

MINUTES -- JULY 22, 1997

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 22nd day of July, 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 12:09 PM.

The Commissioners' Court, meeting as the Corporation Board of Directors, convened the Corporation Voting Session at 1:35 PM and adjourned at 1:49 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) convened the NWTCRD #3 Voting Session at 1:51 PM and adjourned at 1:59 PM.

The Commissioners' Court reconvened the Voting Session at 1:59 PM.

The Commissioners' Court retired to Executive Session at 6:30 PM and reconvened the Voting Session at 7:52 PM.

The Commissioners' Court adjourned the Voting Session at 7:57 PM.

CITIZENS' COMMUNICATION

Members of the Court heard from: Jim Steed, Real Estate Council of Austin; Margaret Owens, Travis County Juvenile Court; and Gus Peña, President of East Austin Concerned Hispanics.

(9:14 AM)

CONSENT ITEMS

- 1. Motion by** Commissioner Biscoe and **seconded by** Commissioner Sonleitner to approve the following Consent Items: 18; 19.A and B; 25.A and B; 29; and C.1 - C.9, excluding Item C.4.
(9:20 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.** APPROVE CONTRACT AWARD FOR PROFESSIONAL APPRAISAL SERVICES, J.L. CRAFT.
- C4.** APPROVE CONTRACT MODIFICATION NO. 2 TO EXERCISE THE OPTION TO RENEW CLAUSE FOR OPTION YEAR #2 IN CONTRACT NOS. PS960019OJ AND PS960029OJ, DR. NICOLAS CARRASCO AND DR. CARLOS LOREDO, SEX OFFENDER PROGRAM; CONTRACT APPROVED ON 11/8/95. (9:10 AM)

Item C.4 postponed until July 29, 1997.

- C5.** APPROVE A PUBLIC HEARING DATE OF AUGUST 5, 1997 TO APPROVE THE VACATION OF DRAINAGE AND PUBLIC UTILITY EASEMENT ON LOT 18 BLOCK A TRAVIS OAKS SECTION 1, A SUBDIVISION IN PRECINCT TWO.

CONSENT ITEMS CONTINUED

- C6.** APPROVE A PUBLIC HEARING DATE OF AUGUST 12, 1997 FOR APPROVAL OF PROPOSED STREET NAME ASSIGNMENTS FOR FOUR UNNAMED EASEMENTS IN FLAT CREEK SUBDIVISION #1 AND #2 AND CIRCLE J RANCH LAKESIDE SUBDIVISION TO "CIRCLE J ROAD", "LAKESIDE DRIVE", "MIDWAY DRIVE", "PHANTOM FLIGHT LANE" IN PRECINCT TWO.
- C7.** APPROVE A PUBLIC HEARING DATE OF AUGUST 12, 1997 TO APPROVE A PROPOSED STREET NAME CHANGE FOR THE WESTERLY PORTION OF MANSFIELD DAM ROAD LOCATED NORTH OF RM 620 TO "MANSFIELD DAM COURT", IN PRECINCT THREE.
- C8.** APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN LAKE POINTE PHASE 1B, A SUBDIVISION IN PRECINCT THREE.
- C9.** APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR GRAVESEND ROAD IN WINDERMERE PHASE G, SECTION 1, IN PRECINCT TWO.

COUNTY POLICIES AND PROCEDURES

- 2.** DISCUSS AND APPROVE THE CATASTROPHIC SICK LEAVE POLICY.
(9:10 AM) (9:22 AM)

Item 2 to be reposted on July 29, 1997.

ADMINISTRATIVE ITEMS

3. RECEIVE PRESENTATION ON PERFORMING ARTS CENTER USE OF PALMER AUDITORIUM AND HB 92, AND DECIDE WHETHER TO CALL AN ELECTION PURSUANT TO THAT LEGISLATION. (9:22 AM)

Members of the Court heard from: Stan Haas, Team Haas Architects; Michael Guarino, Team Haas Architects; and Jo Anne Christian.

Discussion Only.

4. CONSIDER SETTING THE SALARY SUPPLEMENTS FOR JUDICIAL POSITIONS EFFECTIVE SEPTEMBER 1, 1997. (9:10 AM) (10:27 AM) (6:30 PM) (7:52 PM)

Members of the Court heard from: Alan Miller, Budget Analyst, Planning and Budget Office (PBO); Darwin McKee, Assistant County Attorney; and Ken Oden, Travis County Attorney.

Discussion Only.

A. COURT OF APPEALS. (9:10 AM) (10:27 AM) (6:30 PM) (7:52 PM)

B. DISTRICT JUDGES. (9:10 AM) (10:27 AM) (6:30 PM) (7:52 PM)

C. COUNTY COURT AT LAW JUDGES, PROBATE JUDGE, COUNTY ATTORNEY AND DISTRICT ATTORNEY. (9:10 AM) (10:27 AM) (6:30 PM) (7:52 PM)

Judge Aleshire announced that Items 4.A, B and C would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 4.A, B and C; 5; 11.D; 19.C; 30, 31; 32; 33; 34; 35; 36; 37; 38; 39; 40; 41; and 42. Please refer to Item 30 for a summary of the Court's action on this motion.

5. DETERMINE THE METHOD FOR CREATING THE 1997 ELECTED OFFICIALS SALARY GRIEVANCE COMMITTEE PURSUANT TO THE LOCAL GOVERNMENT CODE. (9:10 AM) (10:38 AM) (6:30 PM) (7:52 PM)

Judge Aleshire announced that Item 5 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 4.A, B and C; 5; 11.D; 19.C; 30, 31; 32; 33; 34; 35; 36; 37; 38; 39; 40; 41; and 42. Please refer to Item 30 for a summary of the Court's action on this motion.

6. ADOPT "PARKS 2000: A MASTER PLAN FOR TRAVIS COUNTY PARKS". (10:41 AM) (10:53 AM)

Members of the Court heard from: Carol B. Joseph, Assistant Director, Transportation and Natural Resources (TNR); Wendy Scaperotta, Planner, TNR; and Charles Bergh, Division Manager, TNR.

Motion by Commissioner Bristol and **seconded by** Commissioner Gómez to move approval of the "Parks 2000: A Master Plan for Travis County Parks".

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. CONSIDER ALTERNATIVE PROVISIONS AND APPROVE SECOND AMENDMENT TO PARK LEASE WITH THE LCRA. (9:10 AM)

Item 7 to be postponed until July 29, 1997.

8. A. EXTEND FLOOD DISASTER DECLARATION AND RECEIVE UPDATE AND GIVE DIRECTION CONCERNING FLOOD DAMAGE AND RESPONSE EFFORTS AND STATUS OF APPLICATIONS FOR REBUILDING IN THE FLOODPLAIN. (10:55 AM)

Members of the Court heard from: Pete Baldwin, Emergency Management Coordinator, TNR; Chris Callsen, Director of Emergency Medical Services, Criminal Justice Planning (CJP); and Ruben Cantu, TNR.

Motion by Commissioner Sonleitner and **seconded by** Commissioner Bristol to extend the Flood Disaster Declaration.

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

Item 8.A to be reposted on July 29, 1997.

THE FOLLOWING ITEM WAS ADDED:

- B. RECEIVE BRIEFING, GIVE DIRECTION, AND APPROVE FORMATION OF A HAZARD MITIGATION GRANT PROGRAM TASK FORCE. (11:16 AM)

Members of the Court heard from: Pete Baldwin, Emergency Management Coordinator, TNR; Diane Calhoun, Federal Emergency Management Agency (FEMA), Denton, TX Regional Office; and James Mirabal, Texas Natural Resources Commission (TNRC).

Motion by Judge Aleshire and **seconded by** Commissioner Bristol to approve formation of a Hazard Mitigation Grant Program Task Force.

Maker and Second accept the Friendly Amendment by Commissioner Sonleitner to appoint Judge Aleshire as the Commissioners' Court representative to the Task Force.

Acceptance of the Friendly Amendment was made by Judge Aleshire.

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. CONSIDER AND APPROVE RELEASE OF A REQUEST FOR APPLICATIONS (RFA) FOR SOCIAL SERVICES TO BE CONTRACTED BY THE AUSTIN/TRAVIS COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT FOR 1998 AND TO BE EXTENDED THROUGH 1999 CONTINGENT ON FUNDING AVAILABILITY AND CONTRACT PERFORMANCE. (10:54 AM) (11:28 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans Affairs Services; and Pandora Wood, Manager, Planning Assessment and Management Office.

Discussion Only.

Item 9 to be reposted on July 29, 1997.

10. RECEIVE REPORT ON HUB STATISTICS, UPDATE ON NEW PROGRAM INITIATIVES AND PRESENTATION OF TRADE SHOW BOOTH. (11:55 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and J.C. "Dusty" McCormick, HUB Coordinator, Purchasing.

Discussion Only.

11. A. AUTHORIZE STAFF TO PROCEED WITH DEVELOPMENT AND IMPLEMENTATION OF AN OWNER CONTROLLED INSURANCE PROGRAM (OCIP). (1:59 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Leroy Nellis, Budget Manager, Planning and Budget Office (PBO); Mike Barrow, Project Manager, Fluor Daniel; Daniel Mansour, Risk Manager, HRMD; Kevin Bailey, Director of Facilities Management; Roy Hendrix and Tom Peel, Consultants, Marsh and McLennan, Inc.; and Cyd Grimes, Travis County Purchasing Agent.

Motion by Commissioner Biscoe and **seconded by** Commissioner Gómez to approve Item 11.A as stated, noting that the Court anticipates follow-up work on the budget.

Motion carried:	Precinct 1, Commissioner Samuel T. Biscoe	-	yes
	Precinct 2, Commissioner Karen Sonleitner	-	no
	Precinct 3, Commissioner Valarie Scott Bristol	-	no
	Precinct 4, Commissioner Margaret J. Gómez	-	yes
	County Judge Bill Aleshire	-	yes

B. AUTHORIZE HIRING ONE DEDICATED OCIP CLAIM/SAFETY SPECIALIST FTE, GRADE 21. (1:59 PM) (2:59 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Leroy Nellis, Budget Manager, (PBO); and Daniel Mansour, Risk Manager, HRMD.

Motion by Commissioner Sonleitner and **seconded by** Commissioner Biscoe to approve Item 11.B as stated.

Maker and Second accept the Friendly Amendment by Judge Aleshire that the Commissioners' Court indicate its interest and support for the position but request that it go through the HRMD for classification without the Court deciding that it is, in fact, a Grade 21.

Acceptance of the Friendly Amendment was made by Commissioner Sonleitner and **seconded by** Commissioner Biscoe.

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

ITEM 11 CONTINUED

C. AWARD THE OCIP CONSULTANT CONTRACT. (1:59 PM) (3:00 PM)

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

Item 11.C to be reposted on July 29, 1997.

**D. AUTHORIZE THE PROCESS FOR PURCHASE OF BUILDERS RISK
INSURANCE PAID FOR BY THE COUNTY. (1:59 PM) (3:00 PM) (6:30 PM)
(7:52 PM)**

Members of the Court heard from: Daniel Mansour, Risk Manager, HRMD; Alicia Perez, Executive Manager, Administrative Operations; Cyd Grimes, Travis County Purchasing Agent; Mike Barrow, Project Manager, Fluor Daniel; Leroy Nellis, Budget Manager, PBO; and Kevin Bailey, Director, Facilities Management.

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

Members of the Court agreed to consider one Motion for Items 4.A, B and C; 5; 11.D; 19.C; 30, 31; 32; 33; 34; 35; 36; 37; 38; 39; 40; 41; and 42. Please refer to Item 30 for a summary of the Court's action on this motion.

**12. RECEIVE STATUS REPORT ON COMMUNITY JUSTICE CENTER, INCLUDING
IMPLEMENTATION OF TRANSITION COMMITTEE RECOMMENDATIONS, AND
TAKE APPROPRIATE ACTION. (9:10 AM)**

Item 12 postponed until July 29, 1997.

13. RECEIVE IJS NEGOTIATION UPDATE AND TAKE APPROPRIATE ACTION, IF NECESSARY, RFP R960072OJ. (9:10 AM)

Item 13 postponed until July 29, 1997.

14. APPROVE INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN FOR DRUG DIVERSION COURT MANAGEMENT INFORMATION SYSTEM. (3:08 PM)

Members of the Court heard from: Rod Gustafson, Director of Court Management, Criminal Courts.

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

15. RECEIVE REPORT ON STATUS OF CFIP RESERVE FROM VOTER APPROVED 1984 BOND REFERENDUM, INCLUDING A BREAKDOWN OF EXPENDITURES BY PRECINCT, AND TAKE APPROPRIATE ACTION. (3:11 PM)

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

Discussion Only.

Item 15 to be reposted on July 29, 1997.

16. APPROVE INCREASE OF CURRENT ESTABLISHED FEE FOR CONTRACT AUTOPSY SERVICE FROM \$800.00 TO \$900.00 WITH AN EFFECTIVE DATE OF NOVEMBER 1, 1997. (3:18 PM)

Members of the Court heard from: Darlene Dunn, Medical Examiner's Office; and Mary Etta Gerhardt, Assistant County Attorney, Transactions Division.

Motion by Commissioner Biscoe and **seconded by** Commissioner Gómez to approve Item 16.

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

17. APPROVE TAX ASSUMPTIONS FOR CALCULATION OF EFFECTIVE TAX RATE FOR TRAVIS COUNTY (GENERAL FUND AND DEBT SERVICE FUNDS). (1:59 PM) (3:20 PM)

Members of the Court heard from: Dusty Knight, Tax Assessor's Office; and Leroy Nellis, Budget Manager, PBO.

Motion by Judge Aleshire and **seconded by** Commissioner Gómez to approve Item 17, indicating to the Tax Assessor Collector's Office and to the Planning and Budget Office that the Court requests any calculations used at 100% debt collection rate, that the homestead exemptions and historical exemptions stay at their current rates, and that the Court anticipates increasing the M and O tax levy \$1,228,800.00 above the effective calculated M and O rate.

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 BUDGET AMENDMENTS AND TRANSFERS. (9:20 AM)

Item 18 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- 19. APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSION TO CONTINUE. (9:20 AM)**
- A. APPROVE REVISED GRANT APPLICATION FOR COMBINED SHERIFF'S AUTO THEFT TASK FORCE PROGRAM FOR SHERIFF'S OFFICE.**
- B. APPROVE CONTRACT FOR EXTENSION OF COMMUNITY BLOCK SERVICES GRANT PROGRAM AGREEMENT, BETWEEN CITY OF AUSTIN AND TRAVIS COUNTY, FOR HEALTH AND HUMAN SERVICES DEPARTMENT.**

Items 19.A and B added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- C. APPROVE GRANT APPLICATION FOR BUILD GREATER AUSTIN PROGRAM FOR TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT (TNR). (3:26 PM) (6:30 PM) (7:52 PM)**

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

Members of the Court agreed to consider one Motion for Items 4.A, B and C; 5; 11.D; 19.C; 30, 31; 32; 33; 34; 35; 36; 37; 38; 39; 40; 41; and 42. Please refer to Item 30 for a summary of the Court's action on this motion.

- 20.** APPROVE USE OF CAPITAL ACQUISITION RESERVE (CAR) FUNDS TO COVER DIFFERENCE BETWEEN RISK FUND PAYMENT AND REPLACEMENT COST OF TOTAL LOSS VEHICLES. (9:10 AM)

Item 20 postponed until July 29, 1997.

- 21.** APPROVE TERMINATION FOR DEFAULT, CONTRACT WITH ADVANCED DRUG DETECTION SERVICES, INC.; DRUG/ALCOHOL ABUSE TESTING SERVICES. (3:27 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Mary Etta Gerhardt, Assistant County Attorney.

Motion by Commissioner Bristol and **seconded by** Commissioner Gómez to approve Item 21 as stated.

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

- 22.** APPROVE ADVANCE FUNDING AGREEMENT WITH TXDOT FOR SURFACE TRANSPORTATION PROGRAM (STP) 4C PROJECT IN CONNECTION WITH THE DEVELOPMENT OF DESSAU ROAD NORTH, CIP PROJECT NO. 2-019. (9:22 AM)

Item 22 postponed until July 29, 1997.

- 23.** DISCUSS AND GIVE STAFF DIRECTION ON DRAINAGE ISSUES IN SWISS ALPINE SUBDIVISION. (9:10 AM)

Item 23 postponed until July 29, 1997.

24. A. APPROVE PHASING AGREEMENT FOR PROPOSED WINDING TRAILS PHASE TWO SUBDIVISION. (3:28 PM)

- B. APPROVE USE OF ALTERNATE FISCAL FOR WINDING TRAILS PHASE TWO IN PRECINCT ONE. (9:10 AM) (3:28 PM)

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

Motion by Commissioner Biscoe and **seconded by** Commissioner Gómez to approve Items 24.A and 24.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

25. A. APPROVE PHASING AGREEMENT WITH PULTE HOME CORPORATION FOR GREAT OAKS AT SLAUGHTER CREEK, PHASE B SUBDIVISION. (9:20 AM)

- B. APPROVE ALTERNATE FISCAL FOR GREAT OAKS AT SLAUGHTER CREEK PHASE B, A SUBDIVISION IN PRECINCT THREE. (9:20 AM)

Items 25.A and B added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

26. **(REVISED WORDING)** RECOMMEND, DISCUSS AND APPROVE CONTRACT AWARDS FOR THE PROVISIONS OF GROUP BENEFITS PROGRAM, RFP #R970104-OJ, TO THE QUALIFIED PROPONENTS, WHICH INCLUDES: (3:29 PM)

A. HEALTH

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Marilyn A. Hancock, Interim Director, HRMD; Patricia O'Reilly, Senior Manager, KPMG Peat Marwick; Rick Gruetzner, Captain, Travis County Sheriff's Office (TCSO); Chris Callsen, Director of Emergency Medical Services, CJP; Susan Spataro, Travis County Auditor; Barbara Wilson, Assistant County Attorney; Daniel Mansour, Risk Manager, HRMD; Dana DeBeauvoir, Travis County Clerk; Ivan Kopecky, Regional Sales Executive of Blue Cross/Blue Shield, Austin; Todd Patch, Director of Sales and Marketing, NYLCare Health Plans, Austin Office; Debra Wilson, Vice President of Operations, NYLCare, Austin Office; Bill Norwood, Texas Association of Counties; Clayton Hendershot, Delta Dental; Cheryl Porter, United Dental Care, Austin.

Motion by Commissioner Bristol and **seconded by** Commissioner Sonleitner to not include in-vitro fertilization in the overall contract and that the Court explore the option of self-administered, self-insurance.

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	-	abstain

Motion by Judge Aleshire and **seconded by** Commissioner Gómez to offer Blue Cross only, on the HMO and PPO indemnity plan.

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

ITEM 26 CONTINUED

Motion by Judge Aleshire and **seconded by** Commissioner Biscoe to choose Option A: A maximum increase of 5% for HMO, and no cap (formula-driven for PPO).

Second Accept the Friendly Amendment made by Judge Aleshire that this be the Court's indication subject to seeing what the actual enrollment figures are, and that if the figures indicate otherwise, the Court may preserve the option to change its choice to Option B: A maximum composite rate of 8% for both HMO and PPO.

Acceptance of the Friendly Amendment was made by Commissioner Biscoe.

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 Biscoe that the County accept the definition Blue Cross/Blue Shield has as a substitute for the County's definition for a domestic partner, and that for anyone who is included in the County's definition now, but may not be included in Blue Cross/Blue Shield's definition -- that that case be taken to the Insurance Commission for approval.

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 Biscoe to submit an Application for Participation in the Insurance Trust, to approve the Master Contract Application for Blue Cross through TAC, to approve the Memorandum of Understanding, and to approve the Group Enrollment Agreement for the HMO (under the name of Rio Grande HMO, Inc.).

Clerk's Note: This Motion also covers Item 26.G.

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

ITEM 26 CONTINUED**B. DENTAL (5:10 PM)**

Motion by Commissioner Bristol and **seconded by** Judge Aleshire to select the Delta Dental Programs HMO and PPO arrangement and to chose the option for the two-year rate guarantee with a third- and fourth-year 6% rate hike.

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

C. LONG TERM DISABILITY (5:29 PM)

Motion by Commissioner Sonleitner and **seconded by** Commissioner Gómez to approve the Committee's recommendation and to limit the reductions to the Retirement Disability and Primary Social Security Disability Benefits only.

Motion carried:

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

Motion by Commissioner Sonleitner and **seconded by** Commissioner Gómez to select Group Life and Health Insurance Company for Long-Term Disability coverage.

Motion carried:

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

ITEM 26 CONTINUED**D. EMPLOYEE ASSISTANCE PROGRAM (5:36 PM)**

Motion by Commissioner Biscoe and **seconded by** Commissioner Gómez to leave the program as is and renew with a one-year option at the expiration of this current year's contract with the vendor, Workers' Assistance Program.

Motion carried:

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

E. COBRA AND T-FLEX ADMINISTRATION

Motion by Commissioner Sonleitner and **seconded by** Commissioner Biscoe to accept Blue Cross as the Cobra and T-Flex administrator and select Option A under Issue 6 for the notification letters.

Second Accept the Friendly Amendment made by Commissioner Sonleitner that acceptance be with the understanding that T-Flex be administered by Health Care Benefits, Inc., and Cobra administered by the Blue Cross/Blue Shield-named company.

Acceptance of the Friendly Amendment was made by Commissioner Biscoe.

Motion carried:

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

ITEM 26 CONTINUED

F. LIFE, SUPPLEMENTAL LIFE, DEPENDENT LIFE AND AD&D

Motion by Commissioner Biscoe and **seconded by** Commissioner Sonleitner to accept the Committee's recommendation to award the contract to Group Life and Health Insurance Company.

Motion carried:

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

G. SUPPLEMENTARY CONTRACTS NECESSARY IN ORDER TO IMPLEMENT THE PROGRAM.

Clerk's Note: This item was covered in the fifth Motion and Vote under Item 26.A.

27. APPROVE PERSONNEL AMENDMENTS. (5:45 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Carlotta Valdez, Compensation Manager, HRMD; Marilyn A. Hancock, Interim Director, HRMD; and Lynne Andrus, HRMD.

Motion by Judge Aleshire and **seconded by** Commissioner Biscoe that all Paralegal II's and Paralegal III's in all County Departments be classified as Grade 15 until the Court may evaluate this issue after seeing the Market Salary Survey, and that it be effective July 15, 1997. The Court expects the departments will have internal salary savings to pay for the FY 1997 cost for that, and those that do not should approach PBO for a budget amendment.

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 Gómez to approve all other Personnel Amendments as recommended by Staff.

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

28. UPDATE AND APPROVE METHODOLOGY FOR COUNTY EMPLOYEE SALARY SURVEY AND GIVE STAFF DIRECTION. (6:00 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Carlotta Valdez, Compensation Manager, HRMD; Marilyn A. Hancock, Interim Director, HRMD; Frank Wagner Personnel Specialist, HRMD; and Cyd Grimes, Travis County Purchasing Agent.

Motion by Commissioner Biscoe and **seconded by** Commissioner Gómez to approve the job family for Purchasing as recommended.

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 PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:20 AM)

Item 29 added to Consent Items. Please refer to Agenda Item 1 (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

- 30.** 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 (9:10 AM) (7:52 PM)

Members of the Court agreed to consider one Motion for Items 4.A, B and C, 5, 11.D, 19.C, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41.

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

- 4.A.** The salary supplement for the Court of Appeals be increased to \$4,450.00, effective September 1, 1997.
- B.** The salary supplement for the District Judges be increased to \$8,900.00, effective September 1, 1997.
- C.** Item 4.C to be reposted on July 29, 1997.
- 5.** No action taken on Item 5, based on attorney's advice. This agenda item will be brought back at a future time.
- 11.D** The Commissioners' Court authorizes and requests the Purchasing Agent to purchase Builder's Risk Insurance for the shortest term usually available, no less than three months. The Purchasing Agent should proceed to do that forthwith. As far as Builder's Risk Insurance for a longer term, it should be incorporated in the effort being undertaken with OCIP.
- 19.C.** Item 19.C to be reposted on July 29, 1997.
- 30.** Item 30 to be reposted on July 29, 1997.

EXECUTIVE SESSION MOTIONS CONTINUED

31. No action taken on Item 31. The Court will bring back an Item which can be used to consider amendments to the Flood Plain Regulations. Item 31 to be reposted on July 29, 1997.
32. Item 32 to be reposted on July 29, 1997.
33. Item 33 to be reposted on July 29, 1997.
34. Item 34 to be reposted on July 29, 1997.
35. Item 35 to be reposted on August 5, 1997.
36. Authorize the County Attorney to initiate condemnation on Item 36.
37. Authorize the County Attorney to initiate condemnation on Item 37.
38. Authorize the County Attorney to initiate condemnation on Item 38.
39. Item 39 to be reposted on July 29, 1997.
40. Item 40 to be reposted on July 29, 1997.
41. Item 41 to be reposted on July 29, 1997.

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: Judge Aleshire expressed the Court's thanks to the County Attorney's Office for excellent work on Items 35 and 42.

31. RECEIVE ADVICE FROM COUNTY ATTORNEY CONCERNING FLOOD PLAIN REGULATIONS AND FEMA RULES AND TAKE APPROPRIATE ACTION. ¹
(6:30 PM) (7:52 PM)

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

Members of the Court agreed to consider one Motion for Items 4.A, B and C, 5, 11.D, 19.C, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41. Please refer to Item 30 for a summary of the Court's action on this motion.

32. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, TEXAS V. JERRY OERTLI AND META OERTLI PRIEM. ¹ (6:30 PM) (7:52 PM)

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

Members of the Court agreed to consider one Motion for Items 4.A, B and C, 5, 11.D, 19.C, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41. Please refer to Item 30 for a summary of the Court's action on this motion.

33. APPROVE, REJECT, OR COUNTER OFFER FROM WELLS BRANCH JOINT VENTURE AND TANDEM COMPUTERS WITH REGARD TO IMPROVEMENT OF DOUBLE FILE TRAIL TO COUNTY STANDARDS. ¹ (6:30 PM) (7:52 PM)

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

Members of the Court agreed to consider one Motion for Items 4.A, B and C, 5, 11.D, 19.C, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41. Please refer to Item 30 for a summary of the Court's action on this motion.

34. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY V. RYLANDER INVESTMENT COMPANY; CASE NUMBER 96-50100 AND USDC NUMBER A-94-CA-561-SC, AND TAKE APPROPRIATE ACTION. ¹ (6:30 PM) (7:52 PM)

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

Members of the Court agreed to consider one Motion for Items 4.A, B and C, 5, 11.D, 19.C, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41. Please refer to Item 30 for a summary of the Court's action on this motion.

35. RECEIVE BRIEFING FROM COUNTY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION IN AVE., INC., AND KATHERINE DAGNINO V. TRAVIS COUNTY, TEXAS AND TERRY KEEL (AVE., INC.; ALESHIRE; LAND USE REGULATIONS).¹ (6:30 PM) (7:52 PM)

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

Members of the Court agreed to consider one Motion for Items 4.A, B and C, 5, 11.D, 19.C, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41. Please refer to Item 30 for a summary of the Court's action on this motion.

36. AUTHORIZE COUNTY ATTORNEY TO INITIATE CONDEMNATION REGARDING CIP PROJECT NO. 2-019, PARCEL #3, (OWNER: EMIL BOHLS; GIESELMAN; CONDEMNATION).¹ & ² (6:30 PM) (7:52 PM)

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

Members of the Court agreed to consider one Motion for Items 4.A, B and C, 5, 11.D, 19.C, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41. Please refer to Item 30 for a summary of the Court's action on this motion.

37. AUTHORIZE COUNTY ATTORNEY TO INITIATE CONDEMNATION REGARDING CIP PROJECT NO. 2-019, PARCEL #5, (OWNER: EMIL BOHLS; GIESELMAN; CONDEMNATION).¹ & ² (6:30 PM) (7:52 PM)

Judge Aleshire announced that Item 37 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 4.A, B and C, 5, 11.D, 19.C, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41. Please refer to Item 30 for a summary of the Court's action on this motion.

38. AUTHORIZE COUNTY ATTORNEY TO INITIATE CONDEMNATION REGARDING CIP PROJECT NO. 2-019, PARCEL #4, (OWNER: BARBARA BOHLS FREEMAN; BOHLS; GIESELMAN; CONDEMNATION). ¹ & ² (6:30 PM) (7:52 PM)

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

Members of the Court agreed to consider one Motion for Items 4.A, B and C, 5, 11.D, 19.C, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41. Please refer to Item 30 for a summary of the Court's action on this motion.

39. AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER; RECEIVE BRIEFING, AND/OR TAKE APPROPRIATE ACTION IN CAUSE NO. 93-06143; KATHLEEN URIBE V. TRAVIS COUNTY, TEXAS (TNR; JOE GIESELMAN; PERSONAL INJURY). ¹ (6:30 PM) (7:52 PM)

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

Members of the Court agreed to consider one Motion for Items 4.A, B and C, 5, 11.D, 19.C, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41. Please refer to Item 30 for a summary of the Court's action on this motion.

40. AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER; RECEIVE BRIEFING, AND/OR TAKE APPROPRIATE ACTION IN RICHARD CONNER V. TRAVIS COUNTY, ET AL. (CONNER; KEEL; CIVIL RIGHTS) ¹ (6:30 PM)

Judge Aleshire announced that Item 40 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 4.A, B and C, 5, 11.D, 19.C, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41. Please refer to Item 30 for a summary of the Court's action on this motion.

- 41.** RECEIVE BRIEFING AND/OR AUTHORIZE COUNTY ATTORNEY TO TAKE APPROPRIATE ACTION IN LORENZO LEWIS V. LAURA DAVENPORT, ET AL; (FRASIER; § 1983; EXCESSIVE FORCE).¹ (6:30 PM) (7:52 PM)

Judge Aleshire announced that Item 41 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 4.A, B and C, 5, 11.D, 19.C, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41. Please refer to Item 30 for a summary of the Court's action on this motion.

- 42.** 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 (6:30 PM) (7:52 PM)

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

ADJOURNMENT

Motion by Commissioner Sonleitner and **seconded by** Commissioner Biscoe to adjourn the Voting Session. (7:57 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