

## **MINUTES – JULY 7, 1998**

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

On Tuesday, the 7<sup>th</sup> day of July 1998, the Commissioners' Court convened the Voting Session at 9:14 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 12:08 PM and reconvened the Voting Session at 1:45 PM.

The Commissioners' Court retired to Executive Session at 2:58 PM and reconvened the Voting Session at 3:04 PM to correct the Executive Session announcement that was previously made.

The Commissioners' Court retired to Executive Session at 3:04 PM and reconvened the Voting Session at 4:50 PM.

The Commissioners' Court adjourned the Voting Session at 4:56 PM.

## RESOLUTIONS & HEARINGS

1. APPROVE RESOLUTION WELCOMING AVANCE TO AUSTIN AND RECOGNIZING THEIR GOLF TOURNAMENT TO INCREASE AWARENESS OF THE IMPORTANCE THE ROLE FAMILY PLAYS IN A CHILD'S EDUCATION. (9:16 AM)

**Members of the Court heard from:** Rosalia Gonzalez, Executive Director, Avance.

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

**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:** Gus Peña, President, East Austin Concerned Hispanics; and Ira Caulkins, Director, Intergovernmental Research Center and Supervisor, Public Information Network. (9:19 AM)

**CONSENT ITEMS**

**2. Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the following Consent Items: 8, 10, 14, 17, 19, 21.A and B, 27, and C1 – C13. (9:28 AM)

**Clerk’s Note: Item 8** - Commissioner Sonleitner wanted to make it clear that with approval of this Interlocal Contract with the Emergency Services Districts, the Defibs would be issued to the ESDs.

**Clerk’s Note: Item 14** - Commissioner Sonleitner directed staff to send the appropriate letter to TXDOT that Travis County will provide funding with the anticipated line item and TNR should come back to the Court with any appropriate processing.

**Clerk’s Note: Item 21.B** - Commissioner Sonleitner stated that when contracts are about to expire (July 15<sup>th</sup> on this item and that is too close) it does not allow the Court to have all options available. Staff is urged to bring contract extensions to the Court sooner.

**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 APPOINTMENT OF JERRY B. MARSHALL AS A RESERVE DEPUTY CONSTABLE FOR CONSTABLE, PRECINCT TWO OFFICE.
- C4.** APPOINT HEIDI COTTINGHAM TO COMMISSIONER OF EMERGENCY SERVICES DISTRICT #2; FILLING UNEXPIRED TERM OF DOYLE BRIDGEFARMER, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 1999.
- C5.** APPROVE THE APPOINTMENT OF DEWAYNE LOFTON TO THE CHILD PROTECTIVE SERVICES BOARD FOR PRECINCT ONE (TO FILL THE UNEXPIRED TERM OF ETHEL LEWIS, EFFECTIVE IMMEDIATELY THROUGH APRIL 1, 2000.

**CONSENT ITEMS CONTINUED**

- C6.** ACCEPT DONATIONS OF \$800.00 CONTRIBUTED FOR THE EQUIPMENT AND TRAINING OF THE SHERIFF'S OFFICE CANINE UNIT.
  
- C7.** APPROVE CONTRACT AWARD FOR PROVISION OF PLUMBING TIME AND MATERIALS, IFB #B980091-MG TO THE LOW QUALIFIED BIDDER, ENVIRO PLUMBING, IN THE ESTIMATED AMOUNT OF \$45,000.00.
  
- C8.** APPROVE CONTRACT AWARD FOR THE PROVISION OF ELECTRICAL TIME AND MATERIALS, IFB #B980100-MG, TO THE LOW QUALIFIED BIDDER, A&B SERVICES, AS THE PRIMARY SOURCE AND TO THE NEXT LOW QUALIFIED BIDDER, Z-NON ELECTRIC, INC., AS THE SECONDARY SOURCE IN THE ESTIMATED AMOUNT OF \$45,000.00.
  
- C9.** APPROVE CONTRACT AWARD FOR THE PROVISION OF TYPE 3 SEALANT MATERIAL, IFB #B980092-RG, TO THE LOW QUALIFIED BIDDER, CRAFCO TEXAS, INC., IN THE (ESTIMATED) AMOUNT OF \$41,580.00.
  
- C10.** APPROVE CONTRACT AWARD FOR THE PROVISION OF AUTOMOTIVE PARTS (OEM) AND MAINTENANCE LABOR, IFB #B980101-LD, TO THE LOW QUALIFIED BIDDERS, LEIF JOHNSON FORD, INC., AUSTIN TX.; AND LEIF JOHNSON TRUCK CITY, BUDA, TX.
  
- C11.** APPROVE CONTRACT MODIFICATION NO. 2 TO CONTRACT NO.PS960112TS, JOEL B. BENNETT, DRUG COURT MAGISTRATION SERVICES; CONTRACT APPROVED ON 11/5/96; MODIFICATION INCREASES THE NOT-TO-EXCEED AMOUNT OF THE CONTRACT FOR FY'98 TO \$42,900.00.
  
- C12.** APPROVE THE SALE OF USED AUTOMOTIVE TIRES TO SAM'S RADIATOR PURSUANT TO BIDS OPENED ON JUNE 22, 1998.
  
- C13.** APPROVE A PUBLIC HEARING DATE OF JULY 21, 1998 FOR APPROVAL OF PROPOSED STREET NAME ASSIGNMENT FOR 1300' OF UNNAMED EASEMENT FROM MILESTONE ROAD TO ITS END TO BE KNOWN AS "STAR CANYON ROAD" IN PRECINCT THREE.

**ADMINISTRATIVE ITEMS**

- 3. APPROVE OR DISAPPROVE A REQUEST FOR VARIANCE FROM TRAVIS COUNTY RULES FOR ON-SITE PRIVATE SEWAGE FACILITIES FOR THE FOLLOWING: (9:33 AM)
  - A. 19812 DOS AMIGOS DRIVE – LOGO RANCHOS SUBDIVISION, LOT 129; TO ALLOW THE INSTALLATION OF THE DRIP EMITTER LINES TO BE INSTALLED WITH LESS THAN FOUR (4) FEET OF SOIL BELOW THE EMITTERS.

**Members of the Court heard from:** Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans’ Services; and Matt Phelps, Staff Engineer, Austin-Travis County Health and Human Services Department.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Moore to approve the variance for the lot listed under Item 3.A on the agenda, predicated on four points:

- 1. That the provision of secondary treatment and disinfection are provided in accordance with Chapter 285 rules,
- 2. That there be a copy of the Maintenance Agreement provided in accordance with Chapter 285 rules,
- 3. That there be some kind of a deed recorded instrument or plat note showing the presence of an ongoing Maintenance contract, and
- 4. That before the end of two years, which is the Maintenance Contract length, the owner is required to provide proof of the extension of that Maintenance Contract.

**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 |

4. **REVISED WORDING:** DISCUSS AND TAKE APPROPRIATE ACTION REGARDING AUTHORIZATION TO NEGOTIATE **CONTRACT(S)** FOR THE CENTRAL WAREHOUSE, STARFLIGHT HANGAR, AND SHERIFF'S OFFICE COMMAND CENTER EAST SITES, RFP# P980062SG.  
(9:47 AM) (1:47 PM) (2:58 PM) (3:04 PM) (4:50 PM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; Alicia Perez, Executive Manager, Administrative Operations; Elizabeth Conti, Planner, Facilities Management; Kevin Bailey, Director, Facilities Management; Dan T. Richards, Chief Deputy, Travis County Sheriff's Office (TCSO); Chris Callsen, Director of Emergency Services, Justice and Public Safety (JPS); and Patricia Goodman, Assistant County Attorney.

**Motion by Commissioner McKee and seconded by Commissioner Gómez** to authorize the negotiation committee to begin negotiations with W. M. Investments Number 3 at Manor Commercial and to continue negotiations with the representatives for the Gore Tract.

**A Clarification was made of the previous Motion by Judge Aleshire** that continuing negotiations with the representatives for the Gore Tract is not necessarily accurate because they have not yet begun. The Court wants it to be clear that from this point on negotiations will be opened with those two parties.

**Maker and Second accept the Friendly Amendment by Commissioner Sonleitner** that negotiations will be opened with Gore to discuss not only an outright sale and/or a first refusal on that property. The Court makes it clear that, whomever is going to be the winning team on this particular project, they be instructed to bring it in on budget. The County would initiate and notify any potential neighbors for either of those two sites, in terms of the potential for this proposal, to be either at the Gore site or at Manor Commercial.

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

**A Clarification was made of the previous Friendly Amendment by Judge Aleshire** that on the last point, the Court asks staff to begin acquiring a mailing list for contact of people who have residences or businesses in those areas.

**ITEM 4 CONTINUED**

**Maker and Second accept the Friendly Amendment by** Commissioner Sonleitner that, as part of the negotiation strategy, the County should have serious negotiations with the Developer about ways to collapse down and make up the loss of three to four weeks so that this project will still be brought in on time and on budget, as was promised to the voters.

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

**Maker and Second accept the Friendly Amendment by** Judge Aleshire that the Court also include pursuing the possibility of other options that might not leave any gap where the County must leave the current hangar and locate at the new one.

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

**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 |

Judge Aleshire announced that Item 4 would be considered in Executive Session.

No further action taken on Item 4.

- 5. DISCUSS, APPROVE, AND/OR GIVE STAFF DIRECTION REGARDING THE AWARD OF THE CONSTRUCTION CONTRACT FOR THE GARDNER-BETTS PARKING STRUCTURE AT 400 LONG BOW LANE TO MST CONSTRUCTORS; CONTRACT NO., 980713-JG FOR \$1,105,218.00. (10:25 AM) (1:45 PM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Kevin Bailey, Director, Facilities Management; Daniel Mansour, Risk Manager, Human Resources Management Department (HRMD); Cyd Grimes, Travis County Purchasing Agent; Mohammad Ashraf, Planner, Facilities Management; and Karen Shafer Castro, Senior Budget Analyst, Planning and Budget Office (PBO).

**Motion by** Commissioner Gómez **and seconded by** Commissioner Moore to approve the contract under Item 5 (with the expectation that the Purchasing Agent will provide the Court with a copy of the contract that is being approved with this Motion).

**Motion carried:**

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

- 6. APPROVE CONTRACT OPTION FOR ENHANCEMENTS TO THE JUVENILE OFFENDER SUBSTANCE ABUSE TREATMENT SERVICES (JOSATS) NETWORK MANAGEMENT INFORMATION SYSTEM (MIS). (9:14 AM)

Item 6 postponed until July 14, 1998.

- 7. UPDATE ON THIRD QUARTER 911 RURAL ADDRESSING REPORT AND TAKE APPROPRIATE ACTION. (10:40 AM)

**Members of the Court heard from:** Teresa Reel, Manager of Emergency and Wireless Communications, JPS; Christine Clingman, Travis County Addressing Coordinator; and Tracy Bryan, Intern, Southwest Texas State University.

Discussion Only.



- 8. APPROVE THE FORM OF THE INTERLOCAL COOPERATION AGREEMENT FOR USE OF EMERGENCY SERVICES EQUIPMENT AND AUTHORIZE THE COUNTY JUDGE TO SIGN AGREEMENTS. (9:28 AM)**

Item 8 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 9. A. APPROVE COMMISSIONER GOMEZ AS COMMISSIONER OF LEASE FOR THE PROPERTY LOCATED AT 2201 POST ROAD, AND AUTHORIZE THE COUNTY PURCHASING AGENT TO ADVERTISE THE LEASE FOR AUCTION. (9:14 AM) (10:51 AM)**

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

**Motion by** Commissioner Gómez **and seconded by** Commissioner Moore to put, for the record, what the Court has in the backup material but add “coordinate activities with the Travis County Juvenile Defender’s Office and the Health and Human Services Office.

**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 |

- B. APPROVE LEASE FOR SPACE FOR TRAVIS COUNTY COUNSELING EDUCATION SERVICES AND EXEMPT LEASE AGREEMENT FROM COMPETITON. (9:14 AM) (10:51 AM)**

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

Discussion Only.

Item 9.B to be reposted on July 14, 1998.

- 10. CONSIDER APPROVING FINANCING OF AN ALZHEIMER’S CARE FACILITY IN TRAVIS COUNTY WITH BONDS ISSUED BY THE DANFORTH HEALTH FACILITIES CORPORATION AND TAKE APPROPRIATE ACTION. (9:28 AM)**

Item 10 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court’s Motion and Vote.

11. APPROVE CANDIDATE PROJECTS FOR 1999 BUILD GREATER AUSTIN PROGRAM FROM CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY. (11:00 AM) (1:49 PM)

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

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Moore to approve the candidate projects in the revised July 7, 1998 list to send on to Capital Metro.

**Motion carried:**

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

12. DISCUSS AND GIVE STAFF DIRECTION REGARDING THE FERGUSON ROAD CIP PROJECT. (11:01 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Steve Manilla, Director of Engineering and Planning, TNR; John Hutchinson, Representative, Walnut Place Neighborhood Association; and Chuck Croft, President, Walnut Place Neighborhood Association.

Discussion Only.

Item 12 to be reposted on July 14, 1998.

13. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOTS 25 AND 26 BLOCK A, PALEFACE RANCH SECTION 2B – (SHORTFORM – NO FISCAL REQUIRED – 1 LOT – 2.89 ACRES – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY). (9:14 AM)

Item 13 postponed until July 14, 1998.

- 14. CONSIDER REQUEST BY THE TEXAS DEPARTMENT OF TRANSPORTATION FOR AN ADDITIONAL \$47,000 FOR TRAVIS COUNTY’S SHARE OF RIGHT OF WAY COST FOR THE FM 1431 SAFETY PROJECT AND TAKE APPROPRIATE ACTION. (9:28 AM)

Item 14 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 15. APPROVE SALE BY COMMISSIONER OF SALE KAREN SONLEITNER FOR A PORTION OF OLD PFENNING LANE RIGHT-OF-WAY IN PRECINCT TWO. (9:15 AM) (11:54 AM)

Item 15 to be reposted on July 14, 1998.

- 16. APPROVE CONTRACT MODIFICATION NO.1 TO CONTRACT NO. 98C0027-JP, FOR THE PURCHASE OF TWO (2) HELICOPTERS FOR EMERGENCY SERVICES. CONTRACT APPROVED BY COMMISSIONERS’ COURT ON NOVEMBER 25, 1997. MODIFICATION ALLOWS FOR AN EXTENSION OF THE DELIVERY TIMES ON BOTH HELICOPETERS. (11:55 AM) (2:58 PM) (3:04 PM) (4:50 PM)

**Clerk’s Note:** Judge Aleshire requested that, with no objection, the County Attorney’s Office be able to provide the Court legal advice in public.

**Members of the Court heard from:** Patricia Goodman, Assistant County Attorney; Cyd Grimes, Travis County Purchasing Agent; and Chris Callsen, Director of Emergency Services, JPS.

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

**Motion by** Judge Aleshire **and seconded by** Commissioner Gómez to not approve the contract modification and to request the County Attorney’s Office to respond to the vendor on behalf of the Commissioners’ Court.

**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 |

- 17. APPROVE LIST OF VEHICLES AND HEAVY EQUIPMENT AS SURPLUS.  
(PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE).  
(9:15 AM) (9:28 AM)

Item 17 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 18. A. APPROVE ORDER EXEMPTING THE PURCHASE OF A BOILER, INCLUDING REMOVAL AND INSTALLATION SERVICES, FROM THE COMPETITIVE BIDDING AND PROPOSAL REQUIREMENTS OF THE COUNTY PURCHASING ACT. (1:53 PM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; Alicia Perez, Executive Manager, Administrative Operations; A. J. Jalifi, Mechanical Engineer, Facilities Management; Leroy Nellis, Budget Manager, PBO; Daniel Mansour, Risk Manager, HRMD; John Hille, Assistant County Attorney; David Escamilla, First Assistant County Attorney; and Dobbs Rogers, Director of Administrative Services Division, Juvenile Court.

**Motion by** Commissioner Moore **and seconded by** Commissioner Gómez to approve the exemption order under Item 18.A and the budget amendment A11, under Item 22.

**Maker and Second accept the Friendly Amendment by** Judge Aleshire to approve an order exempting the purchase from competition and to authorize the contract to be executed. The Court authorizes, with the subsequent budget transfer, the Purchasing Agent to complete this purchase as specified and expressing the Court's intent to have this item posted next week for ratification or authorization of the contract to complete the work.

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

**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 18.A to be reposted on July 14, 1998.

**ITEM 18 CONTINUED**

**B. AUTHORIZE ACTION TO COLLECT REIMBURSEMENT FOR COSTS OF PURCHASE AND OTHER COSTS FOR BOILER. (1:53 PM)**

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

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to authorize the County Attorney’s Office to take all necessary actions to collect reimbursement of all of the County’s costs for the purchase and cost of the new boiler.

|                        |  |   |     |
|------------------------|--|---|-----|
| <b>Motion carried:</b> | 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 |

**19. APPROVE CONTRACT AWARD FOR THE PROVISION OF ELECTRONIC MONITORING, RFP# R980089-OJ, TO THE QUALIFIED OFFEROR, GENERAL SECURITY SERVICES CORPORATION. (9:28 AM)**

Item 19 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court’s Motion and Vote.

**20. APPROVE LIST OF VEHICLES AND HEAVY EQUIPMENT AS SURPLUS. (PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE). (9:15 AM)**

Item 20 pulled from the agenda (duplicate of Item 17).

- 21. A. REJECT BIDS RECEIVED FOR PAINTING AND WALL COVERING SERVICES, IFB# B980074-MG, APPROVE RE-ADVERTISEMENT OF REQUIREMENTS WITH REVISED SPECIFICATIONS. (9:28 AM)

Item 21.A added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court’s Motion and Vote.

- B. APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 97T0289-JP FOR THE PROVISION OF PAINT & PAINT SUPPLIES; CONTRACT APPROVED ON 7/15/97; MODIFICATION ALLOWS FOR A 12-MONTH RENEWAL. (9:28 AM)

Item 21.B added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 22. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (2:15 PM)

**Members of the Court heard from:** Leroy Nellis, Budget Manager, PBO; Karen Shafer Castro, Senior Budget Analyst, PBO; and Jessica Rio, Budget Analyst, PBO.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the budget amendments and transfers, including all the add-ons with the exception of D1, D2, D3, and D4. The Court sends notice back to those departments affected that they should make internal transfers to cover what they need to do.

**A Clarification was made of the previous Motion by** Commissioner Gómez that they should make the internal transfers from line items other than Personnel and pursuant to the budget rules. If there are problems they should come back to the Court later.

**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 |

- 23. MAKE APPOINTMENTS TO THE TRAVIS COUNTY HOUSING AUTHORITY BOARD OF DIRECTORS. (9:15 AM)**

Item 23 postponed until July 14, 1998.

- 24. DISCUSS CLAIM FROM THE INTERNAL REVENUE SERVICE FOR PAYMENT OF DELINQUENT PAYROLL TAXES FROM THE TRAVIS COUNTY COUNSELING CENTER, AND TAKE APPROPRIATE ACTION. (9:15 AM)**

Item 24 postponed until July 14, 1998.

- 25. REVIEW AND APPROVE THE FOLLOWING LIABILITY CLAIM RECOMMENDATIONS:**

- A. JENNIFER WILSON - SETTLE (2:26 PM)**
- B. JEFFERY SCOTT NIX - SETTLE (2:26 PM)**
- C. CRISTINA HELMERICHS – DENY (2:26 PM)**
- D. SOUTHWESTERN BELL - DENY (2:26 PM)**
- E. MORRIS & DICKSON– DENY (2:26 PM)**
- F. PENNY RIVERA - DENY (2:26 PM) (2:58 PM) (3:04 PM) (4:51 PM)**

**Members of the Court heard from:** Daniel Mansour, Risk Manager, HRMD; Penny Rivera, Claimant under Item 25.F; and Sherine Thomas, Assistant County Attorney.

Judge Aleshire announced that Item 25.F would be considered in Executive Session.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the liability claims as recommended by the Risk Manager for Items 25.A, B, C, D, and E.

**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 25 CONTINUED**

**Motion by Judge Aleshire and seconded by Commissioner Gómez** to deny the claim of Penny Rivera under Item 25.F.

|                        |  |   |     |
|------------------------|--|---|-----|
| <b>Motion carried:</b> | 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 |

**26. APPROVE PERSONNEL AMENDMENTS. (2:43 PM) (2:58 PM) (3:04 PM) (4:51 PM)**

**Members of the Court heard from:** Carlotta Valdez, Compensation and Benefits Manager, HRMD; Norman McRee, Lead Human Resources Analyst, HRMD; Alicia Perez, Executive Manager, Administrative Operations; Bruce Elfant, Constable, Precinct Five; and David Escamilla, First Assistant County Attorney.

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

**Motion by Judge Aleshire and seconded by Commissioner Sonleitner** to approve the personnel amendments as recommended by HRMD.

|                        |  |   |     |
|------------------------|--|---|-----|
| <b>Motion carried:</b> | 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 |

**27. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:28 AM)**

Item 27 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

- 28. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY, AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT REJECT, OR COUNTER OFFER IN TRAVIS COUNTY V. RYLANDER INVESTMENT COMPANY; CASE NUMBER 96-50100 AND USDC NUMBER A-94-CA-561-SC. <sup>1</sup>  
(2:58 PM) (3:04 PM) (4:52 PM)

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

**Motion by Judge Aleshire and seconded by Commissioner Sonleitner** to reject the settlement offer. The Court indicates that they see no benefit to the public for the County to continue to participate in mediation. The Court also requests the County Attorney's Office to specifically notify the Texas Real Estate Commission of the Court's concerns whether Mr. Rylander is in compliance under current Texas Real Estate Law.

**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 |

- 29.** APPROVE OR REJECT PROPOSED FARMERS' MARKET LEASE AGREEMENT WITH JOYCE KONCAK & CHARLES VACLAVIK, SWEET ENCOUNTERS, INC., D/B/A SWEETIE PIES. <sup>1</sup>  
 (2:58 PM) (3:04 PM) (4:52 PM)

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

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

**Members of the Court agreed** to consider one Motion for Items 29, 30, and 31.

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

- 29.** Reject the proposed Lease Agreements under Items 29, 30, and 31 with an offer for them to be resubmitted in proper form and the Court can post them on the agenda for approval if the deficiencies are corrected. They are rejected on the basis that Exhibit A, which describes the real estate that is being leased, has been omitted from the copy submitted to the Court for approval. And, on the basis of Mr. Rylander's attorney's representation, the copy they have is not the same as the copy that the Court is being asked to act on. For those two reasons, the lease agreements are rejected with a notice that, if they want to resubmit them in completed form, the Court will consider them in the future.
- 30.** Reject the proposed Lease Agreements under Items 29, 30, and 31 with an offer for them to be resubmitted in proper form and the Court can post them on the agenda for approval if the deficiencies are corrected. They are rejected on the basis that Exhibit A, which describes the real estate that is being leased, has been omitted from the copy submitted to the Court for approval. And, on the basis of Mr. Rylander's attorney's representation, the copy they have is not the same as the copy that the Court is being asked to act on. For those two reasons, the lease agreements are rejected with a notice that, if they want to resubmit them in completed form, the Court will consider them in the future.
- 31.** Reject the proposed Lease Agreements under Items 29, 30, and 31 with an offer for them to be resubmitted in proper form and the Court can post them on the agenda for approval if the deficiencies are corrected. They are rejected on the basis that Exhibit A, which describes the real estate that is being leased, has been omitted from the copy submitted to the Court for approval. And, on the basis of Mr. Rylander's attorney's representation, the copy they have is not the same as the copy that the Court is being asked to act on. For those two reasons, the lease agreements are rejected with a notice that, if they want to resubmit them in completed form, the Court will consider them in the future.

**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 |

- 30. APPROVE OR REJECT PROPOSED FARMERS' MARKET LEASE AGREEMENT WITH HILL COUNTRY LANDSCAPE. <sup>1</sup>**  
(2:58 PM) (3:04 PM) (4:52 PM)

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

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

**Members of the Court agreed** to consider one Motion for Items 29, 30, and 31.  
Please refer to Item 29 for a summary of the Court's action on this Motion.

- 31. APPROVE OR REJECT PROPOSED FARMERS' MARKET LEASE AGREEMENT WITH BISCHOFF ENTERPRISES, INC. D/B/A B.B.Q. WORLD HEADQUARTERS. <sup>1</sup>**  
(2:58 PM) (3:04 PM) (4:52 PM)

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

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

**Members of the Court agreed** to consider one Motion for Items 29, 30, and 31.  
Please refer to Item 29 for a summary of the Court's action on this Motion.

- 32. PROVIDE TNR STAFF DIRECTION REGARDING REQUESTS TO RELEASE FISCAL POSTED FOR CIRCLE C RANCH SUBDIVISIONS. <sup>1</sup>**  
(2:58 PM) (3:04 PM) (4:55 PM)

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

Item 32 postponed until July 14, 1998.

- 33.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT OR APPEAL SPECIAL COMMISSIONERS' AWARD ON PARCEL NO. 1 AND 1A, DAVID K. GIBBS (PROPOSED CHIMNEY OAKS SUBDIVISION), AND TRAVIS COUNTY, TEXAS. (GIESELMAN; CONDEMNATION).<sup>1</sup>  
(9:16 AM) (4:55 PM)

Item 33 postponed until July 14, 1998.

- 34.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO TAKE APPROPRIATE ACTION IN ESPINOSA V. JEWERT, CAUSE NO. A-96-CA-505-JRN (FRASIER; USE OF FORCE 1983).<sup>1</sup> (2:57 PM) (4:55 PM)

Item 34 pulled from the agenda.

- 35.** 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. (FRASIER, CIVIL RIGHTS).<sup>1</sup> (2:57 PM) (4:55 PM)

Item 35 postponed until July 14, 1998.

**ADJOURNMENT**

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to adjourn the Voting Session. (4:56 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**

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**Date of Approval**

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**Bill Aleshire, Travis County Judge**