

## **MINUTES – AUGUST 20, 2002**

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

On Tuesday, the 20<sup>th</sup> day of August, 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 retired to Executive Session at 9:46 AM.

The Commissioners' Court reconvened the Voting Session at 10:25 AM.

The Commissioners' Court recessed at the Voting Session at 11:09 AM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, called to order the Voting Session at 11:09 AM and adjourned at 11:28 AM.

The Commissioners' Court reconvened the Voting Session at 1:43 PM.

The Commissioners' Court adjourned the Voting Session at 2:58 PM.









## RESOLUTIONS & PROCLAMATIONS

5. APPROVE PROCLAMATION RECOGNIZING JERRY SISEMORE FOR HIS INDUCTION INTO THE COLLEGE FOOTBALL HALL OF FAME AND HIS CIVIC CONTRIBUTIONS TO TRAVIS COUNTY. (COMMISSIONER MOORE)  
(9:28 AM)

**Motion by** Commissioner Moore **and seconded by** Commissioner Sonleitner to approve Item 5, the proclamation.

**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

## CITIZENS COMMUNICATION

**Members of the Court heard from:** Kenneth Snyder, Resident, Northridge Acres; and Gus Peña, President, East Austin Concerned Hispanics. (9:31 AM)



**CONSENT ITEMS CONTINUED**

- C6.** APPROVE A PLAT FOR RECORDING IN PRECINCT FOUR: LAS LOMITAS - (SHORT FORM PLAT – 8 LOTS – 88.231 ACRES – COULVER ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – NO ETJ). (COMMISSIONER GOMEZ)
- C7.** APPROVE A PLAT FOR RECORDING IN PRECINCT FOUR: ONION CREEK SECTION 100 - (SHORT FORM PLAT – 3 LOTS – 9.6536 ACRES – IH 35 & ONION CREEK PARKWAY – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY ONION CREEK WASTEWATER COMPANY – CITY OF AUSTIN ETJ). (COMMISSIONER GOMEZ)
- C8.** APPROVE SETTING A PUBLIC HEARING DATE OF SEPTEMBER 10, 2002 TO DISCUSS AND APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF THE 7.5' PUBLIC UTILITY AND TWO PORTIONS OF THE DRAINAGE EASEMENT ON LOTS 3, LITTLE BEE CREEK ESTATES SECTION 2, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER MOORE)
- C9.** APPROVE SETTING A PUBLIC HEARING DATE OF SEPTEMBER 24, 2002 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 1, GERALD T. COOK SUBDIVISION SECTION ONE - (SHORTFORM PLAT - 6 LOTS – 13.692 ACRES – ROCKY RIDGE ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY (LCRA) - CITY OF AUSTIN ETJ.) (COMMISSIONER MOORE)
- C10.** APPROVE SETTING A PUBLIC HEARING DATE OF SEPTEMBER 17, 2002 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: REPLAT OF LOTS 33 AND 34, BLOCK UU, TWIN LAKE HILLS - (SHORTFORM PLAT - 1 LOT – 0.42 ACRES – LAKE SHORE DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY - NO ETJ). (COMMISSIONER MOORE)
- C11.** APPROVE SETTING A PUBLIC HEARING DATE OF SEPTEMBER 24, 2002 TO DISCUSS AND APPROVE THE PARTIAL CANCELLATION OF LOTS 21-25 BLOCK G, LOT 3 BLOCK 'F' AND A PORTION OF CEYLON TEA CIRCLE R-O-W FROM GASTON-SHELDON SECTION ONE-A AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT ONE: GASTON-SHELDON SUBDIVISION SECTION ONE-A, REPLAT OF LOTS 21-25, BLOCK 'G', LOT 3 BLOCK 'F' OF GASTON-SHELDON SUBDIVISION SECTION ONE - (LONG FORM PLAT - 6 LOTS – 4.594 ACRES – SUMATRA LANE – FISCAL POSTED WITH CITY OF AUSTIN – SEWAGE SERVICE TO BE PROVIDED BY NORTHTOWN MUNICIPAL UTILITY DISTRICT - CITY OF AUSTIN ETJ). (COMMISSIONER DAVIS)



**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

6. APPROVE A PARTIAL VACATION AND A PLAT FOR RECORDING IN PRECINCT THREE: REPLAT OF LOTS 15-19, RIVERCLIFF SUBDIVISION - (VACATE AND SHORT FORM PLAT – 5 LOTS – 25.65 ACRES – RIVERCLIFF DRIVE – NO FISCAL REQUIRED - SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – OUTSIDE ETJ). (COMMISSIONER MOORE) (9:41 AM)

**Clerk's Note:** Item 6 is the action item for the public hearing on Agenda Item 1.

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

7. APPROVE A PLAT FOR RECORDING IN PRECINCT ONE: RESUBDIVISION OF LOT 1, BLOCK C WELLS BRANCH PHASE N - (SHORT FORM PLAT – 2 LOTS – 2.637 ACRES – OWEN TECH – NO FISCAL REQUIRED - SEWAGE SERVICE TO BE PROVIDED BY WELLS BRANCH MUNICIPAL UTILITY DISTRICT – CITY OF AUSTIN ETJ). (COMMISSIONER DAVIS) (9:18 AM)

**Clerk's Note:** Item 7 is the action item for the public hearing on Agenda Item 2.

Item 7 postponed until August 27, 2002.

8. APPROVE ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE THE DRAINAGE EASEMENT AS RECORDED IN VOL. 12262, PG. 395, IN PRECINCT THREE. (COMMISSIONER MOORE) (9:41 AM)

**Clerk's Note:** Item 8 is the action item for the public hearing on Agenda Item 3.

**Clerk's Note:** Item 8 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

9. APPROVE A TEMPORARY ROAD CLOSURE OF CHAPPELL LANE IN PRECINCT THREE. (COMMISSIONER MOORE) (9:41 AM)

**Clerk's Note:** Item 9 is the action item for the public hearing on Agenda Item 4.

**Clerk's Note:** Item 9 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

**PLANNING AND BUDGET DEPT. ITEMS**

10. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE:  
(9:41 AM)
- A. RATIFY GRANT CONTRACT AMENDMENT WITH THE OFFICE OF RURAL COMMUNITY AFFAIRS FOR THE KENNEDY RIDGE GRANT PROGRAM. THE GRANT AMENDMENT EXTENDS THE CURRENT GRANT UNTIL JANUARY 9, 2003.
  - B. APPROVE GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT PROGRAM (JAIBG) IN JUVENILE PROBATION. THE GRANT CONTINUES THE EXISTING PROGRAM FOR FY 03.
  - C. APPROVE GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A TEXAS NARCOTICS CONTROL PROGRAM IN JUVENILE PROBATION. THE GRANT CONTINUES THE EXISTING PROGRAM FOR FY 03 AND FY 04.
  - D. APPROVE GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR THE PROJECT SPOTLIGHT PROGRAM IN JUVENILE PROBATION. THE FIRST OF THREE APPLICATIONS TO CONTINUE THE PROJECT SPOTLIGHT PROGRAM FOR FY 03.
  - E. APPROVE GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR THE PROJECT SPOTLIGHT PROGRAM IN JUVENILE PROBATION. THE SECOND OF THREE APPLICATIONS TO CONTINUE THE PROJECT SPOTLIGHT PROGRAM FOR FY 03.
  - F. APPROVE GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR THE PROJECT SPOTLIGHT PROGRAM IN JUVENILE PROBATION. THE THIRD OF THREE APPLICATIONS TO CONTINUE THE PROJECT SPOTLIGHT PROGRAM FOR FY 03.
  - G. APPROVE PERMISSION TO CONTINUE THE SYSTEMS BENEFIT FUND PROGRAM IN HEALTH AND HUMAN SERVICES UNTIL OCTOBER 31, 2002. APPROVAL OF THIS ITEM WILL ALLOW THE PROGRAM TO CONTINUE UNTIL THE GRANT CONTRACT CAN BE FULLY EXECUTED.

**Clerk's Note:** Items 10.A-G added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

11. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:41 AM)

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

### ADMINISTRATIVE OPERATIONS ITEMS

12. A. 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 TRAVIS COUNTY'S HOSPITAL AND INSURANCE FUND FOR PAYMENT OF \$198,007.60 FOR THE PERIOD OF AUGUST 2, 2002 THROUGH AUGUST 8, 2002. (9:41 AM)

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

- B. REVIEW AND APPROVE THE AMENDMENT OF SECTION 12.3 OF TRAVIS COUNTY'S CONTRACT WITH UNITED HEALTHCARE TO INCREASE THE REIMBURSEMENT PRIVILEGE COST AT CHASE BANK BY \$196,684.00. (9:18 AM)

Item 12.B postponed until August 27, 2002.

13. APPROVE PERSONNEL AMENDMENTS. (9:41 AM)

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

**PURCHASING OFFICE ITEMS**

14. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. 00T0003-LD, AUS-TEX CONCESSIONS FOR EXPO CENTER CONCESSION OPERATIONS. (COMMISSIONER DAVIS) (9:41 AM)

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

15. APPROVE CONTRACT AWARD FOR SINGLE COURSE "TRAP ROCK" SURFACE TREATMENT, IFB NO. B020132-DM TO THE LOW, RESPONSIVE BIDDER, WHEELER COATINGS ASPHALT, INC. (TNR) (COMMISSIONER MOORE AND COMMISSIONER GOMEZ) (9:41 AM)

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

16. APPROVE INTERLOCAL AGREEMENT NO. IL020260-JW, AUSTIN INDEPENDENT SCHOOL DISTRICT, FOR THE DISTRIBUTION OF UNITIZED MEALS AT THE AUSTIN LEARNING CENTER TO JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM STUDENTS. (COMMISSIONER GOMEZ) (9:41 AM)

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

17. APPROVE CONTRACT AWARD FOR CAFETERIA AND VENDING MACHINE CONCESSION SERVICES, RFS NO. S020117-LD TO F & M BLANK LIMITED PARTNERSHIP, D/B/A ACCENT FOOD SERVICES/SAWYER VENDING. (FACILITIES MGMT) (COMMISSIONER GOMEZ) (9:43 AM)

Item 17 postponed until August 27, 2002.

- 18.** APPROVE CONTRACT AWARD FOR RUBBER STAMPS, IFB NO. B020130-RG, TO THE LOW BIDDER, TEXAS MARKING PRODUCTS. (COUNTYWIDE) (COMMISSIONER GOMEZ) (9:41 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. 4 TO CONTRACT NO. PS010169-LB FOR THE CAPITAL IMPROVEMENT PROJECT (CIP), FINANCIAL REPORTING DATABASE SYSTEM WITH THOMAS KELLY SOFTWARE ASSOCIATES, LLC. (TNR & FAC MGMT) (COMMISSIONER GOMEZ) (9:41 AM)

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

- 20.** DISCUSS CONTRACT WITH CORRECTIONS SOFTWARE CORPORATION (CSC) FOR THE PURCHASE OF AN INTERIM SOLUTION FOR COLLECTION OF FINES AND FEES AND OTHER FINANCIAL RECORD KEEPING AND COMPLIANCE WITH GASB-34 IN THE COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT (CSCD), AND TAKE APPROPRIATE ACTION. (10:25 AM)

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

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to 1) authorize the purchase and installation of the Corrections Software Corporation (CSC) System as soon as possible; 2) to request that Jim Rust, Director, Pre-Trial Services and the District Judges help the Commissioners’ Court find the balance necessary to fully implement this project internally; 3) that if internal funds are not available, then to request any necessary State authorization to tap into CSCD’s available funds, and the Commissioners’ Court will work with the District Judges and Mr. Rust to assist in whatever way we can, and stay out of the way if that’s the best thing to do; 4) that we negotiate with Tiburon to insure that data interface is “an additional service” under our contract, and, if in fact what we are asking for is an additional service or additional services, then we’d have to pay additional money; 5) that CSCD and County Staff provide the Commissioners’ Court with a written outline of the timelines and schedule for implementation of the various phases necessary to get this project done; and 6) that the Commissioners’ Court be kept abreast of developments or progress on the project.

**Maker and Second accept the Friendly Amendment by Commissioner Sonleitner** that the timeline and schedule be sent to the District Judges also.

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

**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

**OTHER ITEMS**

- 21.** RECEIVE STATUS REPORT AND ANY RECOMMENDATIONS FROM JAIL OVERCROWDING TASK FORCE AND TAKE APPROPRIATE ACTION. (JUDGE BISCOE) (9:19 AM) (1:43 PM)

**Clerk's Note:** Items 21 and 22 are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Ken Oden, Travis County Attorney; Jon Wisser, District Judge, 299<sup>th</sup> District Court; Margo Frasier, Travis County Sheriff; Michelle Brinkman, Chief Deputy, Travis County District Clerk's Office; Rosemary Lemberg, First Assistant Travis County District Attorney; Jan Breland, Judge, County Court at Law #6; Kelly Page, City/County Community Liaison, Travis County Sheriff's Office (TCSO); Caryl Colburn, Interim Executive Manager, Justice and Public Safety (JPS); Debra Hale, Court Administrator; Susan Spataro, Travis County Auditor; and Evelyn McKee, Municipal Court Judge.

Discussion Only. No action was taken on Items 21 and 22.

- 22.** CONSIDER REQUIRED STAFFING FOR OPERATION OF VISITING JUDGE'S COURTROOM, AND TAKE APPROPRIATE ACTION. (9:19 AM)

**Clerk's Note:** Items 21 and 22 are associated with one another and were called for concurrent discussion. Please refer to Item 21 for a summary of the Court's action.

- 23.** CONSIDER INTERLOCAL COOPERATION AGREEMENTS BETWEEN TRAVIS COUNTY AND FALLS COUNTY AND BOWIE COUNTY TO HOUSE FEMALE INMATES, AND TAKE APPROPRIATE ACTION. (9:19 AM) (2:55 PM)

**Members of the Court heard from:** David Balagia, Major, TCSO; and Debra Hale, Court Administrator.

Discussion Only. No action was taken.

Item 23 to be reposted on August 27, 2002.

- 24.** CONSIDER THE CONTINUATION OF TWO GRANT FUNDED FTE'S FOR SEPTEMBER 2002 AND AUTHORIZE THE SHERIFF'S OFFICE TO INTERNALLY FUND SALARIES AND BENEFITS FOR THESE POSITIONS. (9:41 AM) (11:09 AM)

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

**Clerk's Note:** Item 24 was reconsidered and postponed until August 27, 2002. Please refer to Consent Items for the Court's Motion and Vote.

Item 24 postponed until August 27, 2002.

- 25.** RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF JULY 2002. (AUDITOR'S OFFICE) (9:41 AM)

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

- 26.** APPROVE ISSUANCE OF MULTIFAMILY HOUSING REVENUE SENIOR BONDS (EAGLES LANDING APARTMENTS) SERIES 2002A AND MULTIFAMILY HOUSING REVENUE SUBORDINATE BONDS (EAGLES LANDING APARTMENTS) SERIES 2002B BY TRAVIS COUNTY HOUSING FINANCE CORPORATION, AND TAKE APPROPRIATE ACTION. (9:19 AM) (2:57 PM)

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

- 27.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:41 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> (9:46 AM) (10:25 AM)

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

No action necessary on Item 28.

- 29.** RECEIVE LEGAL ADVICE FROM COUNTY ATTORNEY ON INTERLOCAL AGREEMENT FOR BOOKING AND RELATED SERVICES BETWEEN TRAVIS COUNTY AND CITY OF AUSTIN, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) <sup>1</sup> (9:46 AM) (10:25 AM)

**Clerk's Note:** Judge Biscoe announced that Item 29 would be considered in Executive Session.

No action necessary on Item 29.

- 30.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN FREDRICK PLUET (DECEASED) V. MARGO FRASIER, ET AL. (CIVIL RIGHTS) <sup>1</sup> (9:46 AM) (10:25 AM)

**Clerk's Note:** Judge Biscoe announced that Item 30 would be considered in Executive Session.

No action necessary on Item 30.

