

## MINUTES – JULY 21, 1998

### TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 21<sup>st</sup> day of July 1998, the Commissioners' Court convened the Voting Session at 9:18 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 Robert Resnick.

The Commissioners' Court recessed the Voting Session at 12:02 PM and reconvened the Voting Session at 1:42 PM.

The Commissioners' Court retired to Executive Session at 2:24 PM and reconvened the Voting Session at 3:44 PM.

The Commissioners' Court adjourned the Voting Session at 3:50 PM.

**Clerk's Note:** The Commissioners' Court record notes that Precinct 3 Commissioner Margaret Moore was not present during this Voting Session.

**RESOLUTIONS & HEARINGS**

1. APPROVE A 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. (9:19 AM)

**Clerk's Note:** The Action Item for Item 1 is Consent Item C9.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez that the Public Hearing be opened.

**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

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

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez that the Public Hearing be closed.

**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

**CITIZENS' COMMUNICATION**

**Members of the Court heard from:** Gus Peña, President, East Austin Concerned Hispanics; Wes Curtis, TX Best Seminars; and Kenneth Snyder, Resident of Canyon Ridge. (9:21 AM)

**CONSENT ITEMS**

**2. Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: 4, 8, 9.A, B, C, and D, 10.A, B, and C, 13, 14, 16, 17, 18, 19, 21, 22, A.1, and C1 – C9. (10:03 AM)

**Clerk's Note:** Precinct 4 Commissioner Margaret Gómez commended Staff for their excellent work on Item 17 in getting the Ross Road project bid in on time and under budget.

**Clerk's Note:** Precinct 1 Commissioner Darwin McKee echoed the sentiments of Commissioner Gómez and complimented the County Staff that has worked on Item A.1, the Church Lane improvements project, and informed the residents of the area that the project will be completed as soon as possible.

**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

- 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 VOTING SESSION OF JULY 7, 1998.
- C4.** APPROVE OF ROBERT A. RUSSELL AS A RESERVE DEPUTY CONSTABLE IN PRECINCT TWO CONSTABLE OFFICE.
  - A.** APPROVE GRANT CONTRACT FROM CRIMINAL JUSTICE DIVISION, GOVERNOR'S OFFICE, FOR VICTIMS OF CRIME ACT (VOCA) GRANT FOR SHERIFF'S OFFICE.

**CONSENT ITEMS CONTINUED**

- C5.** APPROVE JOINT RESOLUTION BETWEEN TRAVIS COUNTY AND THE CITY OF MUSTANG RIDGE TO BE A PART OF THE TRAVIS COUNTY EMERGENCY OPERATIONS PLAN.
- C6.** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACTS NOS. 97-T0301-RH; AUSTIN QUALITY CAR WASH, 97-T0302-RH; GENIE CAR WASH, 97-T0303-RH; RPM ENTERPRISES, 97-T0304-RH; WSM ENTERPRISES, DBA SQUEEKY CLEAN NORTH FOR CAR WASHING SERVICES; CONTRACTS WERE APPROVED ON 8/5/97; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION.
- C7.** APPROVE CONTRACT AWARD FOR THE PROVISION OF MAINTENANCE OF VEHICLE WASH FACILITY EQUIPMENT, IFB B-980093-BS, TO THE SOLE QUALIFIED BIDDER, HOTSY/CARLSON, IN THE ESTIMATED AMOUNT OF \$42,837.00 PLUS TIME AND MATERIAL FOR REPAIRS.
- C8.** APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN WALNUT RIDGE II, A SUBDIVISION IN PRECINCT TWO.
- C9.** APPROVE A 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.

**Clerk's Note:** Consent Item C9 is the Action Item for Public Hearing Item 1.

**ADMINISTRATIVE ITEMS**

- 3. A. ADOPT ORDER OF APPOINTMENT OF TRAVIS COUNTY PRECINCT ELECTION JUDGES AND ALTERNATE PRECINCT ELECTION JUDGES FOR A ONE-YEAR TERM OR A TWO-YEAR TERM. (9:31 AM)
- B. DISCUSS PROCEDURES FOR DETERMINING ELIGIBILITY OF PROSPECTIVE ELECTION JUDGES AND ALTERNATE ELECTION JUDGES.
- C. CONSIDER ADDITIONAL ELIGIBILITY REQUIREMENTS FOR PROSPECTIVE ELECTION JUDGES AND ALTERNATE ELECTION JUDGES, PROPOSED BY THE COUNTY CLERK.
- D. AUTHORIZE CRIMINAL BACKGROUND CHECKS, PROPOSED BY THE COUNTY CLERK, ON PROSPECTIVE ELECTION JUDGES AND ALTERNATE ELECTION JUDGES.

**Clerk’s Note:** Items 3.A, B, C, and D are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Dana DeBeauvoir, Travis County Clerk; Lesley Thompson, Elections Division Manager, County Clerk’s Office; Dan T. Richards, Deputy Chief, Travis County Sheriff’s Office (TCSO); and Tamara Armstrong, Assistant County Attorney.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to direct the County Clerk and County Attorney’s Office to bring back an order relating to a one-year term for election judges; that additional eligibility requirements for election judges be considered, which would be the normal requirements plus the following: The candidate for election judge cannot be a public officer, a candidate for public office, an employee or a relative of a candidate, a campaign treasurer, a campaign manager, and/or be convicted of an election-related offense. Further instructions are given that the Court will rely on a sworn statement (drawn up by the County Clerk and the County Attorney) from candidates, and that candidates will be required to attend the County Clerk-sponsored training/orientation unless the County Clerk excuses them from attending, and that the positions of Central Counting Station Judge, Tabulation Supervisor be discussed on July 28, 1998, and that all parties work to bring back the cleanest list possible of election judge candidates for adoption on July 28.

**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

Item 3 to be reposted on July 28, 1998.

- 4. APPROVE EXTENSION OF DISASTER DECLARATION BANNING OUTDOOR BURNING IN UNINCORPORATED AREAS OF TRAVIS COUNTY. (10:03 AM)

Item 4 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 5. APPROVE OR DISAPPROVE A REQUEST FOR VARIANCE FROM TRAVIS COUNTY RULES FOR ON-SITE PRIVATE SEWAGE FACILITIES FOR THE FOLLOWING:

- A. MARTHA BANISTER, ALLOWING THE INSTALLATION OF THE WASTEWATER DRAINFIELD WITH LESS THAN ONE (1) FOOT TO FRACTURED ROCK AND TWENTY-FIVE (25) FEET FROM A GRADE BREAK AT 8201 TYNDALE COVE, LOT 34, BLOCK B, ROB ROY ON THE LAKE, SECTION II. (10:07 AM)

**Members of the Court heard from:** Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department (HHSD); Jim Fulton, Private Sewage Facilities Associate Engineer, Austin-Travis County HHSD; and Matt Phelps, Private Sewage Facilities Engineer, HHSD.

**Clerk’s Note:** Motion by Commissioner McKee to approve Items 5.A, B, and C. Commissioner Sonleitner requested a division of the vote.

**Motion by Commissioner McKee and seconded by Commissioner Gómez** to approve the variance under Item 5.A.

**Motion carried:**

County Judge Bill Aleshire	-	no
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

**ITEM 5 CONTINUED**

**B. DOUGLAS AND DIANE WEBB, ALLOWING DISCHARGE OF THE TREATED EFFLUENT INTO FRACTURED ROCK, WITH A LOW PRESSURE DOSE SYSTEM AT 4008 PAWNEE PASS, C. WALDREN SURVEY #78. (10:07 AM)**

**Members of the Court heard from:** Matt Phelps, Private Sewage Facilities Engineer, HHSD

**Motion by** Commissioner McKee **and seconded by** Commissioner Gómez to approve the variance under Item 5.B.

**Motion failed:**

County Judge Bill Aleshire	-	no
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	no
Precinct 3, Commissioner Margaret Moore	-	absent
Precinct 4, Commissioner Margaret J. Gómez	-	yes

**C. CHARTER BUILDERS, R.J. COLLINS, PRESIDENT, ALLOWING THE REDUCTION OF THE THICKNESS OF SOIL BELOW THE PIPE AND GRAVEL LAYER FROM 4.0 FEET TO 2.0 FEET OF WASHED SAND, AT 13503 LOIS LANE, LOT 12, BLOCK A, ACRES WEST. (10:07 AM)**

**Members of the Court heard from:** Matt Phelps, Private Sewage Facilities Engineer, HHSD

**Motion by** Commissioner McKee **and seconded by** Commissioner Sonleitner to approve the variance under Item 5.C.

**Motion failed:**

County Judge Bill Aleshire	-	no
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	absent
Precinct 4, Commissioner Margaret J. Gómez	-	no

- 6. A. DISCUSS LEGAL ISSUES ASSOCIATED WITH OFFER FOR AGREEMENT WITH TEXAS AGRICULTURAL EXTENSION SERVICE AND PROVIDE DIRECTION IN NEGOTIATION OF AGREEMENT. (10:31 AM) (2:24 PM) (3:44 PM)

**Members of the Court heard from:** Stephen Williams, Executive Manager, Austin-Travis County HHSD and Veterans’ Services; and Barbara Wilson, Assistant County Attorney, Transactions Division.

Discussion Only.

Judge Aleshire announced that Item 6.A would be considered in Executive Session.

Item 6.A pulled from Agenda

- B. REQUEST THAT TRAVIS COUNTY COMMISSIONERS’ COURT FILL COUNTY EXTENSION AGENT-NATURAL RESOURCE POSITION. (10:31 AM) (2:24 PM) (3:44 PM)

**Members of the Court heard from:** Stephen Williams, Executive Manager, Austin-Travis County HHSD. and Veterans’ Services; and Barbara Wilson, Assistant County Attorney.

Judge Aleshire announced that Item 6.B would be considered in Executive Session.

**Motion by** Judge Aleshire **and seconded by** Commissioner McKee instruct PBO to remove the County Extension Agent positions from the hiring freeze list.

**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



7.
  - A. APPROVE OPTION TO REROUTE THE PROPOSED OUTFALL PIPE INTO THE TXDOT RIGHT-OF-WAY ALONG FM 973 AND OBTAIN THE NECESSARY PERMIT FROM TXDOT ON THE DEL VALLE WATER QUALITY PROJECT. (EXECUTIVE SESSION PURSUANT TO 551.072) (10:33 AM) (11:50 AM) (2:24 PM) (3:44 PM)
  - B. APPROVE PROPOSED DESIGN UPGRADES TO INCORPORATE SAFEGUARDS FOR THE DEL VALLE WATER QUALITY PROJECT TO AID IN THE PREVENTION OF POSSIBLE LONG-TERM ENVIRONMENTAL CONCERNS. (10:33 AM) (11:50 AM) (2:24 PM) (3:44 PM)
  - C. DIRECT STAFF TO NEGOTIATE A CONTRACT MODIFICATION TO ALLOW ESPEY HUSTON TO PERFORM DESIGN AND ENGINEERING SERVICES FOR THE PROPOSED REROUTE OPTION AND DESIGN UPGRADES OF THE OUTFALL PIPE AT THE DEL VALLE WATER QUALITY PROJECT. (10:33 AM) (11:50 AM) (2:24 PM) (3:44 PM)
  - D. APPROVE A PROJECT BUDGET INCREASE FOR DESIGN CHANGES AND ASSOCIATED CONSTRUCTION INCREASES IN THE AMOUNT OF \$487,930.00 FOR THE DEL VALLE WATER QUALITY PROJECT. (10:33 AM) (11:50 AM) (2:24 PM) (3:44 PM)

**Clerk's Note:** Items 7.A, B, C, and D are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Carol Bowman, Water Quality Project Manager; John Moody, Project Manager, Espey Huston; Kevin Bailey, Director of Facilities Management; Duke Altman, Principal, Espey Huston; Steve Whatley, Environmental Engineer, US Air Force Base Conversion Agency; and Gordon Bowman, Assistant County Attorney.

Judge Aleshire announced that Items 7.A, B, C, and D would be considered in Executive Session.

Items 7.A, B, C, and D to be reposted on July 28, 1998.

8. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (10:03 AM)

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

- 9. APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSION TO CONTINUE. (10:03 AM)**
- A. APPROVE GRANT APPLICATION TO TEXAS PARKS AND WILDLIFE DEPARTMENT FOR NORTHEAST METROPOLITAN PARK GRANT.**
  - B. APPROVE CONTRACT WITH THE OFFICE OF THE ATTORNEY GENERAL TO PARTICIPATE IN A SURVEY OF CRIME VICTIMS/SURVIVORS IN TEXAS.**
  - C. APPROVE ADVANCE FUNDING AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR METROPOLITAN MOBILITY (4C) CONGESTION RELIEF, WHICH REIMBURSES TRAVIS COUNTY FOR TWO HALF-TIME ADMINISTRATIVE AIDE POSITIONS.**
  - D. APPROVE ACCEPTANCE OF ADDITIONAL STP 4C CARRYOVER FUNDS FOR TWO HALF-TIME ADMINISTRATIVE AIDE POSITIONS AND USE OF A PORTION OF PREVIOUSLY APPROVED FORESTRY GRANT MATCH FUNDS AS THE LOCAL MATCH FOR THE ATS GRANT.**

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

- 10. A. APPROVE USE OF ALTERNATE FISCAL FOR LAKE POINTE SECTION NINE, A SUBDIVISION IN PRECINCT THREE (WASTEWATER SERVICE TO BE PROVIDED BY WEST TRAVIS COUNTY MUD NO. 5). (10:03 AM)
- B. APPROVE CASH SECURITY AGREEMENT FOR RESTORATION FISCAL FOR LAKE POINTE SECTION NINE, A SUBDIVISION IN PRECINCT THREE.
- C. APPROVE CONSTRUCTION AGREEMENT FOR LAKE POINTE SECTION NINE, A SUBDIVISION IN PRECINCT THREE.

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

- 11. DISCUSS AND ADOPT ASSIGNMENT AGREEMENT BETWEEN THE TEXAS PARKS AND WILDLIFE DEPARTMENT AND TRAVIS COUNTY FOR THE MAINTENANCE OF THE LOOP 360 BOAT RAMP. (11:54 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Charles Bergh, Division Manager, TNR; and John Hille, Assistant County Attorney.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to adopt the agreement.

**Maker and Second accept the Friendly Amendment by** Judge Aleshire that the Court seek the County Attorney’s help on the issues as noted.

**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

- 12.** APPROVE SALE BY COMMISSIONER OF SALE KAREN SONLEITNER FOR A PORTION OF OLD PFENNING LANE RIGHT-OF-WAY IN PRECINCT TWO. (9:18 AM)

Item 12 postponed until July 28, 1998.

- 13.** AUTHORIZE SALE OF SURPLUS RIGHT-OF-WAY FROM PARMER LANE EAST, PHASE 1; APPROVE PURCHASE PRICE AND REIMBURSEMENT OF TRAVIS COUNTY'S EXPENSES OF SALE BY PURCHASERS. (10:03 AM)

Item 13 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 14.** APPROVE PLAT FOR RECORDING IN PRECINCT ONE: WALLACE SUBDIVISION – (SHORTFORM – NO FISCAL REQUIRED – 2 LOTS – 7.21 ACRES – JOHNNY MORRIS ROAD – WASTEWATER SERVICE TO BE PROVIDED BY ONSITE SEWAGE SERVICE. (10:03 AM)

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

- 15.** **A.** APPROVE PRELIMINARY PLAN IN PRECINCT ONE: GREGG MANOR ROAD BUSINESS PARK – (FISCAL POSTED WITH THE CITY OF AUSTIN – 15 LOTS – 35.261 ACRES – GREGG MANOR ROAD – WASTEWATER SERVICE TO BE PROVIDED FOR BY ONSITE SEWAGE SERVICE). (9:18 AM)
- B.** APPROVE PLAT FOR RECORDING IN PRECINCT ONE: GREGG MANOR ROAD BUSINESS PARK – (FISCAL POSTED WITH THE CITY OF AUSTIN – 15 LOTS – 35.261 ACRES – GREGG MANOR ROAD – WASTEWATER SERVICE TO BE PROVIDED FOR BY ONSITE SEWAGE SERVICE).

Items 15.A and B postponed until July 28, 1998.

- 16.** APPROVE CONTRACT MODIFICATION NO. 2 TO CONTRACT NO. 98-T0157-JJ, METRO PAVING CO., INC., 1998 HOT MIX OVERLAY PROGRAM, CONTRACT APPROVED ON 5/15/98; MODIFICATION ALLOWS COUNTY AND METRO PAVING CO., INC. TO APPROVE AN IRREVOCABLE DIRECTIVE OF DRAW PROCEEDS. (10:03 AM)

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

- 17.** APPROVE CONTRACT AWARD FOR THE PROVISION OF CONSTRUCTION SERVICES FOR THE ROSS ROAD CONSTRUCTION PROJECT, IFB #B-980706-JJ, TO THE LOW, QUALIFIED BIDDER, ROSS CONSTRUCTION INC., IN THE ESTIMATED AMOUNT OF \$887,289.34. (10:03 AM)

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

**Clerk's Note:** Precinct 4 Commissioner Margaret Gómez commended Staff for their excellent work on Item 17 in getting the Ross Road project bid in on time and under budget.

- 18.** REVIEW AND APPROVE SUBCONTRACTORS FROM GENERAL SECURITY SERVICES CORPORATION FOR THE ELECTRONIC MONITORING CONTRACT NO. 98-T0219-OJ; APPROVAL OF SUBCONTRACTORS IS IN ACCORDANCE WITH GENERAL PROVISION NO. 19 (OF RFP) ENTITLED "SUBCONTRACTS". (10:03 AM)

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

- 19.** APPROVE CONTRACT AWARD FOR THE PROVISION OF SIGN MATERIALS, IFB 3B-980096-RG, TO THE LOW QUALIFIED BIDDERS, VULCAN SIGNS, SIGNS AND BLANKS, ROCAL, INC., AND SOUTHWEST GRAPHICS IN THE (ESTIMATED) AMOUNT OF \$249,532.55. (10:03 AM)

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

- 20. A. RECEIVE KPMG QUARTERLY REPORT ON GROUP BENEFITS AND RESULTS OF EMPLOYEE FOCUS GROUP SESSIONS. (1:42 PM)**
- B. DISCUSS, GIVE STAFF DIRECTION AND APPROVE FIRST OPTION YEAR PREMIUM RENEWAL RATES FOR TEXAS ASSOCIATION OF COUNTIES SPONSORED BLUE CROSS BLUE SHIELD (BCBS) AND GROUP LIFE AND HEALTH INSURANCE (GLH) PLANS.**
- C. DISCUSS, GIVE STAFF DIRECTION AND APPROVE MODIFICATIONS TO PPO PLAN.**

**Clerk’s Note:** Items 20.A, B, and C are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Linda Moore Smith, Director, Human Resources Management Department (HRMD); Patricia Rawley, KPMG Consultant; Daniel Mansour, Risk Manager, HRMD; Alicia Perez, Executive Manager, Administrative Operations; and Barbara Wilson, Assistant County Attorney, Transactions Division.

**Motion by Commissioner Sonleitner and seconded by Commissioner McKee** to accept Staff recommendations.

**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

**Motion by Judge Aleshire and seconded by Commissioner Sonleitner** to continue the County’s policy of providing benefits to surviving spouses of retired County employees.

**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

- 21. APPROVE PERSONNEL AMENDMENTS (10:03 AM)**

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

- 22. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:03 AM)

Item 22 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

- 23. APPROVE OR REJECT PROPOSED FARMERS’ MARKET LEASE AGREEMENT WITH JOYCE KONCAK & CHARLES VACLAVIK, SWEET ENCOUNTERS, INC., D/B/A SWEETIE PIES. <sup>1</sup> (2:24 PM) (3:45 PM)

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

**Members of the Court agreed** to consider one Motion for Items 23, 24, 25, and 26.

**Motion by** Judge Aleshire **and seconded by** Commissioner Sonleitner to approve Items 23, 24, 25, and 26.

**A Clarification was made of the previous Motion by** Commissioner Sonleitner that the leases now have all provided exhibits to describe the properties.

**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

- 24. APPROVE OR REJECT PROPOSED FARMERS’ MARKET LEASE AGREEMENT WITH HILL COUNTY LANDSCAPE. <sup>1</sup> (2:24 PM) (3:45 PM)

**Members of the Court agreed** to consider one Motion for Items 23, 24, 25, and 26. Please refer to Item 23 for a summary of the Court’s action on this Motion.

- 25. APPROVE OR REJECT PROPOSED FARMERS' MARKET LEASE AGREEMENT WITH BISCHOFF ENTERPRISES, INC., D/B/A B.B.Q. WORLD HEADQUARTERS. <sup>1</sup> (2:24 PM) (3:45 PM)

**Members of the Court agreed** to consider one Motion for Items 23, 24, 25, and 26. Please refer to Item 23 for a summary of the Court's action on this Motion.

- 26. APPROVE OR REJECT PROPOSED FARMERS' MARKET LEASE AGREEMENT WITH TERRY DELOOZE AND STEPHEN MCDERMOTT, TREETS, INC., D/B/A TREESIDE RESTAURANT. <sup>1</sup> (2:24 PM) (3:45 PM)

**Members of the Court agreed** to consider one Motion for Items 23, 24, 25, and 26. Please refer to Item 23 for a summary of the Court's action on this Motion.

- 27. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN: JACK LESLIE WENDT V. TRAVIS COUNTY, TEXAS, ET AL; (WENDT; RUST; TEXAS WHISTLEBLOWER'S ACT). <sup>1</sup> (2:24 PM)

Item 27 postponed until July 28, 1998.

- 28. 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> (2:24 PM) (3:44 PM)

**Motion by Judge Aleshire and seconded by Commissioner Gómez** to accept the settlement offer in the amount of \$7,500.00 contingent on approvals, wavers, and dismissals that will be provided by the County Attorney's Office subject to the process that they approve.

**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



- 29. ADDED ITEM:** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT, OR COUNTER SETTLEMENT DEMAND ON CIP PROJECT 2-019, PARCEL NO. 14, JOHN C. FISH AND DANA H. FISH, AND TRAVIS COUNTY, TEXAS; (FISH, GIESELMAN; CONDEMNATION). <sup>1</sup> (2:24 PM) (3:44 PM)

**Motion by Judge Aleshire and seconded by Commissioner Sonleitner** to appoint Steve Manilla as the County's representative for the purpose of trial.

**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

Item 29 to be reposted on July 28, 1998.

**THE FOLLOWING ITEMS ARE ADDENDA:**

- A.1 APPROVE CONTRACT AWARD FOR THE PROVISION OF CONSTRUCTION SERVICES FOR THE CHURCH LANE IMPROVEMENTS PROJECT, IFB #B-980719-JJ, TO THE LOW, QUALIFIED BIDDER, JAY-REESE CONTRACTORS, INC., IN THE ESTIMATED AMOUNT OF \$151,699.65. (10:03 AM)**

Item A.1 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

**Clerk's Note:** Precinct 1 Commissioner Darwin complimented the County Staff that have worked on Item A.1, the Church Lane improvements project, and informed the residents of the area that the project will be completed as soon as possible.

- A.2 A. APPROVE ORDER EXEMPTING THE PURCHASE OF PROFESSIONAL ENGINEERING AND ENVIRONMENTAL SERVICES FOR DUE DILIGENCE IN CONNECTION WITH RFP #P-980062-SG, CENTRAL WAREHOUSE, STARFLIGHT HANGAR, AND SHERIFF'S OFFICE COMMAND CENTER EAST SITES, FROM THE COMPETITIVE PROPOSAL REQUIREMENTS OF THE COUNTY PURCHASING ACT. EXECUTIVE SESSION ALSO PURSUANT TO GOV'T. CODE ANN 551.072.<sup>1</sup> (2:23 PM) (2:24 PM) (3:44 PM)

Judge Aleshire announced that item A.2 would be considered in Executive Session.

**Motion by Judge Aleshire and seconded by Commissioner McKee** to approve Item A.2; that the Court recognizes that, as a result of approving this Item, the Purchasing Agent may approve a contract up to the amount of \$15,000.00; that this funding come out of CAR reserves; and that on July 28, 1998, additional funding will be considered.

**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

**ADJOURNMENT**

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to adjourn the Voting Session. (3:50 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 - absent  
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**