

MINUTES – JULY 3, 2001

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 3rd day of July, 2001, the Commissioners' Court convened the regular Voting Session at 9:13 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 Robert Resnick.

The Commissioners' Court recessed the Voting Session at 12:11 PM.

The Commissioners' Court, meeting as the Capital Industrial Development Corporation (CIDC), called to order the Voting Session at 1:35 PM and adjourned the Voting Session at 1:42 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation (TCHFDC), called to order the Voting Session at 1:42 PM.

The Commissioners' Court retired to Executive Session at 1:42 PM.

The Commissioners' Court reconvened the TCHFDC Voting Session at 2:15 PM and adjourned at 2:17 PM.

The Commissioners' Court reconvened the Voting Session at 2:17 PM.

The Commissioners' Court retired to Executive Session at 4:50 PM.

The Commissioners' Court reconvened the Voting Session at 5:50 PM.

The Commissioners' Court adjourned the Voting Session at 6:31 PM

PUBLIC HEARINGS

1. PUBLIC HEARING TO RECEIVE INPUT TO APPROVE RULES FOR IMPLEMENTING A TRAVIS COUNTY SELF-FUNDED HEALTHCARE PLAN.
(9:14 AM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to open the Public Hearing.

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

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis 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 20.A

CITIZENS COMMUNICATION

Members of the Court heard from: Kenneth Snyder, Northridge Acres resident; and Gus Peña, President, East Austin Concerned Hispanics.

CONSENT ITEMS

- 2. Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1 – C6, and Items 8, 10.A-D, 11, 12, 13, 14, 15, 16, 17, 18, 19, 24, 27, and 31. (9:24 AM)

Clerk's Note: Precinct 1 Commissioner Davis commented that he was voting for the Motion to approve the Consent Items, but asked if there was any way the term “alien” could be changed in Item 10.C. He stated that he approved of the Item, but not the terminology.

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 THE FOLLOWING MEETINGS:
- A.** VOTING SESSION OF JUNE 12, 2001; AND
- B.** VOTING SESSION OF JUNE 19, 2001.
- C4.** APPROVE A PLAT FOR RECORDING IN PRECINCT FOUR: AMENDED PLAT OF STONEY RIDGE PHASE A2 SECTION VI SUBDIVISION - (AMENDED PLAT – 56 LOTS – 12.42 ACRES – APPERSON ROAD - FISCAL POSTED WITH CITY OF AUSTIN – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN – COA ETJ.
- C5.** APPROVE A CONDOMINIUM PROJECT IN PRECINCT THREE: MASTERS OF THE HILLS OF LAKEWAY (30 DETACHED UNITS – NO FISCAL - WATER AND SEWAGE SERVICE BY LAKEWAY – LAKEWAY ETJ.
- C6.** APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 36 AND 37, BLOCK ‘E’, THE FOOT HILLS OF BARTON CREEK - (SHORT FORM PLAT – 2 LOTS – 2.611 ACRES – LOST CREEK BOULEVARD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – CITY OF AUSTIN ETJ.

TRANSPORTATION & NATURAL RESOURCES DEPT ITEMS

3. DISCUSS IMPLICATIONS OF HOUSE BILL 1445 (JURISDICTION FOR SUBDIVISION PLATS), AND TAKE APPROPRIATE ACTION. (9:27 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); and Tom Nuckols, Assistant County Attorney.

Motion by Judge Biscoe and seconded by Commissioner Davis to ask Joe Gieselman to send a letter, setting out what we think the law requires, and from the Travis County perspective, our interest in us getting together and trying to work toward an interlocal by the deadline; and, requesting that each affected entity send a representative to a meeting to discuss, basically, steps to be taken between now and the deadline. For those who don't come to the meeting, if the purpose of the meeting is to decide on an approach, I would send a letter summarizing that approach.

A Clarification of the previous Motion was made by Judge Biscoe that I don't have a single approach in mind. I think that at that first meeting, Joe Gieselman ought to say that at Travis County, we believe this is the best approach, and here are the reasons why. Now, what do you think?

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

4. CONSIDER THE NOMINATION AND RECOMMENDATION OF CITIZENS TO A CAMPO SPECIAL COMMITTEE ON THE LOOP 1/US 183 IMPROVEMENT STUDY. (9:52 AM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Baxter that, in consideration of the time constraints that we are under, to forward the names of Mark Stein, Joe Vasciano, Sid Covington, and Ellen Williams to Sen. Barrientos with the appropriate information about how to contact them, as being nominations from Travis County for a slot on the CAMPO special committee.

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

5. CONSIDER FUNDING FOR PARKS REGISTER AND RESERVATIONS SYSTEM, AND TAKE APPROPRIATE ACTION. (9:59 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Cynthia McDonald, Financial Manager, TNR; Jessica Rio, Planning and Budget Analyst, Planning and Budget Office (PBO); John Hille, Assistant County Attorney; Charles Bergh, Division Director, Parks and Natural Resources, TNR; and Leroy Nellis, Budget Manager, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner that, depending on their answers, in terms of how long it takes for them to go through that due diligence process, for lack of a better word, it will either be something that will be presented to us this budget year, or it may be so close to the next technical budget year that it flips over, but it is basically, let us worry about the funding source when you get all the answers, which you don't have today, but we would rather you start working on this diligently now, as opposed to, you have to wait for a go-ahead that would come in late September, and you would still have a two- to three-month process to find the answers to the questions that we just asked.

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

6. A. APPROVE ADDITIONAL FUNDING FOR A SUPPLEMENTAL CAPITAL IMPROVEMENT PROJECT (CIP) FINANCIAL REPORTING DATABASE SYSTEM WHICH WILL BE USED BY THE TRANSPORTATION & NATURAL RESOURCES (TNR) AND FACILITIES MANAGEMENT (FM) DEPARTMENTS. (10:28 AM)
- B. AUTHORIZE PURCHASING AGENT AND TEAM TO NEGOTIATE WITH THOMAS KELLY SOFTWARE ASSOCIATES, LLC., IN RESPONSE TO RFP NO. PO10033-LB, FOR A SUPPLEMENTAL CAPITAL IMPROVEMENT PROJECT (CIP) FINANCIAL REPORTING DATABASE SYSTEM.

Clerk's Note: Items 6.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; Cynthia McDonald, Financial Manager, TNR; Donna Williams-Jones, Sr. Financial Analyst, TNR; and Jessica Rio, Planning and Budget Analyst, PBO.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to take it from salary savings.

A Clarification of the previous Motion was made by Judge Biscoe that it would be the line items as set forth in Jessica Rio's memo, with the balance of \$53,000.00 from the department's salary savings, to give a total of \$120,000.00.

A Clarification of the previous Motion was made by Commissioner Sonleitner that this Motion includes all of 6.A and all of 6.B, which had to do with authorizing to move on with negotiations.

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

7. DISCUSS HOLDING PUBLIC MEETINGS IN ONE OR MORE PRECINCTS TO DETERMINE NEED AND SUPPORT FOR THE FORMATION OF A GROUNDWATER CONSERVATION DISTRICT, AND TAKE APPROPRIATE ACTION. (10:40 AM)

Members of the Court heard from: John Kuhl, Natural Resources Program Manager, TNR; and Steve Musick, Texas Natural Resources Conservation Commission (TNRCC).

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to publicly announce the meeting place and time of the public meeting, which will be on July 26, 2001, at the Manor High School, and it is at 12700 Gregg Manor Rd., and that will be held in the cafeteria at that high school. Everyone that is interested in an educational effort as far as the possible creation of a Groundwater Conservation District is really welcome to participate. The flyer will be passed out to the folks with the modification that it is an educational public meeting, along with the modification of the Travis County contact person's name and number, which will be added to that.

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

8. APPROVE A CASH SECURITY AGREEMENT FOR SIDEWALK FISCAL FOR STEINER RANCH PHASE ONE SECTION 4F & G, TWO SUBDIVISIONS IN PRECINCT TWO. (9:24 AM)

Item 8 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

9. CONSIDER REQUEST TO JOIN TEX-21 COALITION – TRANSPORTATION EXCELLENCE FOR THE 21ST CENTURY, AND TAKE APPROPRIATE ACTION. (6:30 PM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Baxter to defer consideration of the Tex-21 Coalition request, and to roll that into the budget deliberations, since our thought was, that this would be a fee that would be needed October 1, no matter what.

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

PLANNING AND BUDGET DEPT ITEMS

- 10. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSION TO CONTINUE: (9:24 AM)**
- A. APPROVE GRANT APPLICATION TO TEXAS DEPARTMENT ON AGING (THROUGH CORPORATION FOR NATIONAL SERVICE) FOR THE RETIRED AND SENIOR VOLUNTEER PROGRAM IN TRAVIS COUNTY HEALTH, HUMAN, AND VETERANS' SERVICES DEPARTMENT.**
 - B. APPROVE GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE FOR THE 2001 LOCAL LAW ENFORCEMENT BLOCK GRANT IN THE TRAVIS COUNTY SHERIFF'S OFFICE.**
 - C. APPROVE GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR THE 2001 STATE CRIMINAL ALIEN ASSISTANCE GRANT IN THE TRAVIS COUNTY SHERIFF'S OFFICE.**
 - D. APPROVE GRANT CONTRACT AMENDMENT TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE SOUTHWEST PARKWAY DRAINAGE PROJECT IN THE TRAVIS COUNTY TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT.**

Clerk's Note: Items 10.A-D are associated with one another and were called for concurrent discussion.

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

- 11. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:24 AM)**

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

PURCHASING OFFICE ITEMS

- 12. APPROVE INTERLOCAL AGREEMENT NUMBER IL010118-DS BETWEEN THE CITY OF AUSTIN AND TRAVIS COUNTY FOR THE REIMBURSEMENT OF VAN RELATED COSTS FOR THE CITY OF AUSTIN (WIC OUTREACH). (9:24 AM)**

Item 12 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 13. APPROVE CONTRACT AWARD FOR ON-SITE COMMISSIONED SECURITY GUARD SERVICES, IFB#B010081-MP, TO THE LOW BIDDER, AMERITEX GUARD SERVICES. (9:24 AM)**

Item 13 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 14. APPROVE AWARD OF CONTRACT NO. PS010042-LB WITH INTELISTAF HEALTH CARE FOR THE PROVISION OF TEMPORARY PROFESSIONAL HEALTH CARE PROVIDER SERVICES. (9:24 AM)**

Item 14 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 15. APPROVE CONTRACT AWARD FOR RESIDENTIAL ROOF REPAIR/ REPLACEMENT SERVICES, IFB#B010071-MP, TO THE SOLE BIDDER, VALDEZ REMODELING WEATHERIZATION, INC. (9:24 AM)**

Item 15 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 16. DECLARE CERTAIN VEHICLES AS SURPLUS PROPERTY, PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (9:24 AM)**

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

- 17. DECLARE 386 SEATS AS SURPLUS PROPERTY, PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (9:24 AM)**

Item 17 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 18. APPROVE A ONE (1) MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 99T0176-JP, GASTON & SHEEHAN AUCTIONEERS FOR AUCTIONEER SERVICES; CONTRACT APPROVED ON 7/20/99. (9:24 AM)**

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

- 19. APPROVE MODIFICATION NO. 2 TO CONTRACT PS000149-MQ BETWEEN TRAVIS COUNTY AND CONTRACTOR WHICH CHANGES CONTRACTOR NAME FROM PARENTS ANONYMOUS OF TEXAS, INC. TO FAMILY FORWARD, INC., EFFECTIVE MAY 4, 2001. (9:24 AM)**

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

ADMINISTRATIVE OPERATIONS ITEMS

20. A. APPROVE CHAPTER 17 OF THE TRAVIS COUNTY CODE ESTABLISHING THE HOSPITAL AND INSURANCE FUND FOR TRAVIS COUNTY EMPLOYEES; (11:00 AM)

Clerk's Note: Item 20.A is the Action Item for Item 1.

- B. CONSIDER RETIREE HEALTH INSURANCE BENEFITS AND RATE STRUCTURE, AND TAKE APPROPRIATE ACTION.
- C. APPROVE ORDER AMENDING SECTION 31.010 OF THE TRAVIS COUNTY CODE TO ALLOW WITHDRAWALS FROM THE RISK MANAGEMENT FUND FOR HOSPITAL AND INSURANCE FUND – COUNTY EMPLOYEES.
- D. APPROVE BUDGET FOR TRAVIS COUNTY SELF-FUNDED HEALTH BENEFITS PROGRAMS.
- E. AUTHORIZE PAYROLL STUFFER TO REMIND EMPLOYEES ABOUT OPEN ENROLLMENT.

Clerk's Note: Items 20.A-E are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Barbara Wilson, Assistant County Attorney; Susan Spataro, Travis County Auditor; Dan Mansour, Risk Manager, Human Resources Management Department (HRMD); Linda Moore Smith, Director, HRMD; Cindy Purinton, Benefit Contract Administrator, HRMD; and Leroy Nellis, Budget Manager, PBO.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to delegate the appeals process to the Appeals Committee.

A Clarification of the previous Motion was made by Commissioner Baxter that what this would mean is that the Appeals Committees would be the final say. We would, in essence, tell the employees who have an appeal that that is where it stops.

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 20 CONTINUED

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Chapter 17, subject to the vote taken by the Court today, which eliminates the Commissioners' Court from the appeals process, and making any other necessary changes in the chapter, and to ask Barbara Wilson, Assistant County Attorney, to incorporate the changes, because in addition to the appeals process, there are other sections impacted.

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

Motion by Judge Biscoe and seconded by Commissioner Davis to reduce the \$35 to \$25 for name brand, if generic is available.

Clerk's Note: The Court did not take a Vote on the Standing Motion and Second at this time.

A Substitute Motion was made by Commissioner Sonleitner and seconded by Commissioner Gómez that the rate structure for the retirees on the prescriptions stays the same, but we make it very clear that if there are medical disagreements with why name brand has to be used, that that is an appropriate matter for the appeals group, and that we monitor that for a year, and if it seems like we are being inundated with appeals, that we revisit this for next year.

A Clarification of the previous Motion was made by Judge Biscoe that I wouldn't put it in with the appeal. It would be \$25 on the third one. I am not anticipating any appeal, but as to the prices, instead of \$35, whatever you can do on the \$35, you would be able to do with \$25. My guess, though, is that if you have \$35 name brand if generic is available, it seems to me that the circumstances under which you could appeal would be very limited; so, whether that is \$25 or \$45, I wouldn't change it. My Motion would be to change \$35 to \$25., and when we look at this, we don't say under any of these, "no appeal possible", but we expect you to pay these amounts if they cover you.

Withdrawal of the previous Motion and Second were made by Commissioner Sonleitner and Commissioner Gómez.

Maker and Second accept the Friendly Amendment by Commissioner Sonleitner that it be a mandatory review in 6 months, to see if that is still appropriate, so we will have some of that history, and we can decide mid-year whether we do need to make a change or do not need to make a change.

ITEM 20 CONTINUED

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

A Clarification of the previous Motion was made by Commissioner Sonleitner that on mail order, we are also saying \$5/15/25 there.

A Clarification of the previous Motion was made by Judge Biscoe that this is for retiree only. This Motion is; and the reason for that is, because 20.B is.

A Clarification of the previous Motion was made by Commissioner Baxter that this Motion is only on the co-pay for prescriptions.

Clerk's Note: The Court took a Vote on the Standing Motion and Second at this time.

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	abstain
	Precinct 4, Commissioner Margaret J. Gómez	yes

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Item 20.B with those two changes.

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

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

ITEM 20 CONTINUED

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 20.D.

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 Judge Biscoe and seconded by Commissioner Gómez to approve Item 20.E.

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 20.A to be reposted on July 10, 2001.

21. CONSIDER RULES FOR IMPLEMENTING A TRAVIS COUNTY SELF-FUNDED HEALTHCARE PLAN, AND TAKE APPROPRIATE ACTION. (11:56 AM)

No action needed on Item 21.

22. RECEIVE RECOMMENDATION FROM THE EMPLOYEE BENEFITS COMMITTEE ON LIFE, ACCIDENTAL DEATH OR DISMEMBERMENT (ADD), AND LONG TERM DISABILITY INSURANCE. (11:57 AM)

Members of the Court heard from: Cindy Purinton, Benefit Contract Administrator, HRMD; and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve 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

- 23. A. DISCUSS, APPROVE OR GIVE DIRECTION REGARDING THE REAL ESTATE ISSUES RELATING TO THE RELOCATION OF THE TRAVIS COUNTY SHERIFF’S WEST COMMAND CENTER FROM THE UNIVERSITY SAVINGS BUILDING TO WESTERN TRAVIS COUNTY. EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOVT. CODE ANN. 551.072 (4:50 PM) (5:53 PM)**

Judge Biscoe announced that Item 23.A would be considered in Executive Session.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to authorize Facilities and all other appropriate County staff to commence negotiations to structure a deal related to the purchase and/or lease/purchase of the property at 3800 Hudson Bend, and that those negotiations include the conveyance of all appliances and systems furniture. I believe they have got sufficient instructions related to a range of prices, depending on what can be structured in this particular deal, and I would also say that there should be a negotiated out-clause if there is a significant deviation in the appraisal of this property once we get it, and that is not to be confused with TCAT, because TCAT is not that appraisal we would be relying on.

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. DISCUSS, APPROVE OR TAKE ANY ACTIONS REGARDING THE UNIVERSITY SAVINGS BUILDING RENOVATIONS FOR THE GENERAL BUILDING CORE IMPROVEMENTS. (5:55 PM)**

- C. DISCUSS, APPROVE OR TAKE ANY ACTIONS REGARDING THE UNIVERSITY SAVINGS BUILDING RENOVATIONS FOR THE TAX OFFICE AND ASSIGNMENT OF PARKING.**

- D. DISCUSS, APPROVE OR TAKE ANY ACTIONS REGARDING THE UNIVERSITY SAVINGS BUILDING RENOVATIONS FOR FLOORS TWO THROUGH FOUR AND ASSIGNMENT OF PARKING.**

Clerk’s Note: Items 23.B, C, and D are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Roger El Khoury, Director, Facilities Management; Leslie Stricklan, Project Manager, Facilities Management; and Margo Frasier, Travis County Sheriff.

ITEM 23 CONTINUED

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis that the direction that we give is that the tenant who will be occupying vacated space at the University Savings Building be DRO, and the Tax Assessor-Collector – the DRO/Tax Assessor-Collector Plan.

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	abstain

A Clarification of the previous Motion was made by Commissioner Sonleitner that DRO is the tenant contingent upon some kind of solution related to West Command. The Tax Office Motion is really unrelated to West Command, or what time it happens, because it is dedicated space because of the move into the Gault Building.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve what we would be calling “Motion C”, related to us giving direction related to the Tax Office improvements; understanding that that cost may actually come down, because of using internal A & E as opposed to going out for A & E fees.

A Clarification of the previous Motion was made by Commissioner Sonleitner that the Motion is just direction on the Tax Office improvements, to move ahead, establish the budget; establish, hopefully, savings with going to internal A & E.

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	abstain

ITEM 23 CONTINUED

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve of what is put down as “Motion B”, which are the things that we need to do, no matter what, and I would include within that, Facilities working with PBO to identify money in this budget year related to the asbestos abatement needs, so that can move along quickly, before the other piece is put into the '02 budget.

A Clarification of the previous Motion was made by Commissioner Sonleitner that we mean the asbestos testing, which does not impact people.

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	abstain

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve giving direction that it is OK to improve it before people start moving out of that building.

A Restatement of the previous Motion was made by Commissioner Sonleitner that the Motion is to give direction to Facilities that it is OK to move ahead with the initial round of parking improvements in the lot related to the University Savings Building.

A Restatement of the previous Motion was made by Commissioner Sonleitner that Roger El Khoury has authorization to move ahead on parking improvements in the USB lot – things that could be handled without any additional cost; that could be absorbed within his budget, or anybody else's that he could beg, borrow, and steal it from. It is no-cost improvements; that is the idea.

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	abstain

24. APPROVE PERSONNEL AMENDMENTS. (9:24 AM)

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

OTHER ITEMS

25. DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (2:17 PM) (4:50 PM) (5:50 PM)

Judge Biscoe announced that Item 25 would be considered in Executive Session.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we: 1)ask the contractor, Victoria Air, to check the entire system for possible problems; 2) that we authorize Herndon, Stauch and Associates to contract for further testing for molds or related problems and submit the costs as a reimbursable item to the County; and 3) that we authorize the exemption of a contract to provide appropriate remediation once the testing has been done and the need for remediation service has been determined.

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. A. CONSIDER DRAFT REDISTRICTING PLANS FOR JUSTICE OF THE PEACE/CONSTABLE PRECINCTS, AND TAKE APPROPRIATE ACTION.**
(2:18 PM)
- B. RECONSIDER DRAFT REDISTRICTING PLANS FOR COUNTY COMMISSIONER PRECINCTS, AND TAKE APPROPRIATE ACTION.**

Clerk's Note: Items 26.A and B, and Item A.1 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Judge Herb Evans, Justice of the Peace, Pct. 5; Judge Richard Scott, Justice of the Peace, Pct. 1; Judge Elena Diaz, Justice of the Peace, Pct. 4; Bill Emory, Attorney, Emory, Young and Associates; Judge Barbara Bembry, Justice of the Peace, Pct. 2; Bob Vann, Constable, Pct. 2; Bruce Elfant, Constable, Pct. 5; John Hille, Assistant County Attorney; Javier Guajardo, Attorney, Guajardo and Associates; Laurie O'Leary, Pct. 244 resident; James Logan, Pct. 3 resident; Jim Foster, Pct. 303 resident; Mark McGuire, Volunteer, Rep. Terry Keel's staff, Billy Pasmore, Pct. 4 resident; and Kevin Monteith, Travis County resident.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to accept all of the corrections to the initial draft plan.

A Clarification of the previous Motion was made by Commissioner Gómez that the Motion was to amend; to make room for the corrections to the initial draft plan.

A Clarification of the previous Motion was made by Judge Biscoe that the Motion is to reconsider the approved draft redistricting plan.

Clerk's Note: Commissioner Gómez stated that this was not her Motion, to reconsider.

Clerk's Note: The Court did not take a Vote on the previous Motion.

Motion by Commissioner Baxter that we substitute the Baxter plan for the original draft plan, as adopted.

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

ITEM 26 CONTINUED

Motion by Commissioner Gómez **and seconded by** Commissioner Davis that we amend the initial draft plan by accepting the corrections as set out in the memo from Emory and Young, dated July 2, 2001.

Motion carried: County Judge Samuel T. Biscoe	no
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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez that the draft plan that will be sent out for comment during the public hearing stage be one that has five JP's and Constables, which seems to be the best thing that has been signed off by those involved.

A Clarification of the previous Motion was made by Judge Biscoe that the Motion is to approve the proposed draft plan for Justices of the Peace and Constables.

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

- 27. APPROVE REQUEST BY EMERGENCY SERVICES DISTRICT #5 (MANCHACA) FOR A 30-DAY EXTENSION TO SUBMIT THEIR AUDIT, AS ALLOWED BY THE HEALTH AND SAFETY CODE STATUTORY REQUIREMENT THAT A CERTIFIED FINANCIAL AUDIT BE SUBMITTED TO COMMISSIONERS COURT. (9:24 AM)**

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

28. CONSIDER APPROPRIATE EXPRESSION OF APPRECIATION TO TRAVIS COUNTY LEGISLATIVE DELEGATION AND OTHERS WHO ASSISTED DURING THE LEGISLATIVE SESSION, AND TAKE APPROPRIATE ACTION. (4:24 PM)

Motion by Judge Biscoe and seconded by Commissioner Davis to look at the draft letter, revise it, circulate it to other members of the Court for changes, try to come up with a master list that incorporates all of the names that we have been provided, and to give all of us an opportunity to look at those, and move from there.

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

29. DISCUSS CHAPTER I OF THE TRAVIS COUNTY CODE, “COMMISSIONERS COURT RULES OF PROCEDURE”, AND TAKE APPROPRIATE ACTION. (4:28 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Alicia Perez, Executive Manager, Administrative Operations.

Discussion Only.

30. DISCUSS PROPOSAL FOR TRAVIS COUNTY STRATEGIC DIRECTIONS FROM EXECUTIVE MANAGERS, AND TAKE APPROPRIATE ACTION. (4:39 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Stephen Williams, Executive Manager, Travis County Health, Human Services, and Veterans’ Services; (TCHHS&VS); and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Judge Biscoe and seconded by Commissioner Gómez 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. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:24 AM)**

Item 31 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

- 32. A. RECEIVE BRIEFING FROM COUNTY ATTORNEY'S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE PROGRAM, AND TAKE APPROPRIATE ACTION. ¹ (4:50 PM) (5:50 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 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 necessary on Items 32.A and B.

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

- 33. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN JOSE BALDERAMOS CLAIM (42 U.S.C.§1983 CIVIL RIGHTS). ¹ (4:50 PM) (5:50 PM)**

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

Item 33 postponed until July 10, 2001.

- 34. RECEIVE BRIEFING FROM COUNTY ATTORNEY, AND TAKE APPROPRIATE ACTION IN AUGUSTINA PARDO ET AL. V. TRAVIS COUNTY ET AL. (FRASIER; TEXAS TORT CLAIMS ACT, PERSONAL INJURY). ¹ (4:50 PM) (5:50 PM)**

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

Motion by Judge Biscoe and seconded by Commissioner Baxter to authorize the County Attorney to hire an appropriate expert.

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

- 35. RECEIVE BRIEFING FROM COUNTY ATTORNEY, AND TAKE APPROPRIATE ACTION IN JEREMY CAUDLE V. TRAVIS COUNTY, TEXAS (FRASIER; TEXAS TORT CLAIMS ACT, PERSONAL INJURY). ¹ (4:50 PM) (5:50 PM)**

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

Motion by Commissioner Sonleitner and seconded by Commissioner Gómez to make a counter offer in the amount of \$25,000.00 now, and \$15,000.00 if surgery is required within the next year, with the appropriate documentation from the doctors that the surgery is, indeed, related to the accident. This, of course, would tie in a full release of Travis County. Also, related to the payment of any kind of surgery, that the client is responsible for paying his medical bills, if those do, indeed, occur within the next 12 months.

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

THE FOLLOWING IS AN ADDENDUM:

- A1. RECEIVE PRESENTATION BY COMMISSIONER TODD BAXTER OF PROPOSED REDISTRICTING PLAN FOR COUNTY COMMISSIONERS, AND TAKE APPROPRIATE ACTION. (2:18 PM)**

Clerk's Note: Items A.1 and 26.A and B are associated with one another and were called for concurrent discussion. Please refer to Item 26 for the Court's action on this Item.

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (6:31 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