

## **MINUTES – JULY 18, 2000**

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

On Tuesday, the 18<sup>th</sup> day of July, 2000, the Commissioners' Court convened the regular Voting Session at 9:12 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 recessed the Voting Session at 11:59 AM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFDC) called to order the Voting Session at 1:37 PM and adjourned at 1:57 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation (TCHFDC), the Capital Health Facilities Development Corporation (CHFDC), the Capital Industrial Development Corporation (CIDC), and the Travis County Development Authority (TCDA) called to order the Voting Sessions at 1:57 PM and adjourned the Voting Sessions at 1:58 PM.

The Commissioners' Court reconvened the Voting Session at 1:58 PM.

The Commissioners' Court retired to Executive Session at 3:05 PM.

The Commissioners' Court reconvened the Voting Session at 4:52 PM.

The Commissioners' Court adjourned the Voting Session at 5:08 PM.

The Commissioners' Court record notes that Precinct Two Commissioner Karen Sonleitner was not present during this Voting Session.

---

### **CITIZENS COMMUNICATION**

**Members of the Court heard from:** Gus Peña, President, East Austin Concerned Hispanics; Vernal Daniels, Transportation and Natural Resources (TNR); and Margo Frasier, Travis County Sheriff.

**CONSENT ITEMS**

- 1. Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C10, and Items 7, 10, 11, 12.A & B, 13.B, 14, 18, 20.A, 24.A & B, and 25. (9:23 AM)

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	absent
Precinct 3, Commissioner Todd Baxter	absent
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 SERVICES.
- C3.** APPOINT MAE H. MARION TO SERVE ON THE TRAVIS COUNTY HISTORICAL COMMISSION AS A PRECINCT ONE APPOINTEE, TERM EFFECTIVE UNTIL JANUARY, 2001.
- C4.** RATIFY APPOINTMENT FOR MAE H. MARION TO THE CAPITAL AREA PLANNING COUNCIL (CAPCO) AGING ADVISORY BOARD AS A PRECINCT 1 AND 4 APPOINTEE, TERM EFFECTIVE UNTIL JULY, 2001.
- C5.** RATIFY APPOINTMENT FOR JOY STALLINGS TO THE CAPITAL AREA PLANNING COUNCIL (CAPCO) REGIONAL ECONOMIC DEVELOPMENT GUIDANCE COMMITTEE (REDGC) AS A PRECINCT 1 AND 4 APPOINTEE, TERM EFFECTIVE UNTIL JULY, 2001.
- C6.** RATIFY APPOINTMENT FOR JOHN CANTU TO THE CAPITAL AREA PLANNING COUNCIL (CAPCO) LAW ENFORCEMENT EDUCATION COMMITTEE (LEEC) AS A PRECINCT 1 AND 4 APPOINTEE, TERM EFFECTIVE UNTIL JULY, 2001.
- C7.** RATIFY THE REAPPOINTMENT OF CATHERINE GREENE TO SERVE ON THE CAPCO-AGING ADVISORY COMMITTEE; TERM EXPIRES JANUARY 2001.
- C8.** RATIFY THE REAPPOINTMENT OF BETTY ROBBINS TO SERVE ON THE CAPCO-AGING ADVISORY COMMITTEE; TERM EXPIRES JANUARY 2001.
- C9.** APPROVE A PUBLIC HEARING DATE OF AUGUST 8, 2000 TO APPROVE THE VACATION OF A PORTION OF RIGHT-OF-WAY OF CIRCLE DRIVE ADJACENT TO WESTVIEW ESTATES, A SUBDIVISION IN PRECINCT THREE.

**CONSENT ITEMS CONTINUED**

- C10.** APPROVE PLAT FOR RECORDING IN PRECINCT FOUR: BAPTIST SUBDIVISION (SHORTFORM – 1 LOT – 5 ACRES – ELROY ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – COA ETJ).
- 2.** RECEIVE BRIEFING AND CONSIDER ADOPTING AN ORDER PROHIBITING OUTDOOR BURNING IN THE UNINCORPORATED AREA OF TRAVIS COUNTY. (9:27 AM)

**Members of the Court heard from:** Richard Gaston, Travis County Fire Marshall; and Pete Baldwin, Emergency Management Coordinator, Department of Emergency Services.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve Item 2.

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

**ADMINISTRATIVE OPERATIONS ITEMS**

- 3.** DISCUSS BENEFITS FOR TRAVIS COUNTY RETIREES INCLUDING COST OF LIVING ADJUSTMENT (COLA) AND INSURANCE, AND TAKE APPROPRIATE ACTION. (9:31 AM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Linda Moore Smith, Director, Human Resources Management Department (HRMD); Dan Mansour, Risk Manager, HRMD; Barbara Wilson, Assistant County Attorney; Joseph Froh, Texas County and District Retirement System; Richard Everett, Retiree; Beulah Bacon, Retiree; and Chief Jim Collier, Retiree.

Discussion Only.

Item 3 to be reposted in 30 days.

**4. DISCUSS EMPLOYEE BENEFIT PLAN OPTIONS AND TAKE APPROPRIATE ACTION FOR THE FOLLOWING ISSUES: (10:12 AM)**

- A. HOLIDAY SCHEDULE; AND**
- B. VARIOUS POLICY CLARIFICATIONS.**

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

**Members of the Court heard from:** Linda Moore Smith, Director, HRMD; Charles Vaughn, Chief Assistant County Auditor, Travis County Auditor's Office; Norman McRee, Budget/Process Improvement Analyst, HRMD; Margo Frasier, Travis County Sheriff; Barbara Wilson, Assistant County Attorney; Chris Callsen, Director, Department of Emergency Services; Karen Steitle, HRMD; and Susan Spataro, Travis County Auditor.

Discussion Only.

Items 4.A and B to be reposted in 2 to 3 weeks.

**Clerk's Note:** Judge Biscoe without objection asked Staff to spend a little time putting together a recommendation or some considerations for number 8 (as listed in the backup material).

**5. APPROVE AGREEMENTS WITH G.O.P. INVESTMENTS TO: (11:21 AM)**

- A. TERMINATE LEASE AT 15<sup>TH</sup> AND SAN ANTONIO STREET; AND**
- B. PROVIDE PARKING SPACE AT 13<sup>TH</sup> AND GUADALUPE.**

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

**Motion by Judge Biscoe and seconded by Commissioner Davis to approve Items 5.A and B.**

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

6. ACCEPT MANUFACTURER’S 20-YEAR WATERTIGHTNESS LIMITED WARRANTY FOR THE TRAVIS COUNTY FORENSIC CENTER FACILITY ROOFING SYSTEM. (11:22 AM)

**Members of the Court heard from:** John Carr, Division Manager, Maintenance and Repair, Facilities Management; and Cyd Grimes, Travis County Purchasing Agent.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to authorize the Judge to sign this warranty.

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

7. APPROVE PERSONNEL AMENDMENTS. (9:23 AM)

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

## PURCHASING OFFICE ITEMS

8. APPROVE CONTRACT MODIFICATION NO. 10 TO CONTRACT NO. 99K0728-JJ, RANGER EXCAVATING, INC., MANSFIELD DAM PARK RENOVATION PROJECT; CONTRACT APPROVED BY COMMISSIONERS’ COURT ON 9/28/99. (11:27 AM)

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

**Motion by** Commissioner Baxter **and seconded by** Commissioner Gómez to approve the change order.

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

9. APPROVE CONTRACT MODIFICATION NO. 2 TO CONTRACT NO. PS000036-MB, CRIMINAL JUSTICE PROGRAM (CJP) PROJECT AND CONSTRUCTION MANAGEMENT SERVICES; MODIFICATION INCORPORATES SIGNAGE DESIGN AND MANAGEMENT SERVICES FOR THE CRIMINAL JUSTICE CENTER. (11:31 AM)

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

**Motion by** Commissioner Gómez **and seconded by** Judge Biscoe to approve contract modification number 2.

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

10. APPROVE TERMINATION OF CONTRACT NO. 00T0002-JP WITH SAFE ENVIRONMENT, INC. FOR WORK AND SAFETY SHOES AND BOOTS; CONTRACT APPROVED ON 9/28/99. (9:23 AM)

Item 10 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

11. APPROVE MODIFICATION NUMBER 1 TO CONTRACT WITH CENTRAL EAST AUSTIN COMMUNITY ORGANIZATION TO CORRECT CONTRACT AMOUNT BY AN INCREASE OF \$7,186 AS ORIGINALLY INTENDED. (9:23 AM)

Item 11 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

12. APPROVE CONTRACT AWARDS FOR JUVENILE RESIDENTIAL TREATMENT SERVICES WITH THE FOLLOWING PROVIDERS: (9:23 AM)

A. COMAL COUNTY JUVENILE RESIDENTIAL SUPERVISION AND TREATMENT CENTER, INC. D/B/A CONNECTIONS, CONTRACT #PS000264KW; AND

B. SETTLEMENT CLUB D/B/A THE SETTLEMENT HOME FOR CHILDREN, CONTRACT #PS000244KW.

Items 12.A and B added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

13. A. APPROVE CONTRACT MODIFICATION NO.1 TO CONTRACT #PS000108KW, RIMKUS CONSULTING GROUP, INC. TO STUDY AIR QUALITY AT 1300 GUADALUPE AND PALM SQUARE; MODIFICATION WILL INCREASE CONTRACT AMOUNT TO PAY FOR ADDITIONAL SERVICES; CONTRACT APPROVED ON 4/27/2000. (11:37 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; and Dan Mansour, Risk Manager, HRMD.

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 13.A, and to get a status report on future requests to increase the maximum amount available.

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

- B. APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT #PS000250LB, GERLOFF COMPANY, INC. TO PROVIDE DECONTAMINATION WORK FOR MOLD REMEDIATION AT 1300 GUADALUPE AND PALM SQUARE; MODIFICATION WILL INCREASE CONTRACT AMOUNT TO PAY FOR ADDITIONAL SERVICES; CONTRACT APPROVED ON 6/14/2000. (9:23 AM)

Item 13.B added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

14. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO.1) TO CONTRACT #99T0217-DM, MAJESTIKLEEN FOR JANITORIAL SERVICES AT THE JAMES E. COLLIER LAW ENFORCEMENT CENTER; CONTRACT APPROVED ON 8/31/99. (9:23 AM)

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

**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

- 15.** CONSIDER THE PROPOSED DISPOSITION OF APPROXIMATELY 0.26 ACRES OF UNUSED RIGHT-OF-WAY, FORMERLY USED FOR OLD MCCARTY LANE IN PRECINCT THREE, AND TAKE APPROPRIATE ACTION. (11:43 AM)

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

Discussion Only.

No action necessary on Item 15.

Item 15 to be reposted on July 25, 2000.

- 16. A.** APPROVE CASH SECURITY AGREEMENT FOR BELLA VISTA SECTION ONE, A SUBDIVISION IN PRECINCT TWO. (11:47 AM)

- B.** APPROVE ALTERNATE FISCAL AGREEMENT FOR BELLA VISTA SECTION ONE, A SUBDIVISION IN PRECINCT TWO.

**Clerk's Note:** Items 16.A and B 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 Gómez **and seconded by** Commissioner Davis to approve Items 16.A and B.

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



- 17. A. APPROVE CASH SECURITY AGREEMENT FOR BELLA VISTA SECTION TWO, A SUBDIVISION IN PRECINCT TWO. (11:49 AM)**
- B. APPROVE ALTERNATE FISCAL AGREEMENT FOR BELLA VISTA SECTION TWO, A SUBDIVISION IN PRECINCT TWO.**

**Clerk's Note:** Items 17.A and B are associated with one another and were called for concurrent discussion.

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

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve Items 17.A and B.

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

- 18. AUTHORIZE TNR DEPARTMENT TO PAY UP TO \$3,000 IN MOVING COST FOR THE POSITION OF DIVISION DIRECTOR, PLANNING AND ENGINEERING SERVICES. (9:23 AM)**

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

19. A. APPROVE AN INTERLOCAL AGREEMENT WITH WESTBANK COMMUNITY LIBRARY DISTRICT. (11:50 AM)
- B. APPROVE FUND TRANSFER FROM GENERAL WILLIAMSON DRIVE IMPROVEMENTS TO INTERLOCAL AGREEMENT.
- C. APPROVE FUND TRANSFER FROM GENERAL WILLIAMSON DRIVE IMPROVEMENTS TO TRAFFIC SIGNAL MODIFICATIONS AT THE WESTBANK DRIVE/ALLEN ROAD INTERSECTION IN PRECINCT THREE.

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

**Motion by** Commissioner Baxter **and seconded by** Commissioner Gómez to approve the interlocal, to approve fund transfer from General Williamson to the interlocal, and then approve fund transfer from General Williamson Drive improvements to traffic signal modifications at the Westbank Drive/Allen Road intersection in precinct three. So that's Items 19.A, B, and C.

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

## PLANNING AND BUDGET DEPT. ITEMS

20. APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE. (9:23 AM)
- A. APPROVE GRANT CONTRACT FOR FY'00 COMPREHENSIVE ENERGY ASSISTANCE PROGRAM (CEAP) FOR HEALTH AND HUMAN SERVICES DEPT.

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

**21. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:27 AM)**

No action necessary on Item 21.

**OTHER ITEMS**

**22. TAKE UP AT 1:30 P.M. DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (1:58 PM)**

**Members of the Court heard from:** Dealey Herndon, Herndon Stauch and Associates.

Discussion Only.

**23. CONSIDER PROMOTING PUBLIC SAFETY BY AN ORDER PROHIBITING OR REGULATING THE DISCHARGE OF FIREARMS WITHIN UNSAFE DISTANCES OF SCHOOLS OR CHURCHES IN CERTAIN UNINCORPORATED AREAS OF THE COUNTY, PURSUANT TO SUBCHAPTER B, CHAPTER 240, LOCAL GOVERNMENT CODE. (11:55 AM) (2:03 PM)**

**Members of the Court heard from:** Tom Nuckols, Assistant County Attorney.

**Motion by** Commissioner Baxter **and seconded by** Commissioner Gómez to adopt this order and to note for the record that the Taking Impact Assessment is available as a public record.

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

- 24.     A.   CONSIDER AND TAKE APPROPRIATE ACTION ON THE PRECINCT TWO CONSTABLE’S REQUEST TO APPROVE THE USE OF THE FOLLOWING RESERVE DEPUTIES: (1) NICOLE RAMOS, (2) WILLIAM TERRY, (3) ROY WILLEFORD, (4) JERRY MARSHALL, (5) SAM MIHALIK, (6) SCOTT KIMPTON, AND (7) KIMBERLY MOSQUEDA. (9:23 AM)**
- B.   CONSIDER A REQUEST FROM THE PRECINCT TWO CONSTABLE TO ADD FIVE ADDITIONAL RESERVE DEPUTIES, AND TAKE APPROPRIATE ACTION.**

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 PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:23 AM)**

Item 25 added to Consent Items. Please refer to Agenda Item 1 (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

Note 4 – Gov't Code Ann 551.076, Security

- 26. A. RECEIVE BRIEFING FROM 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> (3:05 PM)  
(4:52 PM)
- B. RECEIVE BRIEFING FROM COUNTY ATTORNEY'S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE CENTER AND TAKE APPROPRIATE ACTION.** <sup>1</sup>
- C. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION REGARDING FLUOR DANIEL, INC. V. TRAVIS COUNTY, TEXAS; CIVIL ACTION NO. A 00CA021SS; IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS, AUSTIN DIVISION.** <sup>1</sup>

**Clerk's Note:** Items 26.A, B, and C are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 26.A, B, and C would be considered in Executive Session.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to authorize the County Attorney to sue St. Paul Insurance Company, that's the insurance company of M.W. Builders Bonding Company, if appropriate; and the firm of Hector Gómez, mechanical engineer on the project, under the contract of Graeber, Simmons, and Cowan; and also that we appoint the County Judge as representative for signing verification and other documents necessary in the litigation; and that we also authorize the County Attorney to acquire lease space for document production at an estimated cost of \$45,000.00, or roughly \$3,750.00 monthly, which includes carpet improvement.

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

Items 26.A, B, and C to be reposted on July 25, 2000.

27. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER REGARDING CLAIM BY PHILLIP ROSENBAUM AND TAKE APPROPRIATE ACTION. (GIESELMAN) <sup>1</sup> (3:05 PM) (4:54 PM)

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

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

**Motion by** Commissioner Baxter **and seconded by** Commissioner Davis that the Court adopt the agreement between Phillip Rosenbaum and Travis County, as presented to the Court, with the following changes: that in the agreement, on number 2, on page 2, that rather than doing a concrete entry pad in the apron by the driveway to the boat house, we would do an asphalt entry pad to be constructed in that right-of-way, with the understanding that that would be the amount we would do. If the desire to put in concrete would want to be done, then we would cover the cost up to the cost of the asphalt, and Mr. Rosenbaum could cover the difference on the cost of the concrete. That is the first change to the agreement as proposed; and then secondly, the agreement in front of us, we would strike 2 (d) on page 2 that would require the County to build a retaining wall. Other than that, the agreement would be adopted by the County, with those 2 changes.

**A Restatement of the previous Motion was made by** Commissioner Baxter for this to be the Courts counteroffer to Mr. Rosenbaum and we will wait to hear officially from them.

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

28. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT OR COUNTER SETTLEMENT DEMAND REGARDING CIP PROJECT NO. 97-21, PARCEL #17; HOWARD LANE; (PRIME TIME ENTERTAINMENT, INC.) (GIESELMAN; CONDEMNATION CASE). <sup>1</sup> & <sup>2</sup> (3:05 PM) (5:08 PM)

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

Item 28 pulled from the agenda.

29. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING TRAVIS COUNTY'S INTERPRETATION OF SECTION 232 OF THE TEXAS LOCAL GOVERNMENT CODE AND THE UNIFORM CONDOMINIUM ACT, CHAPTER 82, TEXAS PROPERTY CODE ANNOTATED AND TAKE APPROPRIATE ACTION. <sup>1</sup> (3:05 PM) (5:08 PM)

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

Item 29 pulled from the agenda.

30. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR ACCEPT, REJECT OR COUNTER SETTLEMENT DEMAND AND/OR GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR AUTHORIZE COUNTY ATTORNEY TO INITIATE CONDEMNATION REGARDING PROJECT #97B06-21-3CA, STATE HIGHWAY 45 SOUTH; PARCEL NO.8; DENISE P. TOMLINSON, AND TRAVIS COUNTY, TEXAS. (CONDEMNATION CASE) <sup>1</sup> (3:05 PM) (5:08 PM)

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

Item 30 postponed until July 25, 2000.

### THE FOLLOWING ITEMS ARE ADDENDA:

- A.1 APPROVE ORDER OF ELECTION TO INCORPORATE THE VILLAGE OF POINT VENTURE, TEXAS, AS AMENDED. (11:57 AM)

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

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

**A.2 DISCUSS PLANNING ASSUMPTIONS FOR THE FY 2001 PRELIMINARY BUDGET, PROVIDE DIRECTION AND TAKE APPROPRIATE ACTION. (2:12 PM)**

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

**Motion by** Commissioner Gómez **and seconded by** Judge Biscoe to give direction for them to proceed with the Preliminary Budget.

**A Restatement of the previous Motion was made by** Judge Biscoe to direct Staff to proceed with the Preliminary Budget with the understanding that the Court will spend the next two months between now and about mid-September finalizing these preliminary numbers.

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

**A.3 DISCUSS STEPS NECESSARY TO DETERMINE FEASIBILITY OF A SOBRIETY CENTER AND TAKE APPROPRIATE ACTION. (2:56 PM)**

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, Justice and Public Safety (JPS); and Lawrence Lyman, Senior Planner, Travis County Health and Human Services (TCHHS).

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to direct Staff to implement the steps outlined here in page 4 of the backup, and make all efforts to try to report back to the Court by the end of August.

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



**ADJOURNMENT**

**Motion by Commissioner Gómez and seconded by Commissioner Davis** to adjourn the Voting Session. (5:08 PM)

<b>Motion carried:</b>	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Karen Sonleitner	absent
	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**