

MINUTES – MAY 21, 2002

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 21st day of May, 2002, the Commissioners' Court convened the regular Voting Session at 9:13 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 retired to Executive Session at 11:04 AM.

The Commissioners' Court reconvened the regular Voting Session at 11:28 AM.

The Commissioners' Court adjourned the Voting Session at 11:31 AM.

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 11:31 AM and adjourned at 11:31 AM.

PUBLIC HEARINGS

1. DISCUSS AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF THE 5' PUBLIC UTILITY AND DRAINAGE EASEMENT ON EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 6 AND 7, BLOCK 84, AUSTIN LAKE HILLS SECTION 3, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER MOORE) (ACTION ITEM # 15)
(9:14 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 15 for the Court's Motion and Vote.

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, Transportation and Natural Resources (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

- 2. DISCUSS REVISION OF A PLAT AND APPROVE FOR RECORDING THE REVISED PLAT IN PRECINCT THREE: AMENDED PLAT OF LOTS 45-48, COMANCHE TRAIL NO. 3 RESUBDIVISION - (AMENDED PLAT - 3 LOTS – 1.936 ACRES – MOUNTAIN TRAIL – NO FISCAL REQUIRED – LCRA OSSF – CITY OF AUSTIN ETJ. (COMMISSIONER MOORE) (ACTION ITEM # 16) (9:16 AM)

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.

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

3. RECEIVE INPUT FROM COUNTY EMPLOYEES AND OFFICIALS REGARDING PROPOSED COUNTYWIDE EMPLOYEE IDENTIFICATION CARD POLICY AND TAKE APPROPRIATE ACTION. (ACTION ITEM # 9) (9:17 AM)

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.

Motion by Judge Biscoe **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 Sonleitner **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

Item 3 to be reposted on May 28, 2002.

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C7, and Items 13, 15, 16, 17.A and B, 20, 22, 23, 24, 25, 26, 27, 28.A, B, and C, 29, 30, 31, 32, 33, and 35. (9:55 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 COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF MAY 7, 2002.
- C4.** APPOINT RACHELLE VEGA TO THE CHILDREN'S PROTECTIVE SERVICES BOARD; TERM EFFECTIVE THROUGH MAY 2005. (COMMISSIONER MOORE)
- C5.** APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN STEINER RANCH PHASE 1 SECTION 4H, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER MOORE)
- C6.** APPROVE SETTING A PUBLIC HEARING DATE OF JUNE 11, 2002 IN ORDER TO AUTHORIZE 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 823 AND 824, APACHE SHORES SECTION 2, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER MOORE)
- C7.** APPROVE SETTING A PUBLIC HEARING DATE OF JUNE 18, 2002 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF 11.076 ACRES PORTION OF LOT 9, LICK CREEK RANCH SUBDIVISION PHASE 1 - (SHORTFORM PLAT - 2 LOTS – 11.076 ACRES – FOSSIL TRAIL – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY - OUTSIDE ETJ. (COMMISSIONER MOORE)

- 8. RECEIVE REPORT ON CRIME PREVENTION INSTITUTE CY 2001 CONTRACT EXPENDITURES AND TAKE APPROPRIATE ACTION. (9:14 AM) (10:08 AM) (11:04 AM)

Clerk’s Note: Judge Biscoe announced that Item 8 would be considered in Executive Session pursuant to Gov’t Code Ann 551.071, Consultation with Attorney.

Motion by Judge Biscoe and seconded by Commissioner Moore to authorize payment of the \$18,000+ in question with the Crime Prevention Institute.

Maker accept the Friendly Amendment by Commissioner Sonleitner that we bring this back to our County Attorney Staff to make appropriate changes in future contracts, and to keep this kind of situation from recurring, related to what is the intent of the Travis County Commissioners’ Court.

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

An Addition to the Friendly Amendment was made by Judge Biscoe that our intention is, that changes to the contract not be made without the knowledge and consent of appropriate County staff, and we expect that Staff decide when to involve the Commissioners’ Court, and when not to.

A further Addition to the Friendly Amendment was made by Commissioner Sonleitner that that would be Stephen Williams, Executive Manager, TCHHS&VS, or his designee.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	no
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 9. CONSIDER PROPOSED COUNTYWIDE EMPLOYEE IDENTIFICATION CARD POLICY AND TAKE APPROPRIATE ACTION. (9:14 AM)

Item 9 postponed until May 28, 2002.

16. APPROVE A REVISION OF A PLAT AND APPROVE FOR RECORDING THE REVISED PLAT IN PRECINCT THREE: AMENDED PLAT OF LOTS 45-48, COMANCHE TRAIL NO. 3 RESUBDIVISION - (AMENDED PLAT - 3 LOTS – 1.936 ACRES – MOUNTAIN TRAIL – NO FISCAL REQUIRED – LCRA OSSF – CITY OF AUSTIN ETJ. (COMMISSIONER MOORE) (9:55 AM)

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

PLANNING AND BUDGET DEPT. ITEMS

17. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE: (9:55 AM)
 - A. APPROVE GRANT CONTRACT AMENDMENT TO THE TEXAS COMMISSION ON ALCOHOL AND DRUG ABUSE FOR THE TCADA SUBSTANCE ABUSE PROGRAM IN JUVENILE COURT. THE AMENDMENT INCREASES THE GRANT FUNDS BY \$3,849.
 - B. APPROVE GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM IN HEALTH AND HUMAN SERVICES. THE CONTRACT CONTINUES THE PROGRAM FOR FY 03.

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

PURCHASING OFFICE ITEMS

- 23.** APPROVE CONTRACT NO. PS020098JW FOR THE JUVENILE BATTERER'S INTERVENTION PREVENTION PROGRAM, RFS NO. S020083JW, TO SAFEPLACE. (JUVENILE PROBATION) (COMMISSIONER GOMEZ) (9:55 AM)

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

- 24.** APPROVE MODIFICATION NO. 5 TO LEASE AGREEMENT NO. LA000263MQ WITH TEXAS LIQUIDATIONS & CLOSEOUTS D/B/A THE CROCKETT CENTER FOR JURY IMPANELMENT. (DISTRICT CLERK) (9:55 AM)

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

- 25.** APPROVE A ONE (1) MONTH EXTENSION (MODIFICATION NO.4) TO CONTRACT NO. MA990141, IBM, FOR MAINTENANCE SUPPORT OF AS/400 HARDWARE; CONTRACT APPROVED ON MAY 4, 1999. (I.T.S.) (COMMISSIONER GOMEZ) (9:55 AM)

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

- 26.** APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT 01T0187-RG, TONER PLUS, FOR REMANUFACTURED TONER CARTRIDGES; CONTRACT APPROVED ON 8/18/01. (COMMISSIONER GOMEZ) (9:55 AM)

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

27. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT 01T0184-RV, HEARTLAND AUTOMOTIVE SERVICES, INC. D/B/A, JIFFY LUBE, FOR VEHICLE MAINTENANCE SERVICES; CONTRACT APPROVED ON 7/31/01. (TNR) (COMMISSIONER GOMEZ) (9:55 AM)

Clerk's Note: Item 27 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

28. APPROVE CONTRACT AWARDS FOR NEWSPAPER ADVERTISING, IFB B020096-MP, TO THE FOLLOWING QUALIFIED BIDDERS. (COUNTYWIDE) (COMMISSIONER GOMEZ) (9:55 AM)
- A. AUSTIN CHRONICLE CORP., AUSTIN, TEXAS;
 - B. DAO, TIEN NHAT, AUSTIN, TEXAS; AND
 - C. HILL COUNTRY NEWS, CEDAR PARK, TEXAS.

Clerk's Note: Items 28.A, B, and C added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

29. APPROVE CONTRACT AWARD, CONTRACT MODIFICATION AND MAKING OF CONTRACT FOR THE PROVISION OF CONSTRUCTION SERVICES FOR THE SOUTHEAST METRO PARK MAINTENANCE BUILDING PROJECT, IFB #B020021-JJ. (TNR) (COMMISSIONER GOMEZ) (9:55 AM)

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

30. APPROVE AWARD OF A QISV (QUALIFIED INFORMATION SYSTEM VENDOR), STATE CATALOG PURCHASE, RFO NO. O020081-LC TO CLEAR TECHNOLOGIES, INC. FOR THE PURCHASE OF IBM AS/400 EQUIPMENT REPLACEMENT. (I.T.S.) (COMMISSIONER GOMEZ) (9:55 AM)

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

31. APPROVE SOLE SOURCE EXEMPTION WITH BINDVIEW CORPORATION FOR SECURITY PRODUCTS, SERVICE AND SUPPORT. (I.T.S.) (COMMISSIONER GOMEZ) (9:55 AM)

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

OTHER ITEMS

32. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF APRIL 2002. (9:55 AM)

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

33. CONSIDER AND APPROVE ASSESSMENT AND COLLECTION SERVICES AGREEMENT BETWEEN TRAVIS COUNTY AND TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 15. (9:55 AM)

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

- 34. CONSIDER FUNDING OPTIONS FOR INTERLOCAL COOPERATION AGREEMENT BETWEEN TRAVIS COUNTY AND LIMESTONE AND GUADALUPE COUNTIES TO HOUSE INMATES, AND TAKE APPROPRIATE ACTION. (10:25 AM)

Clerk’s Note: Items 34 and 18 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Mike Hemby, Research Analyst, Travis County Sheriff’s Office (TCSO); Jim Connolly, Assistant County Attorney; Bill Derryberry, Senior Budget Analyst, PBO; Margo Frasier, Travis County Sheriff; and David Balagia, Major, TCSO.

Motion by Judge Biscoe and seconded by Commissioner Moore to approve the recommendation, which is to identify the SCAAP Federal Grant money as the funding source for these contracts. That would reimburse an amount taken from the Allocated Reserve previously; and that we further budget \$112,000.00.

A Restatement of the previous Motion was made by Judge Biscoe to approve Item 18, Budget Amendments and Transfers A1, A2, and A3 in the Bill Derryberry memo, and we need to communicate that to the Auditor, so she will know we have identified a funding source for the contracts we looked at and approved last week.

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

- 35. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:55 AM)

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

EXECUTIVE SESSION ITEMS

Note 1 Gov't Code Ann 551.071, Consultation with Attorney

Note 2 Gov't Code Ann 551.072, Real Property

Note 3 Gov't Code Ann 551.074, Personnel Matters

Note 4 Gov't Code Ann 551.076, Security

- 36.** DISCUSS, APPROVE OR TAKE ANY APPROPRIATE ACTION REGARDING REAL ESTATE ISSUES RELATED TO WEST RURAL COMMUNITY CENTER AND CLINIC. ² (9:14 AM)

Item 36 postponed until May 28, 2002.

- 37.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION REGARDING FLUOR DANIEL, INC. V. TRAVIS COUNTY, TEXAS; NO. 02-50378; IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT (USDC CIVIL ACTION NO.A-00-CA-021-SS). ¹ (11:04 AM)

Clerk's Note: Judge Biscoe announced that Item 37 would be considered in Executive Session.

No action required on Item 37.

Item 37 to be reposted on May 28, 2002.

- 38.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN OTIS DANIELS (FRASIER; PERSONAL INJURY). ¹ (9:14 AM)

Item 38 postponed until May 28, 2002.

- 39.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN FREDRICK PLUET, (DECEASED) V. MARGO FRASIER, ET AL (CIVIL RIGHTS). ¹ (11:04 AM)

Item 39 postponed until May 28, 2002.

