

## **MINUTES – NOVEMBER 2, 1999**

### **TRAVIS COUNTY COMMISSIONERS' COURT**

On Tuesday, the 2<sup>nd</sup> day of November, 1999, the Commissioners' Court convened the regular Voting Session at 9:12 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Travis County Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners' Court recessed the Voting Session at 12: 28 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 2:06 PM and adjourned at 2:06 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC) called to order the Voting Session at 2:07 PM and adjourned the Voting Session at 2:07 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation (TCHFDC) called to order the Voting Session at 2:07 PM.

The Commissioners' Court, meeting as the TCHFDC, retired to Executive Session at 2:08 PM.

The Commissioners' Court reconvened the TCHFDC Voting Session at 2:41 PM.

The Commissioners' Court, meeting as the TCHFDC, adjourned the Voting Session at 2:44 PM.

The Commissioners' Court reconvened the Voting Session at 2:44 PM.

The Commissioners' Court retired to Executive Session at 3:50 PM.

The Commissioners' Court reconvened the Voting Session at 5:07 PM.

The Commissioners' Court adjourned the Voting Session at 5:10 PM.

**PUBLIC HEARINGS**

- 1. PUBLIC HEARING 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. (9:12 AM)

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Baxter 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:** Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); and Toni Shortsleeve, Co-Owner, Mystical Moments.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Baxter 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 C5.

2. PUBLIC HEARING TO APPROVE ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE 5' PUBLIC UTILITY EASEMENTS ON EITHER SIDE OF THE COMMON LOT LINES BETWEEN LOTS 951 AND 952, APACHE SHORES SECTION TWO, IN PRECINCT THREE. (9:15 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:** Joe Gieselman, Executive Manager, 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 C6.

- 3. PUBLIC HEARING TO APPROVE A TEMPORARY ROAD CLOSURE OF CAMERON ROAD BETWEEN FUCHS GROVE ROAD AND SCHMIDT LANE FOR THE REPLACEMENT OF CAMERON ROAD BRIDGE #233 OVER WILBARGER CREEK, IN PRECINCT ONE, FROM APPROXIMATELY JANUARY 2000 THROUGH MAY 2000. (9:16 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:** Joe Gieselman, Executive Manager, TNR; Larry Mills, Private Citizen; and Steve Manilla, Director of Engineering and Planning, TNR.

**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 3 is Item C7.

## RESOLUTIONS & PROCLAMATIONS

4. APPROVE PROCLAMATION RECOGNIZING DAVID CAMERON FERGUSON, SAMUEL YEN-EN CHANG, AND EVAN XYDES SMITH FOR COMPLETING THE REQUIREMENTS TO REACH THE RANK OF “EAGLE SCOUT” IN THE BOY SCOUTS OF AMERICA. (9:28 AM)

**Members of the Court heard from:** Sid Covington, Boy Scouts of America.

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

**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:** Gus Peña, President, East Austin Concerned Hispanics; Lynn Mosier, Private Citizen; Vernal Daniels, Private Citizen; and Joe Gieselman, Executive Manager, TNR. (9:31 AM)

**CONSENT ITEMS**

**5. Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the following Consent Items: C1-C6 (excluding C7), and Items 6, 17, 18, 22, 23, 25, 26, 27, 29, 32, and A.1. (9:44 AM)

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

**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 BUDGET MARK-UP VOTING SESSION OF SEPTEMBER 10, 1999; AND VOTING SESSION OF OCTOBER 19, 1999.**

**C4. APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN SETTLERS’ MEADOW SECTION 1, A SUBDIVISION IN PRECINCT TWO.**

**C5. 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.**

**Clerk’s Note:** Item C5 is the Action Item for Item 1.

**C6. APPROVE ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE 5’ PUBLIC UTILITY EASEMENTS ON EITHER SIDE OF THE COMMON LOT LINES BETWEEN LOTS 951 AND 952, APACHE SHORES SECTION TWO, IN PRECINCT THREE.**

**Clerk’s Note:** Item C6 is the Action Item for Item 2.

**CONSENT ITEMS CONTINUED**

**C7.** APPROVE A TEMPORARY ROAD CLOSURE OF CAMERON ROAD BETWEEN FUCHS GROVE ROAD AND SCHMIDT LANE FOR THE REPLACEMENT OF CAMERON ROAD BRIDGE #233 OVER WILBARGER CREEK, IN PRECINCT ONE, FROM APPROXIMATELY JANUARY 2000 THROUGH MAY 2000. (10:42 AM)

**Clerk’s Note:** Item C7 is the Action Item for Item 3.

**Members of the Court heard from:** Steve Manilla, Director of Engineering and Planning, TNR; and Larry Mills, Private Citizen.

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to approve Item C7.

|                        |  |   |     |
|------------------------|--|---|-----|
| <b>Motion carried:</b> | 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.** RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING OUTDOOR BURNING BAN IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:44 AM)

Item 6 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court’s Motion and Vote.

**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

**7.** CONSIDER REVISIONS TO CHAPTER 84, UNACCEPTED SUBSTANDARD ROADWAY SPECIFICATIONS, TO ALLOW THE CONSTRUCTION AND ACCEPTANCE OF ROADWAYS WITHOUT HAVING A MAJORITY OF SUPPORT FOR THE PROJECT, AND TAKE APPROPRIATE ACTION. (9:48 AM)

**Members of the Court heard from:** Steve Manilla, Director of Engineering and Planning, TNR; David Hopkins, Private Citizen; Steve Scheffe, Private Citizen; and Tom Nuckols, Assistant County Attorney.

Discussion Only.

- 8. APPROVE AN INTERLOCAL AGREEMENT WITH THE LOWER COLORADO RIVER AUTHORITY FOR CULTURAL RESOURCE SERVICES (ARCHAEOLOGICAL AND HISTORICAL SURVEY AND MANAGEMENT) WITHIN TRAVIS COUNTY MANAGED PARKS AND PRESERVES. (10:44 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; and John Kuhl, Natural Resources Program Manager, TNR.

**Motion by** Commissioner Baxter **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 |

- 9. CONSIDER APPROVING BUDGET TRANSFERS AND APPROVING PAYMENT TO TXDOT FOR FINAL COST-SHARE INVOICES FOR FM 1431 AND SOUTHWEST PARKWAY ROADWAY SAFETY IMPROVEMENT PROJECTS IN PRECINCTS 2 AND 3, RESPECTIVELY, AND TAKE APPROPRIATE ACTION. (10:50 AM)

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

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Baxter to approve Item 9 in terms of paying the bills as laid out by TNR, with the Amendment this morning about using the 1998 Hot Mix savings for Precinct Three.

**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 |

- 10. APPROVE INTERLOCAL AGREEMENT WITH HAYS COUNTY FOR TRAVIS COUNTY TO MANAGE AND PROVIDE TECHNICAL ASSISTANCE IN THE ACQUISITION OF RIGHT-OF-WAY FOR STATE HIGHWAY 45. (11:03 AM)

Discussion Only.

Item 10 to be reposted November 9, 1999.





**JUSTICE AND PUBLIC SAFETY ITEMS**

- 11. REVIEW FY 2000 EMERGENCY MEDICAL SERVICES INTERLOCAL AND TAKE APPROPRIATE ACTION. (11:04 AM)**

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, Justice and Public Safety (JPS); Barbara Wilson, Assistant County Attorney; Richard Harrington, City of Austin EMS; Susan Spataro, Travis County Auditor; and Sue Edwards, Director, City of Austin EMS.

Discussion Only.

Item 11 to be reposted on November 9, 1999.

- 12. RECEIVE STATUS UPDATE ON COUNTY MAGISTRATION ISSUES AND TAKE APPROPRIATE ACTION. (11:19 AM)**

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, JPS.

Discussion Only.

**ADMINISTRATIVE OPERATIONS ITEMS**

- 13. A. CONSIDER FY 2000 PERFORMANCE BASED PAY (PBP) RULES, AND TAKE APPROPRIATE ACTION. (11:20 AM) (3:50 PM) (5:07 PM)**

Judge Biscoe announced that Item 13.A would be considered in Executive Session.

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

Discussion Only.

Item 13.A to be reposted on November 9, 1999.

- B. PROVIDE DIRECTION ON ANTICIPATED COMPENSATION ISSUES THAT MAY RESULT FROM THE COURT’S DECISION TO ALLOW DEPARTMENTS TO INTERNALLY FUND SALARY INCREASES THAT RESULTED FROM THE INFORMATION TECHNOLOGY JOB FAMILY RESTRUCTURING PROJECT, AND TAKE APPROPRIATE ACTION. (11:21 AM)**

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Joe Harlow, Director, Information and Telecommunications Systems (ITS); Christian Smith, Executive Manager, Planning and Budget Office (PBO); Norman McRee, Lead Personnel Analyst, Human Resources Management Department (HRMD); and Linda Moore Smith, Director, HRMD.

Discussion Only.

Item 13.B to be reposted on November 9, 1999.

- 14. REVIEW AND APPROVE CHAPTER 30, VEHICLE AND EQUIPMENT SAFETY POLICY AND TAKE APPROPRIATE ACTION. (11:45 AM) (3:50 PM) (5:07 PM)**

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Dan Mansour, Risk Manager, HRMD; Carol Guthrie, AFSCME Local 1624; and Vernal Daniels, TNR.

Judge Biscoe announced that Item 14 would be considered in Executive Session.

Discussion Only.

Item 14 to be reposted on November 9, 1999.

15. DISCUSS DESIGN FOR TRAVIS COUNTY CORRECTIONAL COMPLEX PHASE 2 IMPROVEMENTS PROJECT AND TAKE APPROPRIATE ACTION. (2:46 PM)

Members of the Court heard from: Ken Gaede, Project Manager, Facilities Management; Kevin Bailey, Director, Facilities Management; and David Balagia, Major, Travis County Sheriff’s Office (TCSO).

Discussion Only.

16. REVIEW AND APPROVE THE FOLLOWING PROPERTY AND LIABILITY CLAIM RECOMMENDATIONS: (3:04 PM)

- A. T.C.S.O. – SETTLE
- B. VAL VALDEZ – SETTLE

Clerk’s Note: Items 16.A and B are associated with one another and were called for concurrent discussion.

A Division of the Vote was requested by Commissioner Sonleitner on Items 16.A and B.

First Division of the Vote:

Motion by Judge Biscoe and seconded by Commissioner Baxter to approve Staff recommendations on Item 16.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

Second Division of the Vote:

Motion by Judge Biscoe and seconded by Commissioner Baxter to approve Staff recommendations on Item 16.B.

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

**17. APPROVE PERSONNEL AMENDMENTS. (9:44 AM)**

Item 17 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court’s Motion and Vote.

**PLANNING AND BUDGET DEPT. ITEMS**

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

Item 18 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court’s Motion and Vote.

**19. APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSION TO CONTINUE. (9:47 AM)**

**A. APPROVE GRANT CONTRACT (JOSATS) FROM TEXAS COMMISSION ON ALCOHOL AND DRUG ABUSE (ADDITIONAL GRANT) FOR JUVENILE COURT.**

**Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 19 and 19.A.**

|                        |  |   |     |
|------------------------|--|---|-----|
| <b>Motion carried:</b> | 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**

**20. DISCUSS AND APPROVE CONTRACT MODIFICATIONS, AS NECESSARY, TO THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS. (3:09 AM)**

No action necessary on Item 20.

21. APPROVE CONTRACT AWARDS FOR TWO-WAY RADIO COMMUNICATIONS EQUIPMENT, ACCESSORIES, AND RELATED SERVICES, RFP #P990101-JP, TO THE BEST QUALIFIED FIRMS, TEXAS COMMUNICATIONS, INC., AND OMNI COMMUNICATIONS. (3:09 AM)

**Members of the Court heard from:** Frank Holder, Assistant Purchasing Agent; and Teresa Reel, Manager of Emergency and Wireless Communications, JPS.

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

**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 |

22. APPROVE CONTRACT AWARD FOR THE PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR THE PERKINS MOZELLE DRAINAGE PROJECT, RFQ #Q990021JJ, TO MARTINEZ, WRIGHT AND MENDEZ, INC. (9:44 AM)

Item 22 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

23. APPROVE CONTRACT MODIFICATION NO. 2 TO CONTRACT NO. 98T0154-MG, NALCO CHEMICAL COMPANY, WATER TREATMENT SERVICES; CONTRACT APPROVED ON MAY 5, 1998; MODIFICATION ADDS WATER TREATMENT SERVICES TO A NEW LOCATION. (9:44 AM)

Item 23 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

24. APPROVE CONTRACT AWARD FOR PEST CONTROL SERVICES, IFB# B990128-JP, TO THE LOW, QUALIFIED BIDDER, HOLDERS PEST CONTROL. (3:14 PM)

**Members of the Court heard from:** Frank Holder, Assistant Purchasing Agent; John Carr, Division Manager, Maintenance and Repair, Facilities Management; and Kevin Bailey, Director, Facilities Management.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve Staff's 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 |

25. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 99T0043-LD, MILLER UNIFORMS AND EMBLEMS, FOR SHERIFF UNIFORMS; CONTRACT APPROVED ON 11/24/98. (9:44 AM)

Item 25 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

26. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 98T0069-DM, LASON SYSTEMS, INC. FOR PRE-SORT MAILING SERVICES; CONTRACT APPROVED ON 1/27/98. (9:44 AM)

Item 26 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

27. APPROVE CONTRACT AWARD FOR THE PALM SQUARE LIFE SAFETY IMPROVEMENT PROJECT, SOLICITATION NO. B990732-JG, TO THE SOLE BIDDER, SOUTHWEST CONSTRUCTION, INC. (9:44 AM)

Item 27 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

**OTHER ITEMS**

- 28.** APPROVE ORDER DESIGNATING ANY REGULAR POLLING PLACE CHANGES FOR NOVEMBER 2, 1999 JOINT ELECTION. (2:45 PM)

No action necessary on Item 28.

- 29.** APPROVE LICENSE AGREEMENT FOR USE OF STOKES BUILDING PARKING GARAGE ON NOVEMBER 6 AND 7, 1999 TO TEXAS BOOK FESTIVAL. (9:44 AM)

Item 29 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- 30.** APPROVE PROCESSING AGREEMENT WITH BANK ONE FOR CREDIT CARD TRANSACTIONS FOR DISTRICT CLERK'S OFFICE. (3:22 PM) (3:49 PM)

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

Item 30 postponed until November 9, 1999.



- 31. CONSIDER POSTING OF POSITION FOR JUDGE OF COUNTY COURT AT LAW NO. 5, SELECTION PROCESS AND CRITERIA AND CITIZEN INPUT, AND TAKE APPROPRIATE ACTION. (3:22 PM)

**Members of the Court heard from:** Linda Moore Smith, Director, HRMD; and Alicia Perez, Executive Manager, Administrative Operations.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to post the job based on the job description before the Court right now after making any changes that the 76<sup>th</sup> Legislature made during the past session; that we post this job on November 4, 1999; that the application deadline be November 18, 1999; that we send to the Bar Committee plus three citizens the applications on November 19, 1999; and that we plan to interview on December 2, 1999, a short list of these applicants composed of the most qualified; and that we hope to make our decision at the Commissioners’ Court meeting on December 7, 1999, if not before.

**Maker and Second accept the Friendly Amendment by Commissioner Sonleitner** to make it clear that the time deadline is 5:00 p.m. on November 18, 1999.

**Acceptance of the Friendly Amendment was made by Judge Biscoe and seconded by Commissioner Gómez.**

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

Item 32 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court’s Motion and Vote.

- A.1 APPROVE LICENSE AGREEMENT WITH BRIAN HOWARD PRODUCTIONS, INC. FOR USE OF BOIS D’ARC ROAD, NEW SWEDEN CHURCH ROAD AND JEFFIE BOHLS ROAD IN PRECINCT ONE. (9:44 AM)

Item A.1 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court’s Motion and Vote.

**A.2** RECEIVE BRIEFING REGARDING EXTENSION OF FIVE (5) DAY ADMINISTRATIVE LEAVE POLICY FOR EMPLOYEE OF TRAVIS COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT AND TAKE APPROPRIATE ACTION. EXECUTIVE SESSION ALSO, PURSUANT TO TEX GOVT CODE ANN 551.074. (3:50 PM) (5:10 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Davis** to authorize an extension of 5 days beyond the Administrative Leave Policy of 5 days, which would be a total of 10 days for this employee.

|  |   |     |
|--|---|-----|
| <b>Motion carried:</b> 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

**33. A.** RECEIVE BRIEFING FROM THE COUNTY ATTORNEY’S OFFICE REGARDING CONTRACTS WITH FLUOR DANIEL, INC., M.W. BUILDERS, GRAEBER, SIMMONS & COWAN AND OTHER CONTRACTORS FOR THE CRIMINAL JUSTICE CENTER AND TAKE APPROPRIATE ACTION. <sup>1</sup>  
(3:50 PM) (5:08 PM)

**B.** RECEIVE BRIEFING FROM COUNTY ATTORNEY’S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE CENTER AND TAKE APPROPRIATE ACTION. <sup>1</sup>

**Clerk’s Note:** Items 33.A and B are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 33.A and B would be considered in Executive Session.

No action required on Items 33.A and B.

Items 33.A and B to be reposted on November 9, 1999.

- 34. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT OR COUNTER SETTLEMENT PROPOSAL REGARDING PROJECT 97-21, HOWARD LANE, PARCELS NO. 13 AND 14; RIDGE INVESTORS, A TEXAS LIMITED PARTNERSHIP, AND TRAVIS COUNTY, TEXAS (CONDEMNATION). <sup>1</sup>  
(3:50 PM) (5:08 PM)

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

**Clerk’s Note:** Items 34 and 35 are associated with one another and were called for concurrent discussion.

**Members of the Court agreed** to consider one Motion for Items 34 and 35.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Baxter to authorize the County Attorney’s Office to hire the appropriate experts to assist in the handling of the case involving Ridge Investors on Howard Lane.

**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 AND/OR GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT OR COUNTER SETTLEMENT PROPOSAL REGARDING PROJECT 97-21, HOWARD LANE, PARCELS NO. 15; RIDGE INVESTORS, A TEXAS LIMITED PARTNERSHIP, AND TRAVIS COUNTY, TEXAS (CONDEMNATION). <sup>1</sup>  
(3:50 PM) (5:08 PM)

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

**Clerk’s Note:** Items 35 and 34 are associated with one another and were called for concurrent discussion.

**Members of the Court agreed** to consider one Motion for Items 35 and 34. Please refer to Item 34 for a summary of the Court’s action on this Motion.

36. ACCEPT, REJECT OR COUNTER-OFFER RECEIVED TO SETTLE TRAVIS COUNTY’S SUBROGATION CLAIM REGARDING DANIEL GONZALES IN DANIEL GONZALES V. CITY OF AUSTIN, ET AL; CAUSE NO. 99-03298, 200TH JUDICIAL DISTRICT COURT OF TRAVIS COUNTY, TEXAS). <sup>1</sup> (3:50 PM) (5:08 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Baxter** to authorize a reduction of the County’s subrogation lien by 40 percent.

**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/OR AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER OFFER OR SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN ROBERT DUDA V. ARMADILLO INDUSTRIES, INC., ET AL V. COUNTY (DUDA; FRASIER). <sup>1</sup> (3:50 PM)

Item 37 postponed until November 9, 1999.

38. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER OFFER OR SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN WILLIAM J. VENABLE V. TRAVIS COUNTY, ET AL). <sup>1</sup> (3:50 PM) (5:09 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Davis** that the Court authorize settlement of this case in the amount of \$12,500.00.

**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 |

- 39. RECEIVE BRIEFING FROM COUNTY ATTORNEY; AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER OFFER OR SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN: SANTOS MORENO ET AL. V. TRAVIS COUNTY, ET AL., (TEXAS TORT CLAIMS ACT AND PERSONAL INJURY). <sup>1</sup> (3:50 PM) (5:09 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Baxter** that the Court authorize settlement in the amount of \$58,900.00, that includes three plaintiffs in Santos Moreno et al.

**Motion carried:**

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

- 40. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER OFFER OR SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN RICK T. VAN EVERY V. LLOYD RENDON AND TRAVIS COUNTY, (VAN EVERY; TEXAS TORT CLAIMS ACT, AND PERSONAL INJURY). <sup>1</sup> (3:50 PM) (5:10 PM)

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

Item 40 postponed until November 9, 1999.

- 41. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO HIRE EXPERTS, AND/OR TAKE APPROPRIATE ACTION IN JOE WAYNE CONWAY V. TRAVIS COUNTY, ET AL., CAUSE NO. A-96-CA-655-ADA (FRASIER; EXCESSIVE FORCE/CIVIL RIGHTS). <sup>1</sup> (3:50 PM)

Item 41 postponed until November 9, 1999.

- 42. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO HIRE EXPERTS, AND/OR TAKE APPROPRIATE ACTION IN ERIC PATRICK KNOX V. COY TURNER, ET AL., CAUSE NO. A-98-CA-547-SHC (FRASIER; EXCESSIVE FORCE/CIVIL RIGHTS). <sup>1</sup> (3:50 PM)

Item 42 postponed until November 9, 1999.

**ADJOURNMENT**

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Baxter to adjourn the Voting Session. (5:10 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**

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**Date of Approval**

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**Samuel T. Biscoe, Travis County Judge**