

MINUTES – JUNE 18, 2002

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 18th day of June, 2002, the Commissioners' Court convened the regular Voting Session at 9:17 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 record notes that Precinct Two Commissioner, Karen Sonleitner, and Precinct Four Commissioner, Margaret J. Gómez, were not present during this Voting Session.

The Commissioners' Court recessed the Voting Session at 12:13 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, called to order the Voting Session at 1:40 PM and adjourned at 1:43 PM.

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

The Commissioners' Court retired to Executive Session at 3:48 PM.

The Commissioners' Court reconvened the Voting Session at 4:35 PM.

The Commissioners' Court adjourned the Voting Session at 4:37 PM.

PUBLIC HEARINGS

1. DISCUSS A PLAT VACATION AND REPLAT FOR RECORDING IN PRECINCT TWO: ASHTON WOODS - (SHORT FORM PLAT - 1 LOT – 16.057 ACRES – MCNEIL DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN – COA ETJ). (COMMISSIONER SONLEITNER) (ACTION ITEM # 10) (9:19 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 10 for the Court's Motion and Vote.

Motion by Commissioner Moore **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	absent
Precinct 3, Commissioner Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); Jim Wagner, Travis County Resident; James Wittenberg, Travis County Resident; Jim Shackelford, Travis County Resident; and Joe Williams, Real Estate Broker.

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

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

2. DISCUSS 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) (ACTION ITEM # 11) (10:06 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 11 for the Court's Motion and Vote.

Motion by Commissioner Moore **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	absent
Precinct 3, Commissioner Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

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

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

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

RESOLUTIONS & PROCLAMATIONS

3. APPROVE PROCLAMATION RECOGNIZING THE 13TH ANNUAL EMPLOYEES “JUNETEENTH – EMANCIPATION DAY” CELEBRATION TO BE HELD ON WEDNESDAY, JUNE 19, 2002. (JUDGE BISCOE AND COMMISSIONER DAVIS) (10:07 AM)

Members of the Court heard from: Cheryl Brown, Executive Assistant, Travis County Judge.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the proclamation.

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

CITIZENS COMMUNICATION

Members of the Court heard from: Kenneth Snyder, Resident, Northridge Acres; Bill Wigmore, Executive Director, Austin Recovery; and Joyce Thorson, Travis County Resident. (10:17 AM)

CONSENT ITEMS

Motion by Commissioner Davis **and seconded by** Commissioner Moore to approve the following Consent Items: C1-C7, and Items 6, 7, 8, 11, 12.A, B, and C, 18, 19, 20, 24, 25, 26, 27, 28, 29, 30, 32.A and B, 33.A-F, and 38. (10:26 AM)

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

- 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 JUNE 4, 2002.
- C4.** REAPPOINT REB WAYNE TO THE TRAVIS COUNTY HOUSING AUTHORITY BOARD FOR A TWO-YEAR TERM, EFFECTIVE UNTIL JUNE 2004. (COMMISSIONER MOORE)
- C5.** APPROVE SETTING A PUBLIC HEARING DATE OF JULY 9, 2002 TO DISCUSS AND APPROVE ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE THE 5' PUBLIC UTILITY AND DRAINAGE EASEMENT ON EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 5 AND 6, SIESTA SHORES SECTION 1, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER MOORE)
- C6.** APPROVE SETTING A PUBLIC HEARING DATE OF JULY 9, 2002 TO DISCUSS AND APPROVE ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A 5' PUBLIC UTILITY EASEMENT ALONG THE SOUTHWEST SIDE OF LOT 58, HIGHLAND CLUB VILLAGE SECTION TWO, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER MOORE)
- C7.** APPROVE SETTING A PUBLIC HEARING DATE OF JULY 9, 2002 TO DISCUSS AND APPROVE ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A 10' PUBLIC UTILITY EASEMENT ALONG EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 83 AND 84, SANDY CREEK RANCHES PHASE FOUR, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER MOORE)

4. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (10:29 AM)

Members of the Court heard from: Pete Baldwin, Emergency Management Coordinator, Emergency Services.

Clerk's Note: Judge Biscoe announced that by taking no action the burning ban stays in effect.

Discussion Only. No action was taken.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

5. CONSIDER COUNTY'S SOLID WASTE SITING ORDINANCE AND TAKE APPROPRIATE ACTION. (JUDGE BISCOE AND COMMISSIONER DAVIS) (10:30 AM) (1:44 PM)

Members of the Court heard from: Tom Nuckols, Assistant County Attorney; Paul Gosselink, Attorney representing BFI; John Joseph, Attorney representing Waste Management; Trek English, President, Northeast Action Group; Melanie McAfee, Owner, Barr Mansion; Joyce Best, Travis County Resident; and John Day, Attorney representing IESI.

Clerk's Note: The Court discussed the changes to the Ordinance.

Discussion Only. No action was taken.

Item 5 to be reposted on July 2, 2002.

5. A. CONSIDER OPERATING LICENSE AGREEMENT FOR TEXAS DISPOSAL SYSTEMS, INC., AND TAKE APPROPRIATE ACTION. (2:50 PM)

No action taken on Item 5.A.

Item 5.A to be reposted on July 2, 2002.

6. APPROVE INTERLOCAL AGREEMENT WITH THE CITY OF WEST LAKE HILLS RELATING TO HB 1445 AND SUBDIVISION APPROVAL AUTHORITY WITHIN THE EXTRATERRITORIAL JURISDICTION. (COMMISSIONER MOORE) (10:26 AM)

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

7. APPROVE THE RELEASE OF FISCAL FOR THE LICENSE AGREEMENT WITH STEINER RANCH MASTER ASSOCIATION, INC. FOR STEINER RANCH PHASE ONE SECTION 4E AND 4F SUBDIVISIONS IN PRECINCT THREE. (COMMISSIONER MOORE) (10:26 AM)

Clerk's Note: Item 7 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

8. APPROVE THE USE OF ALTERNATE FISCAL FOR FOREST BLUFF SUBDIVISION SECTION 3, A SUBDIVISION IN PRECINCT 1. (COMMISSIONER DAVIS) (10:26 AM)

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

9. REQUEST WAIVER OF LOCAL MATCH FUND REQUIREMENT ON FEDERAL OFF-SYSTEM BRIDGE PROGRAM PROJECTS TO REPLACE BRIDGE #154 (OLD HIGHWAY 20 AT GILLELAND CREEK) AND BRIDGE #113 (OLD MANOR ROAD AT WALNUT CREEK) AND RESOLVE TO PERFORM STRUCTURAL IMPROVEMENTS EQUIVALENT TO THE MATCHING REQUIREMENTS ON BRIDGE #112 (OLD MANOR ROAD), AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) (2:50 PM)

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

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

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

10. APPROVE A PLAT VACATION AND REPLAT FOR RECORDING IN PRECINCT TWO: ASHTON WOODS - (SHORT FORM PLAT - 1 LOT – 16.057 ACRES – MCNEIL DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN – COA ETJ). (COMMISSIONER SONLEITNER) (10:05 AM)

Clerk's Note: Item 10 is the action item for the public hearing on Agenda Item 1.

Item 10 postponed until July 2, 2002.

11. 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) (10:26 AM)

Clerk's Note: Item 11 is the action item for the public hearing on Agenda Item 2.

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

PLANNING AND BUDGET DEPT. ITEMS

- 12.** REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE: (10:26 AM)

- A.** APPROVE GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR THE VICTIMS OF CRIME ACT (VOCA) GRANT IN THE SHERIFF'S OFFICE. THE GRANT CONTINUES THE PROGRAM FOR FY 03.
- B.** APPROVE GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR THE VIOLENCE AGAINST WOMEN ACT (VAWA) GRANT IN THE SHERIFF'S OFFICE. THE GRANT CONTINUES THE PROGRAM FOR FY 03.
- C.** APPROVE GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE FY 02 COMPREHENSIVE ENERGY ASSISTANCE PROGRAM IN HEALTH AND HUMAN SERVICES DEPARTMENT. THE GRANT CONTRACT INCREASES THE GRANT AWARD FOR THIS PROGRAM BY \$251,153.

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

- 13.** APPROVE TRANSFER FROM CIVIL COURTS ATTORNEY FEES LINE-ITEM TO FACILITIES MANAGEMENT'S FISCAL YEAR 2002 BUDGET. (9:17 AM)

Item 13 pulled from the Agenda.

- 14.** APPROVE BUDGET AMENDMENTS AND TRANSFERS. (2:53 PM)

No action necessary on Item 14.

ADMINISTRATIVE OPERATIONS ITEMS

15. DISCUSS AMENDMENT TO OPTION TO LICENSE AGREEMENT WITH K & J ICE, LTD. (AUSTIN ICE BATS) FOR USE OF TRAVIS COUNTY EXPOSITION CENTER, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS AND JUDGE BISCOE) (3:06 PM)

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

Item 15 postponed until June 25, 2002.

16. DISCUSS STATUS OF THE HOUSING SERVICES WEATHERIZATION WAREHOUSE/OFFICE PROJECT, AND TAKE APPROPRIATE ACTION. (3:06 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Jim Barr, Senior Project Manager, Facilities Management; Roger El Khoury, Director, Facilities Management; and Cyd Grimes, Travis County Purchasing Agent.

Motion by Commissioner Moore **and seconded by** Commissioner Davis to approve moving forward on the contract with Barecky Construction, but to also give the authority to approve change orders to the Purchasing Agent, up to the budgeted amount.

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

17. ADOPT AN ORDER ADDING CHAPTER 45 ENTITLED “DISCOUNTS FOR USE OF CERTAIN TRAVIS COUNTY EXPOSITION CENTER FACILITIES BY PUBLIC ENTITIES” TO THE TRAVIS COUNTY CODE. (COMMISSIONER DAVIS AND JUDGE BISCOE) (3:16 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis that the Court set the policy at 50% and approve Item 17.

Motion carried:

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

18. 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 \$321,547.68 FOR THE PERIOD OF MAY 31, 2002 THROUGH JUNE 6, 2002. (10:26 AM)

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

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

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

HEALTH AND HUMAN SERVICES DEPT. ITEMS

- 20.** CONSIDER ACCEPTING DONATION OF A COMPUTER AND VIDEO CAMERA FROM SPRINT AND AUSTIN INTERPRETERS FOR THE DEAF FOR TRAVIS COUNTY SERVICES FOR THE DEAF AND HARD OF HEARING AND TAKE APPROPRIATE ACTION. (10:26 AM)

Clerk's Note: Item 20 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

PURCHASING OFFICE ITEMS

- 21. A.** APPROVE PURCHASE OF SURFCONTROL SUPERSCOOT SOFTWARE, OFF STATE CATALOG (QISV), FROM SET SOLUTIONS, INC. (I.T.S.) (9:17 AM)
- B.** APPROVE SOFTWARE LICENSE AGREEMENT FOR SUPERSCOOT SOFTWARE BY SURFCONTROL. (I.T.S.)

Items 21.A and B postponed until June 25, 2002.

- 22.** DISCUSS AND TAKE APPROPRIATE ACTION ON THE PROVISION OF DENTAL COVERAGE FOR TRAVIS COUNTY EMPLOYEES, RFP #P020075-OJ TO SAFEGUARD. (HRMD) (COMMISSIONER GOMEZ) (2:54 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Dan Mansour, Risk Manager, Human Resources Management Department (HRMD); Trey Wild, Vice President, Texas Safeguard; and Cindy Purinton, Benefits Contract Administrator, HRMD.

Motion by Commissioner Moore **and seconded by** Commissioner Davis to approve Staff's recommendation of Safeguard, Item 22.

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

- 23.** DISCUSS AND TAKE APPROPRIATE ACTION ON RFP #P020068-OJ, TELECOMMUNICATIONS SERVICES FOR TRAVIS COUNTY, INCLUDING THE FOLLOWING: (COMMISSIONER GOMEZ) (3:20 PM)

- A.** LOCAL DIAL TONE, VOICE AND DATA SERVICE;
- B.** LONG DISTANCE SERVICE; AND
- C.** PAY PHONE SERVICES FOR INMATES AND THE PUBLIC.

Clerk's Note: Items 23.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.

Motion by Commissioner Moore **and seconded by** Commissioner Davis to accept Staff's recommendation, and to authorize Staff to negotiate a contract with Southwestern Bell for local, voice, long distance service for Travis County, and data with Southwestern Bell, through DIR.

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

Motion by Commissioner Moore **and seconded by** Commissioner Davis to direct Staff to continue negotiations with Southwestern Bell and Evercom to see if we can reach a recommendation on Item 23.C, the inmate service and payphone.

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

Item 23.C to be reposted on July 2, 2002.

24. APPROVE CONTRACT AWARD FOR HOGUEY ROAD ROADWAY RECONSTRUCTION, IFB #B02112-DM, TO THE LOW, RESPONSIVE BIDDER, DESCO, INC. (TNR) (COMMISSIONER DAVIS) (10:26 AM)

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

25. APPROVE CONTRACT AWARD FOR STORM AND MOBILE HOME REPLACEMENT WINDOWS, IFB B020102-MP, TO THE SOLE BIDDER, RESOURCE BUILDING MATERIALS, INC. FOR LINE ITEMS 1-6. (HHSD) (COMMISSIONER GOMEZ) (10:26 AM)

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

26. APPROVE SOFTWARE ENHANCEMENTS (MODIFICATION NO. 5) TO CONTRACT MA980095, TIBURON, SOFTWARE MAINTENANCE AGREEMENT; CONTRACT APPROVED ON 10/14/97. (I.T.S.) (COMMISSIONER GOMEZ) (10:26 AM)

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

27. APPROVE ASSIGNMENT OF CONTRACT NO. 01T0052-MP, PRESORT MAILING SERVICES (MODIFICATION NO. 2) FROM LASON INC. – AUSTIN, TO EXECUTIVE MAILING, INC. (RECORDS MANAGEMENT & COMMUNICATION RESOURCES) (COMMISSIONER GOMEZ) (10:26 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 FOR ACTUARIAL SERVICES FOR THE TRAVIS COUNTY SELF-FUNDED PLAN WITH MILLIMAN USA, INC. (HRMD) (COMMISSIONER GOMEZ) (10:26 AM)

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

29. APPROVE CHANGE ORDER NO. 9 TO CONTRACT 01K0720-DM WITH HUTCHISON CONSTRUCTION, INC. FOR ADDITIONS AND IMPROVEMENTS TO THE TRAVIS COUNTY EXPOSITION CENTER ARENA. (FACILITIES MANAGEMENT) (COMMISSIONER DAVIS) (10:26 AM)

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

30. APPROVE CONTRACT AWARD FOR REPLACEMENT OF CELL LIGHTS AT THE TRAVIS COUNTY JAIL, IFB #B020086-DM, TO THE LOW, RESPONSIVE BIDDER, SCHMIDT ELECTRIC COMPANY, L.P. (T.C.S.O.) (COMMISSIONER GOMEZ) (10:26 AM)

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

31. A. APPROVE DECREASE OF FUNDS (MODIFICATION NO. 2) TO CONTRACT NO. PS010173-LC, FACTS COURT MANAGEMENT SYSTEM; CONTRACT APPROVED 6/26/01. (I.T.S.) (COMMISSIONER GOMEZ) (3:24 PM)
- B. APPROVE ADDITIONAL WORK (MODIFICATION NO. 6) TO CONTRACT NO. MA980095, TIBURON, SOFTWARE MAINTENANCE AGREEMENT; CONTRACT APPROVED 10/14/97. (I.T.S.) (COMMISSIONER GOMEZ)

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

Members of the Court heard from: Joe Harlow, Director, Information and Telecommunications Systems (ITS).

Motion by Commissioner Moore **and seconded by** Commissioner Davis to approve Items 31.A and B.

Motion carried:

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

32. REVISED WORDING: DISCUSS AND TAKE APPROPRIATE ACTION ON CLAIMS FOR THE FOLLOWING: (COMMISSIONER GOMEZ) (10:26 AM) (1:44 PM)

A. ROOFING AND REPAIR SERVICES AT THE RICHARD MOYA PARK IN THE AMOUNT OF \$17,009.53 WITH J-CONN ROOFING AND REPAIR SERVICES, INC. (RISK MGT.); AND

B. EMS BOX REPLACEMENT AT HAMILTON POOL IN THE AMOUNT OF \$475.57 FROM EMERGENCY MEDICAL PRODUCTS, INC. (RISK MGT.)

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

Clerk's Note: Judge Biscoe further announced that Items 32.A and B were Quantum Meruit Claims by both vendors, and that by approving the Item, the Court is basically finding that the services were provided to Travis County; that the invoices were valid; that we find them to be reasonable; and that the vendors ought to be paid.

33. APPROVE CONTRACT AWARDS FOR NEWSPAPER ADVERTISING, IFB B020111-MP, TO THE FOLLOWING QUALIFIED BIDDERS: (COUNTYWIDE) (COMMISSIONER GOMEZ) (10:26 AM)

A. ARRIBA ART AND BUSINESS NEWS, AUSTIN, TEXAS;

B. EL MUNDO NEWSPAPER, AUSTIN, TEXAS;

C. LA PRENSA NEWSPAPER. AUSTIN, TEXAS;

D. OAK HILL GAZETTE, AUSTIN, TEXAS;

E. THE VILLAGER, AUSTIN, TEXAS; AND

F. WESTLAKE PICAYUNE, AUSTIN, TEXAS.

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

OTHER ITEMS

- 34.** RECEIVE BRIEFING FROM COUNTY CLERK ON THE VOTER OUTREACH/EDUCATION PROGRAM FOR THE NEW VOTING SYSTEM.
(9:17 AM)

Item 34 postponed until July 2, 2002.

- 35.** APPROVE RESOLUTION APPROVING OF ISSUANCE OF TRAVIS COUNTY HOUSING FINANCE CORPORATION MULTIFAMILY HOUSING REVENUE BONDS (THE WORTHINGTON AT WELLS BRANCH APARTMENTS) SERIES 2002A, TAXABLE SERIES 2002A-T, AND SUBORDINATE SERIES 2002B BY TRAVIS COUNTY HOUSING FINANCE CORPORATION AND PUBLIC HEARING RELATED THERETO, AND TAKE APPROPRIATE ACTION.
(9:17 AM)

Item 35 pulled from the Agenda.

- 36.** APPROVE AN AMENDMENT TO THE INTERAGENCY AGREEMENT BETWEEN WILLIAMSON COUNTY AND TRAVIS COUNTY FOR THE CAPITAL AREA NARCOTICS TASK FORCE. THIS AMENDMENT ALLOWS FOR WILLIAMSON COUNTY TO BE REIMBURSED FOR THE USE OF TWO VEHICLES FOR THE GRANT YEAR OF JUNE 1, 2001 TO MAY 31, 2002 OUT OF THE NARCOTICS TASK FORCE BUDGET FOR SUPPLIES AND DIRECT OPERATING EXPENSES. (3:42 PM)

Members of the Court heard from: Bill Derryberry, Senior Analyst, Planning and Budget Office (PBO).

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Item 36.

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

37. APPROVE ACCEPTANCE OF VEHICLE AND EQUIPMENT FOR SHERIFF'S OFFICE USE FROM THE CRIMINAL JUSTICE DIVISION (CJD) OF THE GOVERNORS' OFFICE. (3:44 PM)

Members of the Court heard from: Bill Derryberry, Senior Analyst, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Moore to approve Item 37, conditioned upon the Sheriff's Office writing the Commissioners Court, Vehicle Maintenance, and Planning and Budget, a short memo addressing the questions that were asked; 1) whether they have talked to the Travis County Vehicle Maintenance section; 2) whether we think that we annually budget a sufficient amount to cover anticipated future maintenance costs for these; and 3) to clarify that if we get these cars, and keep them a few months, and decide that they are not worth the cost to repair them, we're free to discard them as we see fit.

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

38. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:26 AM)

Clerk's Note: Item 38 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

- 39.** 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 (3:48 PM) (4:35 PM)

Clerk's Note: Judge Biscoe announced that Item 39 would be considered in Executive Session.

Item 39 to be reposted on June 25, 2002.

- 40.** DISCUSS LICENSE AGREEMENT WITH HEAT WAVE OF TEXAS FOR USE OF TRAVIS COUNTY EXPOSITION CENTER, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS AND JUDGE BISCOE) ¹ (3:48 PM) (4:35 PM)

Clerk's Note: Judge Biscoe announced that Item 40 would be considered in Executive Session.

Motion by Commissioner Davis **and seconded by** Commissioner Moore that Travis County enter into a license agreement with Texas Heatwave of Texas for use of the Travis County Exposition Center, and that we authorize the Director of the Travis County Exposition Center, Lloyd Evans, to sign the contract on behalf of Travis County.

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

41. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION AND/OR CONSIDER SETTLEMENT IN CLAIM FILED BY NADINE GONZALES (MARTINEZ; FRASIER; CIVIL RIGHTS). ¹ (9:18 AM)

Item 41 postponed until June 25, 2002.

42. APPROVE OR REJECT PROPOSED FARMERS MARKET LEASE AGREEMENT WITH LES FEMMES CULINAIRES LC. AND TAKE APPROPRIATE ACTION. (COMMISSIONER SONLEITNER) ^{1 AND 2} (3:48 PM) (4:35 PM)

Clerk's Note: Judge Biscoe announced that Item 42 would be considered in Executive Session.

Motion by Judge Biscoe **and seconded by** Commissioner Moore to approve the proposed contract.

Motion carried:

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

43. 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 (3:48 PM) (4:36 PM)

Clerk's Note: Judge Biscoe announced that Item 43 would be considered in Executive Session.

Motion by Judge Biscoe **and seconded by** Commissioner Moore that we authorize the County Attorney's Office to notify the Attorney for the other side, of our decision to reject the offer at this time.

Motion carried:

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

44. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN FREDRICK PLUET (DECEASED) V. MARGO FRASIER, ET AL. (CIVIL RIGHTS). ¹ (3:48 PM) (4:36 PM)

Clerk's Note: Judge Biscoe announced that Item 44 would be considered in Executive Session.

Motion by Commissioner Moore **and seconded by** Commissioner Davis that we authorize the County Attorney to make a conditional offer of judgement of \$125,000.00, contingent upon these following three things: that, we are in receipt of a positive DNA match by Bode Technology, between blood held by the Travis County Medical Examiner, belonging to the deceased, and the minor Kenneth Pluet; secondly, that Mr. Taylor, the Attorney, or plaintiff in this case, show that Ms. Sandra Hardeman, who is acting as next friend, has the authority to act on behalf of the deceased's Estate, and also has the authority to act on behalf of the minor without the involvement of Dorothy Hill; thirdly, that Ms. Hardeman execute an affidavit stating that she knows of no other alleged children of the deceased Fredrick Pluet.

Motion carried:

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

THE FOLLOWING ITEM IS AN ADDENDUM:

- A1. DISCUSS TEXAS DEPARTMENT OF TRANSPORTATION'S PROPOSED REGIONAL MOBILITY AUTHORITY RULES AND TAKE APPROPRIATE ACTION. (2:50 PM) (3:28 PM)

Members of the Court heard from: Tom Nuckols, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to tell the Texas Department of Transportation that the Court thinks this is a giant step in the right direction, and we appreciate their taking our comments into serious consideration, and we see some changes reflecting them.

Motion carried:

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

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Moore to adjourn the Voting Session. (4:37 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge