

## **MINUTES – MARCH 28, 2000**

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

On Tuesday, the 28<sup>th</sup> day of March, 2000, the Commissioners' Court convened the regular Voting Session at 9:15 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 12:01 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 1:43 PM and adjourned at 1:43 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC), the Travis County Health Facilities Development Corporation (TCHFDC), the Capital Health Facilities Development Corporation (CHFDC), and the Capital Industrial Development Corporation (CIDC) called to order the Voting Sessions at 1:43 PM and adjourned the Voting Sessions at 1:43 PM.

The Commissioners' Court reconvened the Voting Session at 1:43 PM.

The Commissioners' Court retired to Executive Session at 3:10 PM.

The Commissioners' Court reconvened the Voting Session at 5:47 PM.

The Commissioners' Court adjourned the Voting Session at 5:57 PM.

**PUBLIC HEARINGS**

- 1. PUBLIC HEARING TO APPROVE A TEMPORARY ROAD CLOSURE OF QUINLAN PARK ROAD BETWEEN STEINER RANCH BLVD. AND STEINER RANCH BLVD. FOR THE PURPOSE OF QUINLAN PARK ROAD PHASE II ROADWAY IMPROVEMENTS IN PRECINCT TWO. (9:18 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).

**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 C9. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court’s Motion and Vote.

**RESOLUTIONS & PROCLAMATIONS**

- 2. APPROVE RESOLUTION DECLARING THE WEEK OF APRIL 3 - 7, 2000 AS “PUBLIC HEALTH WEEK” IN TRAVIS COUNTY AND RECOGNIZE THE EFFORTS OF PUBLIC HEALTH PROFESSIONALS TO ASSURE THE HEALTH AND FUTURE OF OUR COMMUNITY. (9:20 AM)

**Members of the Court heard from:** Stephen Williams, Executive Manager, Travis County Health, Human Services and Veterans’ Services (TCHHS&VS); David Lurie, Director, Austin-Travis County Health and Human Services (A-TCHHS); and Shannon Jones, Assistant Director, A-TCHHS.

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

- 3. APPROVE RESOLUTION HONORING STEVE MANILLA FOR HIS SERVICE TO TRAVIS COUNTY AS THE DIVISION DIRECTOR OF PLANNING AND ENGINEERING SERVICES FOR TRANSPORTATION AND NATURAL RESOURCES. (9:26 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; and Steve Manilla, Director of Engineering and Planning, TNR.

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

**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:** Kenneth Snyder, Private Citizen; Marion Robertson Demberg, Private Citizen; Gus Peña, President of East Austin Concerned Hispanics; Lucio Peña, Private Citizen; Lynn Moshier, Private Citizen; and Desea Andrews, Private Citizen. (9:35 AM)

**CONSENT ITEMS**

- 4. Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C9 and Items 11, 23.A & B, 25, 27, 29, 32.A, 34, and 35. (9:57 AM)

<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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3. APPROVE COMMISSIONERS’ COURT MINUTES FOR MEETING OF MARCH 14, 2000.
- C4. APPROVE PLAT FOR RECORDING IN PRECINCT TWO: CHIMNEY OAKS AT LAKE TRAVIS SECTION 2 – (LONGFORM – FISCAL POSTED WITH TRAVIS COUNTY – 69 LOTS - 399.868 ACRES - BRASADA LANE – WASTEWATER SERVICE TO BE PROVIDED FOR BY ONSITE WASTEWATER.
- C5. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 1 BLOCK C AND LOT A, RESUBDIVISION OF LOT 2 BLOCK C, SLAUGHTER CREEK ACRES – (SHORTFORM – NO FISCAL – 4 LOTS - 5.004 ACRES – SEPTIC SYSTEMS APPROVED BY TCOSSF – SLAUGHTER CREEK DRIVE – AUSTIN ETJ).
- C6. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOTS 9 AND 10 PALEFACE PARK SUBDIVISION PHASE 1, SECTION C (2 LOTS - 17.39 ACRES – PEDERNALES CANYON DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – OETJ).
- C7. APPROVE A PUBLIC HEARING DATE OF APRIL 18, 2000 TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 5’ PUBLIC UTILITY EASEMENT ON EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 300 AND 301, APACHE SHORES FIRST INSTALLMENT, A SUBDIVISION IN PRECINCT THREE.

**CONSENT ITEMS CONTINUED**

- C8.** APPROVE A PUBLIC HEARING DATE OF APRIL 25, 2000 TO RECEIVE COMMENTS REGARDING PROPOSED REVISIONS THAT INCLUDE MORE SPECIFIC REQUIREMENTS IN SECTION 82.301(d), MANUFACTURED HOME RENTAL COMMUNITY MINIMUM INFRASTRUCTURE STANDARDS, OF CHAPTER 82, TRAVIS COUNTY STANDARDS FOR THE CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS.
- C9.** APPROVE A TEMPORARY ROAD CLOSURE OF QUINLAN PARK ROAD BETWEEN STEINER RANCH BLVD. AND STEINER RANCH BLVD. FOR THE PURPOSE OF QUINLAN PARK ROAD PHASE II ROADWAY IMPROVEMENTS IN PRECINCT 2.

**Clerk’s Note:** Item C9 is the Action Item for Item 1.

- 5.** RECEIVE BRIEFING REGARDING PROHIBITING OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY, AND TAKE APPROPRIATE ACTION. (9:15 AM)

Item 5 postponed until April 4, 2000.

**JUSTICE AND PUBLIC SAFETY ITEMS**

- 6.** DISCUSS AND APPROVE TRANSFER OF OWNERSHIP OF 9-1-1 ADDRESSING EQUIPMENT PURCHASED BY CAPITAL AREA PLANNING COUNCIL (CAPCO) TO TRAVIS COUNTY, AND TAKE APPROPRIATE ACTION. (9:59 AM)

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, Justice and Public Safety (JPS); and Teresa Reel, Manager of Emergency and Wireless Communications, JPS.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 6.

<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

- 7. RECEIVE UPDATE ON NEGOTIATIONS WITH SETON OVER STARFLIGHT SERVICES AND TAKE APPROPRIATE ACTION. (10:01 AM) (3:10 PM) (5:47 PM)

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, JPS; and Barbara Wilson, Assistant County Attorney.

Judge Biscoe announced that Item 7 would be considered in Executive Session.

**Clerk’s Note:** Items 7 and 26.A & B are associated with one another and were called for concurrent discussion.

**Members of the Court agreed** to consider one Motion for Items 7 and 26.A & B.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to direct Staff to keep negotiating with Seton and the City of Austin, and to bring forward the MOU and the contract modification related to the aviation fuel, hopefully, next week, April 4, 2000.

<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

- 8. APPROVE INTERLOCAL AGREEMENT FOR DATA EVALUATION SERVICES BETWEEN THE UNIVERSITY OF TEXAS AT AUSTIN, LBJ SCHOOL AND TRAVIS COUNTY. (9:15 AM)

Item 8 postponed until April 4, 2000.

**ADMINISTRATIVE OPERATIONS ITEMS**

**9.** CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING I.T.S. DEPARTMENT’S ITEMS RESULTING FROM DEPARTMENTAL REVIEW ON INFORMATION AND TECHNOLOGY SYSTEMS FUNCTIONS:

**A.** APPOINT JOE HARLOW AS CHIEF TECHNOLOGY OFFICER CHARGED WITH THE RESPONSIBILITY OF DEVELOPING TECHNOLOGY POLICY AND COUNTYWIDE STANDARDS FOR PRESENTATION TO COMMISSIONERS’ COURT FOR REVIEW AND APPROPRIATE ACTION; (10:16 AM)

**Members of the Court heard from:** Joe Harlow, Director, Information and Telecommunications Systems (ITS).

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Item 9.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

**B.** APPOINT A TECHNOLOGY GOVERNANCE COMMITTEE, CHAIRED BY THE CHIEF TECHNOLOGY OFFICER TO ADVISE THE COMMISSIONERS’ COURT ON TECHNOLOGY ISSUES, TO REVIEW COUNTYWIDE TECHNOLOGY PLANS, AND TO ACHIEVE CONSENSUS THROUGHOUT THE COUNTY’S USER DEPARTMENTS ON TECHNOLOGY ISSUES; (10:20 AM)

**Members of the Court heard from:** Joe Harlow, Director, ITS; and Leigh Williams, Manager, Operations and Technology, ITS.

Discussion Only.

**ITEM 9 CONTINUED**

- C.** APPROVE THE DEVELOPMENT OF A MULTI-YEAR, COUNTYWIDE TECHNOLOGY STRATEGIC PLAN SUPPORTED BY ANNUAL WORK PLANS TO BE PRESENTED TO COMMISSIONERS’ COURT FOR REVIEW AND APPROPRIATE ACTION. (10:23 AM)
- D.** APPROVE THE REQUIREMENT TO ESTABLISH I.T.S. SERVICE LEVEL AGREEMENTS DEFINING THE SERVICES, RESPONSE TIMES, AND WORKING RELATIONSHIPS BETWEEN EACH USER DEPARTMENT AND I.T.S.; AND
- E.** APPOINT THE CHIEF TECHNOLOGY OFFICER AS THE RESPONSIBLE PARTY TO DEVELOP AN E-COMMERCE STRATEGY FOR TRAVIS COUNTY, IN CONCURRENCE WITH THE TECHNOLOGY GOVERNANCE COMMITTEE.

**Clerk’s Note:** Items 9.C, D, and E are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Joe Harlow, Director, ITS; Leigh Williams, Manager, Operations and Technology, ITS; and Alicia Perez, Executive Manager, Administrative Operations.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner that on 9.C, to add the word “recommendations” to “resource allocation”, on 9.D, service level “of plans” instead of “agreements”, and 9.E, pick up the Technology Advisory Committee, and to approve Items 9.C, D, and E.

<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



10. REVIEW AND APPROVE THE FOLLOWING LIABILITY CLAIM RECOMMENDATIONS: (10:37 AM)

A. CONTINENTAL HOMES OF TEXAS – SETTLE

Members of the Court heard from: Dan Mansour, Risk Manager, Human Resources Management Department (HRMD); and Steve Manilla, Director of Engineering and Planning, TNR.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the proposed settlement with the Risk Management Fund being the source of funding.

<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

11. APPROVE PERSONNEL AMENDMENTS. (9:57 AM)

Item 11 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court’s Motion and Vote.

**TRANSPORTATION & NATURAL RESOURCES ITEMS**

12. APPROVE CONSERVATION EASEMENT AGREEMENT BETWEEN TRAVIS COUNTY AND T.H.L. RANCH, LTD., TAYLOR WOODROW COMMUNITIES/STEINER RANCH, LTD. AND 661 INVESTMENTS, LTD. (9:17 AM)

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

Item 12 pulled from the Agenda.

13. RECEIVE STATUS REPORT ON COUNTY’S LONG TERM DEBT REQUIREMENTS INCLUDING EXISTING, ANTICIPATED AND REQUESTED PROJECTS. (10:46 AM)

Members of the Court heard from: Karen Shafer Castro, Senior Planning and Budget Analyst, Planning and Budget Office (PBO); Leroy Nellis, Budget Manager, PBO; and Joe Gieselman, Executive Manager, TNR.

Discussion Only.

14. DISCUSS REQUEST FOR COUNTY CONTRIBUTION TO STATE HIGHWAY PROJECT ON LOOP 1 NORTH, AND TAKE APPROPRIATE ACTION. (11:08 AM) (1:44 PM)

**Clerk’s Note:** Items 14 and 15.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.

Discussion Only.

15. DISCUSS REQUEST FOR COUNTY CONTRIBUTION TO THE FOLLOWING STATE HIGHWAY PROJECTS AND TAKE APPROPRIATE ACTION: (11:08 AM) (1:44 PM) (5:48 PM)
- A. U.S. 290 W. PROJECT;
  - B. I.H. 35 NORTH PROJECT;
  - C. U.S. 183 SOUTH PROJECT.

**Clerk’s Note:** Items 14 and 15.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.

**Motion by** Commissioner Baxter **and seconded by** Commissioner Sonleitner to approve Item 15.

<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

**Clerk’s Note:** Judge Biscoe asked that an appropriate delegation of the Court represent Travis County at the Transportation Committee meeting.

- 16. A. APPROVE A QUITCLAIM DEED TO RELEASE A PORTION OF RIVER PLACE BOULEVARD R-O-W IN PRECINCT TWO. (1:57 PM)
- B. APPROVE A PLAT FOR RECORDING IN PRECINCT TWO: RESUBDIVISION OF LOTS 2 AND 4, BLOCK A OF RIVER PLACE GOLF COURSE, AND LOT 178, BLOCK A OF RIVER PLACE SECTION 22 - (LONGFORM - NO FISCAL REQUIRED - 4 LOTS - 52.828 ACRES – RIVER PLACE BLVD. – WASTEWATER SERVICE TO BE PROVIDED FOR BY RIVER PLACE MUD).

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

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

**Motion by** Commissioner Sonleitner **and seconded by** Judge Biscoe to approve Items 16.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

- 17. APPROVE INTERLOCAL AGREEMENT WITH THE CITY OF SUNSET VALLEY FOR THE CITY’S IMPROVEMENTS TO BRODIE LANE. (1:59 PM)

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

Discussion Only.

- 18. CONSIDER APPROVING A REIMBURSEMENT AGREEMENT WITH TXU GAS COMPANY FOR THE COSTS OF PROTECTING EXISTING GAS LINES WITHIN THE PARMER LANE, SEGMENT III IMPROVEMENT PROJECT RIGHT-OF-WAY IN PRECINCT ONE, AND TAKE APPROPRIATE ACTION. (2:13 PM)

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

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 18.

**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. CONSIDER ALLOWING THE USE OF ROUNDABOUT INTERSECTIONS IN THE PROPOSED GASTON-SHELDON SUBDIVISION IN PRECINCT TWO, AND TAKE APPROPRIATE ACTION. (2:15 PM)**

**Members of the Court heard from:** Steve Manilla, Director of Engineering and Planning, TNR; Ken Blaker, Milburn Homes; and Shawn Compton, Boston, Compton and Associates.

**Motion by** Commissioner Sonleitner **and seconded by** Judge Biscoe to approve in terms of a concept, of the use of roundabouts for this subdivision. That Commissioners' Court approves the concept of this, and part of this is contingent upon the things that the Court has talked about today related to the perimeter fencing, working with the school district on various and sundry issues, if use of park A changes related to a fence there, as well. And as Judge Biscoe mentioned, that, as this thing works its way through the process, that it's going to be meeting the County's standards according to what we have right now.

**A Clarification of the previous Motion was made by** Judge Biscoe with a special note that we're especially concerned about paying attention to safety and traffic matters between now and completion of the project.

<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

20. A. APPROVE AMENDMENT TO THE PHASING AGREEMENT WITH BRE/BALDWIN MANAGEMENT LP, ESTABLISHING RESPONSIBILITIES RELATED TO THE CONSTRUCTION AND MAINTENANCE OF STREETS IN RIBERA CANYON SUBDIVISION. (3:03 PM)

B. APPROVE A CONSTRUCTION AGREEMENT AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT THREE: RIBERA CANYONS SUBDIVISION – SECTION TWO – (18 LOTS – 56.497 ACRES - PASEO DEL RIO BOULEVARD – FISCAL POSTED WITH THE CITY OF AUSITN AND TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY.

**Clerk’s Note:** Items 20.A and B are associated with one another and were called for concurrent discussion.

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

**Motion by** Commissioner Baxter **and seconded by** Commissioner Gómez to approve the amendment to the phasing agreement.

<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

**Motion by** Commissioner Baxter **and seconded by** Commissioner Gómez to approve the construction agreement and approval of the plat at this time.

<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

**PLANNING AND BUDGET DEPT. ITEMS**

- 21.** DISCUSS FY 2000 COUNTY EXPENDITURE STATEMENT REQUIRED FOR APPLICATION TO RECEIVE A PRO RATA SHARE OF THE DISTRIBUTION OF TOBACCO SETTLEMENT FUNDS AND TAKE APPROPRIATE ACTION. (3:05 PM)

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

**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 BUDGET AMENDMENTS AND TRANSFERS. (3:02 PM)

**Clerk’s Note:** Judge Biscoe announced that Budget Amendment and Transfer A.1 would be postponed because of the postponement of Item 8.

**Members of the Court heard from:** Cary Colbert, Director, Travis County Exposition Center.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to approve the rest of the Budget Amendments and Transfers.

**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. (9:57 AM)
- A. APPROVE GRANT CONTRACT FROM TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR FY'00 FOR COMPREHENSIVE EMERGENCY ASSISTANCE PROGRAM (CEAP) GRANT FOR HEALTH AND HUMAN SERVICES DEPARTMENT.
  - B. APPROVE GRANT CONTRACT FROM THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR RETIRED SENIORS VOLUNTEER PROGRAM (RSVP) FOR HEALTH AND HUMAN SERVICES DEPARTMENT.

Items 23.A and B added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

### **PURCHASING DEPARTMENT ITEMS**

24. APPROVE AWARD OF FORTY-FOUR (44) CONTRACTS FOR SOCIAL SERVICES, RFS #990088TS. **(SEE ATTACHMENT 'A' – PAGE 7 FOR LISTING OF AGENCIES POSTED WITH THIS AGENDA)** (9:17 AM) (3:09 PM)
- A. AMERICAN INSTITUTE FOR LEARNING
  - B. ANY BABY CAN
  - C. ARC OF THE CAPITOL AREA
  - D. AUSTIN ACADEMY, THE
  - E. AUSTIN AREA URBAN LEAGUE, INC.
  - F. AUSTIN CHILD GUIDANCE CENTER
  - G. AUSTIN COMMUNITY GARDENS, INC.
  - H. AUSTIN COMMUNITY NURSERY SCHOOLS
  - I. AUSTIN FAMILIES, INC.
  - J. AUSTIN PROJECT, THE
  - K. AUSTIN TENANT'S COUNCIL
  - L. BIG BROTHERS/BIG SISTERS OF AUSTIN, INC.
  - M. BLACKLAND COMMUNITY DEVELOPMENT CORPORATION
  - N. CAPITAL AREA MENTAL HEALTH CENTER
  - O. CAPITAL AREA TRAINING FOUNDATION
  - P. CARITAS OF AUSTIN, INC.
  - Q. CEDEN FAMILY RESOURCE CENTER
  - R. CENTRAL EAST AUSTIN COMMUNITY (CEACO)
  - S. CHILD, INC.
  - T. COMMUNITIES IN SCHOOLS-CENTRAL TEXAS, INC.
  - U. COMMUNITY ADVOCATES FOR TEENS & PARENTS
  - V. CRIME PREVENTION INSTITUTE, INC.

- W. EASTER SEALS – CENTRAL TEXAS
- X. EBENEZER CHILD DEVELOPMENT CTR.
- Y. EXTEND-A-CARE, INC.
- Z. FAMILY ELDERCARE, INC.
- AA. FOUNDATION FOR THE HOMELESS
- BB. GREATER CALVARY RITES OF PASSAGE DEVELOPMENT, INC.
- CC. IMMIGRATION, COUNSELING AND OUTREACH SERVICES
- DD. LIFEWORKS
- EE. LITERACY AUSTIN, INC.
- FF. OPEN DOOR PRESCHOOL – PROJECT NORMALIZATION
- GG. OUT YOUTH AUSTIN
- HH. PARENTS ANONYMOUS OF TEXAS, INC.
- II. PLANNED PARENTHOOD OF AUSTIN, INC.
- JJ. PUSH-UP FOUNDATION, INC.
- KK. READING IS FUNDAMENTAL OF AUSTIN
- LL. RIVER CITY YOUTH FOUNDATION
- MM. SALVATION ARMY
- NN. SERVICES OF THE ELDERLY, INC.
- OO. ST. EDWARD’S UNIVERSITY COMMUNITY MENTOR PROGRAM
- PP. VAUGHN HOUSE, INC.
- QQ. YOUTH ADVOCACY, INC.
- RR. YWCA OF GREATER AUSTIN

**Clerk’s Note:** Items 24.A - RR are associated with one another and were called for concurrent discussion.

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

Items 24.A - RR postponed until April 4, 2000.

- 25. APPROVE INCLUSION OF BUILDING TO THE JANITORIAL SERVICES SCHEDULE (MODIFICATION NO. 1) TO CONTRACT NO. 99T0216-DM, K B CONTRACT CLEANING, INC., FOR JANITORIAL SERVICES; CONTRACT WAS APPROVED ON AUGUST 31, 1999. (9:57 AM)

Item 25 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court’s Motion and Vote.



**26.** APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 99T0125-JP, LUCKY LADY OIL COMPANY FOR AVIATION FUEL, TYPE JET A; CONTRACT APPROVED ON APRIL 13, 1999. (5:47 PM)

- A.** APPROVE TWELVE (12) MONTH EXTENSION;
- B.** ADD SETON HEALTHCARE NETWORK AS A USER TO THE CONTRACT.

**Clerk's Note:** Items 7 and 26.A & B are associated with one another and were called for concurrent discussion.

**Members of the Court agreed** to consider one Motion for Items 7 and 26.A & B. Please refer to Item 7 for a summary of the Court's action on this Motion.

**27.** APPROVE CONTRACT AWARD FOR CONCRETE & GROUT MIX, IFB# B000041-JP, TO THE SOLE BIDDER, CENTEX MATERIALS, INC. (9:57 AM)

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

**28.** APPROVE EXTERNAL AUDIT CONTRACTS WITH DELOITTE & TOUCHE FOR TRAVIS COUNTY, COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT AND JUVENILE COURT. (9:16 AM)

Item 28 postponed until April 4, 2000.

**29.** APPROVE CONTRACT AWARD FOR THE PROVISION OF DENTAL AND MEDICAL EQUIPMENT FOR THE TRAVIS COUNTY CORRECTIONAL COMPLEX PHASE 1 IMPROVEMENTS PROJECT, IFB #B000013-OJ, TO THE LOW QUALIFIED BIDDER, JB DENTAL. (9:57 AM)

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

- 30. APPROVE CONTRACT AWARDS FOR THE PROVISION OF SOLID WASTE DISPOSAL, IFB #B000036-LD, TO TEXAS DISPOSAL SYSTEMS, AUSTIN, TX. AND WASTE MANAGEMENT, AUSTIN, TX. (3:07 PM)

**Members of the Court heard from:** Frank Holder, Assistant Purchasing Agent.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to approve Item 30.

**Motion carried:**

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

**OTHER ITEMS**

- 31. **TAKE UP AT 1:30 P.M.** DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (9:18 AM) (3:09 PM)

No action necessary on Item 31.

- 32. A. APPROVE ORDER DESIGNATING MAIN EARLY VOTING POLLING PLACE AND TEMPORARY BRANCH EARLY VOTING POLLING PLACES FOR THE APRIL 11, 2000 TRAVIS COUNTY DEMOCRATIC AND REPUBLICAN PRIMARY RUNOFF ELECTIONS. (9:57 AM)

Item 32.A added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court’s Motion and Vote.

- B. DISCUSS OTHER ISSUES RELATED TO CONDUCT OF THE APRIL 11, 2000 PRIMARY RUNOFF ELECTIONS. (11:07 AM)

Item 32.B postponed until April 4, 2000.

33. APPROVE AMENDMENT TO THE JURY PLAN, AND TAKE APPROPRIATE ACTION. (9:17 AM) (3:10 PM) (5:49 PM)

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

**Members of the Court heard from:** Michelle Brinkman, Chief Deputy, District Clerk’s Office.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve Item 33.

**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 AUDIT REPORT FROM EMERGENCY SERVICES DISTRICT NO. 12 (MANOR) FOR YEAR ENDED SEPTEMBER 30, 1999, PURSUANT TO TEXAS HEALTH & SAFETY CODE SECTION 775.082 (b). (9:57 AM)

Item 34 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court’s Motion and Vote.

35. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:57 AM)

Item 35 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court’s Motion and Vote.

**EXECUTIVE SESSION ITEMS**

Note 1 – Gov’t Code Ann 551.071, Consultation with Attorney

Note 2 – Gov’t Code Ann 551.072, Real Property

Note 3 – Gov’t Code Ann 551.074, Personnel Matters

Note 4 – Gov’t Code Ann 551.076, Security

- 36. A. RECEIVE BRIEFING FROM 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> (3:10 PM) (5:50 PM)**

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

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to direct the County Attorney’s Office to take the counter proposal from ISEC, soften the language regarding when the County will pay there retainage, and to indicate the County will pay it within 30 days of final completion of the work on the Tower under the contract.

<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	present but not voting
	Precinct 4, Commissioner Margaret J. Gómez	yes

**ITEM 36 CONTINUED**

**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> (3:10 PM) (5:51 PM)**

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

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner**, regarding the claim of Victoria Air, to approve the recommendation of the County’s consultants to basically settle the claim in the modified amount of \$867,680.00 with the specific items set forth in the recap that the Court was provided.

**Maker accept the Friendly Amendment by Commissioner Sonleitner** that the County get the acceptable release and the subrogation agreement that the County has been getting, and to include Dealey Herndon continuing on with the resolution of claims, and to report back to the Court of any potential things that are out there.

**Acceptance of the Friendly Amendment was made by Judge Biscoe.**

<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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

**37. RECEIVE BRIEFING ON REAL ESTATE ISSUES RELATED TO COMMUNITY SUPERVISION AND CORRECTIONS LEASED FACILITIES, AND TAKE APPROPRIATE ACTION. <sup>2</sup> (3:10 PM) (5:52 PM)**

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

Item 37 to be reposted on April 4, 2000.

**38. REVIEW STATUS OF LEASE AT 1300 GUADALUPE AND TAKE APPROPRIATE ACTION. <sup>1</sup> & <sup>2</sup> (3:10 PM) (5:52 PM)**

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

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to ask a subcommittee of this Commissioners’ Court, that is Commissioner Sonleitner and Commissioner Gómez, to work with a committee of County Staff including Belinda Poppa, Alicia Perez and appropriate representatives from the County Attorney’s Office to do the following: (1) to review all space options available in Travis County, that’s County owned space, County leased space, and just plain old space in general; (2) that the Court get with the County Attorney’s Office to send an appropriate letter to the landlord indicating recent findings by our consultant regarding the basement of 1300 Guadalupe, that the Court make appropriate legal demands regarding remediation; that the Court request a meeting with the landlord immediately, and no later than 9:00 AM next Tuesday morning so the Court can discuss that conversation at our Tuesday meeting; that the County contact IBM to let them know that the Court is working on this matter; that the Court give the appropriate communications to County Staff to let them know that the Court is working on this rather delicate but serious matter; and the Court knows they deserve better, and safer, and healthier space, and any other actions consistent with this motion.

**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 GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT OR COUNTER AWARD OF THE SPECIAL COMMISSIONERS’ HEARING REGARDING CIP PROJECT NO. 97-21, PARCELS #13 AND #14; HOWARD LANE; (RIDGE INVESTORS, LTD., A TEXAS LIMITED PARTNERSHIP; CONDEMNATION). <sup>1</sup> & <sup>2</sup> (3:10 PM) (5:54 PM)**

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

Item 39 to be reposted on April 4, 2000.

- 40. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT OR COUNTER AWARD OF THE SPECIAL COMMISSIONERS’ HEARING REGARDING CIP PROJECT NO. 97-21, PARCEL #15; HOWARD LANE; (RIDGE INVESTORS, LTD., A TEXAS LIMITED PARTNERSHIP; CONDEMNATION). <sup>1</sup> & <sup>2</sup> (3:10 PM) (5:54 PM)

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

Item 40 to be reposted on April 4, 2000.

- 41. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR AUTHORIZE COUNTY ATTORNEY TO INITIATE CONDEMNATION REGARDING PROJECT #1510-98-004, DOYLE/EILERS ROAD DRAINAGE PROJECT, PARCEL NO. 18; SAMUEL ALEXANDER AND DOROTHY MAE ALEXANDER, AND TRAVIS COUNTY, TEXAS. (CONDEMNATION CASE) <sup>1</sup> (11:07 AM)

Item 41 pulled from the Agenda.

- 42. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN THE MATTER OF LETECIA MORENO V. TRAVIS COUNTY. <sup>1</sup> & <sup>3</sup> (3:10 PM) (5:55 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve the settlement agreement in the amount of \$2,500.00 in exchange for a complete release, and that the Court thanks Ms. Haley for doing an outstanding job representing the County in 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

- 43. AUTHORIZE COUNTY ATTORNEY TO CONDUCT MEDIATION AND APPOINT COMMISSIONERS’ COURT REPRESENTATIVE FOR MEDIATION AND/OR TAKE APPROPRIATE ACTION IN PELZEL AND ASSOCIATES, INC. V. TRAVIS COUNTY.  
<sup>1</sup> (3:10 PM) (5:55 PM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to accept Commissioner Sonleitner’s offer to represent Travis County in this appellate 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

- 44. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR AUTHORIZE APPLICATION FOR INJUNCTIVE RELIEF AS TO SEPTIC VIOLATIONS UPON AND REGARDING THAT CERTAIN TRACT OF LAND OCCUPIED BY WAYNE MARTIN AND RECREATIONAL VEHICLES, LOCATED AT 4106 MANANA MOUNTAIN, IN THE HAZY HILLS SUBDIVISION IN PRECINCT THREE OF TRAVIS COUNTY TEXAS. (SEPTIC SYSTEMS ENFORCEMENT) <sup>1</sup> (3:10 PM) (5:55 PM)

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

**Motion by** Commissioner Baxter **and seconded by** Commissioner Davis that the Court appoint Commissioner Baxter to meet with Mr. Martin to encourage compliance with the applicable on-site sewage facility regulations, and that the Court also at this time authorize the County Attorney’s Office to file for the appropriate injunctive relief if the aforementioned meeting is not successful regarding compliance, also that the Court authorize this action, the injunctive relief, to be taken without necessity of posting bond.

**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



- 45. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT OR COUNTER A CLAIM OF MARK HARDIN FOR DISTRIBUTION OF SETTLEMENT PROCEEDS IN THE MATTER OF MARK HARDIN V. ROBERT MCKENZIE, W98-3725-009501; (SUBROGATION CASE). <sup>1</sup> (3:10 PM)

Judge Biscoe announced that Item 45 would be considered in Executive Session.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to authorize payment of the sum of \$20,628.45 to Mr. Mark Hardin, that is his share of a settlement in a subrogation case, and that the Court ask the Auditor and the Treasurer to get the check ready immediately for immediate distribution to Mr. Hardin.

<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

**THE FOLLOWING IS AN ADDENDUM:**

- A.1 CONSIDER INTERLOCAL WITH CITY OF AUSTIN ON USE OF PALMER AUDITORIUM AND CITY COLISEUM FOR JURY IMPANELING, SITE RELOCATION AND RELATED ISSUES, AND TAKE APPROPRIATE ACTION. (3:10 PM) (5:56 PM) (5:57 PM)

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

No action necessary on Item A.1.

Item A.1 to be reposted on April 4, 2000.

**ADJOURNMENT**

**Motion by** Commissioner Davis **and seconded by** Judge Biscoe to adjourn the Voting Session.  
(5:57 PM)

<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

**MINUTES APPROVED BY THE COMMISSIONERS' COURT**

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**Date of Approval**

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