

## **MINUTES – MARCH 16, 1999**

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

On Tuesday, the 16<sup>th</sup> day of March, 1999, the Commissioners' Court convened the regular Voting Session at 9:09 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 Nuñez.

The Commissioners' Court recessed the Voting Session at 12:08 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 1:33 PM and adjourned at 1:34 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 Voting Session at 1:34 PM.

The Capital Health Facilities Development Corporation (CHFDC) and the Capital Industrial Development Corporation (CIDC) Voting Sessions were adjourned at 1:35 PM.

The Travis County Health Facilities Development Corporation (TCHFDC) Voting Session was adjourned at 1:36 PM.

The Travis County Housing Finance Corporation (TCHFC) Voting Session was adjourned at 1:39 PM.

The Commissioners' Court reconvened the Voting Session at 1:39 PM.

The Commissioners' Court retired to Executive Session at 3:18 PM.

The Commissioners' Court reconvened the Voting Session at 5:52 PM.

The Commissioners' Court adjourned the Voting Session at 5:58 PM.

## PUBLIC HEARINGS

1. PUBLIC HEARING ON RECOMMENDATIONS FROM PUBLIC FOR NAMING OF CRIMINAL JUSTICE CENTER, PURSUANT TO TRAVIS COUNTY POLICY 1.020 AND TAKE APPROPRIATE ACTION. (9:09 AM)

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

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

**Members of the Court heard from:** Steven Broberg, Director, Records Management and Communication Resources (RCMR); Tommy Blackwell, Director of Information Services, Travis County Sheriff's Office (TCSO); Jim Coronado, Judge, Magistrate Court; and Beverly Reeves, President, Travis County Bar Association.

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

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to direct the entire file on naming the Criminal Justice Center to the Travis County Historical Commission along with a copy of Travis County's Policy, and request that they move expeditiously and let the Court know their response in 4 to 6 weeks.

**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

**RESOLUTIONS & PROCLAMATIONS**

- 2. APPROVE PROCLAMATION FOR TOKYO ELECTRON EMPLOYEES RYOUICHI "RICHE" ITO, HIRONORI "ALEX" KOBAYASHI, MASAMI "SAM" KUROKI, AND KAORU "KAREEM" MATSUSHITA FOR THEIR CONTRIBUTION TO THE START-UP/MAKING TEX A SUCCESS PROGRAM; ALSO HONORING THEM AS TRAVIS COUNTY CITIZENS. (9:17 AM) (9:52 AM)

Item 2 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 3. APPROVE PROCLAMATION TO CREATE A TRAVIS COUNTY CENSUS 2000 COMPLETE COUNT COMMITTEE IN SUPPORT OF THE UPCOMING CENSUS, AND TAKE APPROPRIATE ACTION. (9:17 AM)

**Members of the Court heard from:** Leslie Lawson, Bureau of the Census.

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

**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

**CITIZENS COMMUNICATION**

**Members of the Court heard from:** Greg Ericson, Free Press International; John Foreman, Producer, "In Your Face Campaign"; Robert Kurtz, Private Citizen; Harvey Siegal, Timber Creek Resident; Eric A. Anderson, Private Citizen; and Charlie Waits, Private Citizen. (9:23 AM)

## CONSENT ITEMS

**Members of the Court heard from:** Frank Holder, Assistant Purchasing Agent; Eric A. Anderson, Private Citizen; and Harvey Siegal, Timber Creek Resident.

- 4. Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C5, and Items 2, 8.A and B, 13, 19, 20, 25, 26, 27, 28, 29, 30, 31, 33, and 35. (9:52 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 MARCH 2, 1999.
- C4.** APPROVE BONDS FOR RESERVE DEPUTIES FOR OFFICE OF CONSTABLE PRECINCT FOUR FOR THE FOLLOWING: (A) BILL SCHWETTMANN, (B) ROCKNEY BEE RABY.
- C5.** REAPPOINT CAROLYN L. JONES TO SERVE ON THE TRAVIS COUNTY HISTORICAL COMMISSION AS A PRECINCT ONE APPOINTEE, TERM EFFECTIVE UNTIL JANUARY 2001.

**ADMINISTRATIVE ITEMS**

- 5. SELECT CAPITAL IDEA'S RESPONSE TO RFS# S990030TS AND DIRECT STAFF TO PREPARE FINAL CONTRACT FOR COURT APPROVAL.  
(9:57 AM)

**Members of the Court heard from:** Frank Holder, Assistant Purchasing Agent; Lawrence Lyman, Grant Coordinator, Austin-Travis County Health and Human Services Department (A-TC HHSD); Tommy Sweat, Contract Manager, Purchasing; and Diane Harrison, Manager, Contract Management Unit, A-TC HHSD.

**Motion by Judge Biscoe and seconded by** Commissioner Gómez to select Capital Idea's response to the RFS; to direct Staff to prepare a final contract for Court approval; to clarify any and all issues that need to be clarified, get all questions answered that need to be asked, and bring it back when it is timely.

**Clerk's Note:** The Court gave Staff direction to bring a contract back to the Court in 2 weeks.

<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. DISCUSS ON SITE SEWAGE FACILITIES RULES FOR SUBMISSION TO TNRCC AND TAKE APPROPRIATE ACTION. (10:05 AM) (3:05 PM) (3:15 PM)

**Members of the Court heard from:** Bob Tuner, Manager, On-Site Wastewater Program, Transportation and Natural Resources (TNR); and Jim Fulton, Private Sewage Facilities Associate Engineer, A-TC HHSD.

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

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

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

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

**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

- 7. CONSIDER REQUEST FROM AUSTIN MINORITY BUSINESS OPPORTUNITY COMMITTEE FOR ASSISTANCE WITH LOCAL MATCH TO SECURE FEDERAL GRANT OF 250,000 (FEDERAL 175,000; LOCAL 75,000) TO DEVELOP AND ASSIST MINORITY AND SMALL TRAVIS COUNTY BUSINESSES. (10:25 AM)

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

**Motion by Judge Biscoe 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	-	yes
Precinct 3, Commissioner Todd Baxter	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

8. APPROVE TERMINATION OF CONTRACTS WITH THE FOLLOWING:  
(9:52 AM)

A. AUSTIN-TRAVIS COUNTY MENTAL HEALTH AND MENTAL  
RETARDATION ROVING LEADER PROGRAM (BY MUTUAL  
AGREEMENT).

B. DISMAS CHARITIES SUPPORTIVE HOUSING PROGRAM (WENT OUT  
OF BUSINESS).

Items 8.A and B added to Consent Items. Please refer to Agenda Item 4 (CONSENT  
ITEMS) for the Court's Motion and Vote.

9. APPROVE GRANT APPLICATION TO TEXAS DEPARTMENT OF PUBIC  
SAFETY FOR FLOOD PLAIN ACQUISITION & MITIGATION  
[TRANSPORTATION & NATURAL RESOURCES (TNR) DEPARTMENT].  
(10:32 AM)

**Clerk's Note:** Item 9 and 10 are associated with one another and were called for  
concurrent discussion.

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Alan  
Miller, Budget Analyst, PBO; Steve Manilla, Director of Engineering and Planning,  
TNR; and Eric A. Anderson, Private Citizen; and Harvey Siegal, Timber Creek  
Resident.

**Members of the Court agreed** to consider one Motion for Items 9 and 10.

**Motion by** Commissioner Gómez **and seconded by** Judge Biscoe to approve the  
applications for Items 9 and 10.

<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

- 10. APPROVE GRANT APPLICATION TO TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR FLOOD PLAIN ACQUISITION & MITIGATION [TRANSPORTATION & NATURAL RESOURCES (TNR) DEPARTMENT]. (10:32 AM)

**Clerk's Note:** Item 9 and 10 are associated with one another and were called for concurrent discussion.

**Members of the Court agreed** to consider one Motion for Items 9 and 10. Please refer to Item 9 for a summary of the Court's action on this Motion.

- 11. APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSION TO CONTINUE: (11:17 AM)

- A. APPROVE GRANT CONTRACT FOR UTILITY ASSISTANCE GRANT (FEMA) FOR HEALTH AND HUMAN SERVICES DEPARTMENT.

- B. APPROVE GRANT CONTRACT TO TEXAS DEPARTMENT OF PUBLIC SAFETY FOR HAZARDOUS MATERIAL EMERGENCY PREPAREDNESS PLANNING FOR EMERGENCY SERVICES DEPARTMENT. (9:51 AM)

Item 11.B postponed until March 23, 1999.

- C. APPROVE GRANT CONTRACT TO TEXAS DEPARTMENT OF PUBLIC SAFETY FOR STATE & LOCAL ASSISTANCE FOR EMERGENCY SERVICES DEPARTMENT.

**Clerk's Note:** Items 11.A and C are associated with one another and were called for concurrent discussion.

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

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

**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 BUDGET AMENDMENTS AND TRANSFERS (11:19 AM)

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

**Motion by** Commissioner Gómez **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	-	yes

13. APPROVE CONTRACT AWARD FOR THE PROVISION OF HEAVY DUTY ROAD MACHINERY OEM PARTS/MAINTENANCE, IFB #B990038-MG, TO THE LOW, QUALIFIED BIDDERS, COOPER EQUIPMENT, AND MAGNUM TRAILERS. (9:52 AM)

Item 13 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

14. APPROVE CHANGE ORDER TO ADD HOT MIX ASPHALT OVERLAY FOR ROADS TO FIRST PHASE OF CONTRACT WITH C.C. CARLTON CONSTRUCTION OF AUSTIN FOR SOUTHEAST METRO PARK. (9:51 AM)

Item 14 postponed until March 23, 1999.

15. DISCUSS, APPROVE, AND/OR GIVE DIRECTION REGARDING THE FOLLOWING ITEMS ON THE WATER QUALITY IMPROVEMENT PROJECT AT THE TRAVIS COUNTY CORRECTIONAL COMPLEX: (11:20 AM)
- A. DISCUSS AND TAKE ACTION ON APPROVING THE FINAL CONSTRUCTION DOCUMENTS PREPARED BY PBS&J FOR THE WATER QUALITY IMPROVEMENT PROJECT.
  - B. DISCUSS AND TAKE ACTION FOR THE A/E RECOMMENDED \$184,696 INCREASE IN THE CONSTRUCTION BUDGET OF THE WATER QUALITY IMPROVEMENT PROJECT AND OTHER RELATED BUDGET ISSUES.
  - C. APPROVE THE CONSTRUCTION AND MAINTENANCE AGREEMENT BETWEEN THE TEXAS DEPARTMENT OF TRANSPORTATION AND TRAVIS COUNTY FOR AUTHORIZATION TO USE A PORTION OF THE FM 973 RIGHT-OF-WAY FOR THE CONSTRUCTION OF THE PROPOSED UNDERGROUND OUTFALL PIPE.

**Clerk's Note:** Items 15.A, B, and C are associated with one another and were called for concurrent discussion.

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

**Motion by Judge Biscoe and seconded by** Commissioner Gómez to approve Items 15.A, B, and C, and to pull the contingency issue on Item 15.B for action later.

**A Friendly Amendment was made of the previous Motion by** Commissioner Sonleitner that the final construction documents include bid alternates.

**Acceptance of the Friendly Amendment was made by** Judge Biscoe **and seconded by** Commissioner Gómez.

**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 ASSIGNMENT OF CONTRACT BETWEEN ESPEY HUSTON & ASSOCIATES (THE ASSIGNOR) AND PBS&J (THE ASSIGNEE). THE CONTRACT FOR THE PROVISION OF PROFESSIONAL A/E DESIGN SERVICES FOR WATER QUALITY IMPROVEMENTS AT TRAVIS COUNTY CORRECTIONAL COMPLEX (TCCC) DEL VALLE (CONTRACT NO. 97AE600-MB) WAS APPROVED ON MARCH 18, 1997. (12:06 PM)

**Members of the Court heard from:** Frank Holder, Assistant Purchasing Agent.

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

**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

17. APPROVE RELATED FUNDING AND CONTRACT AWARD FOR THE PROVISION OF CONSTRUCTION SERVICES FOR THE 1997 SUBSTANDARD ROADS BOND PROGRAM, ISSUANCE NO. 1 (TRAVIS OAKS PROJECT), IFB #B980709-JJ, TO THE LOW, QUALIFIED BIDDER, C.C. CARLTON CONSTRUCTION OF AUSTIN, INC. (9:51 AM)

Item 17 postponed until March 23, 1999.

18. APPROVE AMENDMENT TO CONTRACT BETWEEN TRAVIS COUNTY AND HAN WAVE, INC., TO CHANGE THE HOURLY RATES CHARGED AND POLICIES FOLLOWED BY EACH AGENCY IN THE PROVISION OF INTERPRETER SERVICES; CONTRACT APPROVED ON APRIL 22, 1997. (12:07 PM)

**Members of the Court heard from:** Frank Holder, Assistant Purchasing Agent; and Debra Drummond, Travis County Services for the Deaf.

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

**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. APPROVE CONTRACT MODIFICATION NO. 2 TO CONTRACT NO. 99C0018-JP, FOR COUNTY CLERK DEED INDEXING SYSTEM; CONTRACT APPROVED ON OCTOBER 6, 1998; MODIFICATION WILL APPROVE ADDITIONAL HARDWARE AND SOFTWARE TO SUPPORT THE IMAGING PORTION OF THE SYSTEM. (9:52 AM)

Item 19 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

20. APPROVE ASSIGNMENT OF CONTRACT BETWEEN CAMPBELL INDUSTRIES (THE ASSIGNOR) AND HIGHWAY SAFETY SERVICES CO., INC., (THE ASSIGNEE). THE CONTRACT FOR THE PROVISION OF TRAFFIC CONTROL MEASURES IN SUPPORT OF THE TRAVIS COUNTY CRIMINAL JUSTICE CENTER CONSTRUCTION PROJECT (CONTRACT #97C0120-MB) WAS APPROVED ON FEBRUARY 4, 1997. (9:52 AM)

Item 20 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

21. APPROVE EXEMPTION ORDER FOR SOLE SOURCE PURCHASE OF PARTS AND REPAIR SERVICES FOR AMERICAN EUROCOPTER FOR THE HELICOPTER(S) DRIVE TRAIN AND ROTOR BLADES FOR TWO AMERICAN EUROCOPTER EC135 HELICOPTERS. (1:39 PM)

**Members of the Court heard from:** Frank Holder, Assistant Purchasing Agent.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve Item 21.

**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

22. APPROVE EXEMPTION ORDER FOR SOLE SOURCE PURCHASE OF PARTS AND REPAIR SERVICES FOR TURBOMECA ENGINE CORP. FOR ENGINE REPAIR AND OVERHAUL, FOR THE FOUR TURBOMECA ENGINES ON THE TWO AMERICAN EUROCOPTER EC135 HELICOPTERS. (1:41 PM)

**Members of the Court heard from:** Frank Holder, Assistant Purchasing Agent.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 22.

**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. APPROVE PURCHASE OF ONE (1) 1999 FORD EXPEDITION TRUCK FROM THE HOUSTON/GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAG) INTERLOCAL AGREEMENT, IL98-98858; APPROVED ON JANUARY 27, 1998. (9:51AM)

Item 23 postponed until March 23, 1999.

24. APPROVE CONTRACT AWARD FOR THE PURCHASE/REPURCHASE OF HEAVY EQUIPMENT, IFB# B990018-JP, TO THE LOW QUALIFIED BIDDER, HOLT COMPANY OF TEXAS. (1:42 PM) (3:15 PM) (5:54 PM) (5:58 PM)

**Members of the Court heard from:** Frank Holder, Assistant Purchasing Agent; Larry Scott, Fleet Manager, TNR; Bob Henry, Crescent Machinery; Mark Kutscherousky, Holt Company; and Jeff Kell, Holt Company.

Judge Biscoe announced that Item 24 would be considered in Executive Session.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to reject all bids and to direct the Purchasing Office to re-bid this item and to clarify the language that was in question.

**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

**Court approved by Consensus** that the re-bid process be shortened to 14 days to expedite the process.

25. APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 98T0133-JP, PIONEER CONCRETE OF TEXAS FOR SURFACE AGGREGATES 4 & 5; CONTRACT APPROVED ON APRIL 14, 1998; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION. (9:52 AM)

Item 25 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

26. APPROVE CONTRACT MODIFICATION NO. 2 TO CONTRACT NO. 97T0206-JP, CAPITAL CHEM CAN COMPANY FOR PORTABLE TOILET RENTAL AND SERVICING; CONTRACT APPROVED ON APRIL 21, 1997; MODIFICATION ALLOWS FOR A SECOND 12-MONTH EXTENSION. (9:52 AM)

Item 26 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 27.** APPROVE CONTRACT MODIFICATION NO. 2 TO CONTRACT NO. 97T0214-JP, TRIOLOGIC, INC., FOR HAZARDOUS AND SPECIAL WASTE DISPOSAL SERVICES; CONTRACT APPROVED ON APRIL 29, 1997; MODIFICATION ALLOWS FOR A SECOND 12-MONTH EXTENSION. (9:52 AM)

Item 27 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 28.** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 98T0132-JP, CENTEX MATERIALS FOR CONCRETE AND GROUT MIX; CONTRACT APPROVED ON APRIL 7, 1998; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION. (9:52 AM)

Item 28 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 29.** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 98T0106-LD, WITH KOCH MATERIALS CO., FOR EMULSIFIED ASPHALT; CONTRACT APPROVED ON MARCH 10, 1998; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION. (9:52 AM)

Item 29 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 30.** APPROVE LICENSING AGREEMENT GOVERNING USE OF THE TRAVIS COUNTY COURTHOUSE AS AN ELECTION DAY POLLING PLACE BY THE CITY OF AUSTIN FOR ITS MAY 1 GENERAL ELECTION AND JUNE 5 RUNOFF, IF HELD. (9:52 AM)

Item 30 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 31.** APPROVE INCREASE IN COUNTY CLERK'S CHANGE FUND FROM \$1,680 TO \$3,380 TO ACCOMMODATE THE IMPLEMENTATION OF THE COUNTY CLERK'S NEW DEED INDEXING SYSTEM; THIS ACTION HAS BEEN APPROVED BY COUNTY AUDITOR AND IS IN ACCORDANCE WITH SECTION 130.902 OF THE LOCAL GOVERNMENT CODE. (9:52 AM)

Item 31 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

32. A. APPROVE RECOMMENDATIONS TO COMPLETE UNFINISHED COMPENSATION PROJECTS INCLUDING MARKET SALARY SURVEYS (MSS) '98, MSS '99, AND FY'99 RECLASSIFICATIONS. (2:04 PM)

B. APPROVE RECOMMENDATIONS RELATED TO MARKET SALARY SURVEY (MSS) '98, MATRIX LEVEL ASSIGNMENT AUDIT AND FUTURE MARKET SALARY SURVEYS.

**Clerk's Note:** Items 32.A and B 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); Carlotta Valdez, Compensation and Benefits Manager, HRMD; Lynne Andrus, Senior Human Resources Analyst, HRMD; and Leroy Nellis, Budget Manager, PBO.

**Motion by** Commissioner Sonleitner **and seconded by** Judge Biscoe to approve Staff recommendations under A.1 and 2, Compensation Issues and Concerns, as listed in the backup material.

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to approve Staff recommendations under B.3, MSS – On-Site Sewage Facility Program, as listed in the backup material.

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

**Motion by** Commissioner Gómez **and seconded by** Judge Biscoe to approve Staff recommendations under C.4, Job Restructuring, as listed in the backup material, with the preface that it is cost neutral.

**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 32 CONTINUED

**Motion by** Commissioner Sonleitner to instruct HRMD to not do reclasses this year. Departments and elected officials should be encouraged to use promotions and performance pay to address issues that traditionally fell in the category of reclassification issues, and only exceptions to that should be brought to HRMD and the Commissioners' Court's attention.

**A Friendly Amendment was made of the previous Motion by** Judge Biscoe that if anyone has been on hold with requested reclasses because the Court has placed you there, call those to the Court's attention. The Court's intention is to do away with reclasses permanently.

**A Restatement of the previous Motion was made by** Commissioner Sonleitner **and seconded by** Commissioner Davis that there will be no more reclasses, that the Court still encourages reorganization, especially those that are cost neutral or yield savings. When issues fall into the reclass category, Departments and Elected Officials should be encouraged to use promotions and or performance pay to address those issues, and only things that fall into a gap be brought to HRMD's attention to see if the Commissioners' Court should consider and act.

**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** Judge Biscoe to approve using a sample of 5% or at least 1% under E.7, Matrix Level Assignment Audit.

**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** Judge Biscoe to give Staff direction that there will be no MSS 2000 and to revisit the rest of the topic under F.8, Market Salary Survey 2000 at a later date.

**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

33. REVIEW AND APPROVE EMPLOYEES TUITION REIMBURSEMENT IN ACCORDANCE WITH TRAVIS COUNTY TUITION REFUND POLICY §10.021. (9:52 AM)

Item 33 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

34. APPROVE PERSONNEL AMENDMENTS. (2:47 PM) (3:15 PM) (5:52 PM)

**Members of the Court heard from:** Carlotta Valdez, Compensation and Benefits Manager, HRMD; Lynne Andrus, Senior Human Resources Analyst, HRMD; Norman McRee, Lead Personnel Analyst, HRMD; and Joe Gieselman, Executive Manager, TNR.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Baxter to approve all of the personnel items with the exception of the Civil Courts slot, and to make it clear that the recommendation on the JP Pct. 2 slot is that the Court agrees with the departmental recommendation of \$12,230.40, and the Court agrees with HRMD's recommendation on the TNR slot that the employee should retain the 16.5% above the maximum pay grade, and go back to where they were before the promotion with no penalty.

**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

Judge Biscoe announced that Item 34 would be considered in Executive Session.

**Clerk's Note:** The Court made a clarification to HRMD that when Elected Officials hire individuals, they are suppose to start at the compensation level that the Elected Officials designate as of day one, and that they do not need to wait for Commissioners' Court action.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Baxter to approve the slot 120, Attorney II position, at level 4 as listed on the Courts agenda, effective February 16<sup>th</sup> which was always the date of hire.

**Motion carried:**

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

35. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:52 AM)

Item 35 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

36. RECEIVE LEGISLATIVE UPDATE AND TAKE APPROPRIATE ACTION. (2:56 PM)

**Members of the Court heard from:** Susan Spataro, Travis County Auditor; Leroy Nellis, Budget Manager, PBO; and Chris Callsen, Director of Emergency Services, Justice and Public Safety (JPS).

**Motion by** Commissioner Gómez **and seconded by** Judge Biscoe to support SB 205.

**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 Baxter **and seconded by** Commissioner Sonleitner to oppose SB 701 as drafted, but also give direction that the Court would be amenable to an amendment that would use a population bracket to take Travis County out of the bill.

**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 Baxter **and seconded by** Commissioner Sonleitner to support HB 1920.

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

## EXECUTIVE SESSION ITEMS

Note 1 -Gov't Code Ann 551.071, Consultation with Attorney

Note 2 -Gov't Code Ann 551.072, Real Property

Note 3 - Gov't Code Ann 551.074, Personnel Matters

37. CONSIDER WHETHER TO SELL A ½ ACRE PORTION OF PFENNIG LANE RIGHT-OF-WAY TO MR. L.W. PARKER, IN THE AMOUNT OF \$8,000, AND TAKE APPROPRIATE ACTION. <sup>1</sup>&<sup>2</sup> (3:15 PM) (5:54 PM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Baxter to reject the offer to purchase the land for \$8,000.00.

**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

38. REVISED WORDING: DISCUSS, APPROVE OR TAKE APPROPRIATE ACTION REGARDING THE LEASE PROPOSAL BETWEEN TRANSWESTERN PROPERTIES AND TRAVIS COUNTY, TEXAS, COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT LOCATED AT FREIDRICH LANE. <sup>1</sup> (3:15 PM) (5:55 PM)

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

Item 38 to be reposted on March 23, 1999.

39. DISCUSS AND APPROVE INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND TEXAS AGRICULTURAL EXTENSION SERVICE. <sup>1</sup> (3:15 PM) (5:55 PM)

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

Item 39 to be reposted on March 30, 1999.

40. RECEIVE STATUS REPORT AND DISCUSS ISSUES RELATED TO THE INTEGRATED JUSTICE SYSTEM. <sup>1</sup> (3:15 PM) (5:55 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to direct David Escamilla, First Assistant County Attorney, to keep working on the letter by highlighting the short comings or deficiencies, and that the letter be forwarded to AMA and cc'ed to IBM at the appropriate time.

**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

41. RECEIVE UPDATE FROM THE COUNTY ATTORNEY'S OFFICE ON STATUS OF CONSTRUCTION OF THE CRIMINAL JUSTICE CENTER BY M.W. BUILDERS, INC. AND TAKE APPROPRIATE ACTION. <sup>1</sup> (3:15 PM) (5:56 PM)

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

Item 41 postponed until March 23, 1999.

42. APPROVE SECOND AMENDMENT TO LAND PURCHASE CONTRACT WITH THE TRUST FOR PUBLIC LAND, (TPL) FOR VISTA POINT, PHASE 1. <sup>2</sup> (3:15 PM) (5:56 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to approve the second amendment to the land purchase contract.

**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

- 43.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT, OR COUNTER SETTLEMENT DEMAND ON CIP PROJECT 3-002, PARCEL NO. 2D, JAMES A. HOPKINS AND WIFE, JEAN C. HOPKINS, AND STATE OF TEXAS; (HOPKINS; GIESELMAN; CONDEMNATION). <sup>1</sup> (3:15 PM) (5:57 PM)

Judge Biscoe announced that Item 43 would be considered in Executive Session.

Item 43 to be reposted on March 30, 1999.

- 44.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT, OR COUNTER SETTLEMENT DEMAND IN TRAVIS COUNTY TEXAS V. LAURELWOOD PARTNERS LTD.,(LAURELWOOD; GIESELMAN; CONDEMNATION). <sup>1</sup> (3:15 PM) (5:57 PM)

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

Item 44 to be reposted on March 30, 1999.

- 45. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT, OR COUNTER SETTLEMENT DEMAND IN WALT BIRCHFIELD ET AL VS. TRAVIS COUNTY, TEXAS; (BIRCHFIELD; GIESELMAN; LITIGATION; VACATION OF GINGER STREET) <sup>1</sup> (3:15 PM) (5:57 PM)

Judge Biscoe announced that Item 45 would be considered in Executive Session.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** that Travis County accepts, in principle, The Birchfields demands relating to right-of-way paving and rejects their demand for payment of \$203,416.00 dollars; and, consistent therewith, makes the following counter-proposal for full, final, and complete resolution of this matter: that within 60 days The Birchfield's and the County enter into a separately enforceable agreement wherein in return for the plaintiffs nonsuiting this matter, Travis County agrees to pave, consistent with good engineering practices, the maximum extent of right-of-way at Ginger Street's northern terminus and also agrees to, consistent with good engineering practices and within the maximum extent of the existing right of way, improve the turning radius and repair the drainage structure at Ginger Streets' intersection with Ouida Street: and that the County Judge be authorized to sign this agreement when finalized by counsel and that, contemporaneously therewith, The Birchfields non-suit Travis County and that Travis County pay The Birchfields \$170,000.00.

**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

- 46. RECEIVE UPDATE FROM EXECUTIVE MANAGER TEAM ON STATUS OF SEARCH FOR DIRECTOR OF INFORMATION AND TELECOMMUNICATIONS SYSTEMS (ITS). <sup>3</sup> (3:15 PM) (5:57 PM)

Judge Biscoe announced that Item 46 would be considered in Executive Session.

No action necessary on Item 46.

**ADJOURNMENT**

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to adjourn the Voting Session. (5:58 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**