

## **MINUTES – JULY 10, 2001**

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

On Tuesday, the 10<sup>th</sup> day of July, 2001, the Commissioners' Court convened the regular Voting Session at 9:10 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 Robert Resnick.

The Commissioners' Court recessed the Voting Session at 11:59 AM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation (TCHFDC), called to order the Voting Session at 1:35 PM and adjourned at 1:40 PM.

The Commissioners' Court reconvened the Voting Session at 1:40 PM.

The Commissioners' Court retired to Executive Session at 1:40 PM.

The Commissioners' Court reconvened the Voting Session at 2:15 PM.

The Commissioners' Court retired to Executive Session at 4:17 PM.

The Commissioners' Court reconvened the Voting Session at 5:28 PM.

The Commissioners' Court adjourned the Voting Session at 5:35 PM

The Commissioners' Court record notes that Precinct Four Commissioner Margaret Gómez was not present during this Voting Session.

## CITIZENS COMMUNICATION

**Members of the Court heard from:** Kenneth Snyder, Northridge Acres Resident; Gus Peña, President, East Austin Concerned Hispanics; Dan Richards, Chief Deputy, Travis County Sheriff's Office (TCSO); and Kelly Mercer-Page, Community Liaison, TCSO. (9:12 AM)

## CONSENT ITEMS

- 1. Motion by Commissioner Davis and seconded by Commissioner Sonleitner** to approve the following Consent Items: C1 – C5, and 13, 17, 18, 20, 21.A and B, 22, 26, 29, and 30. (9:23 AM)

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

- C1.** RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3.** APPOINT FLORENCIO SOLIZ, III TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #4, TERM EFFECTIVE UNTIL DECEMBER 31, 2001; REPLACES JAMES PAMPLIN.
- C4.** APPROVE A PLAT FOR RECORDING IN PRECINCT FOUR: LOMETA DE LA LUNA - (SHORT FORM PLAT – 1 LOT – 9.002 ACRES – THAXTON ROAD - NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – CITY OF AUSTIN ETJ.
- C5.** APPROVE A PUBLIC HEARING DATE OF JULY 31, 2001 TO DISCUSS AND APPROVE AN ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A 5' PUBLIC UTILITY AND DRAINAGE EASEMENT ALONG BOTH SIDES OF THE COMMON LOT LINE OF LOTS 12 AND 13, BLOCK D, KINGSBERRY PARK SECTION ONE, A SUBDIVISION IN PRECINCT ONE.

**JUSTICE AND PUBLIC SAFETY ITEMS**

2. CONSIDER INTERLOCAL COOPERATION AGREEMENT FOR MOBILE DATA CAPABILITY AND DATA RADIO NETWORK COMMUNICATIONS BETWEEN TRAVIS COUNTY AND THE CITY OF AUSTIN, AND TAKE APPROPRIATE ACTION. (9:25 AM)

**Members of the Court heard from:** Teresa Reel, Manager, Emergency Wireless Communications, Justice and Public Safety (JPS); Tommy Blackwell, Director, Information Services, TCSO; Mike Hemby, Research Analyst, TCSO; and Dinah Dinwiddie, Executive Manager, JPS.

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

<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	absent

3. CONSIDER A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF AUSTIN FOR TEMPORARY ALLOCATION OF 800MHz REGIONAL TRUNKED RADIO SYSTEM FREQUENCIES, AND TAKE APPROPRIATE ACTION. (9:46 AM)

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

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

<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	absent

- 4. REVIEW AND CONSIDER PROPOSED CHANGES TO INTERLOCAL AGREEMENT FOR EMERGENCY MEDICAL SERVICES AND HELICOPTER SERVICES BETWEEN TRAVIS COUNTY AND CITY OF MANOR, AND TAKE APPROPRIATE ACTION. (9:54 AM)**

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, JPS.

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

<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	absent

- 5. APPOINT TRAVIS COUNTY REPRESENTATIVES TO THE RDMT EXECUTIVE STEERING COMMITTEE AND DESIGNATE TRAVIS COUNTY’S EMERGENCY & WIRELESS COMMUNICATIONS COORDINATING BOARD TO APPOINT COUNTY RDMT PROJECT TEAM MEMBERS. (9:56 AM)**

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, JPS.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve Item 5.

<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	absent

## TRANSPORTATION & NATURAL RESOURCES DEPT ITEMS

6. DISCUSS CONCEPT OF SUBDIVISION REVIEW FEE WAIVER FOR LOW INCOME HOUSING SUBDIVISIONS, AND TAKE APPROPRIATE ACTION. (9:57 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); Terry Mitchell, Milburn Homes; Dick Rathgeber, Project Land Owner; Tom Nuckols, Assistant County Attorney; and Scheleen Walker, Planner, TNR.

Discussion Only.

**Clerk's Note:** Commissioner Davis directed Staff to encompass these particular changes that have been discussed here before the Commissioner's Court, as far as the policy is concerned, and, based on that, bring that back next week for the Court to make a decision, with those policy changes that have been implemented, especially with the portion of the policy that we looked at; the language that we will have to change as far as addressing the building code aspect of it. The suggestions that have been brought up, and I thought were very, very, very appropriate. So I would like to direct Staff at this time, to bring all this information back, so we can go ahead and move forward on this.

**Clerk's Note:** Judge Biscoe stated that we should also give some thought to implementation steps. It would help to have a written description. I do think that, in terms of eligibility, we ought to do something like we do in the Down Payment Assistance Program. We get the basic information, it is basically sworn to, and we have Harvey Davis just take a look at it; and, based on the number we are looking at right here, it would be about the same. As far as I know, that procedure has worked well for us to date, and I think we have been doing it a couple, three years.

Item 6 to be reposted on July 17, 2001.

7. CONSIDER A WAIVER OF SUBDIVISION REVIEW FEE IN EXCHANGE FOR LOW INCOME HOUSING IN THE BRIARCREEK SUBDIVISION. (10:38 AM)

Discussion Only.

**Clerk's Note:** The Court indicated that we can apply the same directions to Staff as mentioned in Item 6, to Item 7, the waiver itself; and indicate the Court's intention to address this specifically next week. We also need to give them the signal that it is a positive next week.

**Clerk's Note:** Please refer to Item 6 for the Court's directions to Staff on this Item.

Item 7 to be reposted on July 17, 2001.

- 8.** DISCUSS COUNTY-OWNED PROPERTY ON BLUE BLUFF ROAD IN ANTICIPATION OF SALE AND/OR LAND TRADE, AND TAKE APPROPRIATE ACTION. EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOVT. CODE ANN. 551.072 (3:29 PM) (4:17 PM) (5:28 PM)

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

Judge Biscoe announced that Item 8 would be considered in Executive Session.

Discussion Only.

- 9.** DISCUSS POSSIBILITY OF AND OPTIONS FOR CREATING A REGIONAL AUTHORITY TO PARTICIPATE IN FINANCING AND/OR CONSTRUCTION OF STATE HIGHWAY 130 OR OTHER REGIONAL MOBILITY PROJECTS, AND TAKE APPROPRIATE ACTION. (9:12 AM)

Item 9 postponed until July 17, 2001.

10. APPROVE AN INFRASTRUCTURE DEVELOPMENT PLAN FOR A MANUFACTURED HOUSING RENTAL COMMUNITY IN PRECINCT ONE: SPRINGDALE HEIGHTS (207 DETACHED UNITS – NO FISCAL – WATER AND SEWAGE SERVICE BY CITY OF AUSTIN – AUSTIN 2-MILE ETJ). (10:39 AM) (4:17 PM) (5:29 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Brian Rogers, Springdale Heights Developer; Don Grigsby, Engineering Associate, TNR; Tom Nuckols, Assistant County Attorney; Charles Croft, Walnut Creek Neighborhood Assn.; John Hutchinson, President, Walnut Creek Neighborhood Assn.; Trek English, President, Northeast Action Group; Kristina Kubeck, Walnut Place Resident; Joyce Thoresen, Walnut Place Resident; and Richard Travis, Walnut Place Resident.

Judge Biscoe announced that Item 10 would be considered in Executive Session.

**Motion by** Commissioner Davis **and seconded by** Judge Biscoe to direct County Staff to scrub and look at the possibility of the drainage standards, and also the detention pond out on this site, as far as within the plans, and make sure that that is really looked at, because those were part of the things that we heard during the testimony this morning. Also, look at the possibility of invoking traffic controls, whereby, if manufactured homes are moved on a two-lane road, which is the Springdale end of this, what can we do to mediate that, and lessen the traffic impact as much as possible; and any other possible traffic controls that we need to employ within this particular area? Number 3, that we want the neighborhoods, and also developer, of Springdale Heights, to get together within this 30-day time frame they have to work within, and try to resolve some of the issues that we heard here this morning. And Number 5, since the permit has not been issued by the City of Austin, I would like to have Staff to look into this particular process, and see where the City is in their determination of this particular site. So, with this particular Motion, I would like to maybe move forward with that, and have someone to come back, if not within the 30 days, at the end of the 30 days, from June 12, which is the 60-day time frame, to come back to us before the expiration of the additional 30 days we need to look at. Otherwise, this will go automatically into effect, so we'd like to have you all to get back with us on that.

**Maker accept the Friendly Amendment by** Judge Biscoe to ask Staff to confirm the amenities that were discussed in Court, as well as to double-check the drainage impact on the MKT right-of-way, which is publicly owned land.

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

## ITEM 10 CONTINUED

**Maker accept the Friendly Amendment by** Commissioner Sonleitner that we make sure that our Staff is communicating with the City reviewers about the kinds of concerns that we have got that may not be under our jurisdiction, but absolutely are things that need to be looked at by the City, because it is part of their jurisdiction, just making sure that they have looked at everything. And the one other thing is, I also want to make it clear that in our Motion, we are not going to have an automatic approval of this plan. It must be brought back for affirmative or negative vote from this Commissioners' Court; that we have no intention of letting this thing just move through without a further consideration by the Court.

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

<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	absent

- 11. CONSIDER THE POSSIBILITY OF ENTERING INTO A COOPERATIVE AGREEMENT WITH THE EDWARDS AQUIFER RESEARCH DATA CENTER TO COLLECT TRINITY AQUIFER GROUNDWATER DATA, AND TAKE APPROPRIATE ACTION. (3:31 PM)**

**Members of the Court heard from:** John Kuhl, Natural Resources Program Manager, TNR; and Chris Krhovjak, Manager, Hays/Trinity Groundwater Conservation District, representing Hill Country Groundwater Alliance.

**Motion by** Commissioner Baxter **and seconded by** Commissioner Sonleitner to finalize the cooperative agreement, saying that it meets with the Commissioners' Court's intent.

<b>Motion carried:</b> 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	absent

- 12. CONSIDER REQUEST TO RE-ORGANIZE THE PLANNING AND ENGINEERING SERVICES DIVISION OF (TNR) TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT, AND TAKE APPROPRIATE ACTION. (9:11 AM) (3:46 PM)**

Item 12 to be reposted on July 17, 2001.



- 13. APPROVE THE USE OF FY'01 FUNDS DESIGNATED FOR THE REPLACEMENT OF TWO CURRENT INVENTORY PB PATCHING UNITS FOR ONE (1) UNITIZED PATCHING MACHINE. (9:23 AM)**

Item 13 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- 14. A. APPROVE INTERLOCAL AGREEMENT WITH CAPITAL METRO FOR FUNDING FOR TUSCANY WAY, LOOP 1 RIGHT-OF-WAY, AND BUILD GREATER AUSTIN PROJECTS. (11:52 AM)**

- B. APPROVE CANDIDATE PROJECT FOR FY 2002 AND FY 2003 BUILD GREATER AUSTIN PROGRAM FROM CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY.**

**Clerk's Note:** Items 14.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; and Emlea Chanslor, Capitol Metro.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to approve Items 14.A and B.

<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	absent

15. CONSIDER SETTING A PUBLIC HEARING TO RECEIVE PUBLIC INPUT ON PROPOSED 2001 BOND ELECTION, AND TAKE APPROPRIATE ACTION.  
(3:47 PM)

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

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the dates, times, and locations that Joe Gieselman has laid out on his memo related to the Bond Program public hearings, with the actual content of what will be taken out to those public hearings, rescheduled for next Tuesday, so that we can take a look at the Bond Committee's report, which will be coming in Thursday night.

<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	absent

## HEALTH AND HUMAN SERVICES ITEMS

### 16. CONSIDER PROPOSED ABATEMENT OF NUISANCE CONDITION AT SADDLE CIRCLE/RIATA DRIVE, AND TAKE APPROPRIATE ACTION. (2:16 PM)

**Members of the Court heard from:** Stephen Williams, Executive Manager, Travis County Health, Human Services & Veterans' Services (TCHHS&VS); Mark Hall, Senior Sanitarian, TCHHS; Dr. Stephen Harris, Travis County Health Authority; Don Childs, Assistant County Attorney Rafael Quintanilla, Lawyer Representing Mr. Ramirez; Rey Ramirez, Property Owner; and Mario Seminara, Manager, HHSD Environmental and Consumer Health.

**Motion by Judge Biscoe and seconded by Commissioner Davis** that we basically approve an abatement order that is effective 30 days from today, so that would be August 9, 2001, and that, in that order, we make it effective on that date, and just indicate that the County will get the contractor to proceed with abatement, unless the certain conditions are met, and we describe those conditions in simple, straightforward English.

**A Clarification of the previous Motion was made by Judge Biscoe** that the clear understanding is that the Commissioners' Court does not plan to see this proceeding again. So, what I am trying to say is that, in 30 days, without having to come back here, either the conditions have been met, or they have not, and I guess we can defer to Commissioner Gómez's getting with staff and working that out.

**A Clarification of the previous Motion was made by Commissioner Sonleitner** that it ought to be a determination of the professional Staff, with our Health Authority. Stephen Harris is the one that actually has the authority related to this, not a County Commissioner, in terms of determining whether somebody has met the abatement clause or not. He is the hearings officer.

**A Clarification of the previous Motion was made by Judge Biscoe** that if the conditions set out in that abatement order are not met, the Motion will also include authorizing the contractor to go out there, as part of the remedy, on or after August 9, 2001.

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

**PURCHASING OFFICE ITEMS**

- 17.** APPROVE EXEMPTION ORDER FOR PROFESSIONAL SERVICES FOR THE ADMINISTRATION OF THE FLEXIBLE SPENDING ACCOUNT FOR TRAVIS COUNTY EMPLOYEES. (9:23 AM)

Item 17 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- 18.** APPROVE CONTRACT AWARD FOR RE-ROOFING OF THE TRAVIS COUNTY COURTHOUSE ANNEX (N.L. GAULT BUILDING), IFB#B010715-DM, TO THE LOW QUALIFIED BIDDER, TOTAL ROOFING SERVICES, INC. (9:23 AM)

Item 18 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- 19.** APPROVE CONTRACT AWARD FOR PARK CONCESSION OPERATIONS, RFS NO. S010054-RG TO RIVER CITY YOUTH FOUNDATION (REVENUE GENERATING CONTRACT). (3:52 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to approve Staff's recommendation.

<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	absent

- 20.** APPROVE CONTRACT AWARD FOR MOBILE FILING SYSTEM, IFB#010053-LD, TO THE SOLE BIDDER, ACRATOD OF AUSTIN. (9:23 AM)

Item 20 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

## **PLANNING AND BUDGET DEPT ITEMS**

**21.** REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE. (9:23 AM)

**A.** GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR A COMMUNITY PROSECUTION LEADERSHIP GRANT IN THE DISTRICT ATTORNEY'S OFFICE.

**B.** GRANT CONTRACT FROM THE CRIMINAL JUSTICE DIVISION OF THE GOVERNOR'S OFFICE FOR THE VICTIMS OF CRIME ACT (VOCA) GRANT IN THE SHERIFF'S DEPARTMENT.

**Clerk's Note:** Items 21.A and B are associated with one another and were called for concurrent discussion.

Items 21.A and B added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

**22.** APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:23 AM)

Item 22 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

**ADMINISTRATIVE OPERATIONS ITEMS**

- 23. CONSIDER ITEMS CONCERNING COUNTY HEALTH AND HOSPITAL INSURANCE PLAN, AND TAKE APPROPRIATE ACTION. (3:45 PM)**

**Members of the Court heard from:** Dan Mansour, Risk Manager, Human Resources Management Department (HRMD); and Alicia Perez, Executive Manager, Administrative Operations.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to approve the draft order presented to the Court by Barbara Wilson, Assistant County Attorney.

<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	absent
Precinct 4, Commissioner Margaret J. Gómez	absent

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to automatically place any employee who fails to attend Open Enrollment in an HMO.

<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	absent
Precinct 4, Commissioner Margaret J. Gómez	absent

- 24. CONSIDER FY 2002 RATE SCHEDULE FOR THE TRAVIS COUNTY EXPOSITION CENTER, AND TAKE APPROPRIATE ACTION. (9:10 AM)**

Item 24 postponed until Work Session, July 19, 2001.

- 25.** CONSIDER PROPOSAL TO REALLOCATE 2,830 SQUARE FEET OF SPACE BEING VACATED BY PRETRIAL SERVICES IN THE COUNTY COURTHOUSE AS FOLLOWS: 1,511 SQUARE FEET TO JUSTICE OF THE PEACE, PRECINCT 5; 794 SQUARE FEET TO THE COUNTY CLERK AND 525 SQUARE FEET TO THE DISTRICT CLERK, AND TAKE APPROPRIATE ACTION. (3:56 PM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Item 25.

<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	absent

- 26.** APPROVE PERSONNEL AMENDMENTS. (9:23 AM)

Item 26 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

## OTHER ITEMS

- 27. DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (1:40 PM) (2:15 PM)**

Judge Biscoe announced that Item 27 would be considered in Executive Session.

**Motion by Judge Biscoe and seconded by Commissioner Davis** that we authorize our consultant, Herndon, Stauch, and Associates to settle with Dean Johnson Electric Contractors in the amount of \$128,742.00, in exchange for a full release, and assignment of any rights they have against any third party for the matters covered by this claim.

**A Clarification of the previous Motion was made by Commissioner Sonleitner** that that will be brought back to the Court, in terms of the document.

<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	absent

- 28. CONSIDER FUNDING FOR REASSIGNMENT OF CURRENT COUNTY CLERK STAFF TO IJS PROJECT IMPLEMENTATION AND TEMPORARY EMPLOYEE BACKFILL, AND TAKE APPROPRIATE ACTION. (4:01 PM)**

**Members of the Court heard from:** Dana DeBeauvoir, Travis County Clerk; Joe Harlow, Director, Information and Telecommunications Systems (ITS); and Leroy Nellis, Budget Manager, PBO.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to approve Item 28, with funding coming from the Allocated Reserve.

<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	absent
	Precinct 4, Commissioner Margaret J. Gómez	absent



- 29. CONSIDER AGREEMENT FOR ASSESSMENT AND COLLECTION SERVICES BETWEEN TRAVIS COUNTY AND THE CITY OF AUSTIN, AND TAKE APPROPRIATE ACTION. (9:23 AM)**

Item 29 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- 30. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:23 AM)**

Item 30 added to Consent Items. Please refer to Agenda Item 1 (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

- 31. A. RECEIVE BRIEFING FROM COUNTY ATTORNEY'S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE PROGRAM, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (1:40 PM) (4:17 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 31.A and B are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 31.A and B would be considered in Executive Session.

No action necessary on Items 31.A and B.

- 32. RECEIVE LEGAL ADVICE ON CLAIM OF DAVE HARDING, FORMER EMPLOYEE OF MEDICAL EXAMINER’S OFFICE, AND TAKE APPROPRIATE ACTION.** <sup>1</sup> (4:17 PM) (5:33 PM)

Judge Biscoe announced that Item 32 would be considered in Executive Session.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** that we ask the County Attorney’s Office to go ahead and expedite the sending of a letter to Mr. Dave Harding, as a follow-up to their meeting with him, and their correspondence to the members of the Commissioners’ Court, and hopefully the letter should address the issues that Mr. Harding raises.

<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	absent

- 33. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING CLAIM FILED BY CHRISTOPHER BEDFORD (FRASIER; CLAIM.)** <sup>1</sup> (4:17 PM) (5:34 PM)

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

Item 33 postponed until July 17, 2001.

- 34. 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).** <sup>1</sup> (4:17 PM) (5:34 PM)

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

Item 34 postponed until July 17, 2001.

- 35. 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).** <sup>1</sup> (4:17 PM) (5:34 PM)

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

Item 35 postponed until July 17, 2001.

**THE FOLLOWING IS AN ADDENDUM:**

- A1.** 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, AND TAKE APPROPRIATE ACTION. EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOVT. CODE ANN. 551.072 (4:17 PM) (5:34 PM)

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

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis that we give contingency instructions to Facilities and Legal and all other appropriate Staff, to have on standby the preparation of a Budget amendment, related to a transfer from the Allocated Reserve of an earmarked amount for West Command, in the amount of \$75,000.00 for earnest money if, indeed, that becomes necessary to get that process moving, and to also give our intention that we would look at an appraisal, and again, that also coming from Allocated Reserve, if, indeed, it is put back into our hands, to make a move in this particular thing. So, this is meant to expedite the process if, indeed, we get a positive response from the sellers.

<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	absent

## ADJOURNMENT

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to adjourn the Voting Session. (5:35 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	absent

## MINUTES APPROVED BY THE COMMISSIONERS' COURT

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**Date of Approval**

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