

MINUTES – JANUARY 9, 2001

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 9th day of January, 2001, the Commissioners' Court convened the regular Voting Session at 9:08 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 12:25 PM.

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 2:10 PM and adjourned at 2:11 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC) called to order the Voting Session at 2:11 PM and adjourned at 2:45 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation (TCHFDC) called to order the Voting Session at 2:45 PM and adjourned at 2:48 PM.

The Commissioners' Court reconvened the Voting Session at 2:48 PM.

The Commissioners' Court retired to Executive Session at 3:49 PM.

The Commissioners' Court reconvened the Voting Session at 5:36 PM.

The Commissioners' Court adjourned the Voting Session at 5:41 PM.

The Commissioners' Court record notes that Precinct One Commissioner Ron Davis was not present during this Voting Session.

PUBLIC HEARINGS

1. PUBLIC HEARING TO DISCUSS AN ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A 15’ PUBLIC UTILITY EASEMENT ON EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 25 AND 26, JACOBSON ESTATES, A SUBDIVISION IN PRECINCT FOUR. (9:09 AM)

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

Motion carried:

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| County Judge Samuel T. Biscoe | yes |
| Precinct 1, Commissioner Ron Davis | absent |
| Precinct 2, Commissioner Karen Sonleitner | yes |
| Precinct 3, Commissioner Todd Baxter | 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 Gómez **and seconded by** Commissioner Sonleitner to close the public hearing.

Motion carried:

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

Clerk’s Note: The action Item for Item 1 is Item C6. Please refer to Agenda Item 4 for the Court’s Motion and Vote.

2. PUBLIC HEARING TO DISCUSS AN ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A 3944 SQ. FT. DRAINAGE EASEMENT ALONG THE BACK OF LOT 3 THE ROBINSON ADDITION, A SUBDIVISION IN PRECINCT TWO. (9:10 AM)

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

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 yes
Precinct 4, Commissioner Margaret J. Gómez yes

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Christopher Shultz, Owner.

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 absent
Precinct 2, Commissioner Karen Sonleitner yes
Precinct 3, Commissioner Todd Baxter yes
Precinct 4, Commissioner Margaret J. Gómez yes

Clerk’s Note: The action Item for Item 2 is Item C7. Please refer to Agenda Item 4 for the Court’s Motion and Vote.

RESOLUTIONS & PROCLAMATIONS

3. APPROVE RESOLUTION PROCLAIMING JANUARY 13, 2001 "REV. BRUNO SCHMIDT DAY" IN TRAVIS COUNTY. (9:13 AM)

Members of the Court heard from: Reverend Bruno Schmidt, Travis County Historical Commission; Margie Beaman, Chair, Travis County Historical Commission; and Ruth Schmidt, daughter of Bruno Schmidt.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 3.

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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 | yes |
| Precinct 4, Commissioner Margaret J. Gómez | yes |

CITIZENS COMMUNICATION

Members of the Court heard from: Dinah Dinwiddie, Executive Manager, Justice and Public Safety (JPS); and Cameron Johnson, Juvenile Public Defender, JPS. (9:20 AM)

CONSENT ITEMS

4. Motion by Judge Biscoe and seconded by Commissioner Sonleitner to approve the following Consent Items: C1-C7, and Items 5, 7.A & B, 12, 13, 14, 15, 16, 18.B, C, & E, 19, 21, and 28. (9:23 AM)

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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 | 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 THE FOLLOWING VOTING SESSIONS:

- A. DECEMBER 19, 2000, AND**
- B. DECEMBER 27, 2000.**

C4. APPROVE A CONSTRUCTION AGREEMENT AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT TWO: RIVER PLACE SECTION 16 (LONG FORM – 50 LOTS - 58.164 ACRES - BIG VIEW DRIVE - FISCAL POSTED WITH CITY OF AUSTIN – SEWAGE SERVICE TO BE PROVIDED BY RIVER PLACE MUD – CITY OF AUSTIN ETJ). (9:23 AM) (9:27 AM)

Members of the Court heard from: Danny Martin, representing Riverplace Developers.

C5. APPOINT JESSE ARELLANO TO SERVE AS COMMISSIONER ON THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #12 BOARD, TERM EFFECTIVE UNTIL DECEMBER 31, 2002.

C6. APPROVE AN ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A 15’ PUBLIC UTILITY EASEMENT ON EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 25 AND 26, JACOBSON ESTATES, A SUBDIVISION IN PRECINCT FOUR.

Clerk’s Note: Item C6 is the action Item for Item 1.

CONSENT ITEMS CONTINUED

- C7.** APPROVE AN ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A 3944 SQ. FT. DRAINAGE EASEMENT ALONG THE BACK OF LOT 3 THE ROBINSON ADDITION, A SUBDIVISION IN PRECINCT TWO.

Clerk's Note: Item C7 is the action Item for Item 2.

HEALTH AND HUMAN SERVICES ITEMS

- 5.** CONSIDER FY 2001 EXTENSION OF THE INTERLOCAL WITH THE CITY OF AUSTIN FOR WEATHERIZATION SERVICES AND TAKE APPROPRIATE ACTION. (9:23 AM)

Item 5 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

6. CONSIDER VARIOUS STEPS TO INCREASE PARTICIPATION IN THE “INSURE A KID” PROGRAM, AND TAKE APPROPRIATE ACTION. (9:28 AM)

Members of the Court heard from: Patty Everitt, Insure A Kid Program; and Elaine Carroll, Assistant Director, Managed Services, Austin-Travis County Health and Human Services (A-TCHHS).

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the action steps, and that we support Judge Biscoe in his fight to get children insured in Travis County.

Maker Accept the Friendly Amendment by Commissioner Sonleitner to add the other steps of getting information through ASAP and through the DRO Office.

Acceptance of the Friendly Amendment was made by Commissioner Gómez.

Maker Accept the Friendly Amendment by Judge Biscoe that part of this is us getting out the word to County employees by working with our Health and Human Services Office to identify income-eligible Travis County employees and sending a voice mail and putting this flyer in the hand of those that we believe qualify.

Acceptance of the Friendly Amendment was made by Commissioner Gómez **and seconded by** Commissioner Sonleitner.

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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 | yes |
| Precinct 4, Commissioner Margaret J. Gómez | yes |

- 7. **A. REAPPOINT STEVE HARRIS, M.D. AS THE HEALTH AUTHORITY FOR TRAVIS COUNTY. (9:23 AM)**

- B. DESIGNATE LINDA DOOLEY, M.D., AS LOCAL HEALTH AUTHORITY ALTERNATE FOR TRAVIS COUNTY.**

Items 7.A and B added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 8. **APPROVE EXEMPTION ORDER FOR PROFESSIONAL SERVICES AGREEMENT WITH THE OSBORNE GROUP TO PROVIDE TECHNICAL ASSISTANCE ON THE DEVELOPMENT OF AN INTERLOCAL WITH THE VETERANS ADMINISTRATION TO PROVIDE TRAVIS COUNTY INDIGENT HEALTH CARE SERVICES. (9:50 AM)**

Members of the Court heard from: Stephen Williams, Executive Manager, Travis County Health, Human Services and Veterans’ Services (TCHHS&VS); Elaine Carroll, Assistant Director, Managed Services, A-TCHHS; Cyd Grimes, Travis County Purchasing Agent; and Mary Etta Gerhardt, Assistant County Attorney.

Motion by Commissioner Gómez and seconded by Judge Biscoe to approve the exemption order for professional services agreement with the Osborne Group.

A Restatement of the previous Motion was made by Judge Biscoe to give directions to prepare to negotiate on the Evaluation Committee, and to let the Health and Human Services Sub-Committee have some role in the evaluation.

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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 | yes |
| Precinct 4, Commissioner Margaret J. Gómez | yes |

Item 8 to be reposted on January 16, 2001.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

9. **A.** CONSIDER THE CITY OF AUSTIN REQUEST FOR TRAVIS COUNTY TO ABANDON KOLLMAYER DRIVE, AND TAKE APPROPRIATE ACTION.
(10:11 AM) (3:49 PM) (5:37 PM)
- B.** CONSIDER LAKE AUSTIN WEST, LP PETITION FOR TRAVIS COUNTY TO OPEN A NEIGHBORHOOD ROAD PURSUANT TO SECTION 251.053, TEXAS TRANSPORTATION CODE.

Clerk's Note: Items 9.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Tom Nuckols, Assistant County Attorney; Robert Kleeman, Lake Austin West; Matt Blankenship, Pecan Drive Resident; Linda Jones, Murfin/Pecan Concerned Citizens Group; John Kuhl, Natural Resources Program Manager, TNR; and Raul Calderon, Representing the City of Austin.

Judge Biscoe announced that Items 9.A and B would be considered in Executive Session.

Discussion only.

Items 9.A and B to be reposted on January 16, 2001.

- 10. CONSIDER TEXAS TRANSPORTATION COMMISSION MINUTE ORDER FOR COUNTY FINANCIAL PARTICIPATION IN LOOP 1 NORTH TOLL ROAD AND TAKE APPROPRIATE ACTION. (11:13 AM) (3:49 PM) (5:36 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; David Escamilla, First Assistant County Attorney; Howard Faulkenburg, Civic and Business Community Representative; Bruce Beyer, Capital Area Transportation Coalition; and Christian Smith, Executive Manager, Planning and Budget Office (PBO).

Motion by Commissioner Sonleitner **and seconded by** Commissioner Baxter that the County Judge be authorized to sign, on behalf of the Travis County Commissioners’ Court, the two letters, of which we have drafts before us.

Motion carried:

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

Judge Biscoe announced that Item 10 would be considered in Executive Session.

No further action required on Item 10.

Item 10 to be reposted on January 23, 2001.

- 11. CONSIDER SCOPE AND SCHEDULE OF A CAPITAL IMPROVEMENTS BOND ELECTION AND THE APPOINTMENT OF A BOND CITIZENS ADVISORY COMMITTEE AND TAKE APPROPRIATE ACTION. (11:39 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Christian Smith, Executive Manager, PBO; and Howard Faulkenburg, Civic and Business Community Representative.

Discussion only.

Item 11 to be reposted on January 23, 2001.

- 12.** APPROVE BUDGET AMENDMENT AND AUTHORIZE TNR DEPARTMENT TO SPEND FUNDS FOR TRAVEL EXPENSES TO REIMBURSE SELECTED CANDIDATES FOR THE HARD TO FILL POSITIONS OF DIVISION MANAGER, PLANNING AND ENGINEERING SERVICES, AND PROGRAM MANAGER, PARKS. (9:23 AM)

Item 12 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

PURCHASING OFFICE ITEMS

- 13.** APPROVE PURCHASE OF MAIL SERVICES UNDER STATE TERM CONTRACT. (9:23 AM)

Item 13 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 14.** APPROVE PURCHASE OF SEVENTY-TWO (72) POLICE PURSUIT AND FIVE (5) FOUR-DOOR SEDAN VEHICLES UNDER STATE TERM CONTRACT. (9:23 AM)

Item 14 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 15.** APPROVE CONTRACT AWARD FOR PRESORT MAIL SERVICES, IFB# B010014-MP, TO THE SOLE BIDDER, LASON. (9:23 AM)

Item 15 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 16.** APPROVE ASSIGNMENT OF CONTRACT 00K0703-JG, BETWEEN RLT CONSTRUCTION, INC. AND ZETA CONSTRUCTION CORPORATION. (9:23 AM)

Item 16 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 17. APPROVE MODIFICATION NO.1 TO CONTRACT NO. 00T0086-JP, STAR ARMORED, INC. FOR ARMORED CAR SERVICES: (9:08 AM)
 - A. APPROVE ASSIGNMENT OF CONTRACT FROM STAR ARMORED, INC. (ASSIGNOR) TO DUNBAR ARMORED, INC. (ASSIGNEE) AND,
 - B. EXTEND THE CONTRACT FOR AN ADDITIONAL 12 MONTHS; CONTRACT APPROVED ON 2/15/00.

Items 17.A and B postponed until January 16, 2001.

PLANNING AND BUDGET DEPT. ITEMS

- 18. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
 - A. APPROVE GRANT APPLICATION TO THE U.S. FISH AND WILDLIFE SERVICE THROUGH TEXAS PARKS AND WILDLIFE DEPARTMENT FOR FY '01 BCP LAND ACQUISITION IN THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT. (2:49 PM)

Members of the Court heard from: John Kuhl, Natural Resources Manager, TNR; Melinda Mallia, TNR; and Leroy Nellis, Budget Manager, PBO.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Baxter to approve the grant application.

Motion carried:

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

- B. APPROVE GRANT CONTRACT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR FY '01 FEMA PHASE XIX EMERGENCY FOOD AND SHELTER GRANT IN HEALTH AND HUMAN SERVICES DEPARTMENT. (9:23 AM)

Item 18.B added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

ITEM 18 CONTINUED

C. APPROVE GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR PROJECT SPOTLIGHT-GANG INTERVENTION IN THE JUVENILE PROBATION DEPARTMENT. (9:23 AM)

Item 18.C added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court’s Motion and Vote.

D. APPROVE GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, TEXAS NARCOTICS CONTROL PROGRAM FOR THE CAPITAL AREA NARCOTICS TASK FORCE IN THE SHERIFF’S OFFICE. (9:26 AM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 18.D with the clarification that it is an application.

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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 | yes |
| | Precinct 4, Commissioner Margaret J. Gómez | yes |

E. APPROVE PERMISSION TO CONTINUE THE SENIORS AND VOLUNTEERS FOR CHILDHOOD IMMUNIZATION PROGRAM IN HEALTH AND HUMAN SERVICES. (9:23 AM)

Item 18.E added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court’s Motion and Vote.

19. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:23 AM)

Item 19 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court’s Motion and Vote.

20. REVIEW PRINCIPLES AND GUIDELINES FOR THE FY '02 PLANNING AND BUDGET PROCESS AND TAKE APPROPRIATE ACTION. (3:03 PM)

Members of the Court heard from: Christian Smith, Executive Manager, PBO.

Discussion only.

ADMINISTRATIVE OPERATIONS ITEMS

21. APPROVE PERSONNEL AMENDMENTS. (9:23 AM)

Item 21 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

OTHER ITEMS

22. **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. (2:48 PM)

No action necessary on Item 22.

23. ADOPT AN ORDER AUTHORIZING PUBLICATION OF NOTICE OF INTENT TO ISSUE CERTIFICATES OF OBLIGATION, SERIES 2001. (11:38 AM)

Item 23 to be reposted on January 23, 2001.

24. CONSIDER APPOINTMENT OF COMMISSIONERS' COURT MEMBERS TO VARIOUS COMMITTEES, BOARDS AND OTHER ENTITIES, AND TAKE APPROPRIATE ACTION. (3:10 PM)

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

Discussion only.

Item 24 to be reposted on January 16, 2001.

25. CONSIDER COMMISSIONERS’ COURT APPOINTMENTS TO THE FEDERALLY QUALIFIED HEALTH CENTERS (FQHC), AND TAKE APPROPRIATE ACTION. (3:29 PM)

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney.

Discussion only.

Item 25 to be reposted on January 16, 2001.

26. CONSIDER NOTICE OF GRANT OPPORTUNITIES FROM THE HISTORIC LANDMARK COMMISSION, AND TAKE APPROPRIATE ACTION. (3:38 PM)

Members of the Court heard from: Roger El Khoury, Director, Facilities Management; Jim Barr, Contract Administrator, Facilities Management.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to approve a grant application for the Brizendine House.

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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 | yes |
| | Precinct 4, Commissioner Margaret J. Gómez | yes |

27. APPROVAL AND CONFIRMATION OF LICENSED PEACE OFFICERS PURSUANT TO TEXAS LOCAL GOVERNMENT CODE, SECTION 86.011. (3:47 PM)

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to approve Item 27.

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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 | yes |
| | Precinct 4, Commissioner Margaret J. Gómez | yes |

28. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:23 AM)

Item 28 added to Consent Items. Please refer to Agenda Item 4 (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

- 29. 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 (3:49 PM)
(5:37 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 29.A - C are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 29.A - C would be considered in Executive Session.

Motion by Judge Biscoe and seconded by Commissioner Gómez that under Item 29.C, we reject the counter offer that we have gotten from the attorneys for Fluor Daniel, and that we re-urge the \$25,000.00 per month fee that we had previously indicated that we thought was fair, based on the Fluor Daniel personnel that we would need to continue working on our project, plus reimbursables.

Maker accept the Friendly Amendment by Commissioner Sonleitner that we may want to communicate to them that those are based on past billings for those two people, in terms of their invoices, so it is consistent with the billing that has already occurred.

Acceptance of the Friendly Amendment was made by Judge Biscoe.

ITEM 29 CONTINUED

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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 | yes |
| Precinct 4, Commissioner Margaret J. Gómez | yes |

- 30.** APPROVE PROFESSIONAL SERVICES AGREEMENT WITH CARTER DESIGN ASSOCIATES FOR CONSTRUCTION ADMINISTRATION FOR THE N.L. GAULT BUILDING. ¹ (3:49 PM) (5:38 PM)

Judge Biscoe announced that Item 30 would be considered in Executive Session.

No action necessary on Item 30.

Item 30 to be reposted on January 16, 2001.

- 31.** DISCUSS DISPUTES REGARDING ELIGIBILITY FOR COVERAGE UNDER CURRENT BLUE CROSS BLUE SHIELD CONTRACT, AND TAKE APPROPRIATE ACTION. ¹ (3:49 PM)

Members of the Court heard from: Barbara Wilson, Assistant County Attorney

Item 31 to be postponed until January 16, 2001.

- 32.** APPROVE ASSIGNMENT OF REAL PROPERTY CONTRACT FROM CCNG DEVELOPMENT COMPANY, L.P., A TEXAS LIMITED PARTNERSHIP, FOR THE PURCHASE OF FOUR TRACTS OF LAND FROM: JOHN AND MARGARET HOLDSWORTH (TRACT 1); MARY H. BUNTEN (TRACT 2); ALLYNID AND FLORENCE BUNTEN (TRACT 3), AND THE ESTATE OF R.E. AND JEWEL MCDONALD (TRACT 4). ^{1 AND 2} (3:49 PM) (5:38 PM)

Judge Biscoe announced that Item 32 would be considered in Executive Session.

Item 32 to be reposted on January 16, 2001.

- 33. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER REGARDING CLAIM BY PHILLIP ROSENBAUM AND TAKE APPROPRIATE ACTION. ¹ (3:49 PM) (5:39 PM)

Judge Biscoe announced that Item 33 would be considered in Executive Session.

Item 33 to be reposted on January 16, 2001.

- 34. AUTHORIZE COUNTY ATTORNEY TO HIRE EXPERT(S) IN CRAIG MCIVER V. TRAVIS COUNTY, MARGO FRASIER, ET AL. (MCIVER; FRASIER; 4TH, 6TH, AND 14TH AMENDMENT TO U.S. CONSTITUTION). ¹ (3:49 PM) (5:39 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to authorize the County Attorney to secure appropriate experts.

Motion carried:

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

- 35. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER OFFER OR SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN TIMOTHY BRUNER V. TRAVIS COUNTY ET AL. (BRUNER; WILLIAMS, S.; CIVIL RIGHTS). ¹ (3:49 PM) (5:39 PM)

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

Item 32 postponed until January 16, 2001.

36. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER OFFER FOR SETTLEMENT AND/OR TAKE APPROPRIATE ACTION IN THE MATTER OF RICHARD VANDEVENTER “VAN” HARVEY V. TRAVIS COUNTY AND TRAVIS COUNTY CLERK DANA DEBEAUVOIR; CAUSE NO.GN003516. ^{1 AND 3} (3:49 PM) (5:39 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Gómez to authorize the County Attorney’s Office to keep negotiating this matter and hopefully can negotiate upon a settlement that results in severance of employment as well as a small and reasonable monetary compensation. We would expect a report back, but further negotiations along those lines and rejection of their offer would probably be appropriate also. And, rather than a specific counter, basically to authorize continuation of negotiation with those two things in mind – preferably a small but reasonable monetary settlement, along with severance of employment.

A Clarification of the previous Motion was made by Commissioner Sonleitner that we are presuming that we would also be wrapping up any and all issues related to this particular employee.

A further Clarification of the previous Motion was made by Judge Biscoe that negotiations would be done with the official of this office in close contact.

Motion carried:

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

37. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT, OR COUNTER OR TAKE OTHER APPROPRIATE ACTION ON SPECIAL COMMISSIONERS’ AWARD REGARDING PROJECT #97B06-21-3CA, STATE HIGHWAY 45 SOUTH; PARCEL NO. 8; DENISE P. TOMLINSON, AND TRAVIS COUNTY, TEXAS. (CONDEMNATION CASE) ¹ (3:49 PM)

Item 37 postponed until January 16, 2001.

ADJOURNMENT

Motion by Commissioner Gómez and seconded by Commissioner Sonleitner to adjourn the Voting Session. (5:41 PM)

Motion carried:

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge