

MINUTES – JANUARY 15, 2002

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 15th day of January, 2002, the Commissioners' Court convened the regular Voting Session at 9:13 AM in the Commissioners' Courtroom, 1st Floor of the Travis County Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners' Court retired to Executive Session at 10:44 AM.

The Commissioners' Court reconvened the regular Voting Session at 12:04 PM.

The Commissioners' Court recessed the Voting Session at 12:04 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 1:40 PM and adjourned at 1:41 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, called to order the Voting Session at 1:41 PM and adjourned at 1:51 PM.

The Commissioners' Court reconvened the regular Voting Session at 1:52 PM.

The Commissioners' Court adjourned the Voting Session at 1:58 PM.

3. DISCUSS PLAT FOR RECORDING IN PRECINCT THREE: BARTON CREEK LAKESIDE PHASE 7 - (LONG FORM PLAT – 21 LOTS – 50.39 ACRES – BALLINGER DRIVE - FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY AQUASOURCE - CITY OF AUSTIN ETJ). (COMMISSIONER MOORE) (9:20 AM)

Motion by Commissioner Moore **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 Margaret Moore yes
Precinct 4, Commissioner Margaret J. Gómez yes

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

Motion by Commissioner Moore **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 Margaret Moore yes
Precinct 4, Commissioner Margaret J. Gómez yes

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 12 for the Court’s Motion and Vote.

- 4. DISCUSS PLAT FOR RECORDING IN PRECINCT FOUR: RESUBDIVISION OF LOT 16, CAPITOL VIEW ESTATES - (SHORT FORM PLAT – 2 LOTS – 4.292 ACRES – CAPITOL VIEW DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY - CITY OF AUSTIN ETJ). (COMMISSIONER GOMEZ) (9:21 AM)

Motion by Commissioner Gómez **and seconded by** Commissioner Moore 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 Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

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

Motion by Commissioner Gómez **and seconded by** Commissioner Moore 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 Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 13 for the Court’s Motion and Vote.

CITIZENS COMMUNICATION

- 5. **Members of the Court heard from:** Ron Anderson, Private Citizen; and Binky Morgan, Private Citizen. (9:23 AM)

CONSENT ITEMS

6. Motion by Commissioner Gómez and seconded by Commissioner Davis to approve the following Consent Items: C1-C6, and Items 10, 11, 12, 13, 16.A-D, 17, 18, 19, 20, 21, 23.A and B, 24, 25, 29, 32, 33, and A1. (9:36 AM)

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Margaret Moore	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 AS FOLLOWS:

- A. VOTING SESSION OF DECEMBER 18, 2001;**
- B. VOTING SESSION OF DECEMBER 26, 2001; AND**
- C. VOTING SESSION OF JANUARY 2, 2002.**

C4. APPROVE COMMISSIONERS COURT CORRECTED MINUTES FOR VOTING SESSION OF JUNE 5, 2001.

C5. APPROVE A PUBLIC HEARING DATE OF FEBRUARY 5, 2002 TO HEAR DISCUSSION AND APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 2849 SQ. FT. DRAINAGE EASEMENT ALONG THE SIDE OF LOT 11, WESTCLIFF, SECTION 1A, A SUBDIVISION IN PRECINCT TWO. (COMMISSIONER SONLEITNER)

C6. APPROVE A PUBLIC HEARING DATE OF FEBRUARY 19, 2002 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 1, BLOCK ‘A’, AAA FACILITIES SUBDIVISION (SHORT FORM PLAT – 1 LOT – 9.056 ACRES – FM 2304 (MANCHACA ROAD) – NO FISCAL REQUIRED - SEWAGE SERVICE TO BE PROVIDED BY THE CITY OF AUSTIN – COA ETJ). (COMMISSIONER MOORE)

- 7. INTRODUCTION OF ELLIOTT BECK TO COMMISSIONERS COURT BY COUNTY ATTORNEY’S OFFICE. (9:29 AM)

Members of the Court heard from: Jim Collins, Executive Assistant County Attorney; Elliot Beck, Assistant County Attorney, Director of Collections Division; and Shirley Warren, Assistant County Attorney, Director of Collections Division.

Discussion Only.

TRANSPORTATION & NATURAL RESOURCES DEPT ITEMS

- 8. A. APPROVE THE USE OF ALTERNATE FISCAL FOR SPILLMAN RANCH PHASE ONE SECTION ONE, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER MOORE) (9:39 AM)
- B. APPROVE CASH SECURITY AGREEMENT FOR SPILLMAN RANCH PHASE ONE SECTION ONE, A SUBDIVISION IN PRECINCT THREE.

Clerk’s Note: Items 8.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.

Motion by Commissioner Moore **and seconded by** Commissioner Gómez to approve Items 8.A and B.

Motion carried:

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

- 9. DISCUSS ISSUES RELATED TO THE MAINTENANCE OF BOCK ROAD AND MARGO ROAD IN SOUTHEAST TRAVIS COUNTY AND APPROVE INTERLOCAL AGREEMENT WITH THE CITY OF MUSTANG RIDGE FOR ROAD MAINTENANCE. (COMMISSIONER GOMEZ) (9:41 AM)

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

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the interlocal agreement with the City of Mustang Ridge, and, as soon as possible, to blade and oil Bock Road.

Motion carried:

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

- 10. APPROVE THE PARTIAL CANCELLATION OF LOTS 16 - 26, BLOCK M OF RIVER PLACE SECTION 16 – COA ETJ). (COMMISSIONER SONLEITNER) (9:36 AM)

Clerk’s Note: Agenda Item 10 is the action item for the public hearing on Item 1.

Clerk’s Note: The Court agreed that approval of Item 10 would be conditioned upon the developer obtaining permission from the Municipal Utility District in River Place for any re-plat.

Clerk’s Note: Item 10 added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 11. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF VALLEY LAKE HILLS, SECTION ONE LOTS 14 AND 15, BLOCK DD - (SHORT FORM PLAT – 1 LOT – 0.363 ACRES – LITTLE CREEK CIRCLE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY - OUTSIDE ETJ). (COMMISSIONER MOORE) (9:36 AM)

Clerk’s Note: Agenda Item 11 is the action item for the public hearing on Item 2.

Clerk’s Note: Item 11 added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 12. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: BARTON CREEK LAKESIDE PHASE 7 - (LONG FORM PLAT – 21 LOTS – 50.39 ACRES – BALLINGER DRIVE - FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY AQUASOURCE - CITY OF AUSTIN ETJ). (COMMISSIONER MOORE) (9:36 AM)

Clerk’s Note: Agenda Item 12 is the action item for the public hearing on Item 3.

Clerk’s Note: Item 12 added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 13. APPROVE PLAT FOR RECORDING IN PRECINCT FOUR: RESUBDIVISION OF LOT 16, CAPITOL VIEW ESTATES - (SHORT FORM PLAT – 2 LOTS – 4.292 ACRES – CAPITOL VIEW DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY - CITY OF AUSTIN ETJ). (COMMISSIONER GOMEZ) (9:36 AM)

Clerk’s Note: Agenda Item 13 is the action item for the public hearing on Item 4.

Clerk’s Note: Item 13 added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court’s Motion and Vote.

JUSTICE AND PUBLIC SAFETY ITEMS

- 14. DISCUSS ADDITION OF NEW MEMBERS TO THE COMMUNITY JUSTICE CENTER ADVISORY COMMITTEE AND, TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) (9:47 AM)

Members of the Court heard from: Kati Broderick, Manager, Research and Planning, Justice and Public Safety (JPS); and Kimberly Pierce, JPS.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve the recommended new members.

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

16. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE. (9:36 AM)
- A. APPROVE GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT IN JUVENILE COURT. THE GRANT CONTINUES THE PROGRAM FOR FY 03.
 - B. APPROVE GRANT APPLICATION TO THE US DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR THE FY 2002 STATE CRIMINAL ALIEN ASSISTANCE PROGRAM. THE GRANT IS THE ANNUAL REIMBURSEMENT OF COUNTY EXPENSES FOR FY 2002.
 - C. APPROVE GRANT CONTRACT TO AUSTIN/TRAVIS COUNTY MHMR, FOR A COMMUNITY RESOURCE COORDINATION GROUP COORDINATOR GRANT IN JUVENILE COURT. THE GRANT CONTINUES THE PROGRAM FOR FY 02.
 - D. APPROVE GRANT CONTRACT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY THROUGH THE STATE DIVISION OF EMERGENCY MANAGEMENT FOR HAZARD MITIGATION (ONION CREEK BUYOUT PROGRAM) IN TRANSPORTATION & NATURAL RESOURCES. THE GRANT CONTRACT PROVIDES ADDITIONAL SUPPLEMENTAL FUNDING FOR THE PROGRAM.

Clerk's Note: Items 16.A-D added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court's Motion and Vote.

17. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:36 AM)

Clerk's Note: Item 17 added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court's Motion and Vote.

ADMINISTRATIVE OPERATIONS ITEMS

18. REVIEW AND APPROVE THE IMMEDIATE RELEASE OF REIMBURSEMENT PAYMENT TO UNITED HEALTH CARE FOR CLAIMS PAID FOR TRAVIS COUNTY EMPLOYEES & DEPENDENTS COVERED BY THE HOSPITAL AND INSURANCE FUND FOR PAYMENT OF \$260,170.87 FOR THE PERIOD OF DECEMBER 28, 2001 – JANUARY 3, 2002. (9:36 AM)

Clerk's Note: Item 18 added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court's Motion and Vote.

19. APPROVE PERSONNEL AMENDMENTS. (9:36 AM)

Clerk's Note: Item 19 added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court's Motion and Vote.

PURCHASING OFFICE ITEMS

20. APPROVE CONTRACT AWARD TO CAMP EXCAVATING & CONTRACTING, INC. FOR THE PROVISION OF CONSTRUCTION SERVICES FOR THE NEW SWEDEN CHURCH ROAD RECONSTRUCTION PROJECT, IFB #B020700-JJ. (TNR) (COMMISSIONER DAVIS) (9:36 AM)

Clerk's Note: Item 20 added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court's Motion and Vote.

21. APPROVE INTERLOCAL AGREEMENT NO. IL020076-JW FOR THE JUVENILE JUSTICE ALTERNATIVE EDUCATION COOPERATIVE OF TRAVIS COUNTY TO PROVIDE AN ALTERNATIVE EDUCATION PROGRAM FOR EXPELLED STUDENTS IN COUNTIES WITH POPULATIONS GREATER THAN 125,000. (JUVENILE PROBATION) (COMMISSIONER GOMEZ) (9:36 AM)

Clerk's Note: Item 21 added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court's Motion and Vote.

22. A. DISCLOSE RELATIONSHIP WITH KEY CONTRACTING 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 A CONTRACT BETWEEN TRAVIS COUNTY AND AUSTIN-TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER - SAMUEL T. BISCOE, AND TAKE APPROPRIATE ACTION. (DRUG COURT/ S.H.O.R.T.) (9:37 AM)
- B. APPROVE INTERLOCAL AGREEMENT NO. IL020072-EF WITH THE AUSTIN/TRAVIS COUNTY MENTAL HEALTH AND MENTAL RETARDATION CENTER, DUAL DIAGNOSIS DRUG COUNSELING. (DRUG COURT/S.H.O.R.T.) (COMMISSIONER GOMEZ)

Clerk's Note: Judge Biscoe announced that Items 22.A and B are posted to publicly notify a relationship with a key contracting person.

Items 22.A and B to be reposted on January 22, 2002.

23. APPROVE CONTRACT AWARDS FOR ASPHALTIC ROAD MATERIALS, IFB #B020016-EH, TO THE LOW BIDDERS AS FOLLOWS: (TNR) (9:36 AM)
- A. CAPITOL AGGREGATES, LTD., AS PRIMARY CONTRACTOR FOR LINE ITEMS 1, 3, 4, 5 (A THROUGH D FOR EACH), 2A AND 2B WITH INDUSTRIAL ASPHALT, INC., AS THE SECONDARY CONTRACTOR;
- B. INDUSTRIAL ASPHALT, INC., AS PRIMARY CONTRACTOR FOR LINE ITEMS 2C AND 2D WITH CAPITOL AGGREGATES, INC., AS THE SECONDARY CONTRACTOR. (COMMISSIONER GOMEZ)

Clerk's Note: Items 23.A and B added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court's Motion and Vote.

24. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 00T0160-JP, GASTON AND SHEEHAN AUCTIONEERS, INC. FOR AUCTIONEER SERVICES, SURPLUS, SALVAGED, SEIZED AND ABANDONED PROPERTY; CONTRACT APPROVED ON 3/21/00. (TNR) (COMMISSIONER GOMEZ) (9:36 AM)

Clerk's Note: Item 24 added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court's Motion and Vote.

- 25. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 00T0086-JP, DUNBAR ARMORED, INC. FOR ARMORED CAR SERVICE; CONTRACT APPROVED ON 2/15/00. (COUNTY TREASURER) (COMMISSIONER GOMEZ) (9:36 AM)

Clerk’s Note: Item 25 added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court’s Motion and Vote.

OTHER ITEMS

- 26. DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (10:19 AM)

No action necessary on Item 26.

- 27. CONSIDER WORKLOAD RE-DISTRIBUTION OF CONSTABLE PRECINCT FIVE, AND TAKE APPROPRIATE ACTION. (9:14 AM) (10:19 AM)

Members of the Court heard from: Carlos Lopez, Chief Deputy, Constable Precinct 5; and Jim Connolly, Assistant County Attorney.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the proposal before us, and unless the Court objects, I would be happy to try to work with the Constables’ Offices to implement this.

Motion carried:

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

- 28. DISCUSS COMMITTEE ASSIGNMENTS FOR COMMISSIONERS COURT MEMBERS, AND TAKE APPROPRIATE ACTION. (9:14 AM)

Item 28 postponed until January 22, 2002.

- 29. APPROVE RESOLUTION FOR THE ISSUANCE OF BONDS BY THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #7. (COMMISSIONER SONLEITNER AND COMMISSIONER MOORE) (9:14 AM) (9:36 AM)

Clerk’s Note: Item 29 added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 30. APPROVE ISSUANCE OF MULTIFAMILY HOUSING MORTGAGE REVENUE BONDS (CIRCLE S APARTMENTS) SERIES 2002A AND TAXABLE MULTIFAMILY HOUSING MORTGAGE REVENUE BONDS (CIRCLE S APARTMENTS) SERIES 2002B BY TRAVIS COUNTY HOUSING FINANCE CORPORATION. (9:14 AM) (1:52 PM)

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 30.

Motion carried:

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

- 31. APPROVE ISSUANCE OF MULTIFAMILY HOUSING MORTGAGE REVENUE BONDS (WESTCHESTER WOODS APARTMENTS) SERIES 2002A AND TAXABLE MULTIFAMILY HOUSING MORTGAGE REVENUE BONDS (WESTCHESTER WOODS APARTMENTS) SERIES 2002B BY TRAVIS COUNTY HOUSING FINANCE CORPORATION. (9:14 AM) (1:52 PM)

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

Motion carried:

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

- 32. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF DECEMBER 2001. (9:36 AM)

Clerk’s Note: Item 32 added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 33.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:36 AM)

Clerk's Note: Item 33 added to Consent Items. Please refer to Agenda Item 6 (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

- 34.** **A.** RECEIVE BRIEFING FROM COUNTY ATTORNEY'S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE PROGRAM, AND TAKE APPROPRIATE ACTION. ¹ (10:44 AM) (1:53 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 34.A and B are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 34.A and B would be considered in Executive Session.

No action necessary on Items 34.A and B.

Items 34.A and B to be reposted on January 22, 2002.

- 35.** DISCUSS, APPROVE OR TAKE APPROPRIATE ACTION REGARDING REAL ESTATE ISSUES RELATED TO NORTH RURAL COMMUNITY CENTER AND CLINIC. ² (10:44 AM) (1:53 PM)

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

No action necessary on Item 35.

Item 35 to be reposted on January 22, 2002.

- 36.** DISCUSS, APPROVE, OR TAKE ANY APPROPRIATE ACTION REGARDING REAL ESTATE ISSUES RELATED TO 201 WEST FIFTH STREET LEASE. ² (10:44 AM) (1:53 PM)

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

No action necessary on Item 36.

Item 36 to be reposted on January 22, 2002.

- 37.** DISCUSS, APPROVE, OR TAKE ANY APPROPRIATE ACTION REGARDING REAL ESTATE ISSUES RELATED TO WEST NINTH STREET. ² (10:44 AM) (1:53 PM)

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

No action necessary on Item 37.

Item 37 to be reposted on January 22, 2002.

- 38.** RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY V. DAVID LUX, AND TAKE APPROPRIATE ACTION. ¹ (10:44 AM) (1:53 PM)

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

Item 38 to be reposted on January 22, 2002.

- 42. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN: GILBERT VELASQUEZ V. SHERIFF TERRY KEEL. ¹ (10:44 AM) (1:54 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez that we accept the offer of \$15,000.00 to settle this case, and get a full release from the Velasquez Estate.

Motion carried:

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

- 43. RECEIVE LEGAL ADVICE FROM COUNTY ATTORNEY ON TRAVIS COUNTY VS. PETER VON WUPPERFELD, CAUSE NO. GV-001152, AND TAKE APPROPRIATE ACTION. ¹ (10:44 AM) (1:55 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis that an appropriate letter be sent to Mr. Von Wupperfeld in relation to property at 5511 Jim Hogg, to inform him that \$883.54 is not owed to Travis County.

Maker and Second accept the Friendly Amendment by Judge Biscoe for the letter to indicate to Mr. Peter Von Wupperfeld that it is the finding of the Commissioners Court that there is a problem with the notice, and it seems to have been sent to his brother Mike, rather than to him.

Acceptance of the Friendly Amendment was made by Commissioner Sonleitner and Commissioner Davis.

Motion carried:

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

- 44. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING TRAVIS COUNTY V. ARK MUSIC, INC. AND TAKE APPROPRIATE ACTION. ¹ (10:44 AM) (1:56 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 February 5, 2002.

- 45. RECEIVE BRIEFING FROM COUNTY ATTORNEY, AND TAKE APPROPRIATE ACTION REGARDING CLAIM BY CHRISTINA ARMIJO (ARMIJO; FRASIER; CONTRACT, PERSONAL INJURY). ¹ (10:44 AM) (1:56 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Gómez that we formally approve the settlement of this matter, with us paying ½ of the \$465.00 owed to Ms. Armijo, which should be \$232.50, in exchange for a full release.

Motion carried:

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

- 46. RECEIVE STATUS REPORT AND LEGAL ADVICE ON U.S. JUSTICE DEPARTMENT’S PRE-CLEARANCE OF TRAVIS COUNTY REDISTRICTING PLAN FOR COMMISSIONERS, CONSTABLES AND JUSTICES OF THE PEACE, AND TAKE APPROPRIATE ACTION. ¹ (10:44 AM) (1:57 PM)

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

No action necessary on Item 46.

- 47. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER OFFER FOR SETTLEMENT AND/OR TAKE APPROPRIATE ACTION CONCERNING THE MATTER OF ROCKNEY RABY AND DAVID LOPEZ. ^{1 AND 3} (10:44 AM) (1:57 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Gómez that we accept the counter to the counteroffer in the amount of \$37,500.00 for each plaintiff, and that we receive in exchange a full release from both parties.

Motion carried:

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

THE FOLLOWING IS AN ADDENDUM:

- A1. APPROVE LICENSE AGREEMENT WITH ANDREW DESJARDINS D/B/A SOUTHWEST PICTURES FOR USE OF OLD COUNTY JAIL IN THE TRAVIS COUNTY COURTHOUSE FOR FILMING ON JANUARY 18 AND/OR 19, 2002. (9:36 AM)

Clerk’s Note: Item A1 added to Consent Items. Please refer to Agenda Item 6 (CONSENT ITEMS) for the Court’s Motion and Vote.

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to adjourn the Voting Session. (1:58 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge