

## **MINUTES – DECEMBER 15, 1998**

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

On Tuesday, the 15<sup>th</sup> day of December, 1998, the Commissioners' Court convened the Voting Session at 9:07 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 Robert Resnick.

The Commissioners' Court recessed the Voting Session at 12:00 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC), 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 Corporations Voting Session at 1:37 PM and adjourned the Corporations Voting Session at 1:40 PM.

The Commissioners' Court reconvened the Voting Session at 1:40 PM.

The Commissioners' Court retired to Executive Session at 2:53 PM and reconvened the Voting Session at 4:31PM.

The Commissioners' Court adjourned the Voting Session at 4:38 PM.

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

**RESOLUTIONS AND HEARINGS**

1. APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A FIVE FOOT PUBLIC UTILITY EASEMENT ON LOT 11 AND A FIVE FOOT UTILITY EASEMENT ON LOT 12, BLOCK 5, AUSTIN LAKE ESTATES SECTION ONE, A SUBDIVISION IN PRECINCT 3. (9:07 AM)

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

**Motion carried:** County Judge Samuel T. Biscoe - yes  
 Precinct 1, Commissioner Ron Davis - yes  
 Precinct 2, Commissioner Karen Sonleitner - absent  
 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).

**Motion by** Commissioner Baxter **and seconded by** Commissioner Gómez that the Public Hearing be closed.

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

**Clerk’s Note:** The action Item for Item 1 is Consent Item C9. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

2. APPROVE RESOLUTION HONORING "VETERANOS TEJANOS" ON THEIR CHRISTMAS BENEFIT DANCE TO BE HELD DECEMBER 19, 1998. (9:08 AM)

**Members of the Court heard from:** Tony Moreno, Vietnam Veteranos Tejanos; and Gus Peña, President, East Austin Concerned Hispanics.

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

**Motion carried:** 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

**CITIZENS COMMUNICATION**

**Members of the Court heard from:** Phil Arnold, Precinct 1 Resident; and Shonda Wiggington, President, Freedom Lovers International. (9:12 AM)

**CONSENT ITEMS**

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; Joe Gieselman, Executive Manager, TNR; and Dinah Dinwiddie, Executive Manager, Justice and Public Safety (JPS).

- 3. **Motion by** Commissioner Gómez **and seconded by** Commissioner Baxter to approve the following Consent Items: C1-C18 (excluding Item C9), A-2 – A-8, 10, 11, 14, 17, 27.A & C, and 29. (9:18 AM)

**Motion carried:**

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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION FACILITIES.
- C3. APPROVE CORRECTED PAGE 5 OF COMMISSIONERS COURT FOR VOTING SESSION OF THE VOTING SESSION OF NOVEMBER 17, 1998 TO CORRECT TYPOGRAPHICAL ERROR.
- C4. APPROVE STATE TERM CONTRACT PURCHASE OF MICROFILM READER PRINTERS FOR DISTRICT CLERK OFFICE IN THE AMOUNT OF \$50,178.75.
- C5. APPROVE CONTRACT AWARD FOR THE PROVISION OF ASSORTED CONSTRUCTION SANDS, IFB# B990013-JP, TO THE LOW QUALIFIED BIDDERS, TEXAS INDUSTRIES, INC., AND CAPITOL AGGREGATES LTD., IN THE ESTIMATED AMOUNT OF \$27,500.00.

**CONSENT ITEMS CONTINUED**

- C6.** APPROVE CONTRACT AWARD FOR THE PROVISION OF AUTOMOTIVE STORAGE BATTERIES, IFB #B990016-LD, TO THE LOW QUALIFIED BIDDER, ADVANCE BATTERY OF AUSTIN, TX.
  
- C7.** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 98T0082-OJ, ENVIRONMENTAL SURVEY CONSULTING, NATIVE SEED HARVESTING. CONTRACT APPROVED BY COMMISSIONERS COURT ON FEBRUARY 17, 1998. MODIFICATION ALLOWS FOR A TWELVE (12) MONTH EXTENSION.
  
- C8.** APPROVE ORDER EXEMPTING A CONTRACT FOR THE PURCHASE OF PROFESSIONAL DIETICIAN SERVICES FOR THE TRAVIS COUNTY INMATE TREATMENT SERVICES PROGRAM FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SEC. 262.024(a)(4) OF THE COUNTY PURCHASING ACT.
  
- C9.** APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A FIVE FOOT PUBLIC UTILITY EASEMENT ON LOT 11 AND A FIVE FOOT UTILITY EASEMENT ON LOT 12, BLOCK 5, AUSTIN LAKE ESTATES SECTION ONE, A SUBDIVISION IN PRECINCT 3. (9:18 AM) (2:20 PM)

Item C9 pulled from Consent.

**Clerk's Note:** Consent Item C9 is the action Item for Item 1.

**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	-	absent
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

- C11.** APPROVE/ACCEPT FILING OF ELECTED OFFICIALS' BONDS.
  
- C12.** 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).
  
- C13.** APPROVE WCC RECOMMENDATION OF CAROL FUNDERBURG FOR THE POSITION OF COMMUNITY OUTREACH/VICTIM SERVICES SPECIALIST.

## CONSENT ITEMS CONTINUED

- C14. REVIEW AND APPROVE CORRECTION FOR TUITION REFUNDS APPROVED NOVEMBER 3, 1998.
- C15. APPOINT CAROLYN LEWIS TO COMMISSIONER OF EMERGENCY SERVICES DISTRICT # 4. TERM ENDING DECEMBER 31, 2000.
- C16. APPOINT FRED HERBER TO COMMISSIONER OF EMERGENCY SERVICES DISTRICT # 7 (JONESTOWN).
- C17. APPOINT ROBERT H. "BOB" DIXON TO SERVE AS COMMISSIONER ON THE EMERGENCY SERVICES DISTRICT #7 BOARD (JONESTOWN). TERM EFFECTIVE UNTIL DECEMBER 31, 2000.
- C18. RENEW CONTRACT WITH NORTH AMERICA'S SUPERHIGHWAY COALITION AND TAKE APPROPRIATE ACTION.

## ADMINISTRATIVE ITEMS

- 4. RECEIVE AND DISCUSS THE FIRST ANNUAL REPORT ON THE TRAVIS COUNTY COMMUNITY JUSTICE CENTER AND TAKE APPROPRIATE ACTION. (9:29 AM)

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, JPS; Kati Broderick, Manager, JPS; Warden J.D. Williams, Community Justice Center (CJC); and Van Jobe, Senior Planner, JPS.

**Clerk's Note:** The Court directed Staff to provide an Executive Summary of the Annual Report to anyone who had attended public meetings on this matter, in 30 days, but that it be a 2-3 page, simplified version of the Report, and that it be made available upon request for those who want to see it. The Executive Summary should be available on the County's Internet Home Page, if possible. The Court needs to look at this issue again, with a list of recommendations at a work session the second Thursday of January.

Discussion Only.

- 5. DISCUSS OPTIONS FOR TERMINATING OR MODIFYING EXISTING INTERLOCAL FOR BOOKING AND DETENTION SERVICES IN ANTICIPATION OF MOVING TO NEW BOOKING FACILITY AND TAKE APPROPRIATE ACTION. (1:40 PM)

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, JPS; The Honorable Mike Lynch, Judge, 167<sup>th</sup> District; and Margo Frasier, Travis County Sheriff.

Discussion Only.

- 6. A. APPROVE FIRST AMENDMENT TO PARMER LANE EAST/FM 734 INTERLOCAL COOPERATION AGREEMENT WITH CITY OF AUSTIN TO ALLOW TRAVIS COUNTY TO ADJUST UTILITY IMPROVEMENTS WITHIN CITY OF AUSTIN PROPERTY. (10:33 AM)

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

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 6.A.

**Motion carried:**

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 AWARD FOR THE PROVISION OF CONSTRUCTION SERVICES FOR THE PARMER LANE WATER TRANSMISSION LINE IMPROVEMENT PROJECT, IFB #B980729-JJ, TO THE LOW, QUALIFIED BIDDER, KEY ENTERPRISES, INC., IN THE ESTIMATED AMOUNT OF \$294,980.50. (10:42 AM)

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 6.B.

**Motion carried:**

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 AN INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF AUSTIN TO FUND AND ADMINISTER SOCIAL SERVICES CONTRACTS FOR THE PERIOD JANUARY 1, 1999 THROUGH DECEMBER 31, 1999. (10:43 AM)

**Members of the Court heard from:** Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department (HHSD) and Veterans' Services; and Diane Harrison, Manager, Austin-Travis County HHSD Contract Management Unit.

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

**Motion carried:**

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

8. RECEIVE UPDATE ON THE STATUS OF THE CLOSED U.S. 290 EAST LANDFILL, AND GIVE APPROVAL TO BEGIN THE PERMIT APPLICATION PROCESS TO UTILIZE THE CITY OF AUSTIN WASTEWATER TREATMENT SYSTEM FOR PERMANENT DISPOSAL OF EXCESS LEACHATE FROM THE LANDFILL. (10:48 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; John Cool, Environmental Officer, TNR; and Dave Fowler, Environmental Project Manager, TNR.

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

**Motion carried:**

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. ADOPT INTERLOCAL AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION TO CONSTRUCT WILLIAM CANNON BOULEVARD FROM RUNNING WATER DRIVE TO MCKINNEY FALLS PARKWAY. (11:01 AM)

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

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the interlocal agreement, and the \$1.369 million letter of credit, plus the interest, plus the \$400,000.00 in STP4C funds.

**Motion carried:**

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



- 10. APPROVE CONTRACT AWARD FOR ON-SITE COMMISSIONED SECURITY GUARD SERVICES, IFB B990020-DM, TO THE LOW QUALIFIED BIDDER, AMERITEX GUARD SERVICES, IN THE TOTAL AMOUNT OF \$56,295.84. (9:18 AM) (11:10 AM) (2:49 PM) (4:31 PM)

Item 10 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

**Motion by Judge Biscoe and seconded by Commissioner Baxter** to reconsider Item 10.

**Motion carried:**

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

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; Booker Lakes, Owner, Comprehensive Investigations and Security, Inc.; and John Hille, Assistant County Attorney.

Judge Biscoe announced that Item 10 would be considered in Executive Session.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve Item 10.

**Motion carried:**

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

- 11. APPROVE AWARD FOR THE PROVISION OF TRANSPORT OF CADAVERS, IFB 990004-RG, TO THE LOW QUALIFIED BIDDER, ALL FAITH'S FUNERAL SERVICE IN THE (ESTIMATED) AMOUNT OF \$54,000.00. (9:18 AM)

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

**Clerk's Note:** The Agenda does not contain an Item 12.

- 13. APPROVE CONTRACT AWARD FOR THE PURCHASE AND INSTALLATION OF MEDICAL EXAMINERS INFORMATION SYSTEMS SOFTWARE, RFP #P980024-JP, TO THE BEST QUALIFIED FIRM, PACIFIC WESTERN INFORMATION SYSTEMS. (9:21 AM) (9:28 AM)

Item 13 postponed until December 22, 1998.

- 14. DISCUSS AND AWARD PROPERTY AND BOILER MACHINERY INSURANCE POLICY, TO PROVIDE REPLACEMENT COST COVERAGE PROTECTING COUNTY BUILDINGS, CONTENTS, EQUIPMENT, TO INCLUDE BUSINESS INCOME COVERAGE, TO ARTHUR J. GALLAGHER & CO. WITH A POLICY UNDERWRITTEN BY RELIANCE INSURANCE COMPANY WITH SELECTION OF \$50,000 RETENTION OPTION. (9:18 AM)

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

- 15. APPROVE PURCHASE THROUGH DEPARTMENT OF INFORMATION RESOURCES (D.I.R) OF COMPUTER HARDWARE AND OPERATING SYSTEMS UPGRADE SERVICES FROM INACOM INFORMATION THE (ESTIMATED) AMOUNT OF \$1,453,240. (11:23 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; Jackie Goodfellow, Manager of Customer Support Services, Information and Telecommunications Systems (ITS); Pat Hogan, Department of Information Resources; Brad Powell, Interim Director, ITS; and Scott Blankenship, Inacom.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Baxter to approve Item 15.

**Motion carried:**

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

- 16. APPROVE STATE CATALOG PURCHASE OF MAINTENANCE FOR NETWORKING ROUTER AND HUB HARDWARE FOR VARIOUS LOCATIONS THROUGHOUT TRAVIS COUNTY FOR INFORMATION AND TELECOMMUNICATIONS SYSTEMS IN AMOUNT OF \$113,744 FROM ANIXTER, INC. (11:50 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; Brad Powell, Interim Director, ITS

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve Item 16.

**Motion carried:**

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. APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 98T0050-OJ. HAMMERMAN & GAINER (TPA) AND FORTE MANAGED CARE, INC., (MEDICAL AUDITOR), THIRD PARTY ADMINISTRATION SERVICES AND MEDICAL AUDIT SERVICES. (9:18 AM)

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

- 18. DISCUSS, APPROVE, OR GIVE DIRECTION REGARDING CONTRACT MODIFICATION NO. 2 TO RGM CONSTRUCTORS, L.P. (SITE UTILITIES PACKAGE FOR THE TRAVIS COUNTY CORRECTIONAL COMPLEX PHASE 1 PROJECT, CONTRACT #98K0708B) FOR AN INCREASE TO THE CONTRACT AMOUNT OF \$58,145.14. (11:58 AM)

**Members of the Court heard from:** Kevin Bailey, Director, Facilities Management.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve Item 18.

**Motion carried:**

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

- 19.** PROVIDE DIRECTION ON PROCUREMENT STRATEGIES FOR NEW AMBULANCE VEHICLES TO ENHANCE GROUND EMERGENCY MEDICAL SERVICES IN TRAVIS COUNTY. (9:27 AM)

Item 19 postponed until December 22, 1998.

- 20.** DISCUSS EMS TRANSITION TEAM WORKPLAN AND TAKE APPROPRIATE ACTION. (9:27 AM)

Item 20 postponed until December 22, 1998.

21. A. RECEIVE BRIEFING, DISCUSS AND/OR TAKE APPROPRIATE ACTIONS REGARDING THE POTENTIAL PURCHASE OF PROPERTIES LOCATED AT 812 SAN ANTONIO AND 1601 RIO GRANDE. (2:15 PM) (2:49 PM) (4:32 PM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; and Patricia Goodman, Assistant County Attorney.

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

No Action required on Item 21.A.

- B. EXEMPT FROM REQUIREMENTS OF COMPETITIVE BIDS/PROPOSALS THE PURCHASE OF A/E SERVICES FOR THE PERFORMANCE OF DUE DILIGENCE SERVICES AND PHASE 1 ENVIRONMENTAL SITE ASSESSMENT STUDY. (9:28 AM) (2:15 PM) (2:49 PM) (4:32 PM)

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

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

No Action required on Item 21.B.

- 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 1 ENVIRONMENT SITE ASSESSMENT STUDY FOR THE PROPERTIES AT 812 SAN ANTONIO AND 1601 RIO GRANDE. (9:28 AM) (2:15 PM) (2:49 PM) (4:32 PM)

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

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

No Action required on Item 21.C.

22. A. ADOPT ORDER APPROVING PUBLICATION OF NOTICE OF INTENT TO ISSUE CERTIFICATES OF OBLIGATION. (9:28 AM)

- B GIVE ALL OTHER AUTHORIZATIONS NECESSARY FOR ISSUING CERTIFICATES OF OBLIGATION AND VOTER APPROVED BONDS.

Item 22 postponed until December 22, 1998.

23. APPOINT COMMISSIONERS COURT MEMBERS TO BOARDS, COMMITTEES AND SUBCOMMITTEES. (2:16 PM)

Item 23 postponed until December 22, 1998.

24. A. APPROVAL OF PLAT FOR RECORDING IN PRECINCT THREE:  
CANTERBURY TRAILS SECTION V - (LONGFORM - FISCAL POSTED WITH THE CITY OF AUSTIN - 83 LOTS - 16.693 ACRES - PARDONERS' TALE LANE - SEWAGE SERVICE PROVIDED BY CITY OF AUSTIN. (9:23 AM) (9:26 AM)
- B. APPROVE THE CONSTRUCTION AGREEMENT FOR CANTERBURY TRAILS SECTION V, A SUBDIVISION IN PRECINCT THREE.
- C. APPROVE AMENDMENT TO THE PHASING AGREEMENT WITH CONTINENTAL HOMES OF TEXAS, L.P., ESTABLISHING RESPONSIBILITIES RELATED TO THE CONSTRUCTION OF THE STREETS IN CANTERBURY TRAILS SECTION FIVE.

Items 24.A, B, & C postponed until December 22, 1998.

25. APPROVE AGREEMENT TO BRING THE EXISTING STRUCTURE LOCATED AT 16108 AVENUE DU CHATEAU D'OR IN PRECINCT 3 INTO COMPLIANCE WITH THE TRAVIS COUNTY REGULATIONS FOR FLOOD PLAIN MANAGEMENT AND GUIDELINES AND PROCEDURES FOR DEVELOPMENT PERMITS. (2:18 PM) (2:49 PM) (4:32 PM)

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

Judge Biscoe announced that Item 25 would be considered in Executive Session.

Item 25 to be reposted on December 22, 1998.

**26. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (2:20 PM)**

**Members of the Court heard from:** Leroy Nellis, Budget Manager, PBO; and Joe Gieselman, Executive Manager, TNR.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Baxter to approve Item 26.

**Motion carried:**

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

**27. APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSION TO CONTINUE:**

**A. JUVENILE OFFENDER SUBSTANCE ABUSE TREATMENT SERVICES (JOSATS) CONTRACT. (9:18 AM)**

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

**B. SOLID WASTE/ILLEGAL DUMPING GRANT CONTRACT. (2:22 PM)**

**Members of the Court heard from:** Michael Hemby, Travis County Sheriff’s Office Research and Planning Office.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Baxter to approve Item 27.B.

**Motion carried:**

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

**C. SOURCE REDUCTION AND RECYCLING CONTRACT. (9:18 AM)**

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

28. APPROVE PERSONNEL AMENDMENTS. (2:29 PM)

**Clerk’s Note:** Items 28 and A-1 are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Linda Moore Smith, Director, Human Resources Management Department (HRMD); Cyd Grimes, Travis County Purchasing Agent; Carlotta Valdez, Compensation and Benefits Manager, HRMD; and Norman McRee, Lead Personnel Analyst, HRMD.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve Staff recommendations on Item 28.

<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

29. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:18 AM)

Item 29 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

**EXECUTIVE SESSION ITEMS**

- Note 1 -Gov't Code Ann 551.071, Consultation with Attorney
- Note 2 -Gov't Code Ann 551.072, Real Property
- Note 3 - Gov't Code Ann 551.074, Personnel Matters

30. 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). <sup>1</sup> (9:27 AM)

Item 30 pulled from the Agenda.



31. RECEIVE BRIEFING AND/OR ADVICE FROM COUNTY ATTORNEY AND/OR GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR APPOINT REPRESENTATIVE FOR MEDIATION IN WALT BIRCHFIELD ET AL VS. TRAVIS COUNTY, TEXAS; (BIRCHFIELD; GIESELMAN; LITIGATION; VACATION OF GINGER STREET).<sup>1</sup> (2:49 PM) (4:33 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to appoint Judge Samuel T. Biscoe as the mediator in the Walt Birchfield vs. Travis County case in the event that mediation is needed in the future.

**Motion carried:**

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

32. DISCUSS LEGAL ISSUES ASSOCIATED WITH NEGOTIATIONS RELATED TO DEVELOPMENT OF AGREEMENT WITH TEXAS AGRICULTURAL EXTENSION SERVICE AND PROVIDE DIRECTION IN NEGOTIATION OF AGREEMENT.<sup>1</sup> (2:49 PM)

Item 32 postponed until further notice.

33. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING POSSIBLE LITIGATION INVOLVING DANIEL AND AMELIA GRIVAS AND VARIOUS CONTRACTORS, INSTALLERS, ENGINEERS AND SANITARIANS REGARDING THE APPLICATION OF THE COUNTY'S ON-SITE SEWAGE FACILITY RULES, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (2:50 PM) (4:34 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Baxter** that, in exchange for the agreement of the Plaintiffs in Grivas v. Travis County they will not seek an injunction. Travis County agrees as follows:

Beginning immediately, Travis County will enforce its rules for private sewage facilities adopted in 1983 and amended in 1984, but, upon request, will grant variances in conformance with the rules of the State of Texas represented in 30 Texas Administrative Code (TAC) Chapter 285.

Travis County will seek to obtain the agreement of the Plaintiffs to a new set of proposed rules. If and when that agreement is obtained, Travis County will enforce its rules for private sewage facilities adopted in 1983 and amended in 1984, but, upon request, will grant variances in conformance with the new set of proposed rules to which the Plaintiffs have agreed.

At any time, Travis County may adopt and submit to the Texas Natural Resources Conservation Commission for their approval a set of proposed rules to which the Plaintiffs do not agree, but Travis County will not enforce any such rules until they are approved by the Texas Natural Resources Conservation Commission.

As long as Travis County abides by this agreement, the Plaintiffs will not seek to enjoin the enforcement of on-site sewage facilities rules by Travis County.

If and when a new set of on-site sewage facilities rules are adopted by Travis County and approved by the Texas Natural Resources Conservation Commission, the Plaintiffs will dismiss Grivas v. Travis County.

**Motion carried:**

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

**THE FOLLOWING ITEMS ARE ADDENDA:**

**A-1.** APPROVE GUIDELINES FOR REQUEST TO EXCEPTIONS ABOVE MIDPOINT TO THE PAY DETERMINATION POLICY (10.087). (2:29 PM)

**Clerk’s Note:** Items A-1 and 28 are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Linda Moore Smith, Director, HRMD; and Barbara Wilson, Assistant County Attorney.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** 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.** APPOINT JOHN BOYDSTON TO SERVE AS COMMISSIONER ON THE EMERGENCY SERVICES DISTRICT #1 BOARD (LAGO VISTA). TERM EFFECTIVE UNTIL DECEMBER 31, 2000. (9:18 AM)

Item A-2 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

**A-3.** REAPPOINT VANITA THOMAS TO SERVE AS COMMISSIONER ON THE EMERGENCY SERVICES DISTRICT #1 BOARD (LAGO VISTA). TERM EFFECTIVE UNTIL DECEMBER 31, 2000. (9:18 AM)

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

**A-4.** APPOINT GEORGE MENTZER II TO SERVE AS COMMISSIONER ON THE EMERGENCY SERVICES DISTRICT #2 BOARD (PFLUGERVILLE). TERM EFFECTIVE UNTIL DECEMBER 31, 2000. (9:18 AM)

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

- A-5.** APPOINT JOY GROSS TO SERVE AS COMMISSIONER ON THE EMERGENCY SERVICES DISTRICT #1 BOARD (LAGO VISTA). TERM EFFECTIVE UNTIL DECEMBER 31, 2000. (9:18 AM)

Item A-5 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- A-6.** APPOINT JOHN GRASSHOFF TO SERVE AS COMMISSIONER ON THE EMERGENCY SERVICES DISTRICT #2 BOARD (PFLUGERVILLE). TERM EFFECTIVE UNTIL DECEMBER 31, 2000. (9:18 AM)

Item A-6 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- A-7.** APPOINT TERRY STRUBLE TO SERVE AS COMMISSIONER ON THE EMERGENCY SERVICES DISTRICT #2 BOARD (PFLUGERVILLE). TERM EFFECTIVE UNTIL DECEMBER 31, 2000. (9:18 AM)

Item A-7 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- A-8.** APPOINT RAY JOHNSON TO COMMISSIONER OF TRAVIS COUNTY RURAL FIRE PREVENTION DISTRICT #11 (VOLENTE). EFFECTIVE IMMEDIATELY UNTIL DECEMBER 31, 2000. (9:18 AM)

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

**A-9.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT, OR COUNTER SETTLEMENT DEMAND ON CIP PROJECT 2-019, PARCEL #6, 6E, JOHN PAUL OTTO WUTHRICH, JR., ET AL, AND TRAVIS COUNTY TEXAS; (WUTHRICH; GIESELMAN; CONDEMNATION). (2:52 PM) (4:37 PM)

Judge Biscoe announced that Item A-9 would be considered in Executive Session.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to accept the counter to the counter offer in the total amount of \$160,000.00.

<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-10.** CONSIDER THE PROPOSED WAIVER OF SECTION 32.004 OF THE TRAVIS COUNTY ETHICS POLICY REGARDING THE PROPOSED CONTRACTS/INTERLOCAL AMENDMENTS AND NEW INTERLOCAL BETWEEN TRAVIS COUNTY AND THE TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER FOR MENTAL RETARDATION, SUBSTANCE ABUSE, DAY LABOR, RESOURCE CENTER FOR THE HOMELESS, C.A.N. COORDINATOR, AND C.A.R.E. UNIT SERVICES; TAKE ACTION AS NECESSARY. (2:46 PM)

Discussion only.

Item A-10 to be reposted on December 22, 1998.

**A-11.** CONSIDER THE PROPOSED WAIVER OF SECTION 32.004 OF THE TRAVIS COUNTY ETHICS POLICY REGARDING THE PROPOSED CONTRACT AMENDMENT BETWEEN TRAVIS COUNTY AND COMMUNITY SCHOOLS - CENTRAL TEXAS, INC. FOR SERVICES FOR YOUTH; TAKE ACTION AS NECESSARY. (2:47 PM)

**Members of the Court heard from:** Stephen Williams, Executive Manager, Austin-Travis County HHSD and Veterans' Services.

Discussion only.

Item A-11 to be reposted on December 22, 1998.

**A-12.** APPROVE REQUEST FOR VARIANCE BY DANIEL AND AMELIA GRIVAS TO RULES OF TRAVIS COUNTY, TEXAS FOR PRIVATE SEWAGE FACILITIES AND/OR TAKE APPROPRIATE ACTION (GRIVAS, BISCOE, CLASS ACTION) REQUESTED BY COUNTY ATTORNEY. EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T. CODE ANN. SECTION 551.071 (1) (A). (2:48 PM) (4:37 PM)

Judge Biscoe announced that Item A-12 would be considered in Executive Session.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item A-12.

**Motion carried:**

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. (4: 38 PM)

**Motion carried:** 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**

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**Date of Approval**

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