

## **MINUTES – AUGUST 7, 2001**

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

On Tuesday, the 7<sup>th</sup> day of August, 2001, 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 Robert Resnick.

The Commissioners' Court recessed the Voting Session at 12:06 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC), called to order the Voting Session at 1:37 PM and adjourned at 1:41 PM.

The Commissioners' Court, meeting as the Capital Industrial Development Corporation (CIDC), called to order the Voting Session at 1:41 PM and adjourned at 1:41 PM.

The Commissioners' Court reconvened the Voting Session at 1:41 PM.

The Commissioners' Court retired to Executive Session at 5:02 PM.

The Commissioners' Court reconvened the Voting Session at 6:29 PM.

The Commissioners' Court adjourned the Voting Session at 6:37 PM.

## CITIZENS COMMUNICATION

**Members of the Court heard from:** Gus Peña, President, East Austin Concerned Hispanics; Tommy Dalmas, Private Citizen; Ms. Taylor, Private Citizen; Kenneth Snyder, Northridge Acres Resident; Nettie Brown, Northridge Acres Resident; Sheila Adams, Private Citizen; Hubert Wallis, People Organized in Defense of Earth and Her Resources (PODER); Dessie Andrews, Private Citizen; Crae Peaje, Private Citizen; Rhett Pease, Private Citizen; Michael Bednarik, Libertarian Candidate for State Representative; Erika Gonzalez, PODER; Ché Martinez, PODER; Susana Almanza, PODER; David Hohmann, Private Citizen; Mike Hanson, Private Citizen; David Tucker, Private Citizen; Dr. Sylvia Herrera, Health Coordinator, PODER; Ruben Medina, Private Citizen; Jimmy Castro, Private Citizen; Joan Thornton, Private Citizen; William Reynolds, Private Citizen; Edward Grishka, Private Citizen; Marita Hader, Private Citizen; Scott Samson, Private Citizen; Florence Urry, Private Citizen; Esther Pollard, Private Citizen; Leah Neal, Private Citizen; Vanessa Hudson, Private Citizen; Leslie Cochran, Private Citizen; and Elizabeth Briggs, Private Citizen. (9:27 AM)

## RESOLUTIONS & PROCLAMATIONS

1.    **A. RECOGNIZE 4-H CAPITAL URBAN YOUTH DEVELOPMENT PROGRAM FOR RECEIVING THE FOLLOWING AWARDS: NATIONAL FLORENCE HALL AWARD; ACRC 2000 ENVIRONMENTAL VISION AWARD; ACRC “BEST OF THE BEST” ENVIRONMENTAL VISION AWARD; 2000 TCRC ENVIRONMENTAL VISION AWARD. (9:17 AM)**
  
- B. RECEIVE REPORT ON OUTCOME OF THE 4-H CAPITAL URBAN YOUTH DEVELOPMENT PROGRAM.**
  
- C. APPROVE RESOLUTION THANKING SPONSORS OF 4-H CAPITAL.**

**Members of the Court heard from:** Stephen Williams, Executive Manager, Travis County Health, Human Services & Veterans’ Services (TCHHS&VS); Jeff Ripley, Director, Cooperative Extension Service; Lillian Vedders, 4-H Capital Agent; and Angelica, Briana, and Brittany, 4-H Club Members.

**Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 1.**

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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 Todd Baxter       | yes |
|                        | Precinct 4, Commissioner Margaret J. Gómez | yes |

**CONSENT ITEMS**

- 2. Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the following Consent Items: C1-C4, and Items 6.A and B, 7 (excluding A1 and A2), 13, 14, 15, 16.A, 18, 19, 20, 21, 22, 23, 24, 27, 32, and 33. (11:20 AM)

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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 Todd Baxter                 | 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 COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF JULY 24, 2001.
- C4.** APPOINT JOYCE LAUCK TO THE CAPITAL AREA PLANNING COUNCIL - AGING ADVISORY COMMITTEE.
- 3.** RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION WITH REGARD TO ORDER PROHIBITING OUTDOOR BURNING IN UNINCORPORATED AREAS OF TRAVIS COUNTY. (11:22 AM)

**Members of the Court heard from:** Ben Avedikian, Travis County Department of Emergency Services.

No action necessary on Item 3.

Item 3 to be reposted on August 14, 2001.

## PLANNING AND BUDGET OFFICE ITEMS

4. PRESENTATION AND DISCUSSION OF FY 2002 PRELIMINARY BUDGET.  
(11:23 AM)

**Members of the Court heard from:** Christian Smith, Executive Manager, Planning and Budget Office (PBO).

Discussion Only.

5. CONSIDER ELECTED OFFICIALS' SALARIES FOR FY 2002, AND RECOMMENDATIONS OF THE CITIZENS ADVISORY COMMITTEE AND TAKE APPROPRIATE ACTION. (11:55 AM)

**Members of the Court heard from:** Christian Smith, Executive Manager, PBO; and John Hille, Assistant County Attorney.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to adopt the recommendations as a whole, and if anybody thinks they deserve more, the grievance process can begin. If anybody thinks that they individually would like to take less, they should give instructions to the County Auditor once the budget is approved, and draw whatever salary they would like, up to a maximum amount.

**A Clarification of the previous Motion was made by** Commissioner Sonleitner that this Motion is the plug numbers that will go into the budget. It also is the official action, because there are certain things that we have to do, according to the Government Code, about things that have to be posted in the newspaper at certain times; and, it triggers the process, that if somebody wants to go through the grievance process, this is everything that we need to do to make sure that we have a timely end result that Christian Smith can finally plug into the fund.

**A further Clarification of the previous Motion was made by** Commissioner Sonleitner that the intent of the Motion is for the process of the instructions on the advertisement, and to initiate the process.

**Clerk's Note:** The Court did not take a Vote on the Standing Motion and Second at this time.

**A Substitute Motion was made by** Commissioner Baxter that follows very closely what Commissioner Sonleitner's made, but I will add that the Commissioners' Court and Judge would be removed from at least the initial vote.

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

**ITEM 5 CONTINUED**

**Clerk's Note:** The Court took a Vote on the Standing Motion and Second at this time.

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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 Todd Baxter                 | no  |
| Precinct 4, Commissioner Margaret J. Gómez           | yes |

**6. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE. (11:20 AM)**

**A. APPROVE GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, TO APPLY FOR CONTINUATION OF THE JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT PROGRAM IN JUVENILE COURT; APPLICATION WOULD CONTINUE THE PROGRAM FOR FY 2002.**

**B. APPROVE AMENDMENT TO A GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE DEPARTMENT OF ENERGY (DOE) OIL OVERCHARGE WEATHERIZATION ASSISTANCE PROGRAM AND THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP). THE AMENDMENT MODIFIES THE PREVIOUS APPLICATION TO MODIFY THE PERFORMANCE REQUIREMENTS OF THE GRANTS.**

**Clerk's Note:** Items 6.A and B are associated with one another and were called for concurrent discussion.

Items 6.A and B added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

**7. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:15 AM) (11:20 AM)**

Item 7 (excluding Budget Items A1 and A2) added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

Items 7.A1 and 7.A2 postponed until August 14, 2001.

**ADMINISTRATIVE OPERATIONS ITEMS**

8. CONSIDER ITEMS CONCERNING COUNTY HEALTH AND HOSPITAL INSURANCE PLAN, AND TAKE APPROPRIATE ACTION. (3:57 PM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Cindy Purinton, Benefit Contract Administrator, Human Resources Management Department (HRMD); and John Hille, Assistant County Attorney.

Discussion Only.

Item 8 to be reposted on August 14, 2001.

9. A. DISCUSS AND APPROVE TRAVIS COUNTY EXPOSITION CENTER RATE INCREASES, AND TAKE APPROPRIATE ACTION. (4:04 PM)
- B. DISCUSS AND APPROVE LIST OF CAPITAL IMPROVEMENT ITEMS TO FUND WITH SURPLUS EXPO CENTER CERTIFICATES OF OBLIGATION, AND TAKE APPROPRIATE ACTION.
- C. DISCUSS AND APPROVE REORGANIZATION PLAN FOR EXPO CENTER AND FACILITIES MANAGEMENT, AND TAKE APPROPRIATE ACTION.

**Clerk's Note:** Items 9.A, B and C are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Cary Colbert, Travis County Exposition Center; and Roger El Khoury, Director, Facilities Management.

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 9.A.

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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 Todd Baxter       | absent |
|                        | Precinct 4, Commissioner Margaret J. Gómez | yes    |

## ITEM 9 CONTINUED

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 9.B.

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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 Todd Baxter                 | absent |
| Precinct 4, Commissioner Margaret J. Gómez           | yes    |

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 9.C.

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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 Todd Baxter                 | absent |
| Precinct 4, Commissioner Margaret J. Gómez           | yes    |

10. A. CONSIDER AWARD OF CONTRACT FOR PROFESSIONAL ARCHITECTURAL/ENGINEERING SERVICES FOR THE DESIGN OF PRECINCT FOUR OFFICE BUILDING, RFQ NO. Q010048-MB, TO THE TEAM OF MORALES AND ASSOCIATES/THE BARR COMPANY. (4:13 PM)
- B. DISCUSS PROGRAM AND PROCESS FOR COMPLETION OF PROJECT, AND TAKE APPROPRIATE ACTION.

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

**Members of the Court heard from:** Roger El Khoury, Director, Facilities Management; Christian Smith, Executive Manager, PBO; Alicia Perez, Executive Manager, Administrative Operations; and Belinda Poppa, Capital Planning Coordinator, PBO.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to award the contract to the Team of Morales and Associates/The Barr Company, in the amount of \$648,645.00

**A Clarification of the previous Motion was made by** Judge Biscoe that the Motion is to approve 10.A and B.

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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 Todd Baxter                 | absent |
| Precinct 4, Commissioner Margaret J. Gómez           | yes    |



**11. DISCUSS, APPROVE OR TAKE ANY APPROPRIATE ACTION REGARDING EXPANSION OF THE PURCHASING OFFICE SPACE. (4:40 PM)**

**Members of the Court heard from:** Roger El Khoury, Director, Facilities Management; Leslie Stricklan, Project Manager, Facilities Management; and Cyd Grimes, Travis County Purchasing Agent.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to approve the \$2,500.00 allocation for the design work.

**A Clarification of the previous Motion was made by** Commissioner Sonleitner that the appropriate budget amendments and transfers be prepared; that the \$2,700.00 come out of Purchasing, and be transferred into the appropriate line item in Facilities, to facilitate this.

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| <b>Motion carried:</b> County Judge Samuel T. Biscoe | yes     |
| Precinct 1, Commissioner Ron Davis                   | abstain |
| Precinct 2, Commissioner Karen Sonleitner            | yes     |
| Precinct 3, Commissioner Todd Baxter                 | no      |
| Precinct 4, Commissioner Margaret J. Gómez           | yes     |

**12. CONSIDER REVISIONS TO THE LIST OF EMPLOYMENT AT-WILL DESIGNATED CLASSIFIED POSITIONS THAT REPORT TO THE COMMISSIONERS COURT, PURSUANT TO TRAVIS COUNTY CODE, CHAPTER 9.003, EMPLOYMENT AT-WILL. (9:15 AM)**

Item 12 postponed until August 21, 2001.

**13. APPROVE PERSONNEL AMENDMENTS. (11:20 AM)**

Item 13 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

**JUSTICE AND PUBLIC SAFETY ITEMS**

- 14.** APPROVE MEMORANDUM(S) OF UNDERSTANDING (MOU) DESIGNATING FUNDING AND REFERRAL OBLIGATIONS OF TRAVIS COUNTY JUVENILE BOARD AND SERVICE DELIVERY OBLIGATIONS OF TRAVIS COUNTY COUNSELING & EDUCATION SERVICES (TCCES) FOR THE LAW RELATED EDUCATION (LRE) CLASSES FOR JUVENILE OFFENDERS; LRE CLASSES FOR PARENTS AND ANGER MANAGEMENT CLASSES FOR JUVENILE OFFENDERS. (11:20 AM)

Item 14 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

**TRANSPORTATION AND NATURAL RESOURCES DEPT ITEMS**

- 15.** APPROVE ALTERNATE FISCAL AGREEMENT FOR LAKESIDE AT BLACKHAWK SECTION 1 & 2, TWO SUBDIVISIONS IN PRECINCT 2. (11:20 AM)

Item 15 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

16. A. APPROVE TWO CASH SECURITY AGREEMENTS FOR A TURN AROUND AT THE END OF ENCINAS ROJAS IN REFERENCE TO THE KUGLER SUBDIVISION, A SUBDIVISION IN PRECINCT 3. (11:20 AM)
- B. APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: KUGLER SUBDIVISION – (SHORT FORM PLAT – 1 LOT – 1.732 ACRES – ENCINAS ROJAS – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – COA-ETJ) (4:59 PM)

Item 16.A added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

**Motion by Judge Biscoe and seconded by Commissioner Davis to approve Item 16.B.**

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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 Todd Baxter                 | yes |
| Precinct 4, Commissioner Margaret J. Gómez           | yes |

17. APPROVE RESOLUTION AUTHORIZING THE SUBMISSION OF A SMALL TOWN ENVIRONMENTAL PROGRAM (STEP) APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE COMMUNITY DEVELOPMENT FUND FOR THE KENNEDY RIDGE COMMUNITY IN PRECINCT ONE. (9:17 AM)

Item 17 postponed until August 21, 2001.

### **PURCHASING OFFICE ITEMS**

18. APPROVE SOLE SOURCE EXEMPTION WITH NEXTEL FOR EQUIPMENT AND CELLULAR SERVICE FOR VARIOUS COUNTY DEPARTMENT. (11:20 AM)

Item 18 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 19. APPROVE CONTRACT AWARD FOR REMANUFACTURED TONER CARTRIDGES, IFB B010090-RG, TO THE LOW BIDDER, TONER PLUS, INC. (11:20 AM)**

Item 19 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 20. APPROVE PURCHASE OF TRACTOR AND TRACTOR/LOADER FROM THE HOUSTON GALVESTON AREA COUNCIL INTERLOCAL AGREEMENT, IL #98-98858; APPROVED ON 1/27/98. (TNR) (11:20 AM)**

Item 20 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 21. APPROVE CONTRACT AWARD FOR AUCTIONEER SERVICES, SALVAGED VEHICLES, FS #S010078-LD, TO THE BEST QUALIFIED FIRM, GASTON AND SHEEHAN AUCTIONEERS, INC. (FIXED ASSETS) (11:20 AM)**

Item 21 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 22. APPROVE CONTRACT MODIFICATION NUMBER FOUR TO CONTRACT NUMBER PS000116-MQ, AMERICAN YOUTHWORKS, FOR PROVISION OF ADDITIONAL E-CORPS WORK PROJECTS FUNDED BY CITY OF AUSTIN. (11:20 AM)**

Item 22 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 23. APPROVE CONTRACT EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. 99T0250-OJ, APRIA HEALTHCARE GROUP, FOR DURABLE MEDICAL EQUIPMENT AND MEDICAL SUPPLIES; CONTRACT APPROVED ON 4/11/98. (ATCHHS) (11:20 AM)**

Item 23 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 24.** APPROVE A SIX-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 00T0368-RG, DELL MARKETING, FOR COMPUTER HARDWARE; CONTRACT APPROVED ON 9/19/00. (I.T.S.) (11:20 AM)

Item 24 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 25.** APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 98T0296-OJ, EVERCOM SYSTEMS, INC., FOR ADMINISTRATIVE LONG DISTANCE SERVICES, INMATE AND COIN TELEPHONE SERVICES; CONTRACT APPROVED ON 9/29/98. (I.T.S.) (1:42 PM)

**Members of the Court heard from:** Doug Simpson, Regional Manager, Evercom Systems.

Discussion Only.

Item 25 to be reposted on August 14, 2001.

- 26.** APPROVE QUANTUM MERUIT CLAIM FOR AMERICAN YOUTHWORKS IN THE AMOUNT OF \$30,389; AMERICAN YOUTHWORKS PROVIDED SOUTHEAST METRO PARK WORK PROJECTS SATISFACTORILY FROM SEPTEMBER 6, 2000 THROUGH MARCH 23, 2001. (4:59 PM)

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

**Motion by** Commissioner Gómez **and seconded by** Judge Biscoe to approve Item 26.

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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 Todd Baxter                 | yes |
| Precinct 4, Commissioner Margaret J. Gómez           | yes |

- 27.** APPROVE PURCHASE OF FORD TRUCK FROM THE HOUSTON GALVESTON AREA COUNCIL INTERLOCAL AGREEMENT, IL #98-98858; APPROVED ON 1/27/98. (TNR) (11:20 AM)

Item 27 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

28. RECEIVE UPDATE AND RECOMMENDATIONS ON PURCHASING ELECTION EQUIPMENT AND TAKE APPROPRIATE ACTION. (5:02 PM)

Item 28 postponed until August 14, 2001.

### OTHER ITEMS

29. DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (5:02 PM)

No action necessary on Item 29.

30. A. CONSIDER REDISTRICTING PLANS FOR JUSTICE OF THE PEACE/CONSTABLE PRECINCTS, AND TAKE APPROPRIATE ACTION. (1:57 PM)

- B. CONSIDER REDISTRICTING PLANS FOR COUNTY COMMISSIONER PRECINCTS, AND TAKE APPROPRIATE ACTION.

**Clerk's Note:** Items 30.A and B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Bill Emory, Attorney, Emory, Young and Associates; Javier Guajardo, Attorney, Guajardo and Associates; Bob Honts, Former Travis County Commissioner; and Helen Spear, Private Citizen.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the initial draft plan, related to the redistricting of the Justices of the Peace and the Constable precincts, as being consistent with the guidelines that we adopted on how those lines would be drawn.

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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 Todd Baxter                 | no  |
| Precinct 4, Commissioner Margaret J. Gómez           | yes |

**ITEM 30 CONTINUED**

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez that the draft County Commissioners' plan be modified by moving that portion of Precinct 203, east of Immanuel Lane, from Precinct 1, to Commissioners' Precinct 2.

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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 Todd Baxter                 | no  |
| Precinct 4, Commissioner Margaret J. Gómez           | yes |

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis that we adopt our plan for the County Commissioner Precincts, for the redistricting of 2001, as amended.

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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 Todd Baxter                 | no  |
| Precinct 4, Commissioner Margaret J. Gómez           | yes |

**31. CONSIDER FEASIBILITY OF CREATING THE TRAVIS COUNTY CULTURAL EDUCATION FACILITIES FINANCE CORPORATION, ADOPT AN ORDER, AND TAKE ANY OTHER APPROPRIATE ACTION. (3:50 PM)**

**Members of the Court heard from:** Glen Opel, Bond Counsel, Vinson and Elkins; and Ladd Pattillo, Financial Advisor, Owner, D. Ladd Pattillo and Associates, Inc.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the order.

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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 Todd Baxter                 | yes |
| Precinct 4, Commissioner Margaret J. Gómez           | yes |

**32. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF JUNE 2001. (11:20 AM)**

Item 32 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

**33. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (11:20 AM)**

Item 33 added to Consent Items. Please refer to Agenda Item 2 (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

**34. A. RECEIVE BRIEFING FROM COUNTY ATTORNEY'S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE PROGRAM, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (5:02 PM) (6:29 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. <sup>1</sup>**

**Clerk's Note:** Items 34.A and B are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 34.A and B would be considered in Executive Session.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to authorize settlement of their claim in the amount of \$119,618.00, in exchange for a full release and settlement, which will be presented to us at a later date.

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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 Todd Baxter       | yes |
|                        | Precinct 4, Commissioner Margaret J. Gómez | yes |



**ITEM 34 CONTINUED**

**Motion by Judge Biscoe and seconded by Commissioner Davis** to authorize the County Attorney to increase the resolution management amount, up to \$500,000.00, and this will be from funding already budgeted for like services by the Commissioners' Court.

**A Clarification of the previous Motion was made by Commissioner Baxter** that this is not additional funding, this is simply reallocation of money; redirection of funding decisions that have already been made.

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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 Todd Baxter       | yes |
|                        | Precinct 4, Commissioner Margaret J. Gómez | yes |

- 35.** DISCUSS, APPROVE, OR TAKE ANY APPROPRIATE ACTION REGARDING THE LEASE PROPOSAL FOR PARKING SPACES AT 9<sup>TH</sup> AND LAVACA. <sup>2</sup>  
(5:02 PM) (6:30 PM)

Item 35 to be reposted on August 14, 2001.

36. A. DISCUSS, APPROVE OR GIVE DIRECTION REGARDING THE REAL ESTATE ISSUES RELATING TO THE RELOCATION OF THE TRAVIS COUNTY SHERIFF’S WEST COMMAND CENTER FROM THE UNIVERSITY SAVINGS BUILDING TO WESTERN TRAVIS COUNTY, AND TAKE APPROPRIATE ACTION. <sup>2</sup> (5:02 PM) (6:30 PM)
- B. DISCUSS, APPROVE OR GIVE DIRECTION REGARDING THE FINANCIAL ISSUES AND FUNDING FOR THE RELOCATION OF THE TRAVIS COUNTY SHERIFF’S WEST COMMAND CENTER FROM THE UNIVERSITY SAVINGS BUILDING TO WESTERN TRAVIS COUNTY, AND TAKE APPROPRIATE ACTION. <sup>2</sup>

**Clerk’s Note:** Items 36.A and B are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 36.A and B would be considered in Executive Session.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to discuss Item 36.B next week.

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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 Todd Baxter                 | no  |
| Precinct 4, Commissioner Margaret J. Gómez           | yes |

**Motion by Commissioner Baxter** that if the construction or purchase of the West Command Center requires borrowing funds to do so, and such an acquisition results in a lease savings to the General Fund, then the Commissioners’ Court will reduce the M&O tax rate by an amount equal to the lease savings. The intent is to recognize the lease savings by offsetting any increase in the I&S tax rate caused by increased debt service.

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

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to authorize the County Attorney’s Office to get with the other side, and indicate our interest in executing an appropriate contract, once the specifics have been worked out; and our willingness to relinquish the earnest money, if we do not, after the signing of the contract, close on the deal by November 15, 2001.

**Maker accept the Friendly Amendment by Commissioner Sonleitner** to authorize the County Judge to sign the contract, once those changes have been made by Tom Nuckols, to send over to the other side.

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

**ITEM 36 CONTINUED**

|  |     |
|--|-----|
| <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 Todd Baxter                 | yes |
| Precinct 4, Commissioner Margaret J. Gómez           | yes |

Item 36.B to be reposted on August 14, 2001.

**37. APPROVE LETTER AGREEMENT WITH TOMEN-PARKE ASSOCIATES, LTD. FOR THE APPROVAL AND ACQUISITION OF THE FOLLOWING: <sup>1 AND 2</sup>**  
(6:36 PM)

- A. SPECIAL WARRANTY DEED FOR LOT 3, BLOCK A, GRANDVIEW HILLS SECTION 11A;**
- B. SPECIAL WARRANTY DEED FOR LOT 2, BLOCK A, GRANDVIEW HILLS SECTION 11B;**
- C. CONSERVATION EASEMENT AND FENCING AGREEMENT FOR A 145.458 ACRE TRACT OF LAND, BEING A PORTION OF LOT 1, BLOCK A, GRANDVIEW HILLS SECTION 9;**
- D. CONSERVATION EASEMENT AND FENCING AGREEMENT FOR A 1.969 ACRE TRACT OF LAND AND A 1.626 ACRE TRACT OF LAND, BOTH TRACTS COMPRISING A PORTION OF LOT 2, BLOCK A, GRANDVIEW HILLS SECTION 11A; AND**
- E. CONSERVATION EASEMENT AND FENCING AGREEMENT FOR A 8.135 ACRE TRACT OF LAND, BEING A PORTION OF LOT 1, BLOCK A, GRANDVIEW HILLS SECTION 11B.**

**Clerk's Note:** Items 37.A-E are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 37.A-E would be considered in Executive Session.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to authorize David Escamilla, First Assistant County Attorney, to execute the letter of agreement with Tomen-Parke Associates, Ltd., for the acquisition of the properties that are specifically listed under 37.A, B, C, D, and E; and to kindly ask that this Item be reposted next week, in case any of the very minor changes that are in that letter of agreement are not acceptable to the other side, so we can make the appropriate adjustments.

### ITEM 37 CONTINUED

|                        |  |     |
|------------------------|--|-----|
| <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 Todd Baxter       | yes |
|                        | Precinct 4, Commissioner Margaret J. Gómez | yes |

- 38.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING CLAIM FILED BY CHRISTOPHER BEDFORD (FRASIER; CLAIM.) <sup>1</sup> (5:02 PM)

Item 38 pulled from the Agenda.

39. RECEIVE BRIEFING FROM COUNTY ATTORNEY ON STATUS OF LEASE SPACE AT PRECINCT THREE JUSTICE OF THE PEACE AND CONSTABLE OFFICES. <sup>1</sup> (5:02 PM) (6:36 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to 1) authorize the County Judge to sign an appropriate letter, drafted by the County Attorney's Office, expressing the County's serious concern about problems at this building; 2) encouraging the landlord and/or management company to move expeditiously, and; 3) that we authorize County Staff to pursue other expeditious, temporary remedies that Travis County can put in place to guarantee the safety, well-being, and comfort of our employees at this building.

|                        |  |     |
|------------------------|--|-----|
| <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 Todd Baxter       | yes |
|                        | Precinct 4, Commissioner Margaret J. Gómez | yes |

## ADJOURNMENT

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to adjourn the Voting Session. (6:37 PM)

|                        |  |     |
|------------------------|--|-----|
| <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 Todd Baxter       | 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**