

MINUTES – SEPTEMBER 4, 2001

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 4th day of September, 2001, the Commissioners' Court convened the regular Voting Session at 9:10 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 12:06 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation, (TCHFDC), convened the TCHFDC Voting Session at 1:41 PM and adjourned at 1:50 PM.

The Commissioners' Court, meeting as the Capital Industrial Development Corporation, (CIDC), convened the CIDC Voting Session at 1:50 PM and adjourned at 1:50 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC), convened the TCHFC Voting Session at 1:50 PM and adjourned at 1:52 PM.

The Commissioners' Court reconvened the Voting Session at 1:52 PM.

The Commissioners' Court retired to Executive Session at 2:12 PM.

The Commissioners' Court reconvened the Voting Session at 3:55 PM.

The Commissioners' Court adjourned the Voting Session at 3:59 PM.

RESOLUTIONS & PROCLAMATIONS

1. APPROVE RESOLUTION RECOGNIZING BILL PERRY AS LIAISON TO THE ASAP PROGRAM AND THE TRAVIS COUNTY JUVENILE PROBATION DEPARTMENT. (9:11 AM)

Members of the Court heard from: Bill Perry, Austin Independent School District (AISD) Assistant Director of Special Projects and Inter-Governmental Relations; Mel Waxler, Personnel Director, AISD; Bruce Elfant, Constable, Precinct 5; and Maria Conchola, Constable, Precinct 4.

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

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

2. APPROVE RESOLUTION DECLARING SEPTEMBER 2001 AS “FOOD SAFETY MONTH” IN TRAVIS COUNTY. (9:16 AM)

Members of the Court heard from: David Lurie, Director, Austin-Travis County Health and Human Services (A-TCHHS); and Mario Seminara, Manager, Environmental and Consumer Health Program.

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

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

CITIZENS COMMUNICATION

Members of the Court heard from: Kenneth Snyder, Northridge Acres Resident; and David Tucker, Private Citizen. (9:22 AM)

CONSENT ITEMS

- 3. Motion by Commissioner Gómez and seconded by Commissioner Sonleitner** to approve the following Consent Items: C1-C9, 15, 16, 17.A & B, 19, 20, 21, 22, 23, 24, 26.A & B, 28, 30, and 33. (9:39 AM)

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

- C1.** RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF JULY 10, 2001.
- C4.** APPOINT CLEO SCHNEIDER TO FILL THE UNEXPIRED TERM OF GLEN HARTMAN ON THE EMERGENCY SERVICES DISTRICT #1 (LAGO VISTA) BOARD EXPIRING DECEMBER 2002.
- C5.** APPROVE CONSTRUCTION AGREEMENT AND APPROVE A PLAT FOR RECORDING IN PRECINCT FOUR: BERDOLL FARMS PHASE TWO SECTION 3 A SMALL LOT SUBDIVISION - (LONG FORM PLAT – 132 LOTS – 20.305 ACRES – GILWELL DRIVE – FISCAL POSTED WITH CITY OF AUSTIN - SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN - COA ETJ.)
- C6.** APPROVE CONSTRUCTION AGREEMENT AND APPROVE A PLAT FOR RECORDING IN PRECINCT FOUR: BERDOLL FARMS PHASE ONE SECTION 3 - (LONG FORM PLAT – 63 LOTS – 13.766 ACRES – GILWELL DRIVE – FISCAL POSTED WITH CITY OF AUSTIN – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN – COA ETJ.)
- C7.** APPROVE A PUBLIC HEARING DATE OF SEPTEMBER 25, 2001 TO DISCUSS AND APPROVE AN ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A 25’ JOINT USE DRIVEWAY AND PUBLIC UTILITY EASEMENT IN REFERENCE TO THE RESUBDIVISION OF ANDERSON MILL WEST SECTION 19, A SUBDIVISION IN PRECINCT TWO.

CONSENT ITEMS CONTINUED

- C8.** APPROVE PLAT FOR RECORDING IN PRECINCT THREE: TIBURON HILLS - (SHORT FORM PLAT – 5 LOTS – 26.60 ACRES – BERTRAM LANE – NO FISCAL REQUIRED - SEWAGE SERVICE PROVIDED BY ON-SITE SEWAGE FACILITY-ETJ.)
- C9.** APPROVE SETTING A PUBLIC HEARING ON OCTOBER 9, 2001 ON THE FOLLOWING:
- A.** APPROVE THE CANCELLATION OF RIBERA CANYONS SUBDIVISION SECTION ONE.
 - B.** APPROVE THE TERMINATION OF THE PHASING AGREEMENT WITH BRE/BALDWIN MANAGEMENT LP., ESTABLISHING RESPONSIBILITIES RELATED TO THE CONSTRUCTION AND MAINTENANCE OF STREETS IN RIBERA CANYONS SUBDIVISION.
 - C.** APPROVE THE TERMINATION OF THE RIBERA CANYONS SUBDIVISION CONSTRUCTION AGREEMENT.
- C10.** APPROVE SETTING A PUBLIC HEARING ON OCTOBER 2, 2001 TO APPROVE THE CANCELLATION OF LAKECLIFF ON LAKE TRAVIS SECTION FOUR AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT THREE – LAKECLIFF ON LAKE TRAVIS SECTION THIRTEEN (LONG FORM PLAT – 18 LOTS – 10.347 ACRES – CLIFF CROSSING – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY LAKESIDE UTILITIES). (9:39 AM) (2:12 PM) (3:58 PM)

Item C10 pulled from Consent.

Judge Biscoe announced that Item C10 would be considered in Executive Session.

Discussion Only.

Item C10 to be reposted on September 11, 2001.

CONSENT ITEMS CONTINUED

- C11. A.** APPROVE SETTING A PUBLIC HEARING ON OCTOBER 9, 2001 TO DISCUSS AND APPROVE THE CANCELLATION OF LOT 1 BLOCK A, TRAVIS LAKESIDE PHASE ONE AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT THREE – LAKECLIFF ON LAKE TRAVIS SECTION EIGHT (LONG FORM PLAT – 12 LOTS – 17.084 ACRES – KAHALA SUNSET DRIVE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY LAKESIDE UTILITIES). (9:39 AM) (2:12 PM) (3:58 PM)
- B.** APPROVE SETTING A PUBLIC HEARING ON OCTOBER 9, 2001 TO DISCUSS AND APPROVE THE CANCELLATION OF LOT 1 BLOCK A, TRAVIS LAKESIDE PHASE ONE AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT THREE – LAKECLIFF ON LAKE TRAVIS SECTION NINE (LONG FORM PLAT – 8 LOTS – 6.063 ACRES – STABLEFORD COVE – FISCAL WITH TRAVIS COUNTY – SEWAGE SERVICE PROVIDED BY LAKESIDE UTILITIES).
- C.** APPROVE SETTING A PUBLIC HEARING ON OCTOBER 9, 2001 TO DISCUSS AND APPROVE THE CANCELLATION OF LOTS 1-7 BLOCK C, LAKECLIFF ON LAKE TRAVIS SECTION ONE AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT THREE – LAKECLIFF ON LAKE TRAVIS SECTION ELEVEN (LONG FORM PLAT – 43 LOTS – 16.684 ACRES – CLIFF POINT – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY LAKESIDE UTILITIES).

Items C11.A, B, and C are associated with one another and were called for concurrent discussion.

Items C11.A, B, and C pulled from Consent.

Judge Biscoe announced that Items C11.A, B, and C would be considered in Executive Session.

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez to approve Items C11.A, B, and 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

JUSTICE AND PUBLIC SAFETY ITEMS

4. AMEND THE ANTENNA LICENSE AGREEMENT BETWEEN TRAVIS COUNTY AND THE PARTIES TO THE 800 Mhz TRUNKED RADIO SYSTEM, DATED 7/17/2001 WITH A UTILITY EASEMENT FOR PROVIDING UTILITIES TO THE 800 Mhz TRUNKED RADIO PROJECT SYSTEM TOWER SITE AT THE COLLIER LAW ENFORCEMENT CENTER. (9:42 AM)

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

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

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

5. RECONSIDER MEMORANDUM OF UNDERSTANDING WITH THE CITY OF AUSTIN FOR TEMPORARY ALLOCATION OF 800 MHZ REGIONAL TRUNKED RADIO SYSTEM FREQUENCIES AND TAKE APPROPRIATE ACTION. (9:44 AM)

Members of the Court heard from: Teresa Reel, Manager, Emergency and Wireless Communications, JPS; and Gordon Bowman, Assistant County Attorney.

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

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

TRANSPORTATION & NATURAL RESOURCES DEPT ITEMS

6. A. CONSIDER PROPOSED BOND ELECTION ORDER, AND TAKE APPROPRIATE ACTION. (9:47 AM) (1:52 PM)
- B. CONSIDER BOND PROGRAM PUBLIC INFORMATION MATERIALS AND STRATEGY, AND TAKE APPROPRIATE ACTION. (9:47 AM)

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: Glenn Opal, Bond Counsel, Vinson and Elkins; Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); Susan Spataro, Travis County Auditor; and Christian Smith, Executive Manager, Planning and Budget Office (PBO).

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to approve the language changes that we have here before us today.

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

Item 6.B discussion only.

Item 6.B to be reposted on September 11, 2001.

7. **A.** APPROVE A PRELIMINARY PLAN IN PRECINCT THREE LAKECLIFF ON LAKE TRAVIS SECTIONS 7-14 PRELIMINARY PLAN. (PRELIMINARY PLAN – 127 LOTS – 267.661 ACRES – CLIFF POINT – SEWAGE SERVICE PROVIDED BY LAKESIDE UTILITIES. (11:00 AM) (2:12 PM) (3:58 PM)

- B.** APPROVE A PLAT FOR RECORDING IN PRECINCT THREE – LAKECLIFF ON LAKE TRAVIS SECTION SEVEN (SHORT FORM PLAT – 5 LOTS – 2.849 ACRES – KAHALA SUNSET DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY LAKESIDE UTILITIES).

Clerk's Note: Items 7.A and B are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 7.A and B would be considered in Executive Session.

No action necessary on Items 7.A and B.

Items 7.A and B to be reposted on September 11, 2001.

8. APPROVE TWO (2) CASH SECURITY AGREEMENTS WITH THE PARKE @ AM, L.P. FOR THE PURPOSE OF POSTING SIDEWALK FISCAL AND PERFORMANCE PERIOD FISCAL FOR ANDERSON MILL ROAD, BOUNDARY STREET TO THE PARKE AT ANDERSON MILL, A SUBDIVISION IN PRECINCT TWO. (11:05 AM)

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve Item 8.

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

PLANNING AND BUDGET DEPT ITEMS

9. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE: (11:00 AM)

- A. APPROVE GRANT APPLICATION TO THE TEXAS DIVISION OF EMERGENCY MANAGEMENT FOR THE EMERGENCY MANAGEMENT GRANT PROGRAM IN THE EMERGENCY SERVICES DEPARTMENT. THIS GRANT CONTINUES THE PROGRAM FOR ITS SIXTH YEAR.

Members of the Court heard from: Alan Miller, Planning and Budget Analyst, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 9.A.

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

- B. APPROVE GRANT APPLICATION WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION TO EXPAND THE DRUG COURT PROGRAM IN THE CRIMINAL COURTS. THIS GRANT IS TO EXPAND THE OPERATIONS OF THE EXISTING DRUG COURT PROGRAM. (11:01 AM)

Members of the Court heard from: Alan Miller, Planning and Budget Analyst, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 9.B.

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 9 CONTINUED

C. APPROVE GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE COMPREHENSIVE UNDERAGE DRINKING PREVENTION PROGRAM IN THE COUNTY ATTORNEY’S OFFICE. THIS GRANT CONTINUES THE PROGRAM FOR FY 2002 AND EXPANDS THE PARTICIPANTS TO INCLUDE A YOUNGER AGE GROUP. (11:01 AM)

Members of the Court heard from: Alan Miller, Planning and Budget Analyst, PBO.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 9.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

D. APPROVE GRANT CONTRACT WITH TEXAS DEPARTMENT OF PROTECTIVE AND REGULATORY SERVICES FOR FOSTER CARE MAINTENANCE IN THE HEALTH AND HUMAN SERVICES DEPARTMENT. THIS GRANT ALLOWS THE COUNTY TO COLLECT TITLE IV-E FOSTER CARE FUNDS FOR FY 2002. (11:02 AM)

Members of the Court heard from: Alan Miller, Planning and Budget Analyst, PBO.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve Item 9.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

ITEM 9 CONTINUED

- E. GRANT PERMISSION TO CONTINUE THE ST. JOHN'S SAFE SCHOOLS GRANT PROGRAM IN THE HEALTH AND HUMAN SERVICES DEPARTMENT. FUNDING FOR THIS PROGRAM HAS BEEN AUTHORIZED, BUT A FULLY EXECUTED CONTRACT WILL NOT BE IN PLACE PRIOR TO THE CURRENT GRANT'S EXPIRATION. (11:03 AM)**

Members of the Court heard from: Alan Miller, Planning and Budget Analyst, PBO.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 9.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

- F. GRANT PERMISSION TO CONTINUE THE FOLLOWING GRANT PROGRAMS IN THE TRAVIS COUNTY JUVENILE PROBATION DEPARTMENT:**

(11:04 AM)

- (1) TEXAS JUVENILE PROBATION COMMISSION OPERATIONAL FUNDING, STATE AID AND COMMUNITY CORRECTION GRANTS;**
- (2) CHILDREN'S PARTNERSHIP COMMUNITY RESOURCE COOPERATION GROUP COORDINATOR;**
- (3) OFFICE OF THE ATTORNEY GENERAL ACCESS AND VISITATION PROGRAM; AND**
- (4) OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION PROJECT SPOTLIGHT.**

Members of the Court heard from: Alan Miller, Planning and Budget Analyst, PBO.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Items 9.F(1), (2), (3), and (4).

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

10. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (11:06 AM)

Members of the Court heard from: Leroy Nellis, Budget Manager, PBO; Alicia Perez, Executive Manager, Administrative Operations; Susan Spataro, Travis County Auditor; and Roger El Khoury, Director, Facilities Management.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 10.

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

ADMINISTRATIVE OPERATIONS ITEMS

11. DISCUSS, APPROVE, AND TAKE APPROPRIATE ACTION FOR THE DESIGN AND CONSTRUCTION OF AN ARENA FLOOR UNDERGROUND DRAINAGE SYSTEM AT THE TRAVIS COUNTY EXPOSITION CENTER. (11:20 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Roger El Khoury, Director, Facilities Management; and Cyd Grimes, Travis County Purchasing Agent.

Motion by Commissioner Davis and seconded by Commissioner Gómez to approve Item 11.

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

12. CONSIDER COUNTY HEALTH AND HOSPITAL INSURANCE PLAN, AND TAKE APPROPRIATE ACTION. (11:37 AM)

Members of the Court heard from: Barbara Wilson, Assistant County Attorney.

Discussion Only.

Item 12 to be reposted on September 11, 2001.

13. A. APPROVE HOLIDAYS EFFECTIVE OCTOBER 1, 2001 THROUGH DECEMBER 31, 2002, IN ACCORDANCE WITH THE TRAVIS COUNTY CODE MANUAL, SECTIONS 10.043 HOLIDAYS AND 10.044 PERSONAL HOLIDAYS, RESPECTIVELY, AND TAKE APPROPRIATE ACTION. (9:11 AM)
- B. CONSIDER REQUEST TO ALLOW EMPLOYEES TO CARRY OVER A MAXIMUM OF 40 HOURS OF NON-DESIGNATED HOLIDAY TIME, ACCRUED FROM OCTOBER 1 THROUGH SEPTEMBER 30, FROM FY 2001 TO FY2002, AND TAKE APPROPRIATE ACTION.
- C. APPROVE REVISIONS TO THE TRAVIS COUNTY CODE, SECTION 10.043, HOLIDAYS, TO INCLUDE:
- (1) PROVISION TO ALLOW 16 HOURS OF NON-DESIGNATED HOLIDAY TIME TO CARRY OVER FROM FISCAL YEAR TO FISCAL YEAR;
- (2) ADD LANGUAGE THAT EXCEPTIONS MAY BE GRANTED BY THE COURT ON AN ANNUAL BASIS, NO LATER THAN SEPTEMBER 30 OF EACH FISCAL YEAR.

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

Items 13.A-C postponed until September 11, 2001.

14. APPROVE PERSONNEL AMENDMENTS. (11:26 AM)

Members of the Court heard from: Norman McRee, Budget/Process Improvement Analyst, Human Resources Management Department (HRMD); Carlotta Valdez Leavy, Senior HR Analyst, HRMD; Stephen Williams, Executive Manager, Travis County Health, Human Services, & Veterans' Services (TCHHS&VS); and Barbara Wilson, Assistant County Attorney.

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

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

PURCHASING OFFICE ITEMS

- 15.** APPROVE PUBLIC NOTICE OF THE EXISTENCE AND OPERATION OF THE TRAVIS COUNTY INDIGENT HEALTH CARE PROGRAM AND AUTHORIZE PUBLISHING. (9:39 AM)

Item 15 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 16.** APPROVE CONTRACT MODIFICATION NUMBER TWO TO CONTRACT NUMBER IL000041-TS, CITY OF AUSTIN PARKS AND RECREATION DEPARTMENT, FOR FUNDING OF THE JUMP ON IT PROGRAM. (9:39 AM)

Item 16 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 17.** APPROVE ORDER EXEMPTING COMPETITION AS REQUIRED IN THE COUNTY PURCHASING ACT (V.T.C.A. LOCAL GOVERNMENT CODE 262.023): (9:39 AM)

A. APPROVE SOLE SOURCE EXEMPTION FOR MAINTENANCE OF EASY-VOTE SOFTWARE WITH EASY ACCESS, INC.;

B. APPROVE MODIFICATION TO CONTRACT MA960322, EASY ACCESS, INC., FOR MAINTENANCE OF EASY-TAX-/EASY-VOTE APPLICATION SOFTWARE.

Clerk's Note: Items 17.A and B are associated with one another and were called for concurrent discussion.

Items 17.A and B added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 18. APPROVE THE USE OF A TEXACO FLEET MANAGEMENT ACCOUNT BY THE CAPITAL AREA NARCOTICS TASK FORCE. (SHERIFF’S OFFICE) (11:38 AM)**

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Bill Derryberry, Senior Planning and Budget Analyst, PBO; Susan Spataro, Travis County Auditor; Margo Frasier, Travis County Sheriff; and Lt. Paul Knight, Capitol Area Narcotics Task Force.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Item 18.

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

- 19. APPROVE PURCHASE OF TWO COMMAND VEHICLES FROM THE HOUSTON GALVESTON AREA COUNCIL, INTERLOCAL AGREEMENT, IL #98-98858; APPROVED ON 1/27/98. (JPS) (9:39 AM)**

Item 19 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 20. APPROVE CONTRACT MODIFICATION (MODIFICATION NO. 4) TO CONTRACT NO. 00T0046-OJ, WASTE MANAGEMENT OF TEXAS, FOR REFUSE COLLECTION; CONTRACT APPROVED ON 12/14/99. (9:39 AM)**

Item 20 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 21. APPROVE ASSIGNMENT OF CONTRACT (MODIFICATION NO. 5 TO CONTRACT NO. PS990019-LB) FROM COMPLIANCE CONSORTIUM CORPORATION TO ASSESSNET FOR DRUG AND ALCOHOL TESTING. (COUNTYWIDE) (9:39 AM)**

Item 21 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 22. APPROVE THE SOLE, SEALED BID RECEIVED FOR THE SALE OF LIGHT BARS. (FIXED ASSETS) (9:39 AM)**

Item 22 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 23.** APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 4) TO CONTRACT NO. 00T0038-RG, HOLDERS PEST CONTROL, FOR PEST CONTROL SERVICES; CONTRACT APPROVED ON 11/19/99. (FACILITIES) (9:39 AM)

Item 23 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 24.** APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 01T0039-RG, AAA FIRE AND SAFETY, FOR FIRE EXTINGUISHER SERVICES; CONTRACT APPROVED ON 11/28/00. (FACILITIES) (9:39 AM)

Item 24 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 25.** APPROVE CONTRACT MODIFICATION NO. 6 TO CONTRACT NO. PS000108-LB, RIMKUS CONSULTING GROUP, INC., FOR INDOOR AIR QUALITY AND FUNGI ASSESSMENT TESTING OF UNOCCUPIED OFFICE SPACE. (11:49 AM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 25.

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

- 26.** REJECT ALL BIDS RECEIVED FOR THE FOLLOWING: (9:39 AM)

A. IFB NO. B010091-LD, TRAVIS COUNTY EXPOSITION CENTER HVAC CHILLERS.

B. IFB NO. B010105-LD, TRAVIS COUNTY EXPOSITION CENTER HVAC AIR HANDLERS AND COOLING TOWERS.

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

Items 26.A and B added to Consent Items. Please refer to Agenda Item 3 (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. (11:51 AM)

No action necessary on Item 27.

- 28.** CONSIDER INSTALLATION OF DEPARTMENT OF PUBLIC SAFETY (DPS) SATELLITE DISH ANTENNAS AND BACKUP TELEPHONE LINES ON THE GAULT BUILDING AND OTHER RELATED SITES. (9:39 AM)

Item 28 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 29.** APPROVE ORDER DESIGNATING MAIN EARLY VOTING POLLING PLACE AND TEMPORARY BRANCH EARLY VOTING POLLING PLACES FOR THE NOVEMBER 6, 2001 CONSTITUTIONAL AMENDMENT ELECTION. (11:51 AM) (11:58 AM)

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the proposed order.

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

- 30.** APPROVE REQUEST FROM DISTRICT CLERK'S OFFICE FOR REFUND FOR JUROR'S PARKING TICKET. (9:39 AM)

Item 30 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

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.
(11:54 AM)

- 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.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve Items 31.A and B, with the proviso that Commissioner Sonleitner has put out there – that we want to revisit it if less than 50% of counties participate.

A Clarification of the previous Motion was made by Judge Biscoe that the Motion would obligate us to pay \$7,586.00, and we would expect CUC to update us after it receives some notice of action by the other urban counties.

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.
(1:59 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Item 32 with the changes just discussed.

Clerk's Note: The Court's discussion included changing the wording in Section 1.004(a) to read, "... identify themselves by name, and who, if anyone, or entity, they represent."

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

33. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:39 AM)

Item 33 added to Consent Items. Please refer to Agenda Item 3 (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

34. A. RECEIVE BRIEFING FROM COUNTY ATTORNEY'S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE PROGRAM, AND TAKE APPROPRIATE ACTION. ¹ (2:12 PM) (3:55 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 34.A and B are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 34.A and B would be considered in Executive Session.

No action required on Items 34.A and B.

35. RECEIVE BRIEFING FROM COUNTY ATTORNEY ON STATUS OF LEASE SPACE AT PRECINCT 3 JUSTICE OF THE PEACE AND CONSTABLE OFFICES. ¹ (2:12 PM) (3:55 PM)

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

Item 35 pulled from the Agenda.

36. DISCUSS LAND ACQUISITION FOR THE PROPOSED EAST METRO PARK, AND TAKE APPROPRIATE ACTION. ² (2:12 PM) (3:55 PM)

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

Motion by Commissioner Davis **and seconded by** Commissioner Gómez that we authorize TNR to continue to negotiate for land acquisition for the proposed East Metro Park, and that we also authorize the amount of \$200 for the possibility of option to purchase said property for the East Metro Park.

Maker accept the Friendly Amendment by Judge Biscoe to request that appropriate additional due diligence be done on the pipeline at that particular location, and they report back to us as soon as possible.

Acceptance of the Friendly Amendment was made by Commissioner Davis.

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

37. 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. ² (2:12 PM) (3:56 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Baxter to authorize Precinct 3 Commissioner Baxter to sign an appropriate title objection letter, as soon as it is prepared by the County Attorney's Office, and that that letter be sent by the County Attorney's Office to the owner of the property in question.

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

- 38.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN: J.C. CARTER V. TEXAS COMMISSION ON JAIL STANDARDS, ET AL. (CARTER; FRASIER; CIVIL RIGHTS) ¹ (2:12 PM) 3:57 PM)

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

Item 38 pulled from the Agenda.

- 39.** RECEIVE BRIEFING FROM COUNTY ATTORNEY, AUTHORIZE COUNTY ATTORNEY TO HIRE EXPERT(S), AND TAKE APPROPRIATE ACTION IN RICHARD VANDEVENTER “VAN” HARVEY V. TRAVIS COUNTY AND TRAVIS COUNTY CLERK DANA DEBEAUVOIR. ^{1 AND 3} (2:12 PM) (3:57 PM)

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

Item 39 pulled from the Agenda.

- 40.** RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING LONE STAR READY MIX ROAD REPAIR CONTRACT, AND TAKE APPROPRIATE ACTION. (GIESELMAN; SUBROGATION) ^{1 AND 2} (2:12 PM) (3:57 PM)

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

Item 40 postponed until September 11, 2001.

41. CONSIDER GRIEVANCE APPEAL OF ROBERT W. DAVIS, MEDICAL EXAMINER’S OFFICE INVESTIGATOR, AND TAKE APPROPRIATE ACTION. ³
(2:12 PM) (3:57 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to uphold the Grievance Panel’s decision, and that, whatever the vote is of this Court, that we notify Mr. Davis in writing as to the outcome and the actual vote of this Court.

Maker and Second accept the Friendly Amendment by Judge Biscoe to ask the County Attorney to prepare an appropriate, very, very brief letter for the Judge’s signature.

Acceptance of the Friendly Amendment was made by Commissioner Sonleitner and 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

42. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING RESALE OF PROPERTY OWNED BY LAGO VISTA INDEPENDENT SCHOOL DISTRICT AS PROVIDED FOR IN THE TEXAS PROPERTY TAX CODE AND TAKE APPROPRIATE ACTION. ^{1 AND 2} (2:12 PM) (3:58 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to authorize the County Judge to sign the resale deeds, contingent upon the information that we are seeking from the Tax Office that is relevant to this decision.

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

- 43.** RECEIVE BRIEFING FROM COUNTY ATTORNEY, AUTHORIZE COUNTY ATTORNEY TO HIRE EXPERT(S) IN DAVID M. GRASSBAUGH V. TRAVIS COUNTY, TEXAS, ET AL., AND TAKE APPROPRIATE ACTION. ¹ (2:12 PM)
(3:59 PM)

Judge Biscoe announced that Item 43 would be considered in Executive Session.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 43.

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.** RATIFY EXTENSION OF ADMINISTRATIVE LEAVE WITH PAY BEYOND FIVE DAYS FOR JUVENILE PROBATION EMPLOYEE, TO BE EXTENDED AN ADDITIONAL FIVE DAYS BEGINNING 8/29/01. EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOVT. CODE ANN. 551.071 AND 551.074. (2:12 PM)
(3:55 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the ratification.

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 Gómez to adjourn the Voting Session. (3:59 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