

MINUTES – OCTOBER 30, 2001

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 30th day of October, 2001, the Commissioners' Court convened the regular Voting Session at 9:05 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 Melissa Velasquez.

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

The Commissioners' Court reconvened the Voting Session at 1:32 PM.

The Commissioners' Court retired to Executive Session at 2:44 PM.

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

The Commissioners' Court adjourned the Voting Session at 4:04 PM.

The Commissioners' Court record notes that County Judge Samuel T. Biscoe was not present during this Voting Session.

ADDITIONAL MOTION AND VOTE

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez to authorize Commissioner Sonleitner to sign on the County Judge's behalf.

Motion carried:	County Judge Samuel T. Biscoe	absent
	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

PUBLIC HEARINGS

1. DISCUSS A RESUBDIVISION PLAT FOR RECORDING IN PRECINCT THREE – RESUBDIVISION OF LOT 3, LAKE COUNTRY ESTATES SUBDIVISION – SECTION 2 – (RESUBDIVISION PLAT – 2 LOTS – 10.205 ACRES – SERENE HILLS DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – CITY OF LAKEWAY ETJ). (COMMISSIONER BAXTER) (9:06 AM)

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez to open the public hearing.

Motion carried: County Judge Samuel T. Biscoe	absent
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); George Schleifer-Cances, Owner of the lots in question; Artie Burn, Property owner; Brad MacRay, Property owner; Jim Bryant, Property owner; and Lewis Lux, Property owner.

Motion by Commissioner Baxter **and seconded by** Commissioner Davis to close the public hearing.

Motion carried: County Judge Samuel T. Biscoe	absent
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 Agenda Item 12. Please refer to Agenda Item 12 for the Court's Motion and Vote.

2. DISCUSS PROPOSED STREET NAME ASSIGNMENT FOR AN UNNAMED PRIVATE ROAD & AN EASEMENT IN HAMMETT’S CROSSING SUBDIVISION TO “HAMMETT’S CROSSING” & “NICHOLSON BLUFF COVE” IN PRECINCT 3. (COMMISSIONER BAXTER) (9:38 AM)

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez to open the public hearing.

Motion carried: County Judge Samuel T. Biscoe	absent
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, TNR.

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez to close the public hearing.

Motion carried: County Judge Samuel T. Biscoe	absent
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 2 is Agenda Item 13. Please refer to Agenda Item 13 for the Court’s Motion and Vote.

3. DISCUSS AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF A DRAINAGE EASEMENT ON LOT 2 BLOCK E AND ALL OF THE DRAINAGE EASEMENT ON LOT 4 BLOCK E, DESSAU BUSINESS PARK SECTION TWO, A SUBDIVISION IN PRECINCT 2. (COMMISSIONER SONLEITNER) (9:39 AM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to open the public hearing.

Motion carried: County Judge Samuel T. Biscoe	absent
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, TNR.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to close the public hearing.

Motion carried: County Judge Samuel T. Biscoe	absent
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 3 is Agenda Item 14. Please refer to Agenda Item 14 for the Court's Motion and Vote.

**4. DISCUSS ADOPTION OF A SOLID WASTE SITING ORDINANCE.
(COMMISSIONER DAVIS AND JUDGE BISCOE) (9:40 AM)**

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to open the public hearing.

Motion carried: County Judge Samuel T. Biscoe	absent
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, TNR; John Kuhl, Natural Resources Program Manager, TNR; Willie Rose, Director, Solid Waste, City of Austin; Glen Masterson, Representing Waste Management; Scott Winery, Division Manager, Waste Management; Ms. English, President, Northeast Action Group; Joyce Thoresen, Walnut Place Neighborhood Association; David Samuelson, Blackland Prairie Concerned Citizens; Mark Rose, BFI; Paul Gosseling, Attorney, Representing BFI; and Bill Davis, Manager, BFI.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to close the public hearing.

Motion carried: County Judge Samuel T. Biscoe	absent
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 4 is Agenda Item 15. Please refer to Agenda Item 15 for the Court's Motion and Vote.

RESOLUTIONS & PROCLAMATIONS

5. APPROVE RESOLUTION RECOGNIZING NOVEMBER 11, 2001 AS VETERANS' DAY IN TRAVIS COUNTY. (11:00 AM)

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

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

Motion carried: County Judge Samuel T. Biscoe	absent
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

6. **Members of the Court heard from:** Jimmy Castro, Private Citizen. (11:05 AM)

CONSENT ITEMS

- 7. Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C4, and Items 13, 14, 18.A and B, 19, 21, 24, 25, 26, 27, 28, 29.A and B, 38, 39, and 40. (11:08 AM)

Motion carried:	County Judge Samuel T. Biscoe	absent
	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 PLAT FOR RECORDING IN PRECINCT THREE: LOS ROBLES - (SHORT FORM PLAT – 2 LOTS - 40.094 ACRES - SH 71 - NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY LCRA - BEE CAVE ETJ).
- C4.** APPROVE SETTING A PUBLIC HEARING DATE OF DECEMBER 4, 2001 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 525-527 AND LOTS 1295-1299, APACHE SHORES, SECTION 2 (AMENDED PLAT - 2 LOTS – 2.303 ACRES – HUNTERS PASS AND LITTLE BEAVER TRAIL, RESPECTIVELY – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – CITY OF AUSTIN ETJ).
- 8.** UPDATE ON STATUS OF 2001 COMBINED CHARITIES CAMPAIGN. (11:22 AM)

Members of the Court heard from: Cecelia Burke, Domestic Relations Office; and David Escamilla, First Assistant County Attorney.

Discussion Only.

Item 8 to be reposted on November 6, 2001.

TRANSPORTATION & NATURAL RESOURCES DEPT ITEMS**9. DISCUSS MANAGEMENT OF 2001 BOND PROGRAM AND TAKE APPROPRIATE ACTION. (1:33 PM)**

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Cyd Grimes, Travis County Purchasing Agent.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis that we authorize TNR to productively use the time between now and the Election, to begin work on an RFP, concentrating over the next week on the things that seem to be common to the multiple approaches that have been offered to us, so that we have the maximum flexibility. But, to basically use the next 7 days productively; and, we will give further instructions if indeed the Bonds pass, and perhaps we would want to narrow our scope, or not, after we find out what the voters decide; and to give further instructions, but to basically use the next 7 days productively.

Motion carried: County Judge Samuel T. Biscoe	absent
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: Commissioner Sonleitner stated that all appropriate parties should be included in terms of giving the Court the proper advice.

Item 9 to be reposted on November 13, 2001.

10. DISCUSS PROPOSED DRAFT OZONE AIR QUALITY PLAN (O₃ FLEX PLAN), AND TAKE APPROPRIATE ACTION. (1:44 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Tom Nuckols, Assistant County Attorney; and Elaine Wray, TNR.

Discussion Only.

11. APPROVE CONTRACT AMENDMENT TO THE AGREEMENT WITH THE CLEAN AIR FORCE OF CENTRAL TEXAS (CAF) TO FUND ADMINISTRATIVE POSITIONS AND PROGRAMS. (COMMISSIONER DAVIS) (2:11 PM)

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

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

Motion carried: County Judge Samuel T. Biscoe	absent
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

12. APPROVE A RESUBDIVISION PLAT FOR RECORDING IN PRECINCT THREE – RESUBDIVISION OF LOT 3, LAKE COUNTRY ESTATES SUBDIVISION – SECTION 2 – (RESUBDIVISION PLAT – 2 LOTS – 10.205 ACRES – SERENE HILLS DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – CITY OF LAKEWAY ETJ). (COMMISSIONER BAXTER) (11:38 AM) (2:44 PM) (3:55 PM)

Clerk's Note: Item 12 is the action Item for Item 1.

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Lee Heckman, TNR; Tom Nuckols, Assistant County Attorney; and George Schleifer-Cances, Owner.

Commissioner Sonleitner announced that Item 12 would be considered in Executive Session.

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez to approve the resubdivision plat, with the plat note that would prevent any further subdivision of those two lots.

Motion carried: County Judge Samuel T. Biscoe	absent
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 PROPOSED STREET NAME ASSIGNMENT FOR AN UNNAMED PRIVATE ROAD AND AN EASEMENT IN HAMMETT’S CROSSING SUBDIVISION TO “HAMMETT’S CROSSING” AND “NICHOLSON BLUFF COVE”, IN PRECINCT THREE. (COMMISSIONER BAXTER) (11:08 AM)

Clerk’s Note: Item 13 is the action Item for Item 2.

Clerk’s Note: Item 13 added to Consent Items. Please refer to Agenda Item 7 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 14.** APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF A DRAINAGE EASEMENT ON LOT 2 BLOCK E AND ALL OF THE DRAINAGE EASEMENT ON LOT 4 BLOCK E, DESSAU BUSINESS PARK SECTION TWO, A SUBDIVISION IN PRECINCT TWO. (COMMISSIONER SONLEITNER) (11:08 AM)

Clerk’s Note: Item 14 is the action Item for Agenda Item 3.

Clerk’s Note: Item 14 added to Consent Items. Please refer to Agenda Item 7 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 15.** CONSIDER ADOPTION OF A SOLID WASTE SITING ORDINANCE, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS AND JUDGE BISCOE) (12:01 PM) (2:44 PM) (3:57 PM)

Clerk’s Note: Item 15 is the action Item for Item 4.

Commissioner Sonleitner announced that Item 15 would be considered in Executive Session.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez that we allow this particular Item to appear on the Agenda next week, in order to continue to gather input from the parties that were here this morning, and probably other parties, who were a part of this particular ordinance process; and to encourage written comments from the parties that have been participating in this process for record keeping.

Motion carried:	County Judge Samuel T. Biscoe	absent
	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 15 to be reposted on November 6, 2001.

16. APPROVE A PRELIMINARY PLAN IN PRECINCT THREE: BARTON CREEK SECTION H, PRELIMINARY PLAN (PRELIMINARY PLAN – 139 LOTS – 212.01 ACRES - TRAVIS COOK ROAD - SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY MUDs NO. 3, 4, AND 5. (COMMISSIONER BAXTER) (11:51 AM)

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

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez to approve the preliminary plan in Item 16.

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

17. APPROVE THE USE OF ALTERNATIVE FISCAL FOR TWIN CREEKS COUNTRY CLUB SECTION 4, A SUBDIVISION IN PRECINCT TWO. (COMMISSIONER SONLEITNER) (12:04 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 17.

Motion carried: County Judge Samuel T. Biscoe	absent
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

18. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE. (11:08 AM)

A. APPROVE RENEWAL OF GRANT APPLICATION WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR FOOD AND SHELTER GRANT FUNDS TO CONTINUE THE PROGRAM IN FY'02 FOR HEALTH AND HUMAN SERVICES DEPARTMENT.

B. APPROVE GRANT CONTRACT WITH THE TEXAS DEPARTMENT ON AGING FOR A RETIRED SENIOR CITIZENS VOLUNTEER PROGRAM GRANT TO CONTINUE THE PROGRAM IN FY'02 FOR HEALTH AND HUMAN SERVICES DEPARTMENT.

Clerk's Note: Items 18.A and B added to Consent Items. Please refer to Agenda Item 7 (CONSENT ITEMS) for the Court's Motion and Vote.

19. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (11:08 AM)

Clerk's Note: Item 19 added to Consent Items. Please refer to Agenda Item 7 (CONSENT ITEMS) for the Court's Motion and Vote.

ADMINISTRATIVE OPERATIONS ITEMS

- 20. APPROVE CHANGES TO SPACE ALLOCATION FOR UNIVERSITY SAVINGS BUILDING AND TAKE APPROPRIATE ACTION. (2:13 PM)**

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez that the Court formally approve the line up of who goes into the USB (HRMD, Facilities, TNR Parks, and a much smaller space related to EMS), which adds, basically, Facilities Management.

Motion carried: County Judge Samuel T. Biscoe	absent
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

- 21. APPROVE PAYROLL STUFFER TO ANNOUNCE UNITED HEALTHCARE AS TRAVIS COUNTY EMPLOYEE HEALTHCARE FUND ADMINISTRATOR, EFFECTIVE OCTOBER 1, 2001; PROVIDE EMPLOYEES SELF-SERVICE WEBSITE ACCESS INFORMATION, AND TAKE APPROPRIATE ACTION. (11:08 AM)**

Clerk's Note: Item 21 added to Consent Items. Please refer to Agenda Item 7 (CONSENT ITEMS) for the Court's Motion and Vote.

22. REVIEW AND APPROVE THE FOLLOWING PROPERTY AND LIABILITY CLAIM RECOMMENDATIONS: (2:19 PM) (2:44 PM) (4:04 PM)

- A. T.C.S.O. UNIT 9909 - SETTLE**
- B. T.N.R. UNIT 2012 - SETTLE**
- C. MICHAEL WALL - COMPROMISE**
- D. STEPHEN SPARKS – DENY**
- E. MARK DEMPSEY - DENY**

Clerk's Note: Items 22.A, B, C, D, and E are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Dan Mansour, Risk Manager, Human Resources Management Department (HRMD); Sherine Thomas, Assistant County Attorney; and Mark Dempsey, Private Citizen.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the claims as recommended by Staff, Items 22.A, B, C, and D, excluding Item 22.E.

Maker accept the Friendly Amendment by Commissioner Sonleitner to add that on Item 22.C to designate Commissioner Sonleitner to sign the release.

Acceptance of the Friendly Amendment was made by Commissioner Gómez.

Motion carried:	County Judge Samuel T. Biscoe	absent
	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

Commissioner Sonleitner announced that Item 22.E would be considered in Executive Session.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez that we uphold the recommendation of the Risk Manager to deny the claim on Item 22.E.

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

23. APPROVE PERSONNEL AMENDMENTS. (2:34 PM)

Members of the Court heard from: Norman McRee, Budget/Process Improvement Analyst, HRMD; and Valerie Spinelli, Planning and Budget Analyst, Planning and Budget Office (PBO).

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the personnel amendments, and that HRMD and PBO bring back, at the appropriate time, the appropriate transfer from the earmark on Allocated Reserve.

Motion carried: County Judge Samuel T. Biscoe	absent
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

PURCHASING OFFICE ITEMS

24. APPROVE REVISIONS TO AVIATION INSURANCE POLICY (CONTRACT NO. 98T0273-OJ) WITH FALCON INSURANCE AGENCY FOR AVIATION COVERAGE FOR TRAVIS COUNTY AIRCRAFT. (COMMISSIONER GÓMEZ) (11:08 AM)

Clerk's Note: Item 24 added to Consent Items. Please refer to Agenda Item 7 (CONSENT ITEMS) for the Court's Motion and Vote.

25. APPROVE PURCHASE OF VIDEO CONFERENCE SYSTEM OFF STATE CATALOG (QISV) FROM SKC COMMUNICATIONS. (COMMISSIONER GÓMEZ) (11:08 AM)

Clerk's Note: Item 25 added to Consent Items. Please refer to Agenda Item 7 (CONSENT ITEMS) for the Court's Motion and Vote.

26. REJECT ALL PROPOSALS RECEIVED IN RESPONSE TO RFP NO. P0100013-MQ, JUDGES' PROFESSIONAL LIABILITY INSURANCE. (COMMISSIONER GÓMEZ) (11:08 AM)

Clerk's Note: Item 26 added to Consent Items. Please refer to Agenda Item 7 (CONSENT ITEMS) for the Court's Motion and Vote.

27. APPROVE SOLE SOURCE EXEMPTION AND THE PURCHASE OF SIX (6) HEARTSTART FR2 DEFIBRILLATORS AND ACCESSORIES FROM LAERDAL MEDICAL CORPORATION FOR EMERGENCY SERVICES. (COMMISSIONER GÓMEZ) (11:08 AM)

Clerk's Note: Item 27 added to Consent Items. Please refer to Agenda Item 7 (CONSENT ITEMS) for the Court's Motion and Vote.

28. APPROVE CONTRACT MODIFICATIONS (PRICE DISCOUNT - NO.2; A 12-MONTH EXTENSION - NO.3) TO CONTRACT NO. 00T0051-OJ, BERGEN BRUNSWIG DRUG, FOR PHARMACEUTICALS AND PHARMACEUTICAL SUPPLIES. (COMMISSIONER GÓMEZ) (11:08 AM)

Clerk's Note: Item 28 added to Consent Items. Please refer to Agenda Item 7 (CONSENT ITEMS) for the Court's Motion and Vote.

29. A. APPROVE RENEWAL OF LEASE AGREEMENT (NO. LA980178-LH) WITH AUSTIN INDEPENDENT SCHOOL DISTRICT (AISD) FOR THE LEASE OF FACILITY SPACE AND UTILITIES AT THE AUSTIN LEARNING CENTER (ALC) FOR THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM (JJAEP). (11:08 AM)

- B. APPROVE INTERLOCAL AGREEMENT (NO. IL020022-JW) WITH AISD FOR THE DISTRIBUTION OF UNITIZED MEALS AT THE ALC TO JJAEP STUDENTS.

Clerk's Note: Items 29.A and B added to Consent Items. Please refer to Agenda Item 7 (CONSENT ITEMS) for the Court's Motion and Vote.

OTHER ITEMS

- 30. DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (2:36 PM)**

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

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve the contract modification number 27, in the amount of \$183,072.00, with Victoria Air.

Motion carried: County Judge Samuel T. Biscoe	absent
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

- 31. CONSIDER ADOPTION OF AN ORDER AUTHORIZING THE ISSUANCE AND SALE OF TRAVIS COUNTY, TEXAS, CERTIFICATES OF OBLIGATION, SERIES 2001A (LIMITED TAX); LEVYING A TAX IN PAYMENT THEREOF; APPROVING THE OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING THERETO. (11:10 AM)**

Clerk's Note: Items 31 and 32 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Ladd Pattillo, Travis County Financial Advisor; Gary Kimball, Representative, First Southwest Company; and Glen Opal, Bond Counsel, Vinson and Elkins.

Members of the Court agreed to consider one Motion for Items 31 and 32.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Items 31 and 32, as laid out.

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

32. CONSIDER ADOPTION OF AN ORDER AUTHORIZING THE ISSUANCE AND SALE OF TRAVIS COUNTY, TEXAS, LIMITED TAX REFUNDING BONDS, SERIES 2001; LEVYING A TAX IN PAYMENT THEREOF; APPROVING THE OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING THERETO. (11:10 AM)

Clerk's Note: Items 31 and 32 are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one Motion for Items 31 and 32. Please refer to Item 31 for a summary of the Court's action.

33. ADOPTION OF AN ORDER SPECIFYING THE MEETS AND BOUNDS DESCRIPTIONS FOR COUNTY COMMISSIONER, JUSTICE OF THE PEACE & CONSTABLE AND ELECTION PRECINCTS. (9:06 AM)

Item 33 postponed until November 6, 2001.

34. CONSIDER ORDER CONSOLIDATING CERTAIN COUNTY ELECTION PRECINCTS, AND TAKE APPROPRIATE ACTION. (9:06 AM) (11:29 AM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the consolidation of the two precincts.

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

35. DISCUSS ISSUES RELATED TO THE CONDUCT OF THE NOVEMBER 6, 2001 ELECTIONS, AND TAKE APPROPRIATE ACTION. (11:32 AM)

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

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the expense to pay for parking at the UT Early Voting Polling Place, in the amount of \$360.00.

Motion carried: County Judge Samuel T. Biscoe	absent
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 Gómez **and seconded by** Commissioner Davis to approve the two additional Alternate Presiding Judges, Melissa Velasquez, and Roy Lee Hill.

Motion carried: County Judge Samuel T. Biscoe	absent
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

36. APPROVE ADDITIONAL PRESIDING JUDGES AND ALTERNATE PRESIDING JUDGES FOR THE ELECTION TERM OF AUGUST 1, 2001 THROUGH JULY 31, 2003. (11:29 AM)

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

No action necessary on Item 36.

Item 36 to be reposted on November 6, 2001.

37. CONSIDER REQUEST FROM MICHAEL VON OHLEN TO WAIVE PENALTY AND INTEREST ON 1997 TAX INVOICE, AND TAKE APPROPRIATE ACTION. (2:44 PM) (3:59 PM)

Commissioner Sonleitner announced that Item 37 would be considered in Executive Session.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to deny Mr. Von Ohlen's request to waive the penalty and interest, and to continue to work with the Tax Assessor Collector, in terms of, that there are more proactive voluntary ways that we can assist taxpayers in understanding their liabilities and their requirements under the Tax Code; and to further ask that Ms. Spears communicate to Mr. Von Ohlen what has happened here today.

Motion carried: County Judge Samuel T. Biscoe	absent
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. APPROVE AGREEMENT FOR ASSESSMENT AND COLLECTION SERVICES BETWEEN TRAVIS COUNTY AND THE WILLIAMSON-TRAVIS COUNTIES WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1G FOR THE YEAR 2001. (COMMISSIONER SONLEITNER) (11:08 AM)

Clerk's Note: Item 38 added to Consent Items. Please refer to Agenda Item 7 (CONSENT ITEMS) for the Court's Motion and Vote.

39. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF SEPTEMBER 2001. (11:08 AM)

Clerk's Note: Item 39 added to Consent Items. Please refer to Agenda Item 7 (CONSENT ITEMS) for the Court's Motion and Vote.

40. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (11:08 AM)

Clerk's Note: Item 40 added to Consent Items. Please refer to Agenda Item 7 (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

- 41. A. RECEIVE BRIEFING FROM COUNTY ATTORNEY'S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE PROGRAM, AND TAKE APPROPRIATE ACTION.** ¹ (2:44 PM) (4:00 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 41.A and B are associated with one another and were called for concurrent discussion.

Commissioner Sonleitner announced that Items 41.A and B would be considered in Executive Session.

No action necessary on Items 41.A and B.

- 42.** DISCUSS, APPROVE, OR TAKE ANY APPROPRIATE ACTION REGARDING THE LEASES LOCATED AT 205, 207 AND 209 WEST 9TH STREET BETWEEN TRAVIS COUNTY, TEXAS AND HARRY WHITTINGTON, D/B/A TRAVIS PROPERTIES. ²
(2:44 PM) (4:00 PM)

Commissioner Sonleitner announced that Item 42 would be considered in Executive Session.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Baxter that we repost this Item for next week; that Staff continue to gather more information about what options are available to the Commissioners' Court, related to our leasing situation with the Travis Building; and that we give further instructions to our Real Estate Manager, and all other appropriate Staff, to continue to explore all options related to what space we do intend to keep over there, and provide the options to the Court in a timely manner; hopefully next week.

Motion carried: County Judge Samuel T. Biscoe	absent
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 42 to be reposted on November 6, 2001.

- 43.** 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 (2:44 PM) (4:01 PM)

Commissioner Sonleitner announced that Item 43 would be considered in Executive Session.

No action necessary on Item 43.

44. CONSIDER COUNTER-OFFER PROPOSAL FOR ACQUISITION OF LAND ADJOINING SOUTHEAST METRO PARK IN PRECINCT FOUR, AND TAKE APPROPRIATE ACTION. (COMMISSIONER GOMEZ) ² (2:44 PM) (4:02 PM)

Commissioner Sonleitner announced that Item 44 would be considered in Executive Session.

Motion by Commissioner Gómez **and seconded by** Commissioner Baxter that we accept the counteroffer for the acquisition of land adjoining Southeast Metro Park in precinct four, in the amount of \$400,000.00, and that the Court authorize Commissioner Gómez to sign the contract and all other necessary documents to complete the transaction.

Motion carried: County Judge Samuel T. Biscoe	absent
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

45. DISCUSS, APPROVE OR TAKE ANY APPROPRIATE ACTION REGARDING REAL ESTATE ISSUES RELATING TO THE NORTH RURAL COMMUNITY CENTER AND CLINIC. ² (2:44 PM) (4:03 PM)

Commissioner Sonleitner announced that Item 45 would be considered in Executive Session.

No action necessary on Item 45.

Item 45 to be reposted on November 6, 2001.

THE FOLLOWING ITEM IS AN ADDENDUM:

- A1.** CONSIDER AN OFFER FROM K-W AUSTIN ACC L.P. TO SELL PROPERTY LOCATED ON TUSCANY WAY, AND TAKE APPROPRIATE ACTION.
(COMMISSIONER DAVIS) EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOVT. CODE ANN. 551.071 AND 551.072. (2:44 PM) (4:03 PM)

Commissioner Sonleitner announced that Item A1 would be considered in Executive Session.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez that we accept the counteroffer from K-W Austin ACC L.P. for property on Tuscany Way, in the amount of \$18,273.00; and, to also authorize Commissioner Davis to sign and change the closing date on this contract, from 11/9/01 to 11/13/01.

Motion carried: County Judge Samuel T. Biscoe	absent
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. (4:04 PM)

Motion carried:	County Judge Samuel T. Biscoe	absent
	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