

MINUTES – AUGUST 21, 2001

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 21st day of August, 2001, the Commissioners' Court convened the regular Voting Session at 9:15 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 Jackie Raney.

The Commissioners' Court recessed the Voting Session at 11:10 AM.

The Commissioners' Court reconvened the Voting Session at 11:19 AM.

The Commissioners' Court recessed the Voting Session at 12:30 PM.

The Commissioners' Court, meeting as the Travis County Cultural Education Facilities Finance Corporation (TCCEFFC), called to order the Voting Session at 1:38 PM and adjourned at 1:44 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation (TCHFDC), called to order the Voting Session at 1:45 PM.

The Commissioners' Court retired to Executive Session at 1:46 PM.

The Commissioners' Court reconvened the TCHFDC Voting Session at 2:16 PM and adjourned at 2:16 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC), called to order the Voting Session at 2:16 PM and adjourned at 2:23 PM.

The Commissioners' Court reconvened the Voting Session at 2:24 PM.

The Commissioners' Court retired to Executive Session at 5:43 PM.

The Commissioners' Court reconvened the Voting Session at 6:24 PM.

The Commissioners' Court adjourned the Voting Session at 6:28 PM.

PUBLIC HEARINGS

1. DISCUSS AN ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A 5' PUBLIC UTILITY EASEMENT ALONG EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOT 33 AND 34, BLOCK T, APACHE SHORES SECTION SIX, A SUBDIVISION IN PRECINCT THREE. (9:16 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: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez 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 C9. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

CITIZENS COMMUNICATION

Members of the Court heard from: Kenneth Snyder, Northridge Acres Resident.
(9:18AM)

CONSENT ITEMS

- 2. Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1 – C9 (excluding Item C4) and Items 8, 9.A & B, 10, 17, 18, 19.A & B, 20, 22, 23, 28, 29, and 34. (9:24 AM)

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

- C1.** RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3.** APPOINT MARVIN HADDOCK TO SERVE AS COMMISSIONER ON THE EMERGENCY SERVICE DISTRICT #3, OAK HILL, TO FILL AN UN-EXPIRED TERM, EFFECTIVE UNTIL DECEMBER 31, 2002.
- C4.** APPROVE A PLAT FOR RECORDING IN PRECINCT ONE: AUSTIN'S COLONY SECTION THREE - (LONG FORM PLAT – FISCAL WITH CITY OF AUSTIN - 201 LOTS – 37.596 ACRES – AUSTIN'S COLONY BOULEVARD – HORNSBY BEND UTILITY COMPANY WASTEWATER – COA ETJ). (9:24 AM)

Item C4 postponed until September 28, 2001.

- C5.** APPROVE A PLAT FOR RECORDING IN PRECINCT ONE: UNICORN EQUESTRIAN CENTER SUBDIVISION - (SHORT FORM PLAT – 4 LOTS – 30.701 ACRES – US HIGHWAY 290 - NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY).
- C6.** APPROVE A PRELIMINARY PLAN IN PRECINCT ONE: PRESIDENTIAL MEADOWS PRELIMINARY PLAN - (PRELIMINARY PLAN – 1657 LOTS – 417.73 ACRES – U.S. 290 - SEWAGE SERVICE TO BE PROVIDED BY THE METRO H2O - OETJ).
- C7.** APPROVE A PRELIMINARY PLAN IN PRECINCT ONE: FOREST BLUFF PRELIMINARY PLAN - (PRELIMINARY PLAN – 579 LOTS – 152.71 ACRES – FM 973 – SEWAGE SERVICE TO BE PROVIDED BY THE HORNSBY BEND UTILITY COMPANY – COA ETJ).

CONSENT ITEMS CONTINUED

- C8.** APPROVE A PRELIMINARY PLAN IN PRECINCT ONE: AUSTIN ESTATES AT GILLELAND CREEK PHASE ONE PRELIMINARY PLAN - (PRELIMINARY PLAN – 204 LOTS – 70.77 ACRES – FM 973 – SEWAGE SERVICE TO BE PROVIDED BY THE HORNSBY BEND UTILITY COMPANY – CITY OF AUSTIN ETJ).
- C9.** APPROVE AN ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A 5' PUBLIC UTILITY EASEMENT ALONG EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOT 33 AND 34, BLOCK T, APACHE SHORES SECTION SIX, A SUBDIVISION IN PRECINCT THREE.

Clerk's Note: Item C) is the action Item for Agenda Item 1.

- 3.** RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION WITH REGARD TO ORDER PROHIBITING OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:27 AM)

Members of the Court heard from: Pete Baldwin, Emergency Management Coordinator, Emergency Services.

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

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 RECOMMENDATIONS OF CITIZENS BOND ADVISORY COMMITTEE AND TAKE APPROPRIATE ACTION. (9:30 AM)

Members of the Court heard from: Dick Kalleman, Private Citizen; Jimmy Courage, Private Citizen; Vivian Caputo, Private Citizen; Bill Bunch, Executive Director, Save Our Springs Alliance; Joe Gieselman, Executive Manager, TNR; and Christian Smith, Executive Manager, Planning and Budget Office (PBO).

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to indicate our intention to ask voters to approve an additional \$66 million for SH 130, consistent with the vote we took when we looked at the committee's recommendation initially, in the amount of \$250 million.

ITEM 4 CONTINUED

A Clarification of the previous Motion was made by Commissioner Sonleitner that the \$66 million means restoring \$45 million back, so that the figure that we would put on there is \$66 million. The second thing is, do we consider, as was suggested by many people in the audience that have come to testify, is that that is a forwarding of money, a fronting of money, a line of credit, and it is certainly no concession to the State of Texas, or anyone else, that we are not going to try and seek other partners, other funding sources, to help us cover our piece of it; and as a negotiating process, that we have every intention of asking the State of Texas/TTA, however it turns out, for the same kind of deal that they cut with themselves on MOPAC; and that is to see if we can get those monies rebated back to us when the tolls come in and start paying off all the construction costs associated with this project.

A Restatement of the previous Motion was made by Judge Biscoe that the Motion is to add \$66 million, as being the figure for additional money for SH 130.

Maker accept the Friendly Amendment by Commissioner Davis to separate SH 130, let it be a stand-alone and set aside by itself, since it is a significant impact. In other words, we are looking at, we end up putting this all in a bundle. It is all in one thing. The voters want to look at this SH 130 situation as a stand-alone on the ballot, sitting there alone, \$66 million, which, at that time, would bring our responsibility of acquisition of right-of-way up to about \$90 million, and that is another story. But then again, and make sure that it is the eastern alignment when the language is generated; that is, it will be the eastern alignment that the voters will be voting on.

Acceptance of the Friendly Amendment was made by Judge Biscoe.

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

Motion by Commissioner Baxter to keep Frate-Barker in the bond proposal, and keep it in Proposition 1.

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

ITEM 4 CONTINUED

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe to keep Frate-Barker in the bond ballot, but it be carved out as a separate, stand-alone item.

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 Davis **and seconded by** Commissioner Gómez to delete Frate-Barker from the bond package altogether.

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

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	no
	Precinct 2, Commissioner Karen Sonleitner	yes
	Precinct 3, Commissioner Todd Baxter	yes
	Precinct 4, Commissioner Margaret J. Gómez	no

Motion by Judge Biscoe to cap the bond issue at \$175 million; that we direct Staff to get together, incorporate decisions made today (and I assume that if there were no objections to the Heatherwilde/Wells Branch, and the park, and Flintrock, it would include those 3), and let us know next Tuesday what the specifics would be.

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

ITEM 4 CONTINUED

Motion by Commissioner Sonleitner **and seconded by** Commissioner Baxter to set the maximum amount at \$199,303,154.00, assuming Christian Smith's numbers are correct.

A Clarification of the previous Motion was made by Commissioner Sonleitner that the Motion is a "no more than" figure, so, if the Bond Counsel tells us you need to swap something out with a different instrument, then that does not hurt where we are going. It will only bring it down, it is a swap-out.

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

Item 4 to be reposted on August 28, 2001.

5. CONSIDER PROPOSAL TO ADDRESS CIVIL PROCESS DISTRIBUTION AMONG THE FIVE CONSTABLES, AND TAKE APPROPRIATE ACTION. (11:20 AM)

Members of the Court heard from: Joe Harlow, Director, Information and Telecommunications Systems (ITS); Bob Vann, Constable, Precinct 2; Bruce Elfant, Constable, Precinct 5; Carlos Lopez, Chief Deputy Constable, Precinct 5; Drew McAngus, Constable, Precinct 3; Bill Derryberry, Senior Planning and Budget Analyst, PBO; and Katherine Henson, Staff Member, Travis County Bar Association.

Discussion Only.

Item 5 to be reposted on August 28, 2001.

ADMINISTRATIVE OPERATIONS ITEMS

- 6. CONSIDER ITEMS CONCERNING COUNTY HEALTH AND HOSPITAL INSURANCE PLAN, AND TAKE APPROPRIATE ACTION. (4:50 PM)**

No action necessary on Item 6.

Item 6 to be reposted on August 28, 2001.

- 7. APPROVE HUMAN RESOURCES MANAGEMENT DEPARTMENT, CLASSIFICATION AND COMPENSATION STRATEGIC PLAN, FY 2001 THROUGH FY 2003. (4:50 PM)**

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Linda Moore Smith, Director, Human Resources Management Department (HRMD); and Carlotta Valdez Leavy, Senior HR Analyst, HRMD.

Discussion Only.

- 8. APPROVE PERSONNEL AMENDMENTS. (9:24 AM)**

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

PLANNING AND BUDGET DEPT ITEMS

- 9.** REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE: (9:24 AM)
- A.** APPROVE GRANT CONTRACT AMENDMENT WITH THE TEXAS ALTERNATIVE FUELS COUNCIL FOR THE PURCHASE OF BI-FUEL VEHICLES IN THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT. THIS AMENDMENT EXTENDS THE TERM OF THE CONTRACT FOR AN ADDITIONAL YEAR.
- B.** APPROVE REQUEST FOR PERMISSION TO CONTINUE THE JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT (JAIBG) PROGRAM IN JUVENILE COURT. APPLICATION FOR FY'02 FUNDING WAS APPROVED ON 8/7/2001, BUT CONTRACT WILL NOT BE EXECUTED PRIOR TO CURRENT GRANT'S EXPIRATION.

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

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

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

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

TRANSPORTATION & NATURAL RESOURCES DEPT ITEMS

11. CONSIDER RESOLUTION TO THE LCRA’S BOARD OF DIRECTORS TO SUPPORT CHANGES TO THE LCRA WATER MANAGEMENT PLAN AND TAKE APPROPRIATE ACTION. (12:25 PM)

Members of the Court heard from: Cole Rowland, Lower Colorado River Authority (LCRA); and John Kuhl, Natural Resources Program Manager, TNR.

Discussion Only.

Item 11 to be reposted on August 28, 2001.

12. REVIEW AND APPROVE REORGANIZATION, INCLUDING JOB CLASSIFICATIONS IN THE PLANNING AND ENGINEERING SERVICES DIVISION OF THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT, AND TAKE APPROPRIATE ACTION. (5:32 PM)

Members of the Court heard from: Carol Joseph, Assistant Director, TNR; Luane Shull, Senior HR Analyst, HRMD; Leroy Nellis, Budget Manager, PBO; and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve Item 12.

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

- 13.** APPROVE A CONSTRUCTION AGREEMENT AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT TWO: RANCH AT DEER CREEK PHASE TWO SECTION TWO - (LONG FORM PLAT – 99 LOTS – 28.47 ACRES – ANDERSON MILL ROAD – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY WILLIAMSON/TRAVIS COUNTY WCID 1D – CEDAR PARK ETJ.) (5:39 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Baxter to approve Item 13.

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

- 14.** APPROVAL OF A PLAT FOR RECORDING IN PRECINCT THREE: HUDSON HARBOR SUBDIVISION - (SHORT FORM PLAT – 1 LOT – 10.61 ACRES – LAKESHORE DRIVE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY PERMITTED BY TNRCC. (2:57 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, (TNR); Tom Nuckols, Assistant County Attorney; Don Grigsby, Engineering Associate, TNR; Bruce Kundrot, Resident, Hudson Bend Colony, Director, Hudson Bend Colony Neighborhood Assn.; Erica Rogala, Treasurer, Hudson Bend Colony Neighborhood Assn.; Charlie Rogers, Homeowner, Hudson Bend; Terry Irion, Attorney representing the Applicant; Heather Chaffin, Loomis Engineering, Consultant for the Applicant; and Steve Morse, Developer.

Motion by Commissioner Baxter **and seconded by** Commissioner Sonleitner to approve Item 14.

A Clarification of the previous Motion was made by Commissioner Baxter that what we have talked about, both in the language of the documents, and from the dais, is that this is a replat, not a vacation and a replat.

Maker and Second accept the Friendly Amendment by Judge Biscoe to add, “and have Staff to deliver documentation of Court approval immediately”.

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

ITEM 14 CONTINUED

An Addition to the previous Motion was made by Commissioner Baxter to expedite the necessary documents to the requisite City staff.

Maker and Second accept the Friendly Amendment by Commissioner Davis that the neighborhood and the developer will be getting together within the time frame.

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

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

HEALTH AND HUMAN SERVICES ITEMS

- 15. REVIEW CHANGE IN PROCEDURE REGARDING DISPATCH RESPONSIBILITY FOR TRAVIS COUNTY RABIES AND ANIMAL CONTROL OFFICER AND TAKE APPROPRIATE ACTION. (5:24 PM)**

Members of the Court heard from: Stephen Williams, Executive Manager, Travis County Health, Human Services, & Veterans' Services (TCHHS&VS); and Leroy Nellis, Budget Manager, PBO.

Discussion Only.

PURCHASING OFFICE ITEMS

- 16.** APPROVE CONTRACT AWARD FOR TRAVIS COUNTY EXPOSITION CENTER HVAC CHILLERS, IFB #B010091-LD, TO THE LOW BIDDER, ALTURDYNE ENERGY SYSTEMS. (FACILITIES) (4:27 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Brian Campbell, Attorney representing Tecogen Co.; John Carr, Division Manager, Building Maintenance and Repair, Facilities Management; and Tenley Aldredge, Assistant County Attorney.

Motion by Commissioner Davis **and seconded by** Judge Biscoe to delay this for at least one more week and that it appears on next week's Agenda.

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 16 to be reposted on August 28, 2001.

- 17.** DECLARE CERTAIN GLOBAL POSITIONING SYSTEM (GPS) EQUIPMENT AS TRADE-IN FOR NEW GPS EQUIPMENT, PURSUANT TO SECTION 263.152 OF THE TEXAS LOCAL GOVERNMENT CODE. (TNR) (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 TWO (2) MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 99T0221-JP, FAIRWAY SUPPLY, FOR DOOR SUPPLIES AND ACCESSORIES; CONTRACT APPROVED ON 8/31/99. (HHS) (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. A.** APPROVE CONTRACT AWARD FOR HOME REPAIR MATERIALS, ACCESSORIES AND SUPPLIES, IFB NO. B010097-MP, GROUP B, LINE ITEM 1-8, AND GROUP C, LINE ITEM 4-7, TO THE ONLY QUALIFIED BIDDER, SUBURBAN PROPANE L.P. (9:24 AM)
- B.** EXCEPT FOR THE ITEMS IN (A) ABOVE, REJECT ALL BIDS RECEIVED FOR IFB NO. B010097-MB, HOME REPAIR MATERIALS, ACCESSORIES AND SUPPLIES AND REBID.

Clerk's Note: Items 19.A and B are associated with one another and were called for concurrent discussion.

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

- 20.** APPROVE SOLE SOURCE EXEMPTION AND AUTHORIZE PURCHASING AGENT TO SIGN PURCHASE ORDERS FOR OPTICAL SCAN BALLOTS FOR THE NOVEMBER 6, 2001 ELECTIONS FROM HART INTERCIVIC. (9:24 AM)

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

- 21.** REJECT BID RECEIVED FOR RESIDENTIAL PLUMBING SERVICES, IFB #B010087-MP, AND REBID. (HHS-HOUSING SERVICES) (4:45 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 21.

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

- 22.** APPROVE PURCHASE OF BOX VAN FROM THE HOUSTON GALVESTON AREA COUNCIL INTERLOCAL AGREEMENT, IL #98-98858; APPROVED ON 1/27/98. (TNR) (9:24 AM)

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

- 23.** APPROVE MODIFICATION NO. 3 TO CONTRACT NO. PS990080-TS, CAP SYSTEMS, INC. FOR THE ENHANCEMENTS TO THE EMERGENCY ASSISTANCE (EA) MODULE OF THE CASE MANAGEMENT AND BENEFITS ADMINISTRATION SYSTEM. (9:24 AM)

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

OTHER ITEMS

- 24. A.** DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (4:37 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Dave Stauch, Herndon, Stauch, and Associates.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the contract modification with Kanetzky Electric.

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

- B.** DISCUSS EXPIRATION OF CONTRACT WITH HERNDON STAUCH & ASSOCIATES, AND TAKE APPROPRIATE ACTION. (4:40 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe to approve the contract modification with Herndon, Stauch, and Associates.

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

25. A. DISCUSS LEGISLATIVE REPORT, AND TAKE APPROPRIATE ACTION.
(2:40 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis to formally receive the report from our consultant.

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 RECOMMENDED INTERIM STUDY TOPICS, AND TAKE APPROPRIATE ACTION. (2:41 PM)

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

Discussion Only.

Item 25.B to be reposted on August 28, 2001.

C. APPROVE PRINTING 1,000 COPIES OF THE LEGISLATIVE REPORT FOR PUBLIC AND COUNTY DISTRIBUTION. (2:55 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis to print 250 copies.

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. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF JULY 2001. (5:21 PM)**

Members of the Court heard from: Susan Spataro, Travis County Auditor.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the Auditor's action plan related to accruals, and to receive the revenue and expenditure reports.

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: Items 26 and 27 are associated with one another and were called for concurrent discussion.

- 27. DISCUSS NEW PROCESS FOR YEAR-END ACCRUAL FOR FISCAL YEAR 2001 AND TAKE APPROPRIATE ACTION. (5:21 PM)**

Clerk's Note: Items 27 and 26 are associated with one another and were called for concurrent discussion. Please refer to Item 26 for the Court's action on this Item.

- 28. APPROVE AGREEMENT FOR ASSESSMENT AND COLLECTION SERVICES BETWEEN TRAVIS COUNTY AND AUSTIN COMMUNITY COLLEGE DISTRICT. (9:24 AM)**

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

- 29. APPROVE AGREEMENT FOR ASSESSMENT AND COLLECTION SERVICES BETWEEN TRAVIS COUNTY AND COTTONWOOD CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1. (9:24 AM)**

Item 29 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 30. CONSIDER ADOPTION OF FEE FOR FILING ADMINISTRATIVE WRITS OF WITHHOLDING IN DISTRICT CLERK’S OFFICE, AND TAKE APPROPRIATE ACTION. (4:47 PM)**

Members of the Court heard from: Michelle Brinkman, Chief Deputy, District Clerk’s Office.

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. A. DISCUSS REQUEST TO SUPPORT THE CONFERENCE OF URBAN COUNTIES’ PROPOSAL TO ESTABLISH A FEDERAL INTERGOVERNMENTAL RELATIONS PROGRAM WITH THE COSTS SHARED BY ALL CUC MEMBERS THAT CHOOSE TO PARTICIPATE. (2:24 PM)**

- B. APPROVE RESOLUTION TO SUPPORT THE EXPANSION OF THE TEXAS CONFERENCE OF URBAN COUNTIES TO INCLUDE A LIMITED FEDERAL INTERGOVERNMENTAL RELATIONS PROGRAM AND SUPPORT THE PROPOSED INCREASE IN DUES TO PAY FOR THE INCREASE IN SERVICE.**

Clerk’s Note: Items 31.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Donald Lee, Executive Director, Conference of Urban Counties (CUC).

Discussion Only.

ITEM 31 CONTINUED

C. CONSIDER REQUEST TO JOIN TEX-21 COALITION – TRANSPORTATION EXCELLENCE FOR THE 21ST CENTURY, AND TAKE APPROPRIATE ACTION. (2:38 PM)

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe to give them a formal “Thanks, but no thanks”, and send them such a letter.

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

D. DISCUSS NATIONAL ASSOCIATION OF COUNTIES (NACo) MEMBERSHIP, AND TAKE APPROPRIATE ACTION. (2:38 PM)

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe to send the same letter to NACo.

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

32. DISCUSS CHAPTER I OF THE TRAVIS COUNTY CODE, “COMMISSIONERS COURT RULES OF PROCEDURE”, AND TAKE APPROPRIATE ACTION. (5:40 PM)

Item 32 postponed until August 28, 2001.

33. 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. (5:24 PM)

Item 33 pulled from the Agenda.

34. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:24 AM)

Item 34 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

35. A. RECEIVE BRIEFING FROM COUNTY ATTORNEY'S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE PROGRAM, AND TAKE APPROPRIATE ACTION. ¹ (5:43 PM) (6:24 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 35.A and B are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 35.A and B would be considered in Executive Session.

No action necessary on Items 35.A and B.

Items 35.A and B to be reposted on August 28, 2001.

36. RECEIVE BRIEFING FROM COUNTY ATTORNEY ON STATUS OF LEASE SPACE AT PRECINCT THREE JUSTICE OF THE PEACE AND CONSTABLE OFFICES. ¹ (5:43 PM) (6:25 PM)

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

No action necessary on Item 36.

37. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING STATUS OF ADDITIONAL SERVICES REQUEST RECEIVED FROM CASABELLA ARCHITECT, INC. FOR AGREEMENT FOR DESIGN OF RENOVATIONS TO THE EXPOSITION CENTER, AND TAKE APPROPRIATE ACTION. ¹ (5:43 PM) (6:25 PM)

Item 37 postponed until August 28, 2001.

38. APPROVE REAL ESTATE PURCHASE CONTRACT WITH SHELLBERG TRACT JOINT VENTURE FOR 490.96 ACRES KNOWN AS VISTA POINT. ¹ AND ² (5:43 PM) (6:25 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to authorize Judge Biscoe to execute the real estate purchase contract with Shellberg Tract Joint Venture, for 490.96 acres, which is also known as Vista Point, and he should sign that, or execute it, when the County Attorney presents him with the original contract that has been signed by the sellers.

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 NOTICE TO CURE DEFAULT AND AGREEMENT TO DELEGATE NOTIFICATION PROCEDURE TO PARKS DIRECTOR, REGARDING LAKE AUSTIN SPA INVESTORS, LTD. AND REGARDING MARY QUINLAN PARK AND/OR TAKE OTHER APPROPRIATE ACTION. ¹ (5:43 PM) (6:25 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis that the County Attorney's Office be authorized to send an appropriate letter to cure, to the owners of the spa; and further, for future instances that we hope never happen, that we delegate the default procedure over to Joe Gieselman, since this is in a park, and it involves permits.

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

- 40. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND DISCUSS PROPOSED SETTLEMENT AMOUNT REGARDING SUBROGATION CLAIM OF TRAVIS COUNTY IN GARY CUTLER V. LLOYD BRIGGS AND TAKE APPROPRIATE ACTION. ¹ (5:43 PM) (6:26 PM)**

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

Motion by Judge Biscoe and seconded by Commissioner Gómez to accept the offer to settle in the amount of \$4,000.00.

Motion carried:

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

- 41. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER OFFER FOR SETTLEMENT AND/OR TAKE APPROPRIATE ACTION CONCERNING THE MATTER OF RICHARD VANDEVENTER “VAN” HARVEY. ^{1 AND 3} (5:43 PM) (6:26 PM)**

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

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to ask the County Attorney to share the letter with the County Auditor, and try to get the Auditor to do the requested audit; and that we have this matter on the Agenda next week for any appropriate action.

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

ADDENDA

- A1.** CONSIDER COUNTER-OFFER PROPOSAL FOR ACQUISITION OF LAND ADJOINING SOUTHEAST METRO PARK IN PRECINCT 4, AND TAKE APPROPRIATE ACTION. EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOVT. CODE ANN. 551.072. (5:43 PM) (6:27 PM)

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

Members of the Court heard from: Tom Nuckols, Assistant County Attorney.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to accept the counter-offer of \$400,000.00 for acquisition of land adjoining Southeast Metro Park.

A Clarification of the previous Motion was made by Judge Biscoe that what this will do is set in motion the actions required for us to get the option, and whatever other documentation we need.

Maker accept the Friendly Amendment by Judge Biscoe to authorize Commissioner Gómez to sign the option when it is prepared.

Acceptance of the Friendly Amendment was made by Commissioner Gómez.

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

- A2.** APPROVE EXTENSION OF ADMINISTRATIVE LEAVE WITH PAY BEYOND FIVE DAYS FOR JUVENILE PROBATION EMPLOYEE, TO BE EXTENDED AN ADDITIONAL FIVE DAYS BEGINNING 8/22/01. EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOVT. CODE ANN. 551.071 AND 551.074. (5:43 PM) (6:28 PM)

Judge Biscoe announced that Item A2 would be considered in Executive Session.

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

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

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to adjourn the Voting Session. (6:28 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