

MINUTES – OCTOBER 5, 1999

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 5th day of October, 1999, the Commissioners' Court convened the regular Voting Session at 9:12 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 Velasquez.

The Commissioners' Court retired to Executive Session at 10:34 AM.

The Commissioners' Court reconvened the Voting Session at 11:58 AM.

The Commissioners' Court recessed the Voting Session at 11:58 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 1:36 PM and adjourned at 1:36 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFDC) called to order the Voting Session at 1:36 PM and adjourned the Voting Session at 1:43 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation (TCHFDC) called to order the Voting Session at 1:43 PM and adjourned the Voting Session at 1:44 PM.

The Commissioners' Court, meeting as the Capital Health Facilities Development Corporation (CHFDC) called to order the Voting Session at 1:44 PM and adjourned the Voting Session at 1:44 PM.

The Commissioners' Court, meeting as the Capital Industrial Development Corporation (CIDC) called to order the Voting Session at 1:44 PM and adjourned the Voting Session at 1:46 PM.

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

The Commissioners' Court retired to Executive Session at 2:16 PM.

The Commissioners' Court reconvened the Voting Session at 3:27 PM.

The Commissioners' Court adjourned the Voting Session at 3:33 PM.

PUBLIC HEARINGS

- 1. PUBLIC HEARING TO ADOPT REVISIONS TO CHAPTER 48, RULES AND PROCEDURES OF TRAVIS COUNTY CODE FOR ONSITE SEWAGE FACILITIES. (9:12 AM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis 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: Steve Manilla, Director of Engineering and Planning, Transportation and Natural Resources (TNR); Bob Turner, On-Site Wastewater Program Manager, TNR; and Jim Fulton, Private Sewage Facilities Associate Engineer, Travis County Health and Human Services (TCHHS).

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

Clerk’s Note: The Action Item for Item 1 is Item 4.

CITIZENS COMMUNICATION

Members of the Court heard from: Marion Denburg, Private Citizen; and Jimmy Castro, Private Citizen. (9:30 AM)

CONSENT ITEMS

Members of the Court heard from: Stephen Williams, Executive Manager, Travis County Health, Human Services and Veterans’ Services (TCHHS&VS).

- 2. Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C7, and Items 3, 6, 9, 14.A, B, C, D, & F, 15, 17, 18.A, 19.A, B, & C, 21, 22, 23, 27, 28, 29, and A.1. (9:43 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 COMMISSIONERS’ COURT MINUTES FOR VOTING SESSION OF SEPTEMBER 21, 1999.
- C4.** APPROVE SETTING A PUBLIC HEARING DATE OF OCTOBER 26, 1999 FOR APPROVAL OF PROPOSED STREET NAME CHANGE FOR A PORTION OF DESSAU ROAD TO "LAZYRIDGE DRIVE" FROM CRYSTAL BEND DRIVE TO GREGG LANE IN PRECINCT TWO.
- C5.** APPROVE SETTING A PUBLIC HEARING DATE OF OCTOBER 26, 1999 FOR APPROVAL OF PROPOSED STREET NAME CHANGE FOR A PORTION OF DESSAU ROAD TO "CRYSTAL BEND DRIVE" FROM LAZYRIDGE DRIVE TO IMMANUEL ROAD IN PRECINCT TWO.
- C6.** APPROVE THE PARTIAL VACATION OF LOT 2 BLOCK A, THE REPLAT OF BLOCKS A, B, & C, CENTRAL COMMERCE PARK AND A PLAT FOR RECORDING IN PRECINCT TWO: REPLAT OF LOT 2 BLOCK A OF THE REPLAT OF BLOCKS A, B, & C, CENTRAL COMMERCE PARK (SHORTFORM PLAT - NO FISCAL REQUIRED - 3 LOTS - 7.999 ACRES - WAUKESHA DRIVE - SEWAGE SERVICE TO BE PROVIDED BY WINDERMERE UTILITY COMPANY).
- C7.** APPROVE PARTIAL VACATION OF LOT 25 BLOCK J, NORTH PARK SECTION TWO, AND A PLAT FOR RECORDING IN PRECINCT TWO: REPLAT OF LOT 25 BLOCK "J" NORTH PARK, SECTION TWO (SHORTFORM PLAT - NO FISCAL REQUIRED - 1 LOT - 8.411 ACRES - GRAND AVENUE PARKWAY AND CENTRAL COMMERCE DRIVE - SEWAGE SERVICE TO BE PROVIDED FOR BY THE WINDERMERE UTILITY COMPANY).

- 3. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING OUTDOOR BURNING BAN IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:43 AM)

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

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

- 4. APPROVE REVISIONS TO CHAPTER 48, RULES AND PROCEDURES OF TRAVIS COUNTY CODE FOR ONSITE SEWAGE FACILITIES AND TAKE APPROPRIATE ACTION. (9:29 AM)

Clerk’s Note: Item 4 is the Action Item for Item 1.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the rules to be sent on to TNRCC, with the recommended correction to change 48.0033 to 48.003 on the first page.

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

- 5. APPROVE AN ORDER OF REJECTION OF DEDICATION AND QUITCLAIM DEED FOR PART OF LAKESHORE DRIVE ADJACENT TO LOT 112, LAKESHORE ADDITION, A SUBDIVISION IN PRECINCT THREE. (9:47 AM)

Members of the Court heard from: Steve Manilla, Director of Engineering and Planning, TNR; and Tom Nuckols, Assistant County Attorney.

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez to approve the order of rejection of dedication and quitclaim deed.

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 AND EXECUTE ORDER ADVISING THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) THAT TRAVIS COUNTY DOES NOT HAVE NEED FOR STATE-OWNED LAND LOCATED IN UNUSED RIGHT-OF-WAY OF RM 2244 IN PRECINCT THREE. (9:43 AM)

Item 6 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court’s Motion and Vote.

HEALTH AND HUMAN SERVICES ITEMS

- 7. APPROVE AMENDED INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND THE CAPITAL AREA RURAL TRANSPORTATION SYSTEM (CARTS). (9:43 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, TCHHS&VS.

Item 7 postponed until October 12, 1999.

- 8.
 - A. APPROVE AMENDMENT NO. 3 TO THE HUMAN SERVICES INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN TO ADD \$33,093 IN COUNTY FUNDS FOR THE CONTRACT WITH THE PUSHUP FOUNDATION. (9:49 AM)
 - B. APPROVE AMENDMENT NO. 2 TO THE COUNTY CONTRACT WITH THE PUSHUP FOUNDATION TO ADD \$33,093 IN FUNDING FOR THE ADDITIONAL PROVISION OF MEN’S TRANSITIONAL HOUSING SERVICES.

Clerk’s Note: Items 8.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Stephen Williams, Executive Manager, TCHHS&VS; and Mary Etta Gerhardt, Assistant County Attorney.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Items 8.A and B.

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

- 9. SET A PUBLIC HEARING DATE OF OCTOBER 26, 1999 TO CONSIDER AND ADOPT REVISIONS TO CHAPTER 47 OF THE TRAVIS COUNTY CODE REGARDING FOOD ESTABLISHMENT PERMITS, TO UPDATE REFERENCES TO STATE STATUTES AND TO THE TEXAS FOOD ESTABLISHMENT RULES.
(9:43 AM)

Item 9 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court’s Motion and Vote.

JUSTICE AND PUBLIC SAFETY ITEMS

- 10. RECEIVE STATUS UPDATE ON COUNTY MAGISTRATION ISSUES AND TAKE APPROPRIATE ACTION. (9:57 AM)

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

Discussion Only.

Item 10 to be reposted on October 19, 1999.

ADMINISTRATIVE OPERATIONS ITEMS

- 11. RECEIVE SECOND REPORT FROM HERNDON, STAUCH AND ASSOCIATES ON CRIMINAL JUSTICE BOND PROGRAM, AND TAKE APPROPRIATE ACTION.
(9:41 AM) (1:46 PM)

Members of the Court heard from: Dave Stauch, Herndon Stauch & Associates; Alicia Perez, Executive Manager, Administrative Operations; and Rick Andrews, Senior Estimator, Herndon Stauch & Associates.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to receive the second deliverable on the first 60 day contract with Herndon Stauch & Associates.

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. A. APPROVE SHORT TERM DISABILITY AS AN EMPLOYEE PAID BENEFIT, EFFECTIVE JANUARY 1, 2000. (9:41 AM)
- B. APPROVE EXTENSION OF THE CATASTROPHIC SICK LEAVE POLICY BEYOND SEPTEMBER 30, 1999.

Clerk's Note: Items 12.A and B are associated with one another and were called for concurrent discussion.

Items 12.A and B postponed until October 12, 1999.

- 13. APPROVE CONTRACT MODIFICATION NO. 4 TO CONTRACT NO. 97T0094-OJ, WORKERS ASSISTANCE PROGRAM INC. EMPLOYEE ASSISTANCE PROGRAM; CONTRACT APPROVED ON 11/26/96; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION AND INCORPORATES RATE AND SERVICE CHANGES. (10:00 AM)

Members of the Court heard from: Linda Moore Smith, Director, Human Resources Management Department (HRMD); Barbara Wilson, Assistant County Attorney; and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the contract modification #4.

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

14. REVIEW AND APPROVE THE FOLLOWING PROPERTY AND LIABILITY CLAIM RECOMMENDATIONS: (9:43 AM)

- A. TNR - SETTLE
- B. ADRIAN JONES - DENY
- C. JERRY JOHNSON PROPERTY - DENY
- D. CHARLES BRADING - DENY
- E. ANN B. TRAVIS – DENY (9:42 AM)

Item 14.E postponed until October 12, 1999.

- F. FRANK CASTRO - DENY

Clerk’s Note: Items 14.A, B, C, D, and F are associated with one another and were called for concurrent discussion.

Items 14.A, B, C, D, and F added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court’s Motion and Vote.

15. APPROVE PERSONNEL AMENDMENTS. (9:43 AM)

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

PLANNING AND BUDGET DEPT. ITEMS

16. APPROVE ORDER TO DIRECT DEPOSITING SALARY FUND MONIES INTO THE GENERAL FUND OF TRAVIS COUNTY. (10:34 AM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the 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

17. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:43 AM)

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

18. APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSION TO CONTINUE. (9:43 AM)

- A. APPROVE GRANT CONTRACT WITH THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS), FOR THE COPS MORE 98 TECHNOLOGY GRANT FOR SHERIFF'S OFFICE.**

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

OTHER ITEMS

19. A. APPROVE PRINTING AND MAILING OF 500+ COPIES OF THE NOVEMBER 2, 1999 ELECTION WORKER RECRUITMENT LETTER FOR ELECTION NIGHT BALLOT COUNTING. (9:43 AM)

- B. APPROVE 10/15/99 PAYCHECK INSERTS FOR NOVEMBER 2, 1999 TRAVIS COUNTY EARLY VOTING SCHEDULE FLYERS AND SAMPLE BALLOTS.**

- C. APPROVE 10/30/99 PAYCHECK INSERTS FOR NOVEMBER 2, 1999 TRAVIS COUNTY ELECTION DAY POLLING PLACES.**

Clerk's Note: Items 19.A, B, and C are associated with one another and were called for concurrent discussion.

Items 19.A, B, and C added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 20. APPROVE INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND CITY OF AUSTIN FOR CONSOLIDATED JURY MANAGEMENT. (10:13 AM) (2:09 PM) (3:27 PM)

Judge Biscoe announced that Item 20 would be considered in Executive Session.

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to give Staff direction that the County Attorney’s Office work, over the next week, to get a copy of the interlocal that was signed by the City of Austin, and that next week they bring back to the Court any suggested changes, if any, that are needed in that interlocal to protect the County’s interest, and that the Court encourage the legal opinion that it is seeking in terms of whether alternate forms of jury empanelment are legal in the State of Texas, and to inform the Court of it’s legal options.

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

- 21. APPROVE REQUEST FOR PRINTING OF 210,000 COPIES OF TAXPAYER NEWS FOR MAILING WITH THE 1999 PROPERTY TAX BILLS. (9:43 AM)

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

- 22. APPROVE ORDER CREATING THE LAGO VISTA-JONESTOWN-TRAVIS COUNTY JOINT AIRPORT ZONING BOARD AND APPOINTING JIM JOHNSON AND DAVID MCFARLIN AS THIS COUNTY’S MEMBERS ON SAID BOARD. (9:43 AM)

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

- 23. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:43 AM)

Item 23 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court’s Motion and Vote.

PURCHASING DEPARTMENT ITEMS

24. DISCUSS AND APPROVE CONTRACT MODIFICATIONS, AS NECESSARY, TO THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS. (10:15 AM)

Item 24 postponed until October 12, 1999.

25. REVISE TRAVIS COUNTY PURCHASING POLICIES AND PROCEDURES TO IMPLEMENT SENATE BILL 1669. (10:15 AM)

Members of the Court heard from: Frank Holder, Assistant Purchasing Agent; and John Hille, Assistant County Attorney.

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez to approve agenda 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. APPROVE CONTRACT MODIFICATION NO. 2 TO CONTRACT NO. 99K0725-JJ, C.C. CARLTON INDUSTRIES, LTD., SOUTHEAST METRO PARK PROJECT, PHASE II; CONTRACT APPROVED ON 6/22/99. (10:18 AM) (2:10 PM)

Members of the Court heard from: Frank Holder, Assistant Purchasing Agent; and Steve Manilla, Director of Engineering and Planning, TNR.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis 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 - abstain
Precinct 4, Commissioner Margaret J. Gómez - yes

- 27.** APPROVE SOLE SOURCE EXEMPTION AND PROCUREMENT OF DXR RECORDING SOFTWARE UPGRADE FROM PSI TECHNOLOGIES, PROVIDING FOR ACCESS TO HISTORICAL DATA ON THE LEGACY SYSTEMS REPLACED BY INTEGRATED JUSTICE SYSTEMS (IJS). (9:43 AM)

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

- 28.** APPROVE PURCHASE OF ONE NORTEL MERIDIAN MAX SYSTEM OFF STATE CATALOG (QISV) FROM AFFILIATED TELEPHONE OF AUSTIN. (9:43 AM)

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

- 29.** APPROVE CONTRACT AWARD FOR PROCUREMENT AND MAINTENANCE OF PERIPHERAL HARDWARE FOR AS/400 MIDRANGES, RFO# 0990118-TF, TO THE SOLE QUALIFIED OFFEROR, UNIQUE DIGITAL. (9:43 AM)

Item 29 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

THE FOLLOWING IS AN ADDENDUM

- A.1** APPROVE ELECTRIC UTILITY EASEMENT TO THE CITY OF AUSTIN FOR ADDITIONAL SERVICE AT THE TRAVIS COUNTY CORRECTIONAL COMPLEX - DEL VALLE. (9:43 AM)

Item A.1 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

A.2 RECEIVE STATUS UPDATE ON NEGOTIATIONS WITH SETON REGARDING STARFLIGHT AND TAKE APPROPRIATE ACTION. EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOVT. CODE ANN., 551.071. (10:20 AM) (3:32 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis that the Court ask the City of Austin to enforce the provisions of their interlocal with Seton pertaining to the flight crew payment of money for medical personnel on Star Flight, use of the helopad, and any other provisions in the contract that have benefited Travis County since the lease with Seton was executed, and to make that communication to them as soon as possible.

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.3 DISCUSS AND GIVE PURCHASING AGENT DIRECTION ON CANCELLATION/RE-ISSUANCE OR AMENDMENT TO THE REQUEST FOR SOCIAL SERVICES SOLICITATION (RFS # S990088TS). (10:19 AM) (10:23 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, TCHHS&VS; Tommy Sweat, Purchasing; and Gene Wayman, Assistant Purchasing Agent.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to give Staff the authority to amend the existing solicitation.

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

Note 4 - Gov't Code Ann 551.076, Security

30. A. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY'S OFFICE REGARDING CONTRACTS WITH FLUOR DANIEL, INC. ON M.W. BUILDERS, GRAEBER, SIMMONS & COWAN AND OTHER CONTRACTORS FOR THE CRIMINAL JUSTICE CENTER AND TAKE APPROPRIATE ACTION. 1 (10:20 AM) (3:28 PM) (3:28 PM)

B. RECEIVE BRIEFING FROM COUNTY ATTORNEY'S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE CENTER AND TAKE APPROPRIATE ACTION. 1

Clerk's Note: Items 30.A and B are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 30.A and B would be considered in Executive Session.

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

Motion by Judge Biscoe and seconded by Commissioner Davis to authorize the County Attorney's Office to notify Graeber, Simmons, and Cowan and M.W. Builders in writing that the County will hold them accountable for any damages to the County caused by their actions, and, also, to further request that they continue to work and to mitigate potential damages on the project.

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 Gómez to add \$37,500.00 from a special line item for liquidated damages, and that it come from wherever the County Attorney and the Auditor deem appropriate, in terms of the M.W. Builders.

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. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING OPERATION AND MANAGEMENT SERVICES AGREEMENT FOR THE TRAVIS COUNTY COMMUNITY JUSTICE CENTER BETWEEN TEXAS BOARD OF CRIMINAL JUSTICE AND TRAVIS COUNTY COMMISSIONERS COURT; AND OPERATIONS AND MANAGEMENT SERVICES AGREEMENT BETWEEN TRAVIS COUNTY COMMISSIONERS COURT AND WACKENHUT CORRECTIONS CORPORATION AND TAKE APPROPRIATE ACTION. 1 (10:20 AM) (3:30 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Davis that this Court authorize Commissioner Davis and Judge Biscoe to take appropriate follow-up actions to determine exactly how the County’s future partnership with the Texas Board of Criminal Justice will function and serve the County on the Travis County Community Justice Center, that a meeting be scheduled with the State Officials as soon as possible, and that this action be on the Court’s agenda next Tuesday for follow-up action.

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 31 to be reposted on October 12, 1999.

- 32. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR AUTHORIZE COUNTY ATTORNEY TO TAKE APPROPRIATE ACTION REGARDING NOTICE OF CLAIM FOR FALSE ARREST OF CLAIMANT SCOTT EDWARD MORRIS (MORRIS; ODEN; FALSE ARREST). 1 (10:20 AM) (3:29 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to counter the settlement offer in the amount of \$3,000.00.

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

- 33. RECEIVE LEGAL ADVICE FROM COUNTY ATTORNEY RE: APPROVAL OF SIGNING WAIVER OF SERVICE OF SUMMONS FOR TRAVIS COUNTY, TEXAS IN CAUSE NO. SA-99-CA-0885-OG; UNITED STATES OF AMERICA V. JAMES W. BISHOP, PATRICIA L. BISHOP, PATRICIA L. BISHOP D/B/A LIL DUMPLIN, DAY CARE CENTER, ELGIN AND SHIRLEY JUNG, TRAVIS COUNTY, TEXAS; KERR COUNTY, TEXAS; AND CENTER POINT SCHOOL DISTRICT (TRAVIS COUNTY; DELINQUENT TAX). 1 (10:20 AM) (3:30 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Gómez to authorize the County Judge to sign the waiver of service of summons for Travis County, Texas in this matter as recommended by the County Attorney.

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. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER OFFER OR SETTLEMENT 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 (10:20 AM) (3:32 PM)

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

Item 34 postponed until October 12, 1999.

- 35. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT, OR COUNTER A SETTLEMENT OFFER IN TRAVIS COUNTY, TEXAS V. LAURELWOOD PARTNERS, LTD., (LAURELWOOD; GIESELMAN; CONDEMNATION). 1 (10:20 AM) (3:32 PM)

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

Item 35 postponed until October 12, 1999.

ADJOURNMENT

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to adjourn the Voting Session. (3:33 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