

MINUTES – OCTOBER 2, 2001

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 2nd day of October, 2001, the Commissioners' Court convened the regular Voting Session at 9:12 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 retired to Executive Session at 11:24 AM.

The Commissioners' Court reconvened the Voting Session at 12:03 PM.

The Commissioners' Court recessed the Voting Session at 12:03 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, called to order the Voting Session at 1:38 PM and adjourned the Voting Session at 1:49 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation, the Capital Health Facilities Development Corporation, and the Capital Industrial Development Corporation, called to order the Voting Sessions at 1:49 PM and adjourned the Voting Sessions at 1:50 PM.

The Commissioners' Court reconvened the Commissioners Court Voting Session at 1:50 PM.

The Commissioners' Court retired to Executive Session at 1:55 PM.

The Commissioners' Court reconvened the Voting Session at 2:34 PM.

The Commissioners' Court adjourned the Voting Session at 2:40 PM.

The Commissioners' Court record notes that Precinct Two Commissioner Karen Sonleitner was not present during this Voting Session.

CITIZENS COMMUNICATION

Members of the Court heard from: Linda Moore Smith, Director, Human Resources Management Department (HRMD); Zetta Garnett, HR Assistant, HRMD; Mark Weisberger, Financial Analyst Lead, HRMD; Ronny McClarron, Division Manager, Staffing, Training, and Employee Relations, HRMD; and Cindy Purinton, Benefit Contract Administrator, HRMD. (9:13 AM)

CONSENT ITEMS

- 1. Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1 – C5, and Items 5.B & D, 7, 11, and 21. (9:17 AM)

Motion carried:	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Karen Sonleitner	absent
	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.** AUGUST 28, 2001;
 - B.** AUGUST 30, 2001; AND
 - C.** SEPTEMBER 4, 2001.
- C4.** REAPPOINT ROSIE MENDOZA TO THE AUSTIN/TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER (MHMR) BOARD OF TRUSTEES FOR A TERM TO EXPIRE SEPTEMBER 30, 2003. (COMMISSIONER GOMEZ)
- C5.** APPROVE SETTING A PUBLIC HEARING DATE OF OCTOBER 30, 2001 FOR APPROVAL OF PROPOSED STREET NAME ASSIGNMENT FOR AN UNNAMED PRIVATE ROAD AND AN EASEMENT IN HAMMETT’S CROSSING SUBDIVISION TO “HAMMETT’S CROSSING” AND “NICHOLSON BLUFF COVE”, IN PRECINCT THREE. (COMMISSIONER BAXTER)

TRANSPORTATION & NATURAL RESOURCES DEPT ITEMS

2. CONSIDER ADOPTION OF AN ORDINANCE REGULATING CERTAIN WASTE MANAGEMENT ACTIVITIES IN OR ADJACENT TO FLOODPLAINS TO PROTECT PUBLIC HEALTH AND SAFETY, AND TAKE APPROPRIATE ACTION. (9:20 AM)

Members of the Court heard from: Tom Nuckols, Assistant County Attorney; Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); and John Kuhl, Natural Resources Program Manager, TNR.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis that we adopt the ordinance regulating the waste management activities in or adjacent to flood plains to protect public health and safety, and that we send a copy to TNRCC right away, and to any applicants affected.

Motion carried:

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

3. RECEIVE BRIEFING ON CAP-TEX, INC.’S SLUDGE APPLICATION (TNRCC REGISTRATION NO. 710855), CONSIDER A MOTION TO OVERTURN, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) (9:38 AM)

Members of the Court heard from: John Kuhl, Natural Resources Program Manager, TNR.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to direct Staff to prepare an appropriate request to overturn.

Motion carried:

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

Item 3 to be reposted on October 9, 2001.

PLANNING AND BUDGET DEPT ITEMS

4. CONSIDER STEPS TRAVIS COUNTY SHOULD TAKE IN ANTICIPATION OF ECONOMIC DOWNTURN, AND TAKE APPROPRIATE ACTION. (9:46 AM)

Members of the Court heard from: Christian Smith, Executive Manager, Planning and Budget Office (PBO); Ladd Pattillo, Travis County Financial Advisor; and Susan Spataro, Travis County Auditor.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we put a letter in final form, that we send a copy of it to all Elected and Appointed Officials and Department Heads, that we have a plentiful supply available, and that we indicate the Court’s intention to review this matter comprehensively, late December or early January.

Motion carried:

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

5. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, AND CONTRACTS:

- A. APPROVE GRANT APPLICATION WITH THE U.S. DEPARTMENTS OF JUSTICE, HEALTH & HUMAN SERVICES, AND LABOR IN JUSTICE AND PUBLIC SAFETY DEPARTMENT FOR A YOUNG OFFENDER INITIATIVE: RE-ENTRY GRANT PROGRAM. THIS APPLICATION IS SEEKING APPROVAL TO PARTICIPATE IN A NEW FEDERAL GRANT PROGRAM. (10:19 AM)

Members of the Court heard from: Alan Miller, Planning and Budget Analyst, PBO; and Kati Broderick, Manager, Research and Planning, Justice and Public Safety (JPS).

Motion by Commissioner Davis and seconded by Commissioner Gómez to approve Item 5.A.

Motion carried:

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

ITEM 5 CONTINUED

- B.** APPROVE GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR THE PROJECT SPOTLIGHT GRANT IN JUVENILE COURT. THIS CONTRACT CONTINUES THE PROGRAM FOR FY 02. (9:17 AM)

Clerk's Note: Item 5.B added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

- C.** APPROVE GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A JUVENILE APPREHENSION AND WARRANT SERVICE IN CONSTABLE PCT #5. THIS IS A NEW GRANT PROGRAM TO EXPAND THE NUMBER OF JUVENILE WARRANTS SERVED. (10:25 AM)

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

Discussion Only.

Item 5.C to be reposted on October 9, 2001.

- D.** APPROVE GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS FOR A PLOVER PLACE WATER LINES GRANT IN THE TRANSPORTATION & NATURAL RESOURCES DEPARTMENT. THIS IS A NEW GRANT PROGRAM TO PROVIDE WATER SERVICE FOR PLOVER PLACE DRIVE. (9:17 AM)

Clerk's Note: Item 5.D added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court's Motion and Vote.

6. CONSIDER STEPS NECESSARY TO HELP PLOVER PLACE RESIDENTS OPERATE AND MAINTAIN ITS WATER SYSTEM, AND TAKE APPROPRIATE ACTION. (COMMISSIONER GOMEZ) (10:29 AM)

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

Motion by Commissioner Gómez **and seconded by** Judge Biscoe to formally request the City of Austin to help work with us on this, and to request waiving the fees.

Motion carried:

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

7. APPROVE ORDER TO DIRECT DEPOSITING SALARY FUND MONIES INTO THE GENERAL FUND OF TRAVIS COUNTY. (9:17 AM)

Clerk’s Note: Item 7 added to Consent Items. Please refer to Agenda Item 1 (CONSENT ITEMS) for the Court’s Motion and Vote.

8. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (10:33 AM) (2:39 PM)

Members of the Court heard from: Leroy Nellis, Budget Manager, PBO; and Jessica Rio, Planning and Budget Analyst, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve budget amendments and transfers A1, A2, A4 – A7 (excluding A3).

Motion carried:

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

Item 8, Budget Amendment A3, to be reposted on October 9, 2001.

ADMINISTRATIVE OPERATIONS ITEMS

9. DISCUSS COUNTY SPACE AND FACILITIES ISSUES FOR FY 2002, AND TAKE APPROPRIATE ACTION. (10:36 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Jessica Rio, Planning and Budget Analyst, PBO; Roger El Khoury, Director, Facilities Management; and Dana DeBeauvoir, Travis County Clerk.

A Division of the Vote was requested by Commissioner Baxter on Item 9.

First Division of the Vote:

Motion by Judge Biscoe **and seconded by** Commissioner Baxter to approve funding for the West Command Center, the University Savings Building, the Holt Building, Smith Road Expansion, and the Travis County Administration Building; and on those, there would be the different points underneath that would be part of the Motion too. It would be not only the project and the amounts, but also the source of funding and the other information listed.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	absent
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 Gómez to approve the funding for the Precinct Four Office Building, the Rural Community and Health Clinic for Oak Hill and Pflugerville, and the Weatherization Center project amounts.

Motion carried:

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

Clerk’s Note: The Court, without objection, gave directions to Staff to look for a facility where we can move several County programs in a County complex; and to also work with the Space Planning Committee and see what plans are on that report regarding the Tax Office.

10. REVIEW AND APPROVE THE FOLLOWING PROPERTY AND LIABILITY CLAIM RECOMMENDATIONS: (10:52 AM) (11:24 AM) (2:35 PM)

- A. T.C.S.O. UNIT 250 – SETTLE
- B. TNR UNIT 2169 – SETTLE
- C. HEALTH & HUMAN SERV. – SETTLE
- D. TNR UNIT 1444 – SETTLE
- E. JOE PHILLIPS – DENY
- F. FLORA ESPINOSA – DENY
- G. CLARENCE NOLAN – DENY
- H. ROBERT BARTON – DENY
- I. JOHN DELEON – DENY

Clerk’s Note: Items 10.A – I are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Donna Stirman, Risk Management, HRMD; Terry Pickering, Major, Travis County Sheriff’s Office (TCSO); Stephen Williams, Executive Manager, Travis County Health, Human Services, and Veterans’ Services (TCHHS&VS); Dennis Miller, Safety Officer, TNR; and Clarence Nolan, Private Citizen.

Motion by Commissioner Gómez and seconded by Commissioner Davis to approve all claims, excluding Item 10.G.

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

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

Motion by Commissioner Davis and seconded by Judge Biscoe that the claim be settled in the amount specified in the recommendation for the loss of his bull, \$1,100.00.

Maker accept the Friendly Amendment by Judge Biscoe to reduce that we pay one half of the compensation claim, which is \$550.00.

Acceptance of the Friendly Amendment was made by Commissioner Davis.

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

11. APPROVE PERSONNEL AMENDMENTS. (9:17 AM)

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

PURCHASING OFFICE ITEMS

12. DISCLOSE RELATIONSHIP WITH KEY PERSON (SPOUSE), DISCUSS AND APPROVE ORDER WAIVING THE REQUIREMENTS OF DISCRETIONARY CONTRACTS PURSUANT TO SECTION 32.004(f) OF THE TRAVIS COUNTY ETHICS POLICY FOR THE PURPOSE OF APPROVING AN INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND AUSTIN-TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER FOR COMMUNITY ACTION NETWORK COORDINATOR PROGRAM EFFORTS - SAMUEL T. BISCOE, AND TAKE APPROPRIATE ACTION. (11:14 AM)

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

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve the order.

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

13. APPROVE CONTRACT MODIFICATIONS TO ADD STATE OF TEXAS FUEL DELIVERY FEES (MODIFICATION NO. 1) TO CONTRACT NO. 01T0205-LD, PETROLEUM TRADERS AND CONTRACT NO. 01T0206-LD, TRIPLE S PETROLEUM, FOR GASOLINE AND DIESEL FUEL; CONTRACTS APPROVED ON 8/14/01. (TNR) (COMMISSIONER GOMEZ) (11:15 AM)

Clerk’s Note: Items 13, 14, 15.A & B, 16, and 17 are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one Motion for Items 13, 14, 15.A & B, 16, and 17.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Items 13, 14, 15.A & B, 16, and 17.

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

14. APPROVE PURCHASE OF MODULAR SYSTEMS FURNITURE OFF STATE CONTRACT FROM HERMAN MILLER WORKPLACE RESOURCE, FOR THE DOMESTIC RELATIONS DIVISION. (DRO) (COMMISSIONER GOMEZ) (11:15 AM)

Clerk’s Note: Items 13, 14, 15.A & B, 16, and 17 are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one Motion for Items 13, 14, 15.A & B, 16, and 17. Please refer to Item 13 for a summary of the Court’s Motion and Vote.

15. APPROVE THE FOLLOWING ACTIONS TO CONTRACT NO. 01T0026-TF (MODIFICATION NO.1): (11:15 AM)
- A. APPROVE ASSIGNMENT OF CONTRACT FROM KENT DATACOMM TO AVNET, INC.
 - B. APPROVE A 12-MONTH EXTENSION, AVNET NETWORK SOLUTION DIVISION, FOR CISCO NETWORKING PRODUCTS/SERVICES; CONTRACT APPROVED ON 10/31/00. (COMMISSIONER GOMEZ)

Clerk's Note: Items 13, 14, 15.A & B, 16, and 17 are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one Motion for Items 13, 14, 15.A & B, 16, and 17. Please refer to Item 13 for a summary of the Court's Motion and Vote.

16. APPROVE CONTRACT AWARD FOR GROUNDS MAINTENANCE, IFB NO. B010109-RG, TO THE LOW BIDDER, VISTA-SCAPE, INC. (JUVENILE COURT) (COMMISSIONER GOMEZ) (11:15 AM)

Clerk's Note: Items 13, 14, 15.A & B, 16, and 17 are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one Motion for Items 13, 14, 15.A & B, 16, and 17. Please refer to Item 13 for a summary of the Court's Motion and Vote.

17. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO.1) TO CONTRACT NO. 01T0040-RG, TIRE DISTRIBUTION SYSTEM, INC., FOR FLAT TIRE & TUBE REPAIR AND REPLACEMENT; CONTRACT APPROVED ON 12/10/00. (COMMISSIONER GOMEZ) (11:15 AM)

Clerk's Note: Items 13, 14, 15.A & B, 16, and 17 are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one Motion for Items 13, 14, 15.A & B, 16, and 17. Please refer to Item 13 for a summary of the Court's Motion and Vote.

OTHER ITEMS

- 18.** DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (11:21 AM) (11:24 AM) (2:36 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and John Hille, Assistant County Attorney.

Judge Biscoe announced that Item 18 would be considered in Executive Session.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the contract modification to contract with Herndon Stauch for litigation services, and cap off the contract at \$150,000.00.

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

- 19.** DISCUSS ISSUES RELATED TO THE PURCHASE AND INSTALLATION OF THE NEW VOTING SYSTEM FOR THE COUNTY CLERK. (11:24 AM)

Item 19 to be reposted on October 9, 2001.

20. A. DISCUSS ISSUES RELATED TO THE CONDUCT OF THE NOVEMBER 6, 2001 ELECTIONS, AND TAKE APPROPRIATE ACTION. (11:24 AM) (1:50 PM)

Item 20.A to be reposted on October 9, 2001.

B. CONSIDER AN ORDER DESIGNATING A CHANGE OF AN EARLY VOTING POLLING PLACE, AND TAKE APPROPRIATE ACTION. (1:51 PM)

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 approve the list of Early Voting locations.

Motion carried:

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

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the order designating temporary branch, Early Voting polling place.

Motion carried:

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

C. APPROVE APPOINTMENTS OF PRESIDING JUDGES FOR THE CENTRAL COUNTING STATION FOR NOVEMBER 6, 2001 ELECTIONS. (1:52 PM)

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the list in Exhibit A, and order.

Motion carried:

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

ITEM 20 CONTINUED

D. APPROVE THE INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN FOR A NOVEMBER 6, 2001 JOINT ELECTION. (1:53 PM)

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk.

Item 20.D to be reposted on October 9, 2001.

21. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:17 AM)

Clerk's Note: Item 21 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

- 22. A. RECEIVE BRIEFING FROM COUNTY ATTORNEY’S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE PROGRAM, AND TAKE APPROPRIATE ACTION. ¹ (11:24 AM) (2:37 PM)

- B. 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 22.A and B are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 22.A and B would be considered in Executive Session.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we indicate to Fluor Daniel, and Paul Bruno, and their counsel, our willingness to engage in the proposed judicial mediation, contingent upon our using the provisions in the Texas Civil Practice Remedies Code, and to try to set that up as soon as possible.

Motion carried:

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

23. CONSIDER LAND ACQUISITION FOR THE PROPOSED SOUTHWEST METROPOLITAN PARK, AND TAKE APPROPRIATE ACTION. (COMMISSIONER BAXTER) ² (11:24 AM) (1:55 PM) (2:39 PM)

Judge Biscoe announced that Item 23 would be considered in Executive Session.

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez that we authorize Staff to counteroffer for the land acquisition, the subject tract in this Agenda Item, in the amount of \$18,000.00 per acre; and also to authorize Commissioner Baxter to sign an option to buy that subject parcel if that counteroffer is accepted.

Motion carried:

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

24. DISCUSS, APPROVE OR GIVE DIRECTION REGARDING THE REAL ESTATE ISSUES RELATING TO THE RELOCATION OF THE TRAVIS COUNTY SHERIFF’S WEST COMMAND CENTER FROM THE UNIVERSITY SAVINGS BUILDING TO WESTERN TRAVIS COUNTY, AND TAKE APPROPRIATE ACTION. ² (11:24 AM) (1:55 PM)

Judge Biscoe announced that Item 24 would be considered in Executive Session.

No action necessary on Item 24.

Item 24 to be reposted on October 9, 2001.

THE FOLLOWING IS AN ADDENDUM:

- A1.** APPROVE CONTRACT AWARD FOR A SUPPLEMENTAL CAPITAL IMPROVEMENT, FINANCIAL REPORTING DATABASE SYSTEM, RFP NO. P010033-LB, CONTRACT NO. PS010169-LB WITH THOMAS KELLY SOFTWARE ASSOCIATES, LLC. (TNR AND FACILITIES MANAGEMENT) (11:18 AM)

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

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item A1.

Motion carried:	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Karen Sonleitner	absent
	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. (2:40 PM)

Motion carried:	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Karen Sonleitner	absent
	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