MINUTES – DECEMBER 11, 2001

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 11th day of December, 2001, the Commissioners' Court convened the regular Voting Session at 9:15 AM in the Commissioners' Courtroom, 1st Floor of the Travis County Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners' Court recessed the Voting Session at 12:08 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, called to order the Voting Session at 1:39 PM and adjourned at 1:55 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, called to order the Voting Session at 1:56 PM and adjourned at 1:56 PM.

The Commissioners' Court reconvened the regular Voting Session at 1:56 PM.

The Commissioners' Court retired to Executive Session at 3:10 PM.

The Commissioners' Court reconvened the Voting Session at 4:50 PM.

The Commissioners' Court adjourned the Voting Session at 4:53 PM.

RESOLUTIONS & PROCLAMATIONS

- 1. A. APPROVE PROCLAMATION RECOGNIZING LEE MERCER ON HIS RETIREMENT AFTER 17 YEARS OF SERVICE TO TRAVIS COUNTY. (9:17 AM)
 - **B.** APPROVE PROCLAMATION FROM JUNETEENTH COMMITTEE RECOGNIZING LEE MERCER FOR HIS MANY YEARS OF DEDICATED SERVICE. (JUDGE BISCOE AND COMMISSIONER DAVIS)

Clerk's Note: Items 1.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Roy Turley, Program Manager Parks, Transportation and Natural Resources (TNR); Joe Gieselman, Executive Manager, TNR; Charles Bergh, Division Director, Parks and Natural Resources (TNR); Cheryl Brown, Travis County Judge's Office; and Lee Mercer, TNR.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Items 1.A and 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

CITIZENS COMMUNICATION

2. Members of the Court heard from: Jim Strong, Mayor Pro Tempore, The Village of Point Venture; and Gus Peña, President, East Austin Concerned Hispanics, and Second Vice President, The Rainbow Coalition. (9:32 AM)

CONSENT ITEMS

3. Motion by Commissioner Gómez and seconded by Commissioner Davis to approve the following Consent Items: C1-C32, and Items 12, 13, 17, 19.A, 23, 25, 26.A and B, 28, 33, 34, and 36. (9:41 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 NOVEMBER 27, 2001.
- C4. APPOINT LON C. BROOKS AS THE JOINT PRECINCT 2 AND PRECINCT 3 APPOINTMENT TO THE TRAVIS COUNTY APPRAISAL DISTRICT BOARD. (COMMISSIONER SONLEITNER AND COMMISSIONER BAXTER)
- **C5.** APPROVE APPOINTMENT OF ANN MARSHALL TO THE TRAVIS COUNTY HISTORICAL COMMISSION, TERM EFFECTIVE THROUGH DECEMBER 2003. (COMMISSIONER BAXTER)
- **C6.** APPROVE APPOINTMENT OF LISA CASEY TO THE ANIMAL ADVISORY COUNCIL, TERM EFFECTIVE THROUGH DECEMBER 2003. (COMMISSIONER BAXTER)
- **C7.** APPOINT RAYMOND PERICOLA TO COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #1 (LAGO VISTA), EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2003. (COMMISSIONER SONLEITNER)
- **C8.** APPOINT GARY HARTLEY TO COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #1 (LAGO VISTA), EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2003. (COMMISSIONER SONLEITNER)

CONSENT ITEMS CONTINUED

- **C9.** REAPPOINT KEVIN MACDONNELL TO COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #4, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2003. (COMMISSIONER SONLEITNER)
- **C10.** REAPPOINT ROBERT COLMENARES TO COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #6, (HUDSON BEND), EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2003. (COMMISSIONER SONLEITNER)
- C11. REAPPOINT BRAD ELLIS TO COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #6, (HUDSON BEND), EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2003. (COMMISSIONER SONLEITNER)
- C12. REAPPOINT THOMAS L. ATWOOD TO COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #7, (JONESTOWN/ SANDY CREEK), EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2003. (COMMISSIONER SONLEITNER)
- C13. REAPPOINT DEANNE ARMSTRONG TO COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #7, (JONESTOWN/ SANDY CREEK), EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2003. (COMMISSIONER SONLEITNER)
- C14. APPOINT JAMES ROBERTS TO COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #7, (JONESTOWN/ SANDY CREEK), EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2003. (COMMISSIONER SONLEITNER)
- **C15.** REAPPOINT DAVID LUTHER TO SERVE AS COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #3 BOARD, (OAK HILL), TERM EFFECTIVE THROUGH DECEMBER 31, 2003. (COMMISSIONER BAXTER)
- **C16.** REAPPOINT JACK ESHELMAN TO SERVE AS COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #5 BOARD, (MANCHACA), TERM EFFECTIVE THROUGH DECEMBER 31, 2003. (COMMISSIONER BAXTER)
- **C17.** REAPPOINT BOB REMLINGER TO SERVE AS COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #5 BOARD, (MANCHACA), TERM EFFECTIVE THROUGH DECEMBER 31, 2003. (COMMISSIONER BAXTER)

CONSENT ITEMS CONTINUED

- **C18.** REAPPOINT TERRY BROWDER TO SERVE AS COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #6 BOARD, (HUDSON BEND), TERM EFFECTIVE THROUGH DECEMBER 31, 2003. (COMMISSIONER BAXTER)
- **C19.** REAPPOINT JOHN SHINE TO SERVE AS COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #8 BOARD, (PEDERNALES), TERM EFFECTIVE THROUGH DECEMBER 31, 2003. (COMMISSIONER BAXTER)
- C20. REAPPOINT HELEN JOBES TO SERVE AS COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #8 BOARD, (PEDERNALES), TERM EFFECTIVE THROUGH DECEMBER 31, 2003. (COMMISSIONER BAXTER)
- C21. REAPPOINT CAROL MOBLEY TO SERVE AS COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #8 BOARD, (PEDERNALES), TERM EFFECTIVE THROUGH DECEMBER 31, 2003. (COMMISSIONER BAXTER)
- **C22.** REAPPOINT BETTY COOK TO SERVE AS COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #9 BOARD, (WESTLAKE), TERM EFFECTIVE THROUGH DECEMBER 31, 2003. (COMMISSIONER BAXTER)
- **C23.** REAPPOINT CATHY THOMPSON TO SERVE AS COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #9 BOARD, (WESTLAKE), TERM EFFECTIVE THROUGH DECEMBER 31, 2003. (COMMISSIONER BAXTER)
- **C24.** REAPPOINT CATHY CONEWAY TO SERVE AS COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #9 BOARD, (WESTLAKE), TERM EFFECTIVE THROUGH DECEMBER 31, 2003. (COMMISSIONER BAXTER)
- **C25.** REAPPOINT KEN CAMPBELL TO SERVE AS COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #10 BOARD, (CE-BAR), TERM EFFECTIVE THROUGH DECEMBER 31, 2003. (COMMISSIONER BAXTER)
- **C26.** REAPPOINT GLEN REID TO SERVE AS COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #10 BOARD, (CE-BAR), TERM EFFECTIVE THROUGH DECEMBER 31, 2003. (COMMISSIONER BAXTER)

CONSENT ITEMS CONTINUED

- **C27.** APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: PALEFACE PEDERNALES SECTION 1-A – (SHORTFORM – NO FISCAL – 1 LOT – O.45 ACRES - PEDERNALES POINT DRIVE – LCRA OSSF - OUTSIDE ETJ). (COMMISSIONER BAXTER)
- **C28.** APPROVE SETTING A PUBLIC HEARING DATE OF JANUARY 15, 2002 TO APPROVE THE PARTIAL CANCELLATION OF LOTS 16 26, BLOCK M OF RIVER PLACE SECTION 16 COA ETJ). (COMMISSIONER SONLEITNER)
- C29. APPROVE SETTING A PUBLIC HEARING DATE OF DECEMBER 26, 2001 TO:
 - A. APPROVE THE PARTIAL CANCELLATION OF LOTS 26, 26A, 27, AND 28, BLOCK OF RANCH AT DEER CREEK PHASE 2 SECTION 1; AND
 - B. APPROVE A PLAT FOR RECORDING IN PRECINCT TWO: REPLAT OF LOTS 26, 26A, 27 AND 28, BLOCK C OF RANCH AT DEER CREEK PHASE 2
 SECTION 1 (SHORT FORM PLAT 4 LOTS 0.93 ACRES ZAMBIA DRIVE NO FISCAL REQUIRED SEWAGE SERVICE TO BE PROVIDED BY WILLIAMSON/TRAVIS COUNTY MUD NO. 1D CEDAR PARK ETJ). (COMMISSIONER SONLEITNER)
- C30. APPROVE SETTING A PUBLIC HEARING DATE OF JANAURY 15, 2002 TO APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF VALLEY LAKE HILLS, SECTION ONE LOTS 14 AND 15, BLOCK DD - (SHORT FORM PLAT – 1 LOT – 0.363 ACRES – LITTLE CREEK CIRCLE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY - OUTSIDE ETJ). (COMMISSIONER BAXTER)
- C31. APPROVE SETTING A PUBLIC HEARING DATE OF JANAURY 15, 2002 TO APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: BARTON CREEK LAKESIDE PHASE 7 - (LONG FORM PLAT – 21 LOTS – 50.39 ACRES – BALLINGER DRIVE - FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY AQUASOURCE - CITY OF AUSTIN ETJ). (COMMISSIONER BAXTER)
- **C32.** APPROVE SETTING A PUBLIC HEARING DATE OF JANAURY 15, 2002 TO APPROVE A PLAT FOR RECORDING IN PRECINCT FOUR: RESUBDIVISION OF LOT 16, CAPITOL VIEW ESTATES - (SHORT FORM PLAT – 2 LOTS – 4.292 ACRES – CAPITOL VIEW DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY - CITY OF AUSTIN ETJ). (COMMISSIONER GOMEZ)

HEALTH AND HUMAN SERVICES ITEMS

4. CONSIDER PROPOSED TRAVIS COUNTY ORDINANCE ADDRESSING NEW LEGISLATION THAT REQUIRES COUNTIES TO PROHIBIT OR REGULATE OWNERSHIP OF DANGEROUS WILD ANIMALS, AND TAKE APPROPRIATE ACTION. (TRAVIS COUNTY TENTATIVELY PLANS TO PROHIBIT SUCH WILD ANIMALS.) (9:43 AM)

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney; Stephen Williams, Executive Manager, Travis County Health, Human Services, and Veterans Services (TCHHS&VS); David Lurie, Austin-Travis County Health and Human Services; Dorinda Pulliam, Austin-Travis County Animal Control Services; Jim Smith, Private Citizen; Dr. Scott Eckles, Veterinarian; T.R. Brown, Private Citizen; and Unknown female, Private Citizen.

Discussion Only.

Item 4 to be reposted on December 18, 2001.

TRANSPORTATION & NATURAL RESOURCES DEPT ITEMS

5. CONSIDER DEEDING TO THE CITY OF AUSTIN, 2.921 ACRES OF FEE SIMPLE PROPERTY THAT IS CURRENTLY USED AS YAGER LANE RIGHT-OF-WAY IN PRECINCT ONE, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) (9:15 AM) (11:04 AM)

Members of the Court heard from: Greg Chico, Right of Way Manager, TNR; Paul Juarez, Attorney for Quentin Ltd.; and Jeanette Clots, President, North Growth Corridor Alliance.

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to approve Item 5, that we, Travis County, deed to the City of Austin, 2.921 acres of fee simple property, currently Yager Lane location right of way, to be contingent upon subsequent exchange of property right of way from Quentin Ltd. to the City of Austin; and also that an advanced funding agreement is also reached.

Maker accept the Friendly Amendment by Commissioner Sonleitner that approval be contingent upon the construction of Canyon Ridge Drive South by Quentin Ltd. to the City of Austin, dedication of Canyon Ridge Drive South after construction to the City of Austin, construction and opening of a new Harris Ridge interchange by TxDOT, and completion of the final extension of Harris Ridge Blvd. to the Harris Ridge interchange.

Acceptance of the Friendly Amendment was made by Commissioner Davis.

A Clarification of the previous Motion was made by Commissioner Davis to expand the wording from "2.921" to "up to 3.53 acres".

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

6. CONSIDER COMMENTS TO SUBMIT TO THE TEXAS DEPARTMENT OF TRANSPORTATION RELATING TO ITS RULEMAKING FOR THE CREATION OF REGIONAL MOBILITY AUTHORITIES, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) (10:47 AM)

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

Motion by Commissioner Sonleitner and seconded by Commissioner Davis to approve the draft comments with the language changes discussed in Court.

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

7. DISCUSS REGIONAL AIR QUALITY PLAN (O₃ FLEX AGREEMENT) AND SPECIFIC CONTROL MEASURES TO BE IMPLEMENTED BY TRAVIS COUNTY, AND TAKE APPROPRIATE ACTION. (11:26 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Scheleen Walker, TNR.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve the recommended control measures.

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

Clerk's Note: Judge Biscoe announced that the Items in the backup material with a check mark next to them are the control measures that were approved.

8. APPROVE INITIAL ISSUANCE OF BONDS AUTHORIZED IN 2001 FOR FISCAL YEAR 2002. (9:16 AM) (4:51 PM)

No action necessary on Item 8.

Item 8 to be reposted on December 18, 2001.

9. APPROVE REIMBURSEMENT RESOLUTION TO PERMIT THE PURCHASE OF LAND FOR SOUTHEAST METROPOLITAN PARK. (COMMISSIONER GOMEZ) (9:16 AM) (4:51 PM)

No action necessary on Item 9.

Item 9 to be reposted on December 18, 2001.

10. APPROVE REIMBURSEMENT RESOLUTION TO PERMIT THE PURCHASE OF LAND FOR SOUTHWEST METROPOLITAN PARK. (COMMISSIONER BAXTER) (9:16 AM) (4:51 PM)

No action necessary on Item 10.

Item 10 to be reposted on December 18, 2001.

11. CONSIDER NOMINATION(S) TO THE BOARD OF THE GARFIELD WATER SUPPLY CORPORATION, AND TAKE APPROPRIATE ACTION. (COMMISSIONER GOMEZ) (11:45 AM)

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

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to nominate Roy Turley, TNR, to the Board of the Garfield Water Supply Corporation.

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

12. APPROVE CONTRACT BETWEEN LCRA AND TRAVIS COUNTY IN REGARDS TO RIGHT-OF-WAY FOR UNDERGROUND ELECTRICAL LINES AT MANSFIELD DAM. (COMMISSIONER BAXTER) (9:41 AM)

Clerk's Note: Item 12 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

13. AUTHORIZE TNR DEPARTMENT TO USE \$25,000.00 OF 1997 CERTIFICATES OF OBLIGATION FUNDS TO COVER A CONSTRUCTION CONTRACT BUDGET SHORTAGE, CONSTRUCTION TESTING AND CONTINGENCIES FOR THE IMPERIAL DRIVE PROJECT. (COMMISSIONER DAVIS) (9:41 AM)

Clerk's Note: Item 13 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 14. A. APPROVE A PRELIMINARY PLAN IN PRECINCT TWO: WATERFORD ON LAKE TRAVIS SECTION THREE PRELIMINARY PLAN. (PRELIMINARY PLAN – 32 LOTS – 60.75 ACRES - LOHMANS FORD ROAD - SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY MUD #10 – CITY OF AUSTIN ETJ). (COMMISSIONER SONLEITNER) (11:39 AM)
 - **B.** APPROVE PHASING AGREEMENT WITH WATERFORD ON LAKE TRAVIS, A LIMITED TEXAS PARTNERSHIP, ESTABLISHING RESPONSIBILITIES RELATED TO THE REALIGNMENT OF LOHMANS FORD ROAD.
 - C. APPROVE A PLAT FOR RECORDING IN PRECINCT TWO: WATERFORD ON LAKE TRAVIS SECTION THREE 'A' - (SHORT FORM PLAT – 14 LOTS – 14.245 ACRES – LOHMANS FORD ROAD – NO FISCAL REQUIRED -SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY MUD #10 – CITY OF AUSTIN ETJ).
 - D. APPROVE A PLAT FOR RECORDING IN PRECINCT TWO: WATERFORD ON LAKE TRAVIS SECTION THREE 'B' - (SHORT FORM PLAT – 5 LOTS – 7.489 ACRES – LOHMANS FORD ROAD – FISCAL POSTED WITH CITY OF AUSTIN - SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY MUD #10 – CITY OF AUSTIN ETJ).
 - **E.** APPROVE ALTERNATE FISCAL AGREEMENT FOR WATERFORD ON LAKE TRAVIS SECTION THREE 'C' SUBDIVISION IN PRECINCT TWO. (COMMISSIONER SONLEITNER)

Clerk's Note: Items 14.A, B, C, D, and E are associated with one another and were called for concurrent discussion.

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

ITEM 14 CONTINUED

Motion by Commissioner Sonleitner **and seconded by** Commissioner Baxter to approve Items 14.A, B, C, D, and E in their entirety as listed on the Agenda.

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

ADMINISTRATIVE OPERATIONS ITEMS

15. CONSIDER CONSOLIDATION OF THE PLANNING AND BUDGET OFFICE SPACE, AND TAKE APPROPRIATE ACTION. (11:48 AM)

Members of the Court heard from: Roger El Khoury, Director, Facilities Management; and Christian Smith, Executive Manager, Planning and Budget Office (PBO).

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 15.

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

16. REVIEW AND APPROVE THE IMMEDIATE RELEASE OF REIMBURSEMENT PAYMENT TO UNITED HEALTH CARE FOR CLAIMS PAID FOR TRAVIS COUNTY EMPLOYEES AND DEPENDENTS COVERED BY THE HOSPITAL AND INSURANCE FUND FOR PAYMENT OF \$197,369.31 FOR PERIOD OF NOVEMBER 23 – NOVEMBER 29, 2001. (3:06 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 16.

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

17. APPROVE PERSONNEL AMENDMENTS. (9:41 AM)

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

PLANNING AND BUDGET DEPT ITEMS

- **18.** DISCUSS AND TAKE APPROPRIATE ACTION ON OUTSTANDING ISSUES RELATED TO IMPLEMENTATION OF GASB - 34, INCLUDING THE FOLLOWING: (2:14 PM)
 - A. SPECIAL CHALLENGES AND SOLUTIONS FOR THREE DEPARTMENTS: COMMUNITY SUPERVISION AND CORRECTIONS (CSCD), HEALTH AND HUMAN SERVICES AND DISTRICT CLERK;
 - **B.** NECESSITY TO AMEND CONTRACT WITH DELOITTE & TOUCHE FOR AUDIT OF COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT; AND
 - C. PROPOSAL FOR SPECIAL FINANCIAL SYSTEMS STRATEGY TEAM TO ADDRESS CERTAIN GASB-34 ISSUES AND RELATED BUDGET CONSIDERATIONS.

Clerk's Note: Items 18.A, B, and C are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Susan Spataro, Travis County Auditor; Jim Rust, Director, Community Supervision and Corrections Department (CSCD); Mike Wichern, Chief Assistant County Auditor, Travis County Auditor's Office; Joe Harlow, Director, Information and Telecommunications Systems; Amalia Rodriguez Mendoza, Travis County District Clerk; and Leroy Nellis, Budget Manager, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to indicate our acknowledgement and agreement that if these 10 people were to go to CSCD, and work on those problems for a 10-month period, they would not be able to do the audits that they otherwise do; B) would be for us to indicate our agreement to execute an appropriate amendment, to pay Deloitte Touche up to \$112,500.00 to conduct the outside audit of CSCD after the Auditor's Office finishes their work; and, that we understand that if 10 people are in CSCD, they can't be in different departments doing different work, so that we acknowledge that; and that the end result will be us doing 25% less audits than the same people would normally do.

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 18 CONTINUED

Motion by Judge Biscoe **and seconded by** Commissioner Gómez in Item 18.C, to approve the implementation of the Financial Systems Strategy and Implementation Team, including the budget; and to include the authority to create, in Human Resources, these new positions.

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

19. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE. (9:41 AM)

A. APPROVE GRANT CONTRACT AMENDMENT WITH THE TEXAS COMMISSION ON ALCOHOL AND DRUG ABUSE FOR THE TCADA SUBSTANCE ABUSE CONTRACT IN JUVENILE COURT. THIS AMENDMENT EXTENDS THE GRANT PERIOD OF THE EXISTING GRANT FOR ANOTHER YEAR.

Clerk's Note: Item 19.A added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

20. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (3:00 PM) (4:52 PM)

Members of the Court heard from: Leroy Nellis, Budget Manager, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve all budget amendments and transfers A1, A3-A46, excluding A2.

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

Item 20, budget amendments and transfers Item A2, to be reposted on December 18, 2001.

PURCHASING OFFICE ITEMS

21. APPROVE AWARD OF CONTRACT NO. PS020012-LB WITH CORRECT STAFFING, INC. FOR THE PROVISION OF TEMPORARY PROFESSIONAL HEALTH CARE PROVIDER SERVICES. (SHERIFF) (COMMISSIONER GOMEZ) (11:58 AM)

Item 21 pulled from the Agenda.

22. APPROVE CONTRACT MODIFICATION NO. 5 WITH CAPITAL IDEA FOR WORKFORCE DEVELOPMENT SERVICES (CONTRACT NO. PS000047-TS) (COMMISSIONER GOMEZ) (11:52 AM)

Members of the Court heard from: Erick Akins, Austin-Travis County Health and Human Services.

Motion by Commissioner Sonleitner and seconded by Commissioner Gómez to approve Item 22.

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

23. APPROVE MODIFICATION NO. 2 (PS010063-DR), CLEAN INVESTMENTS COUNSELING CENTER, SUBSTANCE ABUSE COUNSELING AND TREATMENT SERVICES (DRUG COURT). (COMMISSIONER GOMEZ) (9:41 AM)

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

24. DISCUSS A CONTRACT AWARD FOR TRANSPORT OF CADAVERS, IFB NO. B020007-RG, AND TAKE APPROPRIATE ACTION. (MEDICAL EXAMINER) (COMMISSIONER GOMEZ) (11:58 AM)

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 24.

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

25. APPROVE PRICE INCREASE (MODIFICATION NO. 2) TO CONTRACT NO. 01T0006-RG, ALLTEL COMMUNICATIONS FOR TELEPHONE EQUIPMENT (NEW); CONTRACT APPROVED 9/26/00. (I.T.S.) (COMMISSIONER GOMEZ) (9:41 AM)

Clerk's Note: Item 25 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- A. APPROVE CONTRACT AWARDS FOR HOME REFRIGERATORS, IFB NO. B020006-MP TO THE LOW QUALIFIED BIDDERS: LOWE'S HOME IMPROVEMENT, STORE #600-0011, FOR GROUP A, LINE ITEM 1 & 2, AND LOWE'S HOME IMPROVEMENT, STORE #0689, FOR GROUP A, LINE ITEM 3. (HHSD) (9:41 AM)
 - **B.** EXCEPT FOR GROUP A, LINE ITEMS 1-3 ABOVE, REJECT BID RECEIVED FROM SEARS CONTRACT SALES, IFB NO. B020006-MP, HOME REFRIGERATORS. (HHSD) (COMMISSIONER GOMEZ)

Clerk's Note: Items 26.A and B added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- **27.** DISCUSS AND TAKE APPROPRIATE ACTION ON: (11:59 AM)
 - A. PROPOSAL OPTIONS RECEIVED FROM THE SOLE OFFEROR FOR THE PROPERTY AND BOILER/MACHINERY INSURANCE FOR TRAVIS COUNTY; AND
 - **B.** APPROVE CONTRACT AWARD FOR PROPERTY AND BOILER/MACHINERY INSURANCE, RFP NO. P010117-OJ, TO THE SOLE RESPONSIVE OFFEROR, KEY & PISKURAN INSURANCE AGENCY. (HRMD) (COMMISSIONER GOMEZ)

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

Members of the Court heard from: Frank Holder, Assistant Purchasing Agent; and Dan Mansour, Risk Manager, Human Resources Management Department (HRMD).

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner that we accept the cap of \$100,000,000.00.

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

28. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 00T0097-RV, ENVIRONMENTAL SURVEY CONSULTING FOR NATIVE HARVEST SEEDING MIX; CONTRACT APPROVED ON 2/15/00. (TNR) (COMMISSIONER GOMEZ) (9:41 AM)

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

29. DISCUSS AND TAKE APPROPRIATE ACTION ON CONTRACT AWARD FOR WATER DAMAGE REMEDIATION AND DECONTAMINATION OF GARDNER BETTS JUVENILE DETENTION CENTER MAIN BUILDING AND INTERMEDIATE SANCTIONS DETENTION BUILDING. (RISK MANAGEMENT) (3:02 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Jeanne Meurer, Judge, 98th District Court.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 29, the contract award to Total Restoration.

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

30. APPROVE CONTRACT (NO.PS020039-EF) WITH SICKLE CELL ANEMIA ASSOCIATION FOR SICKLE CELL EDUCATIONAL SERVICES (HHSD). (11:55 AM)

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

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 30.

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

OTHER ITEMS

31. DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (3:06 PM)

No action necessary on Item 31.

Item 31 to be reposted on December 18, 2001.

32. CONSIDER CHANGES REQUIRED TO PRECINCT LINES DUE TO NEW CONGRESSIONAL, STATE SENATE AND STATE HOUSE OF REPRESENTATIVES PRECINCTS; CONSIDER CHANGES TO PRECINCT LINES REQUESTED BY MAYOR CHARLES EDWARDS OF LAKEWAY; AND ADOPT NEW PRECINCTS AS REQUIRED, AND TAKE APPROPRIATE ACTION. (9:16 AM) (1:56 PM)

Members of the Court heard from: Bill Emory, Redistricting Consultant, Emory Young and Associates; and Charles Edwards, Mayor, Lakeway.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 32.

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

33. CONSIDER REQUEST TO USE POLLING LOCATION IN THE COURTHOUSE, 1ST FLOOR FOR AUSTIN INDEPENDENT SCHOOL DISTRICT ELECTION ON SATURDAY, FEBRUARY 2, 2002 FROM 6:00 A.M. – 7:30 P.M., AND TAKE APPROPRIATE ACTION. (9:41 AM)

Clerk's Note: Item 33 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

34. CONSIDER CONTRACT WITH THE DEMOCRATIC AND REPUBLICAN PARTIES FOR THE PRIMARY AND RUN-OFF JOINT ELECTION. (9:41 AM) (2:10 PM)

Clerk's Note: The Court announced that if the Court approved this today, it would be, basically, that we have considered, and decided to give approval; and the Court really needs a new Item on the Agenda plus the actual agreement.

Clerk's Note: Item 34 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

Members of the Court heard from: Tamara Armstrong, Assistant County Attorney; and Dana DeBeauvoir, Travis County Clerk.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to reconsider Item 34.

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

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner that we approve the joint resolution for the joint primary; and that has been signed by both County Chairs and the County Clerk; and, that we approve the Memorandum of Understanding.

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

- **35.** A. APPROVE INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY, TRAVIS COUNTY JUVENILE BOARD AND THE AUSTIN INDEPENDENT SCHOOL DISTRICT REGARDING THE TRUANCY COURT PILOT PROJECT. (3:04 PM)
 - **B.** APPROVE INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY, TRAVIS COUNTY JUVENILE BOARD AND THE CITY OF AUSTIN REGARDING THE TRUANCY COURT PILOT PROJECT.

Clerk's Note: Items 35.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Jeanne Meurer, Judge, 98th District Court.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez for the Court to authorize the Department to do the necessary posting of the two positions.

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

Items 35.A and B to be reposted on December 18, 2001.

36. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:41 AM)

Clerk's Note: Item 36 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
- **37. A.** RECEIVE BRIEFING FROM COUNTY ATTORNEY'S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE PROGRAM, AND TAKE APPROPRIATE ACTION. ¹ (3:10 PM) (4:50 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 37.A and B are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 37.A and B would be considered in Executive Session.

No action necessary on Items 37.A and B.

Items 37.A and B to be reposted on December 18, 2001.

38. DISCUSS, APPROVE OR TAKE APPROPRIATE ACTION REGARDING REAL ESTATE ISSUES RELATING TO NORTH RURAL COMMUNITY CENTER AND CLINIC. ² (3:10 PM)

Item 38 postponed until December 18, 2001.

39. DISCUSS, APPROVE OR TAKE APPROPRIATE ACTION REGARDING REAL ESTATE ISSUES RELATING TO WEST RURAL COMMUNITY CENTER AND CLINIC. ² (3:10 PM) (4:50 PM)

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

Motion by Commissioner Baxter **and seconded by** Commissioner Sonleitner that we direct and authorize Facilities Management to modify their site search to lots up to 5 acres in size for this Item.

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

40. CONSIDER OPTION AND PURCHASE AGREEMENTS FOR ACQUISITION OF LAND FOR A PROPOSED EAST METRO PARK IN PRECINCT ONE, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) ² (3:10 PM) (4:50 PM)

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

No action necessary on Item 40.

Item 40 to be reposted on December 18, 2001.

41. DISCUSS LAND ACQUISITION FOR THE PROPOSED SOUTHWEST METRO PARK, AND TAKE APPROPRIATE ACTION. (COMMISSIONER BAXTER)² (3:10 PM) (4:50 PM)

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

No action necessary on Item 41.

Item 41 to be reposted on December 18, 2001.

42. RECEIVE BRIEFING FROM COUNTY ATTORNEY, AND TAKE APPROPRIATE ACTION REGARDING CLAIM BY CHRISTINA ARMIJO (ARMIJO; FRASIER; CONTRACT, PERSONAL INJURY). ¹ (3:10 PM) (4:51 PM)

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

No action necessary on Item 42.

Item 42 to be reposted on December 18, 2001.

43. AUTHORIZE COUNTY ATTORNEY TO HIRE EXPERT(S) IN JOE NATHAN MIDDLETON V. OFFICER J. HERNANDEZ #3123, ET AL. (MIDDLETON; FRASIER; 4TH, 6TH, 14TH AMENDMENT TO U.S. CONSTITUTION). ¹ (3:10 PM) (4:51 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner that we authorize the County Attorney to hire appropriate expert consultants.

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

44. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN: ALEX ACOSTA NOTICE OF CLAIM (ACOSTA, EARLE, SECTION 1983). ¹ (3:10 PM)

Item 44 pulled from the Agenda.

45. DISCUSS, APPROVE, OR TAKE ANY APPROPRIATE ACTION REGARDING THE LEASE AMENDMENT BETWEEN 1825 FORTVIEW, INC. AND TRAVIS COUNTY FOR OFFICE SPACE LOCATED AT 1622 RIVERSIDE DRIVE. ^{1 AND 2} (3:10 PM) (4:51 PM)

Judge Biscoe announced that Item 45 would be considered in Executive Session.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner that we authorize air quality testing to determine the extent of the airborne contamination; also to authorize the County Attorney to write a letter to the property owner confirming contamination and expectations; and, also to give authority to Facilities Management and Risk Management to begin decontamination for known areas of contamination.

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 Baxter to adjourn the Voting Session. (4:53 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