

MINUTES – OCTOBER 12, 1999

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 12th day of October, 1999, the Commissioners' Court convened the regular Voting Session at 9:13 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 11:31 AM.

The Commissioners' Court recessed the Voting Session at 12:02 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 1:36 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC) called to order the Voting Session at 1:36 PM and adjourned the Voting Session at 1:44 PM.

The Commissioners' Court reconvened the Voting Session at 1:44 PM.

The Commissioners' Court retired to Executive Session at 1:45 PM.

The Commissioners' Court reconvened the Voting Session at 3:29 PM.

The Commissioners' Court adjourned the Voting Session at 3:35 PM.

PUBLIC HEARINGS

- 1. PUBLIC HEARING TO APPROVE THE SUBMISSION OF AN APPLICATION TO TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR A TEXAS COMMUNITY DEVELOPMENT PROGRAM (TCDP) GRANT UNDER THE SMALL TOWN ENVIRONMENTAL PROGRAM (STEP) FOR THE KENNEDY RIDGE COMMUNITY IN PRECINCT ONE. (9:13 AM)

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner 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: Carol Joseph, Assistant Director, Transportation and Natural Resources (TNR); Gandolf Burrs, President of Grant Development Program; Miguel Esparsa, Board Member, Kennedy Ridge Water Board.

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner 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.

2. PUBLIC HEARING FOR APPROVAL OF PROPOSED STREET NAME CHANGE OFF WESTLAKE DRIVE FROM CRALCUM COVE TO "RUSTIC RIVER COVE" IN WESTVIEW ON LAKE AUSTIN PHASE C SECTION 4, IN PRECINCT THREE.
(9:29 AM)

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez 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: Carol Joseph, Assistant Director, TNR.

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez 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 2 is Item C13.

3. PUBLIC HEARING TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE 10' PUBLIC UTILITY EASEMENTS ON EITHER SIDE OF THE COMMON LOT LINES BETWEEN LOTS 1 & 2, LOTS 2 & 3, AND LOTS 3 & 1, SADDLETREE RANCH SECTION THREE, IN PRECINCT THREE. (9:30 AM)

Members of the Court heard from: Carol Joseph, Assistant Director, TNR.

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez 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: Carol Joseph, Assistant Director, TNR.

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez 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 3 is Item C14.

RESOLUTIONS & PROCLAMATIONS

- 4. APPROVE RESOLUTION AUTHORIZING THE SUBMISSION OF A SMALL TOWN ENVIRONMENTAL PROGRAM (STEP) APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE COMMUNITY DEVELOPMENT FUND FOR THE KENNEDY RIDGE COMMUNITY IN PRECINCT ONE. (9:20 AM)

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

Members of the Court heard from: Carol Joseph, Assistant Director, TNR.

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

- 5. APPROVE A PROCLAMATION DECLARING OCTOBER 21, 1999 AS “FERIA 99” IN AUSTIN/TRAVIS COUNTY. (9:32 AM)

Members of the Court heard from: Sylvia Lopez, HUB Coordinator, Purchasing; Ann Harutunian, Harutunian Engineering Inc., Chair, Hispanic Chamber of Commerce Economic Development Committee; Jessie Burke, DBE Coordinator, Capital Metro; and Crisella Villanuevo, Capital Metro.

Motion by Commissioner Gómez **and seconded by** Commissioner Baxter 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

CITIZENS COMMUNICATION

Members of the Court heard from: Jan Barstow, Private Citizen; and Joe Gieselman, Executive Manager, TNR. (9:38 AM)

CONSENT ITEMS

6. Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the following Consent Items: C1-C14 (excluding C10), and Items 7, 9, 11, 14, 19, 24, 25, 26, and 28. (9:49 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 SESSIONS FOR SEPTEMBER 28, 1999 AND SEPTEMBER 30, 1999.
- C4. REAPPOINT ESTELA MEDINA TO SERVE ON THE CAPCO - CRIMINAL JUSTICE SYSTEMS COMMITTEE AS THE JUVENILE JUSTICE APPOINTEE FOR A ONE-YEAR TERM EXPIRING IN SEPTEMBER OF 2000.
- C5. REAPPOINT JIM RUST TO SERVE ON THE CAPCO - CRIMINAL JUSTICE SYSTEMS COMMITTEE AS THE CORRECTIONS APPOINTEE FOR A ONE-YEAR TERM EXPIRING IN SEPTEMBER OF 2000.
- C6. REAPPOINT MELINDA MALLIA TO SERVE ON THE CAPCO - REGIONAL SOLID WASTE MANAGEMENT ADVISORY COMMITTEE FOR A ONE-YEAR TERM EXPIRING SEPTEMBER 1, 2000.
- C7. REAPPOINT CATHERINE GREENE TO SERVE ON THE CAPCO - AGING ADVISORY COMMITTEE; THE TERM EXPIRING IN JANUARY, 2000.
- C8. REAPPOINT BETTY ROBINS TO SERVE ON THE CAPCO - AGING ADVISORY COMMITTEE; THE TERM EXPIRING IN JANUARY, 2000.
- C9. APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN LAKE POINTE RESACA, A SUBDIVISION IN PRECINCT THREE.

CONSENT ITEMS CONTINUED

- C10.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: MILLER'S CROSSING - (NO FISCAL REQUIRED - 1 LOT - 4.00 ACRES - FM 620 - WASTEWATER SERVICE TO BE PROVIDED FOR BY ONSITE SEWAGE SERVICE). (9:49 AM)

Item C10 postponed until October 19, 1999.

- C11.** APPROVE PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOT 11, CAMELOT SECTION ONE AND LOTS 1 AND 2, BLOCK Q, THE HILLS OF LOST CREEK, SECTION FOUR PHASE A (AMENDED PLAT - 3 LOTS - 4.599 ACRES - WHITEMARSH VALLEY WALK - ONSITE SEWAGE SERVICE TO BE PROVIDED BY LOST CREEK MUD).

- C12.** APPROVE A PUBLIC HEARING DATE OF NOVEMBER 2, 1999 TO APPROVE A TEMPORARY ROAD CLOSURE OF THE EAST END OF MIRA MESA DRIVE, A CUL-DE-SAC IN STEINER RANCH PHASE 2, SECTION 3A, FROM 10:00 A.M. DECEMBER 30, 1999 UNTIL 3:00 P.M. JANUARY 3, 2000, IN PRECINCT TWO.

- C13.** APPROVE A PROPOSED STREET NAME CHANGE OFF WESTLAKE DRIVE FROM CRALCUM COVE TO "RUSTIC RIVER COVE" IN WESTVIEW ON LAKE AUSTIN PHASE C SECTION 4, IN PRECINCT THREE.

Clerk's Note: Item C13 is the Action Item for Item 2.

- C14.** APPROVE THE FILING OF AN INSTRUMENT TO VACATE 10' PUBLIC UTILITY EASEMENTS ON EITHER SIDE OF THE COMMON LOT LINES BETWEEN LOTS 1 & 2, LOTS 2 & 3, AND LOTS 3 & 1, SADDLETREE RANCH SECTION THREE, IN PRECINCT THREE.

Clerk's Note: Item C14 is the Action Item for Item 3.

- 7.** RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING OUTDOOR BURNING BAN IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:49 AM)

Item 7 added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court's Motion and Vote.

ADMINISTRATIVE OPERATIONS ITEMS

- 8. DISCUSS AND PROVIDE DIRECTION TO STAFF ON CONCEPT OF VEHICLE SAFETY POLICY AS THE PREFERABLE LOSS PREVENTION METHOD OF ADDRESSING VEHICLE ACCIDENTS INVOLVING COUNTY EMPLOYEES. (9:49 AM)

Item 8 postponed until October 19, 1999.

- 9. REVIEW AND APPROVE TUITION REIMBURSEMENT FOR EMPLOYEES WHO HAVE COMPLETED CLASSES IN ACCORDANCE WITH THE TUITION REIMBURSEMENT POLICY §10.021. (9:49 AM)

Item 9 added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 10. RECEIVE BRIEFING ON THE JUVENILE JUSTICE CENTER EXPANSION AND RENOVATION PROJECT, APPROVE REVISED PROJECT BUDGET, AND TAKE APPROPRIATE ACTION. (9:51 AM)

Members of the Court heard from: Leslie Strickland, Project Manager, Facilities Management; Chuck Croslin, Principal Architect, Croslin and Associates; Kevin Bailey, Director, Facilities Management; The Honorable W. Jeanne Meurer; Judge, 98th District; and Barbara Swift, Deputy Chief Juvenile Probation Officer, Juvenile Probation Department.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to formally accept and roll into the project budget the \$314,000.00 that was approved through the budget process through ITS, and have that formally recognized so it can be spent as part of this 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	-	abstain
Precinct 4, Commissioner Margaret J. Gómez	-	yes

Item 10 to be reposted on October 19, 1999.

- 11. APPROVE PERSONNEL AMENDMENTS. (9:49 AM)

Item 11 added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court’s Motion and Vote.

PURCHASING DEPARTMENT ITEMS

- 12. DISCUSS AND APPROVE CONTRACT MODIFICATIONS, AS NECESSARY, TO THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS. (10:17 AM)**

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; John Hille, Assistant County Attorney; Kevin Bailey, Director, Facilities Management; and Luis Garcia, Project Manager, Facilities Management.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve 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	-	no
Precinct 4, Commissioner Margaret J. Gómez	-	yes

- 13. APPROVE THE DEVELOPMENT AND ISSUANCE OF A REQUEST FOR QUALIFICATIONS (RFQ) FOR POOL CONTRACTS FOR ARCHITECTURAL/ENGINEERING SERVICES FOR MISCELLANEOUS COUNTY PROJECTS. (10:30 AM)**

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Alicia Perez, Executive Manager, Administrative Operations; and Kevin Bailey, Director, Facilities Management.

Motion by Commissioner Gómez **and seconded by** Judge Biscoe to authorize Staff to proceed.

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. REJECT ALL BIDS RECEIVED FOR IFB# B990111-MG, TWO, NEW UNINTERRUPTIBLE POWER SYSTEMS AND REBID (TCSO). (9:49 AM)**

Item 14 added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court's Motion and Vote.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

- 15. DISCUSS THE LOWER COLORADO RIVER AUTHORITY’S INVITATION TO PARTICIPATE IN THE DECISION MAKING PROCESS FOR THE LAKE TRAVIS RECREATION MANAGEMENT PLAN AND CONSIDER APPOINTMENT OF COUNTY REPRESENTATIVE(S) TO SERVE ON THE STAKEHOLDER COMMITTEE. (10:46 AM)

Members of the Court heard from: Charles Bergh, Division Manager, TNR; Suzanne Zarling, LCRA; Mary Ann Neeley, LCRA; and Terry Pickering, Major, Travis County Sheriff’s Office (TCSO).

Discussion Only.

Item 15 to be reposted on October 19, 1999.

- 16. APPROVE AMENDMENT NUMBER THREE TO THE STEINER RANCH MASTER ROADWAY PHASING AGREEMENT WITH THL RANCH, LTD., 521 DEVELOPMENT, LTD. AND QUINLAN INVESTMENTS, LTD TO ALLOW THE RELEASE OF TRUST DEEDS UPON THE SATISFACTORY COMPLETION OF SECTIONS OR PHASES OF A SUBDIVISION RATHER THAN UPON THE COMPLETION OF THE ENTIRE SUBDIVISION IN PRECINCT TWO. (11:02 AM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Baxter to approve amendment # 3 related to Steiner Ranch and the Master Roadway Phasing Agreement.

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. CONSIDER A VARIANCE TO SECTION 64.062(c), REGULATIONS FOR FLOOD PLAIN MANAGEMENT AND GUIDELINES AND PROCEDURES FOR DEVELOPMENT PERMITS, TO ALLOW THE ISSUANCE OF A DEVELOPMENT PERMIT WITHOUT SHOWING PROOF OF APPLICATION FOR A SEPTIC PERMIT FOR THE CONSTRUCTION OF A HOUSE LOCATED AT 11301 HILL DRIVE, LOT 6, BLOCK E, VALLE VERDE BEACH SUBDIVISION IN PRECINCT TWO, AND TAKE APPROPRIATE ACTION. (11:06 AM)

Members of the Court heard from: Steve Manilla, Director of Engineering and Planning, TNR.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the variance based on the recommendation.

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

18. CONSIDER A VARIANCE TO TRAVIS COUNTY RULES FOR ON-SITE WASTEWATER FACILITIES (TNRCC 30 TAC CHAPTER 285) TO ALLOW A SURFACE SPRAY IRRIGATION DRAINFIELD TO BE PLACED CLOSER THAN TWENTY-FIVE (25) FEET TO A NATURAL GRADE BREAK FOR PROPERTY LOCATED AT 14107 RED FEATHER, LOTS 551,556, AND 890 IN APACHE SHORES SUBDIVISION IN PRECINCT THREE, AND TAKE APPROPRIATE ACTION. (11:10 AM)

Members of the Court heard from: Steve Manilla, Director of Engineering and Planning, TNR.

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez to approve the variance.

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

- 19. APPROVE A CASH SECURITY AGREEMENT WITH MORRISON HOMES FOR THE PURPOSE OF POSTING SIDEWALK FISCAL FOR STEINER RANCH PHASE 1 SECTION 5B, A SUBDIVISION IN PRECINCT TWO. (9:49 AM)

Item 19 added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court's Motion and Vote.

JUSTICE AND PUBLIC SAFETY ITEMS

- 20. APPROVE INTERLOCAL AGREEMENT FOR EMERGENCY MEDICAL SERVICES AND HELICOPTER SERVICES WITH CITY OF LAGO VISTA. (11:14 AM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to

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

HEALTH AND HUMAN SERVICES ITEMS

- 21. APPROVE AMENDED INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND THE CAPITAL AREA RURAL TRANSPORTATION SYSTEM (CARTS). (1:45 PM)

Item 21 pulled from the agenda.

PLANNING AND BUDGET DEPT. ITEMS

22. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (11:20 AM)

Clerk's Note: Items 22 and 23.B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Alan Miller, Planning and Budget Analyst, Planning and Budget Office (PBO); Arlene Tillman, Director, Administrative Services Division, Travis County Health and Human Services (TCHHS); and Marilyn Kennderson, Director for Community Services.

Members of the Court agreed to consider one Motion for Items 22 and 23.B.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Items 22 and 23.B in view of assurances by Health and Human Services.

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

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

A. APPROVE GRANT CONTRACT FOR ACCESS AND VISITATION GRANT FOR JUVENILE COURT. (11:27 AM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 23.A.

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. APPROVE GRANT CONTRACT WITH TEXAS DEPARTMENT OF PROTECTIVE AND REGULATORY SERVICES (TDPRS) FOR HEALTHY FAMILIES FOR HEALTH AND HUMAN SERVICES DEPARTMENT. (11:20 AM)

Clerk's Note: Items 23.B and 22 are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one Motion for Items 22 and 23.B. Please refer to Item 22 for a summary of the Court's action on this Motion.

OTHER ITEMS

24. APPROVE CHANGE TO ELECTION DAY POLLING PLACE FOR PRECINCT 143 FOR TERM BEGINNING SEPTEMBER 1, 1999 AND EXPIRING AUGUST 31, 2001 AND FOR THE NOVEMBER 2, 1999 JOINT ELECTION. (9:49 AM)

Item 24 added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court's Motion and Vote.

25. APPROVE AND SIGN LICENSING AGREEMENTS FOR EARLY VOTING POLLING PLACES FOR THE NOVEMBER 2, 1999 SPECIAL JOINT ELECTION. (9:49 AM)

Item 25 added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court's Motion and Vote.

26. RECEIVE AUDIT REPORT FROM EMERGENCY SERVICES DISTRICT NO. 10, FOR FY '97 AND FY'98, PURSUANT TO TEXAS HEALTH AND SAFETY CODE SECTION 775.082 (B). (9:49 AM)

Item 26 added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court's Motion and Vote.

27. APPROVE CONTRACT WITH KAMM AND SHIELDS FOR INTERIM LEGISLATIVE ADVOCACY SERVICES. (11:28 AM)

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

Discussion Only.

Item 27 to be reposted on October 19, 1999.

28. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:49 AM)

Item 28 added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court's Motion and Vote.

THE FOLLOWING ITEMS ARE ADDENDA:

- A.1** APPROVE INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN FOR THE COUNTY'S CONTRIBUTION TOWARD THE CONSTRUCTION OF A BRIDGE ON WILLIAM CANNON BLVD/NUCKOLS CROSSING. (11:30 AM) (3:30 PM)

Members of the Court heard from: Carol Joseph, Assistant Director, TNR.

Motion by Commissioner Gómez **and seconded by** Commissioner Baxter to approve the interlocal with the City of Austin.

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.2** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR ACCEPT, REJECT, OR COUNTER THE CITY OF AUSTIN'S COUNTER-OFFER TO SELL 37.262 ACRES FROM TWO TRACTS OF LAND ACQUIRED FOR THE BARTON SPRINGS CLEAN WATER PROJECT TO THE COUNTY FOR RIGHT OF WAY FOR STATE HIGHWAY 45 (1997 CIP PROJECT). EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOVT. CODE ANN. 551.071 & 551.072. (11:31 AM) (3:29 PM)

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

Motion by Commissioner Baxter **and seconded by** Commissioner Sonleitner to accept the City's counter offer for the purchase of right-of-way for State Highway 45 in the amount of \$446,615.00, and accept the conditioning language that the sale is contingent upon the City's receipt of determination by the U.S. Fish and Wildlife Department, that the proposed use of the property including the alignment of the roadway will not result in a violation of the City and County 10A permit.

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 RECEIVE LEGAL ADVICE FROM COUNTY ATTORNEY RE: RESALE OF PROPERTY OWNED BY LAGO VISTA INDEPENDENT SCHOOL DISTRICT AS TRUSTEE FOR ALL TAXING JURISDICTIONS LOCATED IN HIGHLAND LAKE ESTATES AND BAR-K RANCHES, REGARDING PROPERTIES THAT HAVE BEEN STRUCK OFF TO THE JURISDICTIONS AND SOLD FOR LESS THAN THE DELINQUENT TAXES OR APPRAISED VALUE, AS PROVIDED FOR IN THE TEXAS PROPERTY TAX CODE, REVIEW SETTLEMENT STATEMENT AND DEEDS, AND TAKE APPROPRIATE ACTION. EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOVT CODE ANN. 551.071 & 551.072. (11:31 AM) (3:29 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner that the County Judge be authorized to sign the four (4) tax resale deeds that were presented to the Court by the County Attorney’s Office: Tom Chaffin and Greg Hare in the amount of \$5,000.00, Wilkie and Helen Meares in the amount of \$6,000.00, Philip Powers in the amount of \$6,000.00, and Joseph Pepe in the amount of \$1,004.00.

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

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

29. 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 (11:31 AM) (3:33 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 29.A and B are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 29.A.and B would be considered in Executive Session.

Motion by Judge Biscoe and seconded by Commissioner Davis to request Herndon Stauch to get with Fluor Daniel and prepare an appropriate transition plan on each of the following: The Tower commonly referred to as CJC, Del Valle, and The Gault, and report back to Alicia Perez, for the Court, any information, revelation, news as soon as possible; to ask that an appropriate contract be prepared for Court review next week regarding the Court’s future partnership with Herndon Stauch, a contract or contracts depending on the circumstances; for the Court to ask the County Attorney to continue to do the necessary pre-litigation work regarding the County’s claims and defenses, but to delay the initiation of litigation until further notice from the Commissioners’ Court; and that the County Attorney join the Court in doing all the Court can to urge all parties to continue to work to complete the contracts in place on The Tower, Del Valle and The Gault to reduce additional costs, expedite completion, and to insure the quality of these three projects.

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. 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 (11:31 AM) (3:33 PM)

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

No action necessary on Item 30.

- 31. 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 (11:31 AM) (3:32 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Gómez to reject the counter offer and counter offer in the amount of \$6,000.00.

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

- 32. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING VISTA POINT, PHASE I (264-ACRE BALCONES CANYONLANDS PRESERVE TRACT) CLOSING BETWEEN TRAVIS COUNTY AND TRUST FOR PUBLIC LAND AND TAKE APPROPRIATE ACTION AND AUTHORIZE AGENT TO TAKE ACTIONS NEEDED TO CLOSE THE PURCHASE. ¹ & ² (11:31 AM) (3:32 PM)

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

No action necessary on Item 32.

- 33. APPROVE PLAT FOR RECORDING IN PRECINCT TWO: EAGLE POINT TWO SUBDIVISION - (NO FISCAL REQUIRED - 1 LOT - 148.30 ACRES - CELE ROAD - WASTEWATER SERVICE TO BE PROVIDED FOR BY THE KELLY LANE UTILITY COMPANY. ¹ (11:31 AM) (3:32 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the plat listed as Item 33 on the Court’s agenda.

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 (11:31 AM)

Item 34 postponed until October 19, 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 (11:31 AM)

Item 35 postponed until October 19, 1999.

36. AUTHORIZE COUNTY ATTORNEY TO CONDUCT MEDIATION AND APPOINT COMMISSIONERS' COURT REPRESENTATIVE FOR MEDIATION AND/OR TAKE APPROPRIATE ACTION IN WILLIAM J. VENABLE V. TRAVIS COUNTY, ET AL. ¹ (11:31 AM) (3:31 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Davis to appoint Dan Mansour.

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 Davis **and seconded by** Commissioner Sonleitner to adjourn the Voting Session. (3:35 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