

MINUTES – FEBRUARY 19, 2002

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 19th day of February, 2002, the Commissioners' Court convened the regular Voting Session at 9:18 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 11:57 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 1:38 PM and adjourned at 1:39 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 1:39 PM.

The Commissioners' Court reconvened the regular Voting Session at 1:40 PM.

The Commissioners' Court retired to Executive Session at 2:57 PM.

The Commissioners' Court reconvened the Voting Session at 4:28 PM.

The Commissioners' Court adjourned the Voting Session at 4:34 PM.

The Commissioners' Court record notes that Precinct One Commissioner Ron Davis was not present during this Voting Session.

PUBLIC HEARINGS

- 1. DISCUSS A PLAT FOR RECORDING IN PRECINCT THREE; RESUBDIVISION OF LOT 1, BLOCK 'A', AAA FACILITIES SUBDIVISION (SHORT FORM PLAT – 1 LOT – 9.056 ACRES – FM 2304 (MANCHACA ROAD) – NO FISCAL REQUIRED - SEWAGE SERVICE TO BE PROVIDED BY THE CITY OF AUSTIN – COA ETJ). (COMMISSIONER MOORE) (9:19 AM)

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

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
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: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); and Tom Nuckols, Assistant County Attorney.

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

Motion carried:

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

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 9 for the Court’s Motion and Vote.

RESOLUTIONS & PROCLAMATIONS

- 2. APPROVE PROCLAMATION RECOGNIZING THE WEEK OF FEBRUARY 17 – 24 AS NATIONAL ENGINEERS WEEK. (COMMISSIONER SONLEITNER) (9:21 AM)

Members of the Court heard from: Hank Smith, Carter Burgess.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Moore to approve the proclamation.

Motion carried:

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

- 3. APPROVE PROCLAMATION RECOGNIZING FEBRUARY 22 THROUGH MARCH 3, 2002 AS TRAIL RIDE WEEK IN TRAVIS COUNTY. (JUDGE BISCOE) (9:24 AM)

Members of the Court heard from: Jean Mueller, Trail Boss, Star of Texas Fair and Rodeo.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve Item 3.

Motion carried:

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

CITIZENS COMMUNICATION

Clerk’s Note: Commissioner Sonleitner acknowledged the League of Women Voters members who were observing Travis County Government for the day.

- 4. Members of the Court heard from:** Joe Harlow, Director, Information and Telecommunications Systems (ITS); Chris Cox, ITS; Kenneth Snyder, Northridge Acres; Mike Hanson, Candidate, Travis County Commissioner Precinct 4; Ron Anderson, Private Citizen; and Binky Morgan, Private Citizen. (9:29 AM)

CONSENT ITEMS

- 5. Motion by** Commissioner Sonleitner **and seconded by** Commissioner Moore to approve the following Consent Items: C1-C4, and Items 9, 10, 11, 12, 18, 19, 20, 23, 25, 29.A-D, 30, 33, and 37. (9:46 AM)

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
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 MEETING DATES:
 - A.** VOTING SESSION OF JANUARY 29, 2002.
 - B.** VOTING SESSION OF FEBRUARY 5, 2002.

ITEM 5 (CONSENT ITEMS) CONTINUED

- C4.** APPOINT THE FOLLOWING DEPUTY CONSTABLES FOR PRECINCT 3 FOR 2002: STEPHEN AARON, ALLEN ANDERSON, BOBBY BROWN, VANCE BROWN, JEFF CARROLL, KEITH COUCH, J. T. FOWLER, CONNIE HAUN, CLINTON LANFEAR, RUBEN MARQUEZ, DAMON MILLER, LUCY NEYENS, GREGORY PAPST, JEFF PARKER, HARRILYN PITCOCK, RAUL QUINTERO, JAMES RANEY, MICHAEL RITENOUR, DENNIS RUDDER, DELORES SANCHEZ BILLY SCHLUETER, WILLIAM SLAGLE, STACY SUITS, CARLOS VALENZUELA-DURR AND CAREY YOUNG.

TRANSPORTATION & NATURAL RESOURCES DEPT ITEMS

- 6.** DISCUSS BRIEF TO BE SUBMITTED TO ATTORNEY GENERAL IN RESPONSE TO OPINION REQUEST #0492-JC, REGARDING CITY AND COUNTY PLATTING JURISFICTION IN THE ETJ UNDER HB 1445, AND TAKE APPROPRIATE ACTION. (JUDGE BISCOE) (9:50 AM)

Members of the Court heard from: Tom Nuckols, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve Item 6 and to collaborate with the Conference of Urban Counties.

Motion carried:

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

7. APPROVE BUDGET AMENDMENT AND AUTHORIZE TNR TO SPEND UP TO:
A. \$6,000 FOR TRAVEL EXPENSES TO REIMBURSE SELECTED CANDIDATES FOR THE POSITION OF PUBLIC WORKS DEPARTMENT DIRECTOR; AND B. \$4,000 FOR MOVING EXPENSES TO REIMBURSE SELECTED CANDIDATE FOR PUBLIC WORKS DEPARTMENT DIRECTOR.
(10:06 AM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Moore to approve Item 7.

Motion carried:

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

8. CONSIDER REQUEST TO USE FUNDS BUDGETED FOR NEW TRAFFIC SIGNALS IN FY 02 FOR THE UPGRADE OF FIFTEEN (15) EXISTING SIGNALS, AND TAKE APPROPRIATE ACTION. (COMMISSIONER SONLEITNER) (10:07 AM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Moore to approve Item 8.

Motion carried:

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

9. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 1, BLOCK 'A', AAA FACILITIES SUBDIVISION (SHORT FORM PLAT – 1 LOT – 9.056 ACRES – FM 2304 (MANCHACA ROAD) – NO FISCAL REQUIRED - SEWAGE SERVICE TO BE PROVIDED BY THE CITY OF AUSTIN – COA ETJ). (COMMISSIONER MOORE) (9:46 AM)

Clerk's Note: Agenda Item 9 is the action item for the public hearing on Agenda Item 1.

Clerk's Note: Item 9 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

10. NOTIFY COURT OF SATISFACTORY CONSTRUCTION OF THE PRIVATE STREET FOR BARTON CREEK LAKESIDE PHASE 7, A SUBDIVISION IN PRECINCT 3. (COMMISSIONER MOORE) (9:46 AM)

Clerk's Note: Item 10 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

11. APPROVE A PLAT FOR RECORDING IN PRECINCT THREE – LAGO VISTA VENTURES SUBDIVISION – (SHORT FORM PLAT – 1 LOT – 6.161 ACRES – LOHMANS FORD RD. – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED ON SITE BY ON SITE FACILITY – COA ETJ). (COMMISSIONER MOORE) (9:46 AM)

Clerk's Note: Item 11 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

12. APPROVE A PLAT FOR RECORDING IN PRECINCT THREE – BARTON CREEK SECTION H – (LONG FORM PLAT – 4 LOTS – 19.983 ACRES – TRAVIS COOK RD. – FISCAL POSTED WITH THE CITY OF AUSTIN - SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY MUD #s 4&5 – COA ETJ). (COMMISSIONER MOORE) (9:46 AM)

Clerk's Note: Item 12 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

13. DISCUSS THE ISSUANCE AMOUNT AND DATE OF SALE OF BONDS AUTHORIZED IN 2001 FOR ROAD AND PARK IMPROVEMENTS, AND TAKE APPROPRIATE ACTION. (JUDGE BISCOE) (10:10 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Ladd Pattillo, Travis County Financial Advisor; and Christian Smith, Executive Manager, Planning and Budget Office (PBO).

Motion by Judge Biscoe **and seconded by** Commissioner Moore to get with the other Elected Officials and communicate with the Commission to try to find out as much information about the status of SH 130 as possible, especially when the money is needed; and to report back to the Commissioners’ Court. The other part is, if there are legal restrictions based on the Bond language then we ought to communicate those restrictions to the State of Texas.

A Restatement of the previous Motion was made by Judge Biscoe for Staff and our professional Consultants to go ahead and start preparing the necessary paperwork; 2) that we communicate with the Commission and try to get some schedule from them; and 3) that we get with Bond Counsel, review legal restrictions on the County’s authorization to use the \$66 million or the other \$24 million also, and to research legal restrictions on both of them, and to check the \$2 million in hand of Bond money also.

Motion carried:

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

14. DISCUSS LEGAL ISSUES RELATING TO HOUSE BILL 1445 AND INTERLOCAL AGREEMENTS WITH CITIES FOR THE REVIEW OF SUBDIVISIONS WITHIN THE EXTRATERRITORIAL JURISDICTION. (9:54 AM)

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

Discussion Only.

Item 14 to be reposted on March 5, 2002.

15. APPROVE REIMBURSEMENT RESOLUTION TO PERMIT THE AWARD OF A PROFESSIONAL SERVICES AGREEMENT FOR THE ENGINEERING DESIGN ON WESTBANK DRIVE, a 2001 BOND PROJECT. (1:43 PM)

Members of the Court heard from: Jessica Rio, Planning and Budget Analyst, PBO.

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

Motion carried:

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

HEALTH AND HUMAN SERVICES ITEMS

16. CONSIDER CHANGING THE NAME OF TRAVIS COUNTY SERVICES FOR THE DEAF TO TRAVIS COUNTY SERVICES FOR DEAF AND HARD OF HEARING PEOPLE AND TAKE APPROPRIATE ACTION. (10:34 AM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 16.

Motion carried:

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

17. CONSIDER NEED TO COMMIT ADDITIONAL RESOURCES TO MEET INCREASED BASIC NEEDS, AND TAKE APPROPRIATE ACTION. (JUDGE BISCOE) (9:19 AM) (10:36 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, TCHHS&VS; David Lurie, Austin-Travis County Health and Human Services; Alan Miller, Planning and Budget Analyst, PBO; Sherri Moore, Health and Human Services; David Balch, CEO, United Way-Capital Area; Eileen Oldag, Chair, Community Action Network Basic Needs Workgroup, and Executive Director, Caritas; and Fred Butler, Executive Director, Community Action Network.

Discussion Only.

Item 17 to be reposted on March 5, 2002 at 10:30 AM.

PURCHASING OFFICE ITEMS

18. APPROVE PRIMARY AND SECONDARY CONTRACT AWARDS FOR TRANSMISSION REPAIR SERVICES, IFB NO. B020047-LD, TO THE LOW BIDDERS, AAMCO SOUTH (PRIMARY, REBUILDS) AND EAGLE TRANSMISSIONS (SECONDARY, RESEALS). TNR (COMMISSIONER GOMEZ) (9:46 AM)

Clerk's Note: Item 18 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

19. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT 00T0259-RG, GULF COAST PAPER COMPANY, FOR JANITORIAL SUPPLIES. CONTRACT APPROVED ON MAY 16, 2000. (FACILITIES MANAGEMENT) (COMMISSIONER GOMEZ) (9:46 AM)

Clerk's Note: Item 19 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- 20. REQUEST APPROVAL OF MODIFICATION NO. 4 (WORK ORDER #4) TO INTERLOCAL AGREEMENT WITH AUSTIN ENERGY, IL000106-JG, FOR ENERGY SERVICES. INTERLOCAL AGREEMENT WAS APPROVED ON FEBRUARY 15, 2000. (FACILITIES MANAGEMENT) (COMMISSIONER GOMEZ) (9:46 AM)

Clerk’s Note: Item 20 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 21. APPROVE CONTRACT AWARD FOR MOBILE SHELVING SYSTEM, IFB B020033-RG, TO THE LOW BIDDER, SPACESAVER/SOUTHWEST SOLUTIONS AND REJECT ALL BIDS FOR LINE ITEMS 1B, 2, 2A, AND 2B. (RECORDS MANAGEMENT) (COMMISSIONER GOMEZ) (1:40 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Moore to approve Item 21.

Motion carried:

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

- 22. APPROVE CONTRACT AWARD FOR MINOR CONSTRUCTION AND RENOVATION SERVICES TO THE TWO LOWEST BIDDERS, BARECKY CONSTRUCTION COMPANY AND ARCHITECTURAL HABITAT OF AUSTIN, INC., IFB B020052-DM. (FM) (COMMISSIONER GOMEZ) (9:19 AM)

Item 22 postponed until February 26, 2002.

- 23. APPROVE CONTRACT (NO. PS020090EF) WITH EASTER SEALS – CENTRAL TEXAS, FOR OUTPATIENT MEDICAL SERVICES. (HHSD) (COMMISSIONER GOMEZ) (9:46 AM)

Clerk’s Note: Item 23 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 24. APPROVE A 12-MONTH EXTENSION TO CONTRACT NO PS010062-JS (MODIFICATION NO. 1) WITH THE COMMUNITY PARTNERSHIP FOR THE HOMELESS FOR TRANSITIONAL HOUSING SERVICES FOR VETERANS. (HHSD) (COMMISSIONER GOMEZ) (9:19 AM)

Item 24 postponed until February 26, 2002.

- 25. APPROVE RATIFICATION AND MODIFICATION NO. 9 TO CONTRACT NO. PS960295-KW WITH AUSTIN CHILD GUIDANCE CENTER (ACGC) FOR PROVIDING MENTAL HEALTH TREATMENT AND CONSULTATION SERVICES TO JUVENILE OFFENDERS. (COMMISSIONER GOMEZ) (9:46 AM)

Clerk’s Note: Item 25 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 26. APPROVE AWARD OF CONTRACT FOR AIR QUALITY TESTING AND CONSULTING SERVICES FOR WATER DAMAGE REMEDIATION AND DECONTAMINATION AT THE TRAVIS COUNTY JAIL. (RISK MANAGEMENT AND SHERIFF) (COMMISSIONER GOMEZ) (9:19 AM)

Item 26 postponed until February 26, 2002.

- 27. APPROVE CONTRACT TO CH2M HILL, INC., FOR THE PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR THE WESTBANK ROAD CONSTRUCTION PROJECT, RFQ #010065-JJ. (TNR) (COMMISSIONER MOORE) (1:45 PM)

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

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

Motion carried:

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

29. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE. (9:46 AM)
- A. APPROVE GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR CRIMINAL JUSTICE DIVISION FOR A VICTIMS OF CRIME ACT GRANT PROGRAM IN THE SHERIFF'S OFFICE. THE GRANT CONTINUES THE PROGRAM YEAR FOR FY 03.
 - B. APPROVE GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR CRIMINAL JUSTICE DIVISION FOR A JUVENILE BATTERERS INTERVENTION-PREVENTION PROGRAM IN JUVENILE COURT. A NEW 5-YEAR GRANT PROGRAM PROPOSED FOR JUVENILE COURT WITH AN INCREASE IN GRANT MATCH IN YEAR 3-5.
 - C. APPROVE GRANT APPLICATION TO THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR A PROTECTIVE ORDER GUARDIAN AD LITEM GRANT PROGRAM IN JUVENILE COURT. A NEW 5-YEAR GRANT PROGRAM PROPOSED FOR JUVENILE COURT WITH AN INCREASING GRANT MATCH IN YEARS 3-5. AND
 - D. APPROVE GRANT CONTRACT TO THE OFFICE OF THE GOVERNOR CRIMINAL JUSTICE DIVISION FOR ROPES FAMILY INITIATIVES FOR TRAVIS COUNTY GRANT PROGRAM IN JUVENILE COURT. THE GRANT CONTINUES THE PROGRAM FOR FY 02.

Clerk's Note: Items 29.A-D added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

ADMINISTRATIVE OPERATIONS ITEMS

30. 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 \$181,808.44 FOR FEBRUARY 1, 2002 TO FEBRUARY 7, 2002. (9:46 AM)

Clerk's Note: Item 30 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- 31. RECEIVE EMPLOYEE HOSPITAL AND SELF-INSURANCE FUND QUARTERLY REPORT AND TAKE APPROPRIATE ACTION. (1:51 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Cindy Purinton, Benefits Contract Administrator, Human Resources Management Department (HRMD); Mark Weisberger, Financial Analyst, HRMD; Linda Moore Smith, Director, HRMD; and Dan Mansour, Risk Manager, HRMD.

Discussion Only.

- 32. CONSIDER REQUEST FROM KB HOMES TO DISTRIBUTE A FLYER ALONG WITH EMPLOYEES' PAYCHECKS, ADVERTISING A SPECIAL MORTGAGE OPTION FOR COUNTY EMPLOYEES. (JUDGE BISCOE) (2:32 PM)

Members of the Court heard from: Andy Erben, Director, Government Relations, KBHome Austin.

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

Motion carried:

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

- 33. APPROVE PERSONNEL AMENDMENTS. (9:46 AM)

Clerk's Note: Item 33 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

OTHER ITEMS

- 34. DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (2:43 PM)

No action necessary on Item 34.

- 35. APPROVE ORDER DESIGNATING POLING PLACES FOR THE MARCH 12 PRIMARY ELECTIONS AND OTHER RELATED ISSUES AND TAKE APPROPRIATE ACTION. (2:43 PM)

Clerk’s Note: Items 35 and A1 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk; Mary Aleshire, Private Citizen; and John Hille, Assistant County Attorney.

Motion by Judge Biscoe and seconded by Commissioner Moore to approve the recommendations made by the County Clerk under Items 35 and A1, changing the Westover location of the Randall’s from 2725 Exposition to the Randall’s Lake Austin, 715 Exposition; and changing the 105 Cross Creek Lakeway location on March 4, 2002 to 104 Cross Creek; and to notify our voters; and approve the outside-the-building location at the HEB’s.

Motion carried:

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

36. CONSIDER DRAFT POLICY COVERING THE DISPLAY OF LITERATURE IN COUNTY COURTS AND ADMINISTRATIVE BUILDINGS, AND TAKE APPROPRIATE ACTION. (2:57 PM) (4:28 PM)

Judge Biscoe announced that Item 36 would be considered in Executive Session pursuant to Gov't Code Ann 551.071, Consultation with Attorney.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner that we direct that the proposed draft policy be put in shape for distribution to the public, and distributed to interested persons that we know about tomorrow; and that copies be made available to others who can call members of the Commissioners' Court or the Administrative Operations Executive Manager, and be mailed a copy; that we focus on the Courts' buildings first, and that we plan to concentrate on the Administrative buildings at a later date. We have already decided and noticed a public hearing for Tuesday, March 5, 2002, at 9:00am, and so at the beginning of that meeting we will have a public hearing on the proposed draft policy, and hopefully, between now and then, interested persons will have an opportunity to review it, and come down on that date, and give the Court whatever comments they have.

A Clarification of the previous Motion was made by Judge Biscoe to ask the County Attorney's Office to clarify some of the locations in the policy, to have very specific addresses and specific names of the buildings, and to incorporate these changes into the clean draft policy that is prepared for distribution tomorrow.

Motion carried:

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

37. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:46 AM)

Clerk's Note: Item 37 added to Consent Items. Please refer to Agenda Item 5 (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

- 38. A.** RECEIVE BRIEFING FROM COUNTY ATTORNEY'S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE PROGRAM, AND TAKE APPROPRIATE ACTION. ¹ (2:57 PM) (4:30 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

Judge Biscoe announced that Items 38.A and B would be considered in Executive Session.

Clerk's Note: Judge Biscoe announced that Travis County was advised that on February 13, 2002, Travis County was served with a Motion to Amend the judgement in this matter, in which the attorneys for Fluor Daniel have asked Judge Sparks to amend the judgement to include pre-judgement interest, and to increase the interest rate that is now set at 2 ½ percent per annum, to 6 or 10 percent; and that the County's response is Monday, February 25, 2002; and that we are advised that it would be premature for us to take any formal action on this matter between now and then; and, that the appropriate step now, is to wait and see the Judge's response to the other side's Motion, and our response, which we anticipate will be shortly after February 25, 2002.

Item 38.A and B to be reposted on February 26, 2002.

- 39.** DISCUSS, APPROVE OR TAKE APPROPRIATE ACTION REGARDING WEST NINTH STREET. ² (4:31 PM)

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

No action necessary on Item 39.

40. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING TRAVIS COUNTY V. ARK MUSIC, INC. AND TAKE APPROPRIATE ACTION. ¹ (4:32 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to give directions to Staff to pursue collection of judgement including costs, and to renew our willingness to review the financial records.

Motion carried:

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

Item 40 to be reposted on March 5, 2002.

41. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING ATTORNEY GENERAL OPINION REQUEST #0492-JC, REGARDING CITY AND COUNTY PLATTING JURISDICTION IN THE ETJ UNDER HB 1445, AND TAKE APPROPRIATE ACTION. ¹ (4:32 PM)

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

No action necessary on Item 41.

42. DISCUSS, APPROVE, OR TAKE ANY APPROPRIATE ACTION REGARDING REAL ESTATE ISSUES RELATED TO WEST NINTH STREET. ² (4:33 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner that we direct Staff to keep negotiating with the Criminal District Judges, and that we bring the Sheriff’s Office into the loop, especially to determine any and all operating costs; that we ask Commissioner Moore to represent the Commissioners’ Court in those negotiations; and, that we have this matter back on the Agenda next Tuesday, in the event there is action to be taken.

Motion carried:

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

Item 42 to be reposted on February 26, 2002.

43. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN FREDERICK PLUET, (DECEASED) V. MARGO FRASIER, ET AL. (CIVIL RIGHTS). ^{1, 2, AND 3} (4:33 PM)

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

Item 43 postponed until February 26, 2002.

44. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF ADMINISTRATIVE LEAVE FOR JUVENILE COURT EMPLOYEE. ^{1 & 3} (4:33 PM)

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

No action necessary on Item 44.

Item 44 pulled from the Agenda.

THE FOLLOWING IS AN ADDENDUM:

A1. DISCUSS AND APPROVE ITEMS RELATED TO THE CONDUCT OF THE MARCH 12, 2002 JOINT PRIMARY ELECTIONS, AND TAKE APPROPRIATE ACTION. (2:43 PM)

Clerk’s Note: Items 35 and A1 are associated with one another and were called for concurrent discussion. Please refer to Agenda Item 35 for a summary of the Court’s Motion and Vote.

ADJOURNMENT

Motion by Commissioner Sonleitner **and seconded by** Commissioner Moore to adjourn the Voting Session. (4:34 PM)

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
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

Date of Approval

Samuel T. Biscoe, Travis County Judge