

MINUTES – OCTOBER 31, 2000

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 31st day of October, 2000, the Commissioners' Court convened the regular Voting Session at 9:12 AM in the Commissioners' Courtroom, 1st Floor of the Travis County Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners' Court recessed the Voting Session at 11:47 AM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFDC) called to order the Voting Session at 1:40 PM and adjourned at 1:40 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation (TCHFDC) called to order the Voting Session at 1:41 PM and adjourned the Voting Sessions at 1:41 PM.

The Commissioners' Court, meeting as the Capital Health Facilities Development Corporation (CHFDC) and the Capital Industrial Development Corporation (CIDC) called to order the Voting Sessions at 1:41 PM and adjourned at 1:42 PM.

The Commissioners' Court reconvened the Voting Session at 1:42 PM.

The Commissioners' Court recessed the Voting Session at 1:42 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, (NWTCRD #3), convened the NWTCRD #3 Voting Session at 1:42 PM and adjourned at 1:43 PM.

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

The Commissioners' Court retired to Executive Session 1:44 PM.

The Commissioners' Court reconvened the Voting Session at 3:56 PM.

The Commissioners' Court adjourned the Voting Session at 4:06 PM.

RESOLUTIONS & PROCLAMATIONS

1. APPROVE A RESOLUTION IN MEMORY OF GEORGE CATES, A LONG TIME RESIDENT OF TRAVIS COUNTY. (9:13 AM)

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez to approve Item 1.

Motion carried:

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

CITIZENS COMMUNICATION

Members of the Court heard from: Kenneth Snyder, Private Citizen; and Lynn Moshier, Private Citizen. (9:15 AM)

2. RECEIVE STATUS REPORT OF THE COMBINED CHARITIES CAMPAIGN AND TAKE APPROPRIATE ACTION. (9:22 AM)

Members of the Court heard from: Dan Richards, Chief Deputy Sheriff, Travis County Sheriff's Office (TCSO); Cecelia Burke, Domestic Relations; David Escamilla, First Assistant County Attorney; and Margo Frasier, Travis County Sheriff.

Discussion Only.

CONSENT ITEMS

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

- 3. **Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C9, and Items 4.A & C, 7 (with the corrected amount being \$20,056.00), 10, 11, 12, 18, 19, 21, 22, 23, 24, 27, 28, and 31. (9:31 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 SERVICES.
- C3. APPROVE COMMISSIONERS’ COURT MINUTES FOR VOTING SESSION OF OCTOBER 17, 2000.
- C4. REAPPOINT GILES GARMON TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #12, TERM EFFECTIVE UNTIL JANUARY 2002.
- C5. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: LAKECLIFF ONLAKE TRAVIS SECTION SIX (LONGFORM PLAT – 31 LOTS – 61.374 ACRES – CLIFF CROSSING – FISCAL POSTED WITH TRAVIS COUNTY - SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – OETJ).
- C6. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF PORTION OF LOT 9 LICK CREEK SUBDIVISION PHASE 1 – (SHORTFORM – NO FISCAL REQUIRED – 2 LOTS – 7.813 ACRES – FOSSIL TRAIL – LCRA OSSF APPROVAL – OETJ).
- C7. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT ILLAKEE III (AMENDED PLAT – 2 LOTS – 7.31 ACRES – PECAN DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – CITY OF AUSTIN ETJ).
- C8. APPROVE PLAT FOR RECORDING IN PRECINCT TWO: CO-COMM CABLE/HCT PROPERTIES, LTD. - (SHORTFORM – NO FISCAL REQUIRED – 2 LOTS – 9.971 ACRES - I.H. 35 – CITY OF AUSTIN OSSF – LIMITED PURPOSE ANNEXATION.

CONSENT ITEMS CONTINUED

- C9. APPROVE A PUBLIC HEARING DATE OF NOVEMBER 21, 2000 IN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF THE 5' PUBLIC UTILITY EASEMENT ON EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 162 AND 163, APACHE SHORES FIRST INSTALLMENT, A SUBDIVISION IN PRECINCT THREE.

PLANNING AND BUDGET DEPT. ITEMS

- 4. APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE.
 - A. APPROVE GRANT CONTRACT FROM THE TEXAS ASSOCIATION OF COMMUNITY ACTION AGENCIES, INC. FOR THE TEXAS FOOD STAMP EDUCATION CAMPAIGN IN HEALTH AND HUMAN SERVICES. (9:31 AM)

Item 4.A added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- B. APPROVE ADDITIONAL GRANT CONTRACT AWARD FOR FY'00 COMPREHENSIVE ENERGY ASSISTANCE PROGRAM (CEAP) FOR HEALTH AND HUMAN SERVICES. (9:35 AM)

Members of the Court heard from: Alan Miller, Planning and Budget Analyst, Planning and Budget Office (PBO); Arlene Tillman, Director, Administrative Services, Travis County Health and Human Services Department (TCHHS); and Mary Etta Gerhardt, Assistant County Attorney.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Item 4.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

ITEM 4 CONTINUED

C. APPROVE ADDITIONAL GRANT CONTRACT AWARD FOR FY'00 LOW INCOME HOME ENERGY ASSISTANCE PROGRAM FOR HEALTH AND HUMAN SERVICES. (9:31 AM)

Item 4.C added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

5. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:49 AM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve A2 – A11.

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

Item A1 of Budget Amendments and Transfers pulled from the Agenda.

Clerk's Note: The Court further discussed Budget Amendments and Transfers Item A12 with Item 15. Please refer to Item 15 for a summary of the Court's action.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

6. CONSIDER PACE BEND PARK MASTER PLAN (EXCEPT EQUESTRIAN RELATED ISSUES), AND TAKE APPROPRIATE ACTION. (9:50 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Wendy Scaperotta, TNR; Charles Bergh, Division Manager, Parks and Natural Resources Division, TNR; and Kurt Nielsen, Park Ranger, TNR.

Discussion Only.

- 7. APPROVE THIRD AMENDMENT TO THE CLEAN AIR FORCE AGREEMENT TO PROVIDE \$20,065 FOR ADMINISTRATIVE POSITIONS AND PROGRAMS. (9:31 AM)

Clerk’s Note: Judge Biscoe announced that the correct amount is \$20,056.00.

Item 7 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 8. A. APPROVE A VARIANCE TO SECTION 82.201 (b)(4) OF TRAVIS COUNTY’S STANDARDS FOR CONSTRUCTION AND STREETS AND DRAINAGE IN SUBDIVISIONS. (10:28 AM)
- B. APPROVE A PHASING AGREEMENT ESTABLISHING RESPONSIBILITIES RELATED TO THE DEVELOPMENT OF AUSTIN-BERGSTROM AIRPORT CENTRE TRACT.

Clerk’s Note: Items 8.A and B and 9.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; Tom Nuckols, Assistant County Attorney; and Joe Lessard, Representing the Applicant.

Members of the Court agreed to consider one Motion for Items 8.A and B and 9.A and B.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve Items 8.A and B, the variance to section 82.201 (b)(4) of Travis County’s standards for construction and streets and drainage in subdivisions; and B, approve the phasing agreement establishing responsibilities related to the development of Austin-Bergstrom Airport Centre tract; and Item 9.A, to approve a construction agreement and approval of a plat for recording in Precinct Four: Spirit of Texas Drive subdivision long form; and Item 9.B, approve plat for recording in Precinct Four: Airport Fast Park shortform Spirit of Texas, with the adoption of the paragraph that both sides have agreed 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

9. **A.** APPROVE A CONSTRUCTION AGREEMENT AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT FOUR: SPIRIT OF TEXAS DRIVE SUBDIVISION – (LONG FORM – 1 LOT – 2.053 ACRES - HIGHWAY 71 – FISCAL POSTED WITH CITY OF AUSTIN – NO SEWAGE SERVICE REQUIRED – COA ETJ). (10:28 AM)

- B.** APPROVE PLAT FOR RECORDING IN PRECINCT FOUR: AIRPORT FAST PARK - (SHORTFORM – 1 LOT – 32.79 ACRES – SPIRIT OF TEXAS DRIVE – FISCAL POSTED WITH THE CITY OF AUSTIN – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – COA ETJ).

Clerk's Note: Items 8.A and B and 9.A and B are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one Motion for Items 8.A and B and 9.A and B. Please refer to Items 8.A and B for a summary of the Court's action on this Motion.

10. NOTIFY COURT OF SATISFACTORY CONSTRUCTION OF THE PRIVATE STREET FOR BARTON CREEK SECTION J, PHASE 2, A SUBDIVISION IN PRECINCT THREE. (9:31 AM)

Item 10 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

11. NOTIFY COURT OF SATISFACTORY CONSTRUCTION OF THE PRIVATE STREET FOR RIVER PLACE SECTION 22, A SUBDIVISION IN PRECINCT TWO. (9:31 AM)

Item 11 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

12. APPROVE A LICENSE AGREEMENT WITH RIVERBEND CHURCH, A TEXAS NON-PROFIT CORPORATION, FOR A FENCE IN THE RIGHT-OF-WAY OF CEDAR STREET ADJACENT TO LOT 1 AMENDED PLAT OF LOTS 40, 41, 42, 45, 46, 49, 50, 53, & 54 LAKE SIDE ADDITION, IN PRECINCT THREE. (9:31 AM)

Item 12 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

13. APPROVE LICENSE AGREEMENT WITH BARTON CREEK SOUTH PROPERTY OWNERS ASSOCIATION, INC. FOR LANDSCAPING, IRRIGATION, AND LIGHTING IN THE RIGHT-OF-WAY OF LOST CREEK BOULEVARD ADJACENT TO BARTON CREEK SECTION J PHASE 1 AND PHASE 2, IN PRECINCT THREE. (10:36 AM)

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

Motion by Commissioner Baxter **and seconded by** Commissioner Sonleitner to approve the license 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

14. APPROVE A CASH SECURITY AGREEMENT FOR IMPROVEMENTS TO TUMBLEWEED TRAIL AND RIVER HILLS ROAD IN REFERENCE TO CE-BAR FIRE STATION A SITE DEVELOPMENT IN PRECINCT THREE. (10:38 AM)

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

Motion by Commissioner Baxter **and seconded by** Commissioner Sonleitner to approve the cash security 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

ADMINISTRATIVE OPERATIONS ITEMS

- 15. APPROVE THE FOLLOWING ACTIONS NECESSARY AT EXPOSITION CENTER:
(10:39 AM) (1:44 PM) (3:56 PM)
 - A. CONSIDER IMPROVEMENTS NECESSARY AT TRAVIS COUNTY EXPOSITION CENTER AND TAKE APPROPRIATE ACTION.
 - B. APPROVE BUDGET FOR LIFE SAFETY AND AMERICANS WITH DISABILITIES ACT IMPROVEMENTS AND TAKE APPROPRIATE ACTION.
 - C. APPROVE REIMBURSEMENT RESOLUTION AND TAKE APPROPRIATE ACTION.
 - D. AWARD CONTRACT FOR EXPOSITION CENTER IMPROVEMENTS.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Roger El Khoury, Director, Facilities Management; Cyd Grimes, Travis County Purchasing Agent; and Maricela Barr, President, The Barr Company, AIA.

Judge Biscoe announced that Item 15.D would be considered in Executive Session.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that the Court declare the low non-responsive for failure to comply with the 5% bid bond requirement.

Motion carried:

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

Motion by Commissioner Davis **and seconded by** Judge Biscoe to approve 15.A, B, C, and D, with the understanding that the second low bidder is awarded the bid and second low bidder is Barecky Construction Company.

Maker and Second accept the Friendly Amendment by Commissioner Sonleitner to roll in Budget Amendment A12 in order to make that transfer.

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

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

16. CONSIDER REMAINING FY'01 CLASSIFICATION REVIEWS, INCLUDING JOB TITLES AND DESCRIPTIONS, PAY GRADES, AND FLSA DESIGNATIONS, AND TAKE APPROPRIATE ACTION. (11:27 AM)

Members of the Court heard from: Carlotta Valdez Leavy, Senior HR Analyst, Human Resources Management Department (HRMD); Alicia Perez, Executive Manager, Administrative Operations; Cary Colbert, Director, Travis County Exposition Center; and Cyd Grimes, Travis County Purchasing Agent.

A Division of the Vote was requested by Commissioner Baxter on Item 16.

First Division of the Vote:

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the request for an Assistant Budget Manager in PBO, with the pay grades as recommended by HRMD.

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 Sonleitner to approve the request for an Assistant Director at the Expo Center, with the pay grades as recommended by HRMD.

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

17. REVIEW AND APPROVE THE FOLLOWING LIABILITY CLAIM RECOMMENDATIONS: (11:35 AM)

- A. RUSSELL AMOS - SETTLE**
- B. COURTNEY AMOS - SETTLE**

Members of the Court heard from: Dan Mansour, Risk Manager, HRMD; and Sherine Thomas, Assistant County Attorney.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the settlement claims with Russell and Courtney Amos as recommended by the Risk Manager.

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. APPROVE PERSONNEL AMENDMENTS. (9:31 AM)

Item 18 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

PURCHASING OFFICE ITEMS

19. APPROVE MODIFICATION NO. 8 TO CONTRACT NO. PS960295KW, AUSTIN CHILD GUIDANCE CENTER. (9:31 AM)

Item 19 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

20. APPROVE CONTRACT AWARD FOR RESIDENTIAL HVAC SERVICE, IFB NO. B000122-JP TO THE LOW BIDDER, AIRCO MECHANICAL. (11:37 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Arlene Tillman, Director, Administrative Services, TCHHS.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 20.

Motion carried:

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

21. APPROVE ASSIGNMENT OF CONTRACT BETWEEN BT OFFICE PRODUCTS AND CEI-TX, CONTRACT NO. 99T0177-OJ FOR FURNITURE; CONTRACT APPROVED ON 7/6/99. (9:31 AM)

Item 21 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

22. APPROVE AWARD OF RFO# O000111-TF, A STATE QISV (“QUALIFIED INFORMATION SYSTEMS VENDOR”) CATALOGUE PURCHASE TO KENT DATACOMM FOR CISCO SYSTEMS PARTS AND SERVICES. (9:31 AM)

Item 22 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

23. APPROVE CONTRACT AWARD FOR THE PROVISION OF 5 GANG FAIRWAY REEL MOWERS, IFB# B000103-LD TO THE LOW RESPONSIVE BIDDER, PROFESSIONAL TURF PRODUCTS, SAN ANTONIO, TEXAS. (9:31 AM)

Item 23 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

24. APPROVE CONTRACT AWARD FOR THE PROVISION OF MOBILE RECYCLING TRAILERS, IFB# B000121-RV TO THE SOLE BIDDER, PROTAINER, INC. (9:31 AM)

Item 24 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 25. APPROVE CONTRACT AWARD FOR THE PROVISION OF PLAYSCAPES, IFB# B000101-RG TO THE LOW QUALIFIED BIDDER, MIRACLE RECREATION. (11:40 AM)

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

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

Motion carried:

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

- 26. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 00T0046-OJ, WASTE MANAGEMENT OF TEXAS, REFUSE COLLECTION; CONTRACT APPROVED ON 12/14/99. (11:42 AM)

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

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to approve Item 26.

Motion carried:

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

- 27. APPROVE CONTRACT MODIFICATION NO. 3 TO CONTRACT NO. 00K0700-JJ, C.C. CARLTON INDUSTRIES, LTD., NORTHEAST METRO PARK CONSTRUCTION PROJECT; CONTRACT APPROVED ON 9/28/99. (9:31 AM)

Item 27 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 28. APPROVE CONTRACT AWARD PS000364-MQ WITH TEXAS ASSOCIATION OF MINORITY BUSINESS ENTERPRISES (TAMBE). (9:31 AM)

Item 28 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 29. DISCLOSE RELATIONSHIP WITH KEY CONTRACTING PERSON (SPOUSE) AND APPROVE ORDER WAIVING THE REQUIREMENTS OF DISCRETIONARY CONTRACTS PURSUANT TO SECTION 32.004(F) OF THE TRAVIS COUNTY ETHICS POLICY FOR THE PURPOSE OF APPROVING AN INTERLOCAL AGREEMENT FOR MENTAL HEALTH SERVICES BETWEEN TRAVIS COUNTY AND THE AUSTIN-TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER/CHILDREN’S MENTAL HEALTH PARTNERSHIP MANAGED SERVICE ORGANIZATION – SAMUEL T. BISCOE. (11:46 AM)

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

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the waiver.

Motion carried:

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

OTHER ITEMS

- 30. **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. (4:06 PM)

No action necessary on Item 30.

- 31. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:31 AM)

Item 31 added to Consent Items. Please refer to Agenda Item 3 (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

- 32. 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. ¹ (1:44 PM) (3:59 PM)**
- B. RECEIVE BRIEFING FROM COUNTY ATTORNEY'S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE CENTER AND TAKE APPROPRIATE ACTION. ¹**
- C. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION REGARDING FLUOR DANIEL, INC. V. TRAVIS COUNTY, TEXAS; CIVIL ACTION NO. A 00CA021SS; IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS, AUSTIN DIVISION. ¹**

Clerk's Note: Items 32.A – C are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 32.A - C would be considered in Executive Session.

No action necessary on Items 32.A – C.

Items 32.A – C to be reposted on November 7, 2000.

- 33. RECEIVE LEGAL ADVICE FROM COUNTY ATTORNEY ON OLD CENTRAL BOOKING INTERLOCAL AGREEMENT WITH CITY OF AUSTIN, DISCUSS OUTSTANDING INVOICES AND RELATED ISSUES, AND TAKE APPROPRIATE ACTION. ¹ (1:44 PM) (4:00 PM)

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

No action necessary on Item 33.

- 34. RECEIVE LEGAL ADVICE FROM COUNTY ATTORNEY REGARDING THE NEW (DRAFT) CENTRAL BOOKING INTERLOCAL AGREEMENT AND TAKE APPROPRIATE ACTION. ¹ (1:44 PM) (4:00 PM)

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

No action necessary on Item 34.

Item 34 to be reposted on November 7, 2000.

- 35. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING STATUS OF CONSTRUCTION ON PROPERTY ADJACENT TO STARFLIGHT FACILITY. ¹ (1:44 PM) (4:00 PM)

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

No action necessary on Item 35.

- 36. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL. V. VIOLA RAMBO IN CAUSE NO. X98-09481 AND TAKE APPROPRIATE ACTION. ¹ (1:44 PM) (4:00 PM)

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

Motion by Commissioner Davis **and seconded by** Judge Biscoe that in Travis County et. al. v. Viola Rambo in cause no. X98-09481 that this particular cause number and action be taken back for resale on the County Courthouse steps.

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 GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT OR COUNTER AWARD OF THE SPECIAL COMMISSIONERS' HEARING REGARDING PROJECT NO. 97B01-14-2CA, BRATTON LANE, LATERAL SUPPORT EASEMENT; PARCEL NO. 11; JAMES STEPHENS, AND TRAVIS COUNTY, TEXAS. CONDEMNATION). ¹ (1:44 PM) (4:01 PM) (4:04 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Baxter to accept the special Commissioners' hearing award in the amount of \$8,500.00. The practical effect is that we are not going to be appealing that award amount, and that's basically our main amount that we were seeking, and it clarifies that we will be paying for a fence replacement on the Stephens' property.

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

38. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN JUAN CAMPOS-LOPEZ CLAIM. (FRASIER; CLAIM FOR DAMAGES) ¹ (1:44 PM) (4:02 PM)

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

Item 38 to be reposted on November 7, 2000.

39. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND DISCUSS PROPOSED SETTLEMENT AMOUNT REGARDING SUBROGATION CLAIM OF TRAVIS COUNTY IN BOBBY HUCKABY VS. JAMES COSTILLA AND TAKE APPROPRIATE ACTION. ¹ (1:44 PM) (4:02 PM)

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

Item 39 to be reposted on November 7, 2000.

- 40. DISCUSS, APPROVE OR TAKE ANY APPROPRIATE ACTION REGARDING THE LEASE PROPOSAL BETWEEN BROCK CONSULTING GROUP, INC. AND TRAVIS COUNTY, TEXAS FOR THE PRECINCT 4 OFFICE BUILDING FOR TRAVIS COUNTY EMPLOYEES. ² (1:44 PM) (4:02 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Gómez to ask our Staff to notify the party submitting the proposal, Brock Consulting, that we reject their counteroffer, and that we further advise them that we are in the market to acquire suitable real estate for the Precinct 4 office building, and part of our strategy is to find what the market value of real property in Southeast Travis County is, and more specifically, in generally this area, and that we get out the word to realty agents who do business in this area of what we need, and invite them to point us to suitable property, including the Brock Company, that we further express our profound appreciation to them for working with us, and that we advise them that our doors remain open to reasonable offers.

Maker and Second accept the Friendly Amendment by Commissioner Sonleitner to give instructions to the appropriate Staff to begin assembling work on an RFQ for architectural services, and that this Item in some amount, which is still to be discussed, that there is a place holder on our CO discussions.

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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

- 41. 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 THE AUDITS FOR 1990-1994 AND 1994-1998 (TAXPAYER NO. 1-74-6000192-2; HEARINGS 35,281 AND 38,765; ORTEGA-CARTER). ¹ (1:44 PM) (4:04 PM)

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

Item 41 to be reposted on November 7, 2000.

THE FOLLOWING ITEMS ARE ADDENDA:

- A1.** RECEIVE BRIEFING FROM COUNTY ATTORNEY, GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION REGARDING LITIGATION AND MEDIATION AND DESIGNATE A REPRESENTATIVE TO ATTEND MEDIATION IN LAKE AUSTIN SPA INVESTORS, LTD. V. LAKE AUSTIN RESORT, INC., ET AL.; MARY QUINLAN PARK. EXECUTIVE SESSION ALSO, PURSUANT TO TX. GOVT. CODE ANN. 551.071. (1:44 PM) (4:04 PM)

Judge Biscoe announced that Item A1 would be considered in Executive Session.

Members of the Court heard from: Eric Shepperd, Assistant County Attorney.

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe that at whatever point we have a mediation related to Lake Austin Spa, that Travis County kick in its estimated \$975.00 for its 50% share of the 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

- A2.** CONSIDER FOLLOW-UP ACTION TO DELIBERATIONS ON BENEFICIAL USE REGISTRATION APPLICATION OF CAP-TEX, INC., FOR WASTEWATER TREATMENT PLANT SLUDGE (REGISTRATION APPLICATION #710-855), AND TAKE APPROPRIATE ACTION. (9:13 AM) (11:13 AM)

Members of the Court heard from: John Kuhl, Natural Resources Program Manager, TNR; and Tom Nuckols, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Item A2.

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

