

MINUTES – MARCH 27, 2001

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 27th day of March, 2001, the Commissioners' Court convened the regular Voting Session at 9:14 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 12:07 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 1:36 PM and adjourned at 1:36 PM.

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

The Commissioners' Court reconvened the Voting Session at 1:36 PM.

The Commissioners' Court retired to Executive Session at 2:25 PM.

The Commissioners' Court reconvened the Voting Session at 3:01 PM.

The Commissioners' Court adjourned the Voting Session at 3:05 PM.

RESOLUTIONS & PROCLAMATIONS

1. APPROVE RESOLUTION HONORING THE MEMORY OF THE LATE CESAR CHAVEZ AND REFLECTING ON HIS OUTSTANDING LEADERSHIP AND CONTRIBUTIONS TO THE MIGRANT WORKERS OF AMERICA. (9:15 AM)

Motion by Commissioner Gómez **and seconded by** Commissioner Davis 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: Lynn Moshier, Private Citizen; Rolando Peña, Private Citizen; Jeff Ripley, Director, Travis County Agricultural Extension Service; Doug Waldrop, President, CEO, Spade Ranches. (9:18 AM)

CONSENT ITEMS

- 2. Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C6, and Items 7, 9, 10, 11.B, 16, 18, 19, 20, 22, 23, 24.A, 26, 27, 28, 34, 35, and 36. (9:30 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 MARCH 13, 2001.
- C4.** APPROVE A PLAT FOR RECORDING IN PRECINCT TWO: STEINER RANCH COMMERCIAL TRACT 12 (SHORT FORM PLAT – 1 LOT – 112.36 ACRES - QUINLAN PARK ROAD – FISCAL POSTED WITH TRAVIS COUNTY - SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID #17 – CITY OF AUSTIN ETJ).
- C5.** APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: MOSS SUBDIVISION - (SHORT FORM PLAT – 1 LOT – 2.436 ACRES - CANARD CIRCLE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY LCRA – CITY OF AUSTIN ETJ).
- C6.** APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: BEE CREEK COMMERCIAL CENTER - (SHORT FORM PLAT – 4 LOTS – 10.448 ACRES - STATE HIGHWAY 71 – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY - OETJ).

3. CONSIDER REQUEST BY DAVID BOIKESS TO WAIVE INTEREST AND PENALTIES ON PROPERTY TAXES ALLEGEDLY DUE TO COUNTY ERROR. (9:33 AM) (2:25 PM) (3:01 PM)

Members of the Court heard from: David Boikes, Private Citizen; Dusty Knight, Chief Deputy, Tax Office; and Nelda Wells Spears, Travis County Tax Assessor Collector.

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

Motion by Judge Biscoe and seconded by Commissioner Davis that we ask the Tax Assessor Collector to write Mr. Boikes a letter advising him of the Court's position; that in this case, the mistake that was made, was made by the Title Insurance Company, in that the incorrect address of his Dallas residence was put on the deed by the Insurance Company; that the Central Travis Appraisal District picked that incorrect address, communicated to the Tax Assessor, and that is why the problem occurred; further, we request that the Tax Assessor send Mr. Boikes a copy of the relevant statute, or statutory provision.

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

JUSTICE AND PUBLIC SAFETY ITEMS

4. CONSIDER EXECUTION OF AMENDMENT NO. 1 TO THE PHASE II – COMBINED EMERGENCY COMMUNICATION AND TRANSPORTATION MANAGEMENT CENTER TO PROVIDE SUPPORT FROM TRW, INC. THROUGH BID ISSUANCE AND AWARD OF CONSTRUCTION CONTRACT, AND TAKE APPROPRIATE ACTION. (10:01 AM)

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

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

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

5. CONSIDER EUROCOPTER REQUEST TO USE STARFLIGHT EC-135 IN FRESNO, CALIFORNIA AND TAKE APPROPRIATE ACTION. (9:15 AM)

Item 5 postponed until April 3, 2001.

6. CONSIDER THE FY 2001 EMS INTERLOCAL AND TAKE APPROPRIATE ACTION. (10:05 AM)

Members of the Court heard from: Dinah Dinwiddie, Executive Manager, JPS; Richard Herrington, Director, City of Austin EMS Department; and Barbara Wilson, Assistant County Attorney.

Clerk's Note: The Court without objection appointed Commissioner Sonleitner and Commissioner Gómez to a subcommittee to work with Staff.

Discussion Only.

Item 6 to be reposted on April 3, 2001.

7. AUTHORIZE PAYMENT OF TRAVEL EXPENDITURE REIMBURSEMENT FOR TRAVEL THAT WAS NOT PREVIOUSLY ENCUMBERED FOR STARFLIGHT EMPLOYEE. (9:30 AM)

Item 7 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

Clerk's Note: Judge Biscoe announced that Item 7 would be approved conditioned upon appropriate steps being taken to prevent the recurrence of this sort of misunderstanding.

ADMINISTRATIVE OPERATIONS ITEMS

8. APPROVE PROFESSIONAL SERVICES AGREEMENT WITH CARTER AND BURGESS, INC. FOR PROFESSIONAL ENGINEERING SERVICES TO DESIGN A HEATING, VENTILATION, AND AIR CONDITIONING SYSTEM AND RELATED WORK IN THE EXPOSITION CENTER. (10:34 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; and Roger El Khoury, Director, Facilities Management.

Motion by Judge Biscoe **and seconded by** Commissioner Davis 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. APPROVE PERSONNEL AMENDMENTS. (9:30 AM)

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

PLANNING AND BUDGET OFFICE ITEMS

10. REVIEW CALENDAR YEAR 2000 TOBACCO SETTLEMENT CLAIM AND TAKE APPROPRIATE ACTION. (9:30 AM)

Item 10 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

11. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSION TO CONTINUE: (10:39 AM)

A. APPROVE GRANT APPLICATION FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) – HAZARD MITIGATION GRANT (ROUND #4)(HM-3.7) FOR TNR DEPARTMENT.

Members of the Court heard from: Jessica Rio, Planning and Budget Analyst, Planning and Budget Office (PBO); and Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 11.A.

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

B. APPROVE GRANT CONTRACT FOR ADDITIONAL FUNDING FROM THE FY'00 DEPARTMENT OF ENERGY WEATHERIZATION GRANT (DOE/OIL OVERCHARGE WEATHERIZATION ASSISTANCE PROGRAM FOR HUMAN SERVICES DEPARTMENT. (9:30 AM)

Item 11.B added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

C. APPROVE PERMISSION TO CONTINUE THE FY '01 DOE/OIL OVERCHARGE WEATHERIZATION ASSISTANCE PROGRAM AND LIHEAP WEATHERIZATION ASSISTANCE PROGRAM CONTRACTS. (10:47 AM)

Members of the Court heard from: Arlene Tillman, Director, Administrative Services, Travis County Health and Human Services (TCHHS).

Motion by Commissioner Sonleitner and seconded by Commissioner Davis to approve Item 11.C.

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

12. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (10:48 AM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the budget amendments and transfers A1 and 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

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

13. DISCUSS IMPLICATIONS FOR TRAVIS COUNTY OF THE U.S. SUPREME COURT'S RULING IN WHITMAN, ADMINISTRATOR OF EPA V. AMERICAN TRUCKING ASSOCIATIONS, INC. REGARDING THE VALIDITY AND IMPLEMENTATION OF CLEAN AIR ACT NATIONAL AMBIENT AIR QUALITY STANDARDS, AND TAKE APPROPRIATE ACTION. (10:49 AM)

Members of the Court heard from: Elaine Wray, TNR; Tom Nuckols, Assistant County Attorney; and Joe Gieselman, Executive Manager, TNR.

Discussion Only.

14. CONSIDER A RESOLUTION EXPRESSING THE COUNTY’S INTENT TO DEVELOP, IN COORDINATION WITH LOCAL JURISDICTIONS, THE ENVIRONMENTAL PROTECTION AGENCY, AND THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION, A MEMORANDUM OF AGREEMENT LEADING TOWARD THE IMPLEMENTATION OF AN OZONE FLEX PLAN FOR THE CENTRAL TEXAS REGION AND TAKE APPROPRIATE ACTION. (11:06 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Elaine Wray, TNR; and Tom Nuckols, Assistant County Attorney.

Motion by Judge Biscoe and seconded by Commissioner Gómez to change “Travis County agrees” to “Travis County intends” in the last paragraph before the date, and to approve the resolution as printed with that one change.

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

15. APPROVE THE RELEASE OF THE REMAINING FISCAL POSTINGS FOR CIRCLE C RANCH AND HIELSCHER SUBDIVISIONS IN PRECINCT THREE. (1:40 PM)
(1:55 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Baxter to approve Item 15.

Withdrawal of the previous Motion was made by Judge Biscoe and Commissioner Baxter.

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

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. APPROVE LICENSE AGREEMENT WITH BARTON CREEK RESORT & CLUBS, INC. FOR A SIGN IN THE RIGHT-OF-WAY OF TRAVIS COOKE ROAD AT ITS INTERSECTION WITH HENRY MARX LANE IN PRECINCT THREE. (9:30 AM)

Item 16 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

PURCHASING OFFICE ITEMS

17. APPROVE RELEASE OF ALL CLAIMS AND INDEMNITY AGREEMENT BETWEEN CAPITAL AREA WORKFORCE DEVELOPMENT BOARD (CAWDB), THE CITY OF AUSTIN, AND TRAVIS COUNTY. (1:41 PM) (2:05 PM)

Members of the Court heard from: Donna Scarbrough, Assistant Purchasing Agent; Mary Etta Gerhardt, Assistant County Attorney; Susan Spataro, Travis County Auditor; Stephen Williams, Executive Manager, TCHHS&VS; and Mike Wichern, Chief Assistant County Auditor, Travis County Auditor's Office.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Baxter to approve Item 17.

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 MODIFICATION NO. 3 TO CONTRACT NO. PS000116-MQ BETWEEN TRAVIS COUNTY, CITY OF AUSTIN AND CONTRACTOR WHICH CHANGES CONTRACTOR NAME FROM AMERICAN INSTITUTE FOR LEARNING TO AMERICAN YOUTHWORKS, EFFECTIVE JANUARY 1, 2001. (9:30 AM)

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

19. REJECT ALL PROPOSALS FOR RFS NO. S010040-DS, DAY REPORTING SERVICES. (9:30 AM)

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

20. APPROVAL OF A NAME CHANGE (MODIFICATION NO.1) TO CONTRACT NO. 00T0276-RG, REMANUFACTURED TONER CARTRIDGES FROM INTELLIGENT INTERFACE TO INTELLIGENT OFFICE PRODUCTS. (9:30 AM)

Item 20 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

21. APPROVE AUTHORIZATION TO COMMENCE NEGOTIATIONS WITH AGUIRRE CORPORATION, RFQ Q010047-DM, PROFESSIONAL ARCHITECTURAL/ ENGINEERING SERVICES FOR THE DESIGN OF RENOVATIONS TO THE TRAVIS COUNTY ADMINISTRATION BUILDING. (1:44 PM)

Members of the Court heard from: David Moreno, Purchasing; and Roger El Khoury, Facilities Management.

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. CONSIDER RFS NO. S010050-OJ FOR PURCHASE OF A RISK MANAGEMENT INFORMATION SYSTEM (RIMS), AND TAKE APPROPRIATE ACTION.**
(9:30 AM) (1:50 PM)

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

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

Motion by Judge Biscoe **and seconded by** Commissioner Baxter to reconsider Item 22.

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 Court was informed that the Purchasing Office changed the request for service to a request for proposal, which changed the name of the solicitation document, and clarified a sentence about how long the contract will last.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve this Item with the changes that Frank Holder, Purchasing, just described.

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 MODIFICATION NO. 1 TO CONTRACT NO. 99C0061-JP TO CHANGE THE NAME OF THE VENDOR, PACIFIC WESTERN INFORMATION SYSTEMS TO VERTIQ SOFTWARE LLC; CONTRACT APPROVED ON 12/22/98. (9:30 AM)**

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

- 24. APPROVE CONTRACT AWARDS FOR THE PROVISION OF DENTAL COVERAGE FOR TRAVIS COUNTY, RFP P000088-OJ TO THE FOLLOWING CONTRACTORS: (9:30 AM)**

A. NATIONAL PACIFIC DENTAL, INC.; AND

Item 24.A added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

B. DELTA DENTAL (9:15 AM)

Item 24.B postponed until April 3, 2001.

- 25. APPROVE CONTRACT AWARD FOR 290 EAST LANDFILL OPERATIONS AND MAINTENANCE, IFB# B010028-LD TO THE LOW BIDDER, SCS FIELD SERVICES. (1:50 PM) (1:52 PM)**

Members of the Court heard from: Frank Holder, Assistant Purchasing Agent; and Joe Gieselman, Executive Manager, TNR.

Motion by Commissioner Davis **and seconded by** Judge Biscoe 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 THIRTY (30) DAY EXTENSION (MODIFICATION NO.2) TO CONTRACT NO. 99T0125-JP FOR AVIATION FUEL, TO LUCKY LADY OIL CO.; CONTRACT APPROVED ON 4/13/99. (9:30 AM)**

Item 26 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 27. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. MA990152, CSU, FOR MAINTENANCE SUPPORT OF XEROX DOCUTECH PRINTER/COPIER SYSTEM; CONTRACT APPROVED ON 5/25/99. (9:30 AM)**

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

28. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 00T0267-LD, HENNA CHEVROLET, FOR CHEVROLET & GMC OEM PARTS AND MAINTENANCE LABOR; CONTRACT APPROVED ON 6/20/00. (9:30 AM)

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

OTHER ITEMS

29. DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (1:40 PM) (1:55 PM)

No action necessary on Item 29.

30. CONSIDER SHERIFF'S OFFICE PROPOSAL TO RECLASSIFY EIGHTEEN (18) SECURITY COORDINATOR POSITIONS CURRENTLY ASSIGNED TO THE CENTRAL BOOKING FACILITY TO CORRECTIONS OFFICER POSITIONS AND TAKE APPROPRIATE ACTION. (1:56 PM)

Members of the Court heard from: Margo Frasier, Travis County Sheriff; Bill Derryberry, Senior Planning and Budget Analyst, PBO; and Susan Spataro, Travis County Auditor.

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

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

31. DISCUSS LEGISLATIVE ISSUES, AND TAKE APPROPRIATE ACTION.
(9:33 AM) (11:25 AM)

Senate Bill 7: Relating to the provision of legal services for indigent persons accused of crimes.

Members of the Court heard from: Tris Casteñeda, Legislative Consultant; Barbara Alsworth, Office of County Commissioner Precinct 3; Rod Gustafson, Court Administration; Susan Spataro, Travis County Auditor; and Bob Kamm, Legislative Consultant.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Baxter to monitor and immediately provide input to the authors in terms of ways to positively tweak the bill, and to get more specific fiscal information about the impact on Travis County.

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	absent

House Bill 2224: Relating to a prohibition on discrimination against criminal offenders in the sale or rental of a dwelling.

Members of the Court heard from: Katie Broderick, Manager, Research and Planning, JPS; and David Escamilla, First Assistant County Attorney.

Motion by Commissioner Baxter **and seconded by** Judge Biscoe to put this on the monitor list, get more information, bring it back at a later date, and then determine whether we will support, oppose or put it on the priority list.

Maker and Second accept the Friendly Amendment by Commissioner Sonleitner to get input from the Housing Authority.

Acceptance of the Friendly Amendment was made by Commissioner Baxter **and** 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

ITEM 31 CONTINUED

House Bill 709: Relating to the maximum number of registered voters an election precinct may contain in certain counties.

Members of the Court heard from: Dolores Lopez, Director, Voter Registration, Tax Office; Gail Fisher, Elections Division Manager, Travis County Clerk's Office; and Bob Kamm, Legislative Consultant.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to amend the bill to include Travis County and lend our support.

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	absent
	Precinct 4, Commissioner Margaret J. Gómez	yes

House Bill 2343: Relating to authorizing certain populous counties to recover certain transaction fees for fines and other charges paid by credit card.

Members of the Court heard from: Dusty Knight, Chief Deputy, Tax Office.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to request that the legislation include Travis County, and to support the legislation.

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	absent
	Precinct 4, Commissioner Margaret J. Gómez	yes

ITEM 31 CONTINUED

House Bill 2691: Relating to procedures for the electronic transfer of voter registration applications by certain voter registration agencies.

Members of the Court heard from: Dolores Lopez, Director, Voter Registration, Tax Office.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to amend the legislation to include Travis County, and to support the legislation.

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	absent
	Precinct 4, Commissioner Margaret J. Gómez	yes

ITEM 31 CONTINUED

House Bill 2522: Relating to requiring the Texas Department of Transportation to establish and maintain a state airport in Central Texas.

Senate Bill 1617: Relating to requiring the Texas Department of Transportation to establish and maintain a state airport in Central Texas

Clerk's Note: House Bill 2522 and Senate Bill 1617 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Bob Kamm, Legislative Consultant.

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to oppose House Bill 2522 that is sponsored by Representative Ron Wilson, and we, in return, will get that particular language generated showing our opposition so we will have the opportunity to share that with our constituents within Travis County.

Maker accept the Friendly Amendment by Commissioner Sonleitner to oppose, unless he can adopt amendments that specifically exclude Travis County from his bill.

Acceptance of the Friendly Amendment was not made by Commissioner Davis.

Maker and Second accept the Friendly Amendment by Commissioner Baxter that in addition to that, to also move to work with the Senate sponsor and Senator Barrientos's Office to draft language that would exclude all of Travis County from the bill, with the hopes that we could get that language in on the Senate side, and then that issue could be worked out in Conference Committee.

Acceptance of the Friendly Amendment was made by Commissioner Davis **and** Commissioner Sonleitner.

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. CONSIDER CONTRACT BETWEEN TRAVIS COUNTY AND EMORY YOUNG AND ASSOCIATES, INC. AND LAW OFFICES OF GUAJARDO, DODI, & GUAJARDO FOR REDISTRICTING SERVICES, AND TAKE APPROPRIATE ACTION. (2:10 PM)

Members of the Court heard from: Barbara Wilson, Assistant County Attorney; Donna Scarbrough, Assistant Purchasing Agent; William Emory, Attorney, Emory Young and Associates, Inc.; and Javier Guajardo, Attorney, Guajardo, Dodi, and Guajardo.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 32.

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

33. APPROVE WAIVER OF CONFLICT OF INTEREST OF VINSON & ELKINS, L.L.P. IN ITS REPRESENTATION OF KPMG CONSULTING, L.L.P. OR TAKE OTHER APPROPRIATE ACTION. (2:21 PM)

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

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	abstain
	Precinct 2, Commissioner Karen Sonleitner	yes
	Precinct 3, Commissioner Todd Baxter	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

34. ACCEPT DONATION OF TRAINING COUPON FOR A TRAINING CLASS OFFERED BY NEW HORIZONS IN THE AMOUNT OF \$225.00 FOR COUNTY AUDITOR EMPLOYEE. (9:30 AM)

Item 34 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

35. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR MONTH OF FEBRUARY 2001. (9:30 AM)

Item 35 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

36. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:30 AM)

Item 36 added to Consent Items. Please refer to Agenda Item 2 (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

37. A. RECEIVE BRIEFING FROM COUNTY ATTORNEY'S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE CENTER AND TAKE APPROPRIATE ACTION. ¹ (2:25 PM) (3:05 PM)

B. 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 37.A and B are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 37.A and B would be considered in Executive Session.

No action necessary on Items 37.A and B.

Items 37.A and B to be reposted on April 3, 2001.

- 38.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN THE MATTER OF THE STATE COMPTROLLER AUDITS FOR 1990-1994 AND 1994-1998 (TAXPAYER NO. 1-74-6000192-2; HEARINGS 35,281 AND 38,765 (ORTEGA-CARTER). ¹ (2:25 PM) (3:04 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner that we basically agree the division of the \$225,000.00, previously approved by the Commissioners Court, the division set out by the Comptroller in the two letters dated March 15, 2001, which the County Attorney's Office has made available to the Treasurer and the Auditor; that we ask that payment be processed and that payment be expedited.

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/OR GIVE DIRECTION AND/OR DISCUSS STATUS OF LAWSUIT REGARDING AUSTIN SPA INVESTORS, LTD. FOR ACCESS ACROSS MARY QUINLAN PARK OR TAKE OTHER APPROPRIATE ACTION. ¹ (9:14 AM)

Item 39 postponed until April 3, 2001.

- 40.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ENFORCEMENT ACTION AS TO SEPTIC AND SUBDIVISION/ DEVELOPMENT 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; ENFORCEMENT; GIESELMAN). ¹ (2:25 PM) (3:03 PM)

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

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez that we authorize the County Attorney's Office to enforce Travis County policies and regulations including instituting proper legal action to compel compliance if necessary.

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

- 41.** RECEIVE UPDATE FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER OFFER FOR SETTLEMENT AND/OR TAKE APPROPRIATE ACTION IN THE MATTER OF RICHARD VANDEVENTER "VAN" HARVEY V. TRAVIS COUNTY; CAUSE # GN003516. ¹ (9:14 AM)

Item 41 postponed until April 3, 2001.

- 42.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN SIMONE BODY, ET AL V. DAVID MAXWELL BURT, ET AL. (TEXAS TORT CLAIMS ACT, PERSONAL INJURY) ¹ (2:25 PM) (3:02 PM) (3:04 PM)

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

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis that we approve the settlement agreement in the amount of \$21,000.00, providing that this settlement would cover all parties including Simone Body, Walter White III, James Body Jr., Turquoise Hills, a minor, and Whitley White-Body, and the \$21,000.00 is supposed to cover all Court costs, expenses, the Guardian Ad Litum costs and fees.

An Addition to the previous Motion was made by Judge Biscoe to have the Court authorize the County Judge to sign the settlement agreement as long as the settlement agreement is consistent with the vote of the Court.

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

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Baxter to adjourn the Voting Session. (3:05 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge