

## **MINUTES – SEPTEMBER 18, 2001**

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

On Tuesday, the 18<sup>th</sup> day of September, 2001, the Commissioners' Court convened the regular Voting Session at 9:12 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 retired to Executive Session at 11:15 AM.

The Commissioners' Court reconvened the Voting Session at 12:04 PM.

The Commissioners' Court recessed the Voting Session at 12:04 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC), called to order the Voting Session at 1:36 PM.

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

The Commissioners' Court adjourned the TCHFC and TCHFDC Voting Sessions at 1:44 PM.

The Commissioners' Court reconvened the Voting Session at 1:45 PM.

The Commissioners' Court retired to Executive Session at 2:39 PM.

The Commissioners' Court reconvened the Voting Session at 3:11 PM.

The Commissioners' Court adjourned the Voting Session at 3:21 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; Jimmy Castro, Private Citizen; and Alex Taylor, Private Citizen. (9:13 AM)

## CONSENT ITEMS

1. **Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to approve the following Consent Items: C1–C7, and Items 12, 16.A and B, 20, 21, 22, 23, 24, 26, 27.A-C, and 30. (9:25 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. APPROVE COMMISSIONERS COURT MINUTES FOR THE FOLLOWING VOTING SESSIONS:
  - A. AUGUST 14, 2001; AND
  - B. AUGUST 21, 2001.
- C4. REAPPOINT MR. DONALD DUMAS TO THE AUSTIN/TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION (ATC-MHMR) BOARD AS THE PRECINCT 2 APPOINTMENT FOR A TWO-YEAR TERM.
- C5. APPROVE SETTING A PUBLIC HEARING ON OCTOBER 23, 2001 TO APPROVE AN AMENDED PLAT FOR RECORDING IN PRECINCT THREE – AMENDED PLAT OF LOTS 10 AND 11, BLOCK B, SEVEN OAKS SECTION 2, PHASE 2 - (AMENDED PLAT – 2 LOTS – 6.211 ACRES – ATWATER COVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE FACILITY – CITY OF AUSTIN ETJ).

**CONSENT ITEMS CONTINUED**

- C6.** APPROVE SETTING A PUBLIC HEARING ON OCTOBER 23, 2001 TO APPROVE AN AMENDED PLAT FOR RECORDING IN PRECINCT THREE – AMENDED PLAT OF LOTS 2 AND 3, BLOCK B, SEVEN OAKS SECTION 2, PHASE 2 - (AMENDED PLAT – 2 LOTS – 5.93 ACRES – ATWATER COVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE FACILITY – CITY OF AUSTIN ETJ).
- C7.** APPROVE SETTING A PUBLIC HEARING ON OCTOBER 23, 2001 ON THE FOLLOWING:
- A.** APPROVE THE PARTIAL CANCELLATION OF LOTS 1 AND 25 BLOCK ‘H’, LOTS 1 AND 19-22, BLOCK ‘I’, LOTS 1-11 AND 26, BLOCK ‘K’ AND A PORTION OF BRIONA WOOD LANE R-O-W FROM ANDERSON MILL WEST SECTION 19.
  - B.** APPROVE A PLAT FOR RECORDING IN PRECINCT TWO – ANDERSON MILL WEST SECTION 19, RESUBDIVISION OF LOTS 1 AND 25 BLOCK ‘H’, LOTS 1 AND 19-22, BLOCK ‘I’, LOTS 1-11 AND 26, BLOCK ‘K’ - (LONG FORM PLAT – 22 LOTS – 8.131 ACRES – BRIONA WOOD LANE DRIVE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY WILLIAMSON/TRAVIS COUNTY MUD NO.1)
- 2.** APPROVE LICENSE AGREEMENT BETWEEN TRAVIS COUNTY AND KIDS EXCHANGE TO ALLOW COURT-ORDERED VISITATION EXCHANGE SERVICES AT THE OFFICES OF THE JUSTICE OF THE PEACE AND THE CONSTABLE OF PRECINCT THREE. (9:29 AM)

**Members of the Court heard from:** Jim Connolly, Assistant County Attorney; and Pat Ford, Real Estate Manager, Facilities Management.

Discussion Only.

## PLANNING AND BUDGET DEPT ITEMS

3. REVIEW PROPOSED FY 2002 BUDGET RULES AND TAKE APPROPRIATE ACTION. (9:30 AM)

**Members of the Court heard from:** Alan Miller, Planning and Budget Analyst, Planning and Budget Office (PBO); Christian Smith, Executive Manager, PBO; and Susan Spataro, Travis County Auditor.

**Motion by** Commissioner Sonleitner **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. APPROVE ORDER SETTING FEES TO BE CHARGED FOR SERVICES BY THE SHERIFF AND CONSTABLES IN FY 2002. (9:42 AM)

**Members of the Court heard from:** Leroy Nellis, Budget Manager, PBO; and Bill Derryberry, Senior Planning and Budget Analyst, PBO.

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

**A Division of the Vote was requested by** Commissioner Baxter on Item 4.

### First Division of the Vote:

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve all of the proposed fees, except for the alarm fee.

<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

## ITEM 4 CONTINUED

### Second Division of the Vote:

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the alarm fee of \$25-residential, \$50-commercial, and the false alarm fee.

<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

### 5. APPROVE COUNTY FINES AND FEES FOR FISCAL YEAR 2002. (9:45 AM)

**Members of the Court heard from:** Leroy Nellis, Budget Manager, PBO; Valerie Spinelli, Planning and Budget Analyst, PBO; Jim Connolly, Assistant County Attorney; and Diana Ramirez, Planning and Budget Analyst, PBO.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the proposed fees, contingent upon the County Attorney advising us this afternoon that they are legal; and, if they are not, we will reconsider.

<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

### 6. CONSIDER APPROVAL OF BROKER/ DEALER APPLICANTS FOR CONDUCTING INVESTMENT BUSINESS WITH TRAVIS COUNTY, AND TAKE APPROPRIATE ACTION. (9:28 AM)

**Motion by Judge Biscoe and seconded by Commissioner Baxter** to approve the recommended Broker/Dealers.

<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

7. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:54 AM)

**Members of the Court heard from:** Jessica Rio, Planning and Budget Analyst, PBO; Alan Miller, Planning and Budget Analyst, PBO; Leroy Nellis, Budget Manager, PBO; and The Honorable John Dietz, Judge, 250<sup>th</sup> District.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Item 7, including the add-ons.

<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

8. CONSIDER ROLLOVER OF FUNDING FOR CAPITAL AREA WORKFORCE DEVELOPMENT BOARD FROM FISCAL YEAR 2001 TO FISCAL YEAR 2002, AND TAKE APPROPRIATE ACTION. (10:07 AM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to roll the funds over, release the encumbrance, and instead of having those funds dropped to ending fund balance, be re-budgeted in a workforce development line item, for the ability to use them.

**A Clarification of the previous Motion was made by** Judge Biscoe that we would roll this over into the Reagan High School Capital Area Training Foundation project.

<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

9. APPROVE ASSIGNMENT OF THE FAIRWAYS OF BLACKHAWK LICENSE AGREEMENT AND ITS ACCOMPANYING SECURITY DEPOSIT TO THE CITY OF PFLUGERVILLE DUE TO ANNEXATION. (9:12 AM)

Item 9 pulled from Agenda.

10. CONSIDER APPROVAL OF CANDIDATE PROJECTS FOR FY 2003-2004 SURFACE TRANSPORTATION PROGRAM (STP 4C) TO BE SUBMITTED TO CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION POLICY ADVISORY COMMITTEE. (10:10 AM)

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

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Baxter to approve the candidate projects – the two that are directly our application, and the other two, 183 and 290, where we are in support of things that are not in our jurisdiction, but we think are part of a successful regional network.

**An Addition to the previous Motion was made by** Commissioner Sonleitner that we would also urge that the City of Austin reapply for STP-4C assistance on the 290 West and 183 South projects.

<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 SCHEDULING OF PERIODIC COMMISSIONERS COURT SESSIONS TO DISCUSS CAMPO ISSUES, AND TAKE APPROPRIATE ACTION. (10:35 AM)

**Members of the Court heard from:** Elaine Wray, Planning Program Manager, TNR.

**Motion by** Judge Biscoe **and seconded by** Commissioner Baxter to indicate the Commissioners' Court's intention to discuss CAMPO issues every other month, 2 weeks before the next Monday meeting, and any and all appropriate issues.

<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

12. APPROVE SECOND AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN TRAVIS COUNTY AND THE CITY OF AUSTIN IMPLEMENTING THE BALCONES CANYONLANDS CONSERVATION PLAN-SHARED VISION. (9:25 AM)

Item 12 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

13. APPROVE A VARIANCE FROM SECTION 82.302 (e)(2) OF THE TRAVIS COUNTY "STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS" IN PRECINCT THREE: SEVEN OAKS, SECTION 5. (10:38 AM)

**Members of the Court heard from:** Robert Goode, Division Director, Planning and Engineering Services, TNR; Tom Nuckols, Assistant County Attorney; and Joe Gieselman, Executive Manager, TNR.

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

<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



14. APPROVE A VARIANCE FROM THE SUBDIVISION APPLICATION FEES AND APPROVE A PLAT FOR RECORDING IN PRECINCT ONE: JOHN MORROW SUBDIVISION – (SHORTFORM – NO FISCAL – 5 LOTS – 40.815 ACRES – TRAVIS COUNTY OSSF – CAMERON ROAD – NOT ETJ). (10:55 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; and Robert Goode, Division Director, Planning and Engineering Services, TNR.

Discussion Only.

Item 14 to be reposted on September 25, 2001.

### ADMINISTRATIVE OPERATIONS ITEMS

15. CONSIDER COUNTY HEALTH AND HOSPITALIZATION PLAN AND TAKE APPROPRIATE ACTION, INCLUDING: (1:46 PM)
- A. APPROVE THE FOLLOWING CONTRACTS WITH UNITED HEALTHCARE INSURANCE COMPANY AND ITS SUBSIDIARIES:
1. ADMINISTRATIVE SERVICES AGREEMENT
  2. CUSTOMER REPORTING SYSTEM INTERNET ACCESS AGREEMENT
  3. POLICY NUMBER GA-701254AL FOR SPECIFIC AND AGGREGATE STOP LOSS COVERAGE
  4. COBRA ADMINISTRATIVE SERVICES AGREEMENT (WHICH INCLUDES RETIREE BILLING)

**Clerk's Note:** Items 15.A1-4 are associated with one another and were called for concurrent discussion.

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

**ITEM 15 CONTINUED**

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the Administrative Services Agreement.

**A Clarification of the previous Motion was made by Commissioner Sonleitner** that it includes with it, the authorization for the \$364,285.00 loan.

<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

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the Customer Reporting System.

<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

Item 15.A3 – Discussion Only.

Item 15.A3 to be reposted on September 25, 2001.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve Item 15.A4.

<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

**ITEM 15 CONTINUED**

**B. APPROVE THE FOLLOWING CONTRACTS WITH UNUM LIFE INSURANCE COMPANY OF AMERICA AND ITS SUBSIDIARIES: (2:06 PM)**

- 1. SERVICES AGREEMENT**
- 2. APPLICATION FOR PARTICIPATION IN THE SELECT GROUP INSURANCE TRUST FOR GROUP LIFE BENEFITS AND GROUPS ACCIDENTAL DEATH AND DISMEMBERMENT BENEFITS.**
- 3. POLICY FOR GROUP LIFE BENEFITS AND GROUPS ACCIDENTAL DEATH AND DISMEMBERMENT BENEFITS.**
- 4. APPLICATION FOR GROUP INSURANCE FOR GROUP LONG TERM DISABILITY BENEFITS**
- 5. POLICY FOR GROUP LONG TERM DISABILITY BENEFITS**

**Clerk's Note:** Items 15.B1-5 are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Dan Mansour, Risk Manager, HRMD.

Discussion Only.

Items 15.B1-5 to be reposted on September 25, 2001.

**C. APPROVE AMENDMENT OF CONTRACT WITH CERIDIAN BENEFIT SERVICES, INC. FOR ADMINISTRATIVE SERVICES FOR FLEXIBLE SPENDING PLAN. (2:06 PM)**

**Members of the Court heard from:** Cindy Purinton, Benefit Contract Administrator, HRMD; Barbara Wilson, Assistant County Attorney; Susan Spataro, Travis County Auditor; and Alicia Perez, Executive Manager, Administrative Operations.

Discussion Only.

Item 15.C to be reposted on September 25, 2001.

16.    **A. REVIEW AND APPROVE TUITION REFUNDS FOR EMPLOYEES WHO HAVE COMPLETED CLASSES IN ACCORDANCE WITH TUITION REIMBURSEMENT POLICY §10.021. (9:25 AM)**
- B. APPROVE REQUISITION AND AUTHORIZE THE COUNTY AUDITOR AND TREASURER’S OFFICE TO REIMBURSE THOSE CERTAIN EMPLOYEES.**

**Clerk’s Note:** Items 16.A and B are associated with one another and were called for concurrent discussion.

Items 16.A and B added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court’s Motion and Vote.

17.    **A. 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. (11:15 AM) (2:17 PM) (2:39 PM)**
- B. APPROVE REVISIONS TO THE TRAVIS COUNTY CODE, SECTION 10.043, HOLIDAYS, TO INCLUDE PROVISION FOR THE COMMISSIONERS COURT TO SET THE NUMBER OF HOURS OF NON-DESIGNATED HOLIDAY TIME EARNED DURING THE NEXT FISCAL YEAR THAT CAN BE CARRIED OVER TO THE FOLLOWING FISCAL YEAR.**

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

Judge Biscoe announced that Items 17.A and B would be considered in Executive Session.

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Dan Richards, Chief Deputy, Travis County Sheriff’s Office (TCSO); Charles Vaughn, Chief Assistant County Auditor, Travis County Auditor’s Office; Barbara Wilson, Assistant County Attorney; Linda Moore Smith, Director, HRMD; and David Escamilla, First Assistant County Attorney.

**ITEM 17 CONTINUED**

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to: A) authorize the County Attorney to prepare the appropriate one-page claim form, that allows employees who have accrued a maximum of 40 hours of non-designated holiday time that they have not used, so they can complete the claim form, submit that to their manager, who in turn can submit it to the Travis County Commissioners' Court, for us to review those cases on a case-by-case basis, and take the appropriate action. It would help for the bottom part of that form to indicate a specific settlement of the claim; and B) that the County Attorney work with the Human Resources Department to draft appropriate language to enable us to deal with this issue next year, in such way that we do not end up with outstanding issues toward the end of the year.

**A Clarification of the previous Motion was made by Judge Biscoe** that the second part, we intended to indicate our flexibility, but it does seem to us that we need to encourage employees to figure out a way to creatively use that time, or to do their time sheets in such a manner that they end up saving vacation, or, one or the other, needs that we can roll over, and vacation may be the only one. The first part is to indicate that the only way to help employees who have earned and accrued this overtime to date, is through a claim process, but we can put in place a policy to be applied prospectively, to hopefully, keep it from coming up next year.

**Maker accept the Friendly Amendment by Commissioner Sonleitner** that, also, tied in to the preparation of that claim, that we make it clear, same as last year, that if somebody does carry over, and for whatever reason, they sever their employment with Travis County, that there is a maximum of 16 hours that they are eligible to be paid off in the calculation of their final check. That would be consistent with what we have done in previous years – that you are allowed to carry over 40, but when it comes to final payout, 16 is the max, and the employee acknowledges that, in case they leave employment early.

**Acceptance of the Friendly Amendment was made by Judge Biscoe.**

**Maker accept the Friendly Amendment by Commissioner Davis** that holiday pay must be exhausted, because it is the intent of this Motion to ensure that it is not revisited again in this magnitude.

**Acceptance of the Friendly Amendment was made by Judge Biscoe.**

**Maker accept the Friendly Amendment by Commissioner Sonleitner** that this applies to all Travis County employees, and not simply one department. This is everyone.

**Acceptance of the Friendly Amendment was made by Judge Biscoe.**

**ITEM 17 CONTINUED**

<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

Items 17.A and B to be reposted on September 25, 2001.

**18. REVIEW AND APPROVE THE FOLLOWING LIABILITY CLAIM  
RECOMMENDATION: (11:06 AM) (11:15 AM) (2:38 PM)**

**A. JAMES C. BROWN – SETTLE**

**Members of the Court heard from:** Dan Mansour, Risk Manager, HRMD; Bill Patterson, Risk Specialist, HRMD; Sherine Thomas, Assistant County Attorney; and Michelle Brinkman, District Clerk's Office.

Judge Biscoe announced that Item 18.A would be considered in Executive Session.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to authorize Staff to go ahead and pay the right James C. Brown whatever he is entitled to.

**A Clarification of the previous Motion was made by** Commissioner Sonleitner to expedite the cutting of that check.

<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

**19. APPROVE PERSONNEL AMENDMENTS. (1:45 PM)**

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Item 19.

<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

**PURCHASING OFFICE ITEMS**

- 20.** APPROVE PURCHASE OF ONE AMBULANCE FROM THE HOUSTON GALVESTON AREA COUNCIL; INTERLOCAL AGREEMENT, IL #98-98858; APPROVED ON 1/27/98. (JPS) (9:25 AM)

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

- 21.** APPROVE PURCHASE OF MOBILE DATA WORKSTATIONS, OFF STATE CATALOG (QISV) FROM MOTOROLA. (EMERGENCY SERVICES) (9:25 AM)

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

- 22.** APPROVE CONTRACT MODIFICATION NUMBER 1 (NO. PS 010063), CLEAN INVESTMENT COUNSELING CENTERS, SUBSTANCE ABUSE COUNSELING AND TREATMENT PROGRAM SERVICES. (JUVENILE PROBATION. (9:25 AM)

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

- 23.** APPROVE CONTRACT MODIFICATION NUMBER 1 (NO. PS 010064), CHOOSING HOW I LIVE LIFE, SUBSTANCE ABUSE COUNSELING AND TREATMENT PROGRAM SERVICES. (JUVENILE PROBATION) (9:25 AM)

Item 23 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- 24.** APPROVE MODIFICATION NO. 6 TO CONTRACT NO. PS990019-LB WITH ASSESSNET FOR DRUG AND ALCOHOL TESTING (COUNTYWIDE) (9:25 AM)

Item 24 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- 25.** APPROVE PRICE INCREASES FOR VARIOUS VENDING MACHINE ITEMS (MODIFICATION NO. 4) TO CONTRACT NO. 98T0260-LD, SAWYER VENDING SERVICE, FOR CAFETERIA AND VENDING MACHINE CONCESSION SERVICES; CONTRACT APPROVED ON 9/1/98. (11:12 AM)

**Members of the Court heard from:** Frank Holder, Assistant Purchasing Agent.

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

**Motion carried:**

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

- 26.** APPROVE CONTRACT AWARD FOR STREET SWEEPERS, IFB NO. B010102-EH, TO THE LOW AND RESPONSIVE BIDDER, COOPER EQUIPMENT CO. (TNR) (9:25 AM)

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

- 27.** APPROVE 12-MONTH EXTENSIONS (MODIFICATION NO. 1) TO THE FOLLOWING CONTRACTS FOR TELEPHONE EQUIPMENT; CONTRACTS APPROVED ON 10/6/00. (9:25 AM)

**A.** CONTRACT NO. 01T0004-RG, SOUTHWEST CENTURY;

**B.** CONTRACT NO. 01T0005-RG, AERO-TECH COMMUNICATIONS; AND

**C.** CONTRACT NO. 01T0006-RG, ALLTEL COMMUNICATIONS.

**Clerk's Note:** Items 27.A-C are associated with one another and were called for concurrent discussion.

Items 27.A-C added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.



## OTHER ITEMS

- 28.** DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (3:18 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to approve Modification No. 5 to Wheeler Coating's hot mix overlay contract in the amount of \$39,187.00.

<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

- 29.** CONSIDER REQUEST FROM EAST SIDE CHURCH OF CHRIST TO WAIVE PENALTY AND INTEREST ON 1999 TAXES IN THE AMOUNT OF \$4,103.15, AND TAKE APPROPRIATE ACTION. (9:13 AM)

No action necessary on Item 29.

- 30.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:25 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> (11:15 AM) (2:15 PM)**
- B. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION REGARDING FLUOR DANIEL, INC. V. TRAVIS, 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.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to authorize the County Attorney’s Office to draft an appropriate letter to contractors with claims against Travis County, encouraging them to negotiate with us, and indicating that we will file suit if necessary, to resolve these matters, and that that letter be mailed whenever appropriate.

<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

- 32. 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. <sup>2</sup> (11:15 AM) (2:15 PM)**

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

No action necessary on Item 32.

33. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING LONE STAR READY MIX ROAD REPAIR CONTRACT, AND TAKE APPROPRIATE ACTION. (GIESELMAN; SUBROGATION) <sup>1 AND 2</sup> (11:16 AM)

No action necessary on Item 33.

Item 33 to be reposted on September 25, 2001.

34. RECEIVE BRIEFING AND DISCUSS PROPOSED TEXAS ORGANIC RECYCLERS PROJECTS NEAR JACOBSEN ROAD AND LINDEN ROAD INTERSECTION IN PRECINCT FOUR AND TAKE APPROPRIATE ACTION. <sup>1</sup> (9:13 AM)

Item 34 postponed until September 25, 2001.

35. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN LAKE TRAVIS INDEPENDENT SCHOOL DISTRICT V. CRAZY HORSE LAND CORPORATION AND TAKE APPROPRIATE ACTION. <sup>1</sup> (11:15 AM) (2:16 PM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Baxter to authorize the County Judge to sign the prepared tax resale deed to James Bellevue.

<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

- 36.** RECEIVE BRIEFING FROM COUNTY ATTORNEY, AUTHORIZE COUNTY ATTORNEY TO HIRE EXPERT(S) IN RAYMOND GRAY IN TRAVIS COUNTY V. PETER VON WUPPERFELD, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (11:15 AM) (2:16 PM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Baxter to authorize the County Attorney to hire Raymond Gray to assist Travis County in this litigation.

<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

- 37.** APPROVE PURCHASE OF LAND FROM PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT FOR THE EXTENSION OF WELLS BRANCH PARKWAY IN PRECINCT TWO, AND TAKE APPROPRIATE ACTION. <sup>2</sup> (11:15 AM) (2:16 PM)

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

Item 37 pulled from the Agenda.

38. DISCUSS AND APPROVE TERMINATION OF LETTER AGREEMENT WITH TOMEN-PARKE ASSOCIATES, LTD. FOR THE APPROVAL AND ACQUISITION OF THE FOLLOWING: <sup>1 AND 2</sup> (11:15 AM) (2:16 PM)
- A. SPECIAL WARRANTY DEED FOR LOT 3, BLOCK A, GRANDVIEW HILLS SECTION 11A;
  - B. SPECIAL WARRANTY DEED FOR LOT 2, BLOCK A, GRANDVIEW HILLS SECTION 11B;
  - C. CONSERVATION EASEMENT AND FENCING AGREEMENT FOR A 145.458 ACRE TRACT OF LAND, BEING A PORTION OF LOT 1, BLOCK A, GRANDVIEW HILLS SECTION 9;
  - D. CONSERVATION EASEMENT AND FENCING AGREEMENT FOR A 1.969 ACRE TRACT OF LAND AND A 1.626 ACRE TRACT OF LAND, BOTH TRACTS COMPRISING A PORTION OF LOT 2, BLOCK A, GRANDVIEW HILLS SECTION 11A; AND
  - E. CONSERVATION EASEMENT AND FENCING AGREEMENT FOR A 8.135 ACRE TRACT OF LAND, BEING A PORTION OF LOT 1, BLOCK A, GRANDVIEW HILLS SECTION 11B.

**Clerk's Note:** Items 38.A-E are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 38.A-E would be considered in Executive Session.

No action necessary on Items 38.A-E.

## ADJOURNMENT

**Motion by** Commissioner Davis **and seconded by** Judge Biscoe to adjourn the Voting Session.  
(3:21 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**