

## **MINUTES – OCTOBER 13, 1998**

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

On Tuesday, the 13<sup>th</sup> day of October, 1998, the Commissioners' Court convened the Voting Session at 9:09 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 12:30 PM and reconvened the Voting Session at 1:53 PM.

The Commissioners' Court recessed the Voting Session at 2:07 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC), called to order the TCHFC Voting Session at 2:07 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 2:17 PM and adjourned at 2:18 PM.

The Commissioners' Court reconvened the Voting Session at 2:18 PM.

The Commissioners' Court retired to Executive Session at 2:19 PM and reconvened the Voting Session at 3:48 PM.

The Commissioners' Court adjourned the Voting Session at 4:15 PM.

**RESOLUTIONS AND HEARINGS**

1. APPROVE A PROPOSED STREET NAME CHANGE FROM TULARE DRIVE TO “FORTUNA COVE” STARTING AT FORTUNA DRIVE TO END OF CUL-DE-SAC, PRECINCT THREE. (9:09 AM)

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

**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

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

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

**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

**Clerk’s Note:** The action Item for Item 1 is Consent Item C13. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court’s Motion and Vote.

**CITIZENS COMMUNICATION**

**Members of the Court heard from:** Ira Caulkins, Director, Inter-Governmental Research Center; Alex Jones, Private Citizen; Greg Erickson, Free Press International; Mike Runyon, Private Citizen; Mike Hansen, Private Citizen; Steve Campbell, Private Citizen; Shonda Wiggington, President, Freedom Lovers International; John Paul Roberts, Private Citizen; Steve Lane, Private Citizen; Albert Almanza, President, River City Youth Foundation; Josie Reyes, Parent of 2 children in Program; Mona Gonzalez, Executive Director, River City Youth Foundation Florence Charity, Private Citizen; Rusty Fields, Private Citizen; John Foreman, Texas Best Seminars; Robert Kurtz, Private Citizen; Nick Alvarado, Private Citizen; Vic Breeland, Austin City Council Candidate; and Tracy Downs, Private Citizen (9:10 AM) (10:16 AM)

**CONSENT ITEMS**

- 2. **Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C13, 11, 12, 13, 14, 16, 17, 21, and A.1. (10:15 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 JUNE 16, 1998; SEPTEMBER 29, 1998; AND SEPTEMBER 30, 1998.
- C4. APPROVE REQUEST FROM TAX ASSESSOR COLLECTOR TO APPROVE A CHANGE FUND FOR THE TAX OFFICE.
- C5. RECEIVE AUDIT FROM TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #12.
- C6. APPROVE APPROXIMATELY 3,750 FLYERS OF EARLY VOTING LOCATIONS AND SCHEDULE TO ALL TRAVIS COUNTY EMPLOYEES TO BE ENCLOSED IN OCTOBER 15, 1998 PAYCHECK.

**CONSENT ITEMS CONTINUED**

- C7.** APPROVE APPROXIMATELY 3,750 FLYERS OF CERTIFIED LIST OF CANDIDATES TO ALL TRAVIS COUNTY EMPLOYEES TO BE ENCLOSED IN OCTOBER 15, 1998 PAYCHECK.
- C8.** APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSION TO CONTINUE.

  - A.** APPROVE GRANT APPLICATION TO FEMA FOR UTILITY ASSISTANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FOR HEALTH AND HUMAN SERVICES DEPT.
  - B.** APPROVE GRANT CONTRACT FOR COMPREHENSIVE ENERGY ASSISTANCE PROGRAM (CEAP), AMENDMENT NO. 4, FOR HEALTH AND HUMAN SERVICES.
- C9.** APPROVE ASSIGNMENT OF CONTRACT FROM SYNON, INC., TO STERLING SOFTWARE (SOUTHERN), INC., CONTRACT MA-980006 FOR MAINTENANCE OF OBSYDIAN SOFTWARE.
- C10.** APPROVE PLAT FOR RECORDING IN PRECINCT THREE: THE AMENDED PLAT OF LAKE POINTE SECTION THREE, PHASE 1, LOT 1, BLOCK B – (AMENDED PLAT – NO FISCAL REQUIRED – 1 LOT – 0.1899 ACRES – SONOMA DRIVE – SEWAGE SERVICE IS PROVIDED BY WEST TRAVIS COUNTY MUD #5).
- C11.** APPROVE PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT BLOCK A OF LAS CIMAS OFFICE PARK – (AMENDED PLAT – NO FISCAL REQUIRED – 3 LOTS – 15.888 ACRES – LAS CIMAS PARKWAY – SEWAGE SERVICE IS PROVIDED BY CITY OF AUSTIN).
- C12.** APPROVE A PUBLIC HEARING DATE OF NOVEMBER 10, 1998 TO APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF UNDESIGNATED ACCESS FOR LOTS 1, 2, 3, 11, AND 12, BLOCK 25, AUSTIN LAKE ESTATES SECTION ONE.
- C13.** APPROVE A PROPOSED STREET NAME CHANGE FROM TULARE DRIVE TO “FORTUNA COVE” STARTING AT FORTUNA DRIVE TO END OF CUL-DE-SAC, PRECINCT THREE.

**Clerk's Note:** Consent Item C13 is the action Item for Item 1.

**ADMINISTRATIVE ITEMS**

- 3. RESOLUTION TO TIME WARNER TO KEEP AUSTIN INDEPENDENT SCHOOL DISTRICT (AISD) ON ACCESS CABLE CHANNEL 8. (10:22 AM)

**Members of the Court heard from:** Andy Welch, Communications Director, Austin Independent School District (AISD); Ira Caulkins, Director, Inter-Governmental Research Center; and Charlie Waits, Private Citizen.

**Motion by** Commissioner Moore **and seconded by** Commissioner Gómez to approve Item 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	-	yes

- 4. 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. (10:35 AM)

Item 4 postponed until October 27, 1998.

5. **REVISED WORDING:** RECEIVE AND DISCUSS A REPORT FROM THE ADVISORY COMMITTEE AND STAFF RECOMMENDATIONS REGARDING THE PROPOSED TRAVIS COUNTY ON-SITE SEWAGE FACILITY RULES; (A) **APPROVE AN ORDER ADOPTING RULES OF TRAVIS COUNTY, TEXAS FOR ON-SITE SEWAGE FACILITIES FOR SUBMISSION TO TEXAS NATURAL RESOURCE CONSERVATION COMMISSION (TNRCC); (B) SET A PUBLIC HEARING DATE FOR THE PROPOSED RULES.** (10:36 AM)

**Members of the Court heard from:** Mary Etta Gerhardt, Assistant County Attorney; Matt Phelps, Private Sewage Facilities Engineer, Austin-Travis County Health and Human Services Department (HHSD); Kirk Mitchell, Private Citizen; Dan Miller, Attorney

**Motion by** Commissioner Moore **and seconded by** Commissioner McKee to adopt the order adopting rules of Travis County.

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

**Motion by** Commissioner Moore **and seconded by** Commissioner McKee to adopt the amendment as revised on page 40 in the appropriate section of the backup material.

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

**Clerk's Note:** A Vote to amend (on the second Standing Motion) was called by Judge Aleshire at this time.

**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 5 CONTINUED**

**Clerk’s Note:** A Vote to adopt the order itself (on the first Standing Motion) was called by Judge Aleshire at this time.

**Maker and Second accept the Friendly Amendment** (to the first Standing Motion) by Commissioner Sonleitner that a Public Hearing be set for Thursday, October 29, 1998 at 6:00 PM in the Travis County Commissioners’ Courtroom.

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

<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

**6. RECEIVE REPORT ON STATUS OF THE TRANSITION PLAN FOR THE REORGANIZATION OF TRAVIS COUNTY HUMAN SERVICES PROGRAM AND GIVE STAFF DIRECTION. (11:14 AM)**

**Members of the Court heard from:** Carlotta Valdez, Compensation and Benefits Manager, Human Resources Management Department (HRMD); Stephen Williams, Executive Manager, Austin-Travis County HHSD and Veterans’ Services; and Carol Guthrie, AFSCME Local 1624

Discussion Only.

Item 6 to be reposted on October 20, 1998 with altered wording as an action Item.

**7. DISCUSS THE TRANSITION PLAN OF THE ON-SITE SEWAGE FACILITIES PROGRAM TO TRANSPORTATION AND NATURAL RESOURCES AND TAKE APPROPRIATE ACTION. (11:54 AM)**

**Members of the Court heard from:** Mary Etta Gerhardt, Assistant County Attorney.

Discussion Only.

Item 7 to be reposted on October 20, 1998.

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. (11:51 AM) (2:19 PM) (3:50 PM)

Commissioner Sonleitner announced that Item 8 would be considered in Executive Session.

**Members of the Court heard from:** Belinda Poppa, Project Manager, Facilities Planning in Facilities Management; and Kirk Mitchell, Private Citizen.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner McKee to send a formal letter of intent to the owner of these two buildings, and, in terms of filling in the blanks in that formal letter of intent, the Court would proclaim that the parties involved would have 30 days after the drafting of the letter of intent to enter into a purchase contract, that the feasibility study time would run for 60 days, and that the closing period on this particular purchase, if acceptable, would be 60 days. The Court would like an answer to its formal letter of intent no later than Friday, October 16, 1998 at 5:00 PM. The Court authorizes Judge Aleshire to sign this formal letter of intent that will be going out to the owners. The Court also makes it clear that it would be setting aside an offer of \$75,000.00 in this letter of intent for escrow purposes, and that the Court will be posting new language related to this Item next week to be much more specific about this Item.

**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	-	no

9. 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. (11:09 AM)

**Members of the Court heard from:** Belinda Poppa, Project Manager, Facilities Planning in Facilities Management.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve Item 9.

**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



- 10. APPROVE A RESOLUTION URGING THAT AN ENVIRONMENTAL IMPACT STATEMENT BE CONDUCTED FOR THE LONGHORN PIPELINE. (11:10 AM)

**Members of the Court heard from:** Missy Mandel, LCRA.

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

**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

**Clerk’s Note:** Item 10 was further discussed at 11:20 AM with a request by Commissioner McKee that the Commissioners’ Court record reflect a Corrected Vote on Item 10. Judge Aleshire instructed that the Minutes reflect that the Court approved by Consensus, Commissioner McKee voting yes on the referenced Item. The Commissioners’ Court record does reflect the Corrected Vote.

**Motion carried:**

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

- 11. APPROVE CONTRACT AWARD FOR THE PROVISION OF AUTO BODY REPAIR, IFB #B-980128-MG TO THE LOW QUALIFIED BIDDERS, AGUIRRE PAINT AND BODY, BODY-TEK, DOUG SCALES COLLISION CENTER, H&R AUTO BODY SHOP IN THE ESTIMATED AMOUNT OF \$70,000.00. (10:15 AM)

Item 11 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 12. APPROVE STATE CATALOGUE PURCHASE FOR HARDWARE MAINTENANCE FOR THE NCR 9800 COMPUTER SYSTEM LOCATED IN TRAVIS COUNTY JAIL COMPUTER ROOM IN THE TOTAL AMOUNT OF \$61,717.00 FROM NCR CORPORATION. (10:15 AM)

Item 12 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 13.** APPROVE CONTRACT AWARD FOR THE RE-ROOFING OF BUILDING AT 1101 NUECES, IFB #B-980726-JG, TO THE LOW QUALIFIED BIDDER, PRESTIGE BUILDING AND MATERIALS, INC., IN THE NOT-TO-EXCEED AMOUNT OF \$12,684.00. (10:15 AM)

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

- 14.** APPROVE STATE CATALOGUE PURCHASE OF ONE NEW XEROX DP96 LASER PRINTING SYSTEM FOR INFORMATION AND TELECOMMUNICATIONS SYSTEM DEPARTMENT (ITS) FROM XEROX IN THE AMOUNT OF \$379,195.00. (10:15 AM)

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

- 15.** APPROVE RESUMPTION OF COUNTY MAINTENANCE OF PORTIONS OF BOCK ROAD, AVIS ROAD, AND CALDVIS ROAD, IN PRECINCT FOUR. (9:08 AM)

Item 15 pulled from the Agenda. To be reposted at a later date.

- 16.** APPROVE CONSTRUCTION FOR WESTVIEW ON LAKE AUSTIN PHASE C SECTION 3, A PRIVATE STREET SUBDIVISION IN PRECINCT THREE. (10:15 AM)

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

- 17.** APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF TRACT ONE, H.A. REED SUBDIVISION – (SHORTFORM PLAT – NO FISCAL REQUIRED – 3 LOTS – 6.24 ACRES – TUMBLEWEED TRAIL – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY. (10:15 AM)

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

**18. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (12:19 PM)**

**Members of the Court heard from:** Leroy Nellis, Budget Manager, Planning and Budget Office (PBO); and Christian Smith, Executive Manager, PBO.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner McKee to approve the add-on Budget Amendments and Transfers, excluding Item A.9 (Motion would be to approve A.10 and D.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	-	absent

**19. APPROVE PERSONNEL AMENDMENTS. (12:00 PM)**

**Members of the Court heard from:** Carlotta Valdez, Compensation and Benefits Manager, HRMD; Norman McRee, Lead Personnel Analyst, HRMD; John Hille, Assistant County Attorney; and Leroy Nellis, Budget Manager, PBO.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Moore to approve the Personnel Amendments with the amendments to the positions on nurses in the Sheriff's Office as Judge Aleshire had indicated.

**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

20. REVIEW AND APPROVE THE FOLLOWING LIABILITY CLAIM RECOMMENDATION FOR CONSENT; CLAIM WAS ORIGINALLY SUBMITTED AND APPROVED DURING THE 9/8/98 VOTING SESSION. THIS IS FOR SUPPLEMENTAL DAMAGE ONLY. (11:51 AM)

A. UNITED TEACHERS ASSOC. – SETTLE.

**Motion by** Commissioner McKee **and seconded by** Commissioner Sonleitner to approve Item 20 as recommended by Staff.

<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	-	absent

21. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:15 AM)

Item 21 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

22. DISCUSS LEGAL ISSUES ASSOCIATED WITH NEGOTIATIONS RELATED TO DEVELOPMENT OF AGREEMENT WITH TEXAS AGRICULTURAL EXTENSION SERVICE AND PROVIDE DIRECTION IN NEGOTIATION OF AGREEMENT. <sup>1</sup>  
(2:19 PM) (3:48 PM)

Item 22 postponed until October 20, 1998.

- 23. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. RESOLUTION TRUST CORPORATION CAUSE NO. 98-CA-598 AND TAKE APPROPRIATE ACTION. <sup>1</sup> (2:19 PM) (3:48 PM)

Commissioner Sonleitner announced that Item 23 would be considered in Executive Session.

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

**Motion by Commissioner Sonleitner and seconded by McKee** to approve the following Items summarized below:

- 23. No Action Taken.
- 24. Authorize the County Attorney to lower Travis County’s lien by no more than 1/3 in an attempt to reach a settlement offer.

**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

- 24. DISCUSSION OF ONGOING SETTLEMENT NEGOTIATIONS WITH REGARD TO WORKERS COMPENSATION CLAIM REGARDING EMPLOYEE CLAUDE RICKS AND THIRD PARTY SAWYER VENDING MACHINE; INSTRUCT COUNTY ATTORNEY REGARDING SETTLEMENT OFFERS. <sup>1</sup> (2:19 PM) (3:48 PM)

Commissioner Sonleitner announced that Item 24 would be considered in Executive Session.

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

- 25. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT, OR COUNTER SETTLEMENT DEMAND ON CIP PROJECT 3-002, PARCEL NO. 2D, JAMES A. HOPKINS AND WIFE, JEAN C. HOPKINS, AND STATE OF TEXAS; (HOPKINS; GIESELMAN; CONDEMNATION). <sup>1</sup> (2:19 PM)

Item 25 postponed until October 27, 1998.

- 26. 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). <sup>1</sup> (2:19 PM)

Item 26 postponed until October 27, 1998.

**THE FOLLOWING ITEMS ARE ADDENDA:**

- A.1 APPOINT MELVIN WRENN TO THE TRAVIS COUNTY HOUSING AUTHORITY TO REPLACE WARDALEEN BELVIN, EFFECTIVE IMMEDIATELY THROUGH AUGUST, 1999, (PRECINCT ONE). (10:15 AM)

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

- A.2 RECEIVE BRIEFING FROM THE CITY OF AUSTIN REGARDING ITS NOVEMBER BOND ELECTION PROPOSITIONS. (1:53 PM)

**Members of the Court heard from:** Betty Dunkerley, Finance Director, City of Austin.

Discussion Only.

- A.3 APPROVE CONTRACT AWARD FOR THE PROVISION OF CONSTRUCTION SERVICES FOR THE FLASHING BEACON INSTALLATION AT THE INTERSECTION OF WHARF COVE, LIME CREEK ROAD AND FM 2769. (3:49 PM)

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

**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.4** RECEIVE BRIEFING WITH REGARDS TO GOVERNOR'S HILL SUBDIVISION LANDSCAPING ON BARTON CREEK BOULEVARD IN PRECINCT 3 AND TAKE APPROPRIATE ACTION INCLUDING BUT NOT LIMITED TO APPROVING AGREEMENTS ASSOCIATED WITH LANDSCAPE MAINTENANCE SESSION PURSUANT TO TEX GOV CODE SECTION 791, ATTORNEY ADVICE.  
(10:20 AM)

**Members of the Court heard from:** Rick Hightower, Representing the developer; Joe Gieselman, Executive Manager, TNR; and Gordon Bowman, Assistant County Attorney.

**Motion by** Commissioner Moore **and seconded by** Commissioner Gómez to approve the agreements.

**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

**ADJOURNMENT**

**Motion by** Commissioner McKee **and seconded by** Commissioner Sonleitner to adjourn the Voting Session. (4:15 PM)

**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

**MINUTES APPROVED BY THE COMMISSIONERS' COURT**

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**Date of Approval**

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**Bill Aleshire, Travis County Judge**