

MINUTES – JULY 27, 1999

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 27th day of July, 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 Robert Resnick.

The Commissioners' Court recessed the Voting Session at 12:22 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC), called to order the Voting Session at 1:51 PM and adjourned the Voting Session at 1:56 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation (TCHFDC), called to order the Voting Session at 1:56 PM and adjourned the Voting Session at 1:57 PM.

The Commissioners' Court reconvened the Voting Session at 1:57 PM.

The Commissioners' Court retired to Executive Session at 4:28 PM.

The Commissioners' Court reconvened the Voting Session at 6:22 PM.

The Commissioners' Court adjourned the Voting Session at 6:26 PM.

RESOLUTIONS & PROCLAMATIONS

1. APPROVE RESOLUTION SUPPORTING THE ANNUAL “NATIONAL NIGHT OUT”. (9:08 AM)

Motion by Judge Biscoe **and seconded by** Commissioner Baxter 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

2. APPROVE RESOLUTION RECOGNIZING DONNA WARNDOF FOR RECEIVING TEXAS’ JUSTICES OF THE PEACE AND CONSTABLES ASSOCIATION 1999 T.A. VINES AWARD. (9:08 AM)

Item 2 postponed until August 3, 1999.

CITIZENS COMMUNICATION

Members of the Court heard from: Gus Peña, President, East Austin Concerned Hispanics; Efrain Davila, Manager, Educational Services Division, Travis County Education Services (TCCES); Johnette Langford, Private Citizen; Jim Steed, Project Bridge/Real Estate Council of Austin; and Margaret Owens, Project Bridge.

3. INTRODUCTION OF LESLIE DIPPEL AND DON CHILDS (COUNTY ATTORNEY’S OFFICE) TO COMMISSIONERS’ COURT. (9:25 AM)

Members of the Court heard from: Jim Collins, Executive Assistant County Attorney; Don Childs, Assistant County Attorney; and Leslie Dippel, Assistant County Attorney.

CONSENT ITEMS

4. **Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the following Consent Items: C1-C5, 9, 10.A, 12, 15, 22, 27, 28, & 29. (9:29 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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION FACILITIES.
- C3. APPROVE A PUBLIC HEARING DATE OF AUGUST 17, 1999 TO APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF A DRAINAGE EASEMENT ON LOT 6, BLOCK 16, AUSTIN LAKE ESTATES SECTION ONE, A SUBDIVISION IN PRECINCT THREE.
- C4. APPROVE A PUBLIC HEARING DATE OF AUGUST 10, 1999 TO APPROVE A TEMPORARY ROAD CLOSURE OF BRADSHAW ROAD AT THE BRIDGE OVER RINARD CREEK IN PRECINCT FOUR.
- C5. **ADDED ITEM:** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: RIDGE AT STEEDS CROSSING SECTION TWO, PHASE B- (FISCAL POSTED WITH TRAVIS COUNTY-125 LOTS-49.279 ACRES-WILLIAMSON COUNTY ROAD 138) – WASTEWATER SERVICE TO BE PROVIDED FOR BY KELLY LANE UTILITIES.

JUSTICE AND PUBLIC SAFETY ITEMS

- 5. REVIEW AND DISCUSS STATUS OF PLAN FOR CENTRAL BOOKING AND MAGISTRATION AND OTHER ISSUES RELATED TO THE NEW CRIMINAL JUSTICE CENTER, AND TAKE APPROPRIATE ACTION. (9:35 AM)

Members of the Court heard from: Dinah Dinwiddie, Executive Manager, Justice and Public Safety (JPS); Kati Broderick, Manager, JPS; and Belinda Poppa, Capital Planning Coordinator, Planning and Budget Office (PBO).

Discussion only.

Item 5 to be reposted on August 3, 1999.

- 6. APPROVE INTERLOCAL AGREEMENT FOR EMERGENCY MEDICAL SERVICES AND HELICOPTER SERVICES WITH CITY OF LAGO VISTA. (9:50 AM)

Item 6 postponed until August 3, 1999.

HEALTH AND HUMAN SERVICES DEPARTMENT ITEMS

- 7. APPROVE GRANT APPLICATION TO TEXAS DEPARTMENT OF PROTECTIVE AND REGULATORY SERVICES TOTALING \$150,000 (\$75,000 PER ANNUM FOR TWO YEARS) TO BE USED TO PROVIDE HEALTHY FAMILIES SERVICES TO ADDITIONAL FAMILIES WITH THE HEALTHY FAMILIES TRAVIS COUNTY SERVICE AREA. (9:51 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department (HHSD) and Veterans' Services; and Judy Schwarze, Program Director, Healthy Families, Travis County.

Motion by Commissioner Gómez **and seconded by** Judge Biscoe 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. CONSIDER CONTRACT FOR \$30,000 WITH AMERICAN INSTITUTE FOR LEARNING AND THE TEXAS RESTAURANT ASSOCIATION EDUCATION FOUNDATION FOR WORKFORCE DEVELOPMENT TRAINING, AND TAKE APPROPRIATE ACTION. (10:10 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, Austin-Travis County HHSD and Veterans' Services; Dennis Borel, American Institute for Learning; and Laurie Donnell, Texas Restaurant Association.

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

PURCHASING DEPARTMENT ITEMS

9. APPROVE SOLE SOURCE EXEMPTION ORDER AND CONTRACT AWARD OF DEFIBRILLATORS AND ACCESSORIES FROM LAERDAL MEDICAL (9:29 AM)

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

- 10. A. APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO PS970165-MB, FUGRO McCLELLAND (SOUTHWEST), CJC TESTING AND INSPECTION SERVICES; MODIFICATION PROVIDES FOR A 13-MONTH EXTENSION OF THE CONTRACT. (9:29 AM)

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

- B. DISCUSS EXPIRED CONTRACTS ON THE CRIMINAL JUSTICE CENTER PROJECT, AS LISTED BELOW, AND TAKE APPROPRIATE ACTION. (10:24 AM)

- (1) CONTRACT NO. 98C0062-MB, EMSCOR CHAMPION SALES AND RENTAL, INC., CJC MAN AND MATERIAL HOIST. (10:24 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Alicia Perez, Executive Manager, Administrative Operations; Marvin Brice; Construction Procurement Manager, Purchasing; Jim Barr, Contract Administrator, Facilities Management; and John Hille, Assistant County Attorney.

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

- (2) CONTRACT NO. 97C0120-MB, HIGHWAY SAFETY SERVICE CO., INC., CJC TRAFFIC CONTROL MEASURES. (10:38 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Marvin Brice; Construction Procurement Manager, Purchasing; John Hille, Assistant County Attorney; and Mike Barrow, Construction Project Manager, Fluor Daniel.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to direct Staff to put together an appropriate contract for the not-to-exceed amount of \$7,500.00 and indicate the Court’s intention to take it from liquidated damages. The Court also requested an indication of what has been used, what has been encumbered, and what is left.

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 ELECTRONIC SIRENS OFF STATE CONTRACT FROM G.T. DISTRIBUTORS FOR THE SHERIFF’S OFFICE (TCSO). (10:42 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Terry Pickering, Major, Travis County Sheriff’s Office (TCSO).

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

Motion carried:

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

- 12. APPROVE CONTRACT AWARD FOR THE PROVISION OF AUTOMOTIVE PARTS, IFB 990077-RG, TO THE LOW QUALIFIED BIDDERS, ARNOLD OIL COMPANY, TEXAS ALTERNATOR, CAPITAL BEARING AND CARQUEST AUTO PARTS. (9:29 AM)

Item 12 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 13. APPROVE 12-MONTH CONTRACT EXTENSIONS (MODIFICATION NO. 2) TO CONTRACT NOS. 97T0301-RH; AUSTIN QUALITY CAR WASH, 97T0302-RH; GENIE CAR WASH, 97T0303; RPM ENTERPRISES, D/B/A SQUEEKY CLEEN SOUTH, 97T0304-RH; WSM ENTERPRISES, D/B/A SQUEEKY CLEEN NORTH FOR CAR WASHING SERVICES; CONTRACTS APPROVED ON 8/5/97. (10:44 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Don Wheeler, Division Director, Road Maintenance and Fleet Services, Transportation and Natural Resources (TNR); and Terry Pickering, Major, TCSO.

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe to approve Item 13.

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 DEPARTMENT ITEMS

- 14.** DISCUSS PARK FEE SURVEY AND STAFF RECOMMENDATIONS ON PROPOSED PARK FEE SCHEDULE, AND TAKE APPROPRIATE ACTION. (11:14 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Michael Mitchell, Right-of-Way Manager, TNR; Christian Smith, Executive Manager, PBO; Gill Yutter, Private Citizen; Bob Morrow, Private Citizen; Edward Vassier, Private Citizen, Bill Blankey, Private Citizen; Ron Hinsley, Private Citizen; and Betsy Heard, Private Citizen.

Discussion Only.

Item 14 to be reposted on August 24, 1999.

- 15.** APPROVE CASH SECURITY AGREEMENT FOR CONSTRUCTION FISCAL FOR A TURN AROUND AT THE END OF JAMES LANE AFTER PARTIAL VACATION, A DEVELOPMENT IN PRECINCT THREE. (9:29 AM)

Item 15 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

16. APPROVE REVISION TO THE 1999 PAVING PLAN TO SUBSTITUTE TYPE ‘F’ MIX PROJECTS IN PRECINCT FOUR. (10:55 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Cyd Grimes, Travis County Purchasing Agent.

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

Motion carried:

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

Clerk’s Note: At 11:04 AM, Commissioner Davis requested that the Commissioners’ Court record reflect a Corrected Vote on Item 16. Judge Biscoe instructed that with no objection the Minutes reflect that the Court approved by Consensus Commissioner Davis voting yes on the referenced Item. The Commissioners’ Court record does reflect the Corrected vote.

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. A. APPROVE AND EXECUTE THE RIGHT OF WAY AGREEMENT BETWEEN LAKEWAY PLAZA PARTNERS, A TEXAS GENERAL PARTNERSHIP AND TRAVIS COUNTY, TEXAS TO ACQUIRE RIGHT-OF-WAY FOR THE LOHMAN’S CROSSING ROAD RECONSTRUCTION PROJECT. (10:56 AM)
- B. APPROVE AND EXECUTE THE RIGHT-OF-WAY AGREEMENT BETWEEN ALBERTSON’S INC., A DELAWARE CORPORATION, AND TRAVIS COUNTY, TEXAS TO ACQUIRE RIGHT-OF-WAY FOR THE LOHMAN’S CROSSING ROAD RECONSTRUCTION PROJECT.
- C. CONSIDER BIDS RECEIVED FOR CONSTRUCTION OF IMPROVEMENTS TO LOHMAN’S CROSSING ROAD, IFB #B990706-JG, AND TAKE APPROPRIATE ACTION.

Clerk’s Note: Items 17.A, B, & C are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Cyd Grimes, Travis County Purchasing Agent; and John Hille, Assistant County Attorney.

Motion by Commissioner Baxter **and seconded by** Commissioner Sonleitner to approve Item 17.A, B, & C, with the direction to Staff that the contract modifications to Item 17.C be brought back to the Court for approval August 3, 1999.

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

PLANNING AND BUDGET DEPARTMENT ITEMS

18. A. REVIEW AND APPROVE INDIRECT COST PLAN TO REIMBURSE THE COUNTY FY 2000 FOR ITS INDIRECT COSTS FROM GRANTS. AND DIRECT THE PLANNING AND BUDGET OFFICE TO WORK WITH THE COUNTY AUDITOR’S OFFICE TO DEVELOP SUPPORTING ADMINISTRATIVE PROCEDURES TO REIMBURSE THE COUNTY FOR ITS INDIRECT COSTS. (3:14 PM)

Members of the Court heard from: Susan Spataro, Travis County Auditor; Christian Smith, Executive Manager, PBO; Linda Christy, Chief Assistant County Auditor; and Alan Miller, Budget Analyst, PBO.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Christian Smith’s letter to officials and department heads, and that he meet with the affected managers and officials in Travis County, to address issues such as threshold, protocol, and related issues, and report back to the Court in about a month, soon enough to have something in place for the next fiscal year.

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

- B. DISCUSS FORMAL PROCESS TO EVALUATE GRANT PROGRAMS. (3:14 PM)

Item 18.B postponed until August 3, 1999.

19. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (3:59 PM)

Members of the Court heard from: Leroy Nellis, Budget Manager, PBO.

Motion by Commissioner Sonleitner and seconded by Commissioner Gómez to approve Item 19, with the exception of Item A.2.

Motion carried:

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

- 20.** DISCUSS AND APPROVE PROPOSED FY 2000 FINE AND FEE CHANGES.
(4:02 PM)

Item 20 postponed until August 3, 1999.

ADMINISTRATIVE OPERATIONS ITEMS

- 21.** APPROVE AMENDMENT TO LEASE FOR COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT (CSCD) AT SOUTHPARK BUSINESS PARK WITH TRANSWESTERN PROPERTIES. (4:02 PM)

Members of the Court heard from: Jim Connolly, Assistant County Attorney.

Item 21 postponed until August 3, 1999.

- 22.** APPROVE AMENDMENT TO LEASE FOR COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT (CSCD) AT SOUTHPARK BUSINESS PARK WITH TRANSWESTERN PROPERTIES. (9:29 AM)

Item 22 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

23. APPROVE PERSONNEL AMENDMENTS. (11:03 AM)

Members of the Court heard from: Carlotta Valdez, Compensation and Benefits Manager, Human Resources Management Department (HRMD).

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

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

A. CONSIDER WHETHER TO CONTRACT FOR PROFESSIONAL ASSISTANCE ON CRIMINAL JUSTICE CENTER, AND TAKE APPROPRIATE ACTION. (11:06 AM)

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

Motion by Judge Biscoe and seconded by Commissioner Gómez to have Alicia Perez, Executive Manager, Administrative Operations, and Cyd Grimes, Travis County Purchasing Agent, work with Commissioners Gómez and Sonleitner to pursue a specific contract for Court consideration next Tuesday, August 3, 1999, including a budget for at least the first two months, and a source of funding.

Clerk’s Note: Commissioner Sonleitner stated that she assumed PBO would assist in developing budget possibilities to determine where this money can come from, and whether an exemption order would be needed, and to make sure the order would be properly ready, since professional services are included. Judge Biscoe hoped that the committee’s recommendation will show how to get this done, but that since PBO is going to locate the funding and work on the budget, they do not need to be included on the committee. Commissioner Sonleitner stated that this is more of a notice that PBO’s general assistance would be needed. Judge Biscoe said that, although he did not name the County Attorney as a member of the committee, since a contract is involved, some person from the County Attorney’s Office would have to be designated to assist the committee.

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 23 CONTINUED

Clerk's Note: Judge Biscoe indicated for the record that the Court has been talking with representatives of Herndon, Stauch, and Associates, and that the Court's direction would be to pursue putting together a formal recommendation with that firm.

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

OTHER ITEMS

- 24. RECEIVE AND DISCUSS THIRD REVENUE ESTIMATE FOR THE FY 2000 BUDGET PROCESS. (4:02 PM)**

Members of the Court heard from: Blain Keith, Director of Financial Services, Travis County Auditor's Office; and Susan Spataro, Travis County Auditor.

Discussion only.

- 25. A. APPROVE POLITICAL PARTIES RECOMMENDATIONS FOR ELECTION JUDGES AND ALTERNATE ELECTION JUDGES. (4:12 PM)
- B. APPOINT ELECTION JUDGES AND ALTERNATE ELECTION JUDGES FOR A TWO YEAR TERM, AUGUST 1, 1999 TO JULY 31, 2001.

Clerk’s Note: Items 25.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Lesley Thompson, Travis County Clerk Elections Division Manager; and Tamara Armstrong, Assistant County Attorney.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve Item 25.

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

- 26. CONSIDER MEMBERSHIP TO HIGHLAND LAKES GROUP WITH ANNUAL DUES OF \$100.00 AND TAKE APPROPRIATE ACTION. (4:21 PM)

Item 26 postponed until August 3, 1999.

- 27. RECEIVE REVENUE AND EXPEDITURE REPORTS FOR THE MONTH OF JUNE, 1999. (9:29 AM)

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

- 28. APPROVE DONATION FROM SOUTHSIDE WRECKER, INC. IN THE AMOUNT OF \$500.00 TO BE USED TOWARD THE PURCHASE OF CANINE EQUIPMENT. (9:29 AM)

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

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

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

- 30. RECEIVE UPDATE ON PROGRESS OF CONSTRUCTION AT THE BLACKWELL THURMAN CRIMINAL JUSTICE CENTER, INCLUDING BUDGET AND SCHEDULE. (1:57 PM)**

Members of the Court heard from: Mike Barrow, Construction Project Manager, Fluor Daniel; Kevin Bailey, Director, Facilities Management; Alicia Perez, Executive Manager, Administrative Operations; Jim Overton, Construction Contract Administrator, Graeber, Simmons, and Cowan; and Tommy Cowan, Graeber, Simmons, and Cowan.

Discussion only.

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
- Note 5 - Gov't Code Ann 551.075, Conference with Employees

- 31. RECEIVE STATUS UPDATE ON STARFLIGHT NEGOTIATIONS WITH SETON AND TAKE APPROPRIATE ACTION. ⁵ (4:23 PM) (6:22 PM)**

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

No Action necessary on Item 31.

Item 31 to be reposted on August 10, 1999.

- 32.** A. DISCUSS THE SPACE PROVIDED UNDER THE LEASE AGREEMENT BETWEEN TRAVIS COUNTY 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
(4:23 PM) (6:22 PM)
- B. DISCUSS ANY APPROPRIATE MODIFICATIONS TO THE LEASE BETWEEN TRAVIS PROPERTIES AND TRAVIS COUNTY FOR SPACE AT 207 W. 9TH STREET. ²

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

No Action necessary on Item 32.

Item 32 to be reposted on August 3, 1999.

- 33. A. RECEIVE UPDATE FROM THE COUNTY ATTORNEY’S OFFICE ON STATUS OF CONSTRUCTION OF THE CRIMINAL JUSTICE CENTER AND TAKE APPROPRIATE ACTION. ¹ (4:23 PM) (6:22 PM)

No Action necessary on Item 33.A.

- B. RECEIVE BRIEFING FROM COUNTY REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE CENTER AND TAKE APPROPRIATE ACTION. ¹ (4:23 PM) (6:22 PM)

No Action necessary on Item 33.B.

- C. REVIEW CLAIM FROM THE CCC GROUP, INC.; APPROVE PARTIAL SETTLEMENT AGREEMENT AND TAKE APPROPRIATE ACTION. ¹ (2:54 PM) (4:23 PM) (6:22 PM)

Members of the Court heard from: Don Young, CCC Group, Inc.; Whit Pilcher, Construction Administrator, CCC Group, Inc; Mike Barrow, Construction Project Manager, Fluor Daniel; and John Hille, Assistant County Attorney.

Judge Biscoe announced that Item 33.A, B, & C would be considered in Executive Session.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the partial settlement agreement in the amount of \$11,904.40, that an appropriate requisition be prepared for Purchasing to process payment as soon possible, that the appropriate agreement be finalized for action next week, August 3, 1999, and that the Court indicates its intention to take this amount of money from liquidated damages in the County’s possession.

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

34. A. DISCUSS, APPROVE AND TAKE ANY APPROPRIATE ACTION REGARDING THE LEASE ADMENDMENT (FOR 1300 GUADALUPE) BETWEEN G.O.P. INVESTMENTS AND TRAVIS COUNTY. ² (4:23 PM) (6:22 PM)

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

No Action necessary on Item 34.A.

- B. DISCUSS, APPROVE AND TAKE ANY APPROPRIATE ACTION REGARDING TRAVIS COUNTY TEXAS HIRING A BROKER TO SUBLET LEASE SPACE LOCATED AT 201 W. 5TH STREET. ² (4:23 PM) (6:23 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Gómez that County Staff take the appropriate steps to hire a broker to sublease the space in question on a contingency fee basis.

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. RECEIVE BRIEFING FROM COUNTY ATTORNEY ON POSSIBLE LITIGATION RELATED TO THE MEDICAL EXAMINER'S BUILDING. ¹ (4:23 PM)

No Action necessary on Item 35.

- 36. 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. (GIESELMAN; CONDEMNATION) ¹ (4:23 PM) (6:23 PM)

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

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

- 37. RECEIVE BRIEFING FROM COUNTY ATTORNEY, AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT OR COUNTER SETTLEMENT DEMAND REGARDING CIP PROJECT NO. 97-21, PARCEL #17; HOWARD LANE; (PRIME TIME ENTERTAINMENT, INC.; GIESELMAN; CONDEMNATION). ¹ & ² (4:23 PM) (4:28 PM)

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

Item 37 pulled from the Agenda.

- 38. RECEIVE BRIEFING FROM COUNTY ATTORNEY, AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT OR COUNTER SETTLEMENT DEMAND REGARDING CIP PROJECT NO. 97-21, PARCEL #16; HOWARD LANE; (WTL, INC., A TEXAS CORPORATION; GIESELMAN; CONDEMNATION). ¹ & ² (4:23 PM) (4:28 PM)

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

Item 38 pulled from the Agenda.

- 39.** APPROVE, REJECT, OR COUNTER THE COUNTEROFFER RECEIVED FROM THE ANDREWARTHA FAMILY PARTNERSHIP, LTD. FOR PARCEL 12 ALONG SH 45. ² (4:23 PM) (6:24 PM)

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

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez to accept the offer from the Andrewartha Family Partnership, Ltd., in the amount of \$571,260.00.

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

- 40.** RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING TRAVIS COUNTY FORENSIC CENTER IMPROVEMENTS DESIGN AND TAKE APPROPRIATE ACTION. ¹ (4:23 PM) (6:24 PM)

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

No Action necessary on Item 40.

Item 40 pulled from the Agenda until further notice.

41. RECEIVE BRIEFING FROM COUNTY ATTORNEY; AND/OR ACCEPT, REJECT, COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN: VICTOR WALLS V. TRAVIS COUNTY AND TRAVIS COUNTY SHERIFF'S OFFICE (WALLS; FRASIER; TEXAS TORT CLAIMS ACT; PREMISES, AND PERSONAL INJURY). ¹ (4:23 PM) (6:24 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis that the Commissioners' Court act on the agreement, which was worked out in mediation, in the amount of \$85,000.00 for Victor Walls, for a complete release in that case. The Court also gives instructions to the County Auditor's Office and to the Treasurer's Office to expedite the issuance of that check in next week's claims list, to offer the Court's sincere thanks and appreciation to Sherine Thomas for her representation, and to authorize the County Judge to execute the settlement agreement when it is prepared.

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

42. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR APPOINT COUNTY REPRESENTATIVE TO ATTEND MEDIATION AND/OR TAKE APPROPRIATE ACTION IN WICKENHEISER, ET AL. V. CITY OF AUSTIN ET AL. (WICKENHEISER; GIESELMAN; TEXAS TORT CLAIMS ACT AND PERSONAL INJURY SUIT). ¹ (4:23 PM) (6:25 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to designate Dan Mansour, Risk Manager, HRMD, as the County representative at mediation.

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/OR APPOINT COUNTY REPRESENTATIVE TO ATTEND MEDIATION AND/OR TAKE APPROPRIATE ACTION IN ROBERT DUDA V.ARMADILLO INDUSTRIES, INC., ET AL V. TRAVIS COUNTY (DUDA; FRASIER). ¹ (4:23 PM) (6:25 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Gómez to designate Terry Pickering, Major, TCSO, to work with Dan Mansour, to represent Travis County in the mediation of this matter.

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

- 44. ACCEPT, REJECT OR COUNTEROFFER OFFER TO SETTLE A CLAIM BY TRAVIS COUNTY AGAINST CECIL PETRI AND TAKE APPROPRIATE ACTION. ¹ (4:23 PM) (6:25 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Gómez to formally accept the amount of \$6,878.60 as the County’s share in the matter of Cecil Petri.

Motion carried:

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

ADJOURNMENT

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to adjourn the Voting Session. (6:26 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