

MINUTES – FEBRUARY 26, 2002

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 26th day of February, 2002, 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 12:00 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 1:40 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 1:58 PM.

The Commissioners' Court reconvened the regular Voting Session at 1:58 PM.

The Commissioners' Court adjourned the Voting Session at 2:51 PM.

ITEM 4 (CONSENT ITEMS) CONTINUED

- C6.** APPROVE SETTING A PUBLIC HEARING DATE OF MARCH 19, 2002 TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE THE DRAINAGE EASEMENT ACROSS LOT 10 BLOCK 26, AUSTIN LAKE ESTATES SECTION ONE, A SUBDIVISION IN PRECINCT 3. (COMMISSIONER MOORE)
- C7.** APPROVE SETTING A PUBLIC HEARING DATE OF MARCH 19, 2002 TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 3279 SQ. FT. DRAINAGE EASMENT ACROSS LOT 17 BLOCK B, WESTVIEW ON LAKE AUSTIN PHASE A, A SUBDIVISION IN PRECINCT 3. (COMMISSIONER MOORE)

JUSTICE AND PUBLIC SAFETY ITEMS

- 5.** REVIEW AND TAKE APPROPRIATE ACTION CONCERNING AMENDMENT NO. 1 TO INTERLOCAL AGREEMENT WITH CITY OF AUSTIN FOR COMBINED EMERGENCY COMMUNICATIONS AND TRANSPORTATION MANAGEMENT CENTER PHASE III CONSTRUCTION SERVICES. (RT/DD) (1:59 PM)

Members of the Court heard from: Teresa Reel, Manager, Emergency and Wireless Communications, Justice and Public Safety (JPS).

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Amendment number 1.

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

- 6. CONSIDER COMMISSIONERS COURT NOMINATIONS TO THE EMS ADVISORY BOARD AND TAKE APPROPRIATE ACTION. (2:01 PM)

Members of the Court heard from: Dinah Dinwiddie, Executive Manager, JPS.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to appoint Dr. Donald Patrick, as the Court’s “informed consumer”, to the EMS Advisory Board.

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

- 7. RECEIVE BRIEFING AND DISCUSS REMEDIAL ORDER ISSUED BY THE TEXAS COMMISSION ON JAIL STANDARDS AND TAKE APPROPRIATE ACTION. (9:15 AM) (9:44 AM)

Members of the Court heard from: Margo Frasier, Travis County Sheriff; David Balagia, Major, Travis County Sheriff’s Office (TCSO); Roger El Khoury, Director, Facilities Management; Mike Hemby, Research Analyst, TCSO; and Evelyn McKee, Judge, Municipal Court.

Discussion Only.

- 8. CONSIDER COURT NOMINATIONS TO FILL VACANCY ON EMS ADVISORY COMMITTEE AND TAKE APPROPRIATE ACTION. (9:15 AM)

No action necessary on Item 8.

12. APPROVE CANCELLATION OF A PORTION OF A PLAT AND RECORDING THE REVISED PLAT IN PRECINCT THREE: LA ISLA AT ANGEL BAY TWO - (LONG FORM PLAT – 13 LOTS – 63.98 ACRES – ANGEL LIGHT DRIVE - FISCAL POSTED WITH SECTION ONE – LCRA OSSF - NO ETJ). (COMMISSIONER MOORE) (9:28 AM)

Clerk's Note: Agenda Item 12 is the action item for the public hearing on Item 1.

Clerk's Note: Item 12 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

PURCHASING OFFICE ITEMS

13. APPROVE ADDITIONAL WORK (MODIFICATION NO. 5) TO CONTRACT 00T0038-RG, HOLDERS PEST CONTROL, FOR THE PROVISION OF PEST CONTROL SERVICES. CONTRACT APPROVED ON NOVEMBER 2, 1999. (FACILITIES MANAGEMENT) (COMMISSIONER GOMEZ) (9:28 AM)

Clerk's Note: Item 13 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

14. APPROVE CONTRACT (NO. PS020080EF) WITH CAPITAL AREA TRAINING FOUNDATION FOR COMPUTER TECHNOLOGY TRAINING SERVICES. (HHSD) (COMMISSIONER GOMEZ) (9:28 AM)

Clerk's Note: Item 14 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

15. APPROVE MODIFICATION NO. 1 TO INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN FOR INTERPRETER SERVICES. (HHSD) (COMMISSIONER GOMEZ) (9:28 AM)

Clerk's Note: Item 15 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

16. APPROVE PURCHASE OF MICROFILM READER/SCANNERS, OFF STATE CATALOGUE (QISV), FROM DM2000. (COUNTY CLERK) (COMMISSIONER GOMEZ) (9:28 AM)

Clerk's Note: Item 16 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

17. APPROVE 12-MONTH EXTENSIONS (MODIFICATION NO. 1) TO THE FOLLOWING CONTRACTS FOR EMERGENCY VEHICLE EQUIPMENT. CONTRACTS APPROVED ON MAY 8, 2001. (TNR-FLEET SERVICES) (COMMISSIONER GOMEZ) (9:28 AM)

A. NO.01T0124-MP, GT DISTRIBUTOR, INC.

B. NO. 01T0125-MP, OWEN COMPANY, INC.

Clerk's Note: Items 17.A and B added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

18. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 7) TO CONTRACT NO. 96T0284-RG, WATERTIGHT ENDEAVORS, INC. FOR PARK CONCESSION SERVICES. CONTRACT APPROVED ON MAY 14, 1996. (TNR) (COMMISSIONER GOMEZ) (9:28 AM)

Clerk's Note: Item 18 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

19. APPROVE ADDITIONAL WORK (MODIFICATION NO. 2) TO CONTRACT 02C0032RG, THOMAS D. SCHAFFER, FOR CLIMBING WALL. CONTRACT APPROVED ON OCTOBER 23, 2001. (TNR) (COMMISSIONER GOMEZ) (9:28 AM)

Clerk's Note: Item 19 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

20. APPROVE MODIFICATIONS TO THE FOLLOWING RESIDENTIAL TREATMENT PROGRAM CONTRACTS: (JUVENILE PROBATION) (COMMISSIONER GOMEZ) (9:28 AM)
- A. KIDS AT THE CROSSROADS, INC. PS000113KW
 - B. THE HIGH FRONTIER, INC. PS000181KW
 - C. LIFEWORKS PS000183KW
 - D. THE ARROW PROJECT PS000201KW
 - E. COMMUNITY ADVOCATES FOR TEENS AND PARENTS, INC. PS000203KW
 - F. DAYSTAR RESIDENTIAL, INC. PS000204KW
 - G. FATHER FLANAGAN'S BOYS TOWN OF SAN ANTONIO PS000205KW
 - H. THE GIOCOSA FOUNDATION PS000206KW
 - I. CEDAR CREST FOUNDATION DBS CEDAR CREST HOSPITAL AND RTC PS000211KW
 - J. POSSIBILITIES, INC. DBA CARING FAMILY NETWORK PS000221KW
 - K. WILDERNESS EXPERIENCE, INC. DBA WOODSIDE TRAILS PS000243KW
 - L. THE SETTLEMENT CLUB, DBA SETTLEMENT HOME FOR CHILDREN PS000244KW
 - M. CHILD AND ADOLESCENT DEVELOPMENT, INC PS000249KW

Clerk's Note: Items 20.A-M added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

21. APPROVE 12-MONTH EXTENSION TO CONTRACT PS010062JS (MODIFICATION NO.1) WITH THE COMMUNITY PARTNERSHIP FOR THE HOMELESS, FOR TRANSITIONAL HOUSING SERVICES FOR VETERANS. (HHSD) (COMMISSIONER GOMEZ) (9:28 AM)

Clerk's Note: Item 21 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

22. APPROVE AWARD OF CONTRACT NO. PS020055LB WITH INDOOR ENVIRONMENTAL CONSULTANTS FOR AIR QUALITY TESTING AND CONSULTING SERVICES FOR WATER DAMAGE REMEDIATION AND DECONTAMINATION AT THE TRAVIS COUNTY JAIL. (RISK MANAGEMENT AND SHERIFF) (COMMISSIONER GÓMEZ) (9:15 AM)

Item 22 postponed until March 5, 2002.

23. APPROVE THE FOLLOWING PURCHASING ACTIONS: (ITS) (JUDGE BISCOE) (2:10 PM)

A. ADDITIONAL WORK (MODIFICATION 1) TO CONTRACT PS020103JW, RUTH DAVIS, FOR GASB-34 COMPUTER PROGRAMING. CONTRACT APPROVED FEBRUARY 12, 2002.

B. ADDITIONAL WORK (MODIFICATION 2), TO CONTRACT MS980095, TIBURON, SOFTWARE MAINTENANCE. CONTRACT APPROVED OCTOBER 14, 1997. (ITS)

Clerk’s Note: Items 23.A and B and Item 26 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Joe Harlow, Director, Information and Telecommunications Systems (ITS); Mike Wichern, Chief Assistant County Auditor, Travis County Auditor’s Office; Leroy Nellis, Budget Manager, Planning and Budget Office (PBO); and Susan Spataro, Travis County Auditor.

Members of the Court agreed to consider one Motion for Items 23.A and B, and 26.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Moore to approve Items 23.A and B, and the Budget Amendments and Transfers in Item 26.

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

24. APPROVE CONTRACT AWARD(S) FOR MINOR CONSTRUCTION AND RENOVATION SERVICES, IFB B020052-DM AND TAKE APPROPRIATE ACTION. (FM) (COMMISSIONER GOMEZ) (9:30 AM)

Item 24 postponed until March 5, 2002.

PLANNING AND BUDGET DEPT ITEMS

- 25.** REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE:
(9:28 AM)
- A.** APPROVE GRANT CONTRACT WITH THE TEXAS COMMISSION ON ALCOHOL & DRUG ABUSE FOR AN EXTENSION TO THE EXISTING SUBSTANCE ABUSE GRANT PROGRAM IN JUVENILE COURT. THE GRANT CONTINUES TO THE PROGRAM FOR FY 02.
 - B.** APPROVE GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY FOR AN EMERGENCY MANAGEMENT PLANNING GRANT IN EMERGENCY SERVICES. THE GRANT CONTINUES THE PROGRAM FOR FY 02.
 - C.** APPROVE GRANT CONTRACT WITH THE UNIVERSITY OF NORTH TEXAS FOR A SENIORS AND VOLUNTEERS FOR CHILDHOOD IMMUNIZATION PROGRAM IN HEALTH AND HUMAN SERVICES DEPARTMENT. THIS GRANT CONTINUES THE PROGRAM FOR FY 02.

Clerk's Note: Items 25.A, B, and C added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 26.** APPROVE BUDGET AMENDMENTS AND TRANSFERS. (2:10 PM)

Clerk's Note: Item 26 and Items 23.A and B are associated with one another and were called for concurrent discussion. Please refer to Items 23.A and B for a summary of the Court's Motion and Vote.

ADMINISTRATIVE OPERATIONS ITEMS

27. DISCUSS REQUEST OF EMPLOYEES WHO DID NOT GO THROUGH OPEN ENROLLMENT TO OPT OUT OF TRAVIS COUNTY GROUP INSURANCE PLAN TO RECEIVE 50% OF MONTHLY PREMIUM AND TAKE APPROPRIATE ACTION. (9:15 AM) (11:06 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Linda Moore Smith, Director, Human Resources Management Department (HRMD); and Dan Mansour, Risk Manager, HRMD.

Motion by Judge Biscoe and seconded by Commissioner Davis that for the 16 employees, that if they continue to opt out, then we pay them ½ of the premium.

Maker accept the Friendly Amendment by Commissioner Davis that in the future, County Employees must complete open enrollment within a certain time frame.

Acceptance of the Friendly Amendment was made by Judge Biscoe.

Clerk’s Note: The Court did not take a Vote on the previous Motion.

A Substitute Motion was made by Commissioner Sonleitner **and seconded by** Commissioner Gómez that the Court, for the second time, reaffirms that open enrollment has ended. We congratulate Human Resources for doing an excellent job, even though it turns out there may still be some that are not happy with not making the choices that they would have liked, but, the appropriate time for these requests is during open enrollment, and that we inform those employees.

Motion carried: County Judge Samuel T. Biscoe	no
Precinct 1, Commissioner Ron Davis	no
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

28. 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 \$ 380,408 FOR FEBRUARY 8 THROUGH 14, 2002. (9:28 AM)

Clerk’s Note: Item 28 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court’s Motion and Vote.

29. APPROVE PERSONNEL AMENDMENTS. (9:28 AM)

Clerk's Note: Item 29 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

OTHER ITEMS

30. DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (2:27 PM)

No action necessary on Item 30.

31. APPROVE ORDER DESIGNATING POLLING PLACES FOR THE MARCH 12 PRIMARY ELECTIONS AND OTHER RELATED ISSUES AND TAKE APPROPRIATE ACTION. (1:58 PM)

No action necessary on Item 31.

32. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:28 AM)

Clerk's Note: Item 32 added to Consent Items. Please refer to Agenda Item 4 (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

- 33. A. RECEIVE BRIEFING FROM COUNTY ATTORNEY'S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE PROGRAM, AND TAKE APPROPRIATE ACTION. ¹ (2:28 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**

No action necessary on Items 33.A and B.

Items 33.A and B to be reposted on March 5, 2002.

THE FOLLOWING ITEMS ARE ADDENDA:

- A1. DISCUSS, AND TAKE APPROPRIATE ACTION CONCERNING REAL ESTATE ISSUES FOR THE WEST RURAL COMMUNITY CENTER AND CLINIC IN WESTERN TRAVIS COUNTY (EXEC. SESS. NOTE 2). (2:28 PM)**

No action necessary on Item A1.

Item A1 to be reposted on March 5, 2002.

- A2.** DISCUSS TRAFFIC CONTROL IN VICINITY OF DESSAU MIDDLE SCHOOL AND TAKE APPROPRIATE ACTION. (JUDGE BISCOE AND COMMISSIONER DAVIS) (9:32 AM)

Members of the Court heard from: Joe Hall, TNR; and Craig McCoy, Private Citizen.

Discussion Only.

Item A2 to be reposted on March 5, 2002.

- A3.** DISCUSS THE ISSUANCE AMOUNT AND DATE OF SALE OF BONDS AUTHORIZED IN 2001 FOR ROAD AND PARK IMPROVEMENTS, AND TAKE APPROPRIATE ACTION. (JUDGE BISCOE) (9:16 AM) (11:29 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Ladd Pattillo, Travis County Financial Advisor.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez that the Court give instructions for the Financial Advisor, the Attorneys, and everyone else that would be involved in this, that the dollar amount we are seeking to issue is \$27,000,000.00, broken up between \$14,000,000.00 for the Road/Drainage Bonds, and \$13,000,000.00 for the Parks Bond; that we are looking to a sale target date of March 19, 2002; that we get instructions to Standard & Poors and Moody's to complete their rating work; and that we would be doing this as a competitive sale; and anything else, in terms of instructions, to make this happen.

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

- A4.** DISCUSS AND TAKE APPROPRIATE ACTION ON ITEMS RELATED TO THE CONDUCT OF THE MARCH 12, 2002 JOINT PRIMARY ELECTIONS.
(1:58 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the County Clerk’s recommendations for Presiding Judges for the March 12, 2002 Joint Primary Election.

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

- A5.** CONSIDER SUBMISSION OF COMMENTS TO RULES PROPOSED BY TEXAS DEPARTMENT OF TRANSPORTATION COMMISSION GOVERNING THE ESTABLISHMENT OF REGIONAL MOBILITY AUTHORITIES, AND TAKE APPROPRIATE ACTION. (2:28 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the comments as being some of the highlights, and, basically, us indicating to the Commission we will work with Williamson County as partners; that we have looked at the proposed rules and these are our initial responses; that we will be following up with more formal written comments before the deadline; and we’re there basically to get with them to work through these.

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 A5 to be reposted on March 5, 2002.

