

## **MINUTES – NOVEMBER 6, 2001**

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

On Tuesday, the 6<sup>th</sup> day of November, 2001, the Commissioners' Court convened the regular Voting Session at 9:14 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 10:50 AM.

The Commissioners' Court reconvened the Voting Session at 12:21 PM.

The Commissioners' Court recessed the Voting Session at 12:21 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, called to order the Voting Session at 1:52 PM and adjourned at 2:15 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, called to order the Voting Session at 2:16 PM and adjourned at 2:16 PM.

The Commissioners' Court reconvened the regular Voting Session at 2:16 PM.

The Commissioners' Court adjourned the Voting Session at 2:44 PM.

## PUBLIC HEARINGS

1. DISCUSSION OF A RESUBDIVISION PLAT FOR RECORDING IN PRECINCT FOUR – RESUBDIVISION OF A PORTION OF LOT 167 & 169 AND ALL OF LOT 168, COLORADO RIVER RANCHETTES - UNIT 2 (RESUBDIVISION PLAT – 1 LOT – 1.308 ACRES – RIVER ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY–OUTSIDE ETJ). (COMMISSIONER GOMEZ) (9:15 AM)

**Motion by Judge Biscoe 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 Todd Baxter       | 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 Gómez and seconded by Commissioner Baxter** 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 Todd Baxter       | yes |
|                        | Precinct 4, Commissioner Margaret J. Gómez | yes |

**Clerk's Note:** The action Item for Item 1 is Agenda Item 9. Please refer to Agenda Item 9 for the Court's Motion and Vote.

2. DISCUSSION OF AN ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A 5' PUBLIC UTILITY AND DRAINAGE EASEMENT ALONG BOTH SIDES OF THE COMMON LOT LINE OF LOTS 36 AND 426, AND LOTS 426 AND 427, APACHE SHORES SECTION FIRST INSTALLMENT, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER BAXTER) (9:17 AM)

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

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

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

**Clerk's Note:** The action Item for Item 2 is Agenda Item 10. Please refer to Agenda Item 10 for the Court's Motion and Vote.

3. DISCUSSION OF AN ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF THE 5' PUBLIC UTILITY EASEMENT ON EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 648 AND 649, APACHE SHORES SECTION 2, A SUBDIVISION IN PRECINCT 3. (COMMISSIONER BAXTER) (9:19 AM)

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

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

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

**Clerk's Note:** The action Item for Item 3 is Agenda Item 11. Please refer to Agenda Item 11 for the Court's Motion and Vote.

## CITIZENS COMMUNICATION

4. **Members of the Court heard from:** Gus Peña, President, East Austin Concerned Hispanics, and Second Vice President, The Rainbow Coalition, City of Austin, Statewide Chapter. (9:20 AM)

**CONSENT ITEMS**

- 5. Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C3, and Items 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20.A, 21, 26 (excluding temporary military slots), 31, and 34. (9:24 AM)

|  |     |
|--|-----|
| <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 THE FOLLOWING MEETING DATES:
- A.** VOTING SESSION OF OCTOBER 9, 2001;
  - B.** VOTING SESSION OF OCTOBER 16, 2001;
  - C.** VOTING SESSION OF OCTOBER 23, 2001;
  - D.** BUDGET MARK-UP VOTING SESSION OF SEPTEMBER 6, 2001; AND
  - E.** BUDGET MARK-UP VOTING SESSION OF SEPTEMBER 7, 2001.
- 6.** UPDATE ON STATUS OF 2001 COMBINED CHARITIES CAMPAIGN. (9:27 AM)

**Members of the Court heard from:** Cecelia Burke, Director, Domestic Relations, and Chair, 2001 Travis County Combined Charities Campaign.

Discussion Only.

**TRANSPORTATION & NATURAL RESOURCES DEPT ITEMS**

7. CONSIDER WAIVER OF COUNTY PARK ENTRANCE FEES IN RECOGNITION OF VETERANS' DAY WEEKEND, NOVEMBER 10, 11 AND 12, 2001. (9:30 AM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 7.

|                        |  |     |
|------------------------|--|-----|
| <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 |

8. CONSIDER ADOPTION OF A SOLID WASTE SITING ORDINANCE, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS AND JUDGE BISCOE)  
(9:15 AM) (9:31 AM) (10:50 AM) (2:34 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; John Hutchinson, Walnut Place Neighborhood Association; Trek English, President, Northeast Action Group; John Kuhl, Natural Resources Program Manager, TNR; and Joyce Best, Private Citizen.

Judge Biscoe announced that Item 8 would be considered in Executive Session.

**Motion by Judge Biscoe and seconded by Commissioner Davis** that the proper course to take is to appoint a working group of about 9 people to be representative and democratic, and to work with Staff and members the Court; that the Court members each come up with one or two persons, and that the Judge put together a comprehensive list of all the names; and that neighborhood residents be included in the working group; that the Court pare down this list to a working size on November 13, 2001; that Judge Biscoe work on a specific draft charge for the Court's consideration on Tuesday, November 13, 2001; that the Court ask the committee to report back in 30 days; that Judge Biscoe get together with John Kuhl, Natural Resources Program Manager, and Tom Nuckols, Assistant County Attorney, and draft a short letter to TNRCC indicating that the Commissioners' Court requests that TNRCC give notice to Travis County of any application to construct or expand any kind of Solid Waste facility in Travis County, between now and December 31, 2001; that John Kuhl, Natural Resources Program Manager, or Tom Nuckols, Assistant County Attorney, or their designees, be given directions to check in daily or 3 times weekly with TNRCC, or whatever is sufficient, so that we are not just relying upon information coming to us.

|  |     |
|--|-----|
| <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 8 to be reposted on November 13, 2001.

9. APPROVE A RESUBDIVISION PLAT FOR RECORDING IN PRECINCT FOUR – RESUBDIVISION OF A PORTION OF LOT 167 & 169 AND ALL OF LOT 168, COLORADO RIVER RANCHETTES - UNIT 2 (RESUBDIVISION PLAT – 1 LOT – 1.308 ACRES – RIVER ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY –OUTSIDE ETJ). (COMMISSIONER GOMEZ) (9:24 AM)

**Clerk's Note:** Item 9 is the action Item for Item 1.

**Clerk's Note:** Item 9 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

10. APPROVE AN ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A 5' PUBLIC UTILITY AND DRAINAGE EASEMENT ALONG BOTH SIDES OF THE COMMON LOT LINE OF LOTS 36 AND 426, AND LOTS 426 AND 427, APACHE SHORES SECTION FIRST INSTALLMENT, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER BAXTER) (9:24 AM)

**Clerk's Note:** Item 10 is the action Item for Item 2.

**Clerk's Note:** Item 10 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

11. APPROVE AN ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF THE 5' PUBLIC UTILITY EASEMENT ON EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 648 AND 649, APACHE SHORES SECTION 2, A SUBDIVISION IN PRECINCT 3. (COMMISSIONER BAXTER) (9:24 AM)

**Clerk's Note:** Item 11 is the action Item for Item 3.

**Clerk's Note:** Item 11 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.



12. APPROVE A CONSTRUCTION AGREEMENT AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT ONE - AUSTIN'S COLONY SECTION THREE (LONGFORM PLAT - 201 LOTS – 37.596 ACRES - AUSTIN'S COLONY BOULEVARD – FISCAL POSTED WITH THE CITY OF AUSTIN - HORNSBY BEND UTILITY COMPANY – CITY OF AUSTIN ETJ). (COMMISSIONER DAVIS) (10:06 AM)

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

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to approve Item 12.

|                        |  |     |
|------------------------|--|-----|
| <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 |

## PURCHASING OFFICE ITEMS

13. APPROVE THE PURCHASE OF ADDITIONAL LICENSES AND THE 12-MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT MA980105, DEPARTMENT OF INFORMATION RESOURCES, FOR SOFTWARE LICENSING AND MAINTENANCE OF NOVELL GROUPWISE SYSTEM, NOVELL OPERATING SYSTEM, AND MANAGEWISE/ZENWORKS; CONTRACT APPROVED ON 3/17/98. (COMMISSIONER GOMEZ) (9:24 AM)

**Clerk's Note:** Item 13 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

14. APPROVE INCLUSION OF MAINTENANCE FOR 200 ORACLE LICENSES (MODIFICATION NO. 1) TO CONTRACT MA010212, ORACLE CORPORATION, FOR ORACLE DATABASE LICENSES AND SUPPORT; CONTRACT APPROVED 8/28/01. (I.T.S.) (COMMISSIONER GOMEZ) (9:24 AM)

**Clerk's Note:** Item 14 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

15. APPROVE A 12-MONTH EXTENSION AND ADDITION OF LINE ITEMS (MODIFICATION NO. 2) TO CONTRACT NO. 00T0064-LD, H & H FENCE FOR GUARDRAIL AND BRIDGERAIL INSTALLATION; CONTRACT APPROVED ON 12/20/99. (TNR) (COMMISSIONER GOMEZ) (9:24 AM)

**Clerk's Note:** Item 15 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

16. APPROVE CONTRACT AWARD FOR ROOF REPAIRS AT THE TRAVIS COUNTY EXPOSITION CENTER (ARENA BUILDING), IFB B010721-DM, TO THE LOW, RESPONSIVE BIDDER, PORT ENTERPRISES, LTD. (FACILITIES) (COMMISSIONER DAVIS) (9:24 AM)

**Clerk's Note:** Item 16 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

17. APPROVE MODIFICATION NO. 2 (NO. PS000299-KW) WITH SOUTHWEST KEY PROGRAM, INC. FOR EDUCATIONAL AND COUNSELING SERVICES FOR THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM (JJAEP). (JUVENILE COURT) (COMMISSIONER GOMEZ) (9:24 AM)

**Clerk's Note:** Item 17 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

18. APPROVE CONTRACT MODIFICATION NO.1 (NO. PS990164), CYNTHIA BRINSON, M.D., SPECIALIZED MEDICAL SERVICES. (SHERIFF'S OFFICE) (COMMISSIONER GOMEZ) (9:24 AM)

**Clerk's Note:** Item 18 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

19. APPROVE MODIFICATION NO. 14 TO CONTRACT 00K0703-JG FOR MINOR CONSTRUCTION AND RENOVATION SERVICES TO ZETA CONSTRUCTION CORPORATION; CONTRACT APPROVED ON 2/8/00. (FACILITIES) (COMMISSIONER GOMEZ) (9:24 AM)

**Clerk's Note:** Item 19 added to Consent Items. Please refer to Agenda Item 5 (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. (9:24 AM)

**A.** APPROVE GRANT CONTRACT WITH THE DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR A COMMUNITY/STRATEGIC PROSECUTION PROGRAM GRANT IN THE DISTRICT ATTORNEY'S OFFICE. A NEW GRANT TO CONTINUE AN EXISTING PROGRAM.

**Clerk's Note:** Item 20.A added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- 21.** APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:24 AM)

**Clerk's Note:** Item 21 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

## **ADMINISTRATIVE OPERATIONS ITEMS**

- 22.** APPROVE A COUNTY-WIDE DISTRIBUTION OF HUMAN RESOURCES MANAGEMENT DEPARTMENT'S FY '02 TRAINING CALENDAR; A SELECTION OF COURSES SCHEDULED TO ENHANCE EMPLOYEE PERFORMANCE AND PRODUCTIVITY. (9:14 AM)

Item 22 postponed until November 13, 2001.

23. 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 – COUNTY EMPLOYEES FOR PAYMENT PERIOD OF OCTOBER 1, 2001 – OCTOBER 18, 2001. (10:08 AM)

**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 Item 23.

|  |     |
|--|-----|
| <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 |

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 – COUNTY EMPLOYEES FOR PAYMENT PERIOD OF OCTOBER 19, 2001 – OCTOBER 25, 2001. (10:10 AM)

**Members of the Court heard from:** Dan Mansour, Risk Manager, HRMD.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve Item 24.

|  |     |
|--|-----|
| <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 |

**25.** APPROVE THE FOLLOWING CONTRACTS WITH UNUM LIFE INSURANCE COMPANY OF AMERICA AND ITS SUBSIDIARIES: (COMMISSIONER SONLEITNER) (10:17 AM) (2:26 PM)

- A.** SERVICES AGREEMENT;
- B.** APPLICATION FOR PARTICIPATION IN THE SELECT GROUP INSURANCE TRUST FOR GROUP LIFE BENEFITS AND GROUPS ACCIDENTAL DEATH AND DISMEMBERMENT BENEFITS;
- C.** APPLICATION FOR GROUP INSURANCE FOR GROUP LONG TERM DISABILITY BENEFITS;
- D.** POLICY FOR GROUP LIFE INSURANCE FOR GROUP LONG TERM DISABILITY BENEFITS; AND
- E.** POLICY FOR GROUP LONG TERM DISABILITY BENEFITS.

**Clerks Note:** Items 25.A, B, C, D, and E are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Dan Mansour, Risk Manager, HRMD; and Barbara Wilson, Assistant County Attorney.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Items 25.A, B, C, D, and E, and to include directions that our payment, that is necessary to execute this contract, be included on the next claims run, with the ability to get that money out the door as quickly as possible, to fulfill our contractual obligation.

|                        |  |     |
|------------------------|--|-----|
| <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 |

26. APPROVE PERSONNEL AMENDMENTS. (9:14 AM) (9:24 AM) (10:20 AM)

**Clerk's Note:** Item 26 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

**Clerk's Note:** The Court announced that the temporary military slots issue would be excluded from the Consent Motion.

**Temporary Military Slots:**

**Members of the Court heard from:** Norman McRee, Budget/Process Improvement Analyst, HRMD; Mike Hemby, Research Analyst, Travis County Sheriff's Office (TCSO); Leroy Nellis, Budget Manager, Planning and Budget Office (PBO); and Debbie Rich, Human Resources Coordinator, TCSO.

Discussion Only.

**OTHER ITEMS**

27. DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (10:32 AM)

No action necessary on Item 27.

- 28. A. APPROVE CHANGES IN PREVIOUSLY ADOPTED ELECTION PRECINCT 410 TO CONFORM WITH STATE LAW, AND TAKE APPROPRIATE ACTION.**  
(10:32 AM) (2:16 PM)

**Members of the Court heard from:** Bill Emory, Redistricting Consultant, Emory Young and Associates.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the changes in the adopted precinct 410

**Motion carried:**

|  |     |
|--|-----|
| 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 |

- B. APPROVE ADOPTION OF AN ORDER SPECIFYING THE METES AND BOUNDS DESCRIPTIONS FOR COUNTY COMMISSIONER, JUSTICE OF THE PEACE & CONSTABLE AND ELECTION PRECINCTS, AND TAKE APPROPRIATE ACTION.** (10:32 AM) (2:16 PM)

**Members of the Court heard from:** Bill Emory, Redistricting Consultant, Emory Young and Associates.

**A Division of the Vote was requested by** Commissioner Baxter on Item 28.B.

**First Division of the Vote:**

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the proposed polling precinct field notes and the order as it covers them.

**Motion carried:**

|  |     |
|--|-----|
| 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 |

**Second Division of the Vote:**

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the recommended changes as to the County Commissioners lines, Justices of the Peace, and Constables, the proposed order, and the metes and bounds descriptions.

**Motion carried:**

|  |     |
|--|-----|
| 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 |

- 29. CONSIDER ORDER CONSOLIDATING CERTAIN COUNTY ELECTION PRECINCTS, AND TAKE APPROPRIATE ACTION. (10:32 AM)**

No action necessary on Item 29.

- 30. DISCUSS ISSUES RELATED TO THE CONDUCT OF THE NOVEMBER 6, 2001 ELECTIONS, AND TAKE APPROPRIATE ACTION. (10:32 AM)**

No action necessary on Item 30.

- 31. APPROVE ADDITIONAL PRESIDING JUDGES AND ALTERNATE PRESIDING JUDGES FOR THE ELECTION TERM OF AUGUST 1, 2001 THROUGH JULY 31, 2003. (9:24 AM)**

**Clerk's Note:** Item 31 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- 32. ISSUE A CALL FOR RECOMMENDATIONS AND DISCUSS SETTING A PUBLIC HEARING DATE FOR NAMING A COUNTY FACILITY (SHERIFF'S OFFICE WEST COMMAND CENTER) IN ACCORDANCE WITH COUNTY POLICY §1.020 NAMING NEW TRAVIS COUNTY FACILITIES. (COMMISSIONER BAXTER) (10:32 AM)**

**Members of the Court heard from:** Dan Richards, Chief Deputy, TCSO.

**Motion by** Commissioner Baxter **and seconded by** Commissioner Gómez that we formally issue a call for recommendations for naming the Sheriff's West Command Center, and that we would set a public hearing on that issue on Tuesday, November 27, 2001.

**Maker and Second accept the Friendly Amendment by** Commissioner Sonleitner that Alicia Perez, Executive Manager, Administrative Operations, work on getting together an appropriate press release and to get out the information.

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

|                        |  |     |
|------------------------|--|-----|
| <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 |



33. APPROVE AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT BETWEEN TRAVIS COUNTY, TEXAS THROUGH THE OFFICE OF THE DISTRICT ATTORNEY AND THE STATE OF TEXAS THROUGH THE GENERAL SERVICES COMMISSION FOR THE BENEFIT OF THE TEXAS DEPARTMENT OF PROTECTIVE AND REGULATORY SERVICES. (10:40 AM)

**Members of the Court heard from:** Vicki Skinner, Director of Administration, Travis County District Attorney's Office.

**Motion by** Judge Biscoe **and seconded by** Commissioner Baxter to approve Item 33.

|                        |  |     |
|------------------------|--|-----|
| <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 |

34. APPROVE PRINTING OF 500+ COPIES OF FLYER FOR 2001 BROWN SANTA PROGRAM AND APPROVE DISTRIBUTION WITH PAYROLL CHECK OF NOVEMBER 15, 2001. (9:24 AM)

**Clerk's Note:** Item 34 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

**35. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:42 AM)**

**Members of the Court heard from:** Mary Mayes, Investment Manager, Cash/Investment Management; Leroy Nellis, Budget Manager, PBO; and Sean O’Neal, Senior Financial Analyst, Travis County Auditor’s Office.

**Motion by** Commissioner Baxter **and seconded by** Commissioner Gómez that the Court allow specific exemption to the (Travis County Investment) policy, if needed, to allow us to hold on to the investment even though it’s going over the 5%.

|  |     |
|--|-----|
| <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 |

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the payment of claims and authorize the County Treasurer to invest County funds.

|  |     |
|--|-----|
| <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 |

## 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. 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> (10:50 AM) (2:30 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>

**Clerks 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.

No action necessary on Items 36.A and B.

37. DISCUSS, APPROVE OR TAKE ANY APPROPRIATE ACTION REGARDING REAL ESTATE ISSUES RELATING TO THE NORTH RURAL COMMUNITY CENTER AND CLINIC. <sup>2</sup> (10:50 AM) (2:30 PM) (2:44 PM)

Judge Biscoe announced that Item 37 would be considered in Executive Session.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Baxter that we authorize the Real Estate Manager to work with the County Attorney's Office on a draft purchase contract for our preferred site, and that it be returned back to the Commissioners' Court to take a final look at before we would present it to the owner of that property, and we will be looking to the Real Estate Manager for recommendations related to earnest money and an initial offer price.

|  |     |
|--|-----|
| <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 37 to be reposted on November 13, 2001.

38. DISCUSS, APPROVE, OR TAKE ANY APPROPRIATE ACTION REGARDING THE LEASES LOCATED AT 205, 207 AND 209 WEST 9<sup>TH</sup> STREET BETWEEN TRAVIS COUNTY, TEXAS AND HARRY WHITTINGTON, D/B/A TRAVIS PROPERTIES. <sup>2</sup> (10:50 AM) (2:31 PM)

Judge Biscoe announced that Item 38 would be considered in Executive Session.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner that we authorize Staff to keep negotiating with the property owner, Harry Whittington, D/B/A Travis Properties.

|  |     |
|--|-----|
| <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 38 to be reposted on November 13, 2001.

- 39.** DISCUSS, APPROVE OR TAKE ANY APPROPRIATE ACTION REGARDING THE PARKING LEASES LOCATED AT 1250 GUADALUPE, 1300 GUADALUPE AND 812 SAN ANTONIO BETWEEN TRAVIS COUNTY, TEXAS AND CENTRAL PARKING SYSTEM OF TEXAS, INCORPORATED. <sup>2</sup> (10:50 AM) (2:32 PM)

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

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

**Motion carried:**

|  |     |
|--|-----|
| 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 |

- 40.** CONSIDER OPTION AND PURCHASE AGREEMENTS FOR ACQUISITION OF LAND FOR A PROPOSED EAST METRO PARK IN PRECINCT ONE, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) <sup>2</sup> (10:50 AM) (2:32 PM)

Judge Biscoe announced that Item 40 would be considered in Executive Session.

Item 40 to be reposted on November 13, 2001.

- 41.** RECEIVE LEGAL ADVICE FROM COUNTY ATTORNEY ON TRAVIS COUNTY VS. PETER VON WUPPERFELD, CAUSE NO. GV-001152, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (10:50 AM) (2:33 PM)

Judge Biscoe announced that Item 41 would be considered in Executive Session.

Item 41 to be reposted on November 13, 2001.

42. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING TRAVIS COUNTY V. ARK MUSIC, INC. AND TAKE APPROPRIATE ACTION. <sup>1</sup>  
(10:50 AM) (2:33 PM)

Judge Biscoe announced that Item 42 would be considered in Executive Session.

**Motion by** Commissioner Gómez **and seconded by** Judge Biscoe that we instruct our County Attorney to file a motion to compel Ark Music Inc. to meet their obligations with Travis County – obligations as set forth in the agreed injunction.

|  |     |
|--|-----|
| <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 |

#### THE FOLLOWING ITEM IS AN ADDENDUM:

- A1. APPROVE SECOND AMENDMENT TO TRAVIS COUNTY PURCHASE CONTRACT WITH SHELLBERG JOINT VENTURE TO CORRECT LEGAL DESCRIPTION IN CONNECTION WITH ACQUISITION OF APPROXIMATELY 490.96 ACRES (VISTA POINT) TRACT, (BCCP ACQUISITION). (COMMISSIONER SONLEITNER) EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOVT. CODE ANN. 551.072. (10:50 AM) (2:33 PM)

Judge Biscoe announced that Item A1 would be considered in Executive Session.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Baxter to approve the second amendment which would correct that legal description in connection with our proposed acquisition of land for the BCCP.

|  |     |
|--|-----|
| <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 Baxter to adjourn the Voting Session. (2:44 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**

---

**Date of Approval**

---

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