

MINUTES – FEBRUARY 12, 2002

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 12th day of February, 2002, the Commissioners' Court convened the regular Voting Session at 9:14 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 10:30 AM.

The Commissioners' Court reconvened the Voting Session at 12:16 PM.

The Commissioners' Court recessed the Voting Session at 12:17 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 1:39 PM and adjourned at 1:39 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, called to order the Voting Session at 1:39 PM and adjourned at 1:45 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation, the Capital Health Facilities Development Corporation, the Capital Industrial Development Corporation, the Travis County Development Authority, and the Travis County Cultural Education Facilities Finance Corporation, called to order the Voting Sessions at 1:45 PM and adjourned at 1:46 PM.

The Commissioners' Court reconvened the regular Voting Session at 1:46 PM.

The Commissioners' Court retired to Executive Session at 1:46 PM.

The Commissioners' Court reconvened the Voting Session at 3:19 PM.

The Commissioners' Court adjourned the Voting Session at 3:31 PM.

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

RESOLUTIONS & PROCLAMATIONS

1. APPROVE PROCLAMATION DECLARING WEEK OF FEBRUARY 9-16, 2002 AS “INSURE-A-KID AWARENESS WEEK” IN TRAVIS COUNTY. (JUDGE BISCOE) (9:14 AM)

Members of the Court heard from: Valerie Wenger, Insure A Kid.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 1.

Motion carried:

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

CITIZENS COMMUNICATION

2. **Members of the Court heard from:** Kenneth Snyder, Private Citizen; and Gus Peña, President of East Austin Concerned Hispanics, and Second Vice President, The Rainbow Coalition. (9:19 AM)

CONSENT ITEMS

- 3. Motion by** Commissioner Gómez **and seconded by** Commissioner Moore to approve the following Consent Items: C1-C8, and Items 6, 7.A and B, 8, 12.A and B, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26.A and B, 27, 28, 30, and 35. (9:27 AM)

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
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 FOR THE FOLLOWING MEETING DATES:
- A.** VOTING SESSION OF JANUARY 15, 2002;
 - B.** VOTING SESSION OF JANUARY 16, 2002; AND
 - C.** VOTING SESSION OF JANUARY 22, 2002.
- C4.** APPOINT THE FOLLOWING DEPUTY CONSTABLES FOR PRECINCT 5 FOR 2002: DAVID E. BINTLIFF, L. BLAYLOCK, JOHN C. CALLIS, MICHAEL L. CARTER, CRAIG CASEY, RICHARD G. COPELAND, EDWARD E. CURRY, SANDRA M. DOUGLAS, MILDRED D. HAGAN, RUBY L. JOHNSON, MORRIS ERWIN KOCH, MICHAEL LANG, CARLOS B. LOPEZ, DENISE R. LOZANO, DAVID M. MORRIS, MIRACLE M. MOUNT, DALE E. MULTER, ROGER J. PARKER, SCOTT M. PARKER, JR., ALAN J. REDD, DEBBIE RICKETSON, KENNETH RUSH, LUCY E. SPARKS-NEYENS, JOHNNY TENORIO AND RONALD G. WALKER.
- C5.** APPROVE SETTING A PUBLIC HEARING DATE OF MARCH 5, 2002 FOR APPROVAL OF A PROPOSED STREET NAME CHANGE FROM POINT VIEW DRIVE TO "POINTE VIEW DRIVE" IN LAKE POINTE SECTION 6, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER MOORE)

ITEM 3 (CONSENT ITEMS) CONTINUED

- C6.** APPROVE SETTING A PUBLIC HEARING DATE OF MARCH 5, 2002 DISCUSS AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A 5' PUBLIC UTILITY 10' DRAINAGE EASEMENT ALONG BOTH SIDES OF THE COMMON LOT LINE OF LOTS 312 AND 313, APACHE SHORES FIRST INSTALLMENT, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER MOORE)
- C7.** APPROVE SETTING A PUBLIC HEARING DATE OF MARCH 19, 2002 TO APPROVE A PLAT FOR RECORDING IN PRECINCT ONE: SCENIC POINT, PHASE FOUR - (LONG FORM PLAT – 21 LOTS – 4.7 ACRES – JOHNNY MORRIS ROAD & POINT NORTH DRIVE – FISCAL POSTED WITH THE CITY OF AUSTIN – SEWAGE SERVICE TO BE PROVIDED BY THE, COA ETJ). (COMMISSIONER DAVIS)
- C8.** RATIFY APPROVAL OF PROCLAMATION FOR AUSTIN INDEPENDENT SCHOOL DISTRICT RECOGNIZING THE MONTH OF FEBRUARY 2002 AS "AFRICAN-AMERICAN HERITAGE MONTH". (JUDGE BISCOE)
- 4.** INTRODUCTION OF GARY MARTIN TO COMMISSIONERS COURT. (COUNTY ATTORNEY'S OFFICE) (9:31 AM)

Members of the Court heard from: Jim Collins, Executive Assistant County Attorney; and Gary Martin, Assistant County Attorney.

Discussion Only.

HEALTH AND HUMAN SERVICES ITEMS

5. APPROVE THE EXPENDITURE OF FUNDS TO ABATE NUISANCE CONDITIONS AT THE FOLLOWING PROPERTIES: (9:35 AM)
- A. 0 WESTWARD HO TRAIL;
 - B. 1715 MILLHOUSE DRIVE;
 - C. 2305 SPRING WAGON LANE; AND
 - D. 6200 FM 973 NORTH.

Item 5.B pulled from the Agenda.

Clerk's Note: Items 5.A, C, and D are associated with one another and were called for concurrent discussion.

Members of the Court heard from: David Lurie, Director, Austin-Travis County Health and Human Services; Dr. Steve Harris, Travis County Health Authority; Mario Seminara, Manager, HHSD Environmental and Consumer Health; Collin Welsch, Assistant County Attorney; and Cyd Grimes, Travis County Purchasing Agent.

Motion by Judge Biscoe **and seconded by** Commissioner Moore to approve Items 5.A, C, and D, and to go ahead and abate the properties.

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

ADMINISTRATIVE OPERATIONS ITEMS

6. 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 \$432,191.20 FOR PERIOD OF JANUARY 25, 2002 TO JANUARY 31, 2002. (9:27 AM)

Clerk's Note: Item 6 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

7. A. REVIEW AND APPROVE TUITION REFUNDS FOR EMPLOYEES WHO HAVE COMPLETED CLASSES IN ACCORDANCE WITH TUITION REIMBURSEMENT POLICY §10.021. (9:27 AM)

- B. APPROVE REQUISITION AND AUTHORIZE THE COUNTY AUDITOR AND TREASURER'S OFFICE TO REIMBURSE EMPLOYEES AS LISTED.

Clerk's Note: Items 7.A and B added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

8. APPROVE PERSONNEL AMENDMENTS. (9:27 AM)

Clerk's Note: Item 8 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

TRANSPORTATION & NATURAL RESOURCES DEPT ITEMS

9. A. APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN CAMBRIDGE HEIGHTS PHASE 'A' SECTIONS 1-A, 1-B, & SECTION 2 & 3; PHASE 'B' SECTION 1, AND PHASE 'C' SECTIONS 1 & 2, SEVEN SUBDIVISIONS IN PRECINCT TWO. (COMMISSIONER SONLEITNER) (9:50 AM)

- B. APPROVE LICENSE AGREEMENT WITH CAMBRIDGE HEIGHTS OWNERS ASSOCIATION, INC. FOR LANDSCAPING, IRRIGATION AND ENTRY SIGNAGE IN THE RIGHT-OF-WAYS OF CAMBRIDGE HEIGHTS PHASE A SECTION 1-A AND PHASE C SECTION 1, TWO SUBDIVISIONS IN PRECINCT TWO. (COMMISSIONER SONLEITNER)

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Items 9.A and B.

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

10. APPROVE A CASH SECURITY AGREEMENT FOR DRAINAGE IMPROVEMENTS TO RIVER HILLS ROAD IN REFERENCE TO SEVEN OAKS SECTION 4, A SUBDIVISION IN PRECINCT 3. (COMMISSIONER MOORE) (9:53 AM)

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

Motion by Commissioner Moore **and seconded by** Commissioner Gómez to approve Item 10.

Motion carried:

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

11. A. APPROVE AN ALTERNATE FISCAL AGREEMENT FOR WESTCHESTER WOODS, A SUBDIVISION IN PRECINCT TWO. (COMMISSIONER SONLEITNER) (9:56 AM)

- B. APPROVE A CASH SECURITY AGREEMENT WITH WESTCHESTER WOODS, LTD. FOR THE PURPOSE OF POSTING ALTERNATIVE FISCAL FOR THE EXTENSION OF HEATHERWILDE BOULEVARD, BOUNDARY STREET TO WESTCHESTER WOODS, IN PRECINCT 2. (COMMISSIONER SONLEITNER)

Clerk's Note: Items 11.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 Sonleitner **and seconded by** Commissioner Gómez to approve Items 11.A and B.

Motion carried:

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

PLANNING AND BUDGET DEPT ITEMS

- 12.** REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE. (9:27 AM)

A. APPROVE GRANT CONTRACT WITH THE TEXAS PARKS AND WILDLIFE DEPARTMENT TO COMPLETE THE FINAL GRANT TASK (CONSTRUCTION OF A CLIMBING WALL) AT SOUTHEAST METROPOLITAN PARK. THE AMENDMENT EXTENDS THE TERM OF THE GRANT TO MAY 31, 2002.

B. APPROVE GRANT CONTRACT WITH THE RSVP ADVISORY COUNCIL TO FUND THE SENIORS AND VOLUNTEERS FOR CHILDHOOD IMMUNIZATION PROGRAM FOR FY02 IN THE HEALTH AND HUMAN SERVICES DEPARTMENT. THE GRANT CONTINUES THE PROGRAM FOR FY 02.

Clerk's Note: Items 12.A and B added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 13.** CONSIDER RECONVENING THE CITIZENS ADVISORY COMMITTEE ON ELECTED OFFICIALS SALARIES AND THE APPOINTMENT OF NEW MEMBERS AND TAKE APPROPRIATE ACTION. (9:58 AM)

Members of the Court heard from: Christian Smith, Executive Manager, Planning and Budget Office (PBO); and Diana Ramirez, Senior Planning and Budget Analyst, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we reconvene with the 8 members that we have, and that we ask Scott Ozmun, Travis County Democratic Party Chair, to designate a person, and that brings us up to 9 members; that we advise the advisory committee that, for us to incorporate their recommendations into the next budget process, we will need the recommendations by July 1, 2002; and that again, we thank them profusely, and we appreciate their willingness to take it on again.

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

- 14.** APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:27 AM)

Clerk's Note: Item 14 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

PURCHASING OFFICE ITEMS

- 15.** APPROVE A 12-MONTH EXTENSION TO CONTRACT NO. PS010062-JS (MODIFICATION NO. 1) WITH THE COMMUNITY PARTNERSHIP FOR THE HOMELESS FOR TRANSITIONAL HOUSING SERVICES FOR VETERANS. (HHSD) (COMMISSIONER GOMEZ) (9:14 AM)

Item 15 postponed until February 19, 2002.

- 16.** APPROVE RATIFICATION AND MODIFICATION NO. 9 TO CONTRACT NO. PS960295-KW WITH AUSTIN CHILD GUIDANCE CENTER (ACGC), FOR PROVIDING MENTAL HEALTH TREATMENT AND CONSULTATION SERVICES TO JUVENILE OFFENDERS. (COMMISSIONER GOMEZ) (9:14 AM)

Item 16 postponed until February 19, 2002.

- 17.** APPROVE PURCHASE OF TWO (2) AMBULANCES FROM THE HOUSTON-GALVESTON AREA COUNCIL, INTERLOCAL AGREEMENT IL98-98858; APPROVED ON 1/27/98. (JUSTICE & PUBLIC SAFETY) (9:27 AM)

Clerk's Note: Item 17 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

- 18.** APPROVE MODIFICATION NO. 1 (CONTRACT NO. 02C00087-MP) TO PURCHASE A FOURTH TAPE DRIVE, UNIQUE DIGITAL TECHNOLOGY, INC; CONTRACT APPROVED ON 12/26/01. (I.T.S.) (COMMISSIONER GOMEZ) (9:27 AM)

Clerk's Note: Item 18 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

19. APPROVE CONTRACT AWARD FOR STAFF SHIRTS, IFB NO. B020031-DR TO THE LOW BIDDERS, PROMOTION AT WORKS, INC. AND STITCH BY STITCH EMBROIDERY. (JUVENILE PROBATION) (COMMISSIONER GOMEZ) (9:27 AM)

Clerk's Note: Item 19 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

20. APPROVE CONTRACT AWARD FOR WHEEL ALIGNMENT MACHINE AND VEHICLE LIFT, IFB. NO. B020012-EH, TO THE LOW AND RESPONSIVE BIDDER, ALAMO IRON WORKS. (TNR) (COMMISSIONER GOMEZ) (9:27 AM)

Clerk's Note: Item 20 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

21. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 00T0235-JP, TEXAS ENVIRONMENTAL SERVICE FOR BIOHAZARDOUS WASTE REMOVAL; CONTRACT APPROVED ON 4/25/00. (MEDICAL EXAMINER'S AND SHERIFF'S OFFICES) (COMMISSIONER GOMEZ) (9:27 AM)

Clerk's Note: Item 21 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

22. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 01T0116-RV, NALCO DIVERSIFIED TECHNOLOGIES, INC. FOR WATER TREATMENT SERVICES; CONTRACT APPROVED ON 4/24/01. (COUNTYWIDE) (COMMISSIONER GOMEZ) (9:27 AM)

Clerk's Note: Item 22 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

23. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 01T0069-OJ, FORTE MANAGED CARE, INC. FOR MEDICAL AUDIT SERVICES; CONTRACT APPROVED ON 2/27/01. (HRMD) (COMMISSIONER GOMEZ) (9:27 AM)

Clerk's Note: Item 23 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

24. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 01T0068-OJ, BARRON RISK MANAGEMENT SERVICES, FOR THIRD PARTY ADMINISTRATION; CONTRACT APPROVED ON 2/27/01. (HRMD) (COMMISSIONER GOMEZ) (9:27 AM)

Clerk's Note: Item 24 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

25. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 01T0056-MP, AUSTIN AMERICAN STATESMAN FOR NEWSPAPER ADVERTISING SERVICE; CONTRACT APPROVED ON 2/6/01. (PURCHASING OFFICE) (COMMISSIONER GOMEZ) (9:27 AM)

Clerk's Note: Item 25 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

26. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 1) TO THE FOLLOWING CONTRACTS FOR FENCE CONSTRUCTION AND REMOVAL, AND ADDITION OF A LINE ITEM TO CONTRACT NO. 01T0091-LD; CONTRACTS APPROVED ON 3/13/01. (TNR) (COMMISSIONER GOMEZ) (9:27 AM)

A. CONTRACT NO. 01T0090-LD, H AND H FENCE CO.; AND

B. CONTRACT NO. 01T0091, VIKING FENCE CO.

Clerk's Note: Items 26.A and B added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

27. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS000355-MQ WITH KAMM & SHIELDS TO SUBSTITUTE COMMISSIONER MOORE AS "COUNTY LIAISON" FOR FORMER COMMISSIONER BAXTER. (COMMISSIONER GOMEZ) (9:27 AM)

Clerk's Note: Item 27 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

28. APPROVE CONTRACT AWARD TO CAMP EXCAVATING & CONTRACTING, INC. FOR THE PROVISION OF CONSTRUCTION SERVICES FOR THE MOORE ROAD RECONSTRUCTION PROJECT, IFB #B010718-JJ. (TNR) (COMMISSIONER GOMEZ) (9:27 AM)

Clerk's Note: Item 28 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

29. APPROVE AWARD OF CONTRACT NO. PS020055-LB WITH INDOOR ENVIRONMENTAL CONSULTANTS FOR AIR QUALITY TESTING AND CONSULTING SERVICES FOR WATER DAMAGE REMEDIATION AND DECONTAMINATION AT THE TRAVIS COUNTY JAIL. (RISK MANAGEMENT AND SHERIFF) (10:11 AM) (10:30 AM) (3:28 PM)

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

Judge Biscoe announced that Item 29 would be considered in Executive Session pursuant to Gov't Code Ann 551.071, Consultation with Attorney.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to authorize Staff to do their best to reach some sort of compromise or resolution on the three issues outlined for the Court, and that failing to do so, we negotiate with a second consultant to do this critical County work for us.

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

Item 29 to be reposted on February 19, 2002.

30. APPROVE CONTRACT AWARD FOR THE PURCHASE OF AN INTERACTIVE VOICE RESPONSE (IVR) SYSTEM, RFP P010106-LC, TO THE LOWEST AND BEST PROPOSER, FRANK SOLUTIONS, INC. (DRO, ITS) (9:27 AM)

Clerk's Note: Item 30 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

31. DISCUSS REQUEST TO TRANSFER FUNDS FROM ALLOCATED RESERVES TO PURCHASING LINE ITEMS TO ALLOW PURCHASING AGENT TO HIRE FTE TO WORK ON THE 2001 CAPITAL IMPROVEMENT BOND PROGRAM, AND TAKE APPROPRIATE ACTION. (10:12 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Valerie Spinelli, Planning and Budget Analyst, PBO; Joe Gieselman, Executive Manager, TNR; and Christian Smith, Executive Manager, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Moore to approve the request to authorize Purchasing 1 FTE, and that an appropriate budget transfer be prepared for next week to take the amount necessary from Allocated Reserve.

Maker and Second accept the Friendly Amendment by Commissioner Sonleitner that Purchasing be authorized do all of the work needed to get the position posted so that it could be filled on April 1, 2002.

Acceptance of the Friendly Amendment was made by Judge Biscoe and Commissioner Moore.

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

OTHER ITEMS

32. DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (10:29 AM)

No action necessary on Item 32.

33. CONSIDER DRAFT POLICY COVERING THE DISPLAY OF LITERATURE IN COUNTY COURTS AND ADMINISTRATIVE BUILDINGS, AND TAKE APPROPRIATE ACTION. (10:30 AM) (3:29 PM)

Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov't Code Ann 551.071, Consultation with Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to focus on the Courts Buildings for right now, and to consider a draft policy that would prohibit the display of literature in Courts buildings, especially common areas, except when otherwise provided by law; to review the draft, and hopefully approve it next Tuesday, February 19, 2002; and to delay the public hearing for an additional two weeks, Tuesday, March 5, 2002.

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

Item 33 to be reposted on February 19, 2002.

34. CONSIDER REQUEST OF THE TRAVIS COUNTY SHERIFF LAW ENFORCEMENT ASSOCIATION TO GIVE DIRECTION TO THE COUNTY AUDITOR TO IMPLEMENT EMPLOYEE PAYROLL DEDUCTION, AND TAKE APPROPRIATE ACTION. (COMMISSIONERS GOMEZ AND SONLEITNER) (10:30 AM) (1:46 PM) (3:19 PM)

Judge Biscoe announced that Item 34 would be considered in Executive Session pursuant to Gov't Code Ann 551.071, Consultation with Attorney.

Members of the Court heard from: John Hille, Assistant County Attorney; and James Gonzales, Travis County Sheriff's Office.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez that we determine that the Travis County Sheriff Law Enforcement Association is indeed a bonafide organization by basis of them being organized, with written documentation, more than 1 employee, all employees, and with a common purpose; and that, we give direction to the County Auditor to implement employee payroll deduction as quickly as that can occur for them.

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

35. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:27 AM)

Clerk's Note: Item 35 added to Consent Items. Please refer to Agenda Item 3 (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.** ¹ (10:30 AM) (1:46 PM) (3:22 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

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

Motion by Judge Biscoe and seconded by Commissioner Gómez that the County Judge be authorized to sign, on behalf of the Commissioners' Court, the settlement and the release of claims, that contains an assignment also, in the event we have an opportunity to use it, with Schnurr, Inc.

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

No action required on Item 36.B.

Item 36.B to be reposted on February 19, 2002.

37. DISCUSS, APPROVE OR TAKE APPROPRIATE ACTION REGARDING REAL ESTATE ISSUES RELATED TO NORTH RURAL COMMUNITY CENTER AND CLINIC. ² (10:30 AM) (3:24 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez that a subcommittee of Health and Human Services, our Real Estate Manager, Pat Ford, and Commissioner Sonleitner's Office, and any other appropriate Staff be directed to try and narrow the list of sites and to bring that back to the Commissioners' Court for further consideration.

Motion carried:

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

38. RECEIVE BRIEFING FROM COUNTY ATTORNEY ON CONCERNS REGARDING ORGANIZATION OF TRAVIS COUNTY EMERGENCY SERVICES, AVIATION OPERATIONS, AND TAKE APPROPRIATE ACTION. ¹ (10:30 AM) (1:46 PM) (3:24 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Moore to direct Staff to follow up on the directions given last week, which was written communications with the FAA.

Motion carried:

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

39. DISCUSS, APPROVE OR TAKE ANY APPROPRIATE ACTION REGARDING REAL ESTATE ISSUES RELATING TO THE CENTRAL BUSINESS DISTRICT.² (10:30 AM) (3:25 PM)

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

No action necessary on Item 39.

40. DISCUSS, APPROVE, OR TAKE ANY APPROPRIATE ACTION REGARDING REAL ESTATE ISSUES RELATED TO WEST NINTH STREET. ² (10:30 AM) (3:25 PM)

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

No action necessary on Item 40.

Item 40 to be reposted on February 19, 2002.

41. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY V. SMALL PLANES, INC. X96-01086 AND TAKE APPROPRIATE ACTION. ² (10:30 AM) (3:26 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we authorize the County Judge to sign the tax resale deed, on behalf of the Commissioners' Court, prepared by the County Attorney's Office, wherein we deed the land in question to Ricky Dunn Like, for the amount of \$28,441.65.

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

42. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL. V. ALICE KINCHEON, AND TAKE APPROPRIATE ACTION. ¹ (10:30 AM) (3:26 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we authorize the County Judge to sign the tax resale deed in the amount of \$9,000.00, to Jake and Gay Gilleland.

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

43. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN: FREDRICK PLUET, (DECEASED) V. MARGO FRASIER, ET AL. (CIVIL RIGHTS). ¹ (10:30 AM) (1:46 PM) (3:27 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 February 19, 2002.

44. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF ADMINISTRATIVE LEAVE FOR JUVENILE COURT EMPLOYEE. ^{1 AND 3} (10:30 AM) (1:46 PM) (3:27 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we grant an additional week, 5 work days, of administrative leave. Along with our communication that we need to take some action with this employee real soon.

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

Item 44 to be reposted on February 19, 2002.

ADJOURNMENT

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to adjourn the Voting Session. (3:31 PM)

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
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