

MINUTES – JANUARY 26, 1999

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 26th day of January, 1999, the Commissioners' Court convened the regular Voting Session at 9:11 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 Melissa Nuñez.

The Commissioners' Court recessed the Voting Session at 12:07 PM.

The Commissioners' Court reconvened the Voting Session at 1:38 PM.

The Commissioners' Court recessed the Voting Session at 3:26 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 3:26 PM and adjourned at 3:27 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC), called to order the Voting Session at 3:27 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation (TCHFDC), called to order the Voting Session at 3:32 PM.

The Commissioners' Court, meeting as the Capital Health Facilities Development Corporation (CHFDC), and the Capital Industrial Development Corporation (CIDC) called to order the Voting Session at 3:34 PM and adjourned all the Corporations Voting Sessions at 3:35 PM.

The Commissioners' Court reconvened the Voting Session at 3:35 PM.

The Commissioners' Court retired to Executive Session at 3:43 PM.

The Commissioners' Court reconvened the Voting Session at 5:40 PM.

The Commissioners' Court adjourned the Voting Session at 5:52 PM.

PUBLIC HEARINGS

1. PUBLIC HEARING TO APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 5' PUBLIC UTILITY EASEMENT ON EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOT 18 & 19, TRAVIS VISTA, AND A 5' PUBLIC UTILITY EASEMENT ACROSS PART OF THE BACK OF THESE LOTS IN AN AREA TO BE REPLATTED TO FORM A NEW LOT IN PRECINCT TWO. (9:12 AM)

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

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	-	yes

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

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

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	-	yes

Clerk's Note: The action Item for Item 1 is Consent Item C15. Please refer to Agenda Item C15 for the Court's Motion and Vote.

2. PUBLIC HEARING TO APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 5' PUBLIC UTILITY EASEMENT ALONG THE REAR OF LOT 8 BLOCK A, OAK SHORES ON LAKE AUSTIN SECTION 1 AND PART OF THE 5' PUBLIC UTILITY EASEMENT ALONG THE NORTH SIDE OF THE LOT, IN PRECINCT TWO. (9:20 AM)

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

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	-	yes

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Mrs. Sary, Private Citizen.

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

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	-	yes

Clerk's Note: The action Item for Item 2 is Consent Item C16. Please refer to Agenda Item C16 for the Court's Motion and Vote.

CITIZENS COMMUNICATION

Members of the Court heard from: Greg Erikson, Free Press International; John Foreman, Producer, "In your face campaigns"; and Gus Peña, President of East Austin Concerned Hispanics. (9:31 AM)

CONSENT ITEMS

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR.

3. **Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C17 (except C10, C11, C15, and C16), and Items 8, 11, 14, 17, 27, A.4. (9:50 AM)

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	-	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 SESSION OF JANUARY 12, 1999.
- C4. APPOINT JOY SMITH AS PCT. 2 REPRESENTATIVE TO THE TRAVIS COUNTY CITIZENS BOND PROJECT ACCOUNTABILITY COMMITTEE, REPLACING NANCY HILGERS.
- C5. APPOINT SAM GRAHAM AS PCT. 2. APPOINTEE TO THE DISPUTE RESOLUTION CENTER BOARD OF DIRECTORS.
- C6. APPOINT MICHAEL PEARSON TO SERVE AS COMMISSIONER ON THE EMERGENCY SERVICES DISTRICT #8 BOARD (PEDERNALES); TERM EFFECTIVE UNTIL DECEMBER 31, 2000.
- C7. ACCEPT DONATION OF MATERIALS FROM MCCOY'S BUILDING SUPPLY (LUMBER & BALLASTERS) VALUED AT \$26.78 TO BE USED TOWARDS THE NEIGHBORHOOD RESOURCE OFFICE IN DEL VALLE.
- C8. APPROVE DISTRIBUTION OF "DILLO DASH" FLYERS WITH COUNTY EMPLOYEE PAYCHECKS.

CONSENT ITEMS CONTINUED

- C9.** APPROVE MODIFICATION NO. 2 TO CONTRACT NO. PS980176KLH WITH NATACHA PELAEZ WAGNER FOR VICTIM SERVICES 2000 PROJECT DIRECTION, (ADDING \$5,000 OF FEDERAL GRANT FUNDS TO EXISTING CONTRACT FOR A TOTAL OF \$25,500.00.
- C10.** APPROVE TWO LICENSE AGREEMENTS WITH FIRST RIVER PLACE RESERVE, LTD., FOR CART PATHS AND WATER LINE IN THE RIGHT-OF-WAY OF RIVER PLACE BLVD., IN PRECINCT TWO. (9:50 AM)

Item C10 pulled from the agenda.

- C11.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: RIVER PLACE GOLF COURSE (NO FISCAL REQUIRED - 156.372 ACRES - 7 LOTS - RIVER PLACE BLVD. - WASTEWATER SERVICE TO BE PROVIDED FOR BY THE RIVER PLACE MUD. (9:50 AM)

Item C11 pulled from the agenda.

- C12.** APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN LAKE POINTE SECTION 3 PHASE 3, A SUBDIVISION IN PRECINCT THREE.
- C13.** APPROVE SETTING A PUBLIC HEARING DATE OF FEBRUARY 9, 1999 TO DISCUSS THE ELIMINATION OF MORTGAGE CERTIFICATIONS AND IN-HOUSE DESIGN OF PRIVATE SEWAGE FACILITIES AND REQUIREMENTS TO SUBMIT COMPLETE APPLICATIONS FOR ON-SITE SEWAGE PERMITS BEFORE RECEIVING APPLICATIONS FOR PROCESSING THROUGH THE ON-SITE SEWAGE FACILITY PROGRAM.
- C14.** APPROVE A PUBLIC HEARING DATE OF FEBRUARY 16, 1999 FOR APPROVAL OF PROPOSED STREET NAME CHANGE FROM TURKEY BEND ROAD TO "AZURE HIGHLAND ROAD": SOUTH OF FM 1431 TO THE BURNET COUNTY LINE, IN PRECINCT TWO.

CONSENT ITEMS CONTINUED

C15. APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 5' PUBLIC UTILITY EASEMENT ON EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOT 18 & 19, TRAVIS VISTA, AND A 5' PUBLIC UTILITY EASEMENT ACROSS PART OF THE BACK OF THESE LOTS IN AN AREA TO BE REPLATTED TO FORM A NEW LOT IN PRECINCT TWO. (9:50 AM)

Item C15 to be reposted on February 9, 1999.

C16. APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 5' PUBLIC UTILITY EASEMENT ALONG THE REAR OF LOT 8 BLOCK A, OAK SHORES ON LAKE AUSTIN SECTION 1 AND PART OF THE 5' PUBLIC UTILITY EASEMENT ALONG THE NORTH SIDE OF THE LOT, IN PRECINCT TWO. (9:50 AM) (3:39 PM) (5:40 PM)

Judge Biscoe announced that Item C16 would be considered in Executive Session.

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe to approve Item C16.

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	-	yes

The Court by Unanimous Consent adopted the Friendly Amendment by Commissioner Sonleitner to give staff further direction that TNR work to bring back to the Court advice on procedures related to the handling of utility easements, and the best way to handle those on the front end as they come in, as opposed to the middle of the process.

C17. ADDED ITEM: APPROVE SETTING A PUBLIC HEARING DATE OF MARCH 2, 1999 FOR THE REVISION OF PORTION OF A SUBDIVISION IN PRECINCT THREE: REVISION OF LOTS 32 AND 33, SECTION ONE SANDY CREEK RANCHES, PHASE TWO – (SHORTFORM – NO FISCAL – 2 LOTS – 4.14 ACRES – FULKES LANE – OUTSIDE ETJ – SEPTIC APPROVAL BY TRAVIS COUNTY HEALTH DEPARTMENT.

COUNTY POLICIES AND PROCEDURES

4. REVIEW, DISCUSS AND PROVIDE DIRECTION ON THE REVISED PARKING POLICY AS SUBMITTED BY THE PARKING TRANSITION COMMITTEE. (9:56 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Lynn Harper, Administrative Assistant, Administrative Operations; Susan Spataro, County Auditor; and Manny Mancias, Travis County Sheriff's Office.

Motion by Commissioner Davis **and seconded by** Judge Biscoe to have a public hearing to hear from the employees, and to give and continue to support staff direction on the concerns discussed this morning. More discussion is needed about what the committee needs to do concerning parking policy and parking needs.

Maker and Second accept the Friendly Amendment by Commissioner Gómez to do away with the parking fees.

Acceptance of the Friendly Amendment was made by Commissioner Davis **and seconded by** Judge Biscoe.

A Restatement of the Motion was made by Judge Biscoe to give staff direction to discontinue consideration of charging the parking fee.

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

ADMINISTRATIVE ITEMS

5. DETERMINE THE FEASIBILITY AND LEVEL OF PARTICIPATION FOR LIVE CABLECAST OF THE SPRING TEXAS HOUSE OF REPRESENTATIVES (THE HOUSE) LEGISLATIVE SESSIONS ON TCTV. THIS REQUIRES A WAIVER OF TRAVIS COUNTY POLICIES AND PROCEDURES, CHAPTER 43, SECTION 004. (10:58 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Steve Broberg, Records Management and Communications Resources (RCMR); and Al Jackson, Operations Manager, RCMR.

Discussion Only.

6. REVIEW AND DISCUSS DRAFT OF THE ONSITE SEWAGE FACILITIES RULES AND TAKE APPROPRIATE ACTION. (11:19 PM) (5:47 PM)

Members of the Court heard from: Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department (A-TC HHSD) and Veterans' Services; Jim Fulton, Private Sewage Facilities Associate Engineer, A-TC HHSD; Joe Gieselman, Executive Manager, TNR; Mary Etta Gerhardt, Assistant County Attorney, Transactions Division; Kate Kelley, Assistant County Attorney, Director of Environmental Division; Gwen Mehanan, A-TC HHSD; and Steve Shewe, Engineer, TNR.

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

Discussion Only.

Clerk's Note: The Court set a Public Hearing date for February 10, 1999 at 6:00 PM.

7. ADOPT STEPS AND SOLICIT NAME RECOMMENDATIONS FROM PUBLIC FOR NEW SHERIFF'S DEPARTMENT SUBSTATION AT GORE SITE ON BURLESON MANOR ROAD IN EASTERN TRAVIS COUNTY, PURSUANT TO TRAVIS COUNTY POLICY 1.020. (11:12 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to issue a call for recommendations by using the different methods that have been recommended today; that we make known our intention to conduct a public hearing on naming the Gore facility after an individual on the morning of February 23, 1999; and that there are five or six recommendations as to how the Court would basically issue the call and invite recommendations.

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	-	yes

8. APPROVE CONTRACT TO PURCHASE HEALTH AND HUMAN SERVICES IN THE AMOUNT OF \$45,000. (\$0 TRAVIS COUNTY; \$45,000 CITY OF AUSTIN) FROM THE FOLLOWING AGENCY:

A. AUSTIN COMMUNITY GARDENS (9:50 AM)

Item 8.A added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

9. APPROVE TWO (2) CONTRACTS TO PURCHASE HEALTH AND HUMAN SERVICES FOR A TOTAL AMOUNT OF \$215,061; (TRAVIS COUNTY \$58,489; CITY OF AUSTIN \$156,572.) FROM THE FOLLOWING AGENCIES: (1:38 PM)

A. AUSTIN/TRAVIS COUNTY MHMR- LABOR CONNECTION (DAY LABOR)

B. GREATER CALVARY RITES OF PASSAGE

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: Stephen Williams, Executive Manager, A-TC HHSD and Veterans' Services; Mary Etta Gerhardt, Assistant County Attorney, Transactions Division; Diane Harrison, Manager, A-TC HHSD, Contract Management Unit; and Alan Miller, Budget Analyst, Planning and Budget (PBO).

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to approve Item 9.A and 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	-	yes

10. APPROVE AMENDMENT NO. 1 TO CONTRACT WITH AUSTIN COMMUNITY NURSERY SCHOOLS FOR SOCIAL SERVICES IN THE AMOUNT OF \$37,800 FOR A TOTAL AMOUNT OF \$238,440; CONTRACT TERM WILL BE JANUARY 1, 1999 THROUGH DECEMBER 31, 1999. (9:50 AM)

Item 10 to be reposted on February 2, 1999.

11. APPROVE LICENSE AGREEMENT BETWEEN SETCO FIRE DISTRICT AND TRAVIS COUNTY TO BURN AN OLD ABANDONED HOUSE AT SOUTHEAST METRO PARK AS PART OF A FIRE TRAINING EXERCISE BY SETCO FIRE DISTRICT. (9:50 AM)

Item 11 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

12. A. DISCUSS ISSUES IDENTIFIED IN THE FIRST ANNUAL REPORT ON THE COMMUNITY JUSTICE CENTER AND RELATED ITEMS AND TAKE APPROPRIATE ACTION. (2:33 PM)
- B. APPROVE ADVISORY COMMITTEE CHARTER.
- C. APPOINT NEW MEMBERS AND DISCUSS RECOMMENDATIONS FOR THE OTHER VACANCIES.

Item 12.A, B, and C to be postponed until February 2, 1999.

13. APPROVE RENEWAL OF INTERLOCAL AGREEMENT FOR EVALUATION SERVICES WITH THE UNIVERSITY OF TEXAS CENTER FOR SOCIAL WORK RESEARCH TO PROVIDE EVALUATING OVERSIGHT AND TECHNICAL ASSISTANCE ON THE JUVENILE OFFENDER SUBSTANCE ABUSE TREATMENT SERVICES (JOSATS) NETWORK EVALUATION. (2:34 PM)

Members of the Court heard from: Katie Broderick, Manager, Justice and Public Safety (JPS).

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 13.

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	-	yes

14. APPROVE CONTRACT AWARD FOR THE PROVISION OF PROFESSIONAL SYSTEMS ANALYSIS SERVICES FOR THE COUNTY AUDITOR'S OFFICE. (9:50 AM)

Item 14 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

15. AWARD CONTRACT FOR TESTING AND BALANCING SERVICES ON THE CRIMINAL JUSTICE CENTER PROJECT, IFB #B990001-MB. (2:36 PM)

Motion by Judge Biscoe and seconded by Commissioner Gómez 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	-	yes

16. DISCUSS PROPOSED INTERLOCAL AGREEMENT WITH CAPITAL METRO TO PARTICIPATE WITH THE TRAVIS COUNTY OFFSITE RECORDS STORAGE CONTRACT, AND TAKE APPROPRIATE ACTION. (2:37 PM)

Members of the Court heard from: Steven Broberg, Director, RCMR; Alicia Perez, Executive Manager, Administrative Operations; Cyd Grimes, Travis County Purchasing Agent; and Barbara Wilson, Assistant County Attorney, Transactions Division.

Motion by Commissioner Gómez and seconded by Commissioner Baxter to approve Item 16.

Withdrawal of the previous Motion was made by Commissioner Gómez.

Item 16 to be reposted on February 2, 1999.

17. APPROVE RESOLUTION URGING THE 76TH TEXAS LEGISLATURE TO INCREASE STATE APPROPRIATIONS TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR ROAD AND BRIDGE MAINTENANCE AND EXPANSION. (9:50 AM)

Item 17 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

18. A. APPROVE PRELIMINARY PLAN IN PRECINCT TWO: CAMBRIDGE HEIGHTS - (FISCAL POSTED WITH TRAVIS COUNTY - 698 LOTS - 184.69 ACRES - GRAND AVENUE PARKWAY AND PFLUGER LANE - WASTEWATER SERVICE TO BE PROVIDED FOR BY THE WINDEREMERE UTILITY COMPANY). (9:50 AM)
- B. APPROVE PHASING AGREEMENT WITH CONTINENTAL HOMES OF AUSTIN, L.P. & AMERICO FINANCIAL HOLDINGS, L.C. REGARDING PHASED DEVELOPMENT OF THE CAMBRIDGE HEIGHTS PRELIMINARY PLAN. (9:50 AM)
- C. APPROVE A PLAT FOR RECORDING IN PRECINCT TWO: CAMBRIDGE HEIGHTS PHASE I, SECTION 1-A - (FISCAL POSTED WITH TRAVIS COUNTY - 16 LOTS - 5.176 ACRES - PFLUGER LANE - WASTEWATER SERVICE TO BE PROVIDED FOR THE WINDEREMERE UTILITY COMPANY. (9:50 AM)
- D. APPROVE A PLAT FOR RECORDING IN PRECINCT TWO: CAMBRIDGE HEIGHTS PHASE I, SECTION 1-B - (FISCAL POSTED WITH TRAVIS COUNTY - 76 LOTS - 26.609 ACRES - PFLUGER LANE - WASTEWATER SERVICE TO BE PROVIDED FOR THE WINDEREMERE UTILITY COMPANY. (9:50 AM)

Item 18.A – D pulled from the agenda.

19. APPROVE CHARTER OF THE SPACE PLANNING COMMITTEE.
(2:47 PM) (2:53 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to approve the proposed charter with those two changes.

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	-	yes

20. MAKE CITIZENS APPOINTMENTS TO VARIOUS BOARDS AND COMMITTEES. (2:47 PM)

Discussion Only.

Item 20 to be reposted on February 2, 1999.

21. DISCUSS TRAVIS COUNTY LEGISLATIVE AGENDA INCLUDING (2:49 PM)

A. LEGISLATIVE AGENDA FOR THE 1999 LEGISLATIVE SESSION, A MEETING WITH TRAVIS COUNTY LEGISLATIVE DELEGATION AND TAKE APPROPRIATE ACTION.

B. (1) DISCUSS THE NEED FOR A PERSONAL OR PROFESSIONAL SERVICES CONTRACT FOR OUTSIDE LEGISLATIVE REPRESENTATION AND TAKE APPROPRIATE ACTION.

(2) DISCUSS THE PROCUREMENT PROCESS FOR PERSONAL OR PROFESSIONAL SERVICES CONTRACT FOR OUTSIDE LEGISLATIVE REPRESENTATION AND TAKE APPROPRIATE ACTION.

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent.

Discussion Only.

Items 21.A, B.1 and B.2 postponed until February 2, 1999.

22. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (3:00 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Item 22.

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	-	yes

23. DISCUSS THE REPLACEMENT OF ENGINES ON PARK PATROL BOAT AND AUTHORIZE TRANSFER OF CAPITAL ACQUISITION RESERVE FUNDS. (3:04 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Charles Bergh, Division Manager, TNR; and Cyd Grimes, Travis County Purchasing Agent.

Motion by Commissioner Sonleitner to follow TNR's recommended option number 4 to replace both engines, and to authorize the transfer of the earmarked money that was put in the capital acquisition account for that purpose. Once the transfer of funds occur, it would then be possible for staff to start the procurement process. And for staff to work with the Purchasing Office to move forward with the purchasing aspect of this solution.

A Friendly Amendment was made of the previous Motion by Commissioner Baxter to give staff the flexibility to see how much money staff might get for the engines before staff salvages the them.

Acceptance of the Friendly Amendment was made by Commissioner Sonleitner.

A Restatement of the Motion was made by Commissioner Sonleitner **and seconded by** Commissioner Baxter that we give direction that the Court adopts option 4 to move the money, and work with the purchasing office to develop the appropriate measures.

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	-	yes

24. **A.** DISCUSS AND APPROVE BUDGET AND CORRESPONDING FUND TRANSFER FOR CONSTRUCTION COMPLETION AT 2201 POST ROAD. (3:12 PM)
- B.** DISCUSS AND APPROVE BUDGET AND CORRESPONDING FUND TRANSFERS FOR A CONSTRUCTION CONTINGENCY AT 2201 POST ROAD. (3:12 PM)

Clerk’s Note: Items 24.A, B and A.3 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Karen Shafer Castro, Senior Planning and Budget Analyst, PBO; and Kevin Bailey, Director, Facilities Management.

Clerk’s Note: Alicia Perez, Executive Manager, Administrative Operations stated that the issues in Item 24.A have been handled through the Budget Transfers. She further summarized the Court’s recommendation on Item 24.B to continue to keep the items on the work plan. If staff can get the construction done, they will come back to the Court stating that this money is needed, and other projects are on the list that can be deferred to replenish that.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Item A.3.

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	-	yes

25. APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSION TO CONTINUE.

**A. APPROVE GRANT APPLICATION TO TEXAS PARKS AND WILDLIFE DEPARTMENT FOR MANSFIELD DAM PARK RENOVATION.
(3:21 PM)**

Members of the Court heard from: Jessica Rio, Planning and Budget Analyst, PBO.

Motion by Commissioner Baxter **and seconded by** Commissioner Sonleitner to approve 25.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	-	yes

B. APPROVE GRANT APPLICATION TO TEXAS DEPARTMENT OF TRANSPORTATION FOR UNDERAGE DRINKING PREVENTION PROGRAM. (3:22 PM)

Members of the Court heard from: Jessica Rio, Planning and Budget Analyst, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Item 25.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	-	yes

ITEM 25 CONTINUED**C. APPROVE GRANT CONTRACT WITH TEXAS DEPARTMENT OF HEALTH FOR SB102 EMS GRANT. (3:23 PM)**

Members of the Court heard from: Karen Shafer Castro, Senior Planning and Budget, PBO.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 25.C.

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	-	yes

D. APPROVE GRANT APPLICATION TO TEXAS DEPARTMENT OF TRANSPORTATION FOR TRAVIS COUNTY SUPERCYCLIST FOR HEALTH AND HUMAN SERVICES DEPARTMENT. (3:24 PM)

Members of the Court heard from: Alan Miller, Budget Analyst, PBO.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve Item 25.D.

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	-	yes

26. APPROVE PERSONNEL AMENDMENTS. (3:25 PM) (3:39 PM) (5:41 PM)

Members of the Court heard from: Carlotta Valdez, Compensation and Benefits Manager, Human Resources Management Department (HRMD).

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the routine items.

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	-	yes

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

No action necessary on Item 26, the non-routine personnel amendments.

27. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:50 AM)

Item 27 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

EXECUTIVE SESSION ITEMS

Note 1 -Gov't Code Ann 551.071, Consultation with Attorney

Note 2 -Gov't Code Ann 551.072, Real Property

Note 3 - Gov't Code Ann 551.074, Personnel Matters

28. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING POSSIBLE LITIGATION INVOLVING DANIEL AND AMELIA GRIVAS AND VARIOUS CONTRACTORS, INSTALLERS, ENGINEERS, AND SANITARIANS REGARDING THE APPLICATION OF THE COUNTY'S ON-SITE SEWAGE FACILITY RULES, AND TAKE APPROPRIATE ACTION. ¹ (3:39 PM) (5:41 PM)

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

Item 28 postponed until February 2, 1999.

29. APPROVE PLAT FOR RECORDING IN PRECINCT TWO: REPLAT OF LOTS 82,83,84,88,89 AND 90, WESTMINSTER GLEN PHASE 1E (TRUST DEEDS POSTED WITH TRAVIS COUNTY - 6 LOTS - 10.118 ACRES - NARROW RIDGE DRIVE - WASTEWATER SERVICE TO BE PROVIDED FOR BY ONSITE SEWAGE SERVICES. ¹ (3:36 PM) (3:39 PM)

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

Members of the Court heard from: Lee Retland, Representative of River Place Home Owners Association.

Item 29 to be reposted on February 2, 1999.

30. RECEIVE BRIEFING, DISCUSS AND/OR TAKE ANY APPROPRIATE ACTIONS REGARDING THE CONTINUING INVESTIGATION FOR THE POTENTIAL LEASE WITH OPTION TO PURCHASE THE PROPERTY LOCATED AT 812 SAN ANTONIO. ² (3:39 PM) (5:43 PM)

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

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

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to direct staff to attempt to locate funding; to see if the same firm that the Court has on rotation with Expo Center can be contracted to do the due diligence work at 812 San Antonio; to also touch base with the Purchasing Department and the Executive Manager of Administrative Operations to work that out, (What it would cost, whether that contract can be exempted, and if the County can get access to the property) and get it done in an expeditious manner. The funding would come from the allocated reserve. Specifics are needed to enable the Court to take prompt action next Tuesday.

A Friendly Amendment was made of the previous Motion by Commissioner Sonleitner that this issue also be turned over to the Space Committee.

Maker accepts the Friendly Amendment by Commissioner Sonleitner.

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	-	no

31. DISCUSS STATUS OF LAND PURCHASE AGREEMENT FOR VISTA POINT (PHASE I); APPROVE AMENDMENTS AND/OR TAKE APPROPRIATE ACTION. ¹&² (3:39 PM) (5:45 PM)

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

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

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve the proposed amendment which changes the execution date from January 27, 1999 to February 5, 1999.

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	-	abstain
Precinct 4, Commissioner Margaret J. Gómez	-	yes

32. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER OFFER OR SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN: WENDY DAWN RAMIREZ V. TRAVIS COUNTY, TEXAS, AND DIANE MOORE HAGAN; (RAMIREZ; ELFANT; TX TORT CLAIMS ACT, PERSONAL INJURY) ¹ (3:39 PM) (5:46 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to reject the offer to settle.

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	-	yes

- 33.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER OFFER OR SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN: JUDY PAINTER V. ESCO ELEVATORS CORPORATION, MONTGOMERY KONE, INC. F/K/A MONTGOMERY ELEVATOR COMPANY AND TRAVIS COUNTY; (PAINTER; BISCOE; TX TORT CLAIMS ACT, PERSONAL INJURY) ¹ (3:39 PM) (5:46 PM)

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

Item 33 pulled from the agenda.

- 34.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER OFFER OR SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN: WENDY DAWN RAMIREZ V. TRAVIS COUNTY, TEXAS, AND DIANE MOORE HAGAN; (RAMIREZ; ELFANT; TX TORT CLAIMS ACT, PERSONAL INJURY) ¹ (9:55 AM)

Item 34 pulled from the agenda.

- 35.** RECEIVE UPDATE FROM THE COUNTY ATTORNEY'S OFFICE ON STATUS OF CONSTRUCTION OF THE CRIMINAL JUSTICE CENTER BY M.W. BUILDERS, INC. AND TAKE APPROPRIATE ACTION. ¹ (3:39 PM) (5:46 PM)

Judge Biscoe announced that Item 35 would be considered in Executive Session.

Item 35 postponed until February 2, 1999.

- 36.** RECEIVE BRIEFING FROM COUNTY ATTORNEY ON RESULTS OF MEDIATION IN PHILLIPS, ET AL V. MONTGOMERY ELEVATOR, ET AL, AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER-OFFER OR SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN THE SUBROGATION LIEN RECOVERY WITH REGARD TO THIS CAUSE OF ACTION. ¹ (9:55 AM)

Item 36 postponed until February 2, 1999.

THE FOLLOWING ITEMS ARE ADDENDA:

- A.1** AUTHORIZE COUNTY DELEGATION TO THE TEXAS TRANSPORTATION COMMISSION TO SEEK FUNDING FOR STATE HIGHWAY 45 IN SOUTHWEST TRAVIS COUNTY. (3:35 PM)

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

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	-	yes

- A.2** AUTHORIZE THE ISSUANCE OF A REQUEST FOR SERVICES TO OBTAIN WORKFORCE DEVELOPMENT SERVICES. (2:11 PM)

Members of the Court heard from: Stephen Williams, Executive Manager, A-TC HHSD and Veterans' Services; Lawrence Lyman, Grant Coordinator, A-TC HHSD; Alan Miller, Budget Analyst, PBO; and Cyd Grimes, Travis County Purchasing Agent.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to give authorization of the issuance of the RFS.

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	-	yes

- A.3** APPROVE CONTRACT MODIFICATION FOR POST ROAD BUILDING RENOVATION PROJECT, CONTRACT NO. 98K0722-JG TO FAR WEST CONSTRUCTION, INC. IN THE NOT-TO-EXCEED AMOUNT OF \$4,128.50. (3:12 PM)

Members of the Court agreed to consider one Motion for Items 24.A, B and A.3. Please refer to Item to Item 24.A and B for a summary of the Court's action on this Motion.

- A.4** APPROVE A TEMPORARY ROAD CLOSURE OF MERRILLTOWN DRIVE FOR THE PURPOSE OF WATER AND SEWER INFRASTRUCTURE IMPROVEMENTS BEGINNING JANUARY 22, 1999 AND LASTING FOR ONE WEEK. (9:50 AM)

Item A.4 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Baxter to adjourn the Voting Session. (5:52 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	-	yes

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge