

## **MINUTES – JANUARY 22, 2002**

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

On Tuesday, the 22<sup>nd</sup> day of January, 2002, the Commissioners' Court convened the regular Voting Session at 9:13 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 Melissa Velasquez.

The Commissioners' Court recessed the Voting Session at 11:56 AM.

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 1:39 PM and adjourned at 1:40 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, called to order the Voting Session at 1:40 PM and adjourned at 2:03 PM.

The Commissioners' Court reconvened the regular Voting Session at 2:03 PM.

The Commissioners' Court retired to Executive Session at 2:42 PM.

The Commissioners' Court reconvened the Voting Session at 4:13 PM.

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

**PUBLIC HEARINGS**

- 1. DISCUSS AN AMENDED PLAT FOR RECORDING IN PRECINCT THREE:  
 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). (COMMISSIONER MOORE) (9:14 AM)

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

**Motion carried:**

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	yes

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

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

**Motion carried:**

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	yes

**Clerk’s Note:** This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 20 for the Court’s Motion and Vote.

**CITIZENS COMMUNICATION**

- 2. **Clerk’s Note:** There were no speakers who addressed the Court. (9:19 AM)

**CONSENT ITEMS**

**3. Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C5, and Items 6.A and B, 8, 9, 10, 21, 22, 23, 24, 25, 26, 29, and 38. (9:19 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 Margaret Moore	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 JANUARY 8, 2002.
- C4.** APPOINT DAVID ALTOUNIAN TO SERVE AS COMMISSIONER ON THE EMERGENCY SERVICES DISTRICT #9 BOARD (WEST LAKE), TERM EFFECTIVE UNTIL DECEMBER 31, 2002 (REPLACING MARGARET MOORE).
- C5.** APPOINT WILLIAM A. HEINE TO SERVE AS COMMISSIONER ON THE EMERGENCY SERVICES DISTRICT #3 BOARD (OAK HILL), TERM EFFECTIVE UNTIL DECEMBER 31, 2003, (REPLACING SUSAN MIGNATTI). (COMMISSIONER MOORE)

**PLANNING AND BUDGET DEPT ITEMS**

4. RECEIVE STATUS REPORT ON FEDERAL REIMBURSEMENT EFFORTS FROM MAXIMUS AND RECOMMENDED CONTRACT EXTENSION. (9:25 AM)

**Members of the Court heard from:** Christian Smith, Executive Manager, Planning and Budget Office (PBO); Elise d’Auteuil, Chief Analyst, Maximus; and Mark Epstein, Vice President, Maximus.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve the recommendations in the memo presented by Christian Smith, Executive Manager, PBO.

**Motion carried:**

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	yes

5. DISCUSS PRINCIPLES AND GUIDELINES FOR THE FY03 PLANNING AND BUDGET PROCESS AND TAKE APPROPRIATE ACTION. (9:39 AM)

**Members of the Court heard from:** Christian Smith, Executive Manager, PBO; Linda Moore Smith, Director, Human Resources Management Department (HRMD); Joe Gieselman, Executive Manager, TNR; and Leroy Nellis, Budget Manager, PBO.

Discussion Only.

Item 5 to be reposted on January 29, 2002.

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

A. APPROVE GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT IN JUVENILE COURT. THE GRANT CONTINUES THE PROGRAM FOR FY'02.

B. APPROVE GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT FOR A COMPREHENSIVE ENERGY ASSISTANCE PROGRAM GRANT IN HEALTH & HUMAN SERVICES. THE GRANT CONTINUES THE PROGRAM FOR FY'02.

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

7. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (11:36 AM)

**Members of the Court heard from:** Leroy Nellis, Budget Manager, PBO; Diana Ramirez, Planning and Budget Analyst, PBO; Vicki Skinner, Director of Administration, Travis County District Attorney's Office; Barbara Wilson, Assistant County Attorney; Ron Schroer, Information and Telecommunications Systems (ITS); and Joe Harlow, Director, ITS.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the budget amendments and transfers, DS2-DS6, and that we notify the District Attorney's Office that at this time we hope to take the amount necessary to implement DS1 and that program from salary savings, with the understanding that if they fall short, we will hit the Allocated Reserve at that point.

**Maker and Second accept the Friendly Amendment by Commissioner Sonleitner** that we agree with PBO's analysis related to JP 5 wanting to backfill with somebody at midpoint, and that there are sufficient salary savings to cover that, and they would have the blessing of the Court to go with the PBO recommendation on that slot.

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

<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	yes

**ADMINISTRATIVE OPERATIONS ITEMS**

8. CONSIDER APPROVING A MEMORANDUM OF EASEMENT BETWEEN TRAVIS COUNTY AND THE CITY OF AUSTIN DESIGNATING THE LOCATION OF 15 FEET WIDE PERMANENT WATER LINE ON THE TEXAS EXPOSITION AND HERITAGE CENTER SITE LOCATED AT 7311 DECKER LANE. (9:19 AM)

**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. 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 \$182,635.99 FOR THE PERIOD OF JANUARY 4, 2002 THROUGH JANUARY 10, 2002. (9:19 AM)

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

10. APPROVE PERSONNEL AMENDMENTS. (9:19 AM)

**Clerk's Note:** Item 10 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

**JUSTICE & PUBLIC SAFETY ITEMS**

- 11. RECEIVE BRIEFING ON A PERMANENT EMS STATION IN THE SOUTHEAST TRAVIS COUNTY EMERGENCY SERVICES DISTRICT (SETCO), AND TAKE APPROPRIATE ACTION. (COMMISSIONER GOMEZ) (11:06 AM)

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, Justice and Public Safety (JPS); Chris Callsen, City of Austin EMS; and Greg Middleton, City of Austin EMS.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Moore to approve sending the letter to the SETCO Commissioners, as listed in the backup.

**Motion carried:**

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	yes

- 12. DISCUSS MODIFICATION OF THE COMMUNITY JUSTICE CENTER BY-LAWS AND TAKE APPROPRIATE ACTION. (11:32 AM)

**Members of the Court heard from:** Kati Broderick, Manager, Research and Planning, JPS.

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 12.

**Motion carried:**

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	yes

**HEALTH AND HUMAN SERVICES ITEMS**

13. CONSIDER REQUEST TO AUTHORIZE MEDICAID REPAYMENT TO THE CITY OF AUSTIN FOR THE YEARS 1994 THROUGH 1996 AND TAKE APPROPRIATE ACTION. (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 13.

**Motion carried:**

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	yes

**TRANSPORTATION & NATURAL RESOURCES DEPT ITEMS**

14. DISCUSS TEXAS DEPARTMENT OF TRANSPORTATION’S PROPOSED RULES FOR STATE HIGHWAY FRONTAGE ROADS AND TAKE APPROPRIATE ACTION. (2:05 PM)

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

Discussion Only.

Item 14 to be reposted January 29, 2002.



- 15. DISCUSS TRAVIS COUNTY BECOMING A STAKEHOLDER IN THE CENTRAL TEXAS CLEAN CITIES PROGRAM, AND TAKE APPROPRIATE ACTION. (2:21 PM)**

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

**Motion by Judge Biscoe and seconded by Commissioner Davis** that we accept Staff's recommendation and become a stakeholder and a full partner.

**Motion carried:**

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	yes

- 16. CONSIDER FUNDING AGREEMENT FOR RIGHT OF WAY ACQUISITION AND UTILITY ADJUSTMENT ON LOOP 1 NORTH BETWEEN FM 734 AND SH 45, AND TAKE APPROPRIATE ACTION. (COMMISSIONER SONLEITNER) (2:23 PM)**

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

Discussion Only.

Item 16 to be reposted on January 29, 2002.

- 17. DISCUSS FIRST YEAR CASH FLOW ESTIMATE FOR 2001 BOND PROGRAM AND TAKE APPROPRIATE ACTION. (2:36 PM)**

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

Discussion Only.

Item 17 to be reposted on January 29, 2002.

- 18. DISCUSS TRAFFIC CONTROL IN VICINITY OF DESSAU MIDDLE SCHOOL AND TAKE APPROPRIATE ACTION. (JUDGE BISCOE AND COMMISSIONER DAVIS) (9:13 AM) (10:20 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Joe Hall, TNR; Craig McCoy, Businessman; and Tom Nuckols, Assistant County Attorney.

Discussion Only.

Item 18 to be reposted on February 5, 2002.

- 19. APPROVE THE USE OF ALTERNATE FISCAL FOR MEADOWS AT CAMBRIDGE HEIGHTS, A SUBDIVISION IN PRECINCT TWO. (COMMISSIONER SONLEITNER) (4:23 PM)

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

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 19.

**Motion carried:**

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	yes

- 20. APPROVE AN AMENDED PLAT FOR RECORDING IN PRECINCT THREE: 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). (COMMISSIONER MOORE) (4:24 PM)

**Clerk’s Note:** Agenda Item 20 is the action item for the public hearing on Agenda Item 1.

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

**Motion by** Commissioner Moore **and seconded by** Commissioner Gómez to approve Item 20.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	absent
Precinct 3, Commissioner Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**PURCHASING OFFICE ITEMS**

21. APPROVE INTERLOCAL AGREEMENT NO. IL020020-EF WITH THE CITY OF AUSTIN THROUGH ITS EASTSIDE STORY FOUNDATION FOR EDUCATIONAL ENRICHMENT SERVICES. (COMMISSIONER GOMEZ) (9:19 AM)

**Clerk's Note:** Item 21 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

22. APPROVE ASSIGNMENT OF CONTRACT (MODIFICATION NO. 2) CONTRACT NO. PS000159-MQ FROM YOUTH ADVOCACY, INC. TO WORKERS' ASSISTANCE PROGRAM. (HHS) (COMMISSIONER GOMEZ) (9:19 AM)

**Clerk's Note:** Item 22 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

23. APPROVE PURCHASE OF REGENERATIVE AIR SWEEPER FROM THE HOUSTON-GALVESTON AREA COUNCIL INTERLOCAL AGREEMENT, NO. IL98-98858; APPROVED ON 1/27/98. (TNR) (COMMISSIONER GOMEZ) (9:19 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. APPROVE CONTRACT AWARD FOR RESIDENTIAL PLUMBING SERVICES, IFB# B020030-MP, TO THE LOW BIDDER, 5-F MECHANICAL COMPANY, INC. (HHS-HOUSING SERVICES) (COMMISSIONER GOMEZ) (9:19 AM)

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

25. AUTHORIZE COUNTY REPRESENTATIVES TO PARTICIPATE IN FEDERAL SURPLUS PROPERTY PROGRAM. (FIXED ASSETS) (COMMISSIONER GOMEZ) (9:19 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.

- 26. APPROVE CONTRACT AWARD FOR TRAP ROCK (GRADE 5T), IFB NO. B020027-EH, TO THE SOLE AND RESPONSIVE BIDDER, VULCAN CONSTRUCTION MATERIALS. (TNR) (COMMISSIONER GOMEZ) (9:19 AM)

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

- 27. APPROVE A 24-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 98T0068-OJ, MAXIMUS, INC., FOR PROFESSIONAL SERVICES TO MAXIMIZE THE COUNTY’S FINANCIAL REIMBURSEMENTS FROM STATE AND FEDERAL SOURCES FOR TRAVIS COUNTY. (JUVENILE COURT, PBO, HHS) (COMMISSIONER GOMEZ) (9:39 AM)

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 27.

**Motion carried:**

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	yes

- 28. APPROVE 12-MONTH EXTENSION (MODIFICATION NO. 2) TO THE FOLLOWING CONTRACTS FOR SOLID WASTE DISPOSAL; CONTRACTS APPROVED ON 3/28/00. (TNR) (COMMISSIONER GOMEZ) (4:26 PM)

- A. CONTRACT NO. 00T0185-LD, WASTE MANAGEMENT; AND
- B. CONTRACT NO. 00T0186-LD, TEXAS DISPOSAL SYSTEMS.

**Clerk’s Note:** Items 28.A and B are associated with one another and were called for concurrent discussion.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Items 28.A and B.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	abstain
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 29. APPROVE CONTRACT MODIFICATION NO. 1, CONTRACT NO. MA000042, TO ADD DONATED DISK DRIVES TO THE UNISYS SYSTEM SURETY MAINTENANCE SUPPORT SERVICE AGREEMENT, UNISYS CORPORATION; CONTRACT APPROVED ON 12/14/99. (I.T.S.) (COMMISSIONER GOMEZ) (9:19 AM)

**Clerk’s Note:** Item 29 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 30. APPROVE INTERLOCAL AGREEMENT NO. IL020072-EF WITH THE AUSTIN/TRAVIS COUNTY MENTAL HEALTH AND MENTAL RETARDATION CENTER, DUAL DIAGNOSIS DRUG COUNSELING. (DRUG COURT/S.H.O.R.T.) (COMMISSIONER GOMEZ) (4:25 PM)

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

**Motion by** Commissioner Moore **and seconded by** Commissioner Sonleitner 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 Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 31. 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 SUBSTANCE ABUSE TREATMENT SERVICES - SAMUEL T. BISCOE. (HHSD) (9:22 AM)

**Clerk’s Note:** Judge Biscoe announced that Item 31 is posted to publicly notify a relationship with a key contracting person.

Discussion Only.

32. 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 MENTAL RETARDATION SERVICES - SAMUEL T. BISCOE. (HHSD) (9:22 AM)

**Clerk's Note:** Judge Biscoe announced that Item 32 is posted to publicly notify a relationship with a key contracting person.

Discussion Only.

### OTHER ITEMS

33. DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (4:26 PM)

No action necessary on Item 33.

**34. DISCUSS COMMITTEE ASSIGNMENTS FOR COMMISSIONERS COURT MEMBERS, AND TAKE APPROPRIATE ACTION. (4:26 PM)**

**Motion by Judge Biscoe and seconded by Commissioner Davis** to recommend Flynn Lee to the CAPCO General Assembly.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	abstain
Precinct 3, Commissioner Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**Motion by Commissioner Sonleitner and seconded by Commissioner Moore** that the Capital Area Metropolitan Planning Organization (CAMPO) representatives be Commissioner Sonleitner, Judge Biscoe, and Commissioner Moore.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	abstain
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** that Commissioner Davis represent Commissioners’ Court on the Regional Mobility Authority (RMA).

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	abstain
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**Motion by Commissioner Sonleitner and seconded by Judge Biscoe** to make clear that, related to all of our other assignments, they are as they stand, with the exception of Commissioner Moore going into the former Commissioner Baxter slots on all those other Committees, with the exception of the changes made in the previous votes.

**Motion carried:**

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	yes

35. APPROVE ORDER FORMALLY ACCEPTING UNISYS DISK DRIVES DONATED BY THE TEXAS DEPARTMENT OF HUMAN SERVICES. (4:47 PM)

**Members of the Court heard from:** Joe Harlow, Director, ITS; and Walter Lagrone, Division Manager, ITS.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Moore to approve Item 35.

**Motion carried:**

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	yes

36. DISCUSS STINSON LOUIS RHODNEY’S REQUEST FOR PROPERTY VALUATION REDUCTION FOR 1999 AND/OR OTHER APPROPRIATE RELIEF, AND TAKE APPROPRIATE ACTION. (2:42 PM) (4:14 PM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we authorize the County Judge to write Mr. Rhodney an appropriate response, setting forth the advice we were given by legal counsel.

**Motion carried:**

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	yes



37. APPROVE AMENDMENT TO INTERLOCAL AGREEMENT WITH BEE CAVE FOR LAW ENFORCEMENT SERVICES TO EXTEND CONTRACT TO DECEMBER 31, 2002. (COMMISSIONER MOORE) (4:49 PM)

**Members of the Court heard from:** Suzanne Garrett, Travis County Sheriff's Office.

**Motion by** Commissioner Moore **and seconded by** Commissioner Sonleitner to approve Item 37.

**Motion carried:**

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	yes

38. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:19 AM)

**Clerk's Note:** Item 38 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

**39. 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> (2:42 PM) (4:14 PM)**

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

**Motion by Judge Biscoe and seconded by Commissioner Davis** that we authorize settlement of the claim with B and B Construction and Interiors Incorporated in the amount of \$106,400.00 in exchange for a full release and appropriate settlement papers, similar to the ones that we have used in the past; and to settle the claim of Schnurr Incorporated in the amount of \$266,844.00 in exchange for a full release and settlement, similar to the documents we have used in the past.

**Motion carried:**

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	yes

**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> (2:41 PM) (4:16 PM)**

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

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

**Motion by Judge Biscoe and seconded by Commissioner Gómez** that we authorize the County Judge to serve as the litigation representative for the trial purpose, in the matter of Fluor Daniel Incorporated versus Travis County, Texas, and that we indicate our intention to post this item, to enable as many members of the Court to attend the closing as possible.

**Motion carried:**

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	yes

- 40. CONSIDER PURCHASE AGREEMENTS FOR ACQUISITION OF LAND FOR A PROPOSED EAST METRO PARK IN PRECINCT ONE, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) <sup>2</sup> (2:42 PM) (4:17 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Davis** that we authorize the TNR Director, Joe Gieselman, to write an appropriate letter to Mr. Pete Dwyer, basically, indicating our appreciation for his interest, and his efforts to negotiate with us, for us to purchase land that he owns as East Metro Park; and advising him that we have concluded that there are more questions than answers. Therefore, we plan to look elsewhere.

**Motion carried:**

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	yes

- 41. DISCUSS, APPROVE OR TAKE APPROPRIATE ACTION REGARDING REAL ESTATE ISSUES RELATED TO NORTH RURAL COMMUNITY CENTER AND CLINIC. <sup>2</sup> (9:24 AM) (2:44 PM)

Item 41 postponed until January 29, 2002.

- 42. DISCUSS, APPROVE, OR TAKE ANY APPROPRIATE ACTION REGARDING REAL ESTATE ISSUES RELATED TO 201 WEST FIFTH STREET LEASE. <sup>2</sup>  
(2:42 PM) (4:18 PM)

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

**Members of the Court heard from:** Pat Ford, Real Estate Manager, Facilities Management.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the two month interim lease, and that Facilities be given instructions to get the appropriate budget transfers filed on next week’s Agenda, to make the transfers that are necessary, related to FF&E purchases, working with PBO; and that the County Judge be authorize to sign the third modification covering the two-month lease.

**Maker and Second accept the Friendly Amendment by** Judge Biscoe to approve the expenditure of the \$36,730.00 in addition to the authorization of a budget transfer.

**Acceptance of the Friendly Amendment was made by** Commissioner Sonleitner and Commissioner Gómez.

**A Clarification of the previous Motion was made by** Commissioner Sonleitner that we have the intent of approving that budget transfer and the spending of the money that goes with it, based on our instructions to file the appropriate documents next week.

**Motion carried:**

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	yes

- 43. DISCUSS, APPROVE, OR TAKE ANY APPROPRIATE ACTION REGARDING REAL ESTATE ISSUES RELATED TO WEST NINTH STREET. <sup>2</sup> (2:44 PM)

Item 43 postponed until January 29, 2002.

44. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY V. DAVID LUX, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (2:42 PM) (4:20 PM)

Judge Biscoe announced that Item 44 would be considered in Executive Session.

**Motion by Judge Biscoe and seconded by Commissioner Davis** that we authorize the County Judge to sign prepared tax resale deeds, to deed the two parcels of land in question to Lyle R. and Tracy R. Nelson in exchange for \$4,000.00 each.

**Motion carried:**

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	yes

45. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY V. SMALL PLANES, INC. X96-01086 AND TAKE APPROPRIATE ACTION. <sup>1</sup> (2:42 PM) (4:20 PM)

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

Item 45 to be reposted on January 29, 2002.

46. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN LAKE TRAVIS I.S.D. V. CRAZYHORSE LAND CORP., AND TAKE APPROPRIATE ACTION. <sup>1</sup> (2:42 PM) (4:20 PM)

Judge Biscoe announced that Item 46 would be considered in Executive Session.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** that we authorize the County Judge to sign this tax resale deed to Elena Litkowski, to deed her the property in question in exchange for the sum of \$775.04.

**Motion carried:**

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	yes

47. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN LAKE TRAVIS I.S.D. V. CRAZYHORSE LAND CORP., AND TAKE APPROPRIATE ACTION. <sup>1</sup> (2:42 PM) (4:20 PM)

Judge Biscoe announced that Item 47 would be considered in Executive Session.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** that the County Judge be authorized to execute the proposed tax resale deeds to Suenos Investment Properties Incorporated, and there are five deeds to the same buyer, each deed in the amount of \$1,000.00.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

48. RECEIVE BRIEFING FROM COUNTY ATTORNEY ON CONCERNS REGARDING ORGANIZATION OF TRAVIS COUNTY EMERGENCY SERVICES, AVIATION OPERATIONS, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (2:42 PM) (4:21 PM)

Judge Biscoe announced that Item 48 would be considered in Executive Session.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** that we authorize legal Staff to take the appropriate steps to find out from the appropriate Federal agency, namely the FAA, the answers to key questions that we discussed in Executive Session; that we have this Item back on the Court’s Agenda next week for any response that we have received.

**Motion carried:**

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	yes

Item 48 to be reposted on January 29, 2002.

- 49.** RECEIVE STATUS REPORT AND LEGAL ADVICE ON U.S. JUSTICE DEPARTMENT'S PRE-CLEARANCE OF TRAVIS COUNTY REDISTRICTING PLAN FOR COMMISSIONERS, CONSTABLES AND JUSTICES OF THE PEACE, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (2:42 PM) (4:22 PM)

Judge Biscoe announced that Item 49 would be considered in Executive Session.

Discussion Only.

No action taken on Item 49.

**THE FOLLOWING ITEMS ARE ADDENDA:**

- A1.** CONSIDER REQUEST BY SMALL BUSINESS ADMINISTRATION FOR TEMPORARY USE OF 624 N. PLEASANT VALLEY ROAD FOR DISASTER RELIEF ASSISTANCE FOR NOVEMBER 2001 FLOOD VICTIMS. (EMERGENCY SERVICES) (11:24 AM)

**Members of the Court heard from:** Pete Baldwin, Emergency Management Coordinator, Emergency Services.

**Clerk's Note:** The Court without objection allowed the request to continue and stand in place.

Discussion Only.

- A2.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN: FREDRICK PLUET, (DECEASED) V. MARGO FRASIER, ET AL. (CIVIL RIGHTS) EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOVT. CODE ANN. 551.071. (2:47 PM)

Item A2 postponed until January 29, 2002.

**ADJOURNMENT**

**Motion by** Commissioner Sonleitner **and seconded by** Judge Biscoe to adjourn the Voting Session. (4:50 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	yes

**MINUTES APPROVED BY THE COMMISSIONERS' COURT**

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**Date of Approval**

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**Samuel T. Biscoe, Travis County Judge**