

MINUTES – OCTOBER 6, 1998

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 6th day of October, 1998, the Commissioners' Court convened the Voting Session at 9:09 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 Robert Resnick.

The Commissioners' Court recessed the Voting Session at 12:27 PM and reconvened the Voting Session at 1:39 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, (NWTCRD), convened the NWTCRD #3 Voting Session at 2:24 PM and adjourned at 2:25 PM.

The Commissioners' Court reconvened the Voting Session at 2:25 PM.

The Commissioners' Court retired to Executive Session at 3:10 PM and reconvened the Voting Session at 5:05 PM.

The Commissioners' Court adjourned the Voting Session at 5:21 PM.

CITIZENS COMMUNICATION

Members of the Court heard from: Dan Miller, Attorney; Ira Caulkins, Director, Inter-Governmental Research Center; Shonda Wiggington, President, Freedom Lovers International; John Foreman, Texas Best Seminars; and Robert Kurtz, Private Citizen. (9:12 AM)

CONSENT ITEMS

- 1. Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the following Consent Items: C1-C17, and 2, 3, 4, 14.A-I (excluding 14.G), 15, 18, 19, 20, 24.A and B, and 26. (9:30 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 SESSIONS OF SEPTEMBER 22, 1998; AND BUDGET VOTING SESION OF SEPTEMBER 24, 1998.
- C4.** APPROVE CORRECTION TO FY 1999 HOLIDAY SCHEDULE FOR INDEPENDENCE DAY TO BE OBSERVED ON MONDAY, JULY 5, 1999.
- C5.** APPROVE APPLICATION TO PARTICIPATE IN MOODY'S INVESTORS SERVICES PREFERRED PRICING PROGRAM.
- C6.** APPROVE ORDER TO DIRECT DEPOSITING SALARY FUND MONIES INTO THE GENERAL FUND OF TRAVIS COUNTY.
- C7.** APPROVE DONATION FROM THE HUMANE SOCIETY-SPCA OF AN ELECTRIC DRYER AND A REFRIGERATOR TO THE CONVICTED OFFENDERS RE-ENTRY PROGRAM.
- C8.** APPOINT SUSAN MIGNATTI TO THE TRAVIS COUNTY EMERGENCY SERVICE DISTRICT #3 (OAK HILL) TO FULFILL TERM EXPIRING DECEMBER 31, 1999.
- C9.** APPROVE CONTRACT AWARD FOR THE PROVISION OF NEW AND REFURBISHED TELEPHONE EQUIPMENT, IFB #B-980130-DM, TO THE LOW, QUALIFIED BIDDERS, SOUTHWEST CENTURY COMMUNICATIONS, INC., WILLIAMS COMMUNICATION SOLUTIONS, ALLTEL SUPPLY, IKNC., IN THE TOTAL ESTIMATED AMOUNT OF \$291,828.43.

CONSENT ITEMS CONTINUED

- C10.** REJECT BIDS RECEIVED FOR THE PROVISION OF CASE FILE FOLDERS, IFB #B-980117-RG; APPROVE RE-ADVERTISEMENT WITH REVISED SPECIFICATIONS.
- C11.** APPROVE AWARD OF CONTRACTS TO THE FOLLOWING AGENCIES FOR PROVISION OF SERVICES OF VICTIMS OF CRIME IN TRAVIS COUNTY FOR FY 1999; COMMISSIONERS' COURT APPROVED FUNDING RECOMMENDATIONS AND CHANGE IN FUNDING CYCLE FROM FISCAL TO CALENDAR YEAR ON AUGUST 11, 1998:
- (A) DAYGLO FAMILY TREATMENT; (B) FOR THE LOVE OF CHRISTI; (C) YOUTH AND FAMILY ALLIANCE; (D) SAFEPLACE: TEEN DATING VIOLENCE; (E) SEXUAL ASSAULT COMMUNITY ADVOCATE; (F) SEXUAL ASSAULT NURSE EXAMINER COORDINATION PROGRAM; (G) AUSTIN-TRAVIS COUNTY MHMR CHILDRENS' MENTAL HEALTH PLAN: COMMUNITY RESOURCE COORDINATION GROUP; (H) TRAVIS COUNTY ATTORNEY: VICTIM WITNESS PROGRAM.
- C12.** APPROVE CONTRACT AWARD FOR THE PROVISION OF ROOF REPAIRS, TRAVIS COUNTY CORRECTIONAL COMPLEX AND TRAVIS COUNTY JAIL, IFB #B-980135-LD, TO THE LOWEST BIDDER, MID-CO MAINTENANCE, PFLUGERVILLE, TX., IN THE AMOUNT OF \$18,805.00.
- C13.** APPROVE STATE TERM CONTRACT PURCHASE OF AN ESTIMATED ONE HUNDRED (100) AIR CONDITIONING UNITS FOR THE AUSTIN/TRAVIS COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT FOR AN ESTIMATED AMOUNT OF \$37,500.00 FROM FRIEDRICH AIR CONDITIONING CO. OF SAN ANTONIO, TEXAS.
- C14.** APPROVE CONTRACT MODIFICATION NO. 2 TO CONTRACT NO. PS-970359-JJ, CARTER & BURGESS, INC., PROFESSIONAL ENGINEERING SERVICES FOR THE HOWARD LANE PROJECT; CONTRACT APPROVED ON 12/9/97; MODIFICATION ALLOWS FOR THE PERIOD OF PERFORMANCE OF THE PROJECT MANAGER TO BE CHANGED FROM SIX TO NINE MONTHS, AND INCREASES THE CONTRACT NOT-TO-EXCEED AMOUNT BY \$30,000.00.
- C15.** APPROVE CONTRACT MODIFICATION NO. 3 TO CONTRACT NO. 96-K0713-JJ, ROSS CONSTRUCTION, INC., SPRING WILLOW DRAINAGE AND SIDEWALK IMPROVEMENT PROJECT; CONTRACT APPROVED ON 2/4/97; MODIFICATION ALLOWS FOR THE RECONCILIATION OF FINAL QUANTITY UNDERRUNS AND OVERRUNS IN THE AMOUNT OF \$31,972.64.

CONSENT ITEMS CONTINUED

- C16.** APPROVE CONTRACT AWARD FOR THE PROVISION OF SURGE PROTECTORS, IFB #B-980129-DM, TO THE LOW, QUALIFIED BIDDER, DEALERS ELECTRIC, IN THE TOTAL AMOUNT OF \$30,840.18.

- C17.** APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN ANDRUS SUBDIVISION, A SUBDIVISION IN PRECINCT TWO.

ADMINISTRATIVE ITEMS

- 2.** APPROVE ORDER ESTABLISHING REGULAR POLLING PLACES FOR THE NOVEMBER 3, 1998 GENERAL ELECTION. (9:30 AM)

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

- 3.** AUTHORIZE COUNTY CLERK TO SIGN LICENSING AGREEMENTS FOR EARLY VOTING POLLING PLACES FOR THE NOVEMBER 3, 1998 JOINT ELECTION. (9:30 AM)

Item 3 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- 4.** ADOPT UPDATED LIST OF TRAVIS COUNTY PRECINCT ELECTION JUDGES AND ALTERNATE ELECTION JUDGES, ATTACHED AS "EXHIBIT A", FOR ONE-YEAR TERM, BEGINNING AUGUST 1, 1998 AND ENDING JULY 31, 1999. (9:30 AM)

Item 4 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- 5. RECEIVE REPORT FROM COUNTY ATTORNEY REGARDING REVIEW OF PETITION FOR PROPOSED ANNEXATION OF MANOR INDEPENDENT SCHOOL DISTRICT INTO THE AUSTIN COMMUNITY COLLEGE TAX DISTRICT, AND TAKE APPROPRIATE ACTION. (10:09 AM) (12:25 PM)

Members of the Court heard from: John Hille, Assistant County Attorney; Tamara Armstrong, Assistant County Attorney; Myra McDaniel, Austin Community College; Dana DeBeauvoir, Travis County Clerk

Motion by Commissioner McKee and seconded by Commissioner Gómez to order the election.

Clerk’s Note: The Court did not take a Vote on the Standing Motion at this time.

Motion by Commissioner McKee and seconded by Commissioner Sonleitner to adopt an order calling a special election to be held within the Manor Independent School District for the annexation of the territory within that district by the Austin Community College and the other matters called for in this order.

Motion carried:

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

- 6. DISCUSS AMENDMENT NO. 5 TO EMS INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN FOR GROUND AND HELICOPTER SERVICES, AND TAKE APPROPRIATE ACTION. (10:25 AM)

Members of the Court heard from: Dinah Dinwiddie, Executive Manager, Justice and Public Safety (JPS).

Motion by Commissioner Moore and seconded by Commissioner Sonleitner to approve Item 6.

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

7. DISCUSS AND APPROVE PROPOSED INTERLOCAL FOR EMERGENCY SERVICES AND HELICOPTER SERVICES BETWEEN TRAVIS COUNTY AND OTHER JURISDICTIONS. (10:28 AM)

Members of the Court heard from: Dinah Dinwiddie, Executive Manager, Justice and Public Safety (JPS); and Barbara Wilson, Assistant County Attorney.

Motion by Commissioner Moore **and seconded by** Commissioner Sonleitner to approve Item 7 as drafted for dissemination to the cities for their consideration.

An Addition was made to the previous Motion by Commissioner Sonleitner that the County Judge be authorized to sign contracts when they come back from cities involved.

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

- 8. RECEIVE BRIEFING, DISCUSS AND/OR TAKE ANY APPROPRIATE ACTIONS REGARDING THE CONTINUING INVESTIGATION FOR THE POTENTIAL PURCHASE OF PROPERTIES LOCATED AT 812 SAN ANTONIO AND 1601 RIO GRANDE. (10:39 AM) (3:10 PM) (5:05 PM)

Members of the Court heard from: Belinda Poppa, Project Manager, Facilities Planning in Facilities Management; and Patricia Goodman, Assistant County Attorney.

Judge Aleshire announced that Item 8 would be considered in Executive Session.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Moore to offer \$13 million for the two buildings, 812 San Antonio and 1601 Rio Grande, and to further authorize the appropriate Staff from Travis County to begin talks with the owners of these properties in terms of an acceptable time period for a deal, if this is satisfactory, to come to closure.

Maker and Second accept the Friendly Amendment by Judge Aleshire that the Court authorizes the County Attorney’s Office to tender that offer with any appropriate conditions concerning the County’s ability to get financing in place, and that the Court specifically requests that it finds out what is the amount of time the County has for completing the transaction.

Acceptance of the Friendly Amendment was made by Commissioner Sonleitner **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	-	no

Item 8 to be reposted on October 13, 1998.

- 9. CONSIDER AND DECIDE AN APPEAL BY REYNALDO RAMIREZ, OWNER, OF THE DETERMINATION BY THE HEALTH AUTHORITY THAT A PUBLIC NUISANCE EXISTS AT THE PROPERTY LOCATED AT SADDLE CIRCLE AND REATA (LOT 16, EL RANCHO), PURSUANT TO CHAPTER 61 OF THE TRAVIS COUNTY CODE. (9:09 AM)

Item 9 postponed until October 13, 1998.

10. DISCUSS AND GIVE STAFF DIRECTION REGARDING THE VARIANCE PROCESS FOR THE ON-SITE SEWAGE FACILITIES. (10:56 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department (HHSD) and Veterans' Services; Matt Phelps, Private Sewage Facilities Engineer, Austin-Travis County HHSD; Jim Fulton, Private Sewage Facilities Associate Engineer, Austin-Travis County HHSD; and Wayne Dolezal, Distributor for Texas On-Site Wastewater Supply Company.

Motion by Commissioner Moore **and seconded by** Commissioner Gómez to grant authority to Staff to follow the variances procedure as outlined in Court today, where they will be able to grant, at Staff level, the variances the Court has been approving at the Commissioners' Court level (roughly in compliance with Page 3 of the document presented to the Court), with a report to the Commissioners' Court that contains all of the information that Staff has been supplying to the Court for Agenda Items plus the additional reason for the variance that the County Judge has described in Court today, and that the Court use that policy until such point in time as the proposed rules are adopted that will specifically address variance procedures.

A Clarification was made of the previous Motion by Judge Aleshire that, using Page 3 as the basis for the Motion, the report be monthly.

Clerk's Note: The Court did not take a Vote on the Standing Motion at this time.

A Clarification was made of the previous Motion by Commissioner Moore that under the present rules, Chapter 3, Administrative Provisions 3.01.B, the previous Motion intends to clarify that section that says that within 30 days of a request, the permitting authority will revue and reply in writing. The Court does not intend under this Motion, to change any of the rules that are in effect, but only the procedures for granting the variances.

Clerk's Note: The Court took a Vote on the Standing Motion at this time (with the subsequent Clarification).

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. DISCUSS THE TRANSITION PLAN OF THE ONSITE SEWAGE FACILITIES PROGRAM TO TRANSPORTATION AND NATURAL RESOURCES AND TAKE APPROPRIATE ACTION. (11:20 AM)

Item 11 postponed until October 13, 1998.

12. RECEIVE AND DISCUSS A REPORT FROM THE ADVISORY COMMITTEE AND STAFF RECOMMENDATIONS REGARDING THE PROPOSED TRAVIS COUNTY ON-SITE SEWAGE FACILITY RULES. (11:23 AM) (12:05 PM) (12:25 PM)

Members of the Court heard from: Stephen Williams, Executive Manager, Austin-Travis County HHSD and Veterans' Services; Kate Kelley, Assistant County Attorney; Jim Fulton, Private Sewage Facilities Associate Engineer, Austin-Travis County HHSD; ; Ervin Coonrod, Supervisor, Austin-Travis County HHSD; Matt Phelps, Private Sewage Facilities Engineer, Austin-Travis County HHSD; Mary Etta Gerhardt, Assistant County Attorney; David Venhuizen, Sewage Facilities Rules Committee; and Susan Parten, Engineering Consultant, City of Austin Alternative Wastewater Management Project.

Discussion Only.

Item 12 to be reposted on October 13, 1998.

13. RECEIVE TESTIMONY AND DISCUSS CAPCO ISSUES RELATED TO WARRANTIES AND MAINTENANCE AT THE TRAVIS COUNTY SHERIFF'S OFFICE COMMUNICATIONS CENTER AS WELL AS FUNDING FOR G.I.S. AND TAKE APPROPRIATE ACTION. (1:53 PM)

Members of the Court heard from: Dan Richards, Deputy Chief, Travis County Sheriff's Office (TCSO); Tommy Blackwell, Director of Information Services, TCSO; Margo Frasier, Travis County Sheriff; Clay Collins, Finance Manager, CAPCO; and Betty Voights, Executive Director, CAPCO.

Discussion Only.

14. APPROVE OR DISAPPROVE A VARIANCE FROM THE TRAVIS COUNTY RULES FOR PRIVATE ONSITE SEWAGE FACILITIES AS FOLLOWS: (9:30 AM)

- A. SANTIAGO RANGEL, TO ALLOW DISCHARGE INTO APPROXIMATELY TWO FEET OF SUITABLE SOIL ABOVE FRACTURED ROCK, AT 11505 SUSIE STREET, LOT 7, BLOCK 4, MOORELAND SUBDIVISION. (9:30 AM)**

Item 14.A added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- B. GARY KILLINGER, TO LOCATE LOW PRESSURE DOSED TRENCHES WITH A SEPARATION OF ONE TO THREE FEET OF NATURAL SOIL BENEATH THE LATERAL TRENCHES BEFORE FRACTURED ROCK IS ENCOUNTERED, AT 15210 GEBRON, LOT 94, CARDINAL HILLS SUBDIVISION. (9:30 AM)**

Item 14.B added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- C. KEN AND LISA BONIN, TO LOCATE LOW PRESSURE DOSED TRENCHES WITH A SEPARATION OF TWO FEET OF SAND PLACED IN THE BOTTOM OF THE LATERAL TRENCHES BEFORE SOLID OR FRACTURED ROCK IS ENCOUNTERED, AT 11409 RIDGE DRIVE, LOT 4, SAN LEANNA RANCHES SUBDIVISION. (9:30 AM)**

Item 14.C added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- D. REVISED: GEORGE H. AND BARBARA LUND, TO ALLOW (1) DISCHARGE OF SECONDARILY TREATED AND DISINFECTED EFFLUENT INTO AN ABSORPTION BED WITH A MINIMUM OF ONE FOOT OF CLASS 1b SOIL ABOVE FRACTURED ROCK AND (2) A 25 FEET SETBACK FROM A DOWNSLOPE GRADE BREAK, AT 4100 WESTLAKE DRIVE, LOT 2, BISHOPS BEND SUBDIVISION. (9:30 AM)**

Item 14.D added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- E. KEVIN WOODWORTH, TO ALLOW THE DISCHARGE OF SECONDARILY TREATED AND DISINFECTED EFFLUENT INTO FRACTURED ROCK WITH ONE FOOT OF CLASS 1b SOIL SUBSTITUTED IN THE TRENCH BOTTOMS, AT 1404 CANYON EDGE DRIVE, LOT 26, BLOCK 512, AUSTIN LAKE HILLS SUBDIVISION. (9:30 AM)**

Item 14.E added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

ITEM 14 CONTINUED

F. CRAIG AND BECKY FOLKMAN, TO LOCATE LOW PRESSURE DOSED TRENCHES WITH A FOOT OF CLASS 1b SOIL IN THE BOTTOM OF TRENCH BEFORE FRACTURED ROCK IS ENCOUNTERED AT 9105 WESTMINSTER GLEN, LOT 154, WESTMINSTER GLEN SUBDIVISION. (9:30 AM)

Item 14.F added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court’s Motion and Vote.

G. SIMON MARTINEZ (1) TO LOCATE LOW PRESSURE DOSED TRENCHES WITH A SEPARATION OF FIVE FEET TO THE FRONT PROPERTY LINE; (2) TO LOCATE LOW PRESSURE DOSED TRENCHES WITH A SEPARATION OF FIVE FEET TO THE SIDE PROPERTY LINE; AND (3) TO LOCATE LOW PRESSURE DOSED TRENCHES WITH A SEPARATION OF FIVE FEET TO THE HOUSE FOUNDATION, AT 8803 SANSOM ROAD, WALNUT PLACE SUBDIVISION. (THE DEPARTMENT DOES NOT RECOMMEND GRANTING THE SECOND VARIANCE REQUESTED). (9:30 AM) (11:11 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, Austin-Travis County HHSD and Veterans’ Services, Jim Fulton, Private Sewage Facilities Associate Engineer, Austin-Travis County HHSD; and Matt Phelps, Private Sewage Facilities Engineer, Austin-Travis County HHSD.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Moore to approve the variance under Item 14.G.(1) and (3), and to deny the variance under Item 14.G.(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

H. LAGUNA MADRE. LTD., TO ALLOW THE LEACHING CHAMBER SYSTEM TRENCHES TO BE INSTALLED 30.0 FEET FROM A SHARP SLOPE BREAK AT 19900 AGUA FRIO DRIVE, LOT 99, LAGOS RANCHOS SUBDIVISION. (9:30 AM)

Item 14.H added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court’s Motion and Vote.

ITEM 14 CONTINUED

- I. LAGUNA MADRE. LTD., TO ALLOW SECONDARY TREATED AND DISINFECTED EFFLUENT TO BE DISCHARGED WITH A SUBSURFACE DRIP SYSTEM INTO ONE FOOT OF SUITABLE SOIL BEFORE FRACTURED ROCK IS ENCOUNTERED AT 19808 AGUA FRIO DRIVE, LOT 100, LAGO RANCHOS SUBDIVISION. (9:30 AM)

Item 14.I added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- 15. APPROVE REQUEST BY AUSTIN/TRAVIS COUNTY MENTAL HEALTH/MENTAL RETARDATION CENTER TO SUBCONTRACT THE OPERATION OF THE AUSTIN RESOURCE CENTER FOR THE HOMELESS (ARCH) TO THE CAPITAL AREA HOMELESS ALLIANCE, EFFECTIVE OCTOBER 6, 1998. (9:30 AM)

Item 15 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- 16. APPROVE AMENDMENT TO THE 1998 SOCIAL SERVICES CONTRACT WITH AUSTIN/TRAVIS COUNTY MENTAL HEALTH/MENTAL RETARDATION CENTER FOR THE OPERATION OF THE DAY LABOR PROGRAM TO REFLECT AN INCREASE IN FUNDING IN THE AMOUNT OF \$45,073.00. (12:03 PM)

Members of the Court heard from: Stephen Williams, Executive Manager, Austin-Travis County HHSD and Veterans' Services.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Moore to approve Item 16.

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	-	absent

- 17. APPROVE STATE CATALOG CONTRACT PURCHASE OF DEED INDEXING SYSTEM FOR THE COUNTY CLERK’S OFFICE FROM HART INFORMATION SERVICES. (9:34 AM) (9:35 AM)

Clerk’s Note: Items 17 and 23 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Ilona Sary, Private Citizen; Cyd Grimes, Travis County Purchasing Agent; Dana DeBeauvoir, Travis County Clerk; Ira Caulkins, Director, Inter-Governmental Research Center; and Terry Kenyon, Attorney.

Motion by Commissioner Gómez **and seconded by** Commissioner McKee to approve Item 17, subject to changes noted: That the performance bond that has already been negotiated will be delivered to the Purchasing Agent, and to change the language concerning Change Orders (deleting the authority to make changes without Court approval, except for routine items).

Maker and Second accept the Friendly Amendment by Commissioner Sonleitner to also approve Item 23, which is the Budget transfer that puts the money in place.

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

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

- 18. APPROVE CONSTRUCTION FOR RESUBDIVISION OF LOTS 8 & 9 PALEFACE HOMESTEAD, A PRIVATE STREET SUBDIVISION IN PRECINCT THREE.
(9:30 AM)

Item 18 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 19.** AUTHORIZE SALE OF SURPLUS RIGHT-OF-WAY FROM OLD PFLUGERVILLE ROAD (A/K/A OLD DESSAU ROAD); APPROVE PURCHASE PRICE AND REIMBURSEMENT OF TRAVIS COUNTY'S EXPENSES OF SALE BY PURCHASER. (9:30 AM)

Item 19 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- 20.** AUTHORIZE THE CONVEYANCE OF TRAVIS COUNTY'S INTEREST IN THE SUBJECT OF RIGHT-OF-WAY TO THE CITY OF PFLUGERVILLE AS REQUIRED IN THE INTERLOCAL COOPERATION AGREEMENT BETWEEN TRAVIS COUNTY AND THE CITY OF PFLUGERVILLE FOR THE CONSTRUCTION OF DESSAU ROAD NORTH EXTENSION. (9:30 AM)

Item 20 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- 21.** APPROVE RESUMPTION OF COUNTY MAINTENANCE OF PORTIONS OF BOCK ROAD, AVIS ROAD, AND CALDVIS ROAD, IN PRECINCT FOUR. (2:21 PM)

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

Item 21 postponed until October 13, 1998.

- 22. A. DISCUSS IBM PROJECT CHANGE REQUEST FOR TIBURON DATA CONVERSION, AND TAKE APPROPRIATE ACTION. (2:25 PM)
- B. DISCUSS AND GIVE DIRECTION ON THE OVERALL INTEGRATED JUSTICE SYSTEM (IJS) PROJECT.
- C. **ADDED ITEM:** DISCUSS IBM PROJECT CHANGE REQUEST FOR REALWORLD ACCOUNTING SYSTEM FINANCIAL SOLUTIONS AND DA/CA WALL AND TAKE APPROPRIATE ACTION.

Clerk’s Note: Items 22.A, B, and C are associated with one another and were called for concurrent discussion.

Item 22.B – Discussion Only.

Members of the Court heard from: Dinah Dinwiddie, Executive Manager, JPS; Brad Powell, Acting Director, Information and Technology Systems (ITS); David Escamilla, First Assistant County Attorney; Karen Shafer Castro, Senior Planning and Budget Analyst, Planning and Budget Office (PBO); Christian Smith, Executive Manager, PBO; Cyd Grimes, Travis County Purchasing Agent.

Motion by Commissioner McKee **and seconded by** Commissioner Moore to approve PCR’s #44 and #45 (Items 22.A and C). Commissioner McKee further asks that some kind of system, or history, be devised, to record how many PCR’s out of 45 have been acted upon, so the Purchasing Agent will have a complete idea of what has been committed to at this point.

Maker and Second accept the Friendly Amendment by Commissioner Sonleitner that a task force meet immediately with PBO, identifying all fiscal options open to the Court as quickly as possible, in terms of the use of CAR, expansion of the CO, and how much of this is even “CO-able”, tested against the time line of spending, etc. The Court suggests an actual time line and time frame for all of these kinds of things, and when funding would be expected for anything related to Scenario #4, so the Court would know what its fiscal requirements would be, and when.

Acceptance of the Friendly Amendment was made by Commissioner McKee **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

23. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:34 AM) (9:35 AM)

Clerk’s Note: Items 17 and 23 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Ilona Sary, Private Citizen; Cyd Grimes, Travis County Purchasing Agent; Dana DeBeauvoir, Travis County Clerk; Ira Caulkins, Director, Inter-Governmental Research Center; and Terry Kenyon, Attorney.

Members of the Court agreed to consider one Motion for Items 17 and 23. Please refer to Item 17 for a summary of the Court’s action on this Motion.

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

A. APPROVE GRANT CONTRACT FOR JUVENILE JUSTICE ALTERNATIVES FOR JUVENILE COURT.

B. APPROVE GRANT CONTRACT FOR JUVENILE OFFENDER SUBSTANCE ABUSE TREATMENT SERVICES (JOSATS) FOR JUVENILE COURT.

Items 24.A and B added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court’s Motion and Vote.

25. APPROVE PERSONNEL AMENDMENTS. (12:04 PM)

Motion by Judge Aleshire and seconded by Commissioner Sonleitner to approve all of the Personnel Amendments, except for the sections relating to temporary employees, and that PBO and HRMD will work on those and bring those back to the Court on October 13, 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	-	absent

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

Item 26 added to Consent Items. Please refer to Agenda Item 1 (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

- 27. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN LAKE TRAVIS INDEPENDENT SCHOOL DISTRICT V. CRAZY HORSE LAND CORPORATION AND TAKE APPROPRIATE ACTION. ¹ (3:10 PM) (5:15 PM)

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

Motion by Commissioner Moore **and seconded by** Commissioner Gómez to approve the signing of the deeds in the sale of those properties.

Motion carried:

County Judge Bill Aleshire	-	abstain
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

- 28. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. TAIYO CORPORATION AND TAKE APPROPRIATE ACTION. ¹ (3:10 PM) (5:16 PM)

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

Motion by Commissioner Moore **and seconded by** Commissioner Sonleitner that the Court authorizes the Lago Vista Independent School District to sell the properties for half of the appraised value or for the amount of the delinquent taxes.

Motion carried:

County Judge Bill Aleshire	-	abstain
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. A. DISCUSS, APPROVE AND/OR TAKE ANY APPROPRIATE ACTION REGARDING THE REAL ESTATE CONTRACT WITH W/M INVESTMENTS NO.3 FOR THE PURCHASE OF LOTS 2, 3, AND 5, MANOR COMMERCIAL PARK. ¹ & ² (3:10 PM) (5:19 PM)

Members of the Court heard from: Patricia Goodman, Assistant County Attorney.

Judge Aleshire announced that Items 29.A and B would be considered in Executive Session.

Item 29.A Discussion Only.

Item 29.A to be reposted on October 13, 1998.

- B. DISCUSS, STATUS OF REAL ESTATE PURCHASE OF 7811 BURLESON-MANOR ROAD GORE TRACT, AND TAKE APPROPRIATE ACTION. (3:10 PM) (5:18 PM)

No action taken on Item 29.B.

Item 29.B to be reposted on October 20, 1998 to approve that contract.

- 30.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN JUDY FRANCIS PAINTER V. ESCO ELEVATORS CORPORATION, MONTGOMERY KONE, INC., F/K/A MONTGOMERY ELEVATOR COMPANY AND TRAVIS COUNTY, (PAINTER; PEREZ; TEXAS TORT CLAIMS ACT, PREMISES AND PERSONAL INJURY). ¹ (9:34 AM)

Item 30 postponed until October 13, 1998.

- 31.** AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER PROPOSAL FROM NATIONS BANK TO INCREASE RENT AT THE PARKING LOT AT 504 W. 11TH STREET. ² (3:10 PM) (5:18 PM)

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

Item 31 pulled from the Agenda. The County Attorney's Office will respond.

- 32. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT OR COUNTER OFFER AND/OR AUTHORIZE COUNTY ATTORNEY TO INITIATE CONDEMNATION REGARDING CIP PROJECT NO. 97-21, PARCEL #15; HOWARD LANE; (RIDGE INVESTORS, LTD., A TEXAS LIMITED PARTNERSHIP; GIESELMAN; CONDEMNATION). ¹ & ² (3:10 PM) (5:18 PM)

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

Members of the Court agreed to consider one Motion for Items 32 and 33.

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

- 32. Authorize the County Attorney’s Office to initiate condemnation proceedings and to approve the order that would be signed by the Court so authorizing.
- 33. Reject the offer and initiate condemnation.

Maker and Second accept the Friendly Amendment by Commissioner Sonleitner that on Item 32, the Court also takes note of the City of Austin’s rejection of the offer on that property and concurs with it.

Acceptance of the Friendly Amendment was made by Judge Aleshire 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

- 33. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT, OR COUNTER OFFER AND/OR AUTHORIZE COUNTY ATTORNEY TO INITIATE CONDEMNATION REGARDING CIP PROJECT NO. 97-21, PARCELS #13 AND #14; HOWARD LANE; (RIDGE INVESTORS, LTD., A TEXAS LIMITED PARTNERSHIP; GIESELMAN; CONDEMNATION). ¹ & ² (3:10 PM) (5:18 PM)

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

Members of the Court agreed to consider one Motion for Items 32 and 33. Please refer to Item 32 for a summary of the Court’s action on this Motion.

THE FOLLOWING ITEMS ARE ADDENDA:

A.1 APPROVE RESOLUTION PROCLAIMING OCTOBER, 1998 THE “TRAVIS COUNTY COMBINED CHARITIES (TC3) CAMPAIGN MONTH”. (1:40 PM)

Members of the Court heard from: David Escamilla, First Assistant County Attorney; Marily Keller, President, Board of Directors, Breast Cancer Resource Center.

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

Motion carried:	County Judge Bill Aleshire	-	absent
	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

A.2 APPROVE A PHASING AGREEMENT WITH JADCO DEVELOPMENT, INC., ESTABLISHING RESPONSIBILITIES RELATED TO THE CONSTRUCTION OF THE STREETS IN SETTLER’S MEADOW AND THE DEVELOPMENT OF THE BALANCE OF THE TRACT. (2:22 PM)

Clerk’s Note: Items A.2, A.4, and A.5 are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one motion for Items A.2, A.4, and A.5.

Motion by Commissioner Sonleitner **and seconded by** Commissioner McKee to approve Items A.2, A.4, and A.5.

Motion carried:	County Judge Bill Aleshire	-	absent
	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

A.3 APPROVE PLAT FOR RECORDING IN PRECINCT ONE: WINDING TRAILS PHASE TWO – (FISCAL POSTED WITH THE CITY OF AUSTIN – 20 LOTS – 31.65 ACRES – FM 973 – WASTEWATER SERVICE TO BE PROVIDED FOR BY ONSITE SEWAGE SERVICE). (12:04 PM)

Motion by Commissioner McKee **and seconded by** Commissioner Sonleitner to approve Item A.3.

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	-	absent

A.4 APPROVE PRELIMINARY PLAN IN PRECINCT TWO: SETTLER’S MEADOW – (FISCAL POSTED WITH CITY OF AUSTIN – 303 LOTS – 62.2 ACRES – OLYMPIC DRIVE – WASTEWATER SERVICE TO BE PROVIDED FOR BY THE NORTHTOWN MUD). (2:22 PM)

Clerk’s Note Items A.2, A.4, and A.5 are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one motion for Items A.2, A.4, and A.5. Please refer to Item A.2 for a summary of the Court’s action on this Motion.

A.5 APPROVE ALTERNATE FISCAL FOR SETTLER’S MEADOW SECTION ONE, A SUBDIVISION IN PRECINCT 2. (2:22 PM)

Clerk’s Note Items A.2, A.4, and A.5 are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one motion for Items A.2, A.4, and A.5. Please refer to Item A.2 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. (5:21 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

Date of Approval

Bill Aleshire, Travis County Judge