

## **MINUTES – APRIL 3, 2001**

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

On Tuesday, the 3<sup>rd</sup> day of April, 2001, the Commissioners' Court convened the regular Voting Session at 9:13 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 12:11 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC) called to order the Voting Session at 1:40 PM and adjourned at 1:54 PM.

The Commissioners' Court reconvened the Voting Session at 1:54 PM.

The Commissioners' Court retired to Executive Session at 2:20 PM.

The Commissioners' Court reconvened the Voting Session at 3:48 PM.

The Commissioners' Court adjourned the Voting Session at 4:01 PM.

## RESOLUTIONS & PROCLAMATIONS

1. APPROVE PROCLAMATION DECLARING APRIL 1 THROUGH 7, 2001 AS  
“WEEK OF THE YOUNG CHILD” IN TRAVIS COUNTY. (9:13 AM)

**Members of the Court heard from:** Mary Jamdek, Child Development.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Item 1.

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| <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 |

2. APPROVE PROCLAMATION DECLARING THE MONTH OF APRIL 2001 AS  
“CHILD ABUSE PREVENTION MONTH.” (9:17 AM)

**Members of the Court heard from:** Audrey Rodriguez, Chairperson, Austin Child Abuse Prevention Coalition; and Mr. Dufore, Diocese of Austin.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Item 2.

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| <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 |

- 3.** APPROVE PROCLAMATION DECLARING THE WEEK OF APRIL 2 THROUGH 8, 2001 AS “PUBLIC HEALTH WEEK” IN TRAVIS COUNTY. (9:24 AM)

**Members of the Court heard from:** David Lurie, Director, Austin-Travis County Health and Human Services (A-TCHHS).

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

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| <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 |

### **CITIZENS COMMUNICATION**

**Members of the Court heard from:** Nettie Brown, Private Citizen. (9:30 AM)

**CONSENT ITEMS**

- 4. Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C6, and Items 5, 6, 11, 14, 18, 19, 20, 21, 22.A, B & C, 23, 24, 29, and 31. (9:29 AM)

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| <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 PLAT FOR RECORDING IN PRECINCT ONE: BALLI'S SUBDIVISION (SHORT FORM PLAT – 2 LOTS – 9.96 ACRES – KIMBRO ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY-OETJ).
- C4.** APPROVE A PRELIMINARY PLAN IN PRECINCT TWO: TWIN CREEKS COUNTRY CLUB PRELIMINARY PLAN (PRELIMINARY PLAN – 936 LOTS – 756.25 ACRES – FM 2769 – SEWAGE SERVICE TO BE PROVIDED BY THE CITY OF CEDAR PARK – CEDAR PARK ETJ).
- C5.** APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOT 46 AND 47, BLOCK B, BARTON CREEK SECTION G, PHASE 2 (SHORT FORM PLAT – NO FISCAL REQUIRED - 1 LOT – 1.587 ACRES – CHALK KNOLL DRIVE - SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO.3 – COA- ETJ).
- C6.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: DESSAU POINT (SHORT FORM PLAT – 1 LOT – 10.359 ACRES – GREGG/HOWARD LANE – FISCAL POSTED WITH CITY OF AUSTIN – SEWAGE SERVICE TO BE PROVIDED BY DESSAU UTILITIES – CITY OF AUSTIN ETJ).

**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

5. APPROVE THE CALL DOWN OF FISCAL POSTED BY DEER CREEK RANCHES, INC. (SAM HAMMETT) FOR THE ACQUISITION OF LOT 27, BLOCK TT, TWIN LAKE HILLS IN PRECINCT THREE. (9:29 AM)

Item 5 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

6. NOTIFY COURT OF SATISFACTORY CONSTRUCTION OF THE PRIVATE STREETS FOR THE PRESERVE AT BARTON CREEK AND THE RELEASE OF FISCAL IN PRECINCT THREE. (9:29 AM)

Item 6 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

7. APPROVE CONSTRUCTION AGREEMENT AND APPROVE A PLAT FOR RECORDING IN PRECINCT TWO: DESSAU BUSINESS PARK, SECTION TWO – (LONG FORM PLAT – 28 LOTS – 48.761 ACRES – GREGG/HOWARD LANE – FISCAL POSTED WITH CITY OF AUSTIN AND TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY DESSAU UTILITIES – CITY OF AUSTIN ETJ). (9:39 AM)

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

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 7, including the plat.

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| <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 |

**HEALTH AND HUMAN SERVICES ITEMS**

8. CONSIDER INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND CITY OF AUSTIN FOR USE OF THE PROPERTY LOCATED AT 4523 TANNEHILL LANE, AUSTIN, TEXAS AS AN EMERGENCY SHELTER FOR HOMELESS WOMEN AND HOMELESS WOMEN AND THEIR CHILDREN, AND TAKE APROPRIATE ACTION. (9:41 AM) (3:54 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Davis** that we have a 10 year initial term with the opportunity to enter into two renewals of 5 years each, and with the changed language in 13.02, the termination and breach language on page 9.

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| <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 |

- A. CONSIDER CITY OF AUSTIN REQUEST TO MAKE IMPROVEMENTS AT THE SUBJECT PROPERTY, AND TAKE APPROPRIATE ACTION. (10:20 AM)

**Motion by Judge Biscoe and seconded by Commissioner Davis** that the Court grant the authorization.

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| <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 |

**JUSTICE AND PUBLIC SAFETY ITEMS**

9. CONSIDER THE FY 2001 EMS INTERLOCAL AND TAKE APPROPRIATE ACTION. (10:35 AM)

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, Justice and Public Safety (JPS).

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the EMS Interlocal, bringing in all the changes that we've made, and the letter with the changes that we made this morning.

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| <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. CONSIDER EUROCOPTER REQUEST TO USE STARFLIGHT EC-135 IN FRESNO, CALIFORNIA AND TAKE APPROPRIATE ACTION. (10:44 AM)

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, JPS; Casey Ping, Starflight Program Manager, Emergency Services; Merlin "Spanky" Handley, Starflight Pilot; and Barbara Wilson, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Eurocopter's request based on the terms and conditions set forth in the letter from Eurocopter that the County Attorney's Office has found to be legally sufficient.

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| <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 |

## **PLANNING AND BUDGET DEPT. ITEMS**

### **11. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:29 AM)**

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

## **ADMINISTRATIVE OPERATIONS ITEMS**

### **12. DISCUSS TRAVIS COUNTY'S PARTICIPATION IN THE TEXAS ASSOCIATION OF COUNTIES SILVER CHOICE RETIREE MEDICAL PROGRAM, AND TAKE APPROPRIATE ACTION. (11:03 AM)**

**Members of the Court heard from:** Dan Mansour, Risk Manager, Human Resources Management Department (HRMD); Barbara Wilson, Assistant County Attorney; Linda Moore Smith, Director, HRMD; and Leroy Nellis, Budget Manager, Planning and Budget Office (PBO).

Discussion Only.



**13. REVIEW AND APPROVE PROPERTY AND LIABILITY CLAIM  
RECOMMENDATIONS: (2:04 PM)**

- A. T.C.S.O. – SETTLE (PAGES 1-16)**
- B. CAPPS VAN & CAR RENTAL – DENY (PAGES 17-26)**
- C. CAPPS VAN & CAR RENTAL – DENY (PAGES 27-35)**
- D. WILLIE SIMMONS, JR. – DENY (PAGES 36-41)**
- E. FACILITIES MANAGEMENT – DENY (PAGES 42-50)**
- F. LANCE OTA – DENY (PAGES 51-59)**

**Clerk's Note:** Items 13.A – F are associated with one another and were called for concurrent discussion.

**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 liability claim recommendations as recommended to us by our Risk Manager.

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| <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 |

**14. APPROVE PERSONNEL AMENDMENTS. (9:29 AM)**

Item 14 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

**PURCHASING OFFICE ITEMS**

**15. APPROVE CONTRACT AWARD FOR THE PROVISION OF DENTAL COVERAGE  
FOR TRAVIS COUNTY, RFP P000088-OJ TO DELTA DENTAL. (9:13 AM)**

Item 15 postponed until April 10, 2001.

- 16. RECEIVE REQUEST FROM THE BOARD OF DIRECTORS OF THE COMMUNITY MENTOR/PROTÉGÉ INITIATIVE CORP. (CMPI) FOR FINANCIAL SUPPORT FOR FURTHER DEVELOPMENT OF CMPI. (10:20 AM)**

**Members of the Court heard from:** Sylvia Lopez, HUB Coordinator, Purchasing; Robert Cuellar, Executive Director, Community Mentor Protégé Initiative (CMPI); and Steve Swanson, Chairperson, CMPI.

Discussion Only.

Item 16 to be reposted on April 10, 2001.

- 17. A. APPROVE TRANSFER OF \$200,000. FROM THE 1997 BOND ROADWAY CAPACITY IMPROVEMENT FUND FOR HOWARD LANE IN PRECINCT TWO TO THE 1997 BOND ROADWAY CAPACITY IMPROVEMENT FUND FOR ANDERSON MILL ROAD, ALSO IN PRECINCT TWO. (9:13 AM)**
- B. APPROVE CONTRACT AWARD TO CARTER AND BURGESS, INC. FOR THE PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR THE ANDERSON MILL ROAD RECONSTRUCTION PROJECT, RFQ #Q010022-JJ.**

Items 17.A and B postponed until April 10, 2001.

- 18. APPROVE CONTRACT AWARD WITH IKON OFFICE SOLUTIONS TECHNOLOGY SERVICES, LLC D/B/A SYSINCT, FOR SYSTEM ENHANCEMENTS AND MODIFICATIONS TO THE ADOLESCENT DRUG OFFENDER MONITORING SYSTEM II (ADOMS II) INFORMATION SYSTEM, CONTRACT NO. PS010097-DS, JUVENILE PROBATION DEPARTMENT. (9:29 AM)**

Item 18 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 19. APPROVE CONTRACT AWARD FOR SMOKE DETECTION SYSTEM, IFB NO. B010043-RV TO THE SOLE BIDDER, DESIGN/SYSTEMS GROUP, INC. (9:29 AM)**

Item 19 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 20.** APPROVE A ONE-MONTH EXTENSION (MODIFICATION NO.1) TO CONTRACT NO. 00T0194-JP, AUSTIN CRUSHED STONE FOR SURFACE AGGREGATES 4 & 5; CONTRACT APPROVED ON APRIL 4, 2000. (9:29 AM)

Item 20 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 21.** APPROVE A 12-MONTH EXTENSION (MODIFICATION NO.3) TO CONTRACT NO. 99T0162-RV FOR BOAT, BOAT MOTOR AND MARINE COMPONENT MAINTENANCE REPAIR; CONTRACT APPROVED ON 6/18/99. (9:29 AM)

Item 21 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 22.** APPROVE 12-MONTH EXTENSIONS (MODIFICATION NO. 2) TO THE FOLLOWING CONTRACTS FOR AMMUNITION. (9:29 AM)

- A.** CONTRACT NO. 00T0284-RG, THE HUNTING SHACK;
- B.** CONTRACT NO. 00T0285-RG, C & G WHOLESALE; AND
- C.** CONTRACT NO. 00T0286-RG, G T DISTRIBUTORS

Items 22.A - C added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 23.** APPROVE ORDER EXEMPTING THE PURCHASE OF PROFESSIONAL LABORATORY TESTING SERVICES FROM COMPETITION. (9:29 AM)

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

- 24.** APPROVE ADDING EMULSIFIED ASPHALT, TYPE HFRS-2, (MODIFICATION NO. 2) TO CONTRACT NO. 00T0173-LD, KOCH MATERIALS FOR EMULSIFIED ASPHALT; CONTRACT APPROVED ON 3/21/00. (9:29 AM)

Item 24 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

## OTHER ITEMS

- 25. 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. (2:19 PM)**

No action necessary on Item 25.

- 26. DISCUSS LEGISLATIVE ISSUES, AND TAKE APPROPRIATE ACTION. (9:13 AM) (11:30 AM)**

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; and Joe Gieselman, Executive Manager, TNR.

**Motion by** Commissioner Baxter to not oppose this legislation if the following amendments were made, and that is that on page 1, line 10, you'd strike "licensed" and substitute "general aviation"; and then, a second amendment may be to add a subsection (d) that would say approval of the Commissioners' Court of the County in which the airport can be established under this section is required.

**Clerk's Note:** The Motion dies for lack of a Second.

**Motion by** Commissioner Davis **and seconded by** Judge Biscoe to authorize the County Judge to sign for the Court, and what it would do basically is just say that as currently worded, we oppose the bill (House Bill 2522). We think that in view of these reasons right here, Travis County ought to be excluded, and it seems to us that Senate Bill 1617 will be more appropriate; that we send that to the Committee, either the members of the Committee or the name of the Committee, and that we Cc. Representative Ron Wilson.

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| <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 |

**ITEM 26 CONTINUED**

Senate Bill 578: Relating to the provision of emergency communication services.

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, JPS; Teresa Reel, Manager, Emergency and Wireless Communications, JPS; and Bob Kamm, Legislative Consultant.

Discussion Only.

House Bill 1899: Relating to solid waste disposal.

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to put together a letter that says basically, we believe that the collaboration effort involved in sending this grant funding through CAPCO is a good thing, that as a County our position is that in this area especially we should maximize efforts to promote collaboration, and to draft for the Judge's signature on behalf of the Commissioners Court.

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

Senate Bill 866: Relating to the creation of a Texas Privacy Act and addressing the ways in which the information practices of state and local governmental entities affect personal privacy.

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

Discussion Only.

Lateral Road Fund - House Bill 3316: Relating to county roads.

Discussion Only.

**ITEM 26 CONTINUED**

House Bill 1445: Relating to the authority of municipalities and counties to regulate subdivisions in the extraterritorial jurisdiction of a municipality.

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

**Motion by Judge Biscoe and seconded by Commissioner Davis** to draft language to amend the bill and attach a two or three line cover letter.

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

27. APPROVE PUBLIC HEARING REGARDING AND THE ISSUANCE OF TRAVIS COUNTY HOUSING FINANCE CORPORATION SINGLE FAMILY MORTGAGE REVENUE NOTES SERIES 2000-1 BY TRAVIS COUNTY HOUSING FINANCE CORPORATION. (1:55 PM) (1:56 PM)

**Members of the Court heard from:** Cliff Blount, Attorney for the Corporations.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to approve Item 27.

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| <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:** The Court announced that the Single Family Mortgage Revenue Notes Series, referenced in Item 27, should have been 2001-1, and not 2000-1 as listed on the Agenda, and that Item 27 would be on the Agenda, April 10, 2001, to ratify the action taken by the Court.

- 28.** APPROVE PUBLIC HEARING REGARDING AND THE ISSUANCE OF TRAVIS COUNTY HOUSING FINANCE CORPORATION SINGLE FAMILY MORTGAGE REVENUE AND REFUNDING BONDS (GNMA MORTGAGE-BACKED SECURITIES PROGRAM) SERIES 2001A IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$15,000,000 BY TRAVIS COUNTY HOUSING FINANCE CORPORATION. (1:55 PM)

**Members of the Court heard from:** Cliff Blount, Attorney for the Corporations; and Rob Dubbelde, Bond Counsel, Vinson and Elkins.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve Item 28.

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| <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 |

- 29.** APPROVE ORDER FOR FUNDING OF EXPERT WITNESS FEES IN SUPPORT OF LITIGATION. (9:29 AM)

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

- 30.** CONSIDER DEMAND FROM LYNN MOSIER, MANAGER OF THE REGENCY APARTMENTS, FOR COMPENSATION OF \$21,888.15 TO CLEAN DUCT WORK IN ALL 47 APARTMENTS ALLEGEDLY DUE TO DUST FROM THE CJC CONSTRUCTION. (1:58 PM)

**Members of the Court heard from:** Lynn Moshier, Manager, Regency Apartments.

Discussion Only.

Item 30 to be reposted on April 17, 2001.

- 31.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:29 AM)

Item 31 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

- 32. A. RECEIVE BRIEFING FROM COUNTY ATTORNEY’S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE CENTER AND TAKE APPROPRIATE ACTION.** <sup>1</sup> (2:20 PM) (3:53 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.** <sup>1</sup>

**Clerk’s Note:** Items 32.A and B are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 32.A and B would be considered in Executive Session.

No action required on Items 32.A and B.

Items 32.A and B to be reposted on April 10, 2001.

- 33. DISCUSS, APPROVE, OR TAKE ANY OTHER APPROPRIATE ACTION REGARDING THE PRECINCT 4 OFFICE BUILDING (LAND PURCHASE) FOR TRAVIS COUNTY EMPLOYEES.** <sup>2</sup> (2:20 PM) (3:53 PM)

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

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to authorize the County Judge to execute an amendment as drafted by the County Attorney’s Office, and that we pay the closing costs of \$140.00; we authorize that budget transfer that is in the budget; and that we designate Commissioner Gómez to sign all the closing documents.

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| <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 |



- 34. RECEIVE LEGAL ADVICE FROM COUNTY ATTORNEY REGARDING MANAGEMENT CONTRACT FOR TRAVIS COUNTY FARMERS' MARKET AND TAKE APPROPRIATE ACTION. <sup>1</sup> (2:20 PM) (3:52 PM)**

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

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** that the County Judge be authorized to draft a very short letter to Mr. Rylander and share that with the Commissioners' Court, with a goal of putting that letter in the mail within the next 48 hours.

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| <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 |

- 35. RECEIVE BRIEFING FROM COUNTY ATTORNEY ON RISK RESERVE REVIEW REPORT AND TAKE APPROPRIATE ACTION. <sup>1</sup> (2:20 PM) (3:52 PM)**

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

**Clerk's Note:** The Court requested that the entire Risk Reserve packet of information be given to the Committee and the Commissioners Court members who wish to see a copy before that information is handed to the actuary.

No action required on Item 35.

- 36. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING APPLICABILITY OF AMERICANS WITH DISABILITIES ACT AND TEXAS ARCHITECTURAL BARRIERS ACT TO ROADS AND SIDEWALKS IN SUBDIVISIONS AND TAKE APPROPRIATE ACTION. <sup>1</sup> (2:20 PM)**

Item 36 postponed until April 10, 2001.

37. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN LAKE TRAVIS INDEPENDENT SCHOOL DISTRICT V. CRAZY HORSE LAND CORPORATION, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (2:20 PM) (3:50 PM) (3:54 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Baxter** that the County Judge be authorized to execute these tax resale deeds: Herberto Esquivel-Brandt, lot numbers 515, and 516 Apache Shores; Terrence M. Trainor, lot numbers 635, 636, 637, and 638 Apache Shores; and Ralph Nichols Koster, lot numbers 700, 701, 702, 704, and 705, on behalf of the Travis County Commissioners' Court.

**Motion carried:**

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| 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 Judge Biscoe and seconded by Commissioner Baxter** to add this to the other tax resale deeds: lot 703 Apaches Shores, deeded to Ralph Nichols Koster.

**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 IN TRAVIS COUNTY, ET.AL. V. PEGGY VASQUEZ, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (2:20 PM) (3:49 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** that we authorize the County Judge to sign the agreed to tax resale deed to Mr. Pedro Leon Losa, who tendered to us the amount of \$25,216.82.

**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. <sup>1</sup> (9:13 AM)

Item 39 postponed until April 10, 2001.

- 40.** RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING CLAIM BY AUSTIN HB RESIDENTIAL PROPERTIES, LTD. REGARDING CONSTRUCTION OF HARRIS BRANCH PARKWAY AND TAKE APPROPRIATE ACTION. <sup>1</sup> (2:20 PM) (3:48 PM)

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

No action necessary on Item 40.

Item 40 to be reposted on April 10, 2001.

- 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. <sup>1</sup> (2:20 PM) (3:48 PM)

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

Item 41 postponed until April 10, 2001.

## ADJOURNMENT

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to adjourn the Voting Session. (4:01 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**