should be required to affirm or authorize the tax rate that they set.

Motion failed:	Commissioner 1, Samuel Biscoe	-	opposed
	Commissioner 2, Karen Sonleitner	-	opposed
	Commissioner 3, Valarie Bristol	-	opposed
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

- F.5** That the Capital Metro Board should be composed only of members of the Austin City Council and the Travis County Commissioners' Court.

Motion failed:	Commissioner 1, Samuel Biscoe	-	abstain
	Commissioner 2, Karen Sonleitner	-	abstain
	Commissioner 3, Valarie Bristol	-	abstain
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

G. (11:12 AM)

Motion by Judge Aleshire and seconded by Commissioner Gómez to support the authorization of County sales tax equal to the amount that the Metropolitan Transit Authority does not use and that this be applied in a manner that it will offset the level of property taxes.

Motion failed:	Commissioner 1, Samuel Biscoe	-	opposed
	Commissioner 2, Karen Sonleitner	-	opposed
	Commissioner 3, Valarie Bristol	-	opposed
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

H. (11:13 AM)

Motion by Judge Aleshire and seconded by Commissioner Biscoe to support a constitutional amendment that authorizes reorganization of County Governments, subject to approval by voters in the County, allowing the elimination of County offices if the functions of such an office are transferred to an elected official.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	abstain
	County Judge, Bill Aleshire	-	yes

ITEM 6 CONTINUED:**I. (11:16 AM)**

Motion by Judge Aleshire and seconded by Commissioner Biscoe to clarify the authority of counties to participate in owner-controlled insurance programs otherwise known as "OCIP" for construction projects including authorization for using bond funds for the cost of the "OCIP".

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

J. (11:19 AM)

Motion by Judge Aleshire and seconded by Commissioner Biscoe to support adding to the Local Government Code, Chapter 111, Subchapter C the same language contained in Subchapter B, Sections 111.042 and 111.043 authorizing bond budgets and special grant budgets and to further extend that language which relates to grants to allow the Auditor to certify revenue and to allow the County to adopt special budgets for circumstances under which the County contracts with another governmental entity to provide a service for which we would be paid.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

K. (11:23 AM)

Motion by Judge Aleshire and seconded by Commissioner Bristol to support either a House or Senate concurrent Resolution establishing an interim committee to recommend revisions to the Local Government Code provisions relating to county finances - accounting and reporting - to modernize those provisions while maintaining appropriate checks and balances and budgetary responsibility.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

ITEM 6 CONTINUED:**L. (11:25 AM)**

Motion by Judge Aleshire and seconded by Commissioner Bristol that this Commissioners' Court at least supports the priority issues on the Conference of Urban Counties (CUC) agenda (relating to those Items on the legislative platform of the Conference of Urban Counties submitted on January 15, 1997, including the addition of the section relating to tax abatements which would support legislation to allow each participating taxing entity to establish the terms of tax abatement agreements and to allow separate consideration of the abatements from the rest of the county's tax rate to those counties with Hospital District tax rates.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

Item 6 to be reposted for January 28, 1996.

7. RECEIVE UPDATE ON DESIGN AND CONSTRUCTION OF TENANT FINISH IMPROVEMENTS AT 201 WEST 5TH STREET; APPROVE PROGRESS SET OF WORKING DRAWINGS, GIVE STAFF DIRECTION AND/OR TAKE ANY APPROPRIATE ACTION. (11:30 AM)

Members of the Court heard from Kevin Bailey, Facilities Manager.

Motion by Commissioner Bristol and seconded by Commissioner Biscoe to approve.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

8. AUTHORIZE EXPENDITURE OF FUNDS FOR DEPOSIT OR ISSUANCE OF GUARANTEE LETTER FOR COMPLIANCE WITH THE CITY OF AUSTIN ENVIRONMENTAL AND CONSERVATION SERVICES DEPARTMENT FOR EROSION/SEDIMENTATION CONTROLS DURING CONSTRUCTION OF THE CRIMINAL JUSTICE CENTER COMPLEX. (11:31 PM)

Members of the Court heard from Kevin Bailey, Facilities Manager.

Motion by Commissioner Biscoe and seconded by Commissioner Bristol to authorize a letter approved as to form by the County Attorney's Office and signed by the appropriate officials to be submitted to the City of Austin.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

9. DISCUSS AND GIVE STAFF DIRECTION ON RECOMMENDATION FROM INFORMATION & TELECOMMUNICATIONS SYSTEMS (ITS) TO NO LONGER DO BUSINESS WITH AUSTIN MICRO SOLUTIONS. (9:16 AM)

Item 9 to be reposted for January 28, 1997.

10. APPROVE STATE CATALOG PURCHASE OF COMPUTERS FOR INFORMATION & TELECOMMUNICATIONS SYSTEMS (ITS) FROM DENSON CONSULTING IN THE AMOUNT OF \$33,569.00. (9:16 AM)

Item 10 to be reposted for January 28, 1997.

11. APPROVE FULL RELEASE OF LETTER OF CREDIT BEING HELD AS CONSTRUCTION PERFORMANCE SECURITY FOR ESTATES OF BRENTWOOD DUE TO ANNEXATION BY THE CITY OF AUSTIN. (11:36 AM)

Members of the Court heard from Joe Gieselman, Executive Director of Transportation and Natural Resources.

Motion by Commissioner Sonleitner and seconded by Commissioner Bristol to approve.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

- 12. APPROVE SUBSTITUTION OF CONSTRUCTION SECURITY FOR THE ROUGH HOLLOW AT THE HILLS OF LAKEWAY SUBDIVISION BY ACCEPTING A LETTER OF CREDIT IN THE AMOUNT OF \$569,171.00 FROM SATURN DEVELOPMENT CORPORATION AND BANK ONE AND BY RELEASING A LETTER OF CREDIT IN THE SAME AMOUNT FROM LAKEWAY MANAGEMENT COMPANY AND NATIONS BANK. (11:39 AM)**

Members of the Court heard from Joe Gieselman, Executive Director of Transportation and Natural Resources.

Motion by Commissioner Bristol and seconded by Commissioner Sonleitner to approve.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

- 13. APPROVE AGREEMENT WITH VALERO TRANSMISSION, L.P., FOR PIPELINE RELOCATION NEAR THE TIMBER CREEK SUBDIVISION.**

Members of the Court heard from Joe Gieselman, Executive Director of Transportation and Natural Resources.

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

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

- 14.** APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS970002SG, LEGAL SERVICES IN CAUSE NO. A-95-CA-53-AA, HUMPHREY V. CITY OF AUSTIN TO DAVIS AND DAVIS, P.C.; CONTRACT APPROVED ON OCTOBER 1, 1996; MODIFICATION INCREASES THE NOT-TO-EXCEED CONTRACT AMOUNT FROM \$10,000.00 TO \$35,000.00. (1:42 PM) (1:55 PM) (3:11 PM)

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

Discussion only.

Judge Aleshire announced that Item 14 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 14, 15, 21, 22, 23, 24, 25, 27, 28, 30, and 32.

Motion by Judge Aleshire and seconded by Commissioner Biscoe:

- 14.** to approve;
- 15.** to approve and to indicate that the start date should have been May 10 rather than May 20;
- 21.** to take no action on this Item;
- 22.** to reject their offer and counter offer in the amount of \$30,000.00;
- 23.** to reject their offer and counter offer in the amount of \$40,000.00;
- 24.** to reject their offer;
- 25.** to approve the call down on the letter of credit from Texas Commerce Bank or authorize the County Judge to accept a substitution letter of credit;
- 27.** to take no action on this Item;
- 28.** to take no action on this Item;
- 30.** to authorize the County Attorney's Office to hire an orthopedic surgeon and an economist; and
- 32.** to authorize a personnel action to extend for thirty more days from today the employment of the employee performing contract services for the corporations through the County and to further authorize the extension of the contract between Travis County and the corporations for those services for thirty more days.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

- 15.** APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS970005SG, LEGAL SERVICES IN CAUSE NO. 95-14050, KOBUS VS. KEEL, TO GEORGE, DONALDSON, & FORD, L. L. P.; CONTRACT APPROVED ON OCTOBER -, 1996; MODIFICATION CHANGES THE START DATE FROM MAY 20, 1996, TO MAY 10, 1996. (1:45 PM) (1:55 PM) (3:11 PM)

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

Discussion only.

Judge Aleshire announced that Item 15 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 14, 15, 21, 22, 23, 24, 25, 27, 28, 30, and 32. Refer to Item 14 for a summary of the Court's action on this Item.

16. APPROVE BUDGET AMENDMENTS AND BUDGET TRANSFERS.
(11:41 AM) (1:47 PM)

Members of the Court heard from Jim Smith, Agricultural Extension and Margaret Baguio, Agricultural Extension Agent.

Members of the Court agreed to consider one Motion for Item 16 and 17.

Motion by Commissioner Bristol and seconded by Commissioner Gómez to approve the budget amendments (A-18 through A-31) and the associated personnel amendments required to establish the Capital 4-H Club in 8 additional schools and to continue this program in its current locations.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

Members of the Court heard from Karen Castro, Planning and Budget Office.

Motion by Commissioner Bristol and seconded by Commissioner to approve the budget amendments and budget transfers.

Maker and second agreed to accept the Friendly Amendment by Judge Aleshire to delete the \$40,000.00 on subitem A-17.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

17. APPROVE PERSONNEL AMENDMENTS. (11:41 AM) (1:51 PM)

Members of the Court heard from Jim Smith, Agricultural Extension and Margaret Baguio, Agricultural Extension Agent.

Members of the Court agreed to consider one Motion for Item 16 and 17. Refer to Item 16 for a summary of the Court's action on this Item.

Members of the Court heard from Dr. Mattye Mauldin-Taylor, Director of Human Resources Management.

Motion by Commissioner Biscoe and seconded by Commissioner Gómez to approve.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

R E C E S S

Motion by Commissioner Bristol and seconded by Commissioner Sonleitner to recess the Voting Session until 1:30 PM. (12:10 PM)

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

18. TAKE APPROPRIATE ACTION TO APPROVE ISSUANCE OF SINGLE FAMILY HOUSING REVENUE REFUNDING BONDS (GNMA MORTGAGE-BACKED SECURITIES PROGRAM) SERIES 1997 A AND SINGLE FAMILY HOUSING REVENUE REFUNDING BONDS (GNMA MORTGAGE-BACKED SECURITIES PROGRAM) SERIES 1997 B BY TRAVIS COUNTY HOUSING FINANCE CORPORATION. (1:53 PM)

Item 18 to be reposted for January 28, 1997.

19. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:35 AM)

Item 19 added to Consent Items.

EXECUTIVE SESSION ITEMS

[Clerk's note: the Executive Session Items are footnoted as follows: Note 1⁽¹⁾: Gov't Code, Ann. Section 551.071, Consultation with Attorney; Note 2⁽²⁾: Gov't Code, Ann. Section 551.072, Real Property; and Note 3⁽³⁾: Gov't Code, Ann. Section 551.074, Personnel Matters.]

- 20. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO TAKE APPROPRIATE ACTION IN CIBOLO MANUFACTURING INC., ET AL. V. CROSS EQUIPMENT COMPANY, INC., ET AL. (GIESELMAN; PATENT LAWSUIT). ¹ (1:52 PM)**

Item 20 postponed until January 28, 1997.

- 21. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION IN STATE OF TEXAS V. LAURELWOOD PARTNERS, LTD., ET AL., (LAURELWOOD; GIESELMAN; CONDEMNATION CASE). ¹ (1:55PM) (3:11 PM)**

Judge Aleshire announced that Item 21 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 14, 15, 21, 22, 23, 24, 25, 27, 28, 30, and 32. Refer to Item 14 for summary of the Court's action on this Item.

- 22. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, TEXAS V. JACK L. BOBBITT, ET AL., (BOBBITT; GIESELMAN; CONDEMNATION CASE). ¹ (1:55 PM) (3:11 PM)**

Judge Aleshire announced that Item 22 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 14, 15, 21, 22, 23, 24, 25, 27, 28, 30, and 32. Refer to Item 14 for summary of the Court's action on this Item.

- 22. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, TEXAS V. KENNETH POWELL, ET AL., (POWELL; GIESELMAN; CONDEMNATION CASE). ¹ (1:55 PM) (3:11 PM)**

Judge Aleshire announced that Item 22 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 14, 15, 21, 22, 23, 24, 25, 27, 28, 30, and 32. Refer to Item 14 for summary of the Court's action on this Item.

- 23. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, TEXAS V. JACK L. BOBBITT, ET AL., (BOBBITT; GIESELMAN; CONDEMNATION CASE).¹ (1:55 PM) (3:11 PM)**

Judge Aleshire announced that Item 22 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 14, 15, 21, 22, 23, 24, 25, 27, 28, 30, and 32. Refer to Item 14 for summary of the Court's action on this Item.

- 24. CONSIDER REQUEST FROM JAY AND NANCY SOUTHWORTH FOR CLARIFICATION OF LOCATION OF CRYSTAL CREEK DRIVE RIGHT-OF WAY. (GIESELMAN).² (1:55 PM) (3:11 PM)**

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

Members of the Court agreed to consider one Motion for Items 14, 15, 21, 22, 23, 24, 25, 27, 28, 30, and 32. Refer to Item 14 for summary of the Court's action on this Item.

- 25. RECEIVE BRIEFING AND APPROVE CALL DOWN OF TEXAS COMMERCE BANK LETTERS OF CREDIT NO. A-434568 IN THE AMOUNT OF \$258,000.00 AND NO. A-434605 IN THE AMOUNT OF \$52,000.00 POSTED IN CONNECTION WITH GREAT HILLS PHASE III SUBDIVISION.¹ (1:55 PM) (3:11 PM)**

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

Members of the Court agreed to consider one Motion for Items 14, 15, 21, 22, 23, 24, 25, 27, 28, 30, and 32. Refer to Item 14 for summary of the Court's action on this Item.

- 26. AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER AND/OR RECEIVE BRIEFING, TAKE APPROPRIATE ACTION IN CAUSE NO. 93-06143; KATHLEEN URIBE V. TRAVIS COUNTY, TEXAS (TNR; GIESELMAN; PERSONAL INJURY).¹ (1:52 PM)**

Item 26 postponed until January 28, 1997.

- 27. RECEIVE ADVICE FROM COUNTY ATTORNEY CONCERNING RELEASE AND SUBSTITUTION OF COLLATERAL AT REQUEST OF WELLS FARGO BANK, AND TAKE APPROPRIATE ACTION.¹ (1:55 PM) (3:11 PM)**

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

Members of the Court agreed to consider one Motion for Items 14, 15, 21, 22, 23, 24, 25, 27, 28, 30, and 32. Refer to Item 14 for summary of the Court's action on this Item.

- 28.** APPROVE EXTENSION OF CONTRACTUAL AGREEMENT OF OTHER APPROPRIATE ACTION BETWEEN TRAVIS COUNTY AND SIX-TWENTY SHOPPING CENTER, LTD., KNOWN AS LOHMAN'S CROSSING, FOR VIOLATIONS OF THE HEALTH AND SAFETY CODES AND THE WATER CODE, CAUSED BY SEPTIC VIOLATIONS AND SEWAGE DISCHARGE. (WILLIAMS; ENVIRONMENTAL MATTER)¹ (1:55 PM) (3:11 PM)

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

Members of the Court agreed to consider one Motion for Items 14, 15, 21, 22, 23, 24, 25, 27, 28, 30, and 32. Refer to Item 14 for summary of the Court's action on this Item.

- 29.** MAKE, ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER, AND/OR TAKE APPROPRIATE ACTION IN KELLY LAYTON V. TRAVIS COUNTY, TEXAS, ET AL., CAUSE NO. A96-CA-483-SS. (KEEL; DENIAL OF MEDICAL CARE, 1983.)¹ (1:52 PM)

Item 29 postponed until January 28, 1997.

- 30.** AUTHORIZE COUNTY ATTORNEY TO HIRE EXPERT(S) AND/OR TAKE APPROPRIATE ACTION REGARDING KELLY LAYTON V. TRAVIS COUNTY, TEXAS, ET AL., CAUSE NO. A96-CA-483-SS. (KEEL; DENIAL OF MEDICAL CARE, 1983).¹ (1:55 PM) (3:11 PM)

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

Members of the Court agreed to consider one Motion for Items 14, 15, 21, 22, 23, 24, 25, 27, 28, 30, and 32. Refer to Item 14 for summary of the Court's action on this Item.

- 31.** MAKE, ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER, AND/OR TAKE APPROPRIATE ACTION IN CHRISTOPHER HUTSON V. CITY OF AUSTIN, ET AL., CAUSE NO. A96-CA-572-SS. (KEEL; DENIAL OF MEDICAL CASE, 1983).¹ (1:52 PM)

Item 31 to be postponed until January 28, 1997.

- 32.** CONSIDER PERFORMANCE, POTENTIAL FUTURE DUTIES, AND POSSIBLE REAPPOINTMENT OF EMPLOYEE PERFORMING CONTRACT SERVICES FOR CORPORATIONS.³ (1:55 PM) (3:11 PM)

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

Members of the Court agreed to consider one Motion for Items 14, 15, 21, 22, 23, 24, 25, 27, 28, 30, and 32. Refer to Item 14 for summary of the Court's action on this Item.

R E C E S S

Motion by Commissioner Biscoe and seconded by Commissioner Sonleitner to recess the Voting Session pending conclusion of the road district meeting. (3:16 PM)

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	absent
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

ADDENDA ITEM 1.

APPROVE STATE CATALOG PURCHASE OF MEDICAL EQUIPMENT FOR MEDICAL EXAMINER FROM HEWLETT PACKARD IN THE AMOUNT OF \$93,275.75. (9:35 AM)

Addenda Item 1 added to Consent Items.

ADDENDA ITEM 2.

APPROVE NOTICE OF TERMINATION TO GONZALES COUNTY FOR CONTRACT FOR DETENTION OF JUVENILE OFFENDERS. (1:54 PM)

Motion by Judge Aleshire and seconded by Commissioner Sonleitner to approve notice of termination to Gonzales County for contract for detention of juvenile offenders.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

A D J O U R N M E N T

Motion by Commissioner Biscoe and seconded by Commissioner Sonleitner to adjourn the Voting Session. (3:24 PM)

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	yes

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Bill Aleshire, Travis County Judge