

## **MINUTES – JULY 9, 2002**

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

On Tuesday, the 9<sup>th</sup> day of July, 2002, the Commissioners' Court convened the regular Voting Session at 9:18 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 11:50 AM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, called to order the Voting Session at 1:39 PM and adjourned at 1:52 PM.

The Commissioners' Court reconvened the Voting Session at 1:52 PM.

The Commissioners' Court retired to Executive Session at 4:07 PM.

The Commissioners' Court reconvened the Voting Session at 5:07 PM.

The Commissioners' Court adjourned the Voting Session at 5:09 PM.

**PUBLIC HEARINGS**

1. DISCUSS ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE THE 5' PUBLIC UTILITY AND DRAINAGE EASEMENT ON EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 5 AND 6, SIESTA SHORES SECTION 1, A SUBDIVISION IN PRECINCT THREE.  
(COMMISSIONER MOORE) (ACTION ITEM #16) (9:19 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 16 for the Court's Motion and Vote.

**Motion by** Commissioner Moore **and seconded by** Commissioner Gómez 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	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.

<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

- 2. DISCUSS ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A 5' PUBLIC UTILITY EASEMENT ALONG THE SOUTHWEST SIDE OF LOT 58, HIGHLAND CLUB VILLAGE SECTION TWO, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER MOORE) (ACTION ITEM #17) (9:20 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 17 for the Court's Motion and Vote.

**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, 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

3. DISCUSS ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A 10' PUBLIC UTILITY EASEMENT ALONG EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 83 AND 84, SANDY CREEK RANCHES PHASE FOUR, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER MOORE) (ACTION ITEM #18) (9:21 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 18 for the Court's Motion and Vote.

**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, 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

4. DISCUSS CLOSURE OF BLUE BLUFF ROAD BETWEEN OLD HIGHWAY 20 AND LINDELL LANE FOR THE DURATION OF THE RECONSTRUCTION OF BRIDGE #169 IN PRECINCT ONE. (COMMISSIONER DAVIS) (ACTION ITEM #19) (9:22 AM)

**Clerk’s Note:** This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 19 for the Court’s Motion and Vote.

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner 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, TNR.

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner 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

5. **TO BE TAKEN UP AT 1:30 P.M.** DISCUSSION RELATING TO \$225,000,000 HEALTH FACILITY REVENUE BONDS TO BE ISSUED BY INDIANA HEALTH FACILITY FINANCING AUTHORITY, A PORTION OF THE PROCEEDS OF WHICH WILL BE USED TO FINANCE OR REFINANCE THE ACQUISITION, CONSTRUCTION, RENOVATION AND EQUIPPING OF CAPITAL IMPROVEMENTS ON THE CAMPUSES OF CERTAIN HOSPITALS AND RELATED FACILITIES OWNED OR OPERATED BY DAUGHTERS OF CHARITY HEALTH SERVICES OF AUSTIN. (ACTION ITEM # 34) (1:52 PM)

**Clerk’s Note:** This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 34 for the Court’s Motion and Vote.

**Motion by** Commissioner Sonleitner **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:** Cliff Blount, Attorney for the Corporations; Michael Regier, Vice President and General Counsel, Seton; and Doug Waite, Senior Vice President and Chief Financial Officer, Seton.

**Motion by** Commissioner Davis **and seconded by** Commissioner Moore 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

### RESOLUTIONS & PROCLAMATIONS

- 6. APPROVE RESOLUTION RECOGNIZING JIM GALETTO ON HIS RETIREMENT FROM TRAVIS COUNTY INFORMATION AND TELECOMMUNICATIONS SYSTEMS DEPARTMENT. (9:24 AM)

**Members of the Court heard from:** Walter Lagrone, Division Manager, Information and Telecommunications Systems (ITS); and Jim Galetto, ITS.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the resolution.

**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

- 7. CONSIDER ADOPTION OF RESOLUTION ENDORSING THE ADJUSTMENT OF THE FEDERAL MINIMUM WAGE TO EQUAL THE UNIVERSAL LIVING WAGE AS DEvised BY HOUSE THE HOMELESS, INC., AND TAKE APPROPRIATE ACTION. (9:28 AM)

**Members of the Court heard from:** Richard Troxell, National Chairman, UniversalLiving Wage.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the resolution.

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

**8. INTRODUCTION OF JAMES E. PRITCHARD TO COMMISSIONERS COURT.  
(COUNTY ATTORNEY’S OFFICE) (9:43 AM)**

**Members of the Court heard from:** Jim Collins, Executive Assistant County Attorney; and Jim Pritchard, Assistant County Attorney, Tax Division.

Discussion Only. No action necessary.

**CITIZENS COMMUNICATION**

**Members of the Court heard from:** Pete Baldwin, Emergency Management Coordinator; Trek English, President, Northeast Action Group; Gus Peña, President, East Austin Concerned Hispanics; and Kenneth Snyder, Resident, Northridge Acres. (9:47 AM)

**Clerk’s Note:** Pete Baldwin, Emergency Management Coordinator, requested that the County Judge sign a Disaster Declaration due to a weather system that produced flooding in County creeks and other surrounding watersheds.



**CONSENT ITEMS**

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the following Consent Items: C1-C6, and Items 11, 12, 15, 16, 17, 18, 19, 20.A, 24, 25, 27, 28, 29, 30, 33, and 35. (10:08 AM)

**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

- C1.** RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3.** APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR GRAND AVENUE PARKWAY, A STREET IN PRECINCT TWO. (COMMISSIONER SONLEITNER)
- C4.** APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR THE BALANCE OF TRAVIS SETTLEMENT SECTION 3, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER MOORE)
- C5.** APPROVE SETTING A PUBLIC HEARING DATE OF AUGUST 13, 2002 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 112 & 113, BLOCK PP, TWIN LAKE HILLS - (SHORTFORM PLAT - 1 LOT – 0.41 ACRES – LAKE SHORE DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY - OUTSIDE ETJ.) (COMMISSIONER MOORE)
- C6.** APPROVE SETTING A PUBLIC HEARING DATE OF AUGUST 13, 2002 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 176 AND A PORTION OF LOT 177, TRAVIS SETTLEMENT SECTION THREE - (SHORTFORM PLAT - 2 LOTS – 4.554 ACRES – STATE HIGHWAY 71 – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY - OUTSIDE ETJ.) (COMMISSIONER MOORE)

**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

9. **TO BE TAKEN UP AT 9:30 A.M.** RECONSIDER ALL OPTIONS ON HOW TO PROCEED WITH WORK ON TRAVIS COUNTY SOLID WASTE SITING ORDINANCE, AND TAKE APPROPRIATE ACTION. (JUDGE BISCOE AND COMMISSIONER DAVIS) (10:10 AM)

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

**Motion by Judge Biscoe and seconded by Commissioner Moore** to prioritize reaching agreements by basically focusing on the agreements over the next 3 to 4 weeks, and if we can't reach an agreement we know exactly where we stand, if we reach an agreement the ordinance becomes much easier.

**A Substitute Motion was made by Commissioner Davis** that we post the current ordinance without operating agreement language within it, for 30 days.

**Clerk's Note:** The Substitute Motion died for lack of a Second.

**Clerk's Note:** The Court Voted on the Standing Motion at this time.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
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

Item 9 to be reposted on July 30, 2002.

- 10. A. ACCEPT GRANT AWARD FROM THE TEXAS DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY MANAGEMENT FOR \$1,281,751 IN FEDERAL FUNDS TO PURCHASE 22 PROPERTIES IN THE FLOODPLAIN OF ONION CREEK. (COMMISSIONER GOMEZ) (11:06 AM)
- B. CONSIDER CONTRACT WITH THE TEXAS WATER DEVELOPMENT BOARD FOR \$34,613 GRANT TO PREPARE A FLOOD MITIGATION PLAN FOR TRAVIS COUNTY, AND TAKE APPROPRIATE ACTION.
- C. CONSIDER SUPPLEMENTAL REQUEST FOR PREPARATION OF A COMPREHENSIVE HAZARD MITIGATION PLAN AND APPROVE RELATED BUDGET AMENDMENT FOR \$15,120 TRANSFER FROM THE ALLOCATED RESERVE, AND TAKE APPROPRIATE ACTION.
- D. CONSIDER MODIFICATION NOS. 4, 5 AND/OR 6 TO CONTRACT PS000307-JJ, DONALD R. WARD AND ASSOCIATES, PROFESSIONAL BUYOUT GRANT SERVICES FOR THE FEMA ONION CREEK BUYOUT PROJECT, AND TAKE APPROPRIATE ACTION. CONTRACT WAS APPROVED ON 8/1/00.

**Clerk’s Note:** Items 10.A, B, C, and D are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; and Melinda Mallia, TNR.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Moore to approve Items 10.A, B, C, and D, and in Item 10.C to approve setting up the \$15,120.00 match funded out of the Transportation and Natural Resources salary savings.

<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

- 11.** APPROVE VARIANCE TO CHAPTER 82, STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS TO ALLOW THE ACCEPTANCE OF DEDICATION OF A PORTION OF STREET AND DRAINAGE FACILITIES IN TRAVIS SETTLEMENT SECTION 1 IN PRECINCT THREE. (COMMISSIONER MOORE) (10:08 AM)

**Clerk's Note:** Item 11 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

- 12.** CONSIDER WAIVER OF RETROACTIVITY FROM THE TEXAS PARKS AND WILDLIFE DEPARTMENT TO ACQUIRE LAND FOR EAST METROPOLITAN PARK, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) (10:08 AM)

**Clerk's Note:** Item 12 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

- 13. A. CONSIDER A WAIVER FROM PAYING SUBDIVISION REVIEW FEES FOR THE BRIARCREEK SUBDIVISION SECTION TWO IN PRECINCT ONE AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) (11:19 AM)
- B. APPROVE A CONSTRUCTION AGREEMENT FOR BRIARCREEK SUBDIVISION SECTION TWO.
- C. APPROVE A PLAT FOR RECORDING IN PRECINCT ONE: BRIARCREEK SUBDIVISION SECTION TWO – (LONGFORM PLAT – 160 LOTS – 75.541 ACRES – BLAKE MANOR ROAD – FISCAL POSTED WITH CITY OF AUSTIN – SEWAGE SERVICE TO BE PROVIDED BY AQUASOURCE – CITY OF AUSTIN ETJ). (COMMISSIONER DAVIS)
- D. APPROVE A PLAT FOR RECORDING IN PRECINCT ONE: BRIARCREEK SUBDIVISION SECTION TWO-A – (SHORTFORM PLAT – 1 LOT – 3.557 ACRES – BRIARCREEK LOOP – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY AQUASOURCE – CITY OF AUSTIN ETJ). (COMMISSIONER DAVIS)

**Clerk’s Note:** Items 13.A, B, C, and D are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Dick Rathgeber, Developer; and Joe Gieselman, Executive Manager, TNR.

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to approve Items 13.A, B, C, and D.

**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

- 14. DISCUSS THE TRAVIS COUNTY – CITY OF AUSTIN SINGLE OFFICE SUBDIVISION APPLICATION AND TAKE APPROPRIATE ACTION. (11:27 AM)

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

Discussion Only. No action was taken.

- 15.** APPROVE AMENDMENT NO. 1 TO ADVANCE FUNDING AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR WESTBANK DRIVE. (COMMISSIONER MOORE) (10:08 AM)

**Clerk's Note:** Item 15 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

- 16.** APPROVE ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE THE 5' PUBLIC UTILITY AND DRAINAGE EASEMENT ON EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 5 AND 6, SIESTA SHORES SECTION 1, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER MOORE) (10:08 AM)

**Clerk's Note:** Item 16 is the action item for the public hearing on Agenda Item 1.

**Clerk's Note:** Item 16 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

- 17.** APPROVE ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A 5' PUBLIC UTILITY EASEMENT ALONG THE SOUTHWEST SIDE OF LOT 58, HIGHLAND CLUB VILLAGE SECTION TWO, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER MOORE) (10:08 AM)

**Clerk's Note:** Item 17 is the action item for the public hearing on Agenda Item 2.

**Clerk's Note:** Item 17 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

- 18.** APPROVE ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A 10' PUBLIC UTILITY EASEMENT ALONG EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 83 AND 84, SANDY CREEK RANCHES PHASE FOUR, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER MOORE) (10:08 AM)

**Clerk's Note:** Item 18 is the action item for the public hearing on Agenda Item 3.

**Clerk's Note:** Item 18 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

- 19.** APPROVE CLOSURE OF BLUE BLUFF ROAD BETWEEN OLD HIGHWAY 20 AND LINDELL LANE FOR THE DURATION OF THE RECONSTRUCTION OF BRIDGE #169 IN PRECINCT ONE. (COMMISSIONER DAVIS) (10:08 AM)

**Clerk's Note:** Item 19 is the action item for the public hearing on Agenda Item 4.

**Clerk's Note:** Item 19 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

### **PLANNING AND BUDGET DEPT. ITEMS**

- 20.** REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE:
- A.** APPROVE REVISED GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR CRIMINAL JUSTICE DIVISION FOR SUBSTANCE ABUSE SERVICES IN JUVENILE COURT. THIS IS A NEW GRANT TO PROVIDE ADDITIONAL RESOURCES TO THE EXISTING PROGRAM. (10:08 AM)

**Clerk's Note:** Item 20.A added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

- B.** APPROVE ACCEPTANCE OF GRANT FROM THE CHILDREN'S PARTNERSHIP, AND TAKE APPROPRIATE ACTION. (9:18 AM)

Item 20.B pulled from the Agenda.

21. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (1:58 PM)

**Members of the Court heard from:** Leroy Nellis, Budget Manager, Planning and Budget Office (PBO); Bill Derryberry, Senior Budget Analyst, PBO; Margo Frasier, Travis County Sheriff; Christian Smith, Executive Manager, PBO; Cyd Grimes, Travis County Purchasing Agent; Mike Hemby, Research Analyst, Travis County Sheriff’s Office (TCSO); and Patty Eacret, Director, Fiscal and Personnel, TCSO.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Moore to approve the Budget Amendment and Transfer A1 for Jail Overcrowding.

**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

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the Budget Amendment and Transfer A2 for repairs.

**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

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to authorize \$450,000.00 from the Allocated Reserve for Budget Amendment and Transfers A3 and A4 for Medical Services and Psychiatric Services.

**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



**ADMINISTRATIVE OPERATIONS ITEMS**

**22.** DISCUSS AND TAKE APPROPRIATE ACTION TO APPROVE THE RENEWAL OF THE FOLLOWING CONTRACTS OR ADMINISTRATIVE SERVICES AGREEMENTS REGARDING GROUP HEALTH BENEFITS: (11:34 AM)

**A.** UNUM LIFE INSURANCE COMPANY OF AMERICA:

- 1. GROUP BASIC LIFE AND AD&D, SUPPLEMENTAL LIFE AND AD&D, SUPPLEMENTAL SPOUSE LIFE, DEPENDENT LIFE, RETIREE LIFE INSURANCE.
- 2. LONG TERM DISABILITY

**B.** FORT DEARBORN LIFE INSURANCE COMPANY

- 1. SHORT TERM DISABILITY

**Members of the Court heard from:** Dan Mansour, Risk Manager, Human Resources Management Department (HRMD).

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Items 22.A and B, and to put the renewal contracts together.

**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

23. DISCUSS, APPROVE OR TAKE APPROPRIATE ACTION REGARDING THE RELOCATION OF THE JUSTICE AND PUBLIC SAFETY DEPARTMENT. (11:35 AM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Dinah Dinwiddie, Executive Manager, Justice and Public Safety (JPS); and Roger El Khoury, Director, Facilities Management.

**Motion by** Commissioner Moore **and seconded by** Commissioner Gómez to approve Justice and Public Safety moving into 209 West 9<sup>th</sup> Street with the understanding that the \$5,500.00 needed will be found internally.

**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. 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 \$378,334.32 FOR THE PERIOD OF JUNE 21, 2002 THROUGH JUNE 27, 2002. (10:08 AM)

**Clerk's Note:** Item 24 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

25. APPROVE PERSONNEL AMENDMENTS. (10:08 AM)

**Clerk's Note:** Item 25 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

**PURCHASING OFFICE ITEMS**

26. APPROVE INTERLOCAL AGREEMENT NO. IL020213EF BETWEEN THE CITY OF AUSTIN AND TRAVIS COUNTY FOR VARIOUS SERVICES PROVIDED BY TRAVIS COUNTY'S FIVE (5) RURAL NEIGHBORHOOD CENTERS. (HHSD) (COMMISSIONER GOMEZ) (10:09 AM)

Item 26 postponed until July 16, 2002.

27. APPROVE CONTRACT AWARD TO KANETZKY ELECTRIC, INC. FOR THE PURCHASE OF SERVICES TO CORRECT EMERGENCY POWER DEFICIENCIES AT THE TRAVIS COUNTY JAIL. (FACILITIES MGMT) (COMMISSIONER GOMEZ) (10:08 AM)

**Clerk's Note:** Item 27 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

28. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS010133-JJ, CARSON AND ASSOCIATES, INC. FOR PROFESSIONAL LAND PLANNING SERVICES; CONTRACT APPROVED ON 5/22/01. (TNR) (COMMISSIONER GOMEZ) (10:08 AM)

**Clerk's Note:** Item 28 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

29. APPROVE CONTRACT AWARD FOR THE PROVISION OF CONSTRUCTION SERVICES FOR THE BLUE BLUFF ROAD BRIDGE (#169) AT GILLELAND CREEK REPLACEMENT PROJECT, IFB# B020013-JJ, TO THE LOW, QUALIFIED BIDDER, AUSTIN FILTER SYSTEMS, INC. (COMMISSIONER DAVIS) (10:08 AM)

**Clerk's Note:** Item 29 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

30. APPROVE A 10-MONTH EXTENSION (MODIFICATION NO. 2) TO INTERLOCAL AGREEMENT #IL010138-EF BETWEEN THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER IN HOUSTON AND TRAVIS COUNTY FOR PREVENTION OF TOBACCO USE. (HHSD) (COMMISSIONER GOMEZ) (10:08 AM)

**Clerk's Note:** Item 30 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

**OTHER ITEMS**

31. CONSIDER LEASE AGREEMENT FOR FOUR (4) HONDA PERSONAL WATER CRAFT FOR LAW ENFORCEMENT PATROL FUNCTIONS ON LAKE TRAVIS, AND TAKE APPROPRIATE ACTION. (COMMISSIONER MOORE) (11:44 AM)

Item 31 postponed until July 16, 2002.

32. CONSIDER REQUEST TO INCREASE EXISTING PETTY CASH FUND THAT ADVANCES EXPENDITURES NEEDED FOR EXTRADITION FROM \$1,500.00 TO \$3,500.00, AND TAKE APPROPRIATE ACTION. (SHERIFF'S OFFICE) (11:43 AM)

**Members of the Court heard from:** Mike Hemby, Research Analyst, TCSO; Maria Wedhorn, TCSO; and Patty Eacret, Director, Fiscal and Personnel, TCSO.

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

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

33. CONSIDER AUTHORIZING THE ACCOUNT REGISTRATION FORM WITH TEXASDAILY, AN INVESTMENT PORTFOLIO WITH A LOCAL GOVERNMENT INVESTMENT POOL, AND AUTHORIZING MARY MAYES, HARVEY DAVIS AND LEROY NELLIS AS AUTHORIZED PARTICIPANT REPRESENTATIVES TO EXECUTE TRANSACTIONS WITH TEXASDAILY, AND TAKE APPROPRIATE ACTION. (10:08 AM)

**Clerk's Note:** Item 33 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

- 34.** CONSIDER RESOLUTION APPROVING TAX EXEMPT BOND FINANCING BY THE INDIANA HEALTH FACILITY FINANCING AUTHORITY, AND TAKE APPROPRIATE ACTION. (1:57 PM)

**Clerk's Note:** Item 34 is the action item for the public hearing on Agenda Item 5.

**Members of the Court heard from:** Cliff Blount, Attorney for the Corporations.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Item 34, and amend the figure to \$255,000,000.00.

**Motion carried:**

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

- 35.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:08 AM)

**Clerk's Note:** Item 35 added to Consent Items. Please refer to 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

- 36.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION REGARDING FLUOR DANIEL, INC. V. TRAVIS COUNTY, TEXAS; NO. 02-50378; IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT (USDC CIVIL ACTION NO.A-00-CA-021-SS). <sup>1</sup> (4:07 PM) (5:07 PM)

**Clerk's Note:** Judge Biscoe announced that Item 36 would be considered in Executive Session.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner that we authorize the County Attorney to reject the settlement offer conveyed to us, and to communicate to the other side our willingness to settle this case for \$750,000.00.

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| <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 |

- 37.** RECEIVE BRIEFING FROM COUNTY ATTORNEY ON ELIGIBILITY OF DEPENDENTS BASED ON THE APPROVED SUMMARY PLAN DESCRIPTIONS FOR THE EPO AND PPO HEALTHCARE PLANS, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (4:07 PM) (5:07 PM)

**Clerk's Note:** Judge Biscoe announced that Item 37 would be considered in Executive Session.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez that we give directions to the County Attorney to work with the appropriate Staff at Human Resources to bring back appropriate language to allow appropriate dependents to be covered by our health insurance plans.

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| <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 |

- 38.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN OTIS DANIELS (FRASIER; PERSONAL INJURY). <sup>1</sup> (9:19 AM)

Item 38 pulled from the Agenda.

- 39.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN FREDRICK PLUET (DECEASED) V. MARGO FRASIER, ET AL. (CIVIL RIGHTS). <sup>1</sup> (4:07 PM) (5:08 PM)

**Clerk's Note:** Judge Biscoe announced that Item 39 would be considered in Executive Session.

No action necessary on Item 39.

Item 39 to be reposted on July 16, 2002.

**THE FOLLOWING ITEM IS AN ADDENDUM:**

- A1. CONSIDER INTERIM SOLUTION FOR COLLECTION OF FINES AND FEES AND OTHER FINANCIAL RECORD KEEPING IN THE COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT. (3:32 PM)

**Members of the Court heard from:** Jim Rust, Director, Pre-Trial Services; Donna Farris, Community Supervision and Corrections Department (CSCD); Mike Wichern, Chief Assistant County Auditor, Travis County Auditor’s Office; Joe Harlow, Director, Information and Telecommunications Systems (ITS); Leroy Nellis, Budget Manager, PBO; John Hille, Assistant County Attorney; Susan Spataro, Travis County Auditor; and Cyd Grimes, Travis County Purchasing Agent.

**Motion by Judge Biscoe and seconded by Commissioner Davis** that we authorize the following directions: 1) that we touch base with the vendor and indicate our intention to enter into a 1-year lease with it, not to exceed \$100,000.00; 2) that we get Mike Wichern’s information memo to the appropriate Assistant County Attorney and to indicate that this is a “time is of the essence” matter; and the sooner we get this done the better; 3) that we indicate the Court’s intention to leave these funded positions in CSCD until the backlog is caught up, but not more that 8 months; 4) that we plan to take the savings from the positions and help to fund the \$100,000.00 lease agreement; 5) that we authorize Joe Harlow, ITS, to communicate to Mr. Ransom our wish that he convert to a full-time employee instead of a contract employee; 6) and, that we basically convert whatever monies are left in the contract services line item to fund his position through the end of this fiscal year; 7) and finally, that we indicate our intention to address this matter real soon and try to figure out what steps need to be taken to cover this in our FY ‘03 budget.

**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 A1 to be reposted on July 16, 2002.



**ADJOURNMENT**

**Motion by** Judge Biscoe **and seconded by** Commissioner Moore to adjourn the Voting Session. (5:09 PM)

**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

**MINUTES APPROVED BY THE COMMISSIONERS' COURT**

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**Date of Approval**

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