

MINUTES -- JANUARY 27, 1998

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 27th day of January 1998, the Commissioners' Court convened the Voting Session at 9:21 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 11:52 AM.

The Commissioners' Court, meeting as the Corporations' Board of Directors, convened the Corporations' Voting Session at 11:52 AM and adjourned at 11:54 AM.

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 11:54 AM and adjourned at 11:55 AM.

The Commissioners' Court reconvened the Voting Session at 1:43 PM.

The Commissioners' Court retired to Executive Session at 2:03 PM and reconvened the Voting Session at 3:18 PM.

The Commissioners' Court adjourned the Voting Session at 3:27 PM.

RESOLUTIONS & HEARINGS

1. APPROVE RESOLUTION PROCLAIMING JANUARY 29, 1998 AS VFW AUXILIARY DAY IN HONOR OF THE NATIONAL PRESIDENT AND ALL AUXILIARY MEMBERS. (9:23 AML)

Members of the Court heard from: Bill McLemore, Veterans Services Officer, Veterans Affairs Services; and June Bell, Veterans Affairs Services.

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

Motion carried:

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|--|---|-----|
| County Judge Bill Aleshire | - | yes |
| Precinct 1, Commissioner Darwin McKee | - | yes |
| Precinct 2, Commissioner Karen Sonleitner | - | yes |
| Precinct 3, Commissioner Margaret Moore | - | yes |
| Precinct 4, Commissioner Margaret J. Gómez | - | yes |

CITIZENS' COMMUNICATION

Members of the Court heard from: Precinct Two Commissioner Karen Sonleitner who extended condolences to the family of her former News Director Carole Kneeland, who died of cancer last night. Commissioner Sonleitner also commented on the importance of receiving a mammogram and encouraged everyone to take this early detection test in the fight against Breast Cancer. (9:23 AM)

Precinct One Commissioner Darwin McKee informed the Court that Adele Boyko, Austin's first commissioned female police officer, passed away on Sunday, January 25, 1998. Mrs. Boyko's years of service in the Austin Police Department were from 1952 - 1963. Commissioner McKee expressed his condolences to Mrs. Boyko's husband and family. (1:44 PM)

CONSENT ITEMS

2. Motion by Commissioner Sonleitner and **seconded by** Commissioner Gómez to approve the following Consent Items: 9.A, B and C, 16.A and C, 18, and C1 - C11, excluding C10. (9:30 AM)

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|------------------------|--|---|-----|
| Motion carried: | County Judge Bill Aleshire | - | yes |
| | Precinct 1, Commissioner Darwin McKee | - | yes |
| | Precinct 2, Commissioner Karen Sonleitner | - | yes |
| | Precinct 3, Commissioner Margaret Moore | - | yes |
| | Precinct 4, Commissioner Margaret J. Gómez | - | yes |

Clerk's Note: Precinct Three Commissioner Margaret Moore requested that the record reflect that she abstained on a portion of Item C3, the minutes for December 9, 1997. A formal Division of the Vote was not requested.

- C1.** RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION FACILITIES.
- C3.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSIONS OF DECEMBER 9, 1997 AND DECEMBER 16, 1997.
- C4.** APPROVE TRANSFER OF FY'98 FIRST QUARTER NET PARK REVENUES IN THE AMOUNT OF \$60,324.70 FROM THE LCRA PARKS ESCROW FUND TO TRAVIS COUNTY'S GENERAL FUND.
- C5.** DISCUSS AND/OR APPROVE THE LEASE AGREEMENT BETWEEN G.O.P. INVESTMENTS AND TRAVIS COUNTY, TEXAS, DEPARTMENT OF INFORMATION SERVICES.
- C6.** APPROVE PERSONNEL AMENDMENTS.
- C7.** APPROVE WAIVER OF RETROACTIVITY FOR NORTHEAST METROPOLITAN PARK.
- C8.** APPROVE CONTRACT FOR PROFESSIONAL DENTAL SERVICES FOR ENROLLEES IN THE TRAVIS COUNTY RURAL DENTAL ASSISTANCE PROGRAM (TCRDAP), MILTON J. OTTO, D.D.S.

CONSENT ITEMS CONTINUED

- C9.** APPROVE CONTRACT AWARD TO FAMILY ELDERCARE, INC. FOR THE PROVISION OF GUARDIANSHIP SERVICES FOR INDIGENT COUNTY RESIDENTS WHO ARE ELDERLY AND/OR DISABLED.

- C10.** APPROVE PLAT FOR RECORDING IN PRECINCT THREE: REPLAT OF LOT 153 AND 154, THE RESUBDIVISION OF LOTS 31-39 BARTON CREEK LAKESIDE, PHASE ONE AND LOTS 1-34 BARTON CREEK LAKESIDE, PHASE TWO - (SHORTFORM - NO FISCAL REQUIRED - 2 LOTS - .651 ACRES). (9:22 AM)

Item C10 postponed until February 3, 1998.

- C11.** APPROVE A PUBLIC HEARING DATE OF FEBRUARY 17, 1998 TO APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 5' PUBLIC UTILITY EASEMENT ON LOT 44 AND A 5' PUBLIC UTILITY EASEMENT ON LOT 45 SANDY SHORES SUBDIVISION, A SUBDIVISION IN PRECINCT TWO.

ADMINISTRATIVE ITEMS

- 3.** DISCUSS AND GIVE STAFF DIRECTION ON THE TECHNICALLY PREFERRED ALIGNMENT FOR STATE HIGHWAY 130 IN THE VICINITY OF NORTHEAST METRO PARK AND RECOMMEND COUNTY PREFERENCES TO TEXAS DEPARTMENT OF TRANSPORTATION. (9:21 AM)

Item 3 postponed until February 3, 1998.

- 4.** DISCUSS PROPOSAL TO EXPEDITE LOHMANS CROSSING 1997 CIP PROJECT AND TAKE APPROPRIATE ACTION. (9:21 AM)

Item 4 postponed until February 3, 1998.

5. APPROVE VARIANCE OR AGREEMENT AND PLAT FOR RECORDING IN PRECINCT TWO: ANGEL PASS SUBDIVISION - (SHORTFORM - NO FISCAL REQUIRED - 11 LOTS - 14.73 ACRES - CUESTA TRAIL). (9:21 AM) (10:25 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); Fred Purcell, Applicant; and Gordon Bowman, Assistant County Attorney.

Motion by Commissioner Sonleitner and **seconded by** Commissioner Moore to approve the variance and the Restrictive Covenants that have been worked out with the applicant and the recording of this plat in Precinct Two as noted on the agenda.

Motion carried:

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| County Judge Bill Aleshire | - | yes |
| Precinct 1, Commissioner Darwin McKee | - | yes |
| Precinct 2, Commissioner Karen Sonleitner | - | yes |
| Precinct 3, Commissioner Margaret Moore | - | yes |
| Precinct 4, Commissioner Margaret J. Gómez | - | yes |

6. APPROVE CONTRACT AWARD FOR CIVIL COURTS JUSTICE SYSTEM (CCJS) NEEDS ASSESSMENT AND OPERATIONS MASTER PLAN, CGA CONSULTING SERVICES, INC., NOT-TO-EXCEED \$89,950. (9:33 AM) (11:51 AM)

Members of the Court heard from: Sharon Gilman, Assistant Purchasing Agent, Purchasing; Alan Miller, Budget Analyst, Planning and Budget Office (PBO); Ron Ledford, Director of Court Management, Civil Courts; and Leroy Nellis, Budget Manager, PBO.

Motion by Commissioner Gómez and **seconded by** Commissioner Sonleitner to approve Item 6 as stated.

Motion carried:

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| County Judge Bill Aleshire | - | yes |
| Precinct 1, Commissioner Darwin McKee | - | yes |
| Precinct 2, Commissioner Karen Sonleitner | - | yes |
| Precinct 3, Commissioner Margaret Moore | - | yes |
| Precinct 4, Commissioner Margaret J. Gómez | - | yes |

7. APPROVE STATE CATALOGUE PURCHASE OF TRAINING OF TRAVIS COUNTY EMPLOYEES ON WINDOWS 95 TO NEW HORIZONS IN THE AMOUNT OF \$31,875.00. (9:37 AM)

Members of the Court heard from: Chuck Belisle, Assistant Purchasing Agent, Purchasing; and Frank Curcio, Director, Information and Telecommunications Systems (ITS).

Discussion Only.

Item 7 to be reposted on February 3, 1998.

8. APPROVE ORDER EXEMPTING IN-HOUSE TRAINING FROM COMPETITIVE BIDDING AND APPROVE CONTRACT WITH THE NATIONAL LAW CENTER, INC., FOR CONSTRUCTION TRAINING. (9:49 AM)

Members of the Court heard from: John Hille, Assistant County Attorney; Belinda Poppa, Planner, Facilities Management; Kevin Bailey, Director, Facilities Management; and Alicia Perez, Executive Manager, Administrative Operations.

Discussion Only.

No action taken on Item 8.

Item 8 pulled from the agenda.

9. A. APPROVE HOUSTON/GALVESTON AREA COUNCIL OF GOVERNMENT INTERLOCAL CONTRACT/AGREEMENT FOR THE PURCHASE OF NINE FORD EXPEDITIONS FOR THE SHERIFF'S OFFICE IN THE AMOUNT OF \$249,194.01. (9:30 AM) (3:21 PM)

Item 9.A added to Consent. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

Motion by Commissioner Gómez and **seconded by** Commissioner Sonleitner to reconsider the approval on Item 9.A, taken earlier in the day, in the Consent Motion and Vote.

Motion carried:

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| County Judge Bill Aleshire | - | yes |
| Precinct 1, Commissioner Darwin McKee | - | yes |
| Precinct 2, Commissioner Karen Sonleitner | - | yes |
| Precinct 3, Commissioner Margaret Moore | - | yes |
| Precinct 4, Commissioner Margaret J. Gómez | - | yes |

Clerk's Note: The reconsideration is for Item 9.A only, the rest of the Items passed on Consent were not brought back up before the Court or affected in any way.

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Chuck Belisle, Assistant Purchasing Agent, Purchasing; and Jim Connolly, Assistant County Attorney.

Motion by Commissioner Gómez and **seconded by** Commissioner Moore to approve the Interlocal Contract Agreement with the restrictions as stated and the correction in the amount.

Motion carried:

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| County Judge Bill Aleshire | - | yes |
| Precinct 1, Commissioner Darwin McKee | - | yes |
| Precinct 2, Commissioner Karen Sonleitner | - | yes |
| Precinct 3, Commissioner Margaret Moore | - | yes |
| Precinct 4, Commissioner Margaret J. Gómez | - | yes |

ITEM 9 CONTINUED

B. APPROVE STATE TERM CONTRACT PURCHASE OF ONE (1) CHEVROLET 15 PASSENGER VAN, THREE (3) FORD 3/4 TON PICKUPS, ONE (1) CHEVROLET UTILITY VEHICLE AND ONE (1) GMC CREW CAB PICKUP FOR THE TNR IN THE AMOUNT OF \$122,867.00. (9:30 AM)

Item 9.B added to Consent. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

C. APPROVE STATE TERM CONTRACT PURCHASE OF ONE (1) CHEVROLET SUBURBAN FOR THE EMERGENCY SERVICES IN THE AMOUNT OF \$31,209.00.

Item 9.C added to Consent. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

10. APPROVE CONTRACT AWARD FOR CONSULTANT SERVICES TO MAXIMIZE STATE/FEDERAL REIMBURSEMENTS, RFS S970079-OJ, TO THE TOP RANKED, QUALIFIED PROPOSER, DAVID M. GRIFFITH & ASSOCIATES. (9:58 AM)

Members of the Court heard from: Christian Smith, Executive Manager, PBO; and Jim Connolly, Assistant County Attorney.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 10.

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| Motion carried: | County Judge Bill Aleshire | - | yes |
| | Precinct 1, Commissioner Darwin McKee | - | yes |
| | Precinct 2, Commissioner Karen Sonleitner | - | yes |
| | Precinct 3, Commissioner Margaret Moore | - | yes |
| | Precinct 4, Commissioner Margaret J. Gómez | - | yes |

- 11. APPROVE CONTRACT MODIFICATIONS FOR GEOTECHNICAL/CONSTRUCTION TESTING SERVICES POOL CONTRACTORS; ENVIRONMENTAL DRILLING SERVICES, MAXIM TECHNOLOGIES, HBC ENGINEERING, FUGRO-MCCLELLAN, RABA-KISTNER-BRYTEST, MLA AND PSI; MODIFICATIONS WILL EXPAND THE EXISTING SERVICES UNDER EACH CONTRACT TO INCLUDE PAVEMENT DESIGN, FOUNDATION DESIGN, AND ENVIRONMENTAL INVESTIGATION WORK. (10:28 AM)

Members of the Court heard from: Sharon Gilman, Assistant Purchasing Agent, Purchasing; Joe Gieselman, Executive Manager, TNR; Steve Manilla, Director of Engineering and Planning, TNR; and Kevin Bailey, Director, Facilities Management.

Discussion Only.

Action on Item 11 postponed until February 3, 1998.

- 12. APPROVE CONTRACT AWARD FOR THE PROVISION OF PRESORT MAIL SERVICES, IFB B980013-RH TO THE LOW QUALIFIED BIDDER, LONESTAR SOUTHWEST MAILING SERVICES, INC., AUSTIN, TX. IN THE ESTIMATED AMOUNT OF \$22,000.00. (10:52 AM)

Members of the Court heard from: Chuck Belisle, Assistant Purchasing Agent, Purchasing.

Motion by Commissioner Gómez and **seconded by** Commissioner McKee to approve Item 12 as stated.

Motion carried:

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| County Judge Bill Aleshire | - | yes |
| Precinct 1, Commissioner Darwin McKee | - | yes |
| Precinct 2, Commissioner Karen Sonleitner | - | yes |
| Precinct 3, Commissioner Margaret Moore | - | yes |
| Precinct 4, Commissioner Margaret J. Gómez | - | yes |

13. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (10:55 AM)

Members of the Court heard from: Leroy Nellis, Budget Manager, Budget Manager, PBO; Belinda Poppa, Planner, Facilities Management; and Karen Shafer Castro, Senior Budget Analyst, PBO.

Motion by Commissioner Moore and **seconded by** Commissioner Gómez to approve Item A.1, A.3 and A.4 under the Budget Amendments.

Motion carried:

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| County Judge Bill Aleshire | - | yes |
| Precinct 1, Commissioner Darwin McKee | - | yes |
| Precinct 2, Commissioner Karen Sonleitner | - | yes |
| Precinct 3, Commissioner Margaret Moore | - | yes |
| Precinct 4, Commissioner Margaret J. Gómez | - | yes |

Clerk's Note: Precinct Two Commissioner Karen Sonleitner was temporarily away from the dais but did vote on Item 13 from the front row of the Chamber.

14. A. APPOINT MEMBERS OF THE CITIZENS BOND PROJECT ACCOUNTABILITY COMMITTEE AND ADOPT CHARTER FOR THE COMMITTEE. (9:21 AM)

Item 14.A postponed until February 3, 1998.

B. DETERMINE ORGANIZATION, LOCATION, INSTRUCTIONS, AND BUDGET FOR COUNTY STAFF AND TO SUPPORT THE OPERATION OF THE CITIZENS BOND PROJECT ACCOUNTABILITY COMMITTEE. (11:02 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Belinda Poppa, Planner, Facilities Management; Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans Affairs Services; Joe Gieselman, Executive Manager, TNR; Jim Collins, Executive Assistant County Attorney; Chris Callsen, Director of Emergency Services, Criminal Justice Planning (CJP); Terry Pickering, Major, Travis County Sheriff's Office (TCSO); Jim Rust, Director, Community Supervision and Corrections Department (CSCD); and Christian Smith, Executive Manager, PBO.

ITEM 14.B CONTINUED

Motion by Commissioner Gómez and **seconded by** Commissioner Moore to approve the recommendations for facilities' space requirements.

A Clarification was made of the previous Motion by Judge Aleshire that:

- 1) EMS would relocate and consolidate with 911 in the 9th street leased location;
- 2) a Development Agreement would be negotiated with Legal Aid for Post Road;
- 3) for the interim, the Juvenile Public Defender would be provided additional space, being Suites F and S, at Post Road, resulting in changes in the assignment with the Health and Human Services staff and Community Services; the Court also anticipates moving the entire Juvenile Public Defender staff to Post Road as well;
- 4) CES will relocate Intake and Drug Court to 9th street and work on developing the instructional classroom training at Shoal Creek;
- 5) Parks and Natural Resources staff would move to 9th street;
- 6) the County Attorney would move two (2) litigation teams to 9th street;
- 7) TCSO's De-centralization Project would be added to the RFP or RFQ for the Starflight Hangar Project which is anticipated to go out (to be approved by the Commissioners' Court) February 17;
- 8) the 4-D Masters be provided space in the 9th street leased location with security issues still pending; and
- 9) CSCD be able to move into space vacated by CES and Drug Court subject to the Director's assignment of what staff moves into those spaces.

The Court further asks that the project with the Executive Managers for Administrative Operations, Health and Human Services and Planning and Budget work together in fulfilling the outline presented to the Court analyzing space at Palm Square and the Court's relationship to the City of Austin on Health and Human Services.

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| Motion carried: | County Judge Bill Aleshire | - | yes |
| | Precinct 1, Commissioner Darwin McKee | - | yes |
| | Precinct 2, Commissioner Karen Sonleitner | - | yes |
| | Precinct 3, Commissioner Margaret Moore | - | yes |
| | Precinct 4, Commissioner Margaret J. Gómez | - | yes |

15. APPOINT MEMBERS OF THE ON-SITE SEWAGE FACILITY RULES ADVISORY COMMITTEE. (9:21 AM)

Item 15 postponed until February 3, 1998.

16. APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSION TO CONTINUE. (9:30 AM)

- A. APPROVE GRANT APPLICATION FOR THE SAFE & SOBER STEP GRANT FOR THE SHERIFF'S OFFICE. (9:30 AM)

Item 16.A added to Consent. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- B. APPROVE GRANT CONTRACT FOR COMMUNICATION ACCESS SERVICES, INFORMATION & REFERRAL SERVICES, SENIOR CITIZEN PROGRAM FOR TRAVIS COUNTY SERVICES FOR THE DEAF, HEALTH AND HUMAN SERVICES DEPARTMENT. (1:43 PM)

Motion by Judge Aleshire and **seconded by** Commissioner Gómez to approve Item 16.B as stated.

Motion carried:

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| County Judge Bill Aleshire | - | yes |
| Precinct 1, Commissioner Darwin McKee | - | yes |
| Precinct 2, Commissioner Karen Sonleitner | - | yes |
| Precinct 3, Commissioner Margaret Moore | - | yes |
| Precinct 4, Commissioner Margaret J. Gómez | - | yes |

- C. APPROVE GRANT CONTRACT FOR UNDERAGE DRINKING PREVENTION PROGRAM FOR COUNTY ATTORNEY'S OFFICE. (9:30 AM)

Item 16.C added to Consent. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 17. DISCUSS AND TAKE APPROPRIATE ACTION ON THE FOLLOWING PROPERTY AND LIABILITY CLAIMS RECOMMENDATIONS: (1:45 PM) (2:03 PM) (3:18 PM)
 - A. TNR - SETTLE
 - B. CONSTABLE, PCT. 3 - SETTLE
 - C. FACILITIES MGT. - SETTLE
 - D. T.C.S.O. - SETTLE
 - E. CHRIS CRAWFORD - SETTLE
 - F. SANDI LYNN CARTER - DENY

Members of the Court heard from: Daniel Mansour, Risk Manager, Human Resources Management Department (HRMD); and Sherine Thomas, Assistant County Attorney.

Motion by Commissioner Sonleitner and **seconded by** Commissioner Gómez to approve claims 17.A - E as recommended by the Risk Manager.

Motion carried:

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|--|---|-----|
| County Judge Bill Aleshire | - | yes |
| Precinct 1, Commissioner Darwin McKee | - | yes |
| Precinct 2, Commissioner Karen Sonleitner | - | yes |
| Precinct 3, Commissioner Margaret Moore | - | yes |
| Precinct 4, Commissioner Margaret J. Gómez | - | yes |

Judge Aleshire announced that Item 17.F would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 17.F, 20, 21, 22, 26, 28, 29, 30, 31, and 32. Please refer to Item 20 for a summary of the Court's action on this Motion.

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

Item 18 added to Consent. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

19. TAKE APPROPRIATE ACTION TO APPROVE THE ISSUANCE OF UP TO \$6,000,000 CAPITAL INDUSTRIAL DEVELOPMENT CORPORATION ADJUSTABLE RATE INDUSTRIAL REVENUE BONDS, SERIES 1998 (CCIR OF TEXAS CORP. PROJECT) BY CAPITAL INDUSTRIAL DEVELOPMENT CORPORATION. (2:03 PM)

Motion by Commissioner McKee and **seconded by** Commissioner Gómez to approve Item 19 as stated.

Motion carried:

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| County Judge Bill Aleshire | - | yes |
| Precinct 1, Commissioner Darwin McKee | - | yes |
| Precinct 2, Commissioner Karen Sonleitner | - | yes |
| Precinct 3, Commissioner Margaret Moore | - | yes |
| Precinct 4, Commissioner Margaret J. Gómez | - | 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

- 20.** DISCUSS THE EXERCISE OF OPTION AGREEMENTS FOR LAND ACQUISITION FOR PROPOSED NORTHEAST DISTRICT PARK IN PRECINCT TWO, AND TAKE APPROPRIATE ACTION.² AND ¹ (2:03 PM) (3:18 PM)

Judge Aleshire announced that Item 20 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 17.F, 20, 21, 22, 26, 28, 29, 30, 31, and 32.

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

- 17. F.** Endorse the staff's recommendation and deny the claim by Sandi Lynn Carter.
- 20.** Exercise the option for the Purchase Agreement on the Northeast District Park. and (indicate under take appropriate action) that staff understand that the Court needs to move ahead on Phase Two on the environmental assessment and prepare so the County will be able to close on time for this property.
- 21.** Item 21 postponed until February 3, 1998.
- 22.** Accept the settlement in the amount of \$1,500.00 and authorize Judge Aleshire to sign necessary documents.
- 26.** Accept the settlement in the amount of \$30,000.00 and authorize Judge Aleshire to sign necessary documents.
- 28.** The Court notes their congratulations to the County Attorney's Office on getting the Motion to Dismiss granted.
- 29.** Reject their settlement demand and counter in the amount of \$40,000.00, subject to agreement with that settlement offer by the Travis County Sheriff Margo Frasier.
- 30.** Item 30 to be reposted on February 3, 1998.
- 31.** Reject their offer.
- 32.** Item 32 to be reposted on February 3, 1998.

Motion carried:

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|--|---|-----|
| County Judge Bill Aleshire | - | yes |
| Precinct 1, Commissioner Darwin McKee | - | yes |
| Precinct 2, Commissioner Karen Sonleitner | - | yes |
| Precinct 3, Commissioner Margaret Moore | - | yes |
| Precinct 4, Commissioner Margaret J. Gómez | - | yes |

21. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, TEXAS V. LAURELWOOD PARTNERS, LTD., (LAURELWOOD/MANCHACA; GIESELMAN; CONDEMNATION). ¹ (2:03 PM) (3:18 PM)

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

Members of the Court agreed to consider one Motion for Items 17.F, 20, 21, 22, 26, 28, 29, 30, 31, and 32. Please refer to Item 20 for a summary of the Court's action on this Motion.

22. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER OFFER OR SETTLEMENT OFFER; AUTHORIZATION FOR SIGNATURE ON SETTLEMENT, AND/OR TAKE APPROPRIATE ACTION IN: ROSIE CAROTHERS V. MONTGOMERY ELEVATOR AND TRAVIS COUNTY. (CAROTHERS; SUTTON; TEXAS TORT CLAIMS ACT; PERSONAL INJURY). ¹ (2:03 PM) (3:18 PM)

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

Members of the Court agreed to consider one Motion for Items 17.F, 20, 21, 22, 26, 28, 29, 30, 31, and 32. Please refer to Item 20 for a summary of the Court's action on this Motion.

23. RECEIVE BRIEFING FROM COUNTY ATTORNEY; AND/OR TAKE APPROPRIATE ACTION IN: JAMES WALTON V. TRAVIS COUNTY, AND ALLEN EVANS, P.A.; (WALTON; FRASIER; TEXAS TORT CLAIMS ACT; PREMISES, AND PERSONAL INJURY). ¹ (9:22 AM)

Item 23 postponed until February 3, 1998.

24. 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).¹ (9:22 AM)

Item 24 postponed until February 3, 1998.

25. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO TAKE APPROPRIATE ACTION IN RICHARD CONNER V. TRAVIS COUNTY, ET AL, (CONNER; KEEL; CIVIL RIGHTS).¹ (9:22 AM)

Item 25 postponed until February 3, 1998.

26. RECEIVE BRIEFING FROM COUNTY ATTORNEY; ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER AND/OR RECEIVE AUTHORIZATION FOR SIGNATURE; AND/OR TAKE APPROPRIATE ACTION IN: BRENDA FAUST V. TRAVIS COUNTY, TRAVIS COUNTY SHERIFF'S DEPARTMENT AND JO ANNE CARSON; (FAUST; KEEL; TEXAS TORT CLAIMS ACT, PREMISES, AND PERSONAL INJURY).¹ (2:03 PM) (3:18 PM)

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

Members of the Court agreed to consider one Motion for Items 17.F, 20, 21, 22, 26, 28, 29, 30, 31, and 32. Please refer to Item 20 for a summary of the Court's action on this Motion.

27. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN: DANIEL MAUL DEATH IN CUSTODY; (MAUL; FRASIER; TEXAS TORT CLAIMS ACT, PERSONAL INJURY).¹ (9:22 AM)

Item 27 postponed until February 3, 1998.

28. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN ANDREW MCNAIR V. TRAVIS COUNTY, ET AL; (MCNAIR; FRASIER; DEATH IN CUSTODY).¹ (2:03 PM) (3:18 PM)

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

Members of the Court agreed to consider one Motion for Items 17.F, 20, 21, 22, 26, 28, 29, 30, 31, and 32. Please refer to Item 20 for a summary of the Court's action on this Motion.

29. 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).¹ (2:03 PM) (3:18 PM)

Judge Aleshire announced that Item 29 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 17.F, 20, 21, 22, 26, 28, 29, 30, 31, and 32. Please refer to Item 20 for a summary of the Court's action on this Motion.

30. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT OR REJECT SETTLEMENT OFFER AND TAKE APPROPRIATE ACTION IN CUMMINS, TWC# 97-048648. ¹ (2:03 PM) (3:18 PM)

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

Members of the Court agreed to consider one Motion for Items 17.F, 20, 21, 22, 26, 28, 29, 30, 31, and 32. Please refer to Item 20 for a summary of the Court's action on this Motion.

31. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION REGARDING GREG ESTEPP CLAIM FOR EMPLOYMENT DISCRIMINATION. (ESTEPP; MEDINA; EMPLOYMENT DISCRIMINATION). ¹ (2:03 PM) (3:18 PM)

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

Members of the Court agreed to consider one Motion for Items 17.F, 20, 21, 22, 26, 28, 29, 30, 31, and 32. Please refer to Item 20 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 REGARDING PROPOSED SETTLEMENT OF EEOC COMPLAINT 31C971030, EXECUTIVE SESSION ALSO. ¹ (2:03 PM) (3:18 PM)

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

Members of the Court agreed to consider one Motion for Items 17.F, 20, 21, 22, 26, 28, 29, 30, 31, and 32. Please refer to Item 20 for a summary of the Court's action on this Motion.

ADJOURNMENT

Motion by Commissioner Sonleitner and **seconded by** Commissioner McKee to adjourn the Voting Session. (3:27 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Bill Aleshire, Travis County Judge