

## **MINUTES – FEBRUARY 20, 2001**

### **TRAVIS COUNTY COMMISSIONERS' COURT**

On Tuesday, the 20<sup>th</sup> day of February, 2001, the Commissioners' Court convened the regular Voting Session at 9:13 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Travis County Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Robert Resnick.

The Commissioners' Court recessed the Voting Session at 11:57 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 1:38 PM and adjourned at 1:38 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 1:47 PM.

The Commissioners' Court reconvened the Voting Session at 1:47 PM.

The Commissioners' Court retired to Executive Session at 1:49 PM.

The Commissioners' Court reconvened the Voting Session at 3:42 PM.

The Commissioners' Court adjourned the Voting Session at 3:52 PM.

**PUBLIC HEARINGS**

- 1. PUBLIC HEARING TO DISCUSS PROPOSED STREET NAME ASSIGNMENTS FOR TWO EASEMENTS TO “VERDE KNOLL DRIVE” AND “VERDE KNOLL COVE” IN PRECINCT THREE. (9:13 AM)

**Motion by** Commissioner Baxter **and seconded by** Commissioner Gómez to open the Public Hearing.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner 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 Baxter **and seconded by** Commissioner Gómez to close the Public Hearing.

**Motion carried:**

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

**Clerk’s Note:** The Action Item for Item 1 is Item C10. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court’s Motion and Vote.

**RESOLUTIONS & PROCLAMATIONS**

- 2. APPROVE PROCLAMATION DECLARING FEBRUARY 23 THROUGH MARCH 4, 2001 AS “TRAIL RIDE WEEK” IN TRAVIS COUNTY. (9:13 AM)

**Members of the Court heard from:** Jean Mueller, Austin Founders Trail.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Item 2.

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

- 3. APPROVE RESOLUTION RECOGNIZING JUSTICE OF THE PEACE BARBARA BEMBRY ON BEING NAMED “JUDGE OF THE YEAR” BY THE CENTRAL TEXAS JUSTICE OF THE PEACE AND CONSTABLE’S ASSOCIATION. (9:21 AM)

**Members of the Court heard from:** Barbara Bembry, Judge, Justice of the Peace Precinct 2.

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

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

- 4. APPROVE LETTER OF APPRECIATION AND CONGRATULATIONS TO SUSAN ANDERSON ON BEING APPOINTED CHIEF INVESTMENT OFFICER FOR THE STATE OF TEXAS AND TAKE APPROPRIATE ACTION. (9:25M)

**Members of the Court heard from:** Mary Mayes, Investment Manager, Cash/Investment Management.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve Item 4.

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

**CITIZENS COMMUNICATION**

**Members of the Court heard from:** Kenneth Snyder, Private Citizen. (9:28 AM)

**Clerk’s Note:** Commissioner Gómez expressed the Court’s condolences to the Ortiz and the Ruiz families.

**CONSENT ITEMS**

- 5. **Motion by Commissioner Gómez and seconded by Commissioner Davis** to approve the following Consent Items: C1 - C10, and 7.A - D, 14, 15, 16, 18, 22, 23, 24, 25, 26, 28, 32, 33, and 34. (9:35 AM)

**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	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.

**CONSENT ITEMS CONTINUED**

- C3.** REAPPOINT NANCY WILLIAMS TO THE TRAVIS COUNTY CHILDRENS PROTECTIVE SERVICES BOARD, TERM EFFECTIVE THROUGH FEBRUARY, 2003.
- C4.** APPOINT JACK ESHELMAN TO SERVE AS COMMISSIONER ON THE EMERGENCY SERVICES DISTRICT #5 BOARD (MANCHACA), TERM EFFECTIVE UNTIL DECEMBER 31, 2001 (UNEXPIRED TERM REPLACING CLAUDE GREEN).
- C5.** REAPPOINT ROSEMARY MORROW TO SERVE ON THE TRAVIS COUNTY HISTORICAL COMMISSION AS A PRECINCT 2 APPOINTEE; TERM EFFECTIVE UNTIL JANUARY, 2003.
- C6.** REAPPOINT BARBARA HANKINS TO SERVE ON THE TRAVIS COUNTY HISTORICAL COMMISSION AS A PRECINCT 2 APPOINTEE; TERM EFFECTIVE UNTIL JANUARY, 2003.
- C7.** REAPPOINT AVADNE MONTANDON TO SERVE ON THE TRAVIS COUNTY HISTORICAL COMMISSION AS A PRECINCT 2 APPOINTEE; TERM EFFECTIVE UNTIL JANUARY, 2003.
- C8.** REAPPOINT BETTY BAKER TO SERVE ON THE TRAVIS COUNTY HISTORICAL COMMISSION AS A PRECINCT 2 APPOINTEE; TERM EFFECTIVE UNTIL JANUARY, 2003.
- C9.** APPOINT JEFF WARNKEN TO SERVE ON THE MEDICAL ASSISTANCE PROGRAM (MAP) BOARD, AS A PRECINCT 2 APPOINTEE, TERM EFFECTIVE UNTIL DECEMBER 1, 2002.
- C10.** APPROVE STREET NAME ASSIGNMENTS FOR TWO EASEMENTS TO “VERDE KNOLL DRIVE” AND “VERDE KNOLL COVE” IN PRECINCT THREE.

**Clerk’s Note:** Item C10 is the Action Item for Item 1.

**PLANNING AND BUDGET OFFICE ITEMS**

6. DISCUSS COMMISSIONERS COURT NOMINATION OF A FORMER ELECTED COUNTY OFFICIAL AND A NON-COUNTY ELECTED OFFICIAL TO THE CITIZENS ADVISORY COMMITTEE ON ELECTED OFFICIALS' SALARIES AND TAKE APPROPRIATE ACTION. (9:46 AM)

Discussion Only.

Item 6 to be reposted on February 27, 2001.

7. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:35 AM)
- A. APPROVE GRANT CONTRACT WITH THE CORPORATION FOR NATIONAL SERVICE FOR AN INCREASED GRANT AWARD FOR THE RETIRED SENIORS VOLUNTEER PROGRAM IN THE HEALTH AND HUMAN SERVICES DEPARTMENT.
  - B. APPROVE GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE EMERGENCY NUTRITION/TEMPORARY EMERGENCY RELIEF PROGRAM (ENTERP) IN THE HEALTH AND HUMAN SERVICES DEPARTMENT.
  - C. APPROVE GRANT CONTRACT WITH AUSTIN/TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER FOR CONTINUATION AND EXPANSION OF THE COMMUNITY RESOURCE COORDINATION GROUP IN THE JUVENILE PROBATION DEPARTMENT.
  - D. APPROVE GRANT CONTRACT WITH TEXAS DEPARTMENT OF PUBLIC SAFETY FOR EMERGENCY MANAGEMENT IN EMERGENCY SERVICES DEPARTMENT.

Items 7.A - D added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

8. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:49 AM)

**Clerk’s Note:** Items 8 and 31 are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Bill Derryberry, Senior Planning and Budget Analyst, Planning and Budget Office (PBO); Velva Price, Civil Service Commissioner; Leroy Nellis, Budget Manager, PBO; Barbara Wilson, Assistant County Attorney; and Walter Timberlake, Civil Service Commissioner.

**Members of the Court agreed** to consider one Motion for Items 8 and 31.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve the Item (31) of up to \$2,000.00, and approve the budget transfer of \$1,500.00.

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

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve budget amendments A1 and A2 that have to do with EMS.

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

**HEALTH AND HUMAN SERVICES ITEMS**

9. DISCUSS THE ASSESSMENT CENTER, PROGRAM RECOMMENDATIONS, BUDGET, AND RELATED ISSUES, AND TAKE APPROPRIATE ACTION. (10:07 AM)

**Members of the Court heard from:** Stephen Williams, Executive Manager, Travis County Health, Human Services, and Veterans’ Services (TCHHS&VS); Sheila Dhir-Hughes, Senior Planner, Research and Planning, TCHHS; and Alan Miller, Planning and Budget Analyst, PBO.

**Motion by** Commissioner Davis **and seconded by** Judge Biscoe to approve Item 9, and to approve the Staff recommendation, which would contain the Motion set forth in Stephen’s February 12, 2001 memo.

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

**ADMINISTRATIVE OPERATIONS ITEMS**

10. DISCUSS PROPOSED RENOVATION OPTIONS FOR THE TRAVIS COUNTY ADMINISTRATION BUILDING (STOKES BUILDING) AND TAKE APPROPRIATE ACTION. (10:41 AM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Roger El Khoury, Director, Facilities Management; Leslie Stricklan, Project Manager, Facilities Management; and Dinah Dinwiddie, Executive Manager, Justice and Public Safety (JPS).

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve Option 1 as recommended by Facilities Management.

**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



**11. REVIEW AND APPROVE THE FOLLOWING PROPERTY AND LIABILITY CLAIM RECOMMENDATIONS: (11:00 AM)**

- A. BELL - SETTLE**
- B. SMITH - DENIAL**
- C. MARTINEZ - DENIAL**
- C1. T.C.S.O. - SETTLE**
- D. T.C.S.O. - SETTLE**

**Clerk’s Note:** Items 11.A - D are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Dan Mansour, Risk Manager, Human Resources Management Department (HRMD).

**Motion by Judge Biscoe and seconded by Commissioner Baxter** to approve Staff recommendations in Items 11.A – D.

**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	yes
Precinct 4, Commissioner Margaret J. Gómez	abstain

**12. APPROVE PERSONNEL AMENDMENTS. (11:09 AM)**

**Members of the Court heard from:** Norman McRee, Budget/Process Improvement Analyst, HRMD; Carlotta Valdez Leavy, Senior HR Analyst, HRMD; and Margo Frasier, Travis County Sheriff.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve the personnel amendments, both routine and non-routine.

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

**TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS**

- 13.** APPOINT BOND CITIZENS ADVISORY COMMITTEE MEMBERS. (11:14 AM)  
(3:50 PM)

Discussion Only.

Item 13 to be reposted on February 27, 2001.

- 14.** CONSIDER GRANTING A UTILITY EASEMENT TO BLUEBONNET ELECTRIC COOPERATIVE FOR AN UNDERGROUND ELECTRICAL LINE EXTENSION TO THE CONCESSION STAND AT WEBBERVILLE PARK IN PRECINCT ONE.  
(9:35 AM)

Item 14 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- 15.** APPROVE CASH SECURITY AGREEMENT WITH DEER CREEK RANCHES, INC. (SAM HAMMETT) FOR ACQUISITION OF LOT 27, BLOCK TT, TWIN LAKES HILLS IN PRECINCT THREE. (9:35 AM)

Item 15 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- 16.** CONSIDER INTERLOCAL AGREEMENT WITH VILLAGE OF SAN LEANNA IN PRECINCT THREE FOR PERMITTING OF ON-SITE WASTE WATER FACILITIES, AND TAKE APPROPRIATE ACTION. (9:35 AM)

Item 16 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

17. A. CONSIDER AMENDMENT TO CONSTRUCTION AGREEMENT WITH SUN COMMUNITIES TEXAS LIMITED PARTNERSHIP TO CONSTRUCT THE EXTENSION OF WELLS BRANCH PARKWAY FROM IMMANUEL ROAD TO KILLINGSWORTH LANE IN PRECINCT TWO AND TAKE APPROPRIATE ACTION OR (11:14 AM)
- B. APPROVE PHASING AGREEMENT WITH SUN COMMUNITIES TEXAS LIMITED PARTNERSHIP ESTABLISHING RESPONSIBILITIES RELATED TO THE DEVELOPMENT OF BOULDER RIDGE SOUTH AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT TWO: BOULDER RIDGE SOUTH, PHASE I – (SHORTFORM – 1 LOT - 71.112 ACRES - KILLINGSWORTH LANE - NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY CITY OF PFLUGERVILLE – CITY OF AUSTIN ETJ).

**Clerk's Note:** Items 17.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; Jim Nias, representing Sun Communities.

Discussion only.

Items 17.A & B to be reposted on February 27, 2001.

18. NOTIFY COURT OF SATISFACTORY CONSTRUCTION OF THE PRIVATE STREETS FOR CHIMNEY OAKS AT LAKE TRAVIS SECTION 2. (9:35 AM)

Item 18 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

**PURCHASING OFFICE ITEMS**

19. APPROVE MODIFICATION NO. 5 (INCREASE OF HOURLY RATES) TO CONTRACT NO. PS960016-LH, YOUTH ADVOCATE PROGRAMS, INC. FOR MENTORING SERVICES IN SUPPORT OF TRAVIS COUNTY JUVENILE COURT. (11:45 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; James McInnis, Juvenile Probation; and Donna Scarborough, Purchasing.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve Item 19.

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

20. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. PS000277-JJ, GRANT DEVELOPMENT SERVICES FOR GRANT ADMINISTRATION SERVICES; CONTRACT APPROVED ON 6/6/00. (9:36 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent.

Item 20 postponed until February 27, 2001.

21. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 00T0312-RV, CAR WASHING SERVICES; CONTRACT APPROVED ON 7/25/00. (11:49 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; and Frank Holder, Assistant Purchasing Agent.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to approve Item 21.

**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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

- 22.** APPROVE CONTRACT MODIFICATION AND A 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. MA990116, INTERNATIONAL BUSINESS MACHINES (IBM) FOR MAINTENANCE AND SUPPORT SERVICES FOR RS/6000 HARDWARE AND SHARK DISK STORAGE SUBSYSTEM; CONTRACT APPROVED ON 10/21/97. (9:35 AM)

Item 22 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- 23.** APPROVE CONTRACT AWARD FOR 2001 HOT MIX ASPHALTIC CONCRETE OVERLAY PROGRAM, IFB #B010702-DM, TO THE LOW QUALIFIED BIDDERS, WHEELER COATINGS ASPHALT, INC. AND ASPHALT PAVING COMPANY OF AUSTIN. (9:35 AM)

Item 23 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- 24.** APPROVE PURCHASE OF THIRTY ONE (31) VEHICLES AND TWO (2) PIECES OF HEAVY EQUIPMENT UNDER STATE TERM CONTRACT. (9:35 AM)

Item 24 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- 25.** APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. MA980099, INTERNATIONAL BUSINESS MACHINES (IBM), FOR RENEWAL OF AIX SUPPORT-LINE MAINTENANCE AND SUPPORT SERVICES; CONTRACT APPROVED ON 10/21/97. (9:35 AM)

Item 25 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- 26.** APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 00T0105-JP, METROCALL WIRELESS NETWORK, FOR WIRELESS MESSAGING SYSTEM; CONTRACT APPROVED ON 4/4/00 (RADIO USERS COMMITTEE). (9:35 AM)

Item 26 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

27. APPROVE MODIFICATION NO.1 TO THE FOLLOWING CONTRACTS WITH TRAVIS COUNTY, CITY OF AUSTIN, AND THE RESPECTIVE CONTRACTORS FOR HIV RELATED SOCIAL SERVICES: (9:37 AM)

- A. CONTRACT NO. PS000089-TS, AIDS SERVICES OF AUSTIN;
- B. CONTRACT NO. PS000090-TS, ALLGO-INFORME SIDA;
- C. CONTRACT NO. PS000091-TS, CENTRAL EAST AUSTIN COMMUNITY;
- D. CONTRACT NO. PS000092-TS, HIV WELLNESS CENTER;
- E. CONTRACT NO. PS000093-TS, PEOPLES COMMUNITY CLINIC;
- F. CONTRACT NO. PS000094-TS, PLANNED PARENTHOOD OF AUSTIN; AND
- G. CONTRACT NO. PS000095-TS, PROJECT TRANSITIONS, INC.

**Clerk’s Note:** Items 27.A - G are associated with one another and were called for concurrent discussion.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Items 27.A - G.

**A Division of the Vote was requested by** Commissioner Baxter on Item 27.

**Withdrawal of the previous Motion was made by** Commissioner Sonleitner.

**First Division of the Vote:**

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Items 27.A, B, C, D, E, & G.

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

**Second Division of the Vote:**

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

**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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

- 28. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 00T0192-JP, CAPITAL CHEM CAN COMPANY, FOR RENTAL OF PORTABLE TOILETS; CONTRACT APPROVED ON 4/4/00. (9:35 AM)

Item 28 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- 29. REJECT ALL BIDS RECEIVED, IFB #B010704-JJ, HOWARD LANE STREETSCAPE PROJECT. (9:40 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; Jerry Raisch, Construction Procurement Specialist, Purchasing; Donald Converse, Horticulturist, Advance Landscape Designs; and Vincent Uherek, President, Advance Landscape Designs.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to reject Item 29.

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

**OTHER ITEMS**

- 30. **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. (11:57 AM) (1:47 PM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent.

No action necessary on Item 30.

- 31.** APPROVE \$2,000 FOR ATTORNEY’S FEES TO PROVIDE CIVIL SERVICE COMMISSIONERS WITH OUTSIDE COUNSEL. (9:49 AM)

**Clerk’s Note:** Items 31 and 8 are associated with one another and were called for concurrent discussion.

**Members of the Court agreed** to consider one Motion for Items 31 and 8. Please refer to Item 8 for a summary of the Court’s action on this Motion.

- 32.** APPROVE MANAGEMENT REPRESENTATION LETTER TO BE PROVIDED TO DELOITTE & TOUCHE, LLP REGARDING COUNTY-WIDE ANNUAL FINANCIAL AUDIT. (9:35 AM)

Item 32 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 33.** APPROVE RESOLUTION CONTINUING THE ESTABLISHMENT OF AND AMENDING THE CHARTER OF THE EMERGENCY AND WIRELESS COMMUNICATIONS COORDINATING BOARD. (9:35 AM)

Item 33 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court’s Motion and Vote.

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

Item 34 added to Consent Items. Please refer to Agenda Item 5 (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

- 35. 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. <sup>1</sup> (1:49 PM) (3:43 PM)
  
- B. RECEIVE BRIEFING FROM COUNTY ATTORNEY’S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE CENTER AND TAKE APPROPRIATE ACTION. <sup>1</sup>
  
- 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. <sup>1</sup>

**Clerk’s Note:** Items 35.A - C are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 35.A - C would be considered in Executive Session.

**Motion by Judge Biscoe and seconded by Commissioner Davis** that the Court advise Graeber, Simmons, and Cowan and sub-contractors that we need the settlement agreement that we approved last week back before the Commissioners’ Court, approved and signed or rejected, by Tuesday, February 27, 2001 at 12:00 noon the latest; and that we authorize Ms. Carter to proceed with the duties set forth in our contract with her; and if there is a problem that develops between now and next Tuesday, Travis County will make good whatever financial commitments she incurs as a result of following these directions; and so our goal would be to hold her harmless financially.

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

- 36. CONSIDER STATUS OF LEASES AT 1300 GUADALUPE AND 209 W. 9<sup>TH</sup> STREET AND TAKE APPROPRIATE ACTION. <sup>1 AND 2</sup> (1:49 PM) (3:45 PM)

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

**Members of the Court heard from:** Pat Ford, Facilities Management.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to bring ITS to the Stokes Building or other County-owned property.

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

Item 36 to be reposted on March 6, 2001.

- 37. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN KENJURA TILE V. TRAVIS COUNTY. (GIESELMAN) <sup>1</sup> (1:49 PM) (3:46 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Davis** to reject the offer and counter in the amount of \$11,000.00.

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

38. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL. V. VALARIE MICHELE STEWARD AND TAKE APPROPRIATE ACTION. <sup>1</sup>  
(1:49 PM) (3:46 PM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Baxter to authorize the County Judge to sign the resale deed to Gilbert Martinez for the sum of \$5,000.00.

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

39. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN MANOR INDEPENDENT SCHOOL DISTRICT V. A.C. SMITH, AND TAKE APPROPRIATE ACTION. <sup>1</sup>  
(1:49 PM) (3:50 PM)

Judge Biscoe announced that Item 39 would be considered in Executive Session.

**Clerk’s Note:** The Court gave directions to notify the heirs in this case of the specific date of the public sale.

Discussion Only.

- 40. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER OFFER FOR SETTLEMENT AND/OR TAKE APPROPRIATE ACTION IN CLAIMS ASSERTED BY ROCKNEY RABY AND DAVID LOPEZ. <sup>1 AND 3</sup> (1:49 PM) (3:47 PM)

Judge Biscoe announced that Item 40 would be considered in Executive Session.

**Motion by** Judge Biscoe to reject the offer to settle and counter in the amount of \$12,500 in each case.

**Clerk’s Note:** The Motion dies for lack of a Second.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to ask that the County Attorney’s Office review this case over the next week and repost this for next week at which point we would consider a settlement offer.

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

Item 40 to be reposted on February 27, 2001.

- 41. 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). <sup>1</sup> (1:49 PM) (3:48 PM)

Judge Biscoe announced that Item 41 would be considered in Executive Session.

No action required on Item 41.

- 42. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN CRAIG MCIVER V. MARGO FRASIER (CIVIL RIGHTS). <sup>1</sup> (1:49 PM) (3:48 PM)

Judge Biscoe announced that Item 42 would be considered in Executive Session.

No action required on Item 42.

- 43. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT, OR COUNTER A SETTLEMENT OFFER REGARDING PROJECT #97B06-21-3CA, STATE HIGHWAY 45 SOUTH; PARCEL NO. 8; DENISE P. TOMLINSON, AND TRAVIS COUNTY, TEXAS. (CONDEMNATION) <sup>1</sup> (1:49 PM)

Item 43 postponed until February 27, 2001.

- 44. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT, OR COUNTER SETTLEMENT DEMAND, CIP PROJECT 3-002, PARCEL NO. 2D, JAMES A. HOPKINS AND WIFE, JEAN C. HOPKINS, AND STATE OF TEXAS. (CONDEMNATION) <sup>1</sup> (1:49 PM)

Item 44 postponed until February 27, 2001.

- 45. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER OFFER OR SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN; JAMES M. WALKER V. ARCHIE SAMUEL ROGERS (GIESELMAN; TEXAS TORT CLAIMS ACT; PERSONAL INJURY). <sup>1</sup> (1:49 PM) (3:48 PM)

Judge Biscoe announced that Item 45 would be considered in Executive Session.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to reject their offer of \$5,800.00, and we counter in the amount of \$5,000.00.

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

- 46. RECEIVE BRIEFING FROM COUNTY ATTORNEY'S OFFICE REGARDING NOTICE OF INTENT TO SUE RECEIVED FROM INTERPORT HOLDINGS, LTD. <sup>1</sup> (1:49 PM) (3:49 PM)

Judge Biscoe announced that Item 46 would be considered in Executive Session.

No action required on Item 46.

Item 46 to be reposted on February 27, 2001.

- 47. RECEIVE BRIEFING FROM COUNTY ATTORNEY, AUTHORIZE COUNTY ATTORNEY TO HIRE EXPERT(S), AND TAKE APPROPRIATE ACTION IN; PHYLLIS JOHNSON ET AL. V. ANDRE CALDWELL ET AL. (FRASIER; TEXAS TORT CLAIMS ACT; PERSONAL INJURY) <sup>1</sup> (1:49 PM) (3:49 PM)

Judge Biscoe announced that Item 47 would be considered in Executive Session.

**Motion by Judge Biscoe and seconded by** Commissioner Gómez to authorize the County Attorney to hire the appropriate experts.

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

**THE FOLLOWING ITEM IS AN ADDENDUM:**

- A1. APPROVE MODIFICATION NO. 5 TO CONTRACT NO. 00K0700-JJ, C.C. CARLTON INDUSTRIES, LTD., NORTHEAST METRO PARK CONSTRUCTION PROJECT; CONTRACT APPROVED ON 9/28/99. (9:39 AM)

**Motion by Judge Biscoe and seconded by** Commissioner Sonleitner to approve Item A1.

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

**ADJOURNMENT**

**Motion by Commissioner Davis and seconded by Commissioner Baxter** to adjourn the Voting Session. (3:52 PM)

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
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**

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**Date of Approval**

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**Samuel T. Biscoe, Travis County Judge**