

10:45

**AGENDA ITEM 33**

Hold public hearing on petition calling a Bond Election for Avery Ranch Road District No. 1.

Judge Doerfler announced the public hearing open at 10:50 a.m., on Tuesday, February 27, 2001.

Charlie Crossfield discussed the Avery Ranch Road District No. 1, stating that a bond election would be held in May, 2001.

Judge Doerfler announced the public hearing closed at 10:51 a.m., on Tuesday, February 27, 2001.

**AGENDA ITEM 34**

Consider and take action regarding "Order calling a Bond Election in Avery Ranch Road Dist. No. 1; making provisions for conducting the election and ordering other matters incident and related to such election."

Moved: **Judge Doerfler**

Seconded: **Commissioner Limmer**

Motion: To approve "Order calling a Bond Election in Avery Ranch Road Dist. No. 1; making provisions for conducting the election and ordering other matters incident and related to such election."

Vote: **3- 0** with Commissioner Hays absent from the dais.

< Attachment >

**CERTIFICATE FOR ORDER****THE STATE OF TEXAS**

§

§

**COUNTY OF WILLIAMSON**

§

We, the undersigned Elected Officials of Williamson County, Texas (the "County"), hereby certify as follows:

1. The Commissioners Court of the County convened in a REGULARLY SCHEDULED MEETING ON THE 27TH DAY OF FEBRUARY, 2001, at the County Courthouse (the "Meeting"), and the roll was called of the duly constituted Commissioners Court of the County, to-wit:

John C. Doerfler, County Judge  
 Michael Heiligenstein, Commissioner, Precinct 1  
 Greg Boatright, Commissioner, Precinct 2  
 David Hays, Commissioner, Precinct 3  
 Frankie Limmer, Commissioner, Precinct 4

and all of the persons were present, except the following absentees: MICHAEL HEILIGENSTEIN  
DAVID HAYS, thus constituting a quorum. Whereupon, among other business, the following was transacted at the Meeting: a written

**ORDER CALLING A BOND ELECTION IN AVERY RANCH ROAD DISTRICT NO. 1;  
 MAKING PROVISIONS FOR CONDUCTING THE ELECTION AND ORDERING  
 OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION**

was duly introduced for the consideration of the Commissioners Court. It was then duly moved and seconded that the Order be passed; and, after due discussion, said motion carrying with it the passage of the Order, prevailed and carried by the following vote:

AYES: 3

NOES: 0

2. A true, full and correct copy of the Order passed at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that the Order has been duly recorded in the Commissioners Court's minutes of the Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from the Commissioners Court's minutes of the Meeting pertaining to the passage of the Order; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting city officials of the Commissioners Court as indicated therein; that each of the elected officials and members of the Commissioners Court was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the

Meeting, and that the Order would be introduced and considered for passage at the Meeting, and each of the elected officials and members consented, in advance, to the holding of the Meeting for such purpose, and that the Meeting was open to the public and public notice of the time, place and purpose of the meeting was given, all as required by Chapter 551, Government Code, as amended.

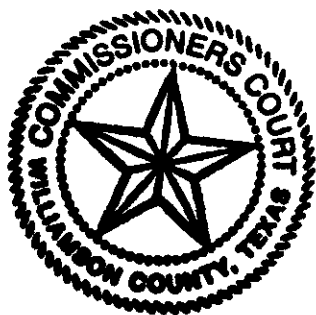
3. The County Judge of the County has approved and hereby approves the Order; that the County Judge and the County Clerk of the County have duly signed the Order; and that the County Judge and the County Clerk of the County hereby declare that their signing of this Certificate shall constitute the signing of the attached and following copy of the Order for all purposes.

SIGNED AND SEALED the 27<sup>th</sup> of February, 2001

Nancy E. Rister  
County Clerk

John C. Daehler 2-27-01  
County Judge

[COUNTY SEAL]



**ORDER CALLING A BOND ELECTION IN AVERY RANCH ROAD DISTRICT NO. 1;  
MAKING PROVISIONS FOR CONDUCTING THE ELECTION AND ORDERING  
OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION**

STATE OF TEXAS                   §  
  §  
COUNTY OF WILLIAMSON       §

*WHEREAS*, pursuant to the provisions of Subchapter B of Chapter 257, Texas Transportation Code, the Commissioners Court (the "Commissioners Court") of Williamson County, Texas (the "County") has duly created the Avery Ranch Road District No. 1 (the "District"); and

*WHEREAS*, pursuant to the provisions of Section 1471.016(b), Texas Government Code, as amended, the Commissioners Court has received a petition signed by all of the registered voters of the District requesting the Commissioners Court to order an election to determine whether bonds of the District should be issued in an amount not to exceed \$17,000,000 to construct, maintain, or operate macadamized, graveled, or paved roads within the District, and whether taxes shall be imposed on all taxable property in the District in payment of such bonds; and

*WHEREAS*, pursuant to the provisions of Section 1471.016(c), upon receipt of such petition, the Commissioners Court ordered a hearing to be held on February 27, 2001 in connection with the issuance of such bonds; and

*WHEREAS*, in compliance with the provisions of Section 1471.017(b), the Commissioners Court hereby finds that (i) such petition was signed by the proper number of qualified persons, (ii) the notice required pursuant to Section 1471.016(c), (d) and (e) was given, and (iii) the proposed improvements will benefit all taxable property in the District; and

*WHEREAS*, the Commissioners Court of the County deems it advisable to call the election hereinafter ordered; and

*WHEREAS*, it is hereby officially found and determined that the meeting at which this Order was passed was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

***THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF  
WILLIAMSON COUNTY, TEXAS THAT:***

1. **TIME.** An election shall be held between the hours of 7:00 A.M. and 7:00 P.M. on Saturday, May 5, 2001 in the District.

2. **PRECINCT AND POLLING PLACE.** The entire District constitutes a single election precinct. The polling place for such precinct shall be a building located as set forth in Exhibit "A" attached hereto.

3. **PRESIDING JUDGE.** The Presiding Judge for the election shall be Newton Marvin (Bob) Jones.

4. **ELECTION CLERKS.** The Presiding Judge shall appoint not less than two nor more than six qualified election clerks to serve and assist in conducting the election.

5. **EARLY VOTING.** Electors may cast their early vote by mail at the following address: Early Voting Clerk, 10600 Parmer Lane, Austin, Texas 78717, Attn: Newton Marvin (Bob) Jones; or by personal appearance at the location set forth in Exhibit "A" attached hereto. The Early Voting Clerk shall be Newton Marvin (Bob) Jones.

During the period early voting is required or permitted by law, being *Wednesday, April 18, 2001*, through *Tuesday, May 1, 2001* (excluding Saturdays, Sundays and legal state holidays) the hours designated for early voting by personal appearance shall be from 9:00 A.M. to 12:00 Noon, and the Early Voting Clerk shall keep the early voting place open during such hours for early voting by personal appearance.

6. **CONDUCTING ELECTION.** The election shall be held and conducted and returns made to the Commissioners Court in accordance with the Texas Election Code, as amended. Voting shall be by paper ballots.

7. **ELECTORS.** All resident, qualified electors of the District shall be entitled to vote at said election.

8. **OFFICIAL PROPOSITION.** At the election the following PROPOSITION shall be submitted in accordance with law:

### **PROPOSITION**

"Shall the bonds of the Avery Ranch Road District No. 1 be issued in an amount not to exceed \$17,000,000, in conformity with the Constitution and laws of the State of Texas, particularly Section 52 of Article III of the Constitution and laws enacted pursuant thereto, for the purpose of constructing, reimbursing for the costs of constructing, acquiring by purchase, maintaining and operating macadamized, graveled or paved roads and turnpikes and related bridges, drainage works and other similar facilities and carrying out other improvements that are necessary, convenient or related thereto or that are otherwise permitted to be done under applicable laws at the time of issuance of such bonds, both within and outside the boundaries of said District, or in aid of those purposes, and to refund any bonds or other evidences of indebtedness issued for any of the foregoing purposes in an amount not to exceed one and one-half times the amount of bonds or other evidences of indebtedness issued, such bonds to be issued in one or more series or issues, to mature serially or otherwise not more than thirty (30) years from their date and to bear interest at such rate or rates (not to exceed the maximum rate permitted by law at the time of issuance of the bonds) as in its discretion the Commissioners Court of Williamson County,

Texas shall determine and shall the Commissioners Court be authorized to levy and pledge and cause to be assessed and collected annual ad valorem taxes on all taxable property in the District sufficient to pay the annual interest on the bonds and to provide a sinking fund to pay the bonds at maturity or redemption all as now or hereafter authorized by the Constitution and laws of the State of Texas?"

9. **FORM OF BALLOT.** The official ballots for the election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "FOR" or "AGAINST" the aforesaid PROPOSITION with the ballots to contain such provisions, markings, and language as required by law, and with such PROPOSITION to be expressed substantially as follows:

**PROPOSITION**

FOR	[ ]	THE ISSUANCE OF \$17,000,000 OF BONDS FOR ROADS,
AGAINST	[ ]	AND LEVYING THE TAX IN PAYMENT THEREOF

10. **BILINGUAL ELECTION MATERIALS.** All election materials (including notice of the election, ballots, instruction cards, affidavits, and other forms which voters may be required to sign) and all early voting materials shall be printed in both English and Spanish, or Spanish translations thereof, and/or other assistance shall be provided, as required by the Texas Election Code and the Federal Voting Rights Act of 1965, each as amended.

11. **NOTICE.** Pursuant to the provisions of Section 1471.018, Texas Government Code, notice of said election shall be given by publishing one time in the *Williamson County Sun*, not more than 30 days and not less than 10 days prior to the date set for said election a notice of election, both in English and in Spanish, in substantially the form of this Order. It is hereby found and declared that the *Williamson County Sun* is a newspaper of general circulation within the District. Notice shall also be given by posting not later than the 21st day before the election a copy of such notice of election, both in English and in Spanish, (i) on the bulletin board used for posting notices of the meetings of the Commissioners Court, (ii) at the County Courthouse door and (iii) in at least three public places in the District.

12. **INCORPORATION OF RECITALS.** The Commissioners Court hereby finds that the statements set forth in the recitals of this Order are true and correct and hereby incorporates such recitals as a part of this Order.

13. **EFFECTIVE DATE.** This Order shall become effective immediately after its adoption.

**EXHIBIT A****LOCATION OF POLLING PLACE**

From the intersection of RR620 and FM 734 (Parmer Lane) proceed north on Parmer Lane approximately 8,000 feet; turn right into gate; follow ranch road, bearing to the right at the intersection approximately 640 feet from entrance gate on Parmer Lane, proceeding a total of 4,900 feet from entrance gate; turn left, and polling place is situated on the right approximately 700 feet from turn, and is within the boundaries of the District.



**APPROVED BY THE COMMISSIONERS COURT OF WILLIAMSON COUNTY,  
TEXAS ON THE 27<sup>TH</sup> DAY OF FEBRUARY, 2001.**

Attest:

Nancy E. Rister  
County Clerk  
Williamson County, Texas

John C. Dyer 2-27-01  
County Judge  
Williamson County, Texas

(Seal)



**AGENDA ITEM 35**

Discuss and take appropriate action concerning contract agreements, including, but not limited to architectural services and engineering for Jail/Courts project.

Larry Rooke of Landmark Construction addressed the court concerning the contract agreements and relocation of utilities prior to construction.

Moved: **Commissioner Boatright**

Motion: To authorize the County Judge to enter into an engineering agreement with Baker-Aicklen.

Moved: **Commissioner Limmer**

Motion: To engage DSA (DiStefano/Santopetro Architects, Inc.) for 25% of the work on the courts building and on the jail/parking garage project.

Second: **Commissioner Hays**

Vote: **3 – 1** with Commissioner Boatright voting against the motion.

Moved: **Commissioner Boatright**

Motion: To authorize the County Judge to enter into an agreement with Baker-Aicklen for engineering services for relocation of utilities for the jail and courts building project.

Second: **Commissioner Limmer**

Vote: **4 - 0**

Commissioner Limmer asked that he be informed of conflicts regarding the project.

**AGENDA ITEM 36**

Discuss and take appropriate action on awarding contracts for construction of Juvenile Facilities based on recommendations of FTWOODS Construction.

FTWOODS Construction representative Sonne Person discussed the bids and answered questions.

Moved: **Commissioner Limmer**

Seconded: **Commissioner Boatright**

Motion: To award contracts for construction of Juvenile Facility based on recommendations of FTWOODS Construction to: AFS Environmental Inc., Morrison Excavation, Construction Metal Products, Inc., and Secure Control Systems, LLC, subject to review and approval by the Auditor's office before authorization is given to the vendors to proceed to incur costs on the project, and to authorize FTWOODS Construction to commence the construction phase portion of their Construction Management Contract for the Juvenile Facility.

Vote: **3 – 0** with Commissioner Hays absent from the dais.

< Attachment >