

## **MINUTES – DECEMBER 26, 2001**

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

On Wednesday, the 26<sup>th</sup> day of December, 2001, the Commissioners' Court convened the regular Voting Session at 2:07 PM 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 Melissa Velasquez.

The Commissioners' Court retired to Executive Session at 2:26 PM.

The Commissioners' Court reconvened the Voting Session at 3:04 PM.

The Commissioners' Court adjourned the Voting Session at 3:05 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 3:05 PM and adjourned at 3:06 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, called to order the Voting Session at 3:06 PM and adjourned at 3:12 PM.

The Commissioners Court record notes that Precinct Four Commissioner Margaret J. Gómez was not present during this Voting Session.

## PUBLIC HEARINGS

1.     **A.** DISCUSS THE PARTIAL CANCELLATION OF LOTS 26, 26A, 27, AND 28, BLOCK OF RANCH AT DEER CREEK PHASE TWO SECTION 1; AND (2:10 PM)
  
- B.** DISCUSS 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)

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

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to open the Public Hearing.

<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 Margaret Moore	yes
	Precinct 4, Commissioner Margaret J. Gómez	absent

**Members of the Court heard from:** Carol Joseph, Assistant Director, Transportation and Natural Resources (TNR).

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to close the Public Hearing.

<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 Margaret Moore	yes
	Precinct 4, Commissioner Margaret J. Gómez	absent

**Clerk's Note:** The action Items for Agenda Items 1.A and B are Agenda Items 21.A and B. Please refer to Agenda Items 21.A and B for the Court's Motion and Vote.

**CITIZENS COMMUNICATION**

2. **Clerk's Note:** There were no speakers during Citizens Communication. (2:12 PM)

**CONSENT ITEMS**

3. **Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C12 (excluding C3), and Items 5, 6, 7, 8, 9.A and B, 11, 13, 14, 15, 16, 17.A, 19, 20, 23, and 24. (2:13 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 Margaret Moore	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 MEETINGS: (2:25 PM)

- A. VOTING SESSION OF DECEMBER 4, 2001; AND
- B. VOTING SESSION OF DECEMBER 11, 2001.

**Motion by** Commissioner Sonleitner **and seconded by** Judge Biscoe to approve Items C3.A and B.

<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 Margaret Moore	abstain
Precinct 4, Commissioner Margaret J. Gómez	absent

C4. REAPPOINT ALLISON THRASH TO COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #14, (VOLENTE), EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2003. (COMMISSIONER SONLEITNER)

**CONSENT ITEMS CONTINUED**

- C5.** REAPPOINT LONNIE MOORE TO COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #14, (VOLENTE), EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2003. (COMMISSIONER SONLEITNER)
- C6.** APPROVE PLAT FOR RECORDING IN PRECINCT ONE: KIMBRO CREEK ESTATES SECTION ONE – (SHORT FORM PLAT – 8 LOTS – 34.10 ACRES – JOHNSON ROAD – NO FISCAL REQUIRED - SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY - OUTSIDE ETJ. (COMMISSIONER DAVIS)
- C7.** APPROVE A CASH SECURITY AGREEMENT FOR A TURN AROUND AT THE END OF ARNHAMN LANE IN KIMBRO CREEK ESTATES SECTION TWO, A SUBDIVISION IN PRECINCT ONE. (COMMISSIONER DAVIS)
- C8.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: KIMBRO CREEK ESTATES SECTION TWO – (SHORT FORM PLAT – 14 LOTS – 88.67 ACRES – JOHNSON ROAD – FISCAL POSTED WITH TRAVIS COUNTY - SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY - OUTSIDE ETJ. (COMMISSIONER DAVIS)
- C9.** APPROVE PLAT FOR RECORDING IN PRECINCT ONE: GILES GARMON SUBDIVISION – (SHORT FORM PLAT – 2 LOTS – 9.994 ACRES – BLAKE MANOR ROAD – NO FISCAL REQUIRED - SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – CITY OF AUSTIN ETJ. (COMMISSIONER DAVIS)
- C10.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: CANYON CREEK WEST SECTION ONE – (LONG FORM PLAT – 27 LOTS – 10.397 ACRES – BARBROOK DRIVE – FISCAL POSTED WITH CITY OF AUSTIN - SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN - COA ETJ). (COMMISSIONER SONLEITNER)
- C11.** APPROVE PLAT FOR RECORDING IN PRECINCT THREE: DAVENPORT WEST, BLOCK ‘B’ LOT 33 AND 34 – (SHORT FORM PLAT – 2 LOTS – 18.741 ACRES – LOOP 360 - NO FISCAL REQUIRED - SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN – CITY OF AUSTIN ETJ).
- C12.** APPROVE A PUBLIC HEARING DATE OF JANUARY 22, 2002 TO APPROVE AN AMENDED PLAT OF LOTS 9 & 10, DAVENPORT WEST P.U.D. TRACT C-3, SECTION TWO – THE POINT AT ROB ROY (AMENDED PLAT – 2 LOTS – 3.926 ACRES PASCAL LANE – NO FISCAL REQUIRED - TRAVIS COUNTY OSSF – COA ETJ).

4. APPROVE ELECTED OFFICIAL BOND FOR MARGARET MOORE, COMMISSIONER, PRECINCT THREE. (2:09 PM)

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

<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 Margaret Moore	abstain
	Precinct 4, Commissioner Margaret J. Gómez	absent

### PURCHASING OFFICE ITEMS

5. APPROVE CONTRACT NO. PS020064-JW, WITH SOUTHWEST KEY PROGRAM FOR THE SERVICES OF A COMMUNITY COORDINATOR FOR THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM (JJAEP). (COMMISSIONER GOMEZ) (2:13 PM)

**Clerk's Note:** Item 5 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

6. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. PS000188-LB WITH DELOITTE & TOUCHÉ LLP TO PROVIDE PROFESSIONAL SERVICES RELATED TO GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENT NO. 34 (GASB 34) IMPLEMENTATION. (AUDITOR & CSCD) (COMMISSIONER GOMEZ) (2:13 PM)

**Clerk's Note:** Item 6 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

7. APPROVE PURCHASE OF SEVENTY-THREE (73) AUTOMOBILES UNDER STATE TERM CONTRACT. (TNR) (COMMISSIONER GOMEZ) (2:13 PM)

**Clerk's Note:** Item 7 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

8. APPROVE CONTRACT AWARD FOR BOILER REPLACEMENT – BUILDING 160, IFB NO. B020011-EH, TO THE LOW AND RESPONSIVE BIDDER, BOILER BURNER SALES AND SERVICE. (TCSO) (COMMISSIONER GOMEZ) (2:13 PM)

**Clerk's Note:** Item 8 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

9.
  - A. APPROVE EXEMPTION ORDER FOR PROCUREMENT OF PROFESSIONAL SURVEY SERVICES NEEDED FOR SURVEY OF A 320-ACRE TRACT ON RIBELIN RANCH. (TNR) (2:13 PM)
  - B. APPROVE PROFESSIONAL SERVICES AGREEMENT WITH CHAPARRAL LAND SURVEYING, INC. FOR SURVEY SERVICES ON RIBELIN RANCH.

**Clerk's Note:** Items 9.A and B added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

10. APPROVE CONTRACT AWARD OF RFO# O020028-MP, A STATE QISV ("QUALIFIED INFORMATION SYSTEMS VENDOR") CATALOGUE PURCHASE, TO UNIQUE DIGITAL TECHNOLOGY, INC. THE SOLE QUALIFIED OFFEROR, FOR THE PROCUREMENT AND INSTALLATION OF TAPE DRIVES. (I.T.S.) (COMMISSIONER GOMEZ) (2:16 PM)

**Members of the Court heard from:** Walter Lagrone, Division Manager, Information and Telecommunications Systems (ITS); and Frank Holder, Assistant Purchasing Agent.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to approve Item 10, but, for ITS to work with PBO to identify the potential source to purchase the equipment that was deleted, in order to meet a budgetary constraint as soon as possible.

**An Addition to the previous Motion was made by** Commissioner Sonleitner to also work with the Purchasing Office, related to any kind of potential contract modification.

<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 Margaret Moore	yes
	Precinct 4, Commissioner Margaret J. Gómez	absent

11. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. IL990056-DR, UNIVERSITY OF TEXAS AT AUSTIN, SCHOOL OF SOCIAL WORK (UTSSW) FOR EVALUATION OVERSIGHT AND TECHNICAL ASSISTANCE FOR THE JUVENILE OFFENDER SUBSTANCE TREATMENT SERVICES NETWORKS. (JUVENILE PROBATION DEPT.) (COMMISSIONER GOMEZ) (2:13 PM)

**Clerk's Note:** Item 11 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

12. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 01T0072-MP, K-B CONTRACT CLEANING, INC. FOR JANITORIAL SERVICES; CONTRACT APPROVED ON 3/6/01. (FACILITIES) (COMMISSIONER GOMEZ) (2:08 PM)

Item 12 to be reposted on January 2, 2002.

13. DISCLOSE RELATIONSHIP WITH KEY CONTRACTING PERSON (SPOUSE), DISCUSS AND APPROVE ORDER WAIVING THE REQUIREMENTS OF DISCRETIONARY CONTRACTS PURSUANT TO SECTION 32.004(f) OF THE TRAVIS COUNTY ETHICS POLICY FOR THE PURPOSE OF APPROVING AN INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND AUSTIN-TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION FOR OUTPATIENT SUBSTANCE ABUSE SERVICES, - SAMUEL T. BISCOE AND TAKE APPROPRIATE ACTION. (DRUG DIVERSION COURT) (2:13 PM)

**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. DISCLOSE RELATIONSHIP WITH KEY CONTRACTING PERSON (SPOUSE), DISCUSS AND APPROVE ORDER WAIVING THE REQUIREMENTS OF DISCRETIONARY CONTRACTS PURSUANT TO SECTION 32.004(f) OF THE TRAVIS COUNTY ETHICS POLICY FOR THE PURPOSE OF RENEWING CONTRACT NO. PS000029-DR BETWEEN TRAVIS COUNTY AND AUSTIN-TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER - SAMUEL T. BISCOE AND TAKE APPROPRIATE ACTION. (COUNSELING AND EDUCATION SERVICES) (2:13 PM)

**Clerk's Note:** Item 14 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

15. APPROVE PURCHASE OF RS/6000 HARDWARE, SOFTWARE, AND SERVICES OFF STATE CATALOG (QISV), FROM IBM CORPORATION. (I.T.S.) (2:13 PM)

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

### PLANNING AND BUDGET DEPT ITEMS

16. APPROVE TRAVIS COUNTY INDIRECT COST RATES. (2:13 PM)

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

17. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE. (2:13 PM)

- A. APPROVE GRANT APPLICATION TO THE CAPITAL AREA PLANNING COUNCIL (CAPCO) TO PROVIDE FUNDING FOR A VEHICLE AND OTHER EQUIPMENT TO SUPPORT SOLID WASTE ENFORCEMENT IN TRAVIS COUNTY.

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

18. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (2:15 PM)

No action necessary on Item 18.

## ADMINISTRATIVE OPERATIONS ITEMS

- 19.** REVIEW AND APPROVE THE IMMEDIATE RELEASE OF REIMBURSEMENT PAYMENT TO UNITED HEALTH CARE FOR CLAIMS PAID FOR TRAVIS COUNTY EMPLOYEES & DEPENDENTS COVERED BY THE HOSPITAL AND INSURANCE FUND FOR PAYMENT OF \$185,242.57 FOR DECEMBER 7 – DECEMBER 13, 2001. (2:13 PM)

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

- 20.** APPROVE PERSONNEL AMENDMENTS. (2:13 PM)

**Clerk's Note:** Item 20 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

## TRANSPORTATION & NATURAL RESOURCES DEPT ITEMS

- 21.** **A.** APPROVE THE PARTIAL CANCELLATION OF LOTS 26, 26A, 27, AND 28, BLOCK OF RANCH AT DEER CREEK PHASE TWO SECTION 1; AND (2:12 PM)
- 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)

**Clerk's Note:** Agenda Items 21.A and B are the action Items for Agenda Items 1.A and B.

**Clerk's Note:** Items 21.A and B are associated with one another and were called for concurrent discussion.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to approve Items 21.A and B.

<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 Margaret Moore	yes
	Precinct 4, Commissioner Margaret J. Gómez	absent

## OTHER ITEMS

22. DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (2:16 PM)

No action necessary on Item 22.

23. REAPPOINT VELVA PRICE TO THE CIVIL SERVICE COMMISSION. (JUDGE BISCOE) (2:13 PM)

**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. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (2:13 PM)

**Clerk's Note:** Item 24 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

- 25. 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> (2:26 PM) (3:04 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.** <sup>1</sup>

**Clerk's Note:** Items 25.A and B are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 25.A and B would be considered in Executive Session.

No action necessary on Items 25.A and B.

- 26. EXTEND ADMINISTRATIVE LEAVE TO JANUARY 4, 2002 FOR PERSONNEL INVESTIGATION, AND TAKE APPROPRIATE ACTION.** <sup>3</sup> (2:08 PM)

Item 26 pulled from the Agenda.

27. DISCUSS, APPROVE OR TAKE APPROPRIATE ACTION REGARDING REAL ESTATE ISSUES RELATING TO NORTH RURAL COMMUNITY CENTER AND CLINIC. <sup>2</sup> (2:26 PM) (3:04 PM)

Judge Biscoe announced that Item 27 would be considered in Executive Session.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis that we counteroffer in the amount of \$750,000.00; and that the other terms and conditions that we discussed be a part of this; and that we are requiring a response to our counter by Monday, January, 7, 2002, by 6:00pm.

<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 Margaret Moore	yes
	Precinct 4, Commissioner Margaret J. Gómez	absent

## ADJOURNMENT

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to adjourn the Voting Session. (3:05 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 Margaret Moore	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**