

## **MINUTES – DECEMBER 4, 2001**

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

On Tuesday, the 4<sup>th</sup> day of December, 2001, the Commissioners' Court convened the regular Voting Session at 9:12 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 Melissa Velasquez.

The Commissioners' Court recessed the Voting Session at 12:02 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, called to order the Voting Session at 1:35 PM and adjourned at 1:35 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, called to order the Voting Session at 1:36 PM and adjourned at 2:03 PM.

The Commissioners' Court reconvened the regular Voting Session at 2:04 PM.

The Commissioners' Court retired to Executive Session at 2:35 PM.

The Commissioners' Court reconvened the Voting Session at 3:45 PM.

The Commissioners' Court adjourned the Voting Session at 3:58 PM.

**PUBLIC HEARINGS**

1. RECEIVE INPUT ON PROPOSED TRAVIS COUNTY ORDINANCE ADDRESSING NEW LEGISLATION THAT REQUIRES COUNTIES TO PROHIBIT OR REGULATE OWNERSHIP OF DANGEROUS WILD ANIMALS. TRAVIS COUNTY TENTATIVELY PLANS TO PROHIBIT SUCH WILD ANIMALS. (9:13 AM)

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

<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

**Members of the Court heard from:** David Lurie, Austin-Travis County Health and Human Services; Dorinda Pulliam, Austin-Travis County Animal Control Services; Mary Etta Gerhardt, Assistant County Attorney; Cindy Carroccio, Director, Austin Zoo; Charles Burton, Travis County Resident; Dr. Scott Eckles, Veterinarian; Rob Brown, Travis County Resident; and Robert Reese, Travis County Resident.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to close the public hearing.

<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

2. DISCUSS A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 525-527 AND LOTS 1295-1299, APACHE SHORES, SECTION 2 (AMENDED PLAT - 2 LOTS – 2.303 ACRES – HUNTERS PASS AND LITTLE BEAVER TRAIL, RESPECTIVELY – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – CITY OF AUSTIN ETJ). (COMMISSIONER BAXTER) (10:01 AM)

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

<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

**Members of the Court heard from:** Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); and Michael Simmons Smith, Representing owners of the property.

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

<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

**Clerk's Note:** The action Item for Item 2 is Agenda Item 15. Please refer to Agenda Item 15 for the Court's Motion and Vote.

3. DISCUSS A TEMPORARY ROAD CLOSURE OF NEW SWEDEN CHURCH ROAD FROM FM 973 TO AXEL LANE IN PRECINCT ONE. (COMMISSIONER DAVIS) (10:04 AM)

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

<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

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

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to close the public hearing.

<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	absent
	Precinct 4, Commissioner Margaret J. Gómez	yes

**Clerk's Note:** The action Item for Item 3 is Agenda Item 16. Please refer to Agenda Item 16 for the Court's Motion and Vote.

## CITIZENS COMMUNICATION

4. **Members of the Court heard from:** Scott Johnson, Advisor on air quality issues for the Sierra Club, the City of Austin, and the Clean Air Force. (10:06 AM) (10:10 AM)

**CONSENT ITEMS**

- 5. Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C4, and Items 12, 13, 14, 15, 16, 20, 23, 25, 26, 28, 30, 31.A and B, and 35. (10:07 AM)

<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

- 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 MEETINGS:
- A.** VOTING SESSION OF NOVEMBER 6, 2001;
  - B.** VOTING SESSION OF NOVEMBER 9, 2001;
  - C.** VOTING SESSION OF NOVEMBER 13, 2001; AND
  - D.** VOTING SESSION OF NOVEMBER 20, 2001.
- C4.** REAPPOINT CAROL OLEWIN TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #12, TERM EFFECTIVE UNTIL DECEMBER 2003. (COMMISSIONER DAVIS)

## TRANSPORTATION & NATURAL RESOURCES DEPT ITEMS

6. CONSIDER DEEDING TO THE CITY OF AUSTIN, 2.921 ACRES OF FEE SIMPLE PROPERTY THAT IS CURRENTLY USED AS YAGER LANE RIGHT-OF-WAY IN PRECINCT ONE, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) (9:12 AM)

Item 6 postponed until December 11, 2001.

7. CONSIDER COMMENTS TO BE SUBMITTED TO THE TEXAS DEPARTMENT OF TRANSPORTATION RELATING TO ITS RULEMAKING FOR THE CREATION OF REGIONAL MOBILITY AUTHORITIES. (COMMISSIONER DAVIS) (10:18 AM)

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

Discussion Only.

8. CONSIDER WAIVING THE FEE FOR THE COUNTY BASIC DEVELOPMENT PERMIT FOR HOME REPAIRS RESULTING FROM THE NOVEMBER 15, 2001 FLOOD EVENT, AND TAKE APPROPRIATE ACTION. (10:54 AM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we look at income eligibility, and use 125% of poverty as the guide; we look at remaining assets; we look at extent of damage caused by this flood; and we otherwise consider each case on a case by case basis.

<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

9. APPROVE INITIAL ISSUANCE OF BONDS AUTHORIZED IN 2001 FOR FISCAL YEAR 2002. (11:06 AM)

Item 9 to be reposted on December 11, 2001.

- 10.** APPROVE REIMBURSEMENT RESOLUTION TO PERMIT THE PURCHASE OF LAND FOR SOUTHEAST METROPOLITAN PARK. (COMMISSIONER GOMEZ) (11:06 AM)

Item 10 to be reposted on December 11, 2001.

- 11.** APPROVE REIMBURSEMENT RESOLUTION TO PERMIT THE PURCHASE OF LAND FOR SOUTHWEST METROPOLITAN PARK. (COMMISSIONER BAXTER) (11:06 AM)

Item 11 to be reposted on December 11, 2001.

- 12.** APPROVE A PRELIMINARY PLAN IN PRECINCT FOUR: MCKENZIE ACRES (PRELIMINARY PLAN – 80 LOTS – 101.27 ACRES - MCKENZIE ROAD – SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY ON-SITE SEWAGE FACILITY). (COMMISSIONER GOMEZ) (10:07 AM)

**Clerk's Note:** Item 12 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- 13.** APPROVE A CONSTRUCTION AGREEMENT AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT FOUR: BERDOLL FARMS PHASE ONE SECTION 4 - (LONG FORM PLAT - 85 LOTS – 16.712 ACRES - ROSS ROAD – FISCAL POSTED WITH CITY OF AUSTIN - SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN – COA ETJ). (COMMISSIONER GOMEZ) (10:07 AM)

**Clerk's Note:** Item 13 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

- 14.** APPROVE THE ASSIGNMENT OF THE FAIRWAYS OF BLACKHAWK LICENSE AGREEMENT AND ITS ACCOMPANYING SECURITY DEPOSIT TO THE CITY OF PFLUGERVILLE DUE TO ANNEXATION. (COMMISSIONER SONLEITNER) (10:07 AM)

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

15. APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 525-527 AND LOTS 1295-1299, APACHE SHORES, SECTION 2 (AMENDED PLAT - 2 LOTS – 2.303 ACRES – HUNTERS PASS AND LITTLE BEAVER TRAIL, RESPECTIVELY – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – CITY OF AUSTIN ETJ). (COMMISSIONER BAXTER) (10:07 AM)

**Clerk's Note:** Item 15 is the action Item for Agenda Item 2.

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

16. APPROVE A TEMPORARY ROAD CLOSURE OF NEW SWEDEN CHURCH ROAD FROM FM 973 TO AXEL LANE IN PRECINCT ONE. (COMMISSIONER DAVIS) (10:07 AM)

**Clerk's Note:** Item 16 is the action Item for Agenda Item 3.

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

17. CONSIDER THE REORGANIZATION OF THE PLANNING AND ENGINEERING DIVISION OF THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT AND THE CREATION OF A PUBLIC WORKS DEPARTMENT, AND TAKE APPROPRIATE ACTION. (COMMISSIONER BAXTER) (11:07 AM)

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

**Motion by Judge Biscoe and seconded by Commissioner Baxter** to approve the reorganization proposed by TNR, and to include working with Roger El Khoury, Director, Facilities Management.

<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



**PLANNING AND BUDGET DEPT ITEMS**

18.    **A. IDENTIFICATION OF SPECIAL CHALLENGES AND RECOMMENDED SOLUTIONS;** (9:13 AM)
- B. PROPOSAL FOR SPECIAL FINANCIAL SYSTEMS STRATEGY TEAM TO ADDRESS CERTAIN GASB-34 ISSUES AND RELATED BUDGET ISSUES;**
- C. CONSIDER APPLICATION OF 5% COMPENSATION TO GASB PERSONNEL AND FUNDING SOURCE.**

Items 18.A, B, and C postponed until December 11, 2001.

19.    **APPROVE BUDGET AMENDMENTS AND TRANSFERS.** (9:13 AM) (11:57 AM)

**Members of the Court heard from:** Alan Miller, Planning and Budget Analyst, Planning and Budget Office (PBO); and Valerie Spinelli, Planning and Budget Analyst, PBO.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve budget amendments and transfers.

<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

**ADMINISTRATIVE OPERATIONS ITEMS**

20.    **APPROVE REVISION AND DISTRIBUTION OF THE PUBLIC INFORMATION ACT DESIGNATION FORM TO ENSURE COMPLIANCE WITH TEXAS GOVERNMENT CODE, §552.117.** (10:07 AM)

**Clerk's Note:** Item 20 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

**21. DISCUSS AND TAKE APPROPRIATE ACTION ON PERFORMANCE PAY FOR RECLASSIFICATIONS. (9:13 AM) (11:57 AM)**

**Members of the Court heard from:** Linda Moore Smith, Director, Human Resources Management Department (HRMD); Norman McRee, Budget/Process Improvement Analyst, HRMD; Valerie Spinelli, Planning and Budget Analyst, PBO; Dinah Dinwiddie, Executive Manager, Justice and Public Safety (JPS); Alicia Perez, Executive Manager, Administrative Operations; and Christian Smith, Executive Manager, PBO.

Discussion Only.

**22. REVIEW AND APPROVE THE IMMEDIATE RELEASE OF REIMBURSEMENT PAYMENT TO UNITED HEALTH CARE FOR CLAIMS PAID FOR TRAVIS COUNTY EMPLOYEES AND DEPENDENTS COVERED BY THE HOSPITAL AND INSURANCE FUND – COUNTY EMPLOYEES FOR PAYMENT PERIOD OF NOVEMBER 16 – NOVEMBER 22, 2001. (10:09 AM) (11:57 AM) (3:49 PM)**

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; and Susan Spataro, Travis County Auditor.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve this claim in the amount of \$228,284.75.

<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

**23. APPROVE PERSONNEL AMENDMENTS. (10:07 AM)**

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

**PURCHASING OFFICE ITEMS**

- 24.** APPROVE AWARD OF CONTRACT NO. PS020012-LB WITH CORRECT STAFFING, INC. FOR THE PROVISION OF TEMPORARY PROFESSIONAL HEALTH CARE PROVIDER SERVICES. (SHERIFF) (COMMISSIONER GOMEZ) (11:58 AM) (3:58 PM)

**Members of the Court heard from:** John Hille, Assistant County Attorney.

Item 24 pulled from the Agenda.

- 25.** APPROVE CONTRACT AWARD FOR AUTOMOTIVE BATTERIES INVENTORY, IFB NO. B020008-LD, TO THE SOLE BIDDER, ARNOLD OIL CO. (TNR) (COMMISSIONER GOMEZ) (10:07 AM)

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

- 26.** APPROVE MODIFICATIONS TO THE FOLLOWING RESIDENTIAL TREATMENT PROGRAM CONTRACTS: (A) SHORELINE PS000199-KW; (B) THE BURKE FOUNDATION PS000101-KW; (C) PEGASUS SCHOOLS, INC. PS000230-KW; (D) AVALON CENTER, INC. PS000202-KW; (E) BROOKHAVEN YOUTH RANCH PS000212-KW; (F) LUTHERAN SOCIAL SERVICES PS000229-KW; (G) NEW ENCOUNTERS PS000246-KW. (JUVENILE PROBATION) (COMMISSIONER GOMEZ) (10:07 AM)

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

27. APPROVE CONTRACT AWARD FOR IMPERIAL DRIVE EXTENSION, IFB NO. B010706-DM, TO THE LOW, RESPONSIVE BIDDER, AARON CONCRETE CONTRACTORS, INC. (TNR) (COMMISSIONER DAVIS) (11:58 AM)

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

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 27; and that we, if necessary, come back as a separate Item to address the shortfall of \$6,946.00, and how we will address that particular shortfall.

**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

28. APPROVE ADDITION OF ONE (1) MICROFILM PRINTER, REMOVAL OF THREE PIECES OF EQUIPMENT AND APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT MA010050, LASON, INC., MAINTENANCE OF MICROFILM EQUIPMENT; CONTRACT APPROVED ON JANUARY 2, 2001. (TAX OFFICE, TNR, RMCR, TCSO) (COMMISSIONER GOMEZ) (10:07 AM)

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

29. DISCUSS AND TAKE APPROPRIATE ACTION IN REGARDS TO DISTRICT CLERK'S E-GOVERNMENT OPPORTUNITY (JURY IMPANELING) PROPOSAL FROM KPMG. (COMMISSIONER BAXTER) (2:06 PM)

**Members of the Court heard from:** Amalia Rodriguez Mendoza, Travis County District Clerk; and Cyd Grimes, Travis County Purchasing Agent.

**Motion by** Commissioner Baxter **and seconded by** Commissioner Gómez to approve the opportunity proposal.

**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

30. APPROVE INTERLOCAL AGREEMENT WITH EMERGENCY SERVICES DISTRICT #4 FOR FIREFIGHTER ACADEMY SERVICES (CONTRACT NO. IL020026-EF). (COMMISSIONER GOMEZ) (10:07 AM)

**Clerk's Note:** Item 30 added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

31. APPROVE ORDERS TO AUTHORIZE THE TRAVIS COUNTY PURCHASING AGENT TO UTILIZE THE JOB ORDER CONTRACT DELIVERY METHOD (TEX. LOCAL GOVT. CODE ANN. SECTION 271.111-271.121) TO PROCURE COUNTY-WIDE CONTRACTS: (COMMISSIONER GOMEZ) (10:07 AM)

A. WATER DAMAGE REMEDIATION AND DECONTAMINATION SERVICES;

B. MINOR CONSTRUCTION, REPAIR, REHABILITATION OR ALTERATION OF COUNTY-WIDE FACILITIES.

**Clerk's Note:** Items 31.A and B added to Consent Items. Please refer to Agenda Item 5 (CONSENT ITEMS) for the Court's Motion and Vote.

32. DISCUSS PURCHASE OF INMATE UNIFORMS, AND TAKE APPROPRIATE ACTION. (2:22 PM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; and Patty Eacret, Director, Fiscal and Personnel, Travis County Sheriff's Office (TCSO).

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve the contract exemption order, and authorize the purchasing agent to approve the contract modification.

<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

33. APPROVE AWARD OF CONTRACT NO. PS020049-LB WITH QUALITY FIRST SERVICES, INC. FOR WATER DAMAGE REMEDIATION AND DECONTAMINATION SERVICES AT THE GARDNER BETTS JUVENILE DETENTION CENTER MAIN BUILDING AND INTERMEDIATE SANCTIONS DETENTION BUILDING. (RISK MANAGEMENT) (9:13 AM) (2:25 PM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; Alicia Perez, Executive Manager, Administrative Operations; and Estella Medina, Chief Probation Officer, Juvenile Probation Department.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve Item 33.

<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

## OTHER ITEMS

34. DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (2:32 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to approve the contract modification with Schnurr Inc., in the amount of \$61,035.95.

<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

35. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:07 AM)

**Clerk's Note:** Item 35 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

36. A. RECEIVE BRIEFING FROM COUNTY ATTORNEY'S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE PROGRAM, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (2:35 PM) (3:45 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. <sup>1</sup>

**Clerk's Note:** Items 36.A and B are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 36.A and B would be considered in Executive Session.

No action necessary on Items 36.A and B.

Items 36.A and B to be reposted on December 11, 2001.

37. DISCUSS, APPROVE, OR TAKE ANY APPROPRIATE ACTION REGARDING THE LEASE AMENDMENT BETWEEN HARRY WHITTINGTON D/B/A TRAVIS PROPERTIES AND TRAVIS COUNTY FOR OFFICE SPACE LOCATED AT 209 WEST 9<sup>TH</sup> STREET. <sup>2</sup> (2:35 PM) (3:46 PM)

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

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we authorize the County Judge to execute an appropriate lease on behalf of the County for the space in the basement of 209 West 9<sup>th</sup> Street, which has been used by the County Attorney's Office, for an additional 6 months; and to approve the execution of the sublease for the 2<sup>nd</sup> floor.

<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

38. CONSIDER OPTION AND PURCHASE AGREEMENTS FOR ACQUISITION OF LAND FOR A PROPOSED EAST METRO PARK IN PRECINCT ONE, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) <sup>2</sup> (2:35 PM) (3:47 PM)

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

No action necessary on Item 38.

Item 38 to be reposted on December 11, 2001.

39. DISCUSS LAND ACQUISITION FOR THE PROPOSED SOUTHWEST METRO PARK, AND TAKE APPROPRIATE ACTION. (COMMISSIONER BAXTER) <sup>2</sup> (2:35 PM) (3:48 PM)

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

No action necessary on Item 39.

Item 39 to be reposted on December 11, 2001.



- 40.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN: ALEX ACOSTA NOTICE OF CLAIM (ACOSTA, EARLE, SECTION 1983). <sup>1</sup> (10:09 AM)

Item 40 postponed until December 11, 2001.

- 41.** RECEIVE LEGAL ADVICE FROM COUNTY ATTORNEY ON TRAVIS COUNTY VS. PETER VON WUPPERFELD, CAUSE NO. GV-001152, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (2:35 PM) (3:48 PM)

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

No action necessary on Item 41.

Item 41 to be reposted on December 18, 2001.

- 42.** RECEIVE BRIEFING FROM COUNTY ATTORNEY, AND TAKE APPROPRIATE ACTION REGARDING CLAIM BY CHRISTINA ARMIJO (ARMIJO; FRASIER; CONTRACT, PERSONAL INJURY). <sup>1</sup> (2:35 PM) (3:48 PM)

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

No action necessary on Item 42.

Item 42 to be reposted on December 11, 2001.

- 43.** AUTHORIZE COUNTY ATTORNEY TO HIRE EXPERT(S) IN JOE NATHAN MIDDLETON V. OFFICER J. HERNANDEZ #3123, ET AL. (MIDDLETON; FRASIER; 4<sup>TH</sup>, 6<sup>TH</sup>, 14<sup>TH</sup> AMENDMENT TO U.S. CONSTITUTION). <sup>1</sup> (2:35 PM) (3:48 PM)

Judge Biscoe announced that Item 43 would be considered in Executive Session.

No action necessary on Item 43.

Item 43 to be reposted on December 11, 2001.

**44. CONSIDERATION AND APPROVAL OF MEDIATION RESULTS IN DARBY V. TRAVIS COUNTY. (EMPLOYMENT) <sup>1 AND 3</sup> (2:35 PM) (3:48 PM)**

Judge Biscoe announced that Item 44 would be considered in Executive Session.

No action necessary on Item 44.

Item 44 to be reposted on December 18, 2001.

**THE FOLLOWING IS AN ADDENDUM:**

**A1. APPROVE THE ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS (LAKEVIEW APARTMENTS PROJECT) BY TRAVIS COUNTY HOUSING FINANCE CORPORATION. (2:34 PM)**

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

<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

## ADJOURNMENT

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (3:58 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**