

MINUTES – NOVEMBER 28, 2000

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 28th day of November, 2000, 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 recessed the Voting Session at 11:55 AM.

The Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, (NWTCRD #3), convened the NWTCRD #3 Voting Session at 1:36 PM and adjourned at 1:37 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC) called to order the Voting Session at 1:38 PM and adjourned at 1:44 PM.

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

The Commissioners' Court retired to Executive Session at 3:20 PM.

The Commissioners' Court reconvened the Voting Session at 4:56 PM.

The Commissioners' Court adjourned the Voting Session at 5:01 PM.

The Commissioners' Court record notes that Precinct Three Commissioner Todd Baxter was not present during this Voting Session.

CITIZENS COMMUNICATION

Clerk's Note: There were no speakers during Citizens Communication.

CONSENT ITEMS

1. **Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C6, and Items 6, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 23.A, 27, and 32. (9:15 AM)

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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3. APPROVE COMMISSIONERS' COURT MINUTES FOR THE FOLLOWING VOTING SESSIONS:
- A. OCTOBER 31, 2000;
 - B. NOVEMBER 7, 2000;
 - C. NOVEMBER 13, 2000; AND
 - D. NOVEMBER 14, 2000.
- C4. APPOINT BOB REMLINGER TO THE EMERGENCY SERVICES DISTRICT #5 BOARD OF DIRECTORS (MANCHACA), TERM EFFECTIVE THROUGH DECEMBER 2001. (REPLACING COMER TUCK UNEXPIRED TERM)
- C5. APPROVE PLAT FOR RECORDING IN PRECINCT TWO: THE CROSSINGS, SECTION ONE – (SHORTFORM – NO FISCAL REQUIRED – 1 LOT – 8.726 ACRES – FM 2769 – LCRA OSSF – CITY OF AUSTIN 2-MILE ETJ).
- C6. APPROVE A PUBLIC HEARING DATE OF DECEMBER 19, 2000 TO APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 10' DRAINAGE EASEMENT ON LOT 24B, A 10' PUBLIC UTILITY EASEMENT ON LOT 25A. AND TO ACCEPT THE DEDICATION OF A 20' DRAINAGE AND PUBLIC UTILITY EASEMENT ALONG THE SOUTH PROPERTY LINE OF LOT 25A AND A 5' x 25' ELECTRIC AND TELEPHONE EASEMENT ON LOT 24B, RESUBDIVISION OF LOTS 24A AND 25 OF THE RESUBDIVISION OF A PORTION OF BLOCK M NORTH ACRES SECTION 1, A SUBDIVISION IN PRECINCT TWO.

2. CONDUCT NECESSARY FOLLOW-UP TO LOCAL CANVASS OF PRECINCT ELECTION RETURNS FOR STATE, COUNTY AND PRECINCT OFFICES IN THE NOVEMBER 7, 2000 GENERAL ELECTION. (9:47 AM)

Clerk's Note: Dana DeBeauvoir, Travis County Clerk, requested waiving of the precinct by precinct reports, and to include them in the Courts record.

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk; and Tamara Armstrong, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to correct the original canvass by substituting these results in the Garcia vs. Byrne race for the results contained in the original canvass.

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

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

3. ADOPT CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION (CAMPO) 2025 TRANSPORTATION PLAN, AND TAKE OTHER APPROPRIATE ACTION. (9:20 AM)

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

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve 3.3, the new language alternative 2.

A Substitute Motion was made by Commissioner Davis to approve alternate 1, which is 3.2.1, to delete all references to light rail in the plan itself.

Clerk’s Note: The Substitute Motion died for lack of a Second.

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez that we use the language “more in-depth analysis should be conducted regarding commuter rail, its feasibility and impacts before any CAMPO endorsement of commuter rail”, however “Travis County supports allowing all appropriate entities the opportunity to examine all options available under state law.”

Maker accept the Friendly Amendment by Commissioner Gómez to add that Travis County will make a substantial investment only with voter approval.

Acceptance of the Friendly Amendment was made by Commissioner Sonleitner.

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

ITEM 3 CONTINUED

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the new language for Gregg Manor and SH 45 S.

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

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve new language 5.1.4 Policy F-3.

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the CAMPO 2025 Transportation Plan, with the incorporated modifications that have been voted on by the Court.

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

4. RECEIVE BRIEFING ON THE LOCAL GOVERNMENT CODE §43.0562 CONCERNING THE COMMISSIONERS' COURT APPOINTMENT OF FIVE RESIDENTS OF AN AREA TO ACT AS A NEGOTIATION TEAM FOR THE PROVISION OF SERVICES TO THE AREA AFTER ANNEXATION BY A MUNICIPALITY AND TAKE APPROPRIATE ACTION. (9:50 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Tom Nuckols, Assistant County Attorney.

Discussion Only.

5. APPOINT THE FOLLOWING FIVE (5) MEMBERS TO A COMMITTEE TO NEGOTIATE THE PROVISION OF SERVICES AFTER THE ANNEXATION OF THE CANTERBURY TRAILS SUBDIVISION WITH THE CITY OF AUSTIN AS REQUIRED BY THE LOCAL GOVERNMENT CODE §43.0562: (9:54 AM)

- A. ARNOLD CARR
- B. MARGARET FISCHER
- C. MIKE PEVOTO
- D. CHERYL ROBERTS
- E. CLEM SWAIN

Clerk's Note: Items 5.A – E are associated with one another and were called for concurrent discussion.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the five as listed on the Agenda.

Motion carried:

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

6. APPROVE SCOPE OF WORK REQUESTED BY THE CITY OF LAKEWAY, TO PROVIDE HMAC OVERLAY PAVING ON THE REQUESTED CITY OF LAKEWAY STREETS, IN ACCORDANCE WITH THE TERMS OF THE INTERLOCAL AGREEMENT. (9:15 AM)

Item 6 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

7. WAIVE THE REQUIREMENT OF A PLAT AND A PHASING AGREEMENT FOR A 177.122 ACRE TRACT ADJACENT TO THE ANGEL BAY SUBDIVISION, CONDITIONED ON THE OWNERS COMMITTING TO CERTAIN REQUIREMENTS. (9:13 AM)

Item 7 postponed until December 5, 2000.

8. APPROVE CASH SECURITY AGREEMENT FOR GREENRIDGE PHASE 1, A SUBDIVISION IN PRECINCT TWO. (9:15 AM)

Item 8 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

PURCHASING OFFICE ITEMS

- 9. APPROVE SOLE SOURCE EXEMPTION AND APPLICATION SOFTWARE MAINTENANCE AGREEMENT WITH CERTIFIED SYSTEMS, INC. (“CSI”), TO PROVIDE MAINTENANCE SUPPORT OF THE AUTOMATED DROCES AND VIPS SYSTEMS FOR THE DOMESTIC RELATIONS OFFICE. (9:15 AM)**

Item 9 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 10. APPROVE MODIFICATION NO. 2 TO LEASE AGREEMENT LA000263MQ WITH TEXAS LIQUIDATIONS AND CLOSEOUTS D/B/A THE CROCKETT CENTER FOR JURY IMPANELMENT. (9:15 AM)**

Item 10 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 11. APPROVE CONTRACT AWARD FOR HVACR AIR FILTER REPLACEMENT SERVICE, IFB B010006-RV TO THE LOW QUALIFIED BIDDER, ADVANCED FILTRATION SYSTEMS. (9:15 AM)**

Item 11 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 12. APPROVE CONTRACT AWARD FOR EMS COMMAND VEHICLES, IFB #B000115-LD TO THE LOW RESPONSIVE BIDDER, SWAB WAGON COMPANY. (9:17 AM)**

Item 12 pulled from the agenda.

- 13. APPROVE CONTRACT AWARD FOR THE PROVISION OF FIRE EXTINGUISHER SERVICES, IFB B000113-RG TO THE LOW BIDDER, AAA FIRE AND SAFETY SERVICE. (9:15 AM)**

Item 13 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 14. APPROVE CONTRACT AWARD FOR THE PROVISION OF FLAT TIRE AND TUBE REPLACEMENT, IFB B010008-RG TO THE LOW BIDDER, TIRE DISTRIBUTION SYSTEMS. (9:15 AM)**

Item 14 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- 15. APPROVE CONTRACT AWARD FOR THE PROVISION OF A MOBILE FILING SYSTEM, IFB B010003-OJ TO THE SOLE BIDDER, ACRATOD OF AUSTIN. (9:14 AM)**

Item 15 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- 16. APPROVE CONTRACT AWARD FOR THE TRANSPORT OF CADAVERS, IFB B000124-RG TO THE LOW BIDDER, MORTUARY TRANSPORT SERVICE. (9:15 AM)**

Item 16 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- 17. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 99T0068-LD, OFFICE DEPOT FOR COUNTY-WIDE OFFICE SUPPLIES; CONTRACT APPROVED ON 1/12/99. (9:15 AM)**

Item 17 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- 18. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 00T0097-RV, FOR NATIVE HARVEST SEEDING MIX; CONTRACT APPROVED ON 2/15/00. (9:15 AM)**

Item 18 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

19. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 00T0064-LD, AND ADDITION OF MATERIALS AND LABOR FOR REPAIR OF ENERGY ABSORPTION SYSTEMS CRASH CUSHIONS, H & H FENCE FOR GUARDRAIL AND BRIDGERAIL INSTALLATION; CONTRACT APPROVED ON 12/21/99. (9:15 AM)

Item 19 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

20. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 00T0075-DM, FOR EROSION CONTROL MATERIALS, TO AFS ENVIRONMENTAL, INC.; CONTRACT APPROVED ON 2/1/00. (9:15 AM)

Item 20 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

21. A. RECEIVE RECOMMENDATION FROM INTEGRATED JUSTICE SYSTEM (IJS) COMMITTEE ON COURTS' SOFTWARE PACKAGE, AND TAKE APPROPRIATE ACTION. (9:57 AM)
- B. CONSIDER AND APPROVE ORDER EXEMPTING PURCHASE OF COURTS' SOFTWARE PACKAGE FROM COMPETITIVE PROCUREMENT PROCESS, PURSUANT TO SECTION 262.024(a)(4) OF THE COUNTY PURCHASING ACT.

Clerk's Note: Items 21.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Joe Harlow, Director, Information and Telecommunications Systems (ITS); Ron Schroer, ITS; Michelle Brinkman, Chief Deputy, Travis County District Clerk's Office; David Ferris, Division Manager, Travis County Clerk's Office; Susan Spataro, Travis County Auditor; Mike Wichern, Chief Assistant County Auditor, Travis County Auditor's Office; David Escamilla, First Assistant County Attorney; Gloria Aguilar, Office Manager, Justice of the Peace Precinct 5; and Mike Moss, Representative, SCT.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Staff's recommendation to negotiate a contract modification with Tiburon and to advise the Court in 2 weeks of progress made.

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

PLANNING AND BUDGET DEPT. ITEMS

- 22.** CONSIDER THE PROJECT BUDGETS TO BE FUNDED FROM THE FY '01 CERTIFICATES OF OBLIGATION ISSUANCE, DISCUSS THE FY '02 TAX RATE ASSUMPTIONS RELATED TO THAT ISSUANCE, AND TAKE APPROPRIATE ACTION. (11:18 AM)

Members of the Court heard from: Christian Smith, Executive Manager, Planning and Budget Office (PBO); Karen Shafer Castro, Senior Planning and Budget Analyst, PBO; Joe Harlow, Director, ITS; Dana DeBeauvoir, Travis County Clerk; Cyd Grimes, Travis County Purchasing Agent; and Ladd Pattillo, Financial Advisor.

Discussion Only.

Item 22 to be reposted on December 5, 2000.

- 23.** REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:15 AM)

- A.** APPROVE GRANT APPLICATION BY THE HEALTH AND HUMAN SERVICES AND VETERANS SERVICES DEPARTMENT FOR THE FY '01 COMPREHENSIVE ENERGY ASSISTANCE PROGRAM (CEAP) FROM THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS.

Item 23.A added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- 24.** APPROVE BUDGET AMENDMENTS AND TRANSFERS. (11:42 AM)

Members of the Court heard from: Leroy Nellis, Budget Manager, PBO; and Karen Shafer Castro, Senior Planning and Budget Analyst, PBO.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Budget Amendments and Transfers, with the exception of Item A1, which should be pulled.

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

ADMINISTRATIVE OPERATIONS ITEMS

- 25.** APPROVE LICENSE AGREEMENT FOR REPRESENTATIVES OF DISCOVERY TOYS TO USE TRAVIS COUNTY ADMINISTRATION BUILDING LOBBY AND COURTHOUSE LOBBY ON DECEMBER 4, 5, 12, AND 15, 2000, WITH BENEFITS PROVIDED TO THE BROWN SANTA PROGRAM. (9:14 AM)

Item 25 postponed until December 5, 2000.

- 26.** DISCUSS AND TAKE APPROPRIATE ACTION ON PLAQUE FOR THE W. JEANNE MEURER INTERMEDIATE SANCTIONS CENTER. (11:44 AM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the plaque, with us moving the completion and dedication dates to the top, as opposed to being at the bottom.

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

- 27.** APPROVE PERSONNEL AMENDMENTS. (9:15 AM)

Item 27 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

OTHER ITEMS

- 28.** TAKE UP AT 1:30 P.M. DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (1:45 PM)

Item 28 to be reposted on December 5, 2000.

29. DISCUSS AND APPROVE BUDGET TRANSFER FOR GASB 34 FUNDING REQUIREMENTS FOR THE AUDITOR’S OFFICE AND OTHER COUNTY DEPARTMENTS. (1:52 PM)

Members of the Court heard from: Susan Spataro, Travis County Auditor; Joe Gieselman, Executive Manager, TNR; Carol Joseph, Assistant Director, TNR; Christian Smith, Executive Manager, PBO; Cyd Grimes, Travis County Purchasing Agent; Joe Harlow, Director, ITS; and Leroy Nellis, Budget Manager, PBO.

Motion by Judge Biscoe and seconded by Commissioner Gómez to authorize the hiring of the 5 Financial folk, and the 2 Systems folk by the Auditor, and that the funding come from the GASB 34 reserve.

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

Motion by Judge Biscoe and seconded by Commissioner Davis to appoint Judge Biscoe, Susan Spataro, Diana Warner, Christian Smith, Leroy Nellis, and Joe Harlow to a committee to quarterback the GASB 34 issue, and the other departments would be called in as necessary.

Maker and Second accept the Friendly Amendment by Commissioner Sonleitner to include Joe Gieselman in the committee.

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

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

ITEM 29 CONTINUED

Motion by Judge Biscoe and seconded by Commissioner Gómez that the general direction would be our intention to contract Deloitte and Touche to provide expert advice in response to specific departmental requests ASAP, and that would be as soon as we think we are ready, but I guess we need to put them on notice that we will need that conference, and from the Court we would try to keep that to a minimum in terms of time, but at the same time we would want to buy as much service as we need.

Motion carried:

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

Motion by Commissioner Sonleitner and seconded by Commissioner Gómez to give directions to TNR to bring forward the Pavement Management System with additional contracted services related to GASB, and it's a \$30,000.00 item.

Motion carried:

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

30. CONSIDER REQUEST TO DEREGULATE THE APPLICATION OF 2,4-D HERBICIDES IN TRAVIS COUNTY, SCHEDULE PUBLIC HEARING, AND TAKE APPROPRIATE ACTION. (9:15 AM) (1:46 PM)

Members of the Court heard from: Leslie Smith, Texas Department of Agriculture; Brad Pierce, Travis County Agricultural Extension Agent; and Jeff Ripley, Director, Travis County Agricultural Extension Service.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to approve a public hearing date of December 12, 2000 but if we can't, depending on whether we get it posted, then we'll move to the 19th.

Motion carried:

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

- 31.** APPROVE THE ISSUANCE OF TRAVIS COUNTY HOUSING FINANCE CORPORATION MULTIFAMILY HOUSING REVENUE BONDS (FORT BRANCH LANDING APARTMENTS PROJECT) SERIES 2000 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$12,318,000 BY THE TRAVIS COUNTY HOUSING FINANCE CORPORATION, AND TAKE APPROPRIATE ACTION.
(9:15 AM) (1:44 PM)

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Item 31.

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

- 32.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:15 AM)

Item 32 added to Consent Items. Please refer to Agenda Item 1 (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

- 33. A.** RECEIVE BRIEFING FROM COUNTY ATTORNEY’S OFFICE REGARDING CONTRACTS WITH FLUOR DANIEL, INC., M.W. BUILDERS, GRAEBER, SIMMONS & COWAN AND OTHER CONTRACTORS FOR THE CRIMINAL JUSTICE CENTER AND TAKE APPROPRIATE ACTION. ¹ (3:20 PM) (4:56 PM)
- B.** RECEIVE BRIEFING FROM COUNTY ATTORNEY’S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE CENTER AND TAKE APPROPRIATE ACTION. ¹
- C.** 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 33.A – C are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 33.A - C would be considered in Executive Session.

Motion by Judge Biscoe and seconded by Commissioner Gómez to ask the County Attorney’s Office to keep negotiating with the representatives for Graeber, Simmons, and Cowan, and the other sub-contractors who have been brought into the lawsuit, there are 4 or 5 sticky issues outstanding, and further, to communicate that we are kind of running out of time on this, so we need to resolve it one way or the other.

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

34. RECEIVE BRIEFING REGARDING LEASE PROPOSAL FOR THE PRECINCT 4 OFFICE BUILDING FOR TRAVIS COUNTY PROGRAMS. ² (3:20 PM) (4:57 PM)

Judge Biscoe announced that Item 34 would be considered in Executive Session.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to direct Facilities Management to make offer on real estate; to direct County Attorney to work with the Bond Counsel to prepare reimbursement resolution and purchase contract to support offer if necessary; to authorize the County Judge to sign the contract and the reimbursement resolution if necessary; and to authorize the County Judge to sign automatic budget transfer from the Unallocated Reserves to Facilities to support reimbursement resolution if necessary.

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

35. RECEIVE LEGAL ADVICE FROM COUNTY ATTORNEY REGARDING MANAGEMENT CONTRACT FOR TRAVIS COUNTY FARMERS' MARKET. ¹ (3:20 PM) (4:58 PM)

Judge Biscoe announced that Item 35 would be considered in Executive Session.

No action necessary on Item 35.

- 36. REVIEW ADDITIONAL SERVICES CLAIM FROM CASABELLA ARCHITECTS FOR LIFE SAFETY IMPROVEMENTS AT TRAVIS COUNTY EXPOSITION CENTER, AND TAKE APPROPRIATE ACTION. ¹ (3:20 PM) (4:59 PM)**

Judge Biscoe announced that Item 36 would be considered in Executive Session.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to direct Facilities Staff to get with the Casabella Architects, and indicate the Court's rejection of 6 of the 8 bullets that they submitted to us, and that we ask Staff to negotiate further with them on bullet number 6, involving the request to repackage bid documents from 1 to 3 packages to achieve, etc., and that the last bullet we ask them to chat on is the last one in the memo from Roger El Khoury to Executive Manager, Alicia Perez, and that last bullet involves negotiations with the County's time and materials, and it looks like we took those 8 bullets and turned them into 10. So we are asking Roger to get with the representatives from the Casabella Architects and deal with bullets number 1, 2, 3, 4, 5, 6, and 10 in Roger's memo to Alicia.

Maker and accept the Friendly Amendment by Commissioner Sonleitner to reject 8 of their claims.

Acceptance of the Friendly Amendment was made by Judge Biscoe.

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

Item 36 to be reposted on December 5, 2000.

- 37. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN THE MATTER OF THE AUDITS FOR 1990-1994 AND 1994-1998 (TAXPAYER NO. 1-74-6000192-2; HEARINGS 35,281 AND 38,765; ORTEGA-CARTER). ¹ (3:20 PM) (5:00 PM)**

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

No action necessary on Item 37.

38. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN LAKE TRAVIS INDEPENDENT SCHOOL DISTRICT V. CRAZY HORSE LAND CORPORATION AND TAKE APPROPRIATE ACTION. ¹ (3:20 PM) (5:00 PM)

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

Item 38 pulled from the agenda.

ADJOURNMENT

Motion by Commissioner Gómez **and seconded by** Judge Biscoe to adjourn the Voting Session. (5:01 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge