

MINUTES – JUNE 29, 1999

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 29th day of June, 1999, the Commissioners' Court convened the regular Voting Session at 9:09 AM in the Commissioners' Courtroom, 1st Floor of the Travis County Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Robert Resnick.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC) called to order the Voting Session at 9:05 AM and adjourned the Voting Session at 9:09 AM.

The Commissioners' Court recessed the Voting Session at 11:47 AM.

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 11:48 AM and adjourned at 11:49 AM.

The Commissioners' Court reconvened the Voting Session at 1:38 PM.

The Commissioners' Court retired to Executive Session at 1:38 PM.

The Commissioners' Court reconvened the Voting Session at 1:48 PM.

The Commissioners' Court retired to Executive Session at 1:48 PM.

The Commissioners' Court reconvened the Voting Session at 4:07 PM.

The Commissioners' Court adjourned the Voting Session at 4:16 PM.

The Commissioners' Court record notes that Precinct Two Commissioner Karen Sonleitner and Precinct Three Commissioner Margaret Gómez were not present during this Voting Session.

PUBLIC HEARINGS

1. PUBLIC HEARING TO DISCUSS THE COUNTY'S APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR A GRANT TO STABILIZE THE STREAM BANK AT MOYA PARK, AND TAKE APPROPRIATE ACTION. (9:09 AM)

Motion by Commissioner Davis **and seconded by** Commissioner Baxter 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	-	absent

Members of the Court heard from: Carol Joseph, Assistant Director, Transportation and Natural Resources (TNR); John Kuhl, Natural Resources Program Manager, TNR; David Fowler, Environmental Project Manager, TNR; and Steve Manilla, Director of Engineering and Planning, TNR.

Motion by Commissioner Davis **and seconded by** Commissioner Baxter 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	-	absent

Clerk's Note: Item 21.C is the Action Item for Item 1.

RESOLUTIONS & PROCLAMATIONS

2. RECOGNIZE A TRAVIS COUNTY SHERIFF'S OFFICE (MAINTENANCE SECTION) IMPACT TEAM FOR IDEA TO SALVAGE EQUIPMENT WHICH RESULTED IN COST SAVINGS AND IMPROVED SERVICES. (9:20 AM)

Members of the Court heard from: Karen Steitle, Personnel Analyst, Human Resources Management Department (HRMD); Leonard Hayes, Maintenance Section, Travis County Sheriff's Office (TCSO); and Dan Richards, Deputy Chief, TCSO.

Discussion Only.

CITIZENS COMMUNICATION

Members of the Court heard from: Gus Peña, President, East Austin Concerned Hispanics; Kenneth Snyder, Private Citizen; and Charles T. Waits, Private Citizen. (9:26 AM)

CONSENT ITEMS

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

- 3. Motion by** Commissioner Baxter **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C8, and 6, 7, 9, 11, 20, 21.A, C, & D, and 24. (9:42 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	-	absent

- 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 JUNE 15, 1999.
- C4.** APPROVE BOND FOR RESERVE DEPUTY FOR CONSTABLE PRECINCT FIVE FOR KENNETH ORLANDO RUSH.
- C5.** APPROVE PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 51, 52, 53 AND 54, BLOCK B, BARTON CREEK SECTION G PHASE 2 - (AMENDED PLAT - NO FISCAL REQUIRED - 3 LOTS - 2.22 ACRES - CHALK KNOLL DRIVE - SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY MUNICIPAL UTILITY DISTRICTS NO.3 & NO.4).
- C6.** APPROVE PLAT FOR RECORDING IN PRECINCT ONE: J.F. NAGLE ESTATES - (SHORTFORM PLAT - NO FISCAL REQUIRED - 3 LOTS - 107.174 ACRES - OLD KIMBRO ROAD - SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY).

CONSENT ITEMS CONTINUED

- C7.** APPROVE A PUBLIC HEARING DATE OF JULY 20, 1999 TO APPROVE THE VACATION OF RIGHT-OF-WAY AND ACCEPTANCE OF NEW ROADWAY EASEMENT FOR A TURN AROUND FOR JAMES LANE, IN LA HACIENDA ESTATES, SUBDIVISION IN PRECINCT THREE.
- C8.** APPROVE A PUBLIC HEARING DATE OF JULY 20, 1999 TO APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE THE NORTH 9,633 SQ. FT. OF A DRAINAGE EASEMENT THAT CROSSES LOT 1, BLOCK A, J.B. MERRILLTOWN SECTION TWO, A SUBDIVISION IN PRECINCT TWO.

PURCHASING DEPARTMENT ITEMS

4. APPROVE CONTRACT MODIFICATIONS TO FIREPROOF THE STRUCTURAL STEEL COLUMNS ON THE TRAVIS COUNTY CORRECTIONAL COMPLEX PHASE 1 PROJECT AS LISTED BELOW: (9:44 AM)
- A. CONTRACT MODIFICATION NO. 1, TO CONTRACT NO. 99K0721I, MASONRY PACKAGE.
 - B. CONTRACT MODIFICATION NO. 3, TO CONTRACT NO. 99K0721N, DRYWALL/CEILING/ FIREPROOFING PACKAGE.
 - C. CONTRACT MODIFICATION NO. 2 TO CONTRACT NO. 99K0721R, SPECIALTIES PACKAGE.
 - D. CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 99K0721M, ELECTRONICS PACKAGE.

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

Members of the Court heard from: Kevin Bailey, Director, Facilities Management; Mike Barrow, Construction Project Manager, Fluor Daniel; and Cyd Grimes, Travis County Purchasing Agent.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Item 4.A-D.

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	-	absent

5. APPROVE CONTRACT AWARD FOR TESTING AND REPAIR OF TRAVIS COUNTY COURTHOUSE COOLING TOWERS, IFB #B990065-DM, TO THE LOW QUALIFIED, RESPONSIVE BIDDER, BLAZEK MECHANICAL. (10:16 AM)

Item 5 pulled from the Agenda.

6. APPROVE CONTRACT AWARD FOR CASE FILE FOLDERS, IFB B990089-DM, TO THE LOW, QUALIFIED BIDDER, ACRATOD OF AUSTIN, INC. (9:42 AM)

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

7. APPROVE ASSIGNMENT OF CONTRACT FROM NURSES PLUS HEALTHCARE SERVICES TO MEDICAL STAFFING NETWORK, INC.; CONTRACT #PS960146KW, FOR TEMPORARY MEDICAL SERVICES. (9:42 AM)

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

8. APPROVE AUTHORIZATION TO COMMENCE NEGOTIATIONS WITH HNTB, INC. AND JOSE I. GUERRA; RFQ #Q990055KW, PROFESSIONAL ENGINEERING SERVICES FOR THE CAMERON ROAD BRIDGE OVER GILLELAND CREEK (106), OLD MANOR ROAD BRIDGE OVER WALNUT CREEK (113), AND THE BLUE BLUFF BRIDGE OVER GILLELAND CREEK (169) PROJECT. (10:16 AM)

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

Motion by Commissioner Davis **and seconded by** Judge Biscoe 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	-	absent

9. APPROVE CONTRACT MODIFICATION NO. 5 TO CONTRACT NO. PS970359JJ, CARTER & BURGESS, INC., PROFESSIONAL ENGINEERING SERVICES FOR THE HOWARD LANE PROJECT; MODIFICATION ADDS SERVICES TO THE CONTRACT. (9:42 AM)

Item 9 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

JUSTICE AND PUBLIC SAFETY ITEMS

10. RECEIVE FINAL VICTIMS SERVICES 2000 REPORT AND APPROVE SUBMISSION TO FEDERAL OFFICE OF VICTIMS SERVICES IN COMPLIANCE WITH GRANT GUIDELINES. (10:45 AM)

Members of the Court heard from: Dinah Dinwiddie, Executive Manager, Justice and Public Safety (JPS); and Natacha Wagner, Report Consultant.

Motion by Commissioner Baxter **and seconded by** Commissioner Davis to approve 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	-	absent

11. APPROVE INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND THE CITY OF AUSTIN FOR CONTINUATION OF THE CITY OF AUSTIN'S ASSIGNMENT OF STANDARDIZED ADDRESSES THROUGHOUT THE COUNTY. (9:42 AM)

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

ADMINISTRATIVE OPERATIONS ITEMS

COUNTY POLICIES AND PROCEDURES

12. APPROVE ORDER TO REVISE EMPLOYEE MOBILITY POLICY (10.030) (10:19 AM)

Item 12 postponed until July 6, 1999.

13. DISCUSS MODIFICATIONS TO HEALTH BENEFIT PLANS FOR HMO, PPO, AND PRESCRIPTION DRUG PROGRAM, AND TAKE APPROPRIATE ACTION. (10:20 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Linda Moore Smith, Director, HRMD; Cindy Purinton, Contract Benefits Coordinator, HRMD; and Barbara Wilson, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the following Staff recommendations: HMO, Option 1; PPO, Option 5; Dental, Item 2; “Cobra”, no increase; and Flexible Spending, Bullet 4.

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	-	absent

Clerk’s Note: The Court further directed Staff to provide a one-page summary of the Health Plan modifications for employees.

14. DISCUSS LEASE AGREEMENT BETWEEN TRAVIS COUNTY, TEXAS AND CENTRAL PARKING SYSTEMS OF TEXAS, INCORPORATED, AND TAKE APPROPRIATE ACTION. (10:56 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; and John Hille, Assistant County Attorney.

Motion by Commissioner Baxter **and seconded by** Commissioner Davis to approve Item 14, with direction that the County will assign these spaces to individual County employees.

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	-	absent

15. DISCUSS, APPROVE AND DIRECT STAFF ON CRIMINAL JUSTICE CENTER SPACE CHANGES REQUESTED BY THE DISTRICT JUDGES FOR THE 9TH FLOOR JUDICIAL OFFICES. (11:01 AM) (4:07 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Jim Barr, Project Manager, Facilities Management; and Judge Bob Perkins, 331st District Court.

Motion by Judge Biscoe and seconded by Commissioner Davis 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	-	no
Precinct 4, Commissioner Margaret J. Gómez	-	absent

16. AUTHORIZE PAYROLL DEDUCTION FOR MONTHLY DUES FOR COUNTY EMPLOYEES WHO ARE MEMBERS OF THE FRATERNAL ORDER OF POLICE. (10:19 AM)

Item 16 postponed until July 6, 1999.

17. APPROVE PERSONNEL AMENDMENTS. (11:10 AM)

Members of the Court heard from: Carlotta Valdez, Compensation Manager, HRMD

Motion by Commissioner Davis and seconded by Judge Biscoe to approve Item 17.

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	-	absent

PLANNING AND BUDGET DEPT. ITEMS

- 18.** DISCUSS AND APPROVE PROPOSED FY 2000 FINE AND FEE CHANGES.
(11:14 AM) (1:38 PM)

Members of the Court heard from: Leroy Nellis, Budget Manager, Planning and Budget Office (PBO); Michelle Brinkman, Chief Deputy District Clerk; and John Hille, Assistant County Attorney.

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

Discussion Only.

- 19.** APPROVE AMENDMENT NUMBER ONE TO CONTRACT FOR DEPOSITORY SERVICES BETWEEN TRAVIS COUNTY AND BANK ONE, TEXAS, N.A.
(11:32 AM)

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

20. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:42 AM) (11:32 AM)

Item 20 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

Members of the Court heard from: Jessica Rio, Planning and Budget Analyst, PBO.

Motion by Commissioner Baxter **and seconded by** Commissioner Davis to reconsider Item 20.

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	-	absent

Motion by Judge Biscoe **and seconded by** Commissioner Baxter to re-approve Item 20.

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	-	absent

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

- A. APPROVE GRANT APPLICATION FOR ACCESS & VISITATION GRANT PROGRAM WITH OFFICE OF ATTORNEY GENERAL FOR JUVENILE COURT. (9:42 AM)

Item 21.A added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- B. APPROVE GRANT APPLICATION FOR TRANSPORTATION ENHANCED PROGRAM WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR TNR DEPARTMENT. (10:19 AM)

Item 21.B postponed until July 6, 1999.

- C. APPROVE COUNTY'S APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR A GRANT TO STABILIZE THE STREAM BANK AT MOYA PARK, AND TAKE APPROPRIATE ACTION. (9:42 AM)

Clerk's Note: Item 21.C is the Action Item for Item 1.

Item 21.C added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- D. APPROVE GRANT CONTRACT FOR VIOLENCE AGAINST WOMEN ACT GRANT FROM THE CRIMINAL JUSTICE DIVISION OF GOVERNOR'S OFFICE FOR SHERIFF'S DOMESTIC VIOLENCE UNIT. (9:42 AM)

Item 21.D added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

ITEM 21 CONTINUED

E. APPROVE PERMISSION TO CONTINUE THE FAMILY VIOLENCE PROTECTION TEAM GRANT FOR COUNTY ATTORNEY'S OFFICE AND SHERIFF'S OFFICE. (11:34 AM)

Members of the Court heard from: Jessica Rio, Planning and Budget Analyst, PBO; Anna Belle Burleson, Victim Witness Counselor, Travis County Attorney's Office; David Escamilla, First Assistant County Attorney; and Mack Martinez, Director of Intake Division, Travis County Attorney's Office.

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

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	-	absent

OTHER ITEMS

22. RECEIVE AND DISCUSS SECOND REVENUE ESTIMATE FOR THE FY 2000 BUDGET PROCESS. (11:39 AM)

Members of the Court heard from: Blain Keith, Director of Financial Services, Travis County Auditor's Office; and Leroy Nellis, Budget Manager, PBO.

Discussion Only.

23. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR MONTH OF MAY, 1999. (11:47 AM)

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

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	-	absent

24. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:42 AM)

Item 24 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

Note 4 – Gov't Code Ann 551.076, Security

25. A. DISCUSS THE SPACE PROVIDED UNDER THE LEASE AGREEMENT BETWEEN TRAVIS PROPERTIES AND TRAVIS COUNTY FOR SPACE AT 207 W. 9TH STREET FOR CRIMINAL JUSTICE PLANNING, EMERGENCY SERVICES AND THE COUNTY ATTORNEY AND THE IMPACT OF FISCAL YEAR 2000 BUDGET PROPOSALS ON THE AGREEMENT. ² (1:38 PM) (4:08 PM)

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

- B. DISCUSS ANY APPROPRIATE MODIFICATIONS TO THE LEASE BETWEEN TRAVIS PROPERTIES AND TRAVIS COUNTY FOR SPACE AT 207 W. 9TH STREET. ¹ & ² (1:38 PM) (1:48 PM) (4:08 PM)

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

Item 25.A & B to be reposted on July 6, 1999.

26. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY V. RYLANDER INVESTMENT COMPANY; CAUSE NO. 989-50464, AND TAKE APPROPRIATE ACTION. ¹ (1:48 PM) (4:09 PM)

Judge Biscoe announced that Item 26 would be considered in Executive Session.

Motion by Judge Biscoe and seconded by Commissioner Baxter that the County deposit into the registry of the Federal District Court the sum of \$169,442.19.

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	-	absent

27. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN LAKE TRAVIS INDEPENDENT SCHOOL DISTRICT V. CRAZY HORSE LAND CORPORATION AND TAKE APPROPRIATE ACTION. ¹ & ² (1:48 PM) (4:09 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Baxter to authorize the County Judge to sign the tax resale deed.

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	-	absent

28. ACCEPT, REJECT OR COUNTER OFFER OR AUTHORIZE COUNTY ATTORNEY TO INITIATE CONDEMNATION REGARDING, PROJECT NO. 97B02-18-2PA, PARCEL 5, N.E. PARK ACCESS ROAD (OWNER: STEVEN MICHAEL ANDERSON AS TRUSTEE OF THE ROBERT F. ANDERSON NON-REVOCABLE TRUST, OR TAKE OTHER APPROPRIATE ACTION. ¹ (1:48 PM) (4:10 PM)

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

Item 28 to be reposted on July 6, 1999.

29. APPROVE RIGHT-OF-ENTRY FOR NORTHEAST TRAVIS COUNTY PARK TRACT FOR PARK ACCESS AT PFLUGERVILLE ROAD (OWNER: STEVEN MICHAEL ANDERSON, TRUSTEE, ET AL) AND/OR TAKE APPROPRIATE ACTION).¹ (1:48 PM) (4:10 PM)

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

Item 29 to be reposted on July 6, 1999.

30. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT OR COUNTER OFFER OR AUTHORIZE COUNTY ATTORNEY TO INITIATE CONDEMNATION REGARDING CIP PROJECT NO. 97-21, PARCEL #17; HOWARD LANE; (PRIME TIME ENTERTAINMENT, INC.; GIESELMAN; CONDEMNATION).¹ & ² (1:48 PM) (4:10 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Baxter to authorize the County Attorney to initiate condemnation.

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	-	absent

31. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT OR COUNTER OFFER OR AUTHORIZE COUNTY ATTORNEY TO INITIATE CONDEMNATION REGARDING CIP PROJECT NO. 97-21, PARCEL #16; HOWARD LANE; (WTL, INC., A TEXAS CORPORATION; GIESELMAN; CONDEMNATION). ¹ & ² (1:48 PM) (4:10 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Baxter to authorize the County Attorney to initiate condemnation.

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	-	absent

32. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, OR APPEAL SPECIAL COMMISSIONERS' AWARD ON CIP PROJECT NO. 2-009, PARCEL 52A; R.M. 620; STATE OF TEXAS VS. JOHN JOSEPH, ET AL. (CONDEMNATION CASE).¹ & ² (1:48 PM) (4:10 PM)

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

Item 32 postponed until July 6, 1999.

33. RECEIVE BRIEFING FROM COUNTY ATTORNEY, AND/OR AUTHORIZE COUNTY ATTORNEY TO MAKE, ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN THE MATTER OF RICHARD KIRKLAND (EMPLOYMENT CLAIM).¹ & ³ (1:38 PM) (4:10 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Baxter to deny the claim.

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	-	absent

34. RECEIVE BRIEFING FROM COUNTY ATTORNEY, AND/OR AUTHORIZE COUNTY ATTORNEY TO MAKE, ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN THE MATTER OF CHRISTOPHER MCMAHAN. (EMPLOYMENT CLAIM)¹ &³ (1:38 PM) (4:10 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Baxter to deny the claim.

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	-	absent

35. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER, AND/OR TAKE APPROPRIATE ACTION IN VAN P. CALLAHAN V. SHERIFF MARGO FRASIER, ET AL; CAUSE NO. A-98-CA-218 SS; (CALLAHAN; FRASIER; §1983; CRUEL AND UNUSUAL PUNISHMENT).¹ (10:20 AM) (4:11 PM)

Item 35 postponed until July 6, 1999.

36. RECEIVE BRIEFING FROM COUNTY ATTORNEY, AND/OR AUTHORIZE COUNTY ATTORNEY TO MAKE, ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN THE MATTER OF PAMELA HUDSON V. TERRY KEEL AND TRAVIS COUNTY, CAUSE NO. 95-12583 (HUDSON; KEEL; TRAVIS COUNTY; 42 USC §1983 CLAIM). ¹ & ³ (1:38 PM) (4:11 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Baxter to authorize the County Attorney to prepare an appropriate waiver of potential conflict, and indicate the Court's consent to authorize the County Attorney to represent all defendants in this matter.

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	-	absent

Motion by Judge Biscoe and seconded by Commissioner Baxter to reconsider the vote on Item 36.

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	-	absent

Motion by Judge Biscoe to indicate the Court's intention to reject the settlement offer in the amount of \$10,000.00.

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	-	absent

37. TAKE ACTION ON AN EMPLOYEE'S APPEAL FOR CATASTROPHIC SICK LEAVE. ¹ (1:38 PM) (4:14 PM)

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

Members of the Court heard from: Barbara Wilson, Assistant County Attorney.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve the denial of the claim by HRMD and the Department of Pre-Trial Services, and approve the finding that this is not the type of illness that was intended to be covered by the catastrophic illness policy.

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	-	absent

ADDED ITEM:

38. A. 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 (1:38 PM) (4:12 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Baxter to withhold the pay applications for April (application #21, in the amount of \$9,025.50), and for May (#22, in the amount of \$19,758.10), for a total of \$28,963.60, based on potential claims by other contractors. These are pay applications submitted by M.W. Builders, Inc.

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	-	absent

B. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE CENTER DUE TO DELAYS BY M.W. BUILDERS AND TAKE APPROPRIATE ACTION. ¹ (1:38 PM)

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

Item 38.B Discussion Only.

THE FOLLOWING ITEMS ARE ADDENDA:

- A1.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN ALAN HARP V. DOYNE BAILEY, CAUSE NO. 90-1774-H2-11. EXECUTIVE SESSION ALSO, PURSUANT TO TX. GOVT. CODE ANN 551.071. (1:38 PM) (4:12 PM)

Judge Biscoe announced that Item A.1 would be considered in Executive Session.

Motion by Judge Biscoe and seconded by Commissioner Baxter to accept the counter offer in the amount of \$85,000.00.

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	-	absent

- A2.** CONSIDER PROPOSED CHANGES AND TAKE APPROPRIATE ACTION ON LEASE FOR COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT (CSCD) AT SOUTHPARK BUSINESS PARK WITH TRANSWESTERN PROPERTIES. EXECUTIVE SESSION ALSO, PURSUANT TO TX. GOVT. CODE ANN 551.071 AND 551.072. (1:38 PM) (4:12 PM)

Judge Biscoe announced that Item A.2 would be considered in Executive Session.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations.

Motion by Judge Biscoe and seconded by Commissioner Davis to direct Staff to prepare the appropriate documentation for presentation to the Court, and execution July 6, 1999, and to proceed with construction, and try to come in on schedule and under budget.

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	-	absent

A3. APPROVE EXEMPTION ORDER FOR THE SOLE SOURCE PROCUREMENT OF SOFTWARE SUBSCRIPTION PROGRAM FROM BUSINESS INTERGRATORS AND AUTHORIZE THE PURCHASING OFFICE TO FINALIZE APPROPRIATE CONTRACT DOCUMENTS. (10:18 AM) (1:38 PM) (4:14 PM)

Judge Biscoe announced that Item A.3 would be considered in Executive Session.

Motion by Judge Biscoe **and seconded by** Commissioner Baxter to approve Item A.3.

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	-	absent

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

Motion by Commissioner Baxter to reconsider the vote by which A.3 was adopted.

Clerk's Note: The Motion was not seconded.

ADJOURNMENT

Motion by Judge Biscoe and **seconded by** Commissioner Baxter to adjourn the Voting Session.
(4:16 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 - absent

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge