

## **MINUTES -- NOVEMBER 25, 1997**

### **TRAVIS COUNTY COMMISSIONERS' COURT**

On Tuesday, the 25<sup>th</sup> day of November 1997, the Commissioners' Court convened the Voting Session at 9:16 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Travis County Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Anna M. Valdez.

The Commissioners' Court recessed the Voting Session at 11:56 AM and reconvened the Voting Session at 1:45 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, convened the NWTCRD #3 Voting Session at 11:56 AM and adjourned at 11:57 AM.

The Commissioners' Court, meeting as the Corporations Board of Directors, convened the Corporations Voting Session at 1:42 PM and adjourned at 1:45 PM.

The Commissioners' Court retired to Executive Session at 2:43 PM and reconvened the Voting Session at 4:53 PM.

The Commissioners' Court adjourned the Voting Session at 5:00 PM.

## RESOLUTIONS & HEARINGS

1. APPROVE RESOLUTION IN SUPPORT OF CITY OF AUSTIN GRANT APPLICATION TO EPA'S BROWNFIELDS ECONOMIC DEVELOPMENT INITIATIVE PROGRAM. (9:19 AM)

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

**Motion carried:**

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

## CITIZENS' COMMUNICATION

**Members of the Court heard from:** Jim Andrews, Hornsby Bend Resident. (9:19 AM)

Commissioner Gómez addressed the Court regarding a letter on erosion control. She thanked Transportation and Natural Resources (TNR) and all the other parties involved. (9:19 AM)

Commissioner Gómez addressed the Court regarding the implementation of the Market Salary Survey and the need for communication to get out to the employees to dispel rumors that are floating around. She would like all employees to be reassured of the fact that there is money for the implementation and the Court is in full support of the policies they have approved. (11:51 AM)

**CONSENT ITEMS**

- 2. Motion by** Commissioner Biscoe and **seconded by** Commissioner Gómez to approve the following Consent Items: 12, 20, and C1 - C21, excluding C14. (9:23 AM)

**Motion carried:**

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	absent
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 PERSONNEL AMENDMENTS.
- C4.** **A.** CONSIDER AND TAKE ACTION ON AMENDMENT NO. 3 OF THE 1997 INTERLOCAL AGREEMENT WITH CITY OF AUSTIN FOR HUMAN SERVICES PROGRAM CONTRACTS.
- B.** CONSIDER AND TAKE ACTION ON TERMINATION OF 1997 (CAN) CONTRACT WITH SECOND MILE - EXTRA MILE.
- C.** CONSIDER AND TAKE ACTION ON FIRST AMENDMENT OF CONTRACT WITH MHMR FOR CARE PROGRAM.
- D.** CONSIDER AND TAKE ACTION ON FIRST AMENDMENT OF CONTRACT WITH MHMR HOMELESS SERVICES FOR SAFE HAVEN PROGRAM.
- C5.** **A.** APPROVE LICENSE AGREEMENT WITH LETI STUMPPFF FOR OPERATION BROWN SANTA TOY DISPLAY AT COURTHOUSE AND STOKES BUILDING AND AUTHORIZE DISTRIBUTION OF FLYERS.
- C6.** APPROVE LICENSE AGREEMENT WITH THE CITY OF AUSTIN FOR INSTALLATION OF CABLING IN DOWNTOWN CITY RIGHT-OF-WAY.

## CONSENT ITEMS CONTINUED

- C7.** APPROVE ADDITIONAL WATER AND WASTEWATER EASEMENT AND LETTER AGREEMENT TO THE LCRA FOR SERVICE TO TNR SATELLITE 3.
- C8.** APPROVE TEXAS ANTIQUITIES PERMIT APPLICATION TO THE TEXAS HISTORICAL COMMISSION FOR AN ARCHEOLOGICAL SURVEY OF WILD BASIN PRESERVE.
- C9.** APPROVE ALTERNATE FISCAL FOR ELM CREEK RANCH SECTION ONE, A SUBDIVISION IN PRECINCT ONE.
- C10.** APPROVE CONTRACT MODIFICATION NO. 2 TO CONTRACT NO. 97T0094-OJ, WORKERS ASSISTANCE PROGRAM, EMPLOYEE ASSISTANCE PROGRAM; CONTRACT APPROVED ON 11/26/96; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION AND INCREASES THE MONTHLY RATE TO \$4,386.00 PER MONTH.
- C11.** APPROVE STATE CATALOGUE PURCHASE OF WIDE-AREA-NETWORK EQUIPMENT OT SUPPORT ENTERPRISE NETWORK SYSTEMS UPGRADE FROM RACAL DATACOM IN THE AMOUNT OF \$36,731.00.
- C12.** APPROVE PRINTING OF 3,500 MESSAGE CARDS AND DISTRIBUTION OF CARDS AND RED RIBBON WITH COUNTY EMPLOYEE PAYCHECKS OF DECEMBER 15, 1997 FOR COUNTY ATTORNEY'S ANTI-DWI PROGRAM.
- C13.** APPROVE AWARD OF CONTRACT TO HELPING HAND HOME FOR CHILDREN FOR PROVISION OF RESIDENTIAL TREATMENT SERVICES TO JUVENILES UNDER SUPERVISION OF TRAVIS COUNTY JUVENILE COURT FOR THE PERIOD OCTOBER 1, 1997 THROUGH SEPTEMBER 30, 1998.

## CONSENT ITEMS CONTINUED

- C14.** APPROVE CONTRACT AWARD FOR THE PROVISION OF DISHWASHING & LAUNDRY CHEMICALS, IFB 980001-RH, TO THE LOW QUALIFIED BIDDER, ECOLAB, INC. IN THE ESTIMATED AMOUNT OF \$82,556.52. (9:23 AM)  
(10:01 AM) (10:08 AM)

Item C14 pulled from Consent (for discussion).

Members of the Court heard from: Bruce Allsup, Southwest Autochlor; and Cyd Grimes, Travis County Purchasing Agent.

Item C14 postponed until December 2, 1997.

- C15.** APPROVE CONTRACT AWARD FOR THE PROVISION OF LIGHT DUTY TRUCKS - FULL SIZE (2 EA.) IFB 970156-RH, TO THE LOW QUALIFIED BIDDER, LAWRENCE MARSHALL IN THE AMOUNT OF \$31,471.00.
- C16.** APPROVE STATE TERM CONTRACT FOR THE PURCHASE OF 20 COPIERS FOR VARIOUS COUNTY OFFICES, FROM MONROE SYSTEMS FOR BUSINESS, IN THE AMOUNT OF \$109,648.00.
- C17.** APPROVE STATE CONTRACT MODIFICATION NO. 1 TO CONTRACT 97T0092-JP, FOR FIRE ALARM SYSTEMS MAINTENANCE; CONTRACT APPROVED ON 12/17/96; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION; CONTRACT IS FOR AN ANNUAL ESTIMATED AMOUNT OF \$20,838.00.
- C18.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: VISTA BUSINESS PARK III - (SHORTFORM - NO FISCAL REQUIRED - 2 LOTS - 3.61 ACRES - GRAND AVENUE PARKWAY AND THREE POINTS ROAD).
- C19.** APPROVE PLAT FOR RECORDING IN PRECINCT THREE: HILLCREST SUBDIVISION SECTION ONE - (LONGFORM - FISCAL POSTED WITH THE CITY OF AUSTIN AND TRAVIS COUNTY - 90 LOTS - 20.59 ACRES - MANCHACA ROAD).
- C20.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: AMENDED PLAT OF LOT 6, TRAVIS VISTA SECTION 2, PHASE B - (SHORTFORM - NO FISCAL REQUIRED - 1 LOT - 0.3329 ACRES - TRAVIS VIEW LOOP).

## CONSENT ITEMS CONTINUED

- C21.** APPROVE PLAT FOR RECORDING IN PRECINCT FOUR: DEERWOOD - (SHORTFORM - NO FISCAL REQUIRED - 1 LOT - 89.830 ACRES - PEARCE LANE).

## COUNTY POLICIES AND PROCEDURES

- 3.** APPROVE REVISED CHAPTER 84, SUBSTANDARD ROADWAY SPECIFICATIONS AND SUBSTANDARD ROAD CRITERIA FOR ACCEPTANCE (9:23 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Steve Manilla, Director of Engineering and Planning, TNR; Jim Andrews, Representative and Resident, Hornsby Bend Neighborhood; Tom Whittaker, Resident, Hornsby Bend.

**Clerk's Note:** Commissioner Biscoe recognized approximately 15 other Hornsby Bend neighborhood residents. They were asked to stand so their presence could be acknowledged.

**Motion by** Commissioner Biscoe and **seconded by** Judge Aleshire to give Staff direction to take the language submitted and put it in official policy format for consideration and action by the Court on December 2, 1997. (9:25 AM)

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

## ADMINISTRATIVE ITEMS

4. A. DISCUSS AND APPROVE FINANCING AND PAYMENT PROVISIONS FOR THE PURCHASE AND/OR LEASE OF HELICOPTERS FOR EMERGENCY SERVICES.  
(10:25 AM)

**Members of the Court heard from:** Chris Callsen, Director of Emergency Services, Criminal Justice Planning (CJP); and Christian Smith, Executive Manager, Planning and Budget Office (PBO).

Discussion Only.

- B. APPROVE CONTRACT AWARD FOR THE PURCHASE AND/OR LEASE OF HELICOPTERS FOR EMERGENCY SERVICES, RFP# P970118-JP, TO THE BEST QUALIFIED PROPOSER, AMERICAN EUROCOPTER, IN THE AMOUNT OF \$5,804,020.00. (10:25 AM)

**Members of the Court heard from:** David Escamilla, First Assistant County Attorney; Cyd Grimes, Travis County Purchasing Agent; and Chris Callsen, Director of Emergency Services, CJP.

**Motion by** Judge Aleshire **and seconded by** Commissioner Biscoe that the Court approve the contract and authorize Judge Aleshire to sign the contract as soon as the Auditor and the Purchasing Agent have signed off on it.

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

**ITEM 4 CONTINUED****C. APPROVE LEASE-PURCHASE AGREEMENT FOR HELICOPTERS. (10:25 AM)**

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, CJP; Patricia Goodman, Assistant County Attorney; Christian Smith, Executive Manager, PBO; David Escamilla, First Assistant County Attorney; and Chris Callsen, Director of Emergency Services, CJP.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Biscoe **and** Commissioner Bristol to approve Item 4.C.

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

Item 4.C to be reposted on December 2, 1997.

**D. APPROVE RESOLUTION EXPRESSING INTENT TO FINANCE EXPENDITURES TO BE INCURRED IN RELATION TO TWO (2) NEW, COMPLETELY EQUIPPED HELICOPTERS TO BE PLACED INTO SERVICE IN SUPPORT OF THE AUSTIN/TRAVIS COUNTY STAR FLIGHT EMS HELICOPTER PROGRAM. (10:25 AM)**

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

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



5. DISCUSS, APPROVE, AND GIVE STAFF DIRECTION REGARDING ALTERNATIVE SCHEDULE AND FUNDING STRATEGIES FOR THE STAR FLIGHT HELICOPTER MAINTENANCE HANGER PROJECT. (10:46 AM)

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, CJP; Belinda Poppa, Planner, Facilities Management; Chris Callsen, Director of Emergency Services, CJP; Christian Smith, Executive Manager, PBO; and Cyd Grimes, Travis County Purchasing Agent.

Discussion Only.

Item 5 to be reposted on December 2, 1997.

6. DISCUSS, APPROVE AND GIVE STAFF DIRECTION REGARDING STRATEGIES, SCHEDULES, AND FUNDING REQUIREMENTS FOR THE CENTRAL WAREHOUSE.  
(11:23 AM)

**Members of the Court heard from:** Elizabeth Conti, Planner, Facilities Management; Alicia Perez, Executive Manager, Administrative Operations; and Belinda Poppa, Planner, Facilities Management.

Discussion Only.

Item 6 to be reposted on December 2, 1997.

7.     **A. REVIEW AND APPROVE BUDGET ORDER FOR THE ISSUANCE OF FY 1998 CERTIFICATES OF OBLIGATION. (11:52AM) (1:45 PM)**

Item 7.A to be reposted on December 2, 1997.

- B. REVIEW AND APPROVE BUDGET ORDER FOR THE ISSUANCE OF FY 1998 PERMANENT IMPROVEMENT BONDS APPROVED BY THE VOTERS AT THE NOVEMBER 1997 ELECTION. (1:57 PM)**

**Members of the Court heard from:** Christian Smith, Executive Manager, PBO; and Joe Gieselman, Executive Manager, TNR.

Discussion Only.

Item 7.B to be reposted on December 2, 1997.

8.     **A. APPOINT MEMBERS OF THE CITIZENS BOND PROJECT ACCOUNTABILITY COMMITTEE AND ADOPT CHARTER FOR THE COMMITTEE. (11:52 AM)**

Item 8.B to be reposted on December 2, 1997.

- B. DETERMINE ORGANIZATION, LOCATION, INSTRUCTIONS, AND BUDGET FOR COUNTY STAFF TO MANAGE BOND PROJECTS AND TO SUPPORT THE OPERATION OF THE CITIZENS BOND PROJECT ACCOUNTABILITY COMMITTEE. (11:52 AM)**

Item 8.B to be reposted on December 2, 1997.

9.     **APPOINT MEMBERS OF THE ON-SITE SEWAGE FACILITY RULES ADVISORY COMMITTEE. (11:52 AM)**

Item 9 to be reposted on December 2, 1997.

- 10. A. RECEIVE UPDATE ON TRAVIS COUNTY COMMUNITY JUSTICE CENTER SECURITY AND FACILITY ISSUES AND TAKE APPROPRIATE ACTION.**  
(9:16 AM) (2:25 PM) (2:43 PM) (4:53 PM)

Judge Aleshire announced that Item 10.A would be considered in Executive Session.

**Motion by** Commissioner Biscoe and **seconded by** Judge Aleshire to release the Notice of Default subject to the following two points. One is the construction of a new fence within 60 days of receipt of the Notice to Proceed from the state jail officials. Two is subject to Travis County's receipt, from Wackenhut, of bi-weekly reports of the attrition and retention rate, post counts and recruiting efforts.

**Motion carried:**

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

- B. RECEIVE UPDATE ON EFFORTS TO FUND TRANSITIONAL PROGRAMS FOR COMMUNITY JUSTICE CENTER AND TAKE APPROPRIATE ACTION.**  
(9:16 AM) (2:25 PM) (2:43 PM)

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, CJP; and Walter Jasper, Pastor.

Item 10.B to be reposted on December 9, 1997.

11. CONSIDER AND TAKE ACTION ON THE RENEWAL OF THE INTERLOCAL COOPERATION AGREEMENT BETWEEN TRAVIS COUNTY AND CALDWELL-TRAVIS SOIL AND WATER CONSERVATION DISTRICT #304. (10:08 AM)

**Members of the Court heard from:** Jim Smith, County Extension Director, Texas Agricultural Extension Services; and Joe Gieselman, Executive Manager, TNR.

**Motion by** Commissioner Gómez and **seconded by** Commissioner Bristol to approve the renewal of the interlocal cooperation agreement.

**Motion carried:**

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

12. APPROVE CONVEYANCE OF A 1.578 ACRE TRACT OF LAND, A 1.239 ACRE TRACT OF LAND, AND A 0.041 ACRE TRACT OF LAND TO TEXAS PARKS AND WILDLIFE AS CONSIDERATION FOR LAND NECESSARY TO CONSTRUCT MCKINNEY FALLS PARKWAY (ARTERIAL 5, 4-001B). (9:23 AM)

Item 12 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

**13. APPROVE VARIANCE OF FISCAL POSTING PERIOD FOR HILLCREST SECTION ONE, A SUBDIVISION IN PRECINCT THREE. (10:16 AM)**

**Members of the Court heard from:** Tim Sawtelle, Masonwood Development; Joe Gieselman, Executive Manager, TNR; Steve Manilla, Director of Engineering and Planning, TNR; John Hille, Assistant County Attorney; and Gordon Bowman, Assistant County Attorney.

**Motion by** Commissioner Bristol and **seconded by** Commissioner Gómez to approve Item 13 contingent on the City of Austin annexing this area (because if it is not annexed Mr. Sawtelle will need to go back and file the type of instrument that the County requires).

**A Clarification was made of the previous Motion by** Judge Aleshire that the contingency is good through the end of January. By that time, either the construction has been satisfactorily completed, the Letter of Credit has been substituted for three years, or the annexation has occurred.

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

**14. APPROVE CLEARVIEW AGREEMENT WITH CNA FOR SOFTWARE SUPPORT FOR ROCIP, RFP R970153-OJ. (11:54 AM)**

Item 14 postponed until December 2, 1997.

15. APPROVE CONTRACT AWARD FOR PROFESSIONAL ENGINEERING SERVICES TO CARTER AND BURGESS, INC. FOR HOWARD LANE PHASE 1, NOT-TO-EXCEED \$482,601.00; HOWARD LANE PHASE 2 (OPTION), NOT-TO-EXCEED \$250,000.00; LOHMANS CROSSING PHASE 1, NOT-TO-EXCEED \$189,981.00; AND LOHMANS CROSSING PHASE 2 (OPTION), NOT-TO-EXCEED \$250,00.00.  
(11:54 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; and Joe Gieselman, Executive Manager, TNR.

Item 15 to be reposted on December 2, 1997.

16. APPROVE ORDER EXEMPTING A CONTRACT WITH MARTIN WORKS, INC. FOR THE PURCHASE OF PROFESSIONAL PERSONNEL PLACEMENT SERVICES FOR TEMPORARY AND PERMANENT PLACEMENT OF LICENSED SOCIAL WORKERS, CERTIFIED CHEMICAL DEPENDENCY COUNSELORS, AND RELATED SOCIAL SERVICE PROFESSIONALS FROM THE REQUIREMENTS OF COMPETITIVE PROPOSAL PURSUANT TO THE COUNTY PURCHASING ACT. LOC. GOVT CODE ANN., SECTION 262.023. (1:54 PM)

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

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

**Motion carried:**

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

17. APPROVE RESOLUTION EXPRESSING INTENT TO FINANCE EXPENDITURES TO BE INCURRED IN RELATION TO THE SOUTHEAST DISTRICT PARK, OR OTHER PROJECTS TO BE REIMBURSED FROM CERTIFICATES OF OBLIGATION OR BOND FUNDS. (1:57 PM)

**Members of the Court heard from:** John Hille, Assistant County Attorney; and Leroy Nellis, Budget Manager, PBO.

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

**Motion carried:**

Precinct 1, Commissioner Samuel T. Biscoe	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	absent
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. (1:59 PM)

**Members of the Court heard from:** Leroy Nellis, Budget Manager, PBO; Kevin Bailey, Director, Facilities Management; Alicia Perez, Executive Manager, Administrative Operations; and Cyd Grimes, Travis County Purchasing Agent.

**Motion by** Commissioner Biscoe and **seconded by** Commissioner Gómez to approve the Budget Amendments with the exception of A4, A5 and T1 and with a change on A6 (from \$60,000.00 to \$55,000.00).

**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

**19. REVIEW UPDATE ON AVAILABILITY OF DELTA DENTAL'S PREMIER PLAN TO TRAVIS COUNTY RETIREES, AND TAKE APPROPRIATE ACTION. (2:10 PM)**

**Members of the Court heard from:** Daniel Mansour, Risk Manager, Human Resources Management Department (HRMD); Barbara Wilson, Assistant County Attorney; and Alicia Perez, Executive Manager, Administrative Operations.

**Motion by** Commissioner Biscoe and **seconded by** Commissioner Gómez to invoice the County's retirees (who selected Delta Dental's Premier Plan), they will send their checks back to the County but made out to Delta Dental, the County will collect them and send them to Delta Dental. That is the suggestion of the Court but they would like to have the contract amended to make it clear what the mechanics are and that there is still just one contract.

**Maker and Second accept the Friendly Amendment by** Judge Aleshire that Staff is authorized, subject to guidance from the County Attorney's Office, to notify the retirees of what they need to send in to get their coverage back in order. This notification should occur within the next week or as soon as possible.

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

**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

**20. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:23 AM)**

Item 20 added to Consent Items. Please refer to Agenda Item 2 (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

**21. APPROVE OR REJECT PROPOSED FARMERS MARKET LEASE AGREEMENT WITH LOS ARMADILLOS COFFEE CO., INC..<sup>1</sup> (2:43 PM) (4:55 PM)**

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

**Members of the Court agreed** to consider one Motion for Items 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34.

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

- 21.** Approve the Lease Agreement but make note that the Court is still awaiting Federal Court decision about the application of the Real Estate Act.
- 22.** Accept the settlement offer in the amount of \$10,000.00 to be paid by the defendant Knapp Chevrolet, on the County's behalf, with Corporate Releases.
- 24.** Reject their offer and counter in the amount of \$16, 280.00, which would include the fence.
- 25.** Item 25 to be reposted on December 2, 1997.
- 26.** Item 26 to be reposted on December 2, 1997.
- 27.** Item 27 to be reposted on December 2, 1997.
- 28.** Item 28 to be reposted on December 2, 1997.
- 29.** Item 29 to be reposted on December 2, 1997.
- 30.** Item 30 to be reposted on December 2, 1997.
- 31.** Accept their counter offer in the amount of \$4,670.00.
- 32.** Accept their offer in the amount of \$4,000.00.
- 33.** Item 33 to be reposted on December 2, 1997.
- 34.** Accept the settlement offer, to be received by the County, in the amount of \$44,000.00.

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

22. RECEIVE BRIEFING FROM COUNTY ATTORNEY, TAKE APPROPRIATE ACTION AND GIVE AND/OR ACCEPT, REJECT, OR COUNTER SETTLEMENT DEMAND IN CIBOLO MANUFACTURING IN., ET AL. V. CROSS EQUIPMENT CO., INC. ET AL. (PATENT LAWSUIT) <sup>1</sup> (2:43 PM) (4:55 PM)

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

**Members of the Court agreed** to consider one Motion for Items 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34. Please refer to Item 21 for a summary of the Court's action on this motion.

23. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING TITLE TO THE OLD OAK HILL ELEMENTARY SCHOOL AND TAKE APPROPRIATE ACTION. <sup>2</sup> (2:43 PM) (4:55 PM)

Judge Aleshire announced that Item 23 would be considered in Executive Session.

**Motion by** Judge Aleshire and **seconded by** Commissioner. Biscoe to ask for appropriate documents to be prepared for the County to receive consideration and transfer of title with the Austin Independent School District (AISD) that would be beneficial to Travis County and constitute valuable consideration.

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

24. RECEIVE UPDATE FROM COUNTY ATTORNEY REGARDING DRAINAGE DISPUTE WITH CAPITOL VIEW MOBILE HOME PARK, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (2:43 PM) (4:55 PM)

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

**Members of the Court agreed** to consider one Motion for Items 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34. Please refer to Item 21 for a summary of the Court's action on this motion.

25. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER OFFER OR SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN: ROSIE CAROTHERS V. MONTGOMERY ELEVATOR AND TRAVIS COUNTY; (TEXAS TORT CLAIMS ACT; PERSONAL INJURY) <sup>1</sup> (11:55 AM)

Item 25 postponed until December 2, 1997.

26. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER-OFFER OR SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN: BRENT CULLISON VIVIAN INDUSTRIAL PLASTICS, INC., ET AL; (CULLISON; RI RICH; TEXAS TORT CLAIMS ACT, PERSONAL INJURY) <sup>1</sup> (2:43 PM) (4:55 PM)

Judge Aleshire announced that Item 26 would be considered in Executive Session.

**Members of the Court agreed** to consider one Motion for Items 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34. Please refer to Item 21 for a summary of the Court's action on this motion.

27. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER OFFER OR SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN: CURTIS S. CANTWELL AND TAMMY CANTWELL V. TRAVIS COUNTY AND TRAVIS COUNTY; (TEXAS TORT CLAIMS ACT; PERSONAL INJURY) <sup>1</sup> (11:55 AM) (2:43 PM) (4:55 PM)

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

**Members of the Court agreed** to consider one Motion for Items 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34. Please refer to Item 21 for a summary of the Court's action on this motion.

28. RECEIVE BRIEFING FROM COUNTY ATTORNEY, TAKE APPROPRIATE ACTION AND GIVE DIRECTION AND/OR ACCEPT, REJECT, OR COUNTER SETTLEMENT DEMAND IN CONNER V. TRAVIS COUNTY, CAUSE NO. 95-CA-648 (42 USC 1983) <sup>1</sup> (2:43 PM) (4:55 PM)

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

**Members of the Court agreed** to consider one Motion for Items 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34. Please refer to Item 21 for a summary of the Court's action on this motion.

29. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT OR REJECT SETTLEMENT OFFER AND TAKE APPROPRIATE ACTION IN CUMMINS, TWC# 97-048648. <sup>1</sup> (11:55 AM) (4:55 PM)

Item 29 postponed until December 2, 1997.

30. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT, OR COUNTER SETTLEMENT DEMAND IN (REGINALD SWISHER V. KEEL, ET AL; CAUSE NO. A-97-CA-462-SS).<sup>1</sup> (11:55 AM) (4:55 PM)

Item 30 postponed until December 2, 1997.

**Members of the Court agreed** to consider one Motion for Items 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34. Please refer to Item 21 for a summary of the Court's action on this motion.

31. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER OFFER OR SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN: BAMBI TEANEY V. TRAVIS COUNTY, TEXAS; (TEANEY; WILLIAMS; TEXAS TORT CLAIMS ACT, PERSONAL INJURY).<sup>1</sup> (2:43 PM) (4:55 PM)

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

**Members of the Court agreed** to consider one Motion for Items 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34. Please refer to Item 21 for a summary of the Court's action on this motion.

32. APPROVE AGREEMENT, RELEASE AND SETTLEMENT OF CLAIMS WITH SIMON ROBINSON, AL ROBINSON, LAURA MAE ROBINSON EAST, JAMES A ROBINSON, EUGENE ROBINSON, EMSY ROBINSON, ULYSSES ROBINSON, JR., AND JOSEPH E. ROBINSON, (THE "ROBINSONS"), REGARDING ADDITIONAL 0.615 ACRES OF TEMPORARY PONDING OF STORM WATER RUN-OFF DURING 100 YEAR STORM EVENT ON SIMON ROBINSON, ET AL, TRACT ON HOWARD LANE CIP PROJECT NO. 2-004.<sup>1</sup> (9:16 AM) (2:43 PM) (4:55 PM)

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

**Members of the Court agreed** to consider one Motion for Items 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34. Please refer to Item 21 for a summary of the Court's action on this motion.

33. DISCUSS AND APPROVE SALARY COMPENSATION MATRICES FOR EXECUTIVE MANAGERS, AND COUNTY JUDGE AND COMMISSIONERS' STAFF. <sup>3</sup> (2:43 PM) (4:55 PM)

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

**Members of the Court agreed** to consider one Motion for Items 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34. Please refer to Item 21 for a summary of the Court's action on this motion.

#### ITEM ADDED

34. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND GIVE DIRECTION TO ACCEPT OR REJECT SETTLEMENT OFFER AND TAKE APPROPRIATE ACTION IN AMANDA MCINTOSH ET AL V. CAP. METRO. TRANSPORTATION AUTHORITY ET AL; CAUSE NO. 96-14728. <sup>1</sup> (2:43 PM) (4:55 PM)

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

**Members of the Court agreed** to consider one Motion for Items 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34. Please refer to Item 21 for a summary of the Court's action on this motion.

## ADJOURNMENT

**Motion by** Commissioner Bristol and **seconded by** Commissioner Biscoe to adjourn the Voting Session. (5:00 PM)

**Motion carried:**

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

## MINUTES APPROVED BY THE COMMISSIONERS' COURT

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**Date of Approval**

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**Bill Aleshire, Travis County Judge**