

MINUTES – APRIL 14, 1998

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 14th day of April 1998, the Commissioners' Court convened the Voting Session at 9:12 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 12:28 PM.

The Commissioners' Court reconvened the Voting Session at 2:06 PM.

The Commissioners' Court retired to Executive Session at 6:05 PM and reconvened the Voting Session at 6:42 PM.

The Commissioners' Court adjourned the Voting Session at 6:43 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 6:43 PM and adjourned at 6:44 PM.

RESOLUTIONS & HEARINGS

1. APPROVE PROCLAMATION ANNOUNCING APRIL 18-25, 1998 AS THE "WEEK OF THE YOUNG CHILD" IN TRAVIS COUNTY. (9:13 AM)

Members of the Court heard from: Linda Welsh, Co-Chair, Week of the Young Child.

Item 1 postponed until April 21, 1998.

2. APPROVE PROCLAMATION RECOGNIZING EARTH DAY IN TRAVIS COUNTY. (9:15 AM)

Members of the Court heard from: Charles Williams, Conservation Coordinator for Travis County and President, Austin Corporate Recycling Council.

Motion by Commissioner McKee and **seconded by** Commissioner Gómez to approve the Proclamation posted under Item 2.

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

CITIZENS' COMMUNICATION

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); Kate Baldwin, 8th Grade Student, Lamar Middle School; Gus Peña, President, East Austin Concerned Hispanics; John Foreman, Host, Texas Best Seminars; Wes Curtis, Texas Best Seminars; and Robert Kurtz, Texas Best Seminars. (9:19 AM)

A Point of Personal Privilege was taken by Judge Aleshire to state that as he considers leaving public service (and promises to do so), he wanted to apologize to his colleagues that had to sit on the dais and take the insult just bestowed upon them. He pointed out to the general public the dignity that has been shown and the ongoing commitment that continues to be shown in recognizing that even in this democracy citizens have a right to come forward and call Members of the Court jackasses and they must sit there and take it (referring to testimony by John Foreman, Host, Texas Best Seminars). It does not make the citizens right. Judge Aleshire again apologized that there are citizens who would continue to be so personally insulting as this Jackass who appeared before the Court this morning.

CONSENT ITEMS

3. Motion by Commissioner Sonleitner and **seconded by** Commissioner Gómez to approve the following consent Items: 10, 23 and C1 – C10. (9:35 AM)

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

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 SESSION OF MARCH 3, 1998.

C4. APPOINT LEO AGUIRRE TO THE AUSTIN/TRAVIS COUNTY MEDICAL ASSISTANCE PROGRAM (CITIZEN AT LARGE) FOR A TWO-YEAR TERM.

CONSENT ITEMS CONTINUED

- C5.** APPROVE PERSONNEL AMENDMENTS.
- C6.** APPROVE MODIFICATION NO. 4 TO CONTRACT NO. PS960294LH, YOUTH ADVOCACY, INC., FOR PROVISION OF CASE MANAGEMENT SERVICES FOR THE JUVENILE OFFENDER SUBSTANCE ABUSE TREATMENT SERVICES (JOSATS) NETWORK; CONTRACT APPROVED ON 6/11/96; MODIFICATION INCREASES THE NOT-TO-EXCEED AMOUNT FROM \$201,374 TO \$242,067.
- C7.** APPROVE CONTRACT AWARD FOR THE PROVISION OF PROFESSIONAL INMATE MEDICAL SERVICES TO DANIEL MACKAY, M.D., IN THE NOT-TO-EXCEED AMOUNTS OF \$24,500 FOR FY'98 AND \$42,000 FOR EACH FOLLOWING FISCAL YEAR.
- C8.** APPROVE CONTRACT MODIFICATIONS NO, 1 TO 97T0234-RG THRU 97T0236-RG, ALAMO IRON WORKS, YATES SECURITY D/B/A CITY LOCK & SAFE AND BEST LOCK CORPORATION, LOCKS, KEYS AND LOCK SERVICE; CONTRACT APPROVED ON 5/20/97; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION.
- C9.** APPROVE CONTRACT AWARD FOR THE PROVISION OF SURFACE AGGREGATES 4 & 5, IFB #B980048-JP, TO THE LOW, QUALIFIED BIDDER, PIONEER CONCRETE OF TEXAS, INC. IN THE ESTIMATED AMOUNT OF \$242,041.20.
- C10.** APPROVE A PUBLIC HEARING DATE OF APRIL 28, 1998 TO APPROVE A PROPOSED STREET NAME ASSIGNMENT FOR AN UNNAMED PUBLIC ROAD EAST OF BEE CREEK ROAD AND APPROXIMATELY 500' SOUTH OF R.O. DRIVE TO BE KNOWN AS "BARNETT GLEN ROAD" IN PRECINCT THREE.

ADMINISTRATIVE ITEMS

- 4. CREATE A JOINT COMMITTEE OF THE COMMISSIONERS' COURT AND THE AUSTIN CITY COUNCIL, TO FOSTER BETTER COMMUNICATION AND COOPERATION BETWEEN TRAVIS COUNTY AND THE CITY OF AUSTIN. (9:37 AM)

Members of the Court heard from: Gus Peña, President, East Austin Concerned Hispanics.

Motion by Commissioner Moore and **seconded by** Commissioner Gómez to approve Item 4 as stated.

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

Item 4 to be reposted on April 21, 1998 (for Court's appointees).

- 5. APPROVE SOLICITING PROPOSALS TO PROVIDE COST-EFFECTIVE ALTERNATIVES FOR THE DELIVERY OF COMPREHENSIVE MEDICAL CARE TO CLIENTS OF TRAVIS COUNTY'S INDIGENT HEALTH CARE PROGRAM WHILE INSURING THAT ACCESSIBILITY, QUALITY, SCOPE OF SERVICES AND ACCOUNTABILITY ARE MAINTAINED OR IMPROVED FOR THOSE CLIENTS. (9:53 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans' Affairs Services; Debbie Blount, Division Director, Medical Assistance Program, Austin-Travis County Health and Human Services Department; David Lurie, Director, Austin-Travis County Health and Human Services Department; Cyd Grimes, Travis County Purchasing Agent; Barbara Wilson, Assistant County Attorney; Cynthia Wright, RN Team Leader, Austin-Travis County Health and Human Services Department; Betty Learned, Medical Social Worker, Austin-Travis County Health and Human Services Department; Mary Jane Renkin, Women's Health Care Nurse Practitioner, Austin-Travis County Health and Human Services Department; Gus Peña, President, East Austin Concerned Hispanics; and Greg Powell, American Federation of State, County, and Municipal Employees.

Motion by Commissioner Moore and **seconded by** Judge Aleshire to approve the direction that the RFP has taken with the understanding that refinements will be made during this week and will be brought back for a final vote next week (April 21, 1998).

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

6. ACT ON PROPOSED MEMORANDUM OF UNDERSTANDING BETWEEN TRAVIS COUNTY, CITY OF AUSTIN, AND THE FQHC BOARD WHICH WOULD PERMIT USE OF A PRIVATE MANAGEMENT FIRM TO MANAGE BOTH AUSTIN AND TRAVIS COUNTY CLINICS UNDER A PROPOSED 3-YEAR, \$1.3 MILLION CONTRACT BETWEEN AUSTIN AND GOGGIO, INC. (11:42 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans Affairs Services; David Lurie, Director, Austin-Travis County Health and Human Services Department; and Marcia Conner, Assistant City Manager, City of Austin.

Discussion Only.

Item 6 to be reposted on April 21, 1998.

7. RECEIVE UPDATE ON JUVENILE CRIME PREVENTION INITIATIVE AND APPROVE PARTICIPATION OF TRAVIS COUNTY IN THE NORTHEAST AUSTIN WEED & SEED INITIATIVE AND RELATED MEMORANDUM OF AGREEMENT AMONG THE FOLLOWING PARTIES: ST. JOHNS NEIGHBORHOOD ASSOCIATION (NA); WINDSOR PARK NA; UNIVERSITY HILLS NA; PECAN SPRINGS/SPRINGDALE NA; CORONADO HILLS NA; THE CITY OF AUSTIN; UNITED STATES ATTORNEY'S OFFICE; AUSTIN INDEPENDENT SCHOOL DISTRICT; AND TRAVIS COUNTY. (3:27 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans' Affairs Services; Lawrence Lyman, Grants Coordinator, Austin-Travis County Health and Human Services Department; Linda Welsh, Austin-Travis County Health and Human Services Department; Alan Miller, Budget Analyst, Planning and Budget Office (PBO); Mike Manor, Prevention Coordinator, Travis County; Aleta Smith, Pathways; Carol Eaton, Neighborhood Activist; Ronald Earle, Travis County District Attorney; Isaac Trevino, Prevention Coordinator, Travis County; and Karen Mueller, Program Coordinator, Austin-Travis County Health and Human Services Department.

Discussion Only.

- 8. APPROVE THE VACATION OF A PORTION OF RIGHT-OF-WAY AND ACCEPTANCE OF NEW RIGHT OF WAY DEDICATION FOR A PORTION OF PARK DRIVE THAT PASSES THROUGH HUGHES PARK LAKE SUBDIVISION NO. 1 IN PRECINCT TWO. (9:14 AM)

Item 8 pulled from the agenda.

- 9. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (4:51 PM)

Members of the Court heard from: Leroy Nellis, Budget Manager, PBO; Jessica Rio, Budget Analyst, PBO; Dana DeBeauvoir, Travis County Clerk; Cyd Grimes, Travis County Purchasing Agent; and Alicia Perez, Executive Manager, Administrative Operations; Joe Gieselman, Executive Manager, TNR; Gordon Bowman, Assistant County Attorney; and John Hille, Assistant County Attorney.

Motion by Commissioner Sonleitner and **seconded by** Commissioner Gómez to approve the budget amendments and transfers with a note that D1 that it is subject to clearance by the County Attorney and Bond Counsel and excluding T2.

Motion carried:

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

- 10. APPROVE AND SIGN CONTRACT WITH THE CITY OF AUSTIN FOR THE CITY'S LEASE OF THE COUNTY'S EARLY VOTING COMPUTER SYSTEM, RELATED EQUIPMENT, AND RELATED SERVICES. (9:35 AM)

Item 10 added to Consent. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

11. DISCUSS, APPROVE AND GIVE STAFF DIRECTION REGARDING THE PROFESSIONAL SERVICE AGREEMENT BETWEEN TRAVIS COUNTY AND DELGADO DESIGN GROUP, INC., FOR THE ARCHITECTURAL/ENGINEERING SERVICES ON THE PALM SQUARE LIFE SAFETY IMPROVEMENTS FOR THE NOT-TO-EXCEED FEE AMOUNT OF \$37,965.00 (SOLICITATION NO. Q970135-MB). (3:26 PM) (4:50 PM)

Judge Aleshire announced that the Court would anticipate taking one Motion for Items 11, 12, 13, 14, 18, 19, 20.A, C and D, 21 (noting that there are two employees who did not respond with explanations for their tuition and they are not on the list that the Court would approve), 22.A, B, C, D, E and F (if Melanie Doan, Teresa Spene, or Laura Tyson are here, the Court would be glad to hear from them, if the Court does not hear from them then their item would be included in the Motion). The Court is giving Staff notice that they will not be expected to discuss these Items today.

Members of the Court agreed to consider one Motion for Items 11, 12, 13, 14, 18, 19, 20.A, C and D, 21 and 22. A, B, C, D, E and F.

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

11. Approve Item 11.
12. Approve Item 12.
13. Approve Item 13.
14. Approve Item 14.
18. Approve Item 18.
19. Approve Item 19.
20. A. Approve Item 20.A.
C. Approve Item 20.C.
D. Approve Item 20.D.
21. Approve Item 21.
22. A. Approve Item 22.A.
B. Approve Item 22.B.
C. Approve Item 22.C.
D. Approve Item 22.D.
E. Approve Item 22.E.
F. Approve Item 22.F.

ITEM 11 MOTION CONTINUED

Clerk's Note: Judge Aleshire asked if Melanie Doan, Teresa Spene, and Laura Tyson or their representatives were present they would be welcomed to testify before the Court. If not, they are included in the Motion as stated.

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

Clerk's Note: Commissioner Sonleitner announced that in taking the previous Motion and Vote, the Court has put out the contracts for professional services on two of the parks that were on the November Bond Election. The Court is moving ahead, not only with the purchases of the Northeast and Southeast District Parks, but had already moved ahead with professional services for Southeast and this adds two more. The public viewing audience should start hearing about stakeholder meetings and to acknowledge two more projects off and running.

- 12.** DISCUSS, APPROVE, AND/OR GIVE STAFF DIRECTION ON BUDGET ADJUSTMENTS TO THE DEL VALLE PHASE 1 PROJECT, RELEASE 1 CONSTRUCTION DOCUMENTS FOR BIDDING, RELEASE 1 COST ESTIMATE, AND RELEASE 1 SCHEDULE. (3:26 PM) (4:50 PM)

Members of the Court agreed to consider one Motion for Items 11, 12, 13, 14, 18, 19, 20.A, C and D, 21 and 22. A, B, C, D, E and F. Please refer to Item 11 for a summary of the Court's action on this Motion.

- 13.** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 97T0259-JP, AFS ENVIRONMENTAL, INC., FOR EROSION CONTROL SERVICES; CONTRACT APPROVED ON 6/17/97; MODIFICATION WILL INCREASE QUANTITIES ON SEVERAL CONTRACT ITEMS AND INCREASE TOTAL ESTIMATED PRICE TO \$84,282.00. (3:26 PM) (4:50 PM)

Members of the Court agreed to consider one Motion for Items 11, 12, 13, 14, 18, 19, 20.A, C and D, 21 and 22. A, B, C, D, E and F. Please refer to Item 11 for a summary of the Court's action on this Motion.

- 14. APPROVE CONTRACT AWARDS FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF THE NORTHEAST METROPOLITAN PARK AND THE MANSFIELD DAM PARK IMPROVEMENTS; RFQ #Q980018SG, TO CARTER & BURGESS, INC., IN THE NOT-TO-EXCEED AMOUNTS OF \$665,553.00 AND \$411,316.00, RESPECTIVELY. (3:26 PM) (4:50 PM)

Members of the Court agreed to consider one Motion for Items 11, 12, 13, 14, 18, 19, 20.A, C and D, 21 and 22. A, B, C, D, E and F. Please refer to Item 11 for a summary of the Court’s action on this Motion.

- 15. AMEND ADVANCE FUNDING AGREEMENT FOR STANDARD HIGHWAY PROJECTS WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO PROVIDE FOR THE DELETION OF FEDERAL FUNDING FOR HOWARD LANE PHASE 1 PROJECT. (5:29 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR.

Motion by Commissioner Sonleitner and **seconded by** Commissioner McKee to approve the amending of the Advance Funding Agreement with the Texas Department of Transportation related to Howard Lane.

Motion carried:

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

- 16. APPROVE MASTER PHASING AGREEMENT WITH T.H.L. RANCH, LTD FOR THE DEVELOPMENT OF STEINER RANCH, A SUBDIVISION IN PRECINCT TWO. (9:12 AM) (5:33 PM) (6:05 PM) (6:42 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Steve Manilla, Director of Engineering and Planning, TNR; Mike Shunfield, Steiner Ranch Development; and Gordon Bowman, Assistant County Attorney.

Judge Aleshire announced that Item 16 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 16, 26, 27, 28, 31, and A.1. Please refer to Item 26 for a summary of the Court’s action on this Motion.

17. APPROVE REIMBURSEMENT AGREEMENT WITH AT&T CORPORATION, IXC CARRIER, INC., AND SOUTHWESTERN BELL TELEPHONE FOR THE RELOCATION OF FIBER OPTIC CABLES ASSOCIATED WITH CIP #2-019, DESSAU ROAD NORTH; AUTHORIZE TNR TO MAKE AN INTERNAL BUDGET TRANSFER FROM CIP #2-004, HOWARD LANE TO CIP #2-019. (5:50 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Michael Mitchell, Right of Way Manager, TNR; Gordon Bowman, Assistant County Attorney; and Patricia Goodman, Assistant County Attorney.

Motion by Commissioner Sonleitner and **seconded by** Commissioner Gómez to approve the draft version of the Reimbursement Agreement that has been presented to the Court with authorization for Judge Aleshire to execute the documents (assuming there are no changes), and to authorize the internal budget transfer related from the Howard Lane project into the Dessau Road project.

Second accept the Friendly Amendment by Commissioner Sonleitner that in the event Southwestern Bell substantially changes the Agreement, the Item will be reposted for next week (just as a contingency).

Acceptance of the Friendly Amendment was made by Commissioner Gómez.

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

Item 17 to be reposted on April 21, 1998.

18. PROPOSE SALE OF SURPLUS PROPERTY (TEXAS DEPARTMENT OF TRANSPORTATION) 0.877 ACRE LOCATED AT THE NORTHEAST CORNER OF IH-35 AND GRAND AVENUE PARKWAY. (3:26 PM) (4:50 PM)

Members of the Court agreed to consider one Motion for Items 11, 12, 13, 14, 18, 19, 20.A, C and D, 21 and 22. A, B, C, D, E and F. Please refer to Item 11 for a summary of the Court's action on this Motion.

19. DISCUSS AND APPROVE THE CREATION OF AN ADVISORY COMMITTEE FOR THE TRAVIS COUNTY EXPOSITION CENTER. (3:26 PM) (4:50 PM)

Members of the Court agreed to consider one Motion for Items 11, 12, 13, 14, 18, 19, 20.A, C and D, 21 and 22. A, B, C, D, E and F. Please refer to Item 11 for a summary of the Court's action on this Motion.

20. APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSION TO CONTINUE. (3:26 PM) (4:50 PM)

A. APPROVE GRANT APPLICATION TO SPRINT-RELAY TEXAS FOR PRODUCTION OF TWO PSA'S FOR HEALTH AND HUMAN SERVICES, (SERVICES FOR THE DEAF). (3:26 PM) (4:50 PM)

Members of the Court agreed to consider one Motion for Items 11, 12, 13, 14, 18, 19, 20.A, C and D, 21 and 22. A, B, C, D, E and F. Please refer to Item 11 for a summary of the Court's action on this Motion.

B. APPROVE GRANT CONTRACT WITH FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR UTILITY ASSISTANCE FOR HEALTH AND HUMAN SERVICES DEPT. (2:56 PM)

Members of the Court heard from: Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans' Affairs Services Department; Cora Wright, Director, Neighborhood and Community Development, Austin-Travis County Health and Human Services Department; and Alan Miller, Budget Analyst, PBO.

Motion by Commissioner Gómez and seconded by Commissioner Moore to approve the grant contract under Item 20.B as stated.

Maker and Second accept the Friendly Amendment by Judge Aleshire that the Court can anticipate that, as a result of the conversation today, staff will look for a better way to better leverage these resources to be available when and where they are needed.

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

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

ITEM 20 CONTINUED

C. APPROVE GRANT CONTRACT WITH TEXAS NATURAL RESOURCES CONSERVATION COMMISSION TO PROVIDE ADDITIONAL FUNDS FOR RUNOFF WATER MONITORING AT BRODIE LANE SOUTH, FOR TNR DEPARTMENT. (3:26 PM) (4:50 PM)

Members of the Court agreed to consider one Motion for Items 11, 12, 13, 14, 18, 19, 20.A, C and D, 21 and 22. A, B, C, D, E and F. Please refer to Item 11 for a summary of the Court's action on this Motion.

D. APPROVE GRANT CONTRACT WITH TEXAS PARKS AND WILDLIFE DEPARTMENT FOR BOAT RAMP AND PARKING AREA AT SANDY CREEK PARK, FOR TNR DEPARTMENT. (3:26 PM) (4:50 PM)

Members of the Court agreed to consider one Motion for Items 11, 12, 13, 14, 18, 19, 20.A, C and D, 21 and 22. A, B, C, D, E and F. Please refer to Item 11 for a summary of the Court's action on this Motion.

21. REVIEW AND APPROVE TUITION REFUND REIMBURSEMENTS FOR EMPLOYEES COMPLETING THE FALL 1997 SEMESTER. (3:26 PM) (4:50 PM)

Members of the Court agreed to consider one Motion for Items 11, 12, 13, 14, 18, 19, 20.A, C and D, 21 and 22. A, B, C, D, E and F. Please refer to Item 11 for a summary of the Court's action on this Motion.

22. REVIEW AND APPROVE THE FOLLOWING PROPERTY AND LIABILITY CLAIM RECOMMENDATIONS: (3:26 PM) (4:50 PM)

A. T.C.S.O. – SETTLE

B. T.C.S.O. – SETTLE

C. T.C.S.O. – SETTLE

D. MELANIE DOAN – DENY

E. TERESA SPENE – DENY

F. LAURA TYSON - DENY

Members of the Court agreed to consider one Motion for Items 11, 12, 13, 14, 18, 19, 20.A, C and D, 21 and 22. A, B, C, D, E and F. Please refer to Item 11 for a summary of the Court's action on this Motion.

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

Item 23 added to Consent. Please refer to Agenda Item 3 (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

- 24.** RECEIVE LEGAL ADVICE FROM COUNTY ATTORNEY RE: ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER ON TAX SALE OF PROPERTY LOCATED AT U.S. HWY 183, BEING ABS24, DEL VALLE S. ACR. 16.490 AND TAKE APPROPRIATE ACTION. ¹ (2:07 PM)

Item 24 postponed until April 21, 1998.

- 25.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION IN STATE OF TEXAS V. JAMES A HOPKINS AND WIFE, JEAN C. HOPKINS, (HOPKINS; GIESELMAN; CONDEMNATION). ¹ (2:06 PM)

Item 25 pulled from the agenda.

- 26.** RECEIVE BRIEFING AND/OR ADVICE FROM COUNTY ATTORNEY AND/OR GIVE DIRECTION IN WALT G. BIRCHFIELD ET AL VS. TRAVIS COUNTY, TEXAS; (BIRCHFIELD; GIESELMAN; LITIGATION; VACATION OF GINGER STREET). ¹ (6:05 PM) (6:42 PM)

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

Members of the Court agreed to consider one Motion for Items 16, 26, 27, 28, 31, and A.1.

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

- 16.** Item 16 postponed until April 21, 1998.
- 26.** Appoint Precinct One Commissioner Darwin McKee to attend mediation on behalf of Travis County in that case.
- 27.** Approve the Phasing Agreement under Item 27.
- 28.** Reject their offer for mediation.
- 31.** Authorize the County Attorney's Office to hire necessary experts in that case through the Purchasing process.

ITEM 26 MOTION CONTINUED

A.1. Be clear that the Commissioners’ Court requests that the County Attorney’s Office, exclusively, contact the State to assist in the determination of the application of Travis County rules versus State (TNRCC) rules.

Motion carried:

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

27. APPROVE PHASING AGREEMENT WITH LARRY NIEMANN FOR PHASED DEVELOPMENT OF BRODIE SPRINGS SECTIONS ONE, TWO, AND THREE SUBDIVISIONS. ¹ (6:05 PM) (6:42 PM)

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

Members of the Court agreed to consider one Motion for Items 16, 26, 27, 28, 31, and A.1. Please refer to Item 26 for a summary of the Court’s action on this Motion.

28. ACCEPT, REJECT, OR COUNTER THE SETTLEMENT OFFER RECEIVED FROM MAXIM TECHNOLOGIES, INC., AND OLMOS ABATEMENT, INC., FOR WORK PERFORMED ON THE 4TH FLOOR OF THE TRAVIS COUNTY ADMINISTRATION BUILDING, OR TAKE OTHER APPROPRIATE ACTION. (PEREZ; CONTRACT DISPUTE). ¹ (6:05 PM) (6:42 PM)

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

Members of the Court agreed to consider one Motion for Items 16, 26, 27, 28, 31, and A.1. Please refer to Item 26 for a summary of the Court’s action on this Motion.

29. RECEIVE BRIEFING FROM COUNTY ATTORNEY; AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN GALVAN, ABRAHAM V. TERRY KEEL, ET AL, CAUSE NO. A-96-CA-353-JN (GALVAN; FRASIER; CIVIL RIGHTS).¹ (2:07 PM)

Item 29 postponed until April 21, 1998.

30. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT, OR COUNTER SETTLEMENT DEMAND REGARDING CIP PROJECT NO., 3-006B, PARCEL #91; PROPOSED FM 2304/MANCHACA ROAD IMPROVEMENTS; (OWNER, ROBERT KYLE FRANKLIN, III; GIESELMAN; CONDEMNATION).¹ & ² (2:06 PM)

Item 30 pulled from the agenda.

31. 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 (6:05 PM) (6:42 PM)

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

Members of the Court agreed to consider one Motion for Items 16, 26, 27, 28, 31, and A.1. Please refer to Item 26 for a summary of the Court's action on this Motion.

32. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION REGARDING GREG ESTEPP V. TRAVIS COUNTY (MEDINA; TEXAS LABOR CODE).¹ (9:14 AM)

Item 32 postponed until April 21, 1998.

THE FOLLOWING ITEMS ARE ADDENDA:

- A.1** RECEIVE LEGAL ADVICE AND GIVE STAFF DIRECTION CONCERNING THE ADMINISTRATION OF THE TRAVIS COUNTY ON-SITE SEPTIC SYSTEM RULES. (2:08 PM) (6:05 PM) (6:42 PM)

Members of the Court heard from: Marybell Lockhart, Austin-Travis County Health and Human Services Department; and Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans Affairs Services.

Judge Aleshire announced that Item A.1 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 16, 26, 27, 28, 31, and A.1. Please refer to Item 26 for a summary of the Court's action on this Motion.

- A.2** APPROVE CALL DOWN OF GUARANTY FEDERAL BANK, F.S.B., LETTER OF CREDIT IN THE AMOUNT OF \$237,083.00 POSTED IN CONNECTION WITH THE DEVELOPMENT OF THE PRESERVE AT BARTON CREEK SUBDIVISION. (9:12 AM) (4:51 PM)

Item A.2 pulled from the agenda.

ADJOURNMENT

Motion by Commissioner Sonleitner and **seconded by** Commissioner Gómez to adjourn the Voting Session. (6:43 PM)

Motion carried:

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Bill Aleshire, Travis County Judge