

MINUTES – MARCH 9, 1999

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 9th day of March, 1999, the Commissioners' Court convened the regular Voting Session at 9:06 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 11:55 AM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC), called to order the Voting Session at 1:33 PM and adjourned at 1:45 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 1:45 PM and adjourned at 1:45 PM.

The Commissioners' Court reconvened the Voting Session at 1:46 PM.

The Commissioners' Court retired to Executive Session at 5:35 PM.

The Commissioners' Court reconvened the Voting Session at 6:22 PM.

The Commissioners' Court adjourned the Voting Session at 6:24 PM.

PUBLIC HEARINGS

1. PUBLIC HEARING TO VACATE A PORTION OF HUGHES PARK DRIVE AND ACCEPT THE DEDICATION OF RIGHT-OF-WAY TO INCLUDE THIS PORTION OF THE COUNTY MAINTAINED ROAD WITHIN DEDICATED RIGHT-OF-WAY, IN PRECINCT TWO. (9:07 AM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to open the Public Hearing.

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 Steve Manilla, Director of Engineering and Planning, TNR.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Baxter to close the Public Hearing.

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 Item C5. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 2. PUBLIC HEARING ON THE PROPOSAL TO TEMPORARILY CLOSE MERRILLTOWN DRIVE, DETOURING OF TRAFFIC VIA BURNET ROAD – SHORELINE DRIVE – BRATTON LANE, FOR ONE WEEK, BEGINNING MARCH 9, 1999; PURPOSE OF THE PROPOSED ROAD CLOSURE WITH DETOUR IS TO FACILITATE SAFETY DURING THE CONSTRUCTION OF NEEDED REPAIRS TO THE WATER AND WASTEWATER INFRASTRUCTURE IN MERRILLTOWN DRIVE RIGHT-OF-WAY. (9:21 AM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Baxter to open the Public Hearing.

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.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Baxter to close the Public Hearing.

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 Item C6. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

CITIZENS COMMUNICATION

Members of the Court heard from: John Foreman, Producer, “In Your Face Campaign”; Wes Curtis, Texas Best Seminars; Mr. Overton, Private Citizen; Debra Drummond, Travis County Services for the Deaf; Harvey Siegal, Timber Creek Resident; Frank Holder, Assistant Purchasing Agent; and Richard Villarreal, Buyer I, Purchasing. (9:22 AM)

CONSENT ITEMS

- 3. **Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C6, (excluding C5) and Items 16, 17, 18, 19, 21, 22, 23, 24, 26, 31.B, C, D, E, 33, and 35. (9:38 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 FEBRUARY 23, 1999.
- C4. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: WEST AUSTIN ATHLETIC CLUB - (SHORTFORM - NO FISCAL REQUIRED - 1 LOT - 9.595 ACRES - PATTERSON ROAD - SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY.
- C5. APPROVE VACATION OF A PORTION OF HUGHES PARK DRIVE AND ACCEPT THE DEDICATION OF RIGHT-OF-WAY TO INCLUDE THIS PORTION OF THE COUNTY MAINTAINED ROAD WITHIN DEDICATED RIGHT-OF-WAY, IN PRECINCT TWO.

Clerk’s Note: Item C5 is the action Item for Agenda Item 1.

Item C5 postponed until March 16, 1999.

- C6. APPROVE TEMPORARY CLOSING OF MERRILLTOWN DRIVE, DETOURING OF TRAFFIC VIA BURNET ROAD - SHORELINE DRIVE - BRATTON LANE, FOR ONE WEEK, BEGINNING MARCH 9, 1999; PURPOSE OF THE PROPOSED ROAD CLOSURE WITH DETOUR IS TO FACILITATE SAFETY DURING THE CONSTRUCTION OF NEEDED REPAIRS TO THE WATER AND WASTEWATER INFRASTRUCTURE IN MERRILLTOWN DRIVE RIGHT-OF-WAY.

Clerk’s Note: Item C6 is the action Item for Agenda Item 2.

COUNTY POLICIES AND PROCEDURES

- 4. DISCUSS AND APPROVE AMENDMENT OF CHAPTER 10 OF TRAVIS COUNTY CODE RELATED TO LEAVE TIME AND PERFORMANCE BASED PAY FOR TRANSFERRED EMPLOYEES. (9:42 AM) (11:45 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; and Barbara Wilson, Assistant County Attorney, Transaction Division.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 4.

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

ADMINISTRATIVE ITEMS

- 5. INTRODUCTION OF TODD CLARK AND LESLIE DIPPEL TO COMMISSIONERS COURT BY COUNTY ATTORNEY. (9:43 AM)

Members of the Court heard from: Jim Collins, Executive Assistant County Attorney; and Todd Clark, Assistant County Attorney.

Discussion Only.

- 6. DISCUSS ON SITE SEWAGE FACILITIES RULES FOR SUBMISSION TO TNRCC AND TAKE APPROPRIATE ACTION. (9:44 AM)

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; Steve Shewee, Engineer, On-Site Wastewater Program, TNR; Bob Turner, Manager, On-Site Wastewater Program; and Kate Kelley, Assistant County Attorney, Director of Environmental Division.

Discussion Only.

- 7. APPROVE REQUIREMENT TO HAVE PROFESSIONAL DESIGNERS PROVIDE COMPLETE INFORMATION PRIOR TO PROCESSING PERMITS FOR ON-SITE SEWAGE FACILITIES AND APPROVE CHECK LIST WHICH WILL BE USED TO IDENTIFY THE MINIMUM INFORMATION NEEDED. (10:13 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Steve Sheewe, Engineer On-Site Wastewater Program, TNR; Jim Fulton, Private Sewage Facilities Associate Engineer, A-TC HHSD; Sandra Williams, Private Citizen; Mary Etta Gerhardt, Assistant County Attorney, Transactions Division; and Eric A. Anderson, Private Citizen.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the checklist.

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. CONSIDER AND TAKE APPROPRIATE ACTION ON A RESOLUTION SUPPORTING THE DOWNTOWN HUMAN SERVICES COLLABORATION TO ENHANCE DELIVERY OF EMERGENCY ASSISTANCE SERVICES THROUGH THE COUNTY CONTRACT WITH CARITAS. (10:46 AM)

Members of the Court heard from: Kathleen Rodriguez, Emergency Assistance Program Manager, Human Services Department; Mary Jude Peterson, Caritas; and Craig McDonald, Central Presbyterian Church.

Motion by Judge Biscoe **and seconded by** Commissioner Baxter to approve Item 8.

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

- 9. APPROVE GRANT-IN-AID AGREEMENT TO RECEIVE \$535,040.19 FROM SETON HOSPITAL FOR ADDING TURN LANES ON FM 1826 AT SETON HOSPITAL. (10:52 AM)

Item 9 pulled from agenda.

- 10. APPROVE ADVANCED FUNDING AGREEMENT BETWEEN TRAVIS COUNTY AND TEXAS DEPARTMENT OF TRANSPORTATION FOR ADDING TURN LANES ON FM 1826 AT SETON HOSPITAL. (10:52 AM)

Item 10 pulled from agenda.

- 11. DISCUSS DOYLE/EILERS DRAINAGE CAPITAL PROJECT AND TAKE APPROPRIATE ACTION. (10:53 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Steve Manilla, Director of Engineering and Planning, TNR; Michael Mitchell, Manager, Right-of-Way, TNR; Mr. Overton, Private Citizen; Eric A. Anderson, Private Citizen; and Kenneth Leander, Private Citizen.

Motion by Commissioner Gómez **and seconded by** Judge Biscoe to approve Option 1 as listed in the backup material.

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

- 12. DISCUSS, AMEND, AND ADOPT THE FY 1999 ANNUAL WORK PROGRAM OF THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT. (2:23 PM)

Clerk’s Note: Items 12 and 13 are associated with one another and were called for concurrent discussion.

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

Motion by Commissioner Sonleitner **and seconded by** Baxter to approve Items 12 and 13 as laid out and amended according to the exhibits by the Executive Manager of the Transportation and Natural Resources Department.

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

13. DISCUSS AND ADOPT LIST OF PROJECTS FOR ALTERNATIVE PAVEMENT SURFACE AS PART OF THE FY 1999 SURFACE TREATMENT PROGRAM OF THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT. (2:24 PM)

Clerk's Note: Items 12 and 13 are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one Motion for Items 12 and 13. Please refer to Item 12 for a summary of the Court's action on this Motion.

14. APPROVE ISSUANCE OF A TRAVIS COUNTY DEVELOPMENT PERMIT FOR THE CONSTRUCTION OF A WALL WITHIN A DEDICATED DRAINAGE AND PUBLIC UTILITY EASEMENT ON LOT 27 OF AUSTIN LAKE HILLS, SECTION 2 (RICK HARDY, 9702 DELGADO WAY) IN PRECINCT 3. (9:06 AM) (1:46 PM)

Members of the Court heard from: Steve Manilla, Director of Engineering and Planning, TNR; Rick Hardy, Property Owner, 9702 Delgado Way; Kevin Woodworth, Neighboring Property Owner, George Woodworth, Neighboring Property Owner; and Gordon Bowman, Assistant County Attorney, Transactions Division.

Discussion Only.

15. DISCUSS, APPROVE, AND/OR GIVE DIRECTION REGARDING THE FOLLOWING ITEMS ON THE WATER QUALITY IMPROVEMENT PROJECT AT THE TRAVIS COUNTY CORRECTIONAL COMPLEX: (3:56 PM)
- A. DISCUSS AND TAKE ACTION ON APPROVING THE FINAL CONSTRUCTION DOCUMENTS PREPARED BY PBS & J FOR THE WATER QUALITY IMPROVEMENT PROJECT.
 - B. DISCUSS AND TAKE ACTION FOR THE A/E RECOMMENDED \$184,696 INCREASE IN THE CONSTRUCTION BUDGET OF THE WATER QUALITY IMPROVEMENT PROJECT AND OTHER RELATED BUDGET ISSUES.
 - C. APPROVE THE CONSTRUCTION AND MAINTENANCE AGREEMENT BETWEEN THE TEXAS DEPARTMENT OF TRANSPORTATION AND TRAVIS COUNTY FOR AUTHORIZATION TO USE A PORTION OF THE FM 973 RIGHT-OF-WAY FOR THE CONSTRUCTION OF THE PROPOSED UNDERGROUND OUTFALL PIPE.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Kevin Bailey, Director, Facilities Management; John Moody, Project Manager, PBS&J; Eric A. Anderson, Private Citizen; and Harvey Siegal, Timber Creek Resident.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Items 15.A and C.

Clerk's Note: The Court did not Vote on the Motion and Second.

Items 15.A, B, and C to be reposted on March 16, 1999.

16. APPROVE AND/OR GIVE STAFF DIRECTION ON CONTRACT AWARD TO THE LOW BIDDER, EXTREEM KLEEN OF AUSTIN, FOR CARPET AND UPHOLSTERY SERVICES (IFB 990042-JP), IN THE ESTIMATED AMOUNT OF \$70,200.00. (9:38 AM)

Item 16 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 17. APPROVE CONTRACT MODIFICATION NO. 1 FOR COPIER CHEMICAL SUPPLIES TO CONTRACTS NO. 98T0142-RG, 98T0145-RG THRU 98T0147-RG, MONROE/SAVIN, NASHUA CORPORATION, IKON OFFICE SOLUTIONS, CHEMSTAT PRODUCTS, AND SAVIN CONTRACTS APPROVED ON MAY 25, 1998; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION. (9:38 AM)

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

- 18. APPROVE AND/OR GIVE STAFF DIRECTION ON CONTRACT MODIFICATION NO. 2 TO CONTRACT NOS. 97T0234-RG, 97T0235, AND 97T0236-RG, ALAMO IRON WORKS, YATES SECURITY D/B/A CITY LOCK & SAFE AND BEST LOCK CORPORATION FOR LOCKS, KEYS, AND LOCK SERVICE; MODIFICATIONS ALLOW FOR 12-MONTH EXTENSIONS TO THESE CONTRACTS AWARDED ON MAY 20, 1997. (9:38 AM)

Item 18 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 19. APPROVE AND/OR GIVE STAFF DIRECTION ON TERMINATION FOR DEFAULT OF CONTRACT NO. 98T0294-MG, PAINTING AND WALL COVERING SERVICES AWARDED TO LONGHORN MAINTENANCE AND REMODELING ON SEPTEMBER 15, 1998. (9:38 AM)

Item 19 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 20. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. 96T0284-RG, TO WATERTIGHT ENDEAVORS, INC., FOR PARK CONCESSION OPERATIONS WITH CONTRACT APPROVED ON MAY 14, 1996; MODIFICATION ALLOWS FOR A 12 MONTH EXTENSION. (4:55 PM)

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe to approve Item 20.

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

- 21.** REJECT BID RECEIVED FOR THE PROVISION OF AN ENVELOPE EXTRACTION DESK, IFB #B990028-DM; APPROVE RE-ADVERTISEMENT WITH REVISED SPECIFICATIONS. (9:38 AM)

Item 21 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 22.** APPROVE CONTRACT AWARD FOR FENCE CONSTRUCTION AND REMOVAL, IFB# B990043-JP, TO THE LOW QUALIFIED BIDDER, H AND H FENCE COMPANY, IN THE ESTIMATED AMOUNT OF \$57,707.50. (9:38 AM)

Item 22 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 23.** APPROVE CONTRACT AWARD FOR MARINE OUTBOARD MOTORS, IFB B990045-DM, TO THE LOW QUALIFIED BIDDER, SOUTH AUSTIN MARINE, IN THE TOTAL AMOUNT OF \$19,930.00. (9:38 AM)

Item 23 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 24.** APPROVE CONTRACT AWARD FOR THE PROVISION OF HEAVY DUTY ROAD MACHINERY OEM PARTS/MAINTENANCE, IFB #B990035-MG, TO THE LOW, QUALIFIED BIDDERS, ANDERSON MACHINERY, CLOSER EQUIPMENT, LACAL EQUIPMENT, LONGHORN INTERNATIONAL, ROMCO EQUIPMENT, VERMEER EQUIPMENT, WATSON DISTRIBUTING IN THE ESTIMATED AMOUNT OF \$75,000.00. (9:38 AM)

Item 24 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 25. APPROVE CONTRACT MODIFICATION NO. 3 TO CONTRACT NO. PS970359-JJ, CARTER & BURGESS, INC., PROFESSIONAL ENGINEERING SERVICES FOR THE HOWARD LANE PROJECT; CONTRACT APPROVED ON DECEMBER 9, 1997; MODIFICATION ALLOWS FOR CHANGES TO THE SCOPE OF SERVICES AND INCREASES THE NOT-TO-EXCEED AMOUNT BY \$123,066.93. (4:56 PM)

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

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 CONTRACT AWARD FOR THE PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR THE FERGUSON LANE ROAD AND DRAINAGE IMPROVEMENTS PROJECT, RFQ #Q980019JJ, TO MARTINEZ, WRIGHT AND MENDEZ, INC., IN THE NOT-TO-EXCEED AMOUNT OF \$122,965.00. (9:38 AM)

Item 26 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 27. APPROVE SIXTH AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH PARSONS ENGINEERING SCIENCE CONSULTANTS FOR ENVIRONMENTAL ENGINEERING SERVICES FOR HWY. 290 EAST LANDFILL, UPDATING THE SCOPE OF SERVICES WITH NO COST INCREASE. (4:56 PM)

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 27.

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

- 28. 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 WINDERMERE UTILITY) (4:57 PM)

- 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.

- C. APPROVE PLAT FOR RECORDING IN PRECINCT TWO: CAMBRIDGE HEIGHTS PHASE A SECTION 1-A - (FISCAL POSTED WITH TRAVIS COUNTY - 16 LOTS - 5.176 ACRES - PFLUGER LANE - WASTEWATER SERVICE TO BE PROVIDED FOR BY THE WINDERMERE UTILITY COMPANY.

- D. APPROVE PLAT FOR RECORDING IN PRECINCT TWO: CAMBRIDGE HEIGHTS PHASE A SECTION 1-B - (FISCAL POSTED WITH TRAVIS COUNTY - 76 LOTS - 26.609 ACRES - PFLUGER LANE - WASTEWATER SERVICE TO BE PROVIDED FOR BY THE WINDERMERE UTILITY COMPANY.

Clerk’s Note: Items 28.A, B, C, and D 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; and Gordon Bowman, Assistant County Attorney, Transactions Division.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve Items 28.A, B, C, and D as listed on the agenda.

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

29. APPROVE TRAVIS COUNTY 9-1-1 RDMT APPOINTMENT OF DOUG YOUNGS, TRAVIS COUNTY GIS COORDINATOR. (5:13 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Doug Youngs, TNR.

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	-	yes

30. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (5:14 PM)

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

Motion by Commissioner Gómez and seconded by Judge Biscoe to approve Item 30.

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

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

- A. APPROVE GRANT APPLICATION FOR UTILITY ASSISTANCE GRANT (FEMA) FOR HEALTH AND HUMAN SERVICES DEPARTMENT.
(5:15 PM)

Members of the Court heard from: Alan Miller, Budget Analyst, PBO; and Eric A. Anderson, Private Citizen.

Item 31.A to be reposted on March 16, 1999.

- B. APPROVE GRANT CONTRACT FOR 1998 STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (DOJ) FOR SHERIFF'S OFFICE. (9:38 AM)

- C. APPROVE GRANT CONTRACT FOR RETIRED SENIOR VOLUNTEER PROGRAM (RSVP) GRANT AUGMENTATION FOR HEALTH AND HUMAN SERVICES DEPARTMENT. (9:38 AM)

- D. APPROVE GRANT CONTRACT WITH TEXAS DEPARTMENT OF PUBLIC SAFETY FOR STATE & LOCAL ASSISTANCE FOR EMERGENCY SERVICES DEPARTMENT. (9:38 AM)

- E. APPROVE PUBLIC ASSISTANCE GRANT WITH FEDERAL EMERGENCY MANAGEMENT AGENCY FOR TNR AND SHERIFF'S DEPARTMENT. (9:38 AM)

Items 31.B, C, D, and E added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

32. PROVIDE STATUS UPDATE TO COMMISSIONERS COURT ON Y2K ISSUES. (5:17 PM)

Members of the Court heard from: Pete Baldwin, Emergency Management Coordinator and Y2K Coordinator; and Brad Powell, Interim Director, Information and Telecommunications Systems (ITS).

Discussion Only.

33. APPROVE PERSONNEL AMENDMENTS. (9:38 AM)

Item 33 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

34. REVIEW AND APPROVE THE FOLLOWING PROPERTY AND LIABILITY CLAIM RECOMMENDATIONS: (5:24 PM)

A. TRAVIS CO SHERIFF'S OFFICE – SETTLE

B. CONSTABLE, PCT 3 – SETTLE

C. RAULS KNEUPPER – DENY

D. JAVIER REYNA - DENY

Members of the Court heard from: Dan Mansour, Risk Manager, Human Resources Management Department (HRMD).

Motion by Commissioner Sonleitner **and seconded by** Commissioner Baxter to approve the recommendations of the Risk Manager as listed on the agenda.

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

35. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:38 AM)

Item 35 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

36. APPROVE FY 2000 PLANNING AND BUDGET PROCESS AND PROVIDE DIRECTION. (5:25 PM)

Members of the Court heard from: Christian Smith, Executive Manager, Planning and Budget (PBO); and Susan Spataro, Travis County Auditor.

Motion by Judge Biscoe **and seconded by** Commissioner Baxter to approve Item 36.

A Clarification was made of the previous Motion by Commissioner Sonleitner that the Court be advised if a department needs relief from legislation.

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

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

- 37. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER OFFER OR SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN; CHAVEZ V. TRAVIS COUNTY AND ROGER SCHIRMACHER, (CHAVEZ; GIESELMAN; TEXAS TORT CLAIMS ACT AND PERSONAL INJURY) ¹ (5:32 PM) (6:22 PM)

Judge Biscoe announced that Item 37 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 37, 38, and 44.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the following Items as summarized below:

- 37. Reject the offer and make a counter offer of \$5,500.00.
- 38. Approve the settlement terms with the workers compensation insurance fund in the matter of Judy Painter v. Travis County et al, which sets a date certain after which indemnification by the fund would be limited to \$13,000.00.
- 44. Direct Staff to complete a claim with the County’s insurance company to cover remediation of damage; that the County pursue receipt of a design for the HVAC remedy; and that the Court identify funding at Travis County to get the necessary construction work done on an expedited schedule.

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

- 38. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN; JUDY FRANCES PAINTER V. ESCO ELEVATORS CORPORATION, MONTGOMERY KONE, INC., F/K/A MONTGOMERY ELEVATOR COMPANY AND TRAVIS COUNTY, (PAINTER; PEREZ; TEXAS TORT CLAIMS ACT, PREMISES, AND PERSONAL INJURY) ¹ (5:32 PM) (6:22 PM)

Judge Biscoe announced that Item 38 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 37, 38, and 44. Please refer to Item 37 for a summary of the Court’s action on this Motion.

- 39.** DISCUSS, APPROVE OR TAKE APPROPRIATE ACTION REGARDING THE LEASE PROPOSAL BETWEEN TRANSWESTERN PROPERTIES AND TRAVIS COUNTY, TEXAS, COMMUNITY SUPERVISION AND CORRECTION DEPARTMENT LOCATED AT FREIDRICH LANE. ²
(5:32 PM) (6:24 PM)

Judge Biscoe announced that Item 39 would be considered in Executive Session.

Item 39 to be reposted on March 16, 1999.

- 40.** DISCUSS AND APPROVE INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND TEXAS AGRICULTURAL EXTENSION SERVICE. ¹
(5:32 PM) (6:24 PM)

Judge Biscoe announced that Item 40 would be considered in Executive Session.

Item 40 to be reposted on March 16, 1999.

- 41.** RECEIVE STATUS REPORT AND DISCUSS ISSUES RELATED TO THE INTEGRATED JUSTICE SYSTEM. ¹ (5:32 PM) (6:24 PM)

Judge Biscoe announced that Item 41 would be considered in Executive Session.

Item 41 to be reposted on March 16, 1999.

- 42.** 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 (5:32 PM) (6:24 PM)

Judge Biscoe announced that Item 42 would be considered in Executive Session.

Item 42 to be reposted on March 16, 1999.

- 43.** APPROVE SECOND AMENDMENT TO LAND PURCHASE CONTRACT WITH THE TRUST FOR PUBLIC LAND, (TPL) FOR VISTA POINT, PHASE 1. ² (5:35 PM) (6:24 PM)

Item 43 postponed until March 16, 1999.

44. RECEIVING BRIEFING FROM COUNTY ATTORNEY REGARDING HVAC AND FACILITY DAMAGE REPAIRS TO THE MEDICAL EXAMINER FACILITY AND TAKE APPROPRIATE ACTION. ¹ (5:32 PM) (6:22 PM)

Judge Biscoe announced that Item 44 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 37, 38, and 44. Please refer to Item 37 for a summary of the Court's action on this Motion.

45. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT, OR COUNTER SETTLEMENT DEMAND IN TRAVIS COUNTY TEXAS V. LAURELWOOD PARTNERS, LTD., (LAURELWOOD; GIESELMAN; CONDEMNATION). ¹ (9:06 AM)

Item 45 postponed until March 16, 1999.

46. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT, OR COUNTER SETTLEMENT DEMAND IN WALT G. BIRCHFIELD ET AL VS. TRAVIS COUNTY, TEXAS; (BIRCHFIELD; GIESELMAN; LITIGATION; VACATION OF GINGER STREET) ¹ (9:06 AM)

Item 46 postponed until March 16, 1999.

47. 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). ¹ (5:32 PM) (6:24 PM)

Judge Biscoe announced that Item 47 would be considered in Executive Session.

Item 47 to be reposted on March 16, 1999.

THE FOLLOWING ITEM IS AN ADDENDUM:

**A.1. RECEIVE LEGISLATIVE UPDATE AND TAKE APPROPRIATE ACTION.
(9:06 AM) (2:48 PM)**

Members of the Court heard from: Manny Mancias, President, Travis County Sheriff's Association; John Hille, Assistant County Attorney, Transactions Division; Margo Frasier, Travis County Sheriff; Teresa Reel, Manager of Emergency and Wireless Communications, Justice and Public Safety (JPS); Rod Gustafson, Criminal Court Administrator; Unknown Female; Shoshanna Lansberg, Planning and Budget Analyst, PBO; Joe Gieselman, Executive Manager, TNR; John Kuhl, TNR; David Escamilla, First Assistant County Attorney; Charles Bergh, Division Manager, TNR; and Gordon Bowman, Assistant County Attorney

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the Resolution supporting the "Meet and Confer Legislation".

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

Motion by Judge Biscoe and seconded by Commissioner Baxter to support Title IV D Legislation, "Relating to the liability of the Title IV D agency for certain costs incurred in providing support services."

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

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to show the Courts opposition to SB 543 in a written statement indicating the Courts reasons.

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 A.1 CONTINUED

Motion by Commissioner Baxter **and seconded by** Commissioner Sonleitner to pursue amending SB 153 that would do away with some of the negative effects, specifically that the County could not seek the payment if the County were the ones that instigated commitment to a private hospital, and if that action does not work to then oppose the legislation.

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 Court decided to repost SB 366 and House Companion Bill HB 1983 on March 12, 1999.

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez to approve the Resolution supporting the legislation “Relating to the functions and powers of emergency communication service districts * no official caption exists yet”.

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

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to support HB 602 Legislation with the start dates of October 1, 1999 and October 1, 2000.

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 Court gave direction to the legislative consultant Bob Kamm to sign witness affirmation cards on behalf of the Travis County Commissioners Court acting for Travis County.

Discussion only on HB 430.

Clerk’s Note: The Court decided to repost HB 423 on March 12, 1999.

ADJOURNMENT

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to adjourn the Voting Session. (6:24 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 - absent
Precinct 4, Commissioner Margaret J. Gómez - yes

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge