

## **MINUTES – JULY 23, 2002**

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

On Tuesday, the 23<sup>rd</sup> day of July, 2002, the Commissioners' Court convened the regular Voting Session at 9:15 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 retired to Executive Session at 10:51 AM.

The Commissioners' Court reconvened the Voting Session at 11:05 AM.

The Commissioners' Court adjourned the Voting Session at 11:06 AM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, called to order the Voting Session at 11:06 AM and adjourned at 11:06 AM.





**CONSENT ITEMS CONTINUED**

- C8. APPROVE SETTING A PUBLIC HEARING DATE OF AUGUST 27, 2002 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 43 AND 44, BLOCK B, CHIMNEY OAKS AT LAKE TRAVIS SECTION ONE - (SHORTFORM PLAT - 1 LOT – 3.8134 ACRES – BRASADA LANE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE LCRA APPROVED SEWAGE FACILITY - OUTSIDE ETJ.) (COMMISSIONER MOORE)

**JUSTICE AND PUBLIC SAFETY DEPT. ITEMS**

- 2. DISCUSS AND APPROVE INTERLOCAL AGREEMENT FOR OPERATIONS AND MAINTENANCE OF THE COMBINED EMERGENCY COMMUNICATIONS AND TRANSPORTATION MANAGEMENT CENTER (CEC) AND SUPPORTED SYSTEMS. (9:28 AM)
  - A. APPROVE INTERLOCAL AGREEMENT FOR CEC; AND
  - B. APPROVE AMENDMENT NO. 1 TO CEC LEASE AGREEMENT.

**Clerk’s Note:** Items 2.A and B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, Justice and Public Safety (JPS); Danny Hobby, Manager, Emergency and Wireless Communications, JPS; and Gordon Bowman, Assistant County Attorney.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to approve Items 2.A and B in their entirety.

**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. RENEW LOCAL DISASTER DECLARATION IN RELATION TO RECENT FLOODING AND/OR TAKE OTHER APPROPRIATE ACTION. (10:01 AM)

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

Discussion Only. No action was taken.

### TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

4. CONSIDER DESIGNATING COMMISSIONER MARGARET MOORE TO REPLACE FORMER COMMISSIONER TODD BAXTER AS COMMISSIONER OF SALE ON THE APPROVED SALE OF EXCESS RIGHT-OF-WAY FOR A PORTION OF SOUTH VIEW ROAD IN PRECINCT 3, AND TAKE APPROPRIATE ACTION. (COMMISSIONER MOORE) (9:25 AM)

**Clerk's Note:** Item 4 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

5. APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: REPLAT OF LOTS 60 AND 61, BLOCK PP, TWIN LAKE HILLS - (SHORTFORM PLAT - 1 LOT – 0.58 ACRES – TWIN LAKE LOOP – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC SYSTEM - NO ETJ.) (COMMISSIONER MOORE) (9:25 AM)

**Clerk's Note:** Item 5 is the action item for the public hearing on Agenda Item 1.

**Clerk's Note:** Item 5 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

6. APPROVE FENCING IMPLEMENTATION CONTRACT BETWEEN TRAVIS COUNTY AND TAYLOR WOODROW COMMUNITIES, INC./STEINER RANCH. (COMMISSIONER MOORE) (9:25 AM)

**Clerk's Note:** Item 6 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

## PLANNING AND BUDGET DEPT. ITEMS

7. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE:  
(9:25 AM)
- A. APPROVE GRANT APPLICATION TO THE NATIONAL INSTITUTE FOR COMMUNITY EMPOWERMENT FOR A HEALTH REALIZATION PROJECT IN THE HEALTH AND HUMAN SERVICES DEPARTMENT. THIS IS A NEW GRANT PROGRAM WITH NO COUNTY MATCH REQUIREMENT.
  - B. APPROVE GRANT APPLICATION TO TEXAS PARKS & WILDLIFE DEPARTMENT FOR AN OUTDOOR RECREATION GRANT FOR THE DEVELOPMENT OF THE EAST METROPOLITAN PARK. THIS PROGRAM HAS A GRANT MATCH REQUIREMENT THAT IS ALREADY BUDGETED.
  - C. APPROVE GRANT APPLICATION TO THE OFFICE OF THE ATTORNEY GENERAL FOR AN ACCESS AND VISITATION GRANT PROGRAM IN THE JUVENILE PROBATION DEPARTMENT. THE APPLICATION IS TO CONTINUE THE GRANT FOR FY 03.

**Clerk's Note:** Items 7.A, B, and C added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

8. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (10:02 AM)

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Moore to approve budget amendments and transfers A1 and T1.

**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



11. A. DISCUSS THE RECRUITMENT, INTERVIEW AND SELECTION PROCESS FOR THE EXECUTIVE MANAGER OF JUSTICE AND PUBLIC SAFETY JOB VACANCY, AND TAKE APPROPRIATE ACTION. (10:24 AM)

**Members of the Court heard from:** Linda Moore Smith, Director, HRMD; and Alicia Perez, Executive Manager, Administrative Operations.

Discussion Only. No action was taken.

Item 11.A to be reposted on July 30, 2002.

- B. AUTHORIZE REIMBURSEMENT OF TRAVEL AND LODGING EXPENSES FOR CERTAIN CANDIDATES FOR EXECUTIVE MANAGER, JUSTICE AND PUBLIC SAFETY JOB VACANCY, IN ACCORDANCE WITH TRAVIS COUNTY BUDGET RULE #14, RECRUITING AND HIRING FOR HIGH LEVEL POSITIONS. (10:41 AM)

**Members of the Court heard from:**

**Motion by** Commissioner Moore **and seconded by** Commissioner Gómez to approve Item 11.B, reimbursement of travel and lodging expenses for certain candidates for Executive Manager of the Justice and Public Safety job vacancy to be funded internally at a maximum of \$5,000.00.

**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

12. APPROVE PAYROLL STUFFER FOR INVITATION TO TRAVIS COUNTY EXPOSITION CENTER GRAND REOPENING ON AUGUST 3, 2002. (9:25 AM)

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



13. **REVISED ITEM:** 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 \$ 219,162.59 FOR THE PERIOD OF **JULY 5, 2002 THROUGH JULY 11, 2002.** (9:25 AM)

**Clerk's Note:** Item 13 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

14. APPROVE PERSONNEL AMENDMENTS. (9:25 AM)

**Clerk's Note:** Item 14 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

### **PURCHASING OFFICE ITEMS**

15. 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) (9:15 AM)

Item 15 pulled from the Agenda.

16. APPROVE CONTRACT AWARD FOR BOAT, BOAT MOTOR AND MARINE COMPONENT MAINTENANCE/REPAIRS – TIME AND MATERIALS, IFB NO. B020121-RV, TO THE SOLE BIDDER, LAKE LBJ MARINELAND. (TCSO AND TNR) (COMMISSIONER GOMEZ) (9:25 AM)

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

17. APPROVE A THIRTY (30) DAY EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. 99T0222-LD, FUELMAN, FOR FLEET FUEL CARD SERVICES. (TNR) (COMMISSIONER GOMEZ) (9:25 AM)

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

18. APPROVE AGREEMENT WITH PEDERNALES ELECTRIC COMPANY FOR FINANCIAL ASSISTANCE TO ELIGIBLE CUSTOMERS. (HHSD) (COMMISSIONER GOMEZ) (9:25 AM)

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

19. APPROVE MODIFICATION NO. 1 TO INTERLOCAL AGREEMENT NO. IL010007-DR WITH AUSTIN INDEPENDENT SCHOOL DISTRICT (AISD) FOR UTILIZATION OF A.I.S.D. CLASSROOMS AND REIMBURSEMENT FOR THE CUSTODIAL SERVICES FOR CLASSES CONDUCTED BY TRAVIS COUNTY. (TCCES) (COMMISSIONER GOMEZ) (9:25 AM)

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

20. APPROVE CONTRACT AWARD FOR THE PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR THE KENNEDY RIDGE WATER LINE PROJECT, RFQ #Q020099-JJ, TO LOOMIS AUSTIN, INC. (COMMISSIONER DAVIS) (9:25 AM)

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

21. APPROVE PURCHASE OF TWO (2) VIBRATORY ROLLERS FROM THE HOUSTON-GALVESTON AREA COUNCIL INTERLOCAL AGREEMENT, ILA98-858, APPROVED BY COMMISSIONERS COURT ON 1/27/98. (TNR) (COMMISSIONER GOMEZ) (9:25 AM)

**Clerk's Note:** Item 21 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

22. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 6) TO CONTRACT NO. 98T0021-OJ, BLUE CROSS BLUE SHIELD, FOR THE SHORT TERM DISABILITY PORTION OF THE GROUP BENEFITS PROGRAM; CONTRACT APPROVED ON 7/22/97. (HRMD) (COMMISSIONER GOMEZ) (9:25 AM)

**Clerk's Note:** Item 22 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

23. REJECT PROPOSAL RECEIVED FOR RFP NO. P020125-LD, FLEET FUEL CARD SERVICES. (TNR) (COMMISSIONER GOMEZ) (9:25 AM)

**Clerk's Note:** Item 23 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

24. **REVISED ITEM:** APPROVE CONTRACT AWARD FOR THE PROVISION OF CONSTRUCTION SERVICES FOR THE PERKINS MOZELLE DRAINAGE IMPROVEMENTS PROJECT, IFB #B020038-JJ, TO THE LOW, QUALIFIED BIDDER, SMITH CONTRACTING CO. INCLUDED IN THE AWARD IS THE BASE BID, **AND ALTERNATE C; ALSO, AUTHORIZE PURCHASING OFFICE TO AWARD ALTERNATES A AND B, SUBJECT TO THE ACQUISITION OF CERTAIN DRAINAGE EASEMENTS.** (TNR) (COMMISSIONER GOMEZ) (9:25 AM)

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

25. APPROVE 12-MONTH EXTENSIONS (MODIFICATION NO. 1) TO THE FOLLOWING CONTRACTS FOR AUTO BODY REPAIR SERVICES; CONTRACTS APPROVED 10/13/01. (TNR): (9:25 AM)
- A. NO. 01T0229-RV, AGUIRRE PAINT AND BODY, INC.;
  - B. NO. 01T0230-RV, NETWORK AUTO BODY AND PAINT SHOP;
  - C. NO. 01T0231-RV, TWO-DAY AUTO PAINT AND BODY SHOP; AND
  - D. NO. 01T0232-RV, H & R AUTO BODY, INC. (TNR).

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

- 26.** APPROVE CONTRACT AWARDS FOR HEAVY DUTY MACHINERY OEM PARTS/MAINTENANCE, IFB B020104-MP, TO THE FOLLOWING LOW QUALIFIED BIDDERS AND REBID LINE ITEMS 5, 7, 12 AND 13 (TNR - FLEET SERVICES): (9:25 AM)
- A.** EQUIPMENT DEPOT, LTD. FOR LINE ITEMS 2, 16, AND 17;
  - B.** CONLEY LOTT NICHOLS FOR LINE ITEMS 6, 8 AND 9 (PARTS ONLY);
  - C.** HOLT CO. OF TEXAS FOR LINE ITEM 8;
  - D.** FAIRWAY GOLF CARTS FOR LINE ITEM 1;
  - E.** PROFESSIONAL TURF PRODUCTS, INC. FOR LINE ITEM 10;
  - F.** ROMCO EQUIPMENT CO. FOR LINE ITEMS 3, 4 AND 9; AND
  - G.** B-C EQUIPMENT SALES, INC. FOR LINE ITEM 11.

**Clerk's Note:** Items 26.A-G added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

### **OTHER ITEMS**

- 27.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:25 AM)

**Clerk's Note:** Item 27 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

- 28.** 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> (10:51 AM) (11:05 AM)

**Clerk's Note:** Judge Biscoe announced that Item 28 would be considered in Executive Session.

No action necessary on Item 28. Item 28 to be reposted on July 30, 2002.

- 29.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN THOMAS C. SMITH V. TRAVIS COUNTY. <sup>1</sup> (10:51 AM)

Item 29 postponed until July 30, 2002.

- 30.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN EDWIN LOWTHER V. CHRISTOPHER NOWLIN ET AL. <sup>1</sup> (10:51 AM)

Item 30 postponed until July 30, 2002.

- 31.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN FREDRICK PLUET (DECEASED) V. MARGO FRASIER, ET AL. (CIVIL RIGHTS) <sup>1</sup> (10:51 AM) (11:06 AM)

**Clerk's Note:** Judge Biscoe announced that Item 31 would be considered in Executive Session.

No action necessary on Item 31. Item 31 to be reposted on July 30, 2002.

**THE FOLLOWING ITEMS ARE ADDENDA:**

- A1.** APPROVE MODIFICATION NO. 2 TO INTERLOCAL AGREEMENT NO. IL000104-MQ, TEXAS A&M UNIVERSITY SYSTEM, FOR COUNTY DEMONSTRATION WORK WITH TRAVIS COUNTY; MODIFICATION ADDS SERVICES OF AN EXTENSION AGENT. (HHSD) (9:25 AM)

**Clerk’s Note:** Item A1 added to Consent Items. Please refer to Consent Items for the Court’s Motion and Vote.

- A2.** APPROVE AGREEMENT TO AUTHORIZE \$18,000 PAYMENT TO TEXAS ASSOCIATION OF COMMUNITY HEALTH CENTERS FOR THE PURCHASE OF COMPUTERS AND COMPUTER EQUIPMENT. (HHSD) (10:43 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; Arlene Tillman, Director, Administrative Services, Travis County Health and Human Services; Susan Spataro, Travis County Auditor; and Mary Etta Gerhardt, Assistant County Attorney.

**Motion by** Commissioner Moore **and seconded by** Commissioner Gómez that the Minutes reflect that the \$18,000.00 authorized was intended to be a match for a grant that would then apply \$180,000.00 worth of computer equipment; and that the check should be cut to the Texas Association of Community Health Centers; and to insure that they do get the Purchasing Office the information on what equipment they’ve bought is the County’s, so that the Purchasing Office can tag it accordingly and account for it.

**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

