

MINUTES – MARCH 19, 2002

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 19th day of March, 2002, the Commissioners' Court convened the regular Voting Session at 9:15 AM in the Commissioners' Courtroom, 1st Floor of the Travis County Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners' Court recessed the Voting Session at 12:03 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 1:44 PM.

The Commissioners' Court reconvened the regular Voting Session at 1:44 PM.

The Commissioners' Court retired to Executive Session at 3:17 PM.

The Commissioners' Court reconvened the Voting Session at 4:48 PM.

The Commissioners' Court adjourned the Voting Session at 4:58 PM.

PUBLIC HEARINGS

1. DISCUSS AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE THE 15' PUBLIC UTILITY EASEMENT ON EITHER SIDE OF THE COMMON LOT BETWEEN LOTS 14 AND 15, GREGG MANOR ROAD BUSINESS PARK, A SUBDIVISION IN PRECINCT 2. (COMMISSIONER SONLEITNER) (ACTION ITEM # 16) (9:16 AM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to open the public hearing.

Motion carried:

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

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

Motion by Commissioner Sonleitner **and seconded by** Commissioner Moore to close the public hearing.

Motion carried:

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

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

2. DISCUSS AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE THE DRAINAGE EASEMENT ACROSS LOT 10 BLOCK 26, AUSTIN LAKE ESTATES SECTION ONE, A SUBDIVISION IN PRECINCT 3.
(COMMISSIONER MOORE) (ACTION ITEM # 17) (9:17 AM)

Motion by Commissioner Moore **and seconded by** Commissioner Gómez to open the public hearing.

Motion carried:

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

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

Motion by Commissioner Moore **and seconded by** Commissioner Gómez to close the public hearing.

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

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

- 3. DISCUSS AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A 3279 SQ. FT. DRAINAGE EASEMENT ACROSS LOT 17 BLOCK B, WESTVIEW ON LAKE AUSTIN PHASE A, A SUBDIVISION IN PRECINCT 3. (COMMISSIONER MOORE) (ACTION ITEM # 18) (9:19 AM)**

Motion by Commissioner Moore **and seconded by** Commissioner Gómez to open the public hearing.

Motion carried:

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

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

Motion by Commissioner Moore **and seconded by** Commissioner Gómez to close the public hearing.

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

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

4. DISCUSS A PLAT FOR RECORDING IN PRECINCT ONE: SCENIC POINT, PHASE FOUR - (LONG FORM PLAT – 21 LOTS – 4.7 ACRES – JOHNNY MORRIS ROAD & POINT NORTH DRIVE – FISCAL POSTED WITH THE CITY OF AUSTIN – SEWAGE SERVICE TO BE PROVIDED BY THE, COA ETJ). (COMMISSIONER DAVIS) (ACTION ITEM # 19) (9:20 AM)

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to open the public hearing.

Motion carried:

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

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Pat Boyle, Developer, Scenic Point Phase 4; Emilia Lopez Phelps, Attorney for the Developer; and Gloria Houston, Resident of Scenic Point.

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to close the public hearing.

Motion carried:

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

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

5. DISCUSS ISSUES RELATING TO HOUSE BILL 1445 AND INTERLOCAL AGREEMENTS WITH CITIES FOR THE REVIEW OF SUBDIVISIONS WITHIN THE EXTRATERRITORIAL JURISDICTION. (ACTION ITEM # 9) (9:42 AM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to open the public hearing.

Motion carried:

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

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Harry Savio, Executive Vice President, Texas Capital Area Builders Association; Andy Erben, KB Home; Lisa Gordon, Assistant City Manager, City of Austin; and Andy Martin, Acting Outside Counsel for the City of Austin.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Moore to close the public hearing.

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

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 9 for the Court's Motion and Vote.

RESOLUTIONS & PROCLAMATIONS

6. APPROVE PROCLAMATION COMMENDING CURRENT AND PAST COMMUNITY JUSTICE CENTER ADVISORY COMMITTEE MEMBERS FOR THEIR SERVICE TO TRAVIS COUNTY AND ITS CITIZENS. (JUDGE BISCOE AND COMMISSIONER DAVIS) (9:50 AM)

Members of the Court heard from: Kimberly Pierce, Justice and Public Safety (JPS); Wilson Andrews, Chair, Community Justice Advisory Committee; and Louie White, Member, Community Justice Advisory Committee.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Item 6.

Motion carried:

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

7. APPROVE A PROCLAMATION HONORING WALTER TIMBERLAKE FOR MORE THAN 15 YEARS OF SERVICE ON THE TRAVIS COUNTY CHILDREN'S PROTECTIVE SERVICES BOARD. (COMMISSIONER GOMEZ) (9:58 AM)

Members of the Court heard from: Walter Timberlake, Member, Travis County Children's Protective Services Board; DeWayne Lofton, Chair, Travis County Children's Protective Services Board; and Stephen Williams, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS).

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

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: Karen Enyedy, Put People First; Judy Carter, Put People First; Matilda Munguia, Put People First; Suzanne Santos, Put People First; Gus Peña, President, East Austin Concerned Hispanics, and Second Vice President, The Rainbow Coalition; John Hutchinson, President, Walnut Place Neighborhood Association; and Kristina Kubek, Secretary, Walnut Place Neighborhood Association. (10:06 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C4, and Items 14, 16, 17, 18, 20.A-H, 21, 24, 25.A, 26, 28, 29, 30, 31, 32, 33, 34, 35, and 40. (10:55 AM)

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

- C1.** RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3.** APPROVE SETTING A PUBLIC HEARING DATE OF APRIL 2, 2002 TO DISCUSS PROPOSED SPEED LIMITS AND TRAFFIC CONTROL DEVICES ON DESSAU ROAD IN THE VICINITY OF DESSAU MIDDLE SCHOOL (PFLUGERVILLE I.S.D.) IN PRECINCT ONE. (COMMISSIONER DAVIS)
- C4.** APPROVE SETTING A PUBLIC HEARING DATE OF APRIL 23, 2002 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOT 61, LOT 62, AND LOT 64, LAGO RANCHOS SECTION 1 (SHORT FORM PLAT - 3 LOTS – 3.13 ACRES – PECOS DRIVE AND BLANCO DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY - LAGO VISTA ETJ). (COMMISSIONER MOORE)

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

8. **A.** ACCEPT AND OPEN BIDS RELATING TO, AND CONSIDER AND TAKE ACTION ON AN ORDER AUTHORIZING, THE ISSUANCE OF \$13,000,000 TRAVIS COUNTY, TEXAS, PERMANENT IMPROVEMENT BONDS, SERIES 2002 (LIMITED TAX), AND MATTERS PERTAINING THERETO.
(9:16 AM) (10:06 AM) (10:29 AM)

Clerk's Note: Judge Biscoe announced, at 10:06 AM, that the time to submit a bid on the Bond Issues had passed.

Members of the Court heard from: Ladd Pattillo, Travis County Financial Advisor; and Glen Opal, Bond Counsel.

Clerk's Note: Ladd Pattillo, the Travis County Financial Advisor, opened and announced the bids on the Permanent Improvement Bonds as follows: Stephens Inc., 5.067857, First Southwest Company, 5.053769, Solomon Smith Barney Syndicate, 5.058440, and AG Edwards, 5.077244.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to adopt the order, which should state that First Southwest Company submitted the best bid.

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

ITEM 8 CONTINUED

B. ACCEPT AND OPEN BIDS RELATING TO, AND CONSIDER AND TAKE ACTION ON AN ORDER AUTHORIZING, THE ISSUANCE OF \$14,000,000 TRAVIS COUNTY, TEXAS, UNLIMITED TAX ROAD BONDS, SERIES 2002, AND MATTERS PERTAINING THERETO. (9:16 AM) (10:06 AM) (10:29 AM) (10:33 AM)

Members of the Court heard from: Ladd Pattillo, Travis County Financial Advisor; and Glen Opal, Bond Counsel.

Clerk's Note: Ladd Pattillo, the Travis County Financial Advisor, opened and announced the bids on the Tax Road Bonds as follows: Stephens Inc., 5.066385, AG Edwards, 5.061256, First Southwest Company, 5.017008, and Solomon Smith Barney Syndicate, 5.032327.

Motion by Judge Biscoe and seconded by Commissioner Gómez to adopt the order authorizing the issuance of the Road Bonds.

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

9. CONSIDER ISSUES RELATING TO HOUSE BILL 1445 AND INTERLOCAL AGREEMENTS WITH CITIES FOR THE REVIEW OF SUBDIVISIONS WITHIN THE EXTRATERRITORIAL JURISDICTION, AND TAKE APPROPRIATE ACTION. (9:50 AM)

Clerk's Note: Agenda Item 9 is the action item for the public hearing on Item 5.

Item 9 postponed until March 26, 2002.

10. DISCUSS TNR'S 2002 ANNUAL WORK PLAN AND TAKE APPROPRIATE ACTION. (11:30 AM) (11:49 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and John Kuhl, Natural Resources Program Manager, TNR.

Motion by Commissioner Moore **and seconded by** Commissioner Gómez to approve the 2002 Work Plan for TNR.

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. DISCUSS TNR'S GOALS AND PERFORMANCE PLANNING AND MANAGEMENT SYSTEM AND TAKE APPROPRIATE ACTION. (COMMISSIONER MOORE) (11:49 AM) (1:44 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Donna Holt, Division Manager, Administrative Services, TNR; and Linda Moore Smith, Director, Human Resources Management Department (HRMD).

Discussion Only.

Item 11 to be reposted on March 26, 2002.

12. DISCUSS FINAL REPORT FOR THE 2001 PAVEMENT CONDITION SURVEY AND TAKE APPROPRIATE ACTION. (COMMISSIONER MOORE) (10:58 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Frank Carmichael, Licensed Professional Engineer, HVJ Associates Inc.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to accept the report, approve the recommendations, and ask Staff to incorporate them into its comprehensive planning.

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

13. APPROVE INTERLOCAL AGREEMENT WITH THE AUSTIN INDEPENDENT SCHOOL DISTRICT FOR CAPITAL IMPROVEMENTS TO NORTHEAST METROPOLITAN PARK – PHASE II. (COMMISSIONER SONLEITNER) (9:16 AM)

Item 13 postponed until March 26, 2002.

14. CONSIDER COMMISSIONERS COURT APPOINTMENT TO THE BALCONES CANYONLANDS COORDINATING COMMITTEE, AND TAKE APPROPRIATE ACTION. (COMMISSIONER SONLEITNER AND COMMISSIONER MOORE) (10:55 AM)

Clerk's Note: The Court announced that Commissioner Moore is the Court's appointment to the Balcones Canyonlands Coordinating Committee.

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

15. DISCUSS AN AMENDMENT TO THE INTERLOCAL AGREEMENT WITH THE CITY OF SUNSET VALLEY FOR THE MAINTENANCE AND ANNEXATION OF BRODIE LANE BETWEEN U.S. 290 W. AND WILLIAMSON CREEK, AND TAKE APPROPRIATE ACTION. (COMMISSIONER MOORE) (11:47 AM)

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

Motion by Commissioner Moore **and seconded by** Judge Biscoe to approve Item 15.

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

16. APPROVE AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE THE 15' PUBLIC UTILITY EASEMENT ON EITHER SIDE OF THE COMMON LOT BETWEEN LOTS 14 AND 15, GREGG MANOR ROAD BUSINESS PARK, A SUBDIVISION IN PRECINCT 2. (COMMISSIONER SONLEITNER) (10:55 AM)

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

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

17. APPROVE AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE THE DRAINAGE EASEMENT ACROSS LOT 10 BLOCK 26, AUSTIN LAKE ESTATES SECTION ONE, A SUBDIVISION IN PRECINCT 3. (COMMISSIONER MOORE) (10:55 AM)

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

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

18. APPROVE AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A 3279 SQ. FT. DRAINAGE EASEMENT ACROSS LOT 17 BLOCK B, WESTVIEW ON LAKE AUSTIN PHASE A, A SUBDIVISION IN PRECINCT 3. (COMMISSIONER MOORE) (10:55 AM)

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

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

19. APPROVE A PLAT FOR RECORDING IN PRECINCT ONE: SCENIC POINT, PHASE FOUR - (LONG FORM PLAT – 21 LOTS – 4.7 ACRES – JOHNNY MORRIS ROAD & POINT NORTH DRIVE – FISCAL POSTED WITH THE CITY OF AUSTIN – SEWAGE SERVICE TO BE PROVIDED BY THE, COA ETJ). (COMMISSIONER DAVIS) (10:37 AM)

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

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Emilia Lopez Phelps, Attorney for the Developer; Pat Boyle, Developer, Scenic Point Phase 4; and Gloria Houston, Resident, Scenic Point.

Item 19 to be reposted on March 26, 2002.

PLANNING AND BUDGET DEPT. ITEMS

- 20.** REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE:
(10:55 AM)
- A.** APPROVE GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A DRUG COURT GRANT IN JUVENILE COURT. THE GRANT AUGMENTS THE EXISTING PROGRAM.
 - B.** APPROVE GRANT APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD FOR A PLANNING GRANT IN TRANSPORTATION AND NATURAL RESOURCES. A NEW GRANT PROGRAM TO FUND A PLAN TO ADDRESS FLOOD MITIGATION. GRANT MATCH PROPOSED TO BE MET WITH TRANSFER FROM ALLOCATED RESERVES (FUNDS EARMARKED).
 - C.** APPROVE GRANT APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD FOR A FLOOD MITIGATION ASSISTANCE GRANT IN TRANSPORTATION AND NATURAL RESOURCES. A NEW GRANT PROGRAM TO AUGMENT EXISTING FLOOD MITIGATION EFFORTS.
 - D.** APPROVE GRANT APPLICATION TO THE TEXAS DEPARTMENT OF PROTECTIVE AND REGULATORY SERVICES FOR A HEALTHY FAMILIES GRANT PROGRAM IN HEALTH AND HUMAN SERVICES DEPARTMENT. THE GRANT CONTINUES THE PROGRAM FOR FY 02.
 - E.** APPROVE GRANT APPLICATION TO THE OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION FOR A JUVENILE MENTORING GRANT PROGRAM IN JUVENILE COURT. A NEW GRANT PROGRAM TO ENHANCE THE MENTORING SERVICES OFFERED BY THE DEPARTMENT.
 - F.** APPROVE GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A FAMILY VIOLENCE PROTECTION TEAM IN THE COUNTY ATTORNEY'S OFFICE. THE CONTRACT EXTENDS THE GRANT PERIOD OF THE EXISTING PROGRAM.
 - G.** APPROVE GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE LIHEAP WEATHERIZATION PROGRAM IN HEALTH AND HUMAN SERVICES DEPARTMENT. THE GRANT PROVIDES ADDITIONAL FUNDING FOR THE EXISTING PROGRAM.

ITEM 20 CONTINUED

- H. APPROVE GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE DOE/OIL OVERCHARGE WEATHERIZATION PROGRAM IN HEALTH AND HUMAN SERVICES DEPARTMENT. THE GRANT PROVIDES ADDITIONAL FUNDING FOR THE EXISTING PROGRAM.

Clerk's Note: Items 20.A-H added to the Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

21. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (10:55 AM)

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

ADMINISTRATIVE OPERATIONS ITEMS

- 22. A.** CONSIDER OPTIONS TO LICENSE AGREEMENT WITH AUSTIN INDOOR FOOTBALL LEAGUE FOR USE OF TRAVIS COUNTY EXPOSITION CENTER AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) (3:06 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations.

Motion by Commissioner Davis **and seconded by** Commissioner Moore to approve Item 22.A, the license agreement.

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

- B.** CONSIDER AMENDMENT TO AUSTEX CONCESSION CONTRACT FOR AUSTIN INDOOR FOOTBALL LEAGUE, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) (3:14 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 22.B.

Motion carried:

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

- 23.** DISCUSS ISSUES REGARDING SCHEMATIC DESIGN APPROVAL FOR THE PRECINCT 4 OFFICE BUILDING, AND TAKE APPROPRIATE ACTION.
(COMMISSIONER GOMEZ) (2:29 PM) (3:17 PM) (4:49 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Roger El Khoury, Director, Facilities Management; Leslie Stricklan, Facilities Management; and Jim Rust, Director, Pre-Trial Services.

Judge Biscoe announced that Item 23 would be considered in Executive Session pursuant to Gov't Code Ann 551.076, Security.

Clerk's Note: Items 23 and 44 are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one Motion for Items 23 and 44.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we direct Staff to include, in the construction design, the maximum security holding cell that is already there, in addition to an additional minimum security holding cell, and an additional juvenile holding cell, and a panic alarm system, consistent with the estimates that were provided to us, which will total \$77,000.00.

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the schematic, the design, and the corrections to the schematic design; the single lobby, and some minor technical changes as listed.

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

24. REVIEW AND APPROVE THE IMMEDIATE RELEASE OF REIMBURSEMENT PAYMENT TO UNITED HEALTH CARE FOR CLAIMS PAID FOR TRAVIS COUNTY EMPLOYEES AND DEPENDENTS COVERED BY THE HOSPITAL AND INSURANCE FUND FOR PAYMENT OF \$233,934.58 FOR PERIOD OF MARCH 1, 2002 THROUGH MARCH 7, 2002. (10:55 AM)

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

25. REVIEW AND APPROVE THE FOLLOWING LIABILITY CLAIM RECOMMENDATION: (10:55 AM)

A. ALLAN WILSON - SETTLE

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

26. APPROVE PERSONNEL AMENDMENTS. (10:55 AM)

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

PURCHASING OFFICE ITEMS

27. APPROVE CONTRACT AWARD FOR THE PROVISION OF DESKTOP COMPUTERS AND NOTEBOOKS, RFO 00200067-RG, TO THE LOW OFFEROR, DELL MARKETING L.P. (I.T.S.) (COMMISSIONER GOMEZ) (10:37 AM)

Item 27 to be reposted on March 26, 2002.

28. APPROVE INTERLOCAL AGREEMENT #IL020131EF WITH THE CITY OF AUSTIN FOR WEATHERIZATION SERVICES (HHSD). (COMMISSIONER GOMEZ) (10:55 AM)

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

29. APPROVE PURCHASE OF TWENTY-FIVE (25) VEHICLES FROM THE HOUSTON-GALVESTON AREA COUNCIL INTERLOCAL AGREEMENT, NO. ILA98-858; APPROVED ON 2/25/98. (COMMISSIONER GOMEZ) (10:55 AM)

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

30. APPROVE PURCHASE OF FORTY-SIX (46) VEHICLES UNDER STATE TERM CONTRACT. (TNR) (COMMISSIONER GOMEZ) (10:55 AM)

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

31. APPROVE CONTRACT MODIFICATION NO. 2 TO CONTRACT NO. PS000275MQ WITH COMMUNITY ADVOCATES FOR TEENS AND PARENTS FOR TEENAGER PREGNANCY PREVENTION SERVICES. (HHSD) (COMMISSIONER GOMEZ) (10:55 AM)

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

32. DECLARE HELICOPTER MOVING CART AS SURPLUS PROPERTY, PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE AND THE SELL OF SAID PROPERTY TO THE CITY OF AUSTIN, PURSUANT TO SECTION 263.152 (a)(1). (FIXED ASSETS) (COMMISSIONER GOMEZ) (10:55 AM)

Clerk's Note: Item 32 added to the Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

33. APPROVE TERMINATION OF CONTRACT NO. PS000328LB WITH MELINDA MATTHES, DDS FOR PROFESSIONAL DENTAL SERVICES FOR TRAVIS COUNTY INMATES; CONTRACT APPROVED SEPTEMBER 12, 2000. (SHERIFF'S OFFICE) (COMMISSIONER GOMEZ) (10:55 AM)

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

- 34.** APPROVE CONTRACT AWARD TO MUNIZ CONCRETE AND CONTRACTING FOR THE PROVISION OF CONSTRUCTION SERVICES FOR SIDEWALK CONSTRUCTION ON SELECTED ROADS, 2002 PROGRAM, IFB #B020045-JJ. (TNR) (COMMISSIONER GOMEZ) (10:55 AM)

Clerk's Note: Judge Biscoe clarified that the unit price in Item Nine of the bid should be \$2.45, and not \$24.50.

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

- 35.** APPROVE MODIFICATION NO. 1 TO PS000228KW, HELPING HAND HOME FOR CHILDREN, PROVIDING RESIDENTIAL TREATMENT SERVICES. (JUVENILE PROBATION) (COMMISSIONER GOMEZ) (10:55 AM)

Clerk's Note: Item 35 added to the Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

OTHER ITEMS

- 36.** DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (3:14 PM)

No action necessary on Item 36.

- 37.** APPROVE BY ORDER THE AUTHORIZATION UNDER THE TEXAS CODE OF CRIMINAL PROCEDURE ART. 103.004(b) FOR THE DISPOSITION OF COLLECTED MONEY BY DEPOSIT IN THE COUNTY TREASURY NOT LATER THAN THE SEVENTH REGULAR BUSINESS DAY AFTER THE DATE THAT THE MONEY IS COLLECTED. (COMMISSIONER GOMEZ) (10:36 AM)

Item 37 to be reposted on March 26, 2002.

38. DISCUSS VACANCY ON REGION K WATER QUALITY BOARD AND POSSIBLE APPOINTMENT TO FILL IT. (JUDGE BISCOE) (3:15 PM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the resolution appointing Commissioner Moore to the Region K Water Quality Board.

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

39. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF FEBRUARY 2002. (10:55 AM)

Clerk's Note: Item 39 added to the Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

40. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:55 AM)

Clerk's Note: Item 40 added to the 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

- 41. A.** RECEIVE BRIEFING FROM COUNTY ATTORNEY'S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE PROGRAM, AND TAKE APPROPRIATE ACTION. ¹ (3:17 PM) (4:51 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. ¹

Clerk's Note: Items 41.A and B are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 41.A and B would be considered in Executive Session.

No action necessary on Items 41.A and B.

Items 41.A and B to be reposted on March 26, 2002.

- 42.** DISCUSS, APPROVE OR TAKE ANY APPROPRIATE ACTION REGARDING REAL ESTATE ISSUES RELATED TO WEST NINTH STREET. ² (3:17 PM) (4:51 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez that we repost this Item for next week so that the Court can take additional action. That we authorize Judge Biscoe to execute a sublease agreement to SMS Security, and that Judge Biscoe be authorized to sign that; but, also, ask that the County Attorney's Office and the Real Estate Manager work together to prepare an appropriate lease document for a 1-year extension on the current space that is controlled by the County Clerk, in the basement, and that we take another week to figure out how to accommodate the Clerk's request for additional space, also located in the basement; and, that we bring in PBO and the County Attorney's Office to work on sources of funding that might need to be recycled, to cover the movement of that lease from the County Attorney's Budget/Risk Management, over to the County Clerk, for the rest of this Budget Year, and the appropriate Budget Transfers be prepared when that is ready to be brought back to the Court for final action.

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

Item 42 to be reposted on March 26, 2002.

- 43.** DISCUSS, APPROVE OR TAKE APPROPRIATE ACTION REGARDING REAL ESTATE ISSUES RELATED TO WEST RURAL COMMUNITY CENTER AND CLINIC. ² (3:17 PM) (4:53 PM)

Judge Biscoe announced that Item 43 would be considered in Executive Session.

No action necessary on Item 43.

Item 43 to be reposted on March 26, 2002.

44. DISCUSS, APPROVE OR TAKE ANY APPROPRIATE ACTION REGARDING THE PROPOSED SECURITY FEATURES FOR THE PRECINCT 4 OFFICE BUILDING. (COMMISSIONER GOMEZ) ⁴ (3:17 PM) (4:49 PM)

Judge Biscoe announced that Item 44 would be considered in Executive Session.

Clerk's Note: Items 44 and 23 are associated with one another and were called for concurrent discussion. Please refer to Item 23 for a summary of the Court's Motion and Vote.

45. DISCUSS, APPROVE OR TAKE ANY APPROPRIATE ACTION REGARDING THE LEASE BETWEEN 1825 FORTVIEW, INC. AND TRAVIS COUNTY, TEXAS FOR THE LEASE AT 1622 RIVERSIDE DRIVE. ² (3:17 PM) (4:53 PM)

Judge Biscoe announced that Item 45 would be considered in Executive Session.

Motion by Judge Biscoe and seconded by Commissioner Moore that we authorize Pat Ford, Real Estate Manager, to send a letter that she has prepared, which basically puts the property owner on notice of the County's decision to take advantage of its abatement due under the contract, because we were unable to use the building for parts of December, January, and February. That amount will total \$37,912.50.

Maker and Second accept the Friendly Amendment by Commissioner Sonleitner that we need to hear back if there is any response from the landlord about a counter, or any other response that is appropriate to our discussions.

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

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

46. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN HCI EQUITY PARTNERS, LP V. TRAVIS COUNTY, ET AL. ¹ (3:17 PM) (4:54 PM)

Judge Biscoe announced that Item 46 would be considered in Executive Session.

Item 46 to be reposted on March 26, 2002.

47. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING THOROUGHbred FARMS WASTEWATER TREATMENT PLANT, AND TAKE APPROPRIATE ACTION (ODEN; ENVIRONMENTAL). ¹ (3:17 PM) (4:55 PM)

Judge Biscoe announced that Item 47 would be considered in Executive Session.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we ask the County Attorney to prepare an appropriate letter for the County Judge's signature, on behalf of the Commissioners' Court, that notifies the Attorney General's Office that this matter has been called to our attention; that we stress the urgency and need for immediate action; that we try to find out what, in fact, the Attorney General plans to do within the next week or so; that we send a similar letter to the Executive Director of TNRCC; and that we make efforts to contact the owner of this Wastewater Treatment Facility, to try to figure out what the owner has in mind, in terms of immediately remedying this problem; that we receive a report back next Tuesday, March 26, 2002, so that we can decide what action, if any, is appropriate for the Commissioners Court' to take at that time.

Maker and Second accept the Friendly Amendment by Commissioner Moore to ask that the County Attorney to be prepared to take such legal action next week.

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

Item 47 to be reposted on March 26, 2002.

48. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN REYNALDO MACIAS, SR. ET AL. V. TRAVIS COUNTY, ET AL. ¹ (3:17 PM) (4:56 PM)

Judge Biscoe announced that Item 48 would be considered in Executive Session.

No action necessary on Item 48.

Item 48 to be reposted on March 26, 2002.

49. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN FREDRICK PLUET, (DECEASED) V. MARGO FRASIER, ET AL. (CIVIL RIGHTS) ¹ (3:17 PM) (4:57 PM)

Judge Biscoe announced that Item 49 would be considered in Executive Session.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we authorize the County Attorney to retain the Travis County Lawyer, John McCormick, to represent Kim Moore, an employee of the Travis County Sheriff's Office, in the matter of Fredrick Pluet vs. Margo Frasier; that we authorize the County Judge to sign an appropriate letter giving such authorization on behalf of the Commissioners' Court.

Maker and Second accept the Friendly Amendment by Commissioner Sonleitner that this be communicated to Ms. Moore to see if this is an acceptable solution, in terms of, the County offered outside counsel.

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

THE FOLLOWING ITEMS ARE ADDENDA:

- A1.** DISCUSS AND APPROVE ITEMS RELATED TO THE CONDUCT OF THE APRIL 9, 2002 JOINT PRIMARY RUNOFF ELECTIONS, AND TAKE APPROPRIATE ACTION. (3:04 PM)

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk.

Motion by Commissioner Moore **and seconded by** Commissioner Gómez to approve the order designating main and temporary early polling places.

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

Item A1 to be reposted on March 26, 2002.

- A2.** APPROVE CONTRACT AWARD TO CARTER & BURGESS, INC, FOR THE PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR THE NORTHEAST METRO PARK-PHASE II CONSTRUCTION PROJECT. (COMMISSIONER SONLEITNER) (9:16 AM)

Item A2 postponed until March 26, 2002.

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (4:58 PM)

Motion carried:

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge