

## **MINUTES – NOVEMBER 16, 1999**

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

On Tuesday, the 16<sup>th</sup> day of November, 1999, the Commissioners' Court convened the regular Voting Session at 9:16 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 Melissa Velasquez.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC) called to order the Voting Session at 9:14 AM and recessed the Voting Session at 9:16 AM

The Commissioners' Court recessed the Voting Session at 12:00 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 1:38 PM and adjourned at 1:38 PM.

The Commissioners' Court, meeting as the TCHFC reconvened the Voting Session at 1:38 PM and adjourned the Voting Session at 1:55 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation (TCHFDC) called to order the Voting Session at 1:55 PM and adjourned at 2:03 PM.

The Commissioners' Court, meeting as the Capital Industrial Development Corporation (CIDC) called to order the Voting Session at 2:03 PM and adjourned at 2:04 PM.

The Commissioners' Court reconvened the Voting Session at 2:05 PM.

The Commissioners' Court retired to Executive Session at 2:52 PM.

The Commissioners' Court reconvened the Voting Session at 3:50 PM.

The Commissioners' Court adjourned the Voting Session at 3:52 PM.

**CITIZENS COMMUNICATION**

**Members of the Court heard from:** Gus Peña, President East Austin Concerned Hispanics; Mike Hansen, Private Citizen; Chris Ritter, Private Citizen; Mary Aleshire, Private Citizen; and Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR). (9:18 AM)

**CONSENT ITEMS**

- 1. Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C14, and Items 6, 7, 8, 14, 15, 17, 18, 19, 20, 21, 22, 24.A & B, 26 (the routine items only), 33. (10:18 AM)

<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		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 NOVEMBER 2, 1999.
- C4.** APPOINT JAMES PAMPLIN TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #4, TERM EFFECTIVE UNTIL JANUARY 2000; MR. PAMPLIN REPLACES GARVID WILSON.
- C5.** APPROVE PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 483 AND 484, APACHE SHORES, SECTION 3 (AMENDED PLAT - 1 LOT - 0.494 ACRES - WHITEBEAD TRAIL SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY).
- C6.** APPROVE PLAT FOR RECORDING IN PRECINCT THREE: COSTA BELLA SECTION TWO - (SHORTFORM - ESCROW WITH COUNTY - 23 LOTS - 24.167 ACRES - BUFFALO GAP ROAD - LCRA ON SITE WASTEWATER).

**CONSENT ITEMS CONTINUED**

- C7.** APPROVE PLAT FOR RECORDING IN PRECINCT THREE: AMENDING PLAT OF LOT 1 BRIDGEVIEW TERRACE SUBDIVISION AND LOTS 7 AND 8 BLOCK B, DAVENPORT RANCH PHASE 1 SECTION 4 - (AMENDED PLAT - NO FISCAL REQUIRED - 3 LOTS - 6.47 ACRES - WESTLAKE DRIVE - APPROVED ON SITE WASTEWATER- AUSTIN ETJ).
  
- C8.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: COLLINWOOD SECTION III-B (FISCAL POSTED WITH TRAVIS COUNTY - 8.12 ACRES - 3 LOTS- COLLINWOOD WEST DRIVE - WASTEWATER SERVICE TO BE PROVIDED FOR BY CITY OF AUSTIN).
  
- C9.** APPROVE A PUBLIC HEARING DATE OF DECEMBER 7, 1999 FOR APPROVAL OF PROPOSED STREET NAME CHANGE FROM GRAY MOUNTAIN DRIVE TO “COLDWATER MOUNTAIN COURT” IN COLDWATER P.U.D. SECTION 1, IN PRECINCT TWO.
  
- C10.** APPROVE A PUBLIC HEARING DATE OF DECEMBER 7, 1999, TO APPROVE THE RECORDING OF A PLAT IN PRECINCT THREE: RESUBDIVISION OF A PORTION OF LOT 36, PEDERNALES BEND SUBDIVISION - (SHORTFORM - NO FISCAL REQUIRED - 2 LOTS - 10.054 ACRES - MEL’S ROAD - LCRA ON SITE WASTEWATER - OUTSIDE ETJ).
  
- C11.** APPROVE A PUBLIC HEARING DATE OF DECEMBER 7, 1999 TO APPROVE THE RECORDING OF A PLAT IN PRECINCT THREE: RESUBDIVISION OF LOTS 156 AND 157, TRAVIS SETTLEMENT SECTION THREE - (SHORTFORM - NO FISCAL REQUIRED - 2 LOTS - 3.154 ACRES - CREEK MEADOW COVE - APPROVED ON SITE WASTEWATER - OUTSIDE ETJ).
  
- C12.** APPROVE A PUBLIC HEARING DATE OF DECEMBER 7, 1999, TO APPROVE THE RECORDING OF A PLAT IN PRECINCT THREE: RESUBDIVISION OF LOT 45, NAUMANN’S CAMP AMENDED - (SHORTFORM - NO FISCAL REQUIRED - 2 LOTS - 2.227 ACRES - PEDERNALES DRIVE - LCRA ON SITE WASTEWATER - OUTSIDE ETJ).
  
- C13.** APPROVE A PUBLIC HEARING OF DECEMBER 7, 1999 TO APPROVE A FIVE MONTH TEMPORARY ROAD CLOSURE OF OLD LOCKHART HIGHWAY FROM MARGO DR. TO U.S. HIGHWAY 183 IN PRECINCT FOUR.
  
- C14.** APPOINT DAN RICHARDS TO CAPCO 911 TASK FORCE.

2. RECEIVE BRIEFING REGARDING OUTDOOR BURNING BAN IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY AND TAKE APPROPRIATE ACTION. (9:17 AM)

No action necessary on Item 2.

## TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

3. APPROVE AN ORDER OF REJECTION OF DEDICATION AND QUITCLAIM DEED FOR EAST STREET, LAKE TRAVIS SUBDIVISION, A SUBDIVISION IN PRECINCT TWO. (10:22 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; and Tom Nuckols, Assistant County Attorney.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the order of rejection of dedication, and the quitclaim deed for East Street, as listed as Item 3.

<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	yes

4. APPROVE CONSTRUCTION FOR BARTON CREEK SECTION E PHASE 1 AND BARTON CREEK ABC WEST PHASE 1, TWO PRIVATE STREET SUBDIVISIONS IN PRECINCT THREE. (10:39 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; and Tom Nuckols, Assistant County Attorney.

**Motion by** Commissioner Baxter **and seconded by** Commissioner Davis to approve Item 4.

<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	yes

5. DISCUSS CRITERIA FOR SELECTING ROAD MAINTENANCE PROJECTS AND TAKE APPROPRIATE ACTION. (10:47 AM)

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

**Motion by Judge Biscoe and seconded by Commissioner Baxter** to approve Item 5.

**Maker and Second accept the Friendly Amendment by Commissioner Gómez** to add in the wording “average with flexibility”.

<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	yes

6. APPROVE LICENSE AGREEMENT WITH MONOCHROME FILMS, INC. FOR USE OF ENGERMAN LANE OFF CELE ROAD AND CAMERON ROAD IN PRECINCT ONE ON 11/20/99. (10:18 AM)

Item 6 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court’s Motion and Vote.

## PLANNING AND BUDGET DEPT. ITEMS

7. DISCUSS AND/OR APPROVE INTERLOCAL COOPERATION AGREEMENT BETWEEN TRAVIS COUNTY AND THE CITY OF AUSTIN TO ALLOW TRAVIS COUNTY TO PARTICIPATE IN THE CITY’S CONTRACT WITH WILBUR SMITH ASSOCIATES FOR PROFESSIONAL SERVICES RELATED TO THE DEVELOPMENT OF A DOWNTOWN AUSTIN COMPREHENSIVE PARKING STUDY. (10:18 AM)

Item 7 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court’s Motion and Vote.

8. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (10:18 AM)

Item 8 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court’s Motion and Vote.

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

A. APPROVE GRANT APPLICATION FOR VICTIMS OF CRIME ACT (VOCA) GRANT FOR SHERIFF’S OFFICE. (11:15 AM)

**Members of the Court heard from:** Alan Miller, Planning and Budget Analyst, Planning and Budget Office (PBO); and Jessica Rio, Planning and Budget Analyst, PBO.

**Members of the Court agreed** to consider one Motion for Items 9.A, B, and D. Please refer to Item 9.D for a summary of the Court’s action on this Motion.

B. APPROVE GRANT APPLICATION FOR VIOLENCE AGAINST WOMEN ACT (VAWA) GRANT FOR SHERIFF’S OFFICE. (11:18 AM)

**Members of the Court heard from:** Alan Miller, Planning and Budget Analyst, PBO; Jessica Rio, Planning and Budget Analyst, PBO; and Mike Hemby, Research and Planning, Travis County Sheriff’s Office (TCSO).

**Members of the Court agreed** to consider one Motion for Items 9.A, B, and D. Please refer to Item 9.D for a summary of the Court’s action on this Motion.

C. APPROVE GRANT CONTRACT FOR FY’99 BCP LAND ACQUISITION GRANT FOR TNR DEPARTMENT. (11:20 AM)

**Members of the Court heard from:** Jessica Rio, Planning and Budget Analyst, PBO; Leroy Nellis, Budget Manager, PBO; and John Kuhl, Natural Resources Program Manager, TNR.

**Motion by** Commissioner Sonleitner **and seconded by** Judge Biscoe to approve the grant contract for the BCP land acquisition grant which would include an earmark against the allocated reserve of only \$38,878.00.

<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	yes

## ITEM 9 CONTINUED

### **D. APPROVE GRANT CONTRACT FOR COPS TECHNOLOGY INITIATIVE GRANT FOR SHERIFF’S OFFICE. (11:40 AM)**

**Members of the Court heard from:** Alan Miller, Planning and Budget Analyst, PBO; Jessica Rio, Planning and Budget Analyst, PBO; and Mike Hemby, Research and Planning, TCSO.

**Members of the Court agreed** to consider one Motion for Items 9.A, B, and D.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Baxter to approve the grant contract for Cops Technology initiative, and to approve grant applications under 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	yes

## HEALTH AND HUMAN SERVICES ITEMS

### **10. APPROVE INTERLOCAL COOPERATION AGREEMENT BETWEEN TRAVIS COUNTY AND CITY OF AUSTIN FOR DAY LABOR SERVICES. (9:17 AM)**

Item 10 pulled from the Agenda.

11. APPROVE INTERLOCAL COOPERATION AGREEMENT BETWEEN TRAVIS COUNTY AND CITY OF AUSTIN FOR AFTER-SCHOOL SERVICES BY AUSTIN EASTSIDE STORY FOUNDATION-PFLUGERVILLE EXTENSION PROJECT. (11:40 AM)

**Members of the Court heard from:** Stephen Williams, Executive Manager, Travis County Health, Human Services and Veterans' Services (TCHHS&VS); Marilyn Kennerson, Division Director, Community Services; and Mary Etta Gerhardt, Assistant County Attorney.

**Motion by** Commissioner Davis **and seconded by** Judge Biscoe to approve Item 11.

<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	yes

12. A. APPROVE INTERLOCAL COOPERATION AGREEMENT BETWEEN TRAVIS COUNTY AND CITY OF AUSTIN FOR TRAINING AND TECHNICAL ASSISTANCE TO SMALL BUSINESSES BY THE TEXAS ASSOCIATION OF MINORITY BUSINESS ENTERPRISES. (11:47 AM)
- B. APPROVE AMENDMENT TO CONTRACT WITH TEXAS ASSOCIATION OF MINORITY BUSINESS ENTERPRISES ADDING \$50,000 AS CITY OF AUSTIN SHARE OF \$75,000 MATCHING FUNDS AS REQUIRED BY THE U.S. DEPARTMENT OF COMMERCE.

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

**Members of the Court heard from:** Stephen Williams, Executive Manager, TCHHS&VS; Cyd Grimes, Travis County Purchasing Agent; and Mary Etta Gerhardt, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Baxter to approve Items 12.A and B, with the understanding that payment will be withheld until further notice from the Court, and that steps be taken to obtain a written status report within the next 10 days.

<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	yes



**PURCHASING DEPARTMENT ITEMS**

- 13.** APPROVE CONTRACT AWARD FOR THE PROVISION OF CONSTRUCTION SERVICES FOR THE U.S. 290 EAST SOLID WASTE DISPOSAL SITE WASTEWATER FORCE MAIN PROJECT, IFB #B990731-JJ, TO THE LOW, QUALIFIED BIDDER, C.C. CARLTON INDUSTRIES, LTD. (2:06 PM)

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

Discussion Only.

Item 13 to be reposted on November 23, 1999.

- 14.** APPROVE CONTRACT (MODIFICATION NO. 3) TO CONTRACT NO. 98K0723-JJ, CAPITAL EXCAVATION CO., IN., HOWARD LANE RECONSTRUCTION PROJECT, PHASE I; CONTRACT APPROVED BY COMMISSIONERS' COURT ON AUGUST 4, 1998; MODIFICATION ADDS FIELD CHANGE ORDERS 27 THROUGH 35 TO THE CONTRACT. (10:18 AM)

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

- 15.** APPROVE ANNUAL RENEWAL OF SOFTWARE LICENSING AND MAINTENANCE OF NOVELL GROUPWISE SYSTEM AND NOVELL OPERATING SYSTEM, AND APPROVE THE PURCHASE OF LICENSING AND MAINTENANCE FOR MANAGEWISE/ZENWORKS BOTH WITH TEXAS DEPARTMENT OF INFORMATION RESOURCES VIA SOFTWARE HOUSE INTERNATIONAL. (10:18 AM)

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

- 16.** APPROVE CONTRACT AWARD FOR THE PROVISION OF CONSTRUCTION CLEANING SERVICES IN SUPPORT OF CONSTRUCTION PROJECTS AT THE DOWNTOWN CRIMINAL JUSTICE CENTER TOWER, N.L. GAULT BUILDING, AND TRAVIS COUNTY CORRECTIONAL COMPLEX AT DEL VALLE, IFB NO. B000002-MB, TO THE SOLE QUALIFIED BIDDER, HOWARD CONSTRUCTION COMPANY OF FT. WORTH, TX, IN THE ESTIMATED AMOUNT OF \$138,134.32. (9:17 AM)

Item 16 postponed until November 23, 1999.

- 17. APPROVE CONTRACT AWARD FOR PROVISION OF PSYCHIATRIC EVALUATION SERVICES FOR JUVENILE OFFENDERS TO AUSTIN DIAGNOSTIC CLINIC, P.A./JAMES HAGEMAN, MD. (10:18 AM)**

Item 17 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- 18. APPROVE 12-MONTH EXTENSION TO CONTRACT NO. PS970183LH (MODIFICATION NO. 4) FOR PROVISION OF LEGAL SERVICES TO EWBANK AND BYROM, P.C.; CONTRACT APPROVED ON APRIL 15, 1997. (10:18 AM)**

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

- 19. APPROVE A 12-MONTH EXTENSION TO CONTRACT NO. PS970232LH (MODIFICATION NO.3) FOR LITIGATION SUPPORT SERVICES TO AUSTIN DISCOVERY CONTRACT APPROVED ON MAY 13, 1997. (10:18 AM)**

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

- 20. APPROVE 12-MONTH EXTENSION TO CONTRACT NO. PS980024LH (MODIFICATION NO. 2) FOR LITIGATION SUPPORT SERVICES TO LEGAL MATTERS; CONTRACT APPROVED ON MAY 1, 1997. (10:18 AM)**

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

- 21. APPROVE 12-MONTH EXTENSION TO CONTRACT NO. PS970127LH (MODIFICATION NO. 3) FOR LITIGATION SUPPORT SERVICES TO WEILER & ASSOCIATES; CONTRACT APPROVED ON FEBRUARY 11, 1997. (10:18 AM)**

Item 21 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- 22.** APPROVE A 12-MONTH EXTENSION (MODIFICATION #2) TO CONTRACT MA980138, CERTIFIED SYSTEMS, INC., FOR SOFTWARE MAINTENANCE SUPPORT OF THE DROCES CHILD SUPPORT CASE MANAGEMENT SYSTEM; CONTRACT APPROVED ON APRIL 28, 1998. (10:18 AM)

Item 22 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

## JUSTICE AND PUBLIC SAFETY ITEMS

- 23.** REVIEW FY 2000 EMERGENCY MEDICAL SERVICES INTERLOCAL AND TAKE APPROPRIATE ACTION. (2:15 PM)

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

**Motion by** Commissioner Sonleitner **and seconded by** Judge Biscoe to approve Item 23, with the latest change that was passed out to the Court.

<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	yes

**ADMINISTRATIVE OPERATIONS ITEMS**

24. A. APPROVE AN INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND TEXAS DEPARTMENT OF MENTAL HEALTH & MENTAL RETARDATION (TDMHMR) ALLOWING MHMR TO UTILIZE THE COUNTY'S OFFSITE STORAGE CONTRACT (#98T0207-LD) WITH PIERCE LEAHY. (10:18 AM)
- B. APPROVE CONTRACT MODIFICATION #2 TO OFFSITE RECORDS STORAGE CONTRACT, #98T0207-LD, PIERCE LEAHY ARCHIVES, PFLUGERVILLE, TX.; CONTRACT WAS APPROVED ON 6/13/98; MODIFICATION #2 ALLOWS FOR INCORPORATION OF INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND TDMHMR.

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

25. APPROVE TUITION/FEES FOR TWO COUNTY EMPLOYEES TO PARTICIPATE IN THE HISPANIC AUSTIN LEADERSHIP PROGRAM NOT TO EXCEED \$320.00 EACH, IN ACCORDANCE WITH CHAPTER 16 OF THE TRAVIS COUNTY CODE. (2:17 PM)

**Members of the Court heard from:** Linda Moore Smith, Director, Human Resources Management Department (HRMD).

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez 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	yes

**26. APPROVE PERSONNEL AMENDMENTS. (9:17 AM) (9:34 AM) (10:18 AM)**

**Members of the Court heard from:** Norman McRee, Lead Personnel Analyst, HRMD; Carlotta Valdez Leavy, Compensation and Benefits Manager, HRMD; The Honorable Lora Livingston, Judge, 261<sup>st</sup> District Court; and Alan Miller, Planning and Budget Analyst, Planning and Budget Office (PBO).

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the department's request to set the salary at \$47,112.00, which is above midpoint.

<b>Motion failed:</b>	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Karen Sonleitner	no
	Precinct 3, Commissioner Todd Baxter	no
	Precinct 4, Commissioner Margaret J. Gómez	no

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to approve the recommendation of Human Resources, which is to set the salary at \$45,968.00.

<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	yes

Item 26, the routine items, added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

27. REVIEW AND APPROVE THE FOLLOWING LIABILITY CLAIM  
RECOMMENDATION: (10:27 AM) (2:52 PM) (3:50 PM)

**A. CYNTHIA BREAZEALE – DENY**

**Members of the Court heard from:** Dan Mansour, Risk Manager, HRMD; Cynthia Breazeale, Private Citizen; and Sherine Thomas, Assistant County Attorney.

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

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve Staff's recommendation to deny the claim of Cynthia Breazeale, and that we communicate to Ms. Breazeale along with the other explanation that, in the Court's view, under the law and the circumstances, the Constable had no choice but to go ahead and conduct the sale as ordered by the Judge.

<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	yes

28. APPROVE RECOMMENDATIONS ON ENVELOPE STUFFER, LETTER TO DEPARTMENTS, AND OTHER DECISIONS RELATED TO TRAVIS COUNTY'S Y2K PREPAREDNESS. (2:20 PM)

**Members of the Court heard from:** Pete Baldwin, Emergency Management Coordinator, Emergency Services, JPS; and Mike Hemby, Research and Planning, TCSO.

Item 28 to be reposted on November 23, 1999.

## OTHER ITEMS

29. **SCHEDULED AT 1:30 P.M.** DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (2:05 PM)

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

No action necessary on Item 29.

- 30.** DISCUSS POSSIBLE USES OF TRAVIS COUNTY FACILITY LOCATED AT 624 NORTH PLEASANT VALLEY ROAD AND TAKE APPROPRIATE ACTION. (2:28 PM)

**Members of the Court heard from:** Belinda Poppa, Capital Planning Coordinator, PBO; Kevin Bailey, Director, Facilities Management; and John Hille, Assistant County Attorney.

Item 30 to be reposted on November 23, 1999.

- 31.** APPROVE PROCESSING AGREEMENT WITH BANK ONE FOR CREDIT CARD TRANSACTIONS FOR DISTRICT CLERK’S OFFICE. (2:43 PM)

Item 31 postponed until November 23, 1999.

- 32.** APPROVE THE ISSUANCE OF TRAVIS COUNTY HOUSING FINANCE CORPORATION MULTIFAMILY REVENUE BONDS (TANGLEWOOD APARTMENTS) SERIES 1999 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$10,000,000 BY TRAVIS COUNTY HOUSING FINANCE CORPORATION. (2:05 PM)

**Members of the Court heard from:** Cliff Blount, Attorney for the Corporations.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the issuance of the bonds.

<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	yes

- 33.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:18 AM)

Item 33 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court’s Motion and Vote.

**SCHEDULED AT 2:00 P.M.**

34. RECEIVE PRESENTATION ON COMMUTER RAIL STUDY, CONSIDER WHETHER TRAVIS COUNTY SHOULD SUPPORT THE COMMUTER RAIL DISTRICT, AND TAKE APPROPRIATE ACTION. (9:17 AM)

Item 34 to be reposted on November 23, 1999 at 9:30 am.

35. A. CONSIDER POSTING OF POSITION FOR JUDGE OF COUNTY COURT AT LAW NO. 5, SELECTION PROCESS AND CRITERIA AND CITIZEN INPUT, AND TAKE APPROPRIATE ACTION. (2:44 PM)

B. ACCEPT RESIGNATION FROM JUDGE WILFRED AGUILLAR.

**Clerk's Note:** Items 35.A and B are associated with one another and were called with concurrent discussion.

**Members of the Court heard from:** Linda Moore Smith, Director, HRMD.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to accept the Judge's resignation.

<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	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

Note 4 - Gov't Code Ann 551.076, Security

- 36. A. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY'S OFFICE REGARDING CONTRACTS WITH FLUOR DANIEL, INC., M.W. BUILDERS, GRAEBER, SIMMONS & COWAN AND OTHER CONTRACTORS FOR THE CRIMINAL JUSTICE CENTER AND TAKE APPROPRIATE ACTION. <sup>1</sup> (2:52 PM) (3:51 PM)**

- B. RECEIVE BRIEFING FROM COUNTY ATTORNEY'S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE CENTER AND TAKE APPROPRIATE ACTION.**

**Clerk's Note:** Items 36.A and B are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 36.A and B would be considered in Executive Session.

No action necessary on Items 36.A and B.

- 37. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER OFFER OR SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN; TIMOTHY BRUNER V. TRAVIS COUNTY ET AL., (BRUNER; WILLIAMS, S.; TEXAS TORT CLAIMS ACT AND PERSONAL INJURY). <sup>1</sup> (2:52 PM) (3:51 PM)**

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

Item 37 reposted on November 23, 1999.

38. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR AUTHORIZE COUNTY ATTORNEY TO TAKE APPROPRIATE ACTION REGARDING NOTICE OF CLAIM FOR FALSE ARREST OF CLAIMANT SCOTT EDWARD MORRIS (MORRIS; ODEN; FALSE ARREST); (REQUESTED BY COUNTY ATTORNEY). <sup>1</sup>  
(2:52 PM) (3:51 PM)

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

**Members of the Court heard from:** Eric Shepperd, Assistant County Attorney.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to counter the counter offer in the amount of \$10,000.00.

<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	yes

39. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT OR COUNTER SETTLEMENT PROPOSAL REGARDING PROJECT 97-21, HOWARD LANE, PARCELS NO. 15; RIDGE INVESTORS, A TEXAS LIMITED PARTNERSHIP, AND TRAVIS COUNTY, TEXAS (CONDEMNATION). (9:18 AM)

Item 39 postponed until November 23, 1999.

40. ACCEPT, REJECT OR COUNTER-OFFER RECEIVED TO SETTLE TRAVIS COUNTY'S SUBROGATION CLAIM REGARDING DANIEL GONZALES IN DANIEL GONZALES V. CITY OF AUSTIN, ET AL; CAUSE NO. 99-03298, 200TH JUDICIAL DISTRICT COURT OF TRAVIS COUNTY, TEXAS. (9:18 AM)

Item 40 postponed until November 23, 1999.

41. RECEIVE ADVICE FROM THE COUNTY ATTORNEY REGARDING PERSONS ELIGIBLE FOR COBRA UNDER THE EMPLOYEE BENEFITS CONTRACT WITH BLUE CROSS. (2:52 PM)

Item 41 postponed until November 23, 1999.

**ADJOURNMENT**

**Motion by Commissioner Davis and seconded by Commissioner Gómez** to adjourn the Voting Session. (3:52 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**

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**Date of Approval**

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