

MINUTES – DECEMBER 1, 1998

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 1st day of December, 1998, the Commissioners' Court convened the 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 Robert Resnick.

The Commissioners' Court recessed the Voting Session at 12:10 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC), called to order the TCHFC Voting Session at 1:39 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation (TCHFDC), the Capital Health Facilities Development Corporation (CHFDC), and the Capital Industrial Development Corporation (CIDC), called to order the TCHFDC, CHFDC and CIDC Voting Sessions at 1:41 PM and adjourned the TCHFC, TCHFDC, and CHFDC Voting Sessions at 1:41 PM.

The Commissioners' Court, meeting as the Capital Industrial Development Corporation (CIDC), adjourned the CIDC Voting Session at 1:42 PM

The Commissioners' Court reconvened the Voting Session at 1:42 PM.

The Commissioners' Court retired to Executive Session at 1:44 PM and reconvened the Voting Session at 4:15 PM.

The Commissioners' Court adjourned the Voting Session at 4:33 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, (NWTCRD), convened the NWTCRD #3 Voting Session at 4:34 PM and adjourned at 4:34 PM.

1. A. ACCEPT RESIGNATION OF BILL ALESHIRE FROM THE OFFICE OF TRAVIS COUNTY JUDGE. (9:06 AM)

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

Motion carried:

County Judge Bill Aleshire	-	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. APPOINT TRAVIS COUNTY JUDGE. (9:12 AM)

Motion by Judge Aleshire **and seconded by** Commissioner Gómez to approve Item 1.B.

Motion carried:

County Judge Bill Aleshire	-	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

C. APPROVE BOND OF TRAVIS COUNTY JUDGE. (9:13 AM)

Motion by Commissioner Davis **and seconded by** Commissioner Baxter to approve Item 1.C.

Motion carried:

County Judge Bill Aleshire	-	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

RESOLUTIONS AND HEARINGS

- 2. APPROVE PROCLAMATION RECOGNIZING THE 24TH ANNIVERSARY OF TRAVIS COUNTY SERVICES FOR THE DEAF WHILE ACKNOWLEDGING CHILD AND FAMILY SERVICES FOR ITS EXCELLENT SERVICE TO PEOPLE WHO ARE DEAF. (9:32 AM)

Members of the Court heard from: Debra Drummond, Supervisor for Interpreter Services, Travis County Services for the Deaf.

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

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

- 3. RECEIVE BRIEFING ON TRAVIS COUNTY COMBINED CHARITIES. (9:36 AM)

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

Discussion Only.

CITIZENS COMMUNICATION

Members of the Court heard from: Gus Peña, President, East Austin Concerned Hispanics; Harold Draper, Precinct 1 Resident; Florence Charity, Private Citizen; and Mary Aleshire, Democratic Precinct Chair, Precinct 462. (9:38 AM)

CONSENT ITEMS

- 4. **Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C16 (excluding Items C7, C9, C11, C12, and C15), and Items 9, 10, and 16. (9:58 AM)

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

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 SESSIONS OF JULY 23 AND NOVEMBER 17, 1998.
- C4.
 - A. ACCEPT DONATION OF \$36.51 FROM RANDALLS TO BE USED TOWARDS JAIL VOLUNTEERS.
 - B. ACCEPT DONATION OF \$250 FROM THE TRAVIS COUNTY SHERIFF'S RESERVE OFFICERS ASSOCIATION TO BE ALLOCATED TOWARD EQUIPMENT FOR OFFICERS WITH A CANINE.
- C5. APPROVAL TO TRANSFER FY 98 4TH QUARTER NET PARK REVENUES IN THE AMOUNT OF \$312,049.48 FROM THE LCRA PARKS ESCROW FUND TO TRAVIS COUNTY'S GENERAL FUND.
- C6. APPROVE AND/OR GIVE STAFF DIRECTION ON CONTRACT MODIFICATION NO. 2 TO CONTRACT NOS. 97T0107-RG, 97T0108-RG AND 97T0109-RG, DEALERS ELECTRIC, OLDEN LIGHTING AND GRAINGER ELECTRICAL AND LIGHTING PRODUCTS. MODIFICATIONS ALLOW FOR TWELVE (12) MONTH EXTENSIONS TO THESE CONTRACTS AWARDED BY THE COMMISSIONERS' COURT ON JANUARY 28, 1997.

CONSENT ITEMS CONTINUED

C7. APPROVE AND/OR GIVE STAFF DIRECTION ON CONTRACT MODIFICATION NO. 2 TO CONTRACT NOS. 97T0107-RG, 97T0108-RG AND 97T0109-RG, DEALERS ELECTRIC, OLDEN LIGHTING AND GRAINGER ELECTRICAL AND LIGHTING PRODUCTS. MODIFICATIONS ALLOW FOR TWELVE (12) MONTH EXTENSIONS TO THESE CONTRACTS AWARDED BY THE COMMISSIONERS' COURT ON JANUARY 28, 1997. (9:58 AM)

Item C7 pulled from the Agenda.

C8. APPROVE AND/OR GIVE STAFF DIRECTION TO CONTRACT MODIFICATION NO. 2 TO CONTRACT NO. 97T0092-JP WITH GRINNELL FIRE PROTECTION SYSTEMS CO., FOR FIRE ALARM SYSTEMS SERVICES. MODIFICATION ALLOWS FOR A TWELVE (12) MONTH EXTENSION TO THIS CONTRACT AWARDED BY THE COMMISSIONERS' COURT ON DECEMBER 12, 1996.

C9. APPROVE PUBLIC SERVICE RESOLUTION. (9:16 AM)

Members of the Court heard from: Suzanne Garrett, Travis County Sheriff's Office (TCSO); Shawn Malone, Executive Assistant to Judge Biscoe; Darwin McKee, former Pct. 1 Commissioner; and Bill Aleshire, former Travis County Judge.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item C9.

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

C10. APPROVAL OF ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN BRATTON PARK SECTION 1 AND SECTION 2, TWO SUBDIVISIONS IN PRECINCT 2.

C11. APPROVAL OF PLAT FOR RECORDING IN PRECINCT 3: LAKECLIFF ON LAKE TRAVIS SECTION FIVE – (SHORTFORM – NO FISCAL REQUIRED – 4 LOTS – 6.855 ACRES – CLIFF OVERLOOK – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY). (9:58 AM)

Item C11 postponed until December 8, 1998.

CONSENT ITEMS CONTINUED

C12. APPROVAL OF PLAT FOR RECORDING IN PRECINCT 2: RANCH AT CYPRESS CREEK SECTION 9 – (FISCAL POSTED WITH THE CITY OF CEDAR PARK – 90 LOTS – 19.47 ACRES – NANDINA DRIVE – WASTEWATER SERVICE TO BE PROVIDED BY WILLIAMSON/TRAVIS COUNTY WCID NO. 1B). (9:58 AM) (11:20 AM)

Item C12 pulled from Consent.

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe to approve Item C12.

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

C13. APPROVAL OF RECORDING OF A PLAT IN PRECINCT 3: MICHAEL DALE SUBDIVISION – (SHORTFORM – NO FISCAL REQUIRED – 2 LOTS – 6.811 ACRES – MICHAEL DALE – INDIVIDUAL ON-SITE SEPTIC).

C14. APPROVE LICENSE AGREEMENT FOR DISCOVERY TOYS TO USE STOKES BUILDING LOBBY ON DECEMBER 1 AND BOTH STOKES BUILDING AND COURT HOUSE LOBBIES ON DECEMBER 8, 10, 15, 17 WITH BENEFITS PROVIDED TO THE BROWN SANTA PROGRAM.

C15. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:58 AM) (4:29 PM)

Item C15 pulled from the Consent.

Members of the Court heard from: Leroy Nellis, Budget Manager, PBO; and Christian Smith, Executive Manager, PBO.

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe to approve Item C15, with the change that on Item A.2, the amount being transferred is \$15,000.00, with this Item being brought back on December 8, 1998 for any other appropriate changes or additions.

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

CONSENT ITEMS CONTINUED

C16. APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSION TO CONTINUE.

A. COOPERATIVE PARENTING PROGRAM THROUGH THE AUSTIN COMMUNITY FOUNDATION.

B. COOPERATIVE PARENTING PROGRAM THROUGH THE MEADOWS FOUNDATION.

ADMINISTRATIVE ITEMS

- 5. A. RECEIVE BRIEFING, DISCUSS AND/OR TAKE APPROPRIATE ACTIONS REGARDING THE POTENTIAL PURCHASE OF PROPERTIES LOCATED AT 812 SAN ANTONIO AND 1601 RIO GRANDE. (10:01 AM) (1:44 PM) (4:15 PM)
- B. EXEMPT FROM REQUIREMENTS OF COMPETITIVE BIDS/PROPOSALS THE PURCHASE OF A/E SERVICES FOR THE PERFORMANCE OF DUE DILIGENCE SERVICES AND A PHASE I ENVIRONMENTAL SITE ASSESSMENT STUDY.
- C. AUTHORIZE PURCHASING AGENT OR DESIGNEE TO PROCURE OR AMEND CURRENT CONTRACT FOR A/E SERVICES FOR THE PERFORMANCE OF DUE DILIGENCE SERVICES AND A PHASE I ENVIRONMENT SITE ASSESSMENT STUDY FOR THE PROPERTIES AT 812 SAN ANTONIO AND 1601 RIO GRANDE.

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

Members of the Court heard from: Belinda Poppa, Capital Planning Coordinator, Planning and Budget Office (PBO); Patricia Goodman, Assistant County Attorney; Christian Smith, Executive Manager, PBO; Cyd Grimes, Travis County Purchasing Agent; and Carol Bowman, Project Manager, Facilities Management.

Judge Biscoe announced that Items 5.A, B, and C would be discussed in Executive Session.

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe approve Item 5.B, and Item 5.C as it pertains to 1601 Rio Grande

Maker accepts the Friendly Amendment by Judge Biscoe to direct Staff to continue to negotiate with the owners of 812 San Antonio, with an eye toward trying to figure out if there is a way for the County to either lease that space until it is available for outright purchase, or any other options that may be appropriate.

Acceptance of the Friendly Amendment was made 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

Item 5 to be reposted on December 8, 1998.

6. RECEIVE UPDATE ON THE ON-SITE SEWAGE FACILITIES RULES AND GIVE STAFF DIRECTION. (10:30 AM) (1:44 PM) (4:15 PM)

Members of the Court heard from: Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans' Services; Kate Kelley, Assistant County Attorney; Dan Miller, Attorney representing sanitary systems installers; and John Hille, Assistant County Attorney.

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

Discussion Only.

Item 6 to be reposted on December 8, 1998.

Clerk's Note: The Court gave general direction to Staff to keep gathering the scientific documentation and any other clarifying information that the Commissioner's Court should receive, with an eye toward the Court, at some point, formally deciding, on an interim basis, whether to keep in place what is already in place, or whether to change that, and put in place some sort of time table for adoption of rules on a permanent basis. The Court further directed that Commissioner Baxter and Judge Biscoe be assigned to continue working on this effort.

7. DISCUSS ALTERNATIVES TO MITIGATING LOSSES TO PROPERTIES LOCATED IN FLOOD HAZARD AREAS INCLUDING THE HAZARD MITIGATION GRANT PROGRAM AND CONSIDER APPROVING SUBMISSION OF NOTICE OF INTEREST DOCUMENTS TO THE STATE DIVISION OF EMERGENCY MANAGEMENT FOR GRANT FUNDS. (10:39 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Steve Manilla, Director of Engineering and Planning, TNR; Jessica Rio, Planning and Budget Analyst, PBO; Mark Yasen, Onion Creek Property Owner; and Mercedes Garcia-Lopez, Engineering Associate II, TNR.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 7.

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. A. DISCUSS, APPROVE AWARD, OR GIVE DIRECTION REGARDING THE FOLLOWING CONTRACTS FOR THE TRAVIS COUNTY CORRECTIONAL COMPLEX PHASE 1 PROJECT: (11:20 AM)

- 1. CONTRACT #99K0700G TO FLYNN CONSTRUCTION INC. IN THE AMOUNT OF \$986,000.00 FOR THE PRE-ENGINEERED METAL BUILDING PACKAGE.
- 2. CONTRACT #99K0700P TO JGR TILE AND STONE CORP. IN THE AMOUNT OF \$191,184.00 FOR THE CERAMIC AND QUARRY TILE PACKAGE.

B. DISCUSS, APPROVE, OR GIVE DIRECTION REGARDING REALLOCATING \$1,229,596.00 FROM THE TCCC PHASE 2 PROJECT BUDGET TO THE TCCC PHASE 1 PROJECT TO PROVIDE SUPPLEMENTAL FUNDING FOR AWARD OF RELEASE 2 CONSTRUCTION CONTRACTS INCLUDED IN PROPOSED MOTION NO. 1.

C. DISCUSS, APPROVE, OR GIVE DIRECTION REGARDING INSURANCE COVERAGE OF CONSTRUCTION CONTRACTS INCLUDED IN PROPOSED MOTION NO. 1 WITH COUNTY’S ROLLING OWNER CONTROLLED INSURANCE PROGRAM.

Clerk’s Note: Items 8.A, 1, 2, B, and C are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Mike Barrow, Construction Project Manager, Fluor Daniel; and Ken Gaede, Project Manager, Facilities Management

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

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve Item 8.A.2.

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 8 CONTINUED

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve reallocation of the \$1,229,596.00 from the Phase 2 budget over to Phase 1, and to give instructions to the architects to continue to work to bring Phase 2 within the new designated \$8,000,000.00 budget.

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 Commissioner Sonleitner **and seconded by** Commissioner Gómez to give direction that the new contract Items 8.A.1 & 2 be included in the County’s ROCIP program.

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 THE GRANTING OF A NON-EXCLUSIVE WASTEWATER AND COMMUNICATION LINE EASEMENT TO THE LAKE TRAVIS INDEPENDENT SCHOOL DISTRICT. (9:58 AM)

Item 9 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court’s Motion and Vote

- 10. APPROVE SCOPE OF WORK REQUESTED BY THE CITY OF LAKEWAY, TO PROVIDE ONE-AND-A-HALF INCH HOT MIX OVERLAY ON THE REQUESTED CITY OF LAKEWAY STREETS, IN ACCORDANCE WITH THE TERMS OF THE INTERLOCAL AGREEMENT. (9:58 AM)

Item 10 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court’s Motion and Vote

11. APPROVE THE AVIATION INSURANCE POLICY TO CONTRACT NO. 98T0273-OJ, FALCON INSURANCE AGENCY, AVIATION INSURANCE COVERAGE FOR TRAVIS COUNTY AIRCRAFT. CONTRACT APPROVED BY COMMISSIONERS' COURT ON SEPTEMBER 15, 1998. (11:48 AM)

Members of the Court heard from: Dan Mansour, Risk Manager, Human Resources Management Department (HRMD); Cyd Grimes, Travis County Purchasing Agent; and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Commissioner Gómez **and seconded by** Commissioner Baxter to approve Item 11.

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. APPROVE CONTRACT AWARD FOR THE PROVISION OF A REMITTANCE PAYMENT PROCESSING SYSTEM, RFO #073, TO THE SOLE SOURCE, STATE CATALOG VENDOR, UNISYS CORPORATION, IN THE AMOUNT OF \$106,946.00. (11:49 AM) (1:42 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve Item 12.

Motion carried:

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

Clerk’s Note: Item 12 was further discussed at 1:42 PM with a request by Commissioner Gómez that the Commissioners’ Court record reflect a Corrected Vote on Item 12. Judge Biscoe instructed that, with no objection, the Minutes reflect that the Court approved by Consensus, Commissioner Gómez voting yes on the referenced Item. The Commissioners’ Court record does reflect the Corrected Vote.

Members of the Court heard from: Barbara Wilson, Assistant County Attorney; and Mary Etta Gerhardt, Assistant County Attorney.

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. A. ADOPT ORDER APPROVING PUBLICATION OF NOTICE OF INTENT TO ISSUE CERTIFICATES OF OBLIGATION. (11:50 AM) (1:44 PM) (4:21 PM)
- B. GIVE ALL OTHER AUTHORIZATIONS NECESSARY FOR ISSUING CERTIFICATES OF OBLIGATION AND VOTER-APPROVED BONDS.

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

Members of the Court heard from: Christian Smith, Executive Manager, PBO; and Karen Shafer Castro, Senior Planning and Budget Analyst, PBO.

Judge Biscoe announced that Items 13.A and B would be considered in Executive Session.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to set a high water mark including everything that is in the proposal, plus the Rio Grande property, taking out \$6,300,000 for the 812 San Antonio property from the suggested issue of \$13,100,000.00 in long-term CO's for both buildings. (Subtracting \$6.3 million from the suggested issue of \$13,100,000.00 in long-term CO's for both buildings leaves \$6.8 million, plus \$5,005,000.00 in short-term CO's, for a total of \$11,805,000 in CO's; plus \$37,810,000.00 in voter-approved bonds).

A Clarification was made of the previous Motion by Commissioner Sonleitner that the Court wishes to make it clear that it is not cutting off its options related to 812 San Antonio, but that the outright purchase of the property is not part of the Court's plans at this time. If the purchase of 812 San Antonio is to occur, other financing options would be considered.

A Clarification was made of the previous Motion by Judge Biscoe that if the deal regarding 812 San Antonio is too good to turn down, the Court will work to put \$6.3 million in CO's back in to the proposal.

A Clarification was made of the previous Motion by Commissioner Baxter that this vote sets a high water mark, allowing the Court to put in the amount for the Meridian property, but still allowing the Court to see what happens with due diligence and still come back and back that out if necessary, if the Court so chooses.

A Clarification was made of the previous Motion by Commissioner Sonleitner that the potential solutions related to 812 San Antonio do not seem to involve \$6.3 million in CO's at this time.

ITEM 13 CONTINUED

A Division of the Vote was requested by Commissioner Gómez regarding the issuance of \$5,005,000.00 in short-term CO's.

Clerk's Note: No Division of the Vote was taken, so the subsequent Vote was taken on the entire Motion.

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

14. APPOINT MEMBERS TO THE BOARDS OF DIRECTORS OF TRAVIS COUNTY HOUSING FINANCE CORPORATION, TRAVIS COUNTY HEALTH FACILITIES DEVELOPMENT CORPORATION, CAPITAL HEALTH FACILITIES DEVELOPMENT CORPORATION, AND CAPITAL INDUSTRIAL DEVELOPMENT CORPORATION. (11:55 AM)

Motion by Judge Biscoe **and seconded by** Commissioner Davis to designate the members of the Commissioners' Court to collectively make up the membership of the Board of Directors of these Corporations.

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

15. APPROVE PERSONNEL AMENDMENTS. (11:56 AM)

Members of the Court heard from: Carlotta Valdez, Compensation and Benefits Manager, HRMD; Cyd Grimes, Travis County Purchasing Agent; and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe to approve Item 15, rolling over Purchasing Slot 2 until December 8, 1998.

Motion carried:

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

Clerk’s Note: Item 15 was further discussed at 1:42 PM with a request by Commissioner Gómez that the Commissioners’ Court record reflect a Corrected Vote on Item 15. Judge Biscoe instructed that, with no objection, the Minutes reflect that the Court approved by Consensus, Commissioner Gómez voting yes on the referenced Item. The Commissioners’ Court record does reflect the Corrected Vote.

Members of the Court heard from: Barbara Wilson, Assistant County Attorney; and Mary Etta Gerhardt, Assistant County Attorney.

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. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:58 AM)

Item 16 added to Consent Items. Please refer to Agenda Item 4 (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

- 17. DISCUSS LEGAL ISSUES ASSOCIATED WITH NEGOTIATIONS RELATED TO DEVELOPMENT OF AGREEMENT WITH TEXAS AGRICULTURAL EXTENSION SERVICE AND PROVIDE DIRECTION IN NEGOTIATION OF AGREEMENT. ¹
(1:44 PM) (4:27 PM)

Judge Biscoe announced that Item 17 would be considered in Executive Session.

Item 17 postponed until December 8, 1998.

- 18. APPROVE QUANTUM MERUIT CLAIM FOR \$24,247.28 FOR ADVERTISING CHARGES TO THE AUSTIN AMERICAN-STATESMAN. ¹ (1:44 PM) (4:28 PM)

Judge Biscoe announced that Item 18 would be considered in Executive Session.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to generally direct Staff to check with the Austin American-Statesman to see if, in the past, the tax rate ads the County placed were at the retail rate, and that this information be brought to the Court next week.

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

- 19. 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. 13, 14, & 15; (RIDGE INVESTORS; GIESELMAN; CONDEMNATION). ¹ (1:44 PM) (4:28 PM)

Judge Biscoe announced that Item 19 would be considered in Executive Session.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to reject the counter offer, and to direct Staff to continue negotiation.

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 19 to be reposted on December 15, 1998.

- 20. RECEIVE BRIEFING FROM COUNTY ATTORNEY, AND/OR ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER IN THE MATTER OF RAYMONND LEE ARRINGTON V. TRAVIS COUNTY FILE NO. 186.1 (ARRINGTON; MERCER; GRIEVANCT). ¹ (1:44 PM)

Item 20 postponed until December 8, 1998.

- 21. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING POSSIBLE LITIGATION INVOLVING DANIEL AND AMELIA GRIZAS AND VARIOUS CONTRACTORS, INSTALLERS, ENGINEERS AND SANITARIANS REGARDING THE APPLICATION OF THE COUNTY’S ON-SITE SEWAGE FACILITY RULES, AND TAKE APPROPRIATE ACTION. ¹ (1:44 PM) (4:29 PM)

Judge Biscoe announced that Item 21 would be considered in Executive Session.

Discussion Only.

22. RECEIVE BRIEFING AND/OR AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN LORENZO LEWIS V. LAURA DAVENPORT, ET AL. (FRASIER; 1983; EXCESSIVE FORCE).¹ (1:44 PM) (4:29 PM)

Judge Biscoe announced that Item 22 would be considered in Executive Session.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to reject the offer in the case.

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. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND ACCEPT, REJECT, OR COUNTER SETTLEMENT PROPOSAL IN STATE OF TEXAS V. THE LUNDELL 1991 TRUST, CIP PROJECT 1-003C, PARMER LANE EAST; (LUNDELL; GIESELMAN; CONDEMNATION).¹ (1:44 PM) (4:29 PM)

Judge Biscoe announced that Item 23 would be considered in Executive Session.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to agree in principle to the amount of the landowner's demand, contingent upon presenting the Court, next week, with acceptable terms in the proposed settlement agreement and final judgment regarding the landowner's issues relating to a potential driveway.

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

ADJOURNMENT

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to adjourn the Voting Session. (4:33 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