

## **MINUTES – DECEMBER 22, 1998**

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

On Tuesday, the 22<sup>nd</sup> day of December, 1998, the Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC), called to order the TCHFC Voting Session at 9:07 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 TCHFC Voting Session was recessed at 9:18 AM.

The Commissioners' Court convened the regular Voting Session at 9:18 AM.

The Commissioners' Court recessed the Voting Session at 12:23 PM.

The TCHFC Voting Session was reconvened at 1:51 PM.

The Commissioners' Court, meeting as the TCHFC, retired to Executive Session at 1:54 PM and reconvened the TCHFC Voting Session at 2:17 PM.

The TCHFC Voting Session was adjourned at 2:19 PM

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation (TCHFDC), called to order the Voting Session at 2:19 PM and adjourned the Voting Session at 2:20 PM.

The Commissioners' Court reconvened the Voting Session at 2:20 PM.

The Commissioners' Court retired to Executive Session at 3:49 PM and reconvened the Voting Session at 4:16 PM.

The Commissioners' Court adjourned the Voting Session at 4:21 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 4:21 PM and adjourned at 4:23 PM.

The Commissioners' Court record notes that Precinct Four Commissioner Margaret Gómez was not present during this Voting Session.

## RESOLUTIONS & HEARINGS

1. APPROVE PROCLAMATION RECOGNIZING THE WEEK OF DECEMBER 26, 1998 THROUGH JANUARY 1, 1999 AS "KWANZAA WEEK." (9:19 AM)

**Members of the Court heard from:** Robin Harmon, Citywide Kwanzaa Committee; and Dorothy Turner, Chair, Black Citizens' Task Force.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve Item 1.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent

## CITIZENS COMMUNICATION

**Members of the Court heard from:** Greg Erickson, Free Press International; David Escamilla, First Assistant County Attorney; John Foreman, Host of "In Your Face"; and Robert Kurtz, Private Citizen. (9:28 AM)

## CONSENT ITEMS

2. **Motion by Commissioner Sonleitner and seconded by Commissioner Davis** to approve the following Consent Items: C1-C21 (excluding Items C12 and C17) and 26 and 27. (9:45 AM)

**Clerk's Note:** The Agenda includes no Consent Items C7, C8, or C9.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.

**CONSENT ITEMS CONTINUED**

- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY.
- C3.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSIONS OF DECEMBER 1 AND DECEMBER 8, 1998.
- C4.** APPOINT ROBERTA BOKROS AND DAVID CALVERY AS FIRE COMMISSIONERS TO THE BOARD OF EMERGENCY SERVICES DISTRICT #4 FOR A TERM TO EXPIRE ON DECEMBER 31, 2000.
- C5.** APPOINT ELOY GUERRA AS PRECINCT 2 REPRESENTATIVE TO THE MEDICAL ASSISTANCE PROGRAM ADVISORY BOARD CANDIDATE.
- C6.**
  - A.** APPROVE A PHASING AGREEMENT WITH DESSAU BUSINESS PARK, LTD., ESTABLISHING RESPONSIBILITIES RELATED TO THE CONSTRUCTION OF THE STREETS IN DESSAU BUSINESS PARK.
  - B.** APPROVE THE CONSTRUCTION AGREEMENT FOR DESSAU BUSINESS PARK SECTION 1, A SUBDIVISION IN PRECINCT 2.
  - C.** APPROVAL OF A PRELIMINARY PLAN IN PRECINCT TWO: DESSAU BUSINESS PARK (99 LOTS - 93.595 ACRES - CRYSTAL BEND DRIVE - SEWAGE SERVICE TO BE PROVIDED BY DESSAU UTILITIES INC.).
  - D.** APPROVAL OF PLAT FOR RECORDING IN PRECINCT TWO: DESSAU BUSINESS PARK SECTION ONE (LONGFORM - FISCAL POSTED WITH THE CITY OF AUSTIN AND TRAVIS COUNTY - 21 LOTS - 19.469 ACRES - CRYSTAL BEND DRIVE - SEWAGE SERVICE TO BE PROVIDED BY DESSAU UTILITIES INC.).
- C10.**
  - A.** APPROVAL OF PLAT FOR RECORDING IN PRECINCT THREE: CANTERBURY TRAILS SECTION V - (LONGFORM - FISCAL POSTED WITH THE CITY OF AUSTIN - 83 LOTS - 16.693 ACRES - PARDONERS' TALE LANE - SEWAGE SERVICE PROVIDED BY CITY OF AUSTIN).
  - B.** APPROVE THE CONSTRUCTION AGREEMENT FOR CANTERBURY TRAILS SECTION V, A SUBDIVISION IN PRECINCT THREE.
  - C.** APPROVE AMENDMENT TO THE PHASING AGREEMENT WITH CONTINENTAL HOMES OF TEXAS, L.P., ESTABLISHING RESPONSIBILITIES RELATED TO THE CONSTRUCTION OF THE STREETS IN CANTERBURY TRAILS SECTION FIVE.

**CONSENT ITEMS CONTINUED**

- C11.** APPROVE SETTING A PUBLIC HEARING DATE OF JANUARY 5, 1999 FOR APPROVAL OF PROPOSED STREET NAME CHANGE FROM DESSAU ROAD NORTH TO "HERITAGE PARK ROAD" FROM CRYSTAL BEND DRIVE TO THE CITY LIMITS OF PFLUGERVILLE, IN PRECINCT 2.
- C12.** APPROVAL OF PLAT FOR RECORDING IN PRECINCT 2: SETTLER'S MEADOW SECTION ONE (FISCAL POSTED WITH THE CITY OF AUSTIN - 70 LOTS - 17.926 ACRES - OLYMPIC DRIVE - WASTEWATER SERVICE TO BE PROVIDED BY THE CITY OF PFLUGERVILLE). (9:45 AM)

Item C12 postponed until December 29, 1998.

- C13.** APPROVAL OF RECORDING OF A PLAT IN PRECINCT 2: COLDWATER SECTION 4, PHASE C (SHORTFORM - NO FISCAL - 1 LOT - 1.492 ACRES - INDIVIDUAL ON-SITE SEPTIC - COLDWATER CANYON DRIVE).
- C14.** APPROVE VARIANCE IN PRECINCT 2 (CANOAS DRIVE IN RIVER PLACE SUBDIVISION) TO THE "1997 TRAVIS COUNTY STANDARDS FOR STREETS AND DRAINAGE IN SUBDIVISIONS," SECTION 82.302(D)(11) (JOINT USE DRIVEWAYS).
- C15.** APPROVE CONSTRUCTION AGREEMENTS BETWEEN TRAVIS COUNTY AND INSULATION SUPPLY COMPANY AND BERLI'S BODY AND FINE AUTO FINISHES FOR THE COMPLETION OF DRAINAGE CHANNEL AND SIDEWALK IMPROVEMENTS IN NORTH PARK 5A, A SUBDIVISION IN PRECINCT 2.
- C16.** APPROVAL OF PLAT FOR RECORDING IN PRECINCT THREE: CABIN RIDGE ESTATES (LONGFORM - FISCAL POSTED WITH THE CITY OF AUSTIN - 3 LOTS - 61.4230 ACRES - BARTON CLUB DRIVE - PRIVATE ON-SITE SEWERAGE SYSTEM).

**CONSENT ITEMS CONTINUED**

- C17.** APPROVAL OF ACCEPTANCE OF STREET AND DRAINAGE FACILITIES IN LAKE POINTE SECTION 3 PHASE ONE, A SUBDIVISION IN PRECINCT 3. (9:45 AM) (2:53 PM)

Item C17 pulled from Consent.

**Members of the Court heard from:** Carol Joseph, Assistant Director, Transportation and Natural Resources (TNR).

**Motion by** Commissioner Baxter **and seconded by** Commissioner Sonleitner to approve Item C17.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent

- C18.** APPROVE CONTRACT AWARD FOR WRISTBANDS/LAMINATING STRIPS, IFB #B990012-OJ, TO THE SOLE, QUALIFIED BIDDER, DATA RECOGNITION, INC. IN THE (ESTIMATED) AMOUNT OF \$23,225.00.
- C19.** APPROVE MODIFICATION NO. 2 TO CONTRACTS #97T0125-RH AND #97T0126-RH, TERRA INDUSTRIES AND BAMERT SEED CO., GRASS SEED AND WILDFLOWERS. CONTRACTS APPROVED BY COMMISSIONERS COURT ON FEBRUARY 11, 1997. MODIFICATION ALLOWS FOR A TWELVE (12) MONTH EXTENSION.

**CONSENT ITEMS CONTINUED**

- C20. A.** APPROVE CONTRACT MODIFICATION NO. 3 TO CONTRACT NO. 97C0142-OJ, WATSON WYATT WORLDWIDE (FORMERLY KPMG PEAT MARWICK), GROUP INSURANCE BENEFITS CONSULTING SERVICES & EVALUATION OF THE COUNTY INDIGENT HEALTH CARE MANAGED CARE PROGRAM.
- B.** APPROVE ASSIGNMENT OF CONTRACT BETWEEN KPMG PEAT MARWICK AND WATSON WYATT WORLDWIDE. CONTRACT APPROVED BY COMMISSIONERS COURT ON FEBRUARY 25, 1997. MODIFICATION ALLOWS FOR A NINETY (90) DAY CONTRACT PERIOD EXTENSION AT NO ADDITIONAL COST TO THE CONTRACT AWARD.
- C21.** APPROVE/ACCEPT FILING OF ELECTED OFFICIALS' BONDS.

**ADMINISTRATIVE ITEMS**

- 3.** DISCUSS AMENDMENT TO THE NOVEMBER 10 CANVASS OF THE NOVEMBER 3, 1998 GENERAL ELECTION AND TAKE APPROPRIATE ACTION. (9:57 AM)

**Members of the Court heard from:** Dana DeBeauvoir, Travis County Clerk; and Tamara Armstrong, Assistant County Attorney.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the amendment to the November 10 canvass.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent

4. DISCUSS LEGISLATIVE AGENDA FOR THE 1999 LEGISLATIVE SESSION, AND MEETING WITH TRAVIS COUNTY LEGISLATIVE DELEGATION AND TAKE APPROPRIATE ACTION. (10:14 AM)

**Clerk's Note:** Items 4, 5.A and B, and 6 are associated with one another and were called for concurrent discussion.

Discussion only.

Item 4 to be reposted on December 30, 1998.

5. A. DISCUSS THE NEED FOR A PERSONAL OR PROFESSIONAL SERVICE CONTRACT FOR OUTSIDE LEGISLATIVE REPRESENTATION AND TAKE APPROPRIATE ACTION. (10:15 AM)

**Clerk's Note:** Items 4, 5.A and B, and 6 are associated with one another and were called for concurrent discussion.

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

Discussion only.

Item 5.A to be reposted on December 30, 1998.

- B. DISCUSS THE PROCUREMENT PROCESS FOR PERSONAL OR PROFESSIONAL SERVICE CONTRACT FOR OUTSIDE LEGISLATIVE REPRESENTATION AND TAKE APPROPRIATE ACTION. (10:15 AM)

**Clerk's Note:** Items 4, 5.A and B, and 6 are associated with one another and were called for concurrent discussion.

Discussion only.

Item 5.B to be reposted on December 30, 1998.

6. DISCUSS SUBSCRIPTION CONTRACT FOR LEGISLATIVE INFORMATION SERVICES, AND TAKE APPROPRIATE ACTION. (10:15 AM)

**Clerk's Note:** Items 4, 5.A and B, and 6 are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** David Escamilla, First Assistant County Attorney.

No Action necessary.

7. DISCUSS CAPCO 9-1-1 AND ADDRESSING MAINTENANCE EQUIPMENT OWNERSHIP, INSURANCE COVERAGE AND MAINTENANCE, AND TAKE APPROPRIATE ACTION. (9:46 AM)

Item 7 postponed until January 5, 1999.

8. APPROVE CONTRACT, CONTRACT MODIFICATION, AND MAKING OF CONTRACT FOR THE JUVENILE COURT EXPANSION AND RENOVATION AT GARDNER-BETTS PROJECT, IFB NO. 99K071-JG TO THE LOW QUALIFIED BIDDER, SILVERTON CONSTRUCTION, INC., IN THE NOT-TO-EXCEED AMOUNT OF \$17,011,520.00. (9:47 AM)

**Members of the Court heard from:** The Hon. W. Jeanne Meurer, 98<sup>th</sup> District Court Judge; Chuck Croslin, Owner, Croslin and Associates; Cyd Grimes, Travis County Purchasing Agent; Kevin Bailey, Director, Facilities Management; and Ashraf Mohammed, Planner, Facilities Management.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to approve Item 8.

<b>Motion carried:</b>	County Judge Samuel T. Biscoe	-	yes
	Precinct 1, Commissioner Ron Davis	-	yes
	Precinct 2, Commissioner Karen Sonleitner	-	yes
	Precinct 3, Commissioner Todd Baxter	-	yes
	Precinct 4, Commissioner Margaret J. Gómez	-	absent



9. A. DISCUSS, APPROVE, OR GIVE STAFF DIRECTION REGARDING CONTRACT MODIFICATION NO. 5 TO CONTRACT NO. 97AE601-MB WITH PFLUGER WIGINTON HOOKER/NNBJ TO INCLUDE INTERIOR DESIGN SERVICES FOR FURNITURE, FIXTURES, AND EQUIPMENT (FF&E) FOR PHASE 1 OF THE CRIMINAL JUSTICE IMPROVEMENTS AT THE TRAVIS COUNTY CORRECTIONAL COMPLEX FOR AN INCREASE OF \$60,000 TO THE CONTRACT AMOUNT. (10:29 AM)
- B. DISCUSS, APPROVE, OR GIVE STAFF DIRECTION REGARDING CONTRACT MODIFICATION NO. 6 TO CONTRACT NO. 97AE601-MB WITH PFLUGER WIGINTON HOOKER/NNBJ FOR ARCHITECTURAL/ENGINEERING DESIGN SERVICES RELATED TO PHASE 2 OF THE CRIMINAL JUSTICE PROGRAM AT THE TRAVIS COUNTY CORRECTIONAL COMPLEX FOR AN INCREASE OF \$63,708 TO THE CONTRACT AMOUNT.

**Clerk's Note:** Items 9.A and B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Ken Gaede, Project Manager, Facilities Management; Kevin Bailey, Director, Facilities Management; and Cyd Grimes, Travis County Purchasing Agent.

**Motion by** Judge Biscoe **and seconded by** Commissioner Baxter to approve Items 9.A and B.

<b>Motion carried:</b>	County Judge Samuel T. Biscoe	-	yes
	Precinct 1, Commissioner Ron Davis	-	yes
	Precinct 2, Commissioner Karen Sonleitner	-	yes
	Precinct 3, Commissioner Todd Baxter	-	yes
	Precinct 4, Commissioner Margaret J. Gómez	-	absent

**10. APPROVE PROCUREMENT ACTIONS IN SUPPORT OF THE EXPOSITION CENTER INCLUDING: (10:55 AM)**

- A. APPROVE MODIFICATION #2 TO CONTRACT #98AE603-JG, CASA BELLA ARCHITECTS, FOR A TOTAL OF \$68,340.00.**
- B. APPROVE ADVERTISEMENT AND SOLICITATION OF BIDS FOR CONSTRUCTION SERVICES TO EXPOSITION CENTER.**

**Clerk's Note:** Items 10.A and B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** John Emmons, Director, Travis County Exposition Center; Kevin Bailey, Director, Facilities Management; Cyd Grimes, Travis County Purchasing Agent; and Christian Smith, Executive Manager, PBO.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to direct Staff to prioritize the architectural deficiencies of the Travis County Exposition Center for the Court, and, in another column, to indicate what the design services will be, and, in another column, to roughly estimate costs. In the end, the Court will go to Budget and have them scrub the numbers, go to Legal and make sure everything is legal, and also determine whether there are architectural efficiencies by having all of the design work done first, as opposed to maybe dividing it up into two or three increments, where the County will basically have the design work one week and pay for the construction work.

**The Motion was restated by Judge Biscoe** to direct Staff to generate a report that includes the many things discussed today, and plan to report back to the Court on January 5, 1999. If the Court has those three columns side by side, if the Court can identify the design costs and construction costs, and determine that one of the County's major tenants receives substantial or significant benefit, then the Court will go to the tenant and ask if the tenant can help the County. Staff was further directed to identify the changes that ought to be made, the total cost, and the amount of money available, according to PBO, and inform the tenant that the County would like to get these changes done, and ask the tenant to help the County, and report back to the Court on January 5, 1999.

**A Clarification was made of the previous Motion by Commissioner Davis** that the Motion included the priority of life safety.

<b>Motion carried:</b>	County Judge Samuel T. Biscoe	-	yes
	Precinct 1, Commissioner Ron Davis	-	yes
	Precinct 2, Commissioner Karen Sonleitner	-	abstain
	Precinct 3, Commissioner Todd Baxter	-	yes
	Precinct 4, Commissioner Margaret J. Gómez	-	absent

- 11.** DISCUSS AND APPROVE THE SPACE PROGRAM FOR USE IN SELECTING A LEASE LOCATION AND DESIGNING THE TENANT FINISH FOR THE CSCD EAST (PLEASANT VALLEY ROAD) AND SOUTH (POST ROAD) UNITS. (2:20 PM)

**Members of the Court heard from:** Belinda Poppa, Capital Planning Coordinator, PBO.

Discussion Only.

12. A. RECEIVE BRIEFING, DISCUSS AND/OR TAKE APPROPRIATE ACTIONS REGARDING THE POTENTIAL PURCHASE OF PROPERTIES LOCATED AT 812 SAN ANTONIO AND 1601 RIO GRANDE. (2:28 PM) (3:49 PM) (4:17 PM)
- B. RECEIVE BRIEFING, DISCUSS AND/OR TAKE ANY APPROPRIATE ACTION REGARDING PRESENTATION OF PRELIMINARY DUE DILIGENCE ANALYSIS BY CASABELLA ARCHITECTS FOR THE POTENTIAL PURCHASE OF PROPERTY LOCATED AT 1601 RIO GRANDE.

**Clerk's Note:** Items 12.A and B are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 12.A and B would be considered in Executive Session.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to direct Staff to continue negotiations on the 812 San Antonio property and report back to the Court as soon as possible, but at the appropriate time in the future.

**Motion carried:**

County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	no
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent

**Motion by Commissioner Sonleitner and seconded by Judge Biscoe** to direct Staff to send the appropriate letter to the sellers of 1601 Rio Grande that Travis County is no longer interested in pursuing that property, and that, when the Court takes up Item 22, the appropriate adjustments in the CO amount will be made, related to what was set aside for 1601 Rio Grande.

**Motion carried:**

County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent

13. APPROVE CONTRACT AWARD FOR THE BLANKET CRIME POLICY, RFP #R980098-OJ TO THE QUALIFIED PROPONENT, PROFESSIONAL INSURANCE AGENTS, INC., IN THE ANNUAL AMOUNT OF \$4,071.00. (2:30 PM)

**Members of the Court heard from:** Daniel Mansour, Risk Manager, Human Resources Management Department (HRMD); and Cyd Grimes, Travis County Purchasing Agent.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve Item 13.

**The Motion was withdrawn by Judge Biscoe.**

Item 13 to be reposted on December 29, 1998.

14. APPROVE STATE CATALOG PURCHASE OF PBX TELECOMMUNICATIONS NETWORK MAINTENANCE FOR I.T.S. FROM AFFILIATED TELEPHONE OF AUSTIN IN THE AMOUNT OF \$92,659.00. (2:39 PM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; and Brad Powell, Interim Director, Information and Telecommunications Systems (ITS).

**Motion by Commissioner Sonleitner and seconded by Commissioner Davis** to approve Item 14.

<b>Motion carried:</b>	County Judge Samuel T. Biscoe	-	yes
	Precinct 1, Commissioner Ron Davis	-	yes
	Precinct 2, Commissioner Karen Sonleitner	-	yes
	Precinct 3, Commissioner Todd Baxter	-	yes
	Precinct 4, Commissioner Margaret J. Gómez	-	absent

15. APPROVE CONTRACT AWARD FOR THE PURCHASE AND INSTALLATION OF MEDICAL EXAMINERS INFORMATION SYSTEMS SOFTWARE, RFP #P980024-JP, TO THE BEST QUALIFIED FIRM, PACIFIC WESTERN INFORMATION SYSTEMS. (2:42 PM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; Barbara Wilson, Assistant County Attorney; and Darlene Dunn, Travis County Medical Examiner's Office.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve Item 15.

**Motion carried:**

County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent

16. PROVIDE DIRECTION ON PROCUREMENT STRATEGIES FOR NEW AMBULANCE VEHICLES TO ENHANCE GROUND EMERGENCY MEDICAL SERVICES IN TRAVIS COUNTY. (11:38 AM)

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, Justice and Public Safety (JPS); Chris Callsen, Director of Emergency Services; Barbara Wilson, Assistant County Attorney; and S.T. Fowler, President, Emergency Service District 12.

**Motion by Commissioner Sonleitner and seconded by Commissioner Davis** to direct Staff to draft a letter to the City of Austin, addressed to the appropriate person, asking them to inform Taylor Made and Freightliner that the County would like to take advantage of the reservation of chassis and boxes related to the EMS procurement, and make sure that those entities are informed that the County hopes to have an official legal relationship established for the procurement of eight ambulances, hopefully, by the first couple of weeks in January. The Court further authorizes Judge Biscoe to be the signator on that letter.

**Motion carried:**

County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent

Item 16 to be reposted on December 29, 1998.

**17. DISCUSS EMS TRANSITION TEAM WORKPLAN AND TAKE APPROPRIATE ACTION. (12:21 PM)**

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, JPS.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Baxter that Commissioners' Court formally adopts and blesses the EMS Transition Team Workplan.

**Maker and Second accept the Friendly Amendment by** Judge Biscoe to direct Staff to present the Workplan to the appropriate people at the City of Austin for action, and if it is modified, to bring it back for the Court for inspection.

**Acceptance of the Friendly Amendment was made by** Commissioner Sonleitner **and seconded by** Commissioner Baxter.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent

**18. APPROVE CONTRACT MODIFICATION NO. 2 TO CONTRACT NO. 98K0723-JJ, CAPITAL EXCAVATION CO., INC., HOWARD LANE RECONSTRUCTION PROJECT. (2:48 PM)**

**Members of the Court heard from:** Carol Joseph, Assistant Director, Transportation and Natural Resources (TNR).

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to approve Item 18.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent

19. A. APPROVE AGREEMENT WITH CONTINENTAL HOMES OF TEXAS, L.P., FOR THE IMPROVEMENT OF A PORTION OF BRATTON LANE, A COUNTY ROAD, ADJACENT TO WILLOW RUN SECTIONS 3, 4, AND 5, IN PRECINCT 2. (2:49 PM)

**Members of the Court heard from:** Carol Joseph, Assistant Director, TNR.

**Motion by** Commissioner Sonleitner **and seconded by** Judge Biscoe to approve Item 19.A.

**Motion carried:**

County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent

- B. APPROVAL OF ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN WILLOW RUN SECTION 4, A SUBDIVISION IN PRECINCT 2. (2:49 PM) (2:51 PM)

**Members of the Court heard from:** Carol Joseph, Assistant Director, TNR.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Baxter to approve Item 19.B.

**Motion carried:**

County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent



20. A. APPROVE VARIANCE TO TRAVIS COUNTY REGULATIONS FOR FLOOD PLAIN MANAGEMENT REGARDING BUILDING ONE FOOT ABOVE MEAN FLOOD ELEVATION. (2:51 PM)
- B. APPROVE AGREEMENT TO BRING THE EXISTING STRUCTURE LOCATED AT 16108 AVENUE DU CHATEAU D'OR IN PRECINCT 3 INTO COMPLIANCE WITH THE TRAVIS COUNTY REGULATIONS FOR FLOOD PLAIN MANAGEMENT AND GUIDELINES AND PROCEDURES FOR DEVELOPMENT PERMITS.

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

**Members of the Court heard from:** Steve Manilla, Director of Engineering and Planning, TNR.

**Motion by** Commissioner Baxter **and seconded by** Commissioner Sonleitner to approve Items 20.A and B.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent

21. APPROVE ACCEPTANCE OF REFUND CHECK IN THE AMOUNT OF \$499.37 FOR A 1998 "PAYMENT IN LIEU OF TAXES." (2:55 PM)

Item 21 to be reposted on December 29, 1998.

22. A. ADOPT ORDER APPROVING PUBLICATION OF NOTICE OF INTENT TO ISSUE CERTIFICATES OF OBLIGATION. (2:55 PM) (4:19 PM)
- B. GIVE ALL OTHER AUTHORIZATIONS NECESSARY FOR ISSUING CERTIFICATES OF OBLIGATION AND VOTER APPROVED BONDS.

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

Judge Biscoe announced that Items 22.A and B would be considered in Executive Session.

**Members of the Court heard from:** Christian Smith, Executive Manager, PBO.

**Motion by Judge Biscoe and seconded by Commissioner Baxter** to direct PBO to remove the long-term CO's for the facilities purchase, totaling \$6.7 million, which will result in a total CO of \$4,855,000, and advise Glen Opal and Ladd Patillo to modify their language accordingly, so that on December 29, 1998, the Court will be able to approve an order to issue a notice of intent.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent

23. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (2:56 PM)

**Members of the Court heard from:** Christian Smith, Executive Manager, PBO.

**Motion by Judge Biscoe and seconded by Commissioner Baxter** to approve Item 23.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent

**24. APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSION TO CONTINUE: (2:57 PM)**

**A. RETIRED AND SENIOR VOLUNTEER PROGRAM (RSVP) FROM TEXAS DEPT. ON AGING CONTRACT.**

**B. RETIRED AND SENIOR VOLUNTEER PROGRAM (RSVP) FROM CORPORATION FOR NATIONAL AND COMMUNITY SERVICES CONTRACT.**

**Clerk's Note:** Items 24.A and B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Alan Miller, Budget Analyst, PBO; and Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department (HHSD) and Veterans' Services.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Baxter to approve Items 24.A and B.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent

**25. APPROVE PERSONNEL AMENDMENTS. (2:58 PM)**

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to approve Item 25.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent

26. TAKE APPROPRIATE ACTION TO APPROVE THE ISSUANCE OF \$9,128,000 TRAVIS COUNTY HOUSING FINANCE CORPORATION MULTIFAMILY HOUSING REVENUE BONDS (MOUNTAIN RANCH APARTMENTS PROJECT), SERIES 1998 TO FINANCE THE CONSTRUCTION OF A MULTIFAMILY HOUSING PROJECT ON RIVERSIDE DRIVE, AUSTIN, TEXAS, INCLUDING ADOPTION OF BOND RESOLUTION AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS AND APPROVING THE FORM AND SUBSTANCE OF A TRUST INDENTURE, LOAN AGREEMENT, REGULATORY AND LAND USE RESTRICTION AGREEMENT. (9:18 AM) (9:45 AM)

**Members of the Court heard from:** Cliff Blount, Attorney for Travis County Health Facilities Development Corporation (TCHFDC).

Item 26 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

27. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:45 AM)

Item 27 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

28. CONSIDER THE PROPOSED WAIVER OF SECTION 32.004 OF THE TRAVIS COUNTY ETHICS POLICY REGARDING THE PROPOSED CONTRACTS/INTERLOCAL AMENDMENTS AND NEW INTERLOCAL BETWEEN TRAVIS COUNTY AND THE TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER FOR MENTAL RETARDATION, SUBSTANCE ABUSE, DAY LABOR, RESOURCE CENTER FOR THE HOMELESS, C.A.N. COORDINATOR, AND C.A.R.E. UNIT SERVICES; TAKE ACTION AS NECESSARY. (2:58 PM)

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Baxter to approve Item 28.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	-	abstain
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent

29. CONSIDER THE PROPOSED WAIVER OF SECTION 32.004 OF THE TRAVIS COUNTY ETHICS POLICY REGARDING THE PROPOSED CONTRACT AMENDMENT BETWEEN TRAVIS COUNTY AND COMMUNITY SCHOOLS - CENTRAL TEXAS, INC. FOR SERVICES FOR YOUTH; TAKE ACTION AS NECESSARY. (3:00 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** Judge Biscoe to approve Item 29.

**Motion carried:**

County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent

30. APPROVE A RENEWAL AND AMENDMENT OF THE INTERLOCAL COOPERATION AGREEMENT BETWEEN TRAVIS COUNTY, THE CITY OF AUSTIN, AND THE AUSTIN TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER FOR THE PERIOD OF JANUARY 1, 1999 THROUGH DECEMBER 31, 1999. (3:00 PM)

**Members of the Court heard from:** Stephen Williams, Executive Manager, Austin-Travis County HHSD and Veterans' Services; and Diane Harrison, Manager, Austin-Travis County HHSD Contract Management Unit.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to approve Item 30.

**Motion carried:**

County Judge Samuel T. Biscoe	-	abstain
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent

31. APPROVE RATIFICATION AND AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT BETWEEN TRAVIS COUNTY AND THE CITY OF AUSTIN FOR OPERATION OF THE SENIOR SUPPORT SERVICES PROGRAM: INTERLOCAL APPROVED BY COMMISSIONERS COURT ON 8/2/94. (3:07 PM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Item 31.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent

32. APPROVE RENEWAL OF CONTRACTS TO PURCHASE HEALTH AND HUMAN SERVICES FROM SIXTY-ONE (61) AGENCIES, IN THE TOTAL AMOUNT OF \$9,516,679 (SEE LIST OF AGENCIES). (3:09 PM)

**Members of the Court heard from:** Stephen Williams, Executive Manager, Austin-Travis County HHSD and Veterans' Services; and Diane Harrison, Manager, Austin-Travis County HHSD Contract Management Unit.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to approve the renewal of contracts with all those agencies left (from the list of 46 agencies whose contracts are prepared at this time) after pulling out Out Youth Austin, Planned Parenthood of Austin, Inc., and River City Youth.

**Motion carried:**

County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to approve the renewal of the contract with Out Youth Austin.

**Motion carried:**

County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	no
Precinct 4, Commissioner Margaret J. Gómez	-	absent

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to approve the renewal of the contract with Planned Parenthood.

**Motion carried:**

County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	no
Precinct 4, Commissioner Margaret J. Gómez	-	absent

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the renewal of the contract with River City Youth.

**Motion carried:**

County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	abstain
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent

- 33. AUTHORIZE PURCHASING AGENT TO ISSUE AN INVITATION FOR BID (IFB) FOR THE PURCHASE OF HEAVY EQUIPMENT FOR THE NEW REHABILITATION CREW USING THE EQUIPMENT BUY-BACK METHOD. (3:33 PM)**

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; and Carol Joseph, Assistant Director, TNR.

**Motion by** Commissioner Baxter **and seconded by** Commissioner Davis to approve Item 33.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent

## 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

- 34. RECEIVE BRIEFING FROM COUNTY ATTORNEY; AND/OR TAKE APPROPRIATE ACTION IN: VICTOR WALLS V. TRAVIS COUNTY AND TRAVIS COUNTY SHERIFF'S DEPARTMENT (WALLS; FRASIER; TEXAS TORTS CLAIMS ACT, PREMISES, AND PERSONAL INJURY). <sup>1</sup> (3:49 PM) (4:16 PM)**

Judge Biscoe announced that Item 34 would be considered in Executive Session.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to accept Commissioner Sonleitner's offer to volunteer to represent the Court in mediation.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent



35. MAKE, ACCEPT REJECT OR COUNTER SETTLEMENT OFFER, AND/OR TAKE APPROPRIATE ACTION IN MARY ELIZABETH HUMPHREY ET AL V. TRAVIS COUNTY ET AL, CAUSE NO. A95-CA-053-AA (FRASIER; WRONGFUL DEATH/CIVIL RIGHTS). <sup>1</sup> (3:49 PM)

Item 34 postponed until January 5, 1999.

**THE FOLLOWING ITEMS ARE ADDENDA:**

- A-1. APPOINT COMMISSIONERS COURT MEMBERS TO BOARDS, COMMITTEES AND SUBCOMMITTEES. (3:39 PM)

Item A-1 to be reposted on January 5, 1999.

- A-2. RECEIVE UPDATE AND RATIFY THE ACCEPTANCE OF HELICOPTER EC 135T1, SERIAL #0052, N892T. (3:41 PM)

**Members of the Court heard from:** Chris Callsen, Travis County Emergency Services Director.

**Motion by** Judge Biscoe **and seconded by** Commissioner Baxter to approve Item A-2, and to direct Staff to complete all necessary paperwork for the title transfers and warranty documents.

<b>Motion carried:</b>	County Judge Samuel T. Biscoe	-	yes
	Precinct 1, Commissioner Ron Davis	-	yes
	Precinct 2, Commissioner Karen Sonleitner	-	yes
	Precinct 3, Commissioner Todd Baxter	-	yes
	Precinct 4, Commissioner Margaret J. Gómez	-	absent

## ADJOURNMENT

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to adjourn the Voting Session. (4:21 PM)

**Motion carried:**

County Judge Samuel T. Biscoe	-	yes
Precinct 1, Commissioner Ron Davis	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	absent

## MINUTES APPROVED BY THE COMMISSIONERS' COURT

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**Date of Approval**

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**Samuel T. Biscoe, Travis County Judge**