

MINUTES – MARCH 30, 1999

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 30th day of March, 1999, the Commissioners' Court convened the regular Voting Session at 9:08 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 Melissa Nuñez.

The Commissioners' Court recessed the Voting Session at 12:13 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 1:35 PM and adjourned at 1:35 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC), called to order the Voting Session at 1:35 PM and adjourned at 1:39 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation (TCHFDC), called to order the Voting Session at 1:39 PM and adjourned the Voting Session at 1:45 PM.

The Commissioners' Court reconvened the Voting Session at 1:46 PM.

The Commissioners' Court retired to Executive Session at 2:09 PM.

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

The Commissioners' Court adjourned the Voting Session at 3:56 PM.

CITIZENS COMMUNICATION

Members of the Court heard from: Greg Ericson, Free Press International; Harvey Segall, Timber Creek Resident; Wes Curtis, Texas Best Seminars; John Foreman, Producer, "In Your Face Campaign"; Will Basking, Private Citizen; Victor Breland, Candidate Place 1, Austin City Council; Christian Side, Private Citizen; Jeff Davis, Private Citizen; and Alex Jones, Private Citizen. (9:08 AM)

COUNTY POLICIES AND PROCEDURES

1. APPROVE ORDER AMENDING CHAPTER 34 OF THE TRAVIS COUNTY CODE REGARDING USE OF CAPITAL ACQUISITION RESERVE TO FUND THE BALANCE OF REPLACEMENT COST FOR TOTAL LOSS OF VEHICLES OR HEAVY EQUIPMENT. (9:43 AM)

Members of the Court heard from: Dan Mansour, Risk Manager, Human Resources Management Department (HRMD).

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

CONSENT ITEMS

Members of the Court heard from: Harvey Segall, Timber Creek Resident.

2. **Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C13, and Items 7 (see additions to Item 7), 8, 11, 13, 15, 16, 17, 18, 20, 21, 22, 27, 28.A, 31. (9:44 AM)

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

CONSENT ITEMS CONTINUED

- 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 MARCH 16, 1999; AND MARCH 19, 1999.
- C4.** APPOINT ROY G. ELDER TO SERVE ON THE TRAVIS COUNTY CITIZENS BOND PROJECT ACCOUNTABILITY COMMITTEE AS PRECINCT ONE APPOINTEE.
- C5.** APPOINT REB WAYNE TO THE TRAVIS COUNTY HOUSING AUTHORITY TO FILL UNEXPIRED TERM UNTIL FEBRUARY 29, 2000.
- C6.** REAPPOINT WALTER TIMBERLAKE TO THE CHILD PROTECTIVE SERVICES BOARD TERM EXPIRING MARCH 2001.
- C7.** REAPPOINT MELISSA VOELLINGER TO THE TRAVIS COUNTY HISTORICAL COMMISSION FOR A TWO-YEAR TERM EXPIRING JANUARY 31, 2001.
- C8.** APPOINT KATE DONER TO THE TRAVIS COUNTY HISTORICAL COMMISSION FOR A TWO-YEAR TERM TO EXPIRE JANUARY 31, 2001.
- C9.** REAPPOINT SARAH J. HARRIMAN TO THE TRAVIS COUNTY HISTORICAL COMMISSION FOR A TWO-YEAR TERM EXPIRING JANUARY 31, 2001.
- C10.** REAPPOINT BARRY HUTCHESON TO THE TRAVIS COUNTY HISTORICAL COMMISSION FOR A TWO-YEAR TERM EXPIRING JANUARY 31, 2001.
- C11.** REAPPOINT BIRUTA CLEMINS KEARL TO THE TRAVIS COUNTY HISTORICAL COMMISSION FOR A TWO-YEAR TERM EXPIRING JANUARY 31, 2001.
- C12.** APPROVE PLAT FOR RECORDING IN PRECINCT THREE: AMENDING PLAT OF LOTS 2 AND 3 SCENIC BROOK ESTATES SECTION TWO, RE-AMENDED - (AMENDED PLAT - NO FISCAL REQUIRED - 2 LOTS - 3.339 ACRES - BAXTER LANE - SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY).

CONSENT ITEMS CONTINUED

- C13. APPROVE PLAT FOR RECORDING IN PRECINCT TWO: CAMBRIDGE HEIGHTS PHASE C SECTION 1 AND REPLAT OF 8.61 ACRES LOT 35, 5.41 ACRES LOT 38, AND 7.11 ACRES LOT 39, 0.09 ACRES LOT 40, BLOCK I, SPRINGBROOKE CENTRE, PHASE A - (FISCAL POSTED WITH TRAVIS COUNTY - 74 LOTS - 21.232 ACRES - GRAND AVENUE PARKWAY - WASTEWATER SERVICE TO BE PROVIDED FOR THE WINDERMERE UTILITY COMPANY).

JUSTICE & PUBLIC SAFETY ITEMS

- 3. DISCUSS AND APPROVE SECOND INTERLOCAL COOPERATION AGREEMENT BETWEEN TRAVIS COUNTY AND CITY OF AUSTIN FOR EMERGENCY MEDICAL SERVICES IN TRAVIS COUNTY. (9:51 AM)

Members of the Court heard from: Dinah Dinwiddie, Executive Manager, Justice and Public Safety (JPS); Barbara Wilson, Assistant County Attorney, Transactions Division; Sue Edwards, Director, City of Austin EMS; Chris Callsen, Director of Emergency Services, JPS; Karen Shafer Castro, Senior Planning and Budget Analyst, Planning and Budget (PBO); Richard Herrington, Deputy Director, City of Austin EMS; Diane Warner, Assistant County Auditor; and Susan Spataro, Travis County Auditor.

Motion by Judge Biscoe and seconded by Commissioner Davis to draft a letter to the Austin City Council authorizing it to create 10 new slots to implement the junior interlocal, and to indicate that the County has budgeted the money for such, will be responsible for them, will take formal action on Tuesday of next week. The Court directs Staff to take any and all steps necessary to incorporate the changes talked about today so that the Court will be ready to take final action next Tuesday.

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

TRANSPORTATION & NATURAL RESOURCES ITEMS

- 4. CLARIFY AUTHORITY OF EXECUTIVE MANAGERS UNDER CHAPTER 10 OF THE TRAVIS COUNTY CODE TO SET COMPENSATION LEVELS WITHIN GUIDELINES SET BY THE COMMISSIONERS' COURT, REVIEW CLAIMS OF CERTAIN TNR DEPARTMENT EMPLOYEES, AND TAKE APPROPRIATE ACTION. (10:38 AM) (2:06 PM) (3:50 PM) (3:55 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); Alicia Perez, Executive Manager, Administrative Operations; Susan Spataro, Travis County Auditor; David Escamilla, First Assistant County Attorney; and Linda Moore Smith, Director, HRMD.

Judge Biscoe announced that Item 4 would be considered in Executive Session.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner, to clarify the authority of the Executive Managers, that as of December 1, 1998 the Executive Managers have the authority to hire applicants to work at Travis County, as long as they made such hiring decisions within the guidelines set by the Travis County Commissioners' Court, as long as the compensation level was at entry level up to midpoint (subject to the availability of funds in the Departments budget), and anything that would be considered a routine 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

Clarification of the previous Motion was made by Judge Biscoe that the Travis County Commissioners' Court directed Executive Managers to make those hiring decisions effective December 1, 1998, and any individuals who were not paid according to that clarified should be compensated.

5. APPROVE REQUEST FOR EXTENSION OF EMERGENCY ROAD CLOSURE OF LITTIG ROAD BETWEEN BALLERSTEADT ROAD AND JONES ROAD UNTIL APRIL 13, 1999 AND SET A PUBLIC HEARING DATE OF APRIL 13, 1999 TO APPROVE THE ROAD CLOSURE UNTIL AUGUST 2, 1999. (10:59 AM)

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

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 5.

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

6. APPROVE FIRST AMENDMENT TO THE HABITAT MITIGATION CONVEYANCE AGREEMENT BETWEEN TRAVIS COUNTY AND BRE/BALDWIN RANCH, L.P. (CONTRACT APPROVED ON NOVEMBER 24, 1998). (11:05 AM)

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

Motion by Commissioner Baxter **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. APPROVE RESOLUTION SUPPORTING CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION'S (CAMPO) REQUEST FOR CONSTRUCTION FUNDING FROM THE TEXAS TRANSPORTATION COMMISSION TO IMPROVE US 183 SOUTH AND US 183/SH 71 INTERCHANGE. (9:44 AM)

Court agreed by Consensus that a letter, proposed by Commissioner Gómez and Commissioner Sonleitner, be sent to CAMPO representatives.

Item 7 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 8. APPROVE ADDENDUM TO FEBRUARY 24, 1999 LETTER GRANTING TRAVIS COUNTY THE RIGHT TO CONDUCT AN ARCHEOLOGICAL SURVEY IN SUPPORT OF TRAVIS COUNTY BOND PROJECT #97B01-13-3CA, LOHMANS CROSSING, PARCEL #4, 4DLSE, ALBERTSON'S, INC. (9:44 AM)

Item 8 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 9. A. APPROVE SETTING A PUBLIC HEARING DATE OF APRIL 13, 1999 FOR THE VACATION OF AN UNNECESSARY SECTION SELMA HUGHES PARK ROAD PUBLIC RIGHT-OF-WAY IN PRECINCT TWO. (11:06 AM) (1:56 PM)
- B. APPROVE AN AGREEMENT BETWEEN MICHAEL G. MCCARTHY AND TRAVIS COUNTY FOR (1) VACATION OF AN UNNECESSARY SECTION OF SELMA HUGHES PARK ROAD PUBLIC RIGHT-OF-WAY, (2) THE DEDICATION OF A NECESSARY SECTION OF SELMA HUGHES PARK ROAD PUBLIC RIGHT-OF-WAY, AND (3) THE DEDICATION OF A JOINT USE ACCESS DRIVEWAY EASEMENT IN PRECINCT TWO.
- C. APPROVE THE ISSUANCE OF A SIGHT DEVELOPMENT PERMIT FOR CONSTRUCTION OF A BARN IN THE UNNECESSARY SECTION OF SELMA HUGHES PARK ROAD PUBLIC RIGHT-OF-WAY, IN PRECINCT TWO.

Clerk's Note: Items 9.A, B, and C are associated with one another and were called for concurrent discussion.

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the setting of the public hearing under Item 9.A, and approval of 9.B and C subject to the receipt of the executed originals.

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

PURCHASING DEPARTMENT ITEMS

10. APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 98K0725C, ROBERT JENTSCH CONSTRUCTION, INC., OLD MANOR ROAD BRIDGE #111 IMPROVEMENTS PROJECT; CONTRACT APPROVED ON OCTOBER 20, 1998; MODIFICATION ADDS FIELD CHANGE ORDER NO. 1 TO THE CONTRACT. (11:06 AM)

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

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

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

11. APPROVE PURCHASE OF TWO (2) CHEVROLET TRUCKS FOR THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT UNDER STATE CONTRACT. (9:44 AM)

Item 11 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

12. APPROVE EXEMPTION ORDER AND CONTRACT AWARD FOR THE PROVISION OF DEAF INTERPRETING SERVICES ON AN AS NEEDED BASIS TO COMMUNICATION SERVICES FOR THE DEAF. (11:08 AM)

Members of the Court heard from: Harvey Segall, Timber Creek Resident.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez 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 MODIFICATION NO. 3 TO CONTRACT NO. 99C0018-JP, HART INFORMATION SERVICES, DEED INDEXING SYSTEM; CONTRACT APPROVED ON OCTOBER 6, 1998; MODIFICATION WILL APPROVE THE PURCHASE OF UPGRADED WARRANTIES FOR THE MONITORS AND IMAGE CONTROLLER CARDS INCLUDED IN THE COUNTY CLERK DEED INDEXING SYSTEM. (9:44 AM)

Item 13 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 14. APPROVE ORDER EXEMPTING A CONTRACT FOR THE PROVISION OF ASBESTOS ABATEMENT AND OR ENCAPSULATION SERVICES FROM COMPETITIVE BIDDING REQUIREMENTS OF THE COUNTY PURCHASING ACT, PURSUANT TO SECTION 262.024(a)(2) OF THE TEXAS LOCAL GOVERNMENT CODE. (11:09 AM)

Members of the Court heard from: Frank Holder, Assistant Purchasing Agent; Harvey Segall, Timber Creek Resident; Alicia Perez, Executive Manager, Administrative Operations; and Marvin Brice, Construction Procurement Manager, Purchasing.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the exemption order.

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

- 15. APPROVE EXEMPTION ORDER AND CONTRACT AWARD FOR THE PROVISION OF PROFESSIONAL PSYCHOLOGICAL ASSESSMENTS FOR JUVENILES UNDER SUPERVISION OF TRAVIS COUNTY JUVENILE COURT TO GARY YORKE, PH.D. (9:44 AM)

Item 15 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

16. APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 98T0244-JP, HOME REPAIR MATERIALS; CONTRACT APPROVED ON AUGUST 4, 1998; MODIFICATION WILL ALLOW THE UPGRADE OF INSULATION MATERIALS AND A CORRESPONDING UNIT COST PRICE INCREASE. (9:44 AM)

Item 16 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

17. APPROVE PURCHASE OF ONE (1) 1999 FORD BOX VAN FROM THE HOUSTON/GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAG) INTERLOCAL AGREEMENT, IL98-98858 APPROVED ON JANUARY 27, 1998. (9:44 AM)

Item 17 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

18. APPROVE PURCHASE OF THREE (3) DODGE TRUCKS FOR THE SHERIFF'S OFFICE UNDER STATE CONTRACT. (9:44 AM)

Item 18 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

19. APPROVE TERMINATION OF CONTRACT NO. 98T0253-JP (BY MUTUAL AGREEMENT) FOR BACKHOE SERVICES & SEPTIC SYSTEMS. (11:17 AM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Baxter to approve Item 19.

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

- 20. APPROVE CONTRACT MODIFICATION NO. 2 TO CONTRACT NO. 97T0215-JP, AMERICAN 3CI, FOR BIOHAZARDOUS WASTE DISPOSAL SERVICES; CONTRACT APPROVED ON APRIL 29, 1997; MODIFICATION ALLOWS FOR A SECOND TWELVE (12) MONTH EXTENSION. (9:44 AM)

Item 20 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 21. APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 98T0154-MG, DIVERSEY WATER TECHNOLOGIES, WATER TREATMENT SERVICES; CONTRACT APPROVED ON MAY 5, 1998; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION AND ASSUMPTION OF CONTRACT. (9:44 AM)

Item 21 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 22. APPROVE STATE CATALOG PURCHASE OF A NORTEL OPTION 51C UPGRADE, RFO# 0990022-MG, TO THE LOW, QUALIFIED OFFER OR, SOUTHWESTERN BELL. (9:44 AM)

Item 22 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 23. DISCUSS, APPROVE, OR GIVE STAFF DIRECTION REGARDING THE PROGRAM, CONCEPT DESIGN, BUDGET, AND SCHEDULE OF THE PHASE TWO IMPROVEMENTS OF THE CRIMINAL JUSTICE PROGRAM AT THE TRAVIS COUNTY CORRECTIONAL COMPLEX. (11:18 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Ken Gaede, Project Manager, Facilities Management; Margo Frasier, Travis County Sheriff; and David Balagia, Major, Travis County Sheriff's Office (TCSO).

Motion by Commissioner Gómez **and seconded by** Judge Biscoe to approve Item 23.

Motion carried:

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

24. APPROVE LETTER OF SUPPORT FOR HEATHERWILDE PARK RETIREMENT APARTMENTS, AN AFFORDABLE HOUSING DEVELOPMENT IN PRECINCT TWO. (1:46 PM)

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 24.

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

25. APPROVE LETTER OF SUPPORT FOR FORT BRANCH LANDING APARTMENTS, AN AFFORDABLE HOUSING DEVELOPMENT IN PRECINCT ONE. (9:49 AM)

Item 25 postponed until April 6, 1999.

26. INDICATE TRAVIS COUNTY'S SUPPORT OF EXPANSION OF SPECIAL PURPOSE FOREIGN TRADE SUBZONE 183A. (1:47 PM)

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

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

27. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:44 AM)

Item 27 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

28. APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSION TO CONTINUE. (9:44 AM)

A. APPROVE GRANT CONTRACT FOR JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT (CJD) FOR JUVENILE COURT.

Item 28.A added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

29. AUTHORIZE PLANNING AND BUDGET OFFICE (PBO) TO PROCESS BUDGET TRANSFER FROM CAR TO THE APPROPRIATE DEPARTMENTAL LINE ITEM FOR PAYMENT OF THE REPLACEMENT VEHICLE OR HEAVY EQUIPMENT. (1:48 PM)

Motion by Commissioner Gómez **and seconded by** Judge Biscoe to approve Item 29.

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

30. APPROVE PERSONNEL AMENDMENTS. (1:49 PM) (2:02 PM)

Members of the Court heard from: Norman McRee, Lead Personnel Analyst, HRMD.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the personnel amendments as recommended by HRMD.

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

31. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:44 AM)

Item 31 added to Consent Items. Please refer to Agenda Item 2 (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

- 32.** APPROVE LEASE BETWEEN TRANSWESTERN PROPERTIES AND TRAVIS COUNTY, TEXAS, COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT LOCATED AT FREIDRICH LANE, AND TAKE APPROPRIATE ACTION. ² (2:06 PM) (3:52 PM)

Judge Biscoe announced that Item 32 would be considered in Executive Session.

Item 32 postponed until April 6, 1999.

- 33.** DISCUSS AND APPROVE INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND TEXAS AGRICULTURAL EXTENSION SERVICE. ¹ (9:49 AM)

Item 33 postponed until April 6, 1999.

- 34.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO TAKE APPROPRIATE ACTION IN; CAUSE NO., 98-10457; REGENCY PARTNERSHIP, A LIMITED PARTNERSHIP V. THE CITY OF AUSTIN AND TRAVIS COUNTY (REGENCY PARTNERSHIP; BISCOE; DECLARATORY JUDGMENT ACT/INJUNCTION) ¹ (2:06 PM) (3:52 PM)

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

No action necessary on Item 34.

35. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN LAKE TRAVIS INDEPENDENT SCHOOL DISTRICT V. CRAZY HORSE LAND CORPORATION AND TAKE APPROPRIATE ACTION. ¹ (2:06 PM) (3:52 PM)

Judge Biscoe announced that Item 35 would be considered in Executive Session.

Motion by Judge Biscoe and seconded by Commissioner Baxter to approve the sale.

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

36. 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. ¹ (2:06 PM) (3:52 PM)

Judge Biscoe announced that Item 36 would be considered in Executive Session.

Members of the Court heard from: John Hille, Assistant County Attorney, Transactions Division.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to approve the invoices for December 1998 and January 1999 from M.W. Builders and that the Court requests the Auditor to expedite payment.

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

37. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND RECEIVE AUTHORITY TO HIRE EXPERT WITNESSES, AND/OR TAKE APPROPRIATE ACTION IN JOE FONSECA V. THE CITY OF AUSTIN AND TRAVIS COUNTY, CAUSE NO. A-99-CA-107SS (FRASIER; WRONGFUL DEATH/CIVIL RIGHTS) ¹ (2:06 PM) (3:53 PM)

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

Clerk's Note: Items 37 and 40 are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one Motion for Items 37 and 40.

Motion by Judge Biscoe **and seconded by** Commissioner Baxter to approve Items 37 and 40 which would authorize the County Attorney's Office to hire appropriate expert witnesses.

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. RECEIVE BRIEFING FROM COUNTY ATTORNEY, AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER OFFER OR SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN JOHN T. LACARIA V. MARGO FRASIER, INDIVIDUALLY & IN HER OFFICIAL CAPACITY. ¹ (2:06 PM) (3:53 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to accept the settlement offer in the amount of \$12,622.80 less withholding. The Court request the auditor to make a prompt payment of the amount, and indicate the Court's understanding that this will resolved this matter in it's entirety and as to all claims.

A Friendly Amendment was made of the previous Motion by Commissioner Sonleitner to request the County Treasurer to expedite the cutting of the check, and that this is coming out of TCSO's budget.

Maker and Second accept the Friendly Amendment by Commissioner Sonleitner.

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

39. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN BEDFORD, KATHY ET AL., V. TRAVIS COUNTY, ET AL. CAUSE NO. A-97-CA-661 JN (BEDFORD; RUST; EMPLOYEE MATTER) ¹ (2:06 PM) (3:54 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Gómez to direct the County Attorney's Office to proceed to collect the judgement in the amount of \$3,251.08 plus 10% interest under all applicable laws.

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

40. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND RECEIVE AUTHORITY TO HIRE EXPERT WITNESSES, AND/OR TAKE APPROPRIATE ACTION IN BILLIE BLALACK HARDIE ET AL V. TRAVIS COUNTY ET AL, CAUSE NO. A-98-CA-779JN (FRASIER; WRONGFUL DEATH/CIVIL RIGHTS) ¹ (2:06 PM) (3:53 PM)

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

Clerk's Note: Items 37 and 40 are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one Motion for Items 37 and 40. Please refer to Item 37 for a summary of the Court's action on this Motion.

41. 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). ¹ (2:06 PM) (3:54 PM)

Item 41 postponed until April 6, 1999.

42. 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). ¹ (9:49 AM)

Item 42 pulled from the agenda.

43. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT, OR COUNTER SETTLEMENT DEMAND IN WALT G. BIRCHFIELD ET AL. VS. TRAVIS COUNTY, TEXAS; (BIRCHFIELD; GIESELMAN; LITIGATION; VACATION OF GINGER STREET). ¹ (9:49 AM)

Item 43 pulled from the agenda.

44. APPROVE, REJECT OR COUNTER COUNTER-OFFER FROM LAKEWAY MUNICIPAL UTILITY DISTRICT FOR ACQUISITION OF RIGHT-OF-WAY AND ANY REQUIRED EASEMENTS IN CONNECTION WITH LOHMANS CROSSING CIP PROJECT. ^{1&2} (2:06 PM) (3:55 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Baxter to approve the settlement offer up to \$42,000.00 dollars

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

THE FOLLOWING ITEM IS AN ADDENDUM:

- A.1 RECEIVE LEGISLATIVE UPDATE AND TAKE APPROPRIATE ACTION. (1:49 PM) (2:05 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Christian Smith, Executive Manager, PBO.

Motion by Judge Biscoe and seconded by Commissioner Baxter to monitor HB 1838 and it's companion SB 1219.

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 Baxter to support SB 1804.

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 Baxter to adjourn the Voting Session. (3:56 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