

MINUTES -- MAY 27, 1997

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 27th day of May, 1997, the Commissioners' Court convened the Voting Session at 9:10 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 Anna M. Valdez.

The Commissioners' Court recessed the Voting Session at 12:02 and reconvened the Voting Session at 1:52 PM.

The Commissioners' Court meeting as the Corporation Board of Directors convened the Corporation Voting Session at 1:38 PM and adjourned at 1:52 PM.

The Commissioners' Court retired to Executive Session at 2:38 PM and reconvened the Voting Session at 5:17 PM.

The Commissioners' Court adjourned the Voting Session at 5:19 PM.

RESOLUTIONS & HEARINGS

1. APPROVE PROCLAMATION FOR MAY 30, 1997 (MEMORIAL DAY - TRADITIONAL) IN HONOR OF THE MILITARY ORDER OF THE PURPLE HEART, THE MILITARY ORDER OF WORLD WARS, VETERANS OF FOREIGN WARS POST 856, TEJANOS IN ACTION, AND THE TEXAS ASSOCIATION OF VIETNAM VETERANS, CONDUCTING MEMORIAL DAY CEREMONIES AT WATERLOO PARK. (9:16 AM)

Members of the Court heard from: Frank René Cortez, Senior Vice-Commander, Military Order of the Purple Heart.

Motion by Judge Aleshire and **seconded by** Commissioner Biscoe to approve the Resolution.

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

2. APPROVE A PROPOSED STREET NAME CHANGE FOR LEFT OVER RIGHT-OF-WAY OF BURLESON ROAD TO “MOORES BRIDGE ROAD”, IN PRECINCT FOUR. (9:19 AM)

Motion by Commissioner Gómez and **seconded by** Commissioner Biscoe that the public hearing be opened.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

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

Motion by Commissioner Gómez and **seconded by** Commissioner Bristol that the public hearing be closed.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

Clerk’s Note: Item 2 is Consent Item #C17. Please refer to Agenda Item #3 (CONSENT ITEMS) for the Court’s Motion and Vote.

CITIZENS’ COMMUNICATION

Members of the Court heard from: Jimmy Castro, Greater Austin Chamber of Commerce, Austin/Travis County Hispanic Chamber of Commerce. (9:20 AM)

CONSENT ITEMS

- 3. Motion by** Commissioner Gómez and **seconded by** Commissioner Sonleitner to approve the following Consent Items: C1 - C17, excluding C13 (duplicate of Item C12); including Items 12, 16.A and 16.B, and 24. (9:23 AM)

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

- C1.** RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION FACILITIES.
- C3.** APPOINT CHARLES R. POPE TO TRAVIS COUNTY EMERGENCY SERVICE DISTRICT #6 FOR A TWO YEAR TERM EXPIRING DECEMBER 31, 1998.
- C4.** APPROVE FY '97 SECOND QUARTER TRANSFER IN THE AMOUNT OF \$18,147.95 FROM THE LCRA PARKS ESCROW FUND TO THE LCRA/TRAVIS COUNTY CIP ACCOUNT.
- C5.** CONSIDER AND TAKE ACTION ON AMENDMENT NO. 2 TO THE 1996-97 CAN CONTRACT WITH PEDIATRIC AIDS LEAGUE TO EXTEND THE CONTRACT PERIOD.
- C6.** CONSIDER AND TAKE ACTION ON RESOLUTION AND ORDERS APPROVING THE APPOINTMENT OF DR. EDUARDO SANCHEZ AS THE LOCAL HEALTH AUTHORITY AND DR. STEPHEN BARNETT AS THE LOCAL HEALTH AUTHORITY ALTERNATE.

CONSENT ITEMS CONTINUED

- C7. A. CONSIDER AND TAKE ACTION ON AMENDMENT NO. 2 TO THE INTERLOCAL COOPERATION AGREEMENT FOR HUMAN SERVICES PROGRAM BETWEEN THE CITY OF AUSTIN AND TRAVIS COUNTY ADDING \$75,000.00 FROM THE CITY OF AUSTIN.**
- B. CONSIDER AND TAKE ACTION ON FIRST AMENDMENT OF CONTRACT BETWEEN TRAVIS COUNTY AND CAPITAL AREA TRAINING FOUNDATION ('97 CAN CONTRACT - GATEWAY AND PATHWAYS PROGRAMS).**
- C8. APPROVE CORRECTION OF LANGUAGE FOR APPOINTMENT OF ELWOOD STEIN ON APRIL 15, 1997 TO THE CAPCO LAW ENFORCEMENT EDUCATION COMMITTEE BY APPOINTING HIM TO FILL THE VACANCY IN THE PRECINCTS 2 AND 3 SLOT, INSTEAD OF THE PRESENTLY FILLED PRECINCTS 1 AND 4 SLOT.**
- C9. APPROVE SCOPE OF WORK REQUESTED BY THE CITY OF LAKEWAY TO SWEEP/BROOM DEBRIS FROM STREETS IN THE CITY OF LAKEWAY, CONSISTENT WITH THE TERMS OF THE INTERLOCAL AGREEMENT.**
- C10. APPROVE CONTRACT AWARD FOR THE PROVISION OF CUSTODIAL SERVICES AT THE EXECUTIVE OFFICE BUILDING, IFB# B970086-JP, TO THE LOW, QUALIFIED BIDDER, TEXAS MAINTENANCE SYSTEMS IN THE AMOUNT OF \$33,744.08.**
- C11. APPROVE CONTRACT AWARD FOR THE PROVISION OF A NEW OR USED LAKE PATROL BOAT, IFB# B970100-BA, TO THE LOW QUALIFIED BIDDER, SOUTH AUSTIN MARINE, IN THE AMOUNT OF \$29,588.00.**
- C12. APPROVE PLAT FOR RECORDING IN PRECINCT TWO: PICADILLY RIDGE PHASE THREE SECTION TWO - (LONGFORM - FISCAL POSTED WITH CITY OF PFLUGERVILLE - 78 LOTS - 17.67 ACRES - BISHOPSGATE DRIVE).**

CONSENT ITEMS CONTINUED

- C13.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: PICADILLY RIDGE PHASE THREE SECTION TWO - (LONGFORM - FISCAL POSTED WITH CITY OF PFLUGERVILLE - 78 LOTS - 17.67 ACRES - BISHOPSGATE DRIVE).

Item C13 pulled from the Agenda (duplicate of Item C12).

- C14.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: RESUBDIVISION OF LOT 1 BLOCK B OF THE "620 OAKS" SUBDIVISION - (SHORTFORM - NO FISCAL REQUIRED - 2 LOTS - 2.44 ACRES - BOULDER LANE AND FOUNDATION ROAD.
- C15.** APPROVE A PUBLIC HEARING DATE OF JUNE 10, 1997, FOR APPROVAL OF PROPOSED STREET NAME ASSIGNMENT FOR A 2400' UNNAMED EASEMENT INTERSECTING LOCKWOOD SPRINGS ROAD APPROXIMATELY 1000' SOUTH OF ED ACKLIN ROAD TO "HICKORY GROVE LANE", IN PRECINCT ONE.
- C16.** APPROVE A PUBLIC HEARING DATE OF JUNE 10, 1997 FOR APPROVAL OF PROPOSED STREET NAME CHANGE FROM "HUMAN OPPORTUNITY AVENUE" TO "NEW KATY LANE" INTERSECTING ARMSTRONG AVENUE 500' SOUTH OF US 290 E. AND LOOPS SOUTHERLY TO THE END OF ARMSTRONG AVENUE IN PRECINCT ONE.
- C17.** APPROVE A PROPOSED STREET NAME CHANGE FOR LEFT OVER RIGHT-OF-WAY OF BURLESON ROAD TO "MOORES BRIDGE ROAD", IN PRECINCT FOUR.

COUNTY POLICIES AND PROCEDURES

4. DISCUSS AND ADOPT TRAVIS COUNTY POLICIES, PROCEDURES AND REGULATIONS MANUAL SECTIONS 78.003 AND 78.004 - TRAVIS COUNTY SHERIFF'S OFFICE'S NON-CONSENT MARINE TOWING POLICY AND RENUMBER EXISTING CHAPTER 78 TO CONFORM TO LEGISLATIVE FORMAT. (9:25 AM)

Members of the Court heard from: Gordon Bowman, Assistant County Attorney; and Sheriff Margo Frasier, Travis County Sheriff.

Discussion Only.

Item 4 to be reposted on June 3, 1997.

ADMINISTRATIVE ITEMS

5. **A.** DISCUSS, APPROVE AND/OR GIVE STAFF DIRECTION CONCERNING THE DOCUMENT - RFQ ISSUES AND OPTIONS FOR OPERATIONS PROGRAMS AND FACILITIES PLANNING FOR TRAVIS COUNTY CIVIL COURTS, ADMINISTRATION, AND CENTRAL WAREHOUSE FACILITY. (9:29 AM)
- B.** DISCUSS, APPROVE AND/OR GIVE STAFF DIRECTION CONCERNING SUGGESTIONS MADE DURING THE APRIL 24, 1997 COMMISSIONERS' COURT WORK SESSION.
- C.** APPROVE CONTRACT MODIFICATION NO. 2 TO CONTRACT NO. 96AE604, ARCHITECTURAL + PLUS, DESIGN OF ELECTRICAL UPGRADES TO COUNTY COURTHOUSE; MODIFICATION ALLOWS FOR PROVIDING ADDITIONAL CONSULTING SERVICES TO INVESTIGATE UPGRADE OF THE EMERGENCY GENERATOR FOR BACKUP POWER TO VARIOUS SYSTEMS; SERVICES TO BE PROVIDED AT THE HOURLY RATES AS OUTLINED IN EXHIBIT II OF THE CONTRACT, IN AN AMOUNT NOT-TO-EXCEED \$2,500.00.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Belinda Poppa, Project Manager, Facilities Planning in Facilities Management; Kevin Bailey, Director of Facilities Management; Marvin Brice, Construction Procurement Manager, Purchasing; and John Carr, Division Manager for Facilities Management.

Motion by Commissioner Biscoe and **seconded by** Commissioner Gómez to: On one (1), give staff directions to proceed with the understanding that the Court will receive a listing of committee members as well as a description of the scope of service to be performed. On two (2), the Court approves it. And on the third (3), which is not listed here, proceed with the bid documents for the roof work.

A Clarification was made of the previous Motion by Judge Aleshire that if the intent was expressed that the Facilities Master Plan will be done later, it will pick up what needs to be done regarding number four (4) in the future. This is just for coordination purposes and the Court indicates their assistance. The Court specifically mentions to Purchasing that the Court does authorize the advertising of their bid documents for the roof even though the budget has not been set. The Court anticipates doing that after the bids come in. The same applies for the Operations Program. Once that is brought in for approval, the Court will look at doing the transfer after seeing what the proposals cost.

ITEM 5 CONTINUED

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

Motion by Commissioner Sonleitner and **seconded by** Commissioner Bristol to approve the contract modification on Item 5.C.

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

6. A. RECORD APPLICATIONS RECEIVED FOR BANK DEPOSITORY SERVICES.
 (11:15 AM)

B. AUTHORIZE CASH/INVESTMENT MANAGER TO NEGOTIATE CONTRACT FOR DEPOSITORY BANK SERVICES.

Members of the Court heard from: Cheryll Adair, Cash Investment Manager, Cash Investment Division; Mary Mayes, Financial Analyst, Cash Investment Division; and Barbara Wilson, Assistant County Attorney.

Motion by Commissioner Biscoe and **seconded by** Commissioner Bristol to approve Item 6.B.

A Clarification was made of the previous Motion by Judge Aleshire that the previous Motion include Item 6.A as well as Item 6.B.

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

7. APPROVE AGREEMENT WITH H.E.B. REGARDING ACCESS EASEMENT OR TAKE OTHER APPROPRIATE ACTION.¹ (9:10 AM) (2:38 PM) (5:17 PM)

Judge Aleshire announced that Item 7 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 7, 19, 28, 30, 31, 36, 38, and 39. Please refer to Item 28 for a summary of the Court's action on this motion.

8. CONSIDER AND/OR APPROVE TEMPORARY OCCUPANCY (MAY-AUGUST, 1997) OF TRAVIS COUNTY PALM SQUARE TO HOUSE THE AUSTIN/TRAVIS COUNTY SUMMER YOUTH EMPLOYMENT PROGRAM (SYEP). (11:41 AM)

Members of the Court heard from: Cora Wright, Director, Neighborhood Services, Travis County Health and Human Services Department; Alicia Perez, Executive Manager, Administrative Operations; Belinda Poppa, Project Manager, Facilities Planning in Facilities Management; and Stephen Williams, Executive Manager, Travis County Health and Human Services Department and Veterans' Affairs Services.

Motion by Commissioner Biscoe and **seconded by** Commissioner Gómez to approve Item 8.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

9. APPROVE FEDERAL WORK-STUDY AGREEMENT WITH UNIVERSITY OF TEXAS TO ALLOW THE COUNTY ATTORNEY TO HIRE WORK-STUDY STUDENT. (1:52 PM)

Item 9 postponed until June 3, 1997.

- 10. RECEIVE LEGISLATIVE UPDATE AND TAKE APPROPRIATE ACTION, IF NECESSARY. (1:54 PM)**

Members of the Court heard from: Heather Cox, Legislative Aid to Commissioner Bristol, Precinct Three; and John Hille, Assistant County Attorney.

Discussion Only.

- 11. RECEIVE AND DISCUSS FIRST REVENUE ESTIMATE FOR FY 1998 BUDGET PROCESS. (11:58 AM)**

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney; and Blain Keith, Director of Financial Services, Travis County Auditor's Office.

Discussion Only.

- 12. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF APRIL, 1997. (9:23 AM)**

Item 12 added to Consent Items. Please refer to Agenda Item #3 (CONSENT ITEMS) for the Court's Motion and Vote.

13. APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSION TO CONTINUE. (11:46 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, Travis County Health and Human Services Department and Veterans' Affairs Services; Cora Wright, Director, Neighborhood Services, Travis County Health and Human Services Department; Mary Etta Gerhardt, Assistant County Attorney; Wayne Cook, Grant Coordinator, Travis County Health and Human Services Department; and Alfredo Carassco, Housing Program Manager, Travis County Health and Human Services Department.

A. APPROVE GRANT APPLICATION FOR FY '97/98 ALTERNATIVE FUELS COUNCIL GRANT FOR TNR DEPARTMENT. (11:55 AM)

Motion by Commissioner Bristol and **seconded by** Commissioner Gómez to approve Item 13.A.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

B. APPROVE PERMISSION TO CONTINUE GRANT CONTRACT WITH TDHCA FOR WEATHERIZATION GRANT LIHEAP/DOE FOR HEALTH AND HUMAN SERVICES DEPARTMENT.

Item 13.B to be reposted on June 3, 1997.

C. APPROVE GRANT CONTRACT WITH TDHCA FOR COMPREHENSIVE ENERGY ASSISTANCE PROGRAM FOR HEALTH AND HUMAN SERVICES DEPARTMENT. (11:55 AM)

D. APPROVE GRANT CONTRACT WITH TDHCA FOR LIHEAP WEATHERIZATION ASSISTANCE/ENHANCEMENT PROGRAM FOR HEALTH AND HUMAN SERVICES DEPARTMENT. (11:55 AM)

E. APPROVE GRANT CONTRACT WITH TDHCA FOR THE DOE/OIL OVERCHARGE WEATHERIZATION ASSISTANCE PROGRAM FOR HEALTH AND HUMAN SERVICES DEPARTMENT. (11:55 AM)

ITEM 13 CONTINUED

Motion by Commissioner Biscoe and **seconded by** Commissioner Gómez to approve Items 13.C, 13.D and 13.E.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

Clerk's Note: Items 13.C, 13.D and 13.E will be brought back for modification if necessary.

14. APPROVE PERSONNEL AMENDMENTS. (2:04 PM)

Members of the Court heard from: Carlotta Valdez, Compensation Manager, Human Resources Management Department (HRMD); Marilyn Hancock, Interim Director, HRMD; and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Commissioner Biscoe and **seconded by** Commissioner Gómez to approve Item 14.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

Members of the Court heard from: Marilyn Hancock, Interim Director, HRMD; and Stephen Williams, Executive Manager, Travis County Health and Human Services Department and Veterans' Affairs Services.

Motion by Judge Aleshire and **seconded by** Commissioner Bristol to reconsider the previous Motion and Vote on Item 14.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

Motion by Judge Aleshire and **seconded by** Commissioner Bristol to approve the Personnel Amendments as recommended, deleting the HHS item for the Triad Case Manager.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

15. REVIEW AND APPROVE THE FOLLOWING LIABILITY CLAIM RECOMMENDATIONS. (2:20 PM)

A. LAWANDA SIMON - SETTLE

B. PAULA HALL - DENY

C. BRENT BOREN - DENY

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Daniel Mansour, Risk Manager, HRMD; and Marilyn Hancock, Interim Director, HRMD.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Biscoe to approve the liability claim recommendations as presented by the Risk Manager.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

16. A. APPROVE PRINTING APPROXIMATELY 1,000 COPIES OF TRAVIS COUNTY SERVICES FOR THE DEAF'S QUARTERLY NEWSLETTER. (9:23 AM)

B. APPROVE REQUEST TO DISTRIBUTE FLIERS WITH THE JUNE 13, 1997 PAYROLL CHECKS ANNOUNCING THE TRAVIS COUNTY/CITY OF AUSTIN EMPLOYEES EMANCIPATION DAY - "JUNETEENTH" CELEBRATION.

Items 16.A and 16.B added to Consent Items. Please refer to Agenda Item #3 (CONSENT ITEMS) for the Court's Motion and Vote.

17. ACCEPT DONATION OF COMPUTER HARDWARE, SOFTWARE, AND TRAINING VALUED AT \$15,000.00 FROM DAVENPORT LIMITED, FOR USE AS A GEOGRAPHIC INFORMATION SYSTEM. (1:52 PM)

Motion by Commissioner Bristol and **seconded by** Commissioner Gómez to approve Item 17.

A Clarification was made of the previous Motion by Judge Aleshire that TNR and ITS contact the Purchasing Office to properly inventory the donated materials.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

18. APPROVE AGREEMENT WITH WOODS HONDA, KAWASAKI, YAMAHA FUN CENTER, FOR USE OF WATER CRAFTS FOR LAKE USE FOR THE SHERIFF'S DEPARTMENT. (11:41 AM) (2:35 PM)

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

Discussion Only.

Item 18 postponed until June 3, 1997.

19. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: WESTVIEW ON LAKE AUSTIN PHASE "B" P.U.D. - (LONGFORM - FISCAL POSTED WITH THE CITY OF AUSTIN - 33 LOTS - 39.985 ACRES - MANTLE DRIVE).¹ (10:24 AM) (11:13 AM) (5:17 PM)

Members of the Court heard from: John Hille, Assistant County Attorney; Steve Manilla, Division Director of Engineering and Planning, TNR; Jeff Sivens, Resident of Mantle Drive; Earl Britton, Resident of Neighborhood; and Joe Dequinsio, representing applicant.

Judge Aleshire announced that Item 19 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 7, 19, 28, 30, 31, 36, 38, and 39. Please refer to Item 28 for a summary of the Court's action on this motion.

- 20. APPROVE USE OF ALTERNATE FISCAL FOR WINDING TRAILS PHASE TWO. (9:10 AM)**

Item 20 pulled from Agenda.

- 21. A. APPROVE THE USE OF ALTERNATE FISCAL FOR THE HIELSCHER SECTION 1 SUBDIVISION IN PRECINCT THREE. (9:10 AM)**

Item 21.A pulled from Agenda.

- B. APPROVE CASH SECURITY AGREEMENT FOR HIELSCHER SECTION 1 SUBDIVISION IN PRECINCT THREE.**

Item 21.B pulled from Agenda.

- 22. DISCUSS LEGAL STATUS OF CHURCH LANE AND TAKE APPROPRIATE ACTION. (9:10 AM)**

Item 22 postponed until June 10, 1997.

- 23. DISCUSS LEGAL STATUS OF GILBERT ROAD AND TAKE APPROPRIATE ACTION. (9:10 AM)**

Item 23 postponed until June 10, 1997.

- 24. APPOINT ADVISORY COMMITTEE ON SUBDIVISION STANDARDS AND ADOPT COMMITTEE CHARTER. (9:10 AM)**

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

Clerk's Note: Commissioner Gómez nominated Frank Rodriguez to the Advisory Committee.

Item 24 to be reposted on June 3, 1997.

25. APPROVE AND/OR RATIFY APPOINTMENTS TO CAPCO COMMITTEES.
(9:10 AM)

Item 25 to be reposted on June 3, 1997.

26. APPROVE CONTRACT AWARD FOR THE PROVISION OF TEMPORARY EMPLOYMENT AGENCY (IES), IFB# B970060-BA, TO THE LOW QUALIFIED BIDDERS: PRIMARY AWARD, ADSTAFF MANAGEMENT; SECONDARY AWARD, T.N. EMPLOYMENT; TERTIARY AWARD, TEMPORARIES IN THE ESTIMATED AMOUNT OF \$54,608.60. (2:28 PM)

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

Motion by Commissioner Bristol and **seconded by** Commissioner Biscoe to approve Item 26.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

27. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:10 AM) (11:41 AM)

Motion by Judge Aleshire and **seconded by** Commissioner Biscoe to approve Item 27.

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

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.** REVIEW PERFORMANCE EXPECTATIONS FOR EXECUTIVE MANAGER FOR JUSTICE AND PUBLIC SAFETY ON VARIOUS JUSTICE-RELATED PROJECTS.³
(2:38 PM) (5:17 PM)

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

Members of the Court agreed to consider one Motion for Items 7, 19, 28, 30, 31, 36, 38, and 39.

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

- 7.** Approve the form of the agreement which the Commissioners' Court has and will submit to the Clerk.
- 19.** Item 19 to be reposted on June 3, 1997.
- 28.** Commissioners' Court conversation with the Executive Manager for Justice and Public Safety was sufficient.
- 30.** Item 30 to be reposted on June 3, 1997.
- 31.** Item 31 to be reposted on June 3, 1997.
- 36.** Offer a settlement for this case in the total amount of \$22,000.00.
- 38.** Indicate to Council the Commissioners' Court's support for removing the case to Federal Court.
- 39.** Reject their offer and offer in the amount of \$1,100.00.

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

29. APPROVE PURCHASE CONTRACT WITH JIMMY SPILLAR FOR ACQUISITION OF APPROXIMATELY 718 SQUARE FEET OUT OF SPILLAR PROPERTY AT 2701 S. CONGRESS IN CONNECTION WITH JUVENILE JUSTICE PROJECT AND/OR APPROVE COST OF SURVEY, TITLE COMMITMENT AND POLICY, AND CLOSING COSTS.² (11:41 AM)

Item 29 postponed until June 3, 1997.

30. APPROVE AGREEMENT FOR CONSTRUCTION AND OPERATION OF SECURE POST-ADJUDICATION JUVENILE FACILITY WITH TEXAS JUVENILE PROBATION COMMISSION.¹ (2:38 PM) (5:17 PM)

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

Members of the Court agreed to consider one Motion for Items 7, 19, 28, 30, 31, 36, 38, and 39. Please refer to Item 28 for a summary of the Court's action on this motion.

31. DISCUSSION OF SETTLEMENT OFFER FROM THE PLAINTIFF'S ATTORNEY AND GENERAL MERITS OF THE CASE AND TAKE APPROPRIATE ACTION IN CAUSE NO. A-96-CA-674-SS (CURETON V. TERRY KEEL, TRAVIS COUNTY SHERIFF AND TRAVIS COUNTY, TEXAS).¹ (2:38 PM) (5:17 PM)

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

Members of the Court agreed to consider one Motion for Items 7, 19, 28, 30, 31, 36, 38, and 39. Please refer to Item 28 for a summary of the Court's action on this motion.

32. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, TEXAS V. LAURELWOOD PARTNERS, LTD.¹ (11:41 AM)

Item 32 pulled from the Agenda.

33. RECEIVE BRIEFING FROM COUNTY ATTORNEY; AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN KUHN V. RICHARDS, ET AL.¹
(9:10 AM)

Item 33 postponed until June 3, 1997.

34. RECEIVE BRIEFING FROM COUNTY ATTORNEY; AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION REGARDING REGINALD SWISHER CLAIM. (SWISHER; KEEL; PERSONAL INJURY NEGLIGENCE CLAIM).¹
(9:10 AM)

Item 34 pulled from Agenda.

35. RECEIVE BRIEFING FROM COUNTY ATTORNEY; AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN VELASQUEZ V. SHERIFF TERRY KEEL, ET AL (VELASQUEZ; KEEL SECTION 1983 EXCESSIVE FORCE).¹
(9:10 AM)

Item 35 postponed until June 3, 1997.

36. RECEIVE BRIEFING FROM COUNTY ATTORNEY TAKE APPROPRIATE ACTION IN KELLY LAYTON V. TRAVIS COUNTY, TEXAS, SHERIFF MARGO FRASIER, ET AL., CAUSE NO. A96-CA-483-SS, (FRASIER; DENIAL OF MEDICAL CARE, SECTION 1983).¹ (2:38 PM) (5:17 PM)

Judge Aleshire announced that Item 36 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 7, 19, 28, 30, 31, 36, 38, and 39. Please refer to Item 28 for a summary of the Court's action on this motion.

37. RECEIVE BRIEFING FROM COUNTY ATTORNEY TAKE APPROPRIATE ACTION IN HUTSON, CHRISTOPHER V. CITY OF AUSTIN, ET AL., CAUSE NO. A96-CA-572-SS (FRASIER; DENIAL OF MEDICAL CARE, SECTION 1983).¹
(9:10 AM)

Item 37 pulled from the Agenda.

38. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION IN TEXAS EEI, LTD., V. TRAVIS COUNTY, TEXAS (TEXAS EEI, LTD.; ODEN; LAND USE REGULATIONS).¹
(2:38 PM) (5:17 PM)

Judge Aleshire announced that Item 38 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 7, 19, 28, 30, 31, 36, 38, and 39. Please refer to Item 28 for a summary of the Court's action on this motion.

39. APPROVE, REJECT, OR COUNTER OFFER FROM SWEDISH EVANGELICAL LUTHERAN CHURCH IN CONNECTION WITH RIGHT-OF-WAY AND EASEMENT ACQUISITION FOR NEW SWEDEN CHURCH ROAD BRIDGE NO. 142 PROJECT. ¹ AND ² (2:38 PM) (5:17 PM)

Judge Aleshire announced that Item 39 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 7, 19, 28, 30, 31, 36, 38, and 39. Please refer to Item 28 for a summary of the Court's action on this motion.

40. **ADDED ITEM -** RECEIVE BRIEFING FROM COUNTY ATTORNEY CONCERNING LEGAL ISSUES INVOLVED IN APPOINTING A MEMBER OF THE COMMISSIONERS' COURT TO THE BOARD OF CAPITAL METRO AND TAKE APPROPRIATE ACTION. ¹

Item 40 to be reposted on June 3, 1997.

ADJOURNMENT

Motion by Commissioner Sonleitner and **seconded by** Commissioner Biscoe to adjourn the Voting Session. (5:19 PM)

Motion carried:

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Valarie Scott Bristol	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes
County Judge Bill Aleshire	-	yes

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Bill Aleshire, Travis County Judge