

## **MINUTES – JUNE 25, 2002**

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

On Tuesday, the 25<sup>th</sup> day of June, 2002, the Commissioners' Court convened the regular Voting Session at 9:14 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 record notes that Precinct Two Commissioner, Karen Sonleitner, and Precinct Three Commissioner Margaret Moore, were not present during this Voting Session.

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

The Commissioners' Court reconvened the Voting Session at 11:47 AM.

The Commissioners' Court adjourned the Voting Session at 11:51 AM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, called to order the Voting Session at 11:51 AM and adjourned at 11:52 AM.

## PUBLIC HEARINGS

1. DISCUSS A PLAT FOR RECORDING IN PRECINCT TWO: RESUBDIVISION OF LOT 1 BLOCK 1 SETTLER'S MEADOW SECTION THREE AND LOT 5 BLOCK 1 SETTLER'S MEADOW SECTION FOUR - (SHORT FORM PLAT - 5 LOTS – 3.14 ACRES – LANTERN DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN - CITY OF AUSTIN ETJ). (COMMISSIONER SONLEITNER) (9:15 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 5 for the Court's Motion and Vote.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis 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	absent
Precinct 3, Commissioner Margaret Moore	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

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

**Motion by** Commissioner Gómez **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	absent
Precinct 3, Commissioner Margaret Moore	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

## CITIZENS COMMUNICATION

**Members of the Court heard from:** Kenneth Snyder, Resident, Northridge Acres; Gus Peña, President, East Austin Concerned Hispanics; Karen Cox, CASA of Travis County; Adrian Moore, Director, Institute of Web and Free Youth; Lisa Roberts, Executive Assistant, Justice and Public Safety (JPS); and Rolando Piña, Travis County Resident. (9:17 AM)

**CONSENT ITEMS**

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C6, and Items 5, 6, 10, 11.A, 12, 13.A and B, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26.A and B, 27.A.a-f, 28.A-F, 32, and 33. (9:41 AM)

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	absent
Precinct 3, Commissioner Margaret Moore	absent
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 VOTING SESSION OF JUNE 11, 2002.
- C4.** APPROVE A PLAT FOR RECORDING IN PRECINCT ONE: LOCKHART ADDITION - (SHORT FORM PLAT – 2 LOTS – 10.00 ACRES – SCHMIDT LANE – NO FISCAL REQUIRED - SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY - OUTSIDE ETJ). (COMMISSIONER DAVIS)
- C5.** APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: FRNKA SUBDIVISION - (SHORT FORM PLAT – 1 LOT – 3.094 ACRES – PEDERNALES CANYON DRIVE – NO FISCAL REQUIRED - SEWAGE SERVICE TO BE PROVIDED BY ON-SITE WASTEWATER – NO ETJ). (COMMISSIONER MOORE)
- C6.** APPROVE SETTING A PUBLIC HEARING DATE OF JULY 23, 2002 FOR APPROVAL OF A PLAT FOR RECORDING IN PRECINCT THREE: REPLAT OF LOTS 60 AND 61, BLOCK PP, TWIN LAKE HILLS - (SHORTFORM PLAT - 1 LOT – 0.58 ACRES – TWIN LAKE LOOP – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC SYSTEM - NO ETJ.) (COMMISSIONER MOORE)

2. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:46 AM)

**Members of the Court heard from:** Pete Baldwin, Travis County Emergency Management Coordinator; and John Hille, Assistant County Attorney.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to extend the prohibition of outdoor burning in the unincorporated areas of Travis County for another 30 days.

**Motion carried:**

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

## TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

3. CONSIDER ROAD CONSTRUCTION AGREEMENT WITH TWIN CREEK HOLDING, LTD TO DESIGN AND CONSTRUCT ANDERSON MILL ROAD, AND TAKE APPROPRIATE ACTION. (COMMISSIONER SONLEITNER AND COMMISSIONER MOORE) (9:52 AM)

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

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve the proposed road construction agreement.

**Motion carried:**

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

4.     **A.** APPROVE A CONSTRUCTION AGREEMENT AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT THREE: TWIN CREEK COUNTRY CLUB SECTION 3 - (LONG FORM PLAT – 1 LOT – 6.188 ACRES – TWIN CREEK PARKWAY – FISCAL POSTED WITH TRAVIS COUNTY - R-O-W - NO SEWAGE SERVICE REQUIRED, CEDAR PARK ETJ). (COMMISSIONER MOORE) (9:57 AM)
- B.** APPROVE A CONSTRUCTION AGREEMENT AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT THREE: TWIN CREEK COUNTRY CLUB SECTION 4 - (LONG FORM PLAT – 69 LOTS – 29.538 ACRES – TWIN CREEK PARKWAY – FISCAL POSTED WITH TRAVIS COUNTY - SEWAGE SERVICE PROVIDED BY CITY OF CEDAR PARK - CEDAR PARK ETJ). (COMMISSIONER MOORE)
- C.** APPROVE A CONSTRUCTION AGREEMENT AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT THREE: TWIN CREEK COUNTRY CLUB SECTION 7 - (LONG FORM PLAT – 76 LOTS – 21.7508 ACRES – TWIN CREEK PARKWAY – FISCAL POSTED WITH TRAVIS COUNTY - SEWAGE SERVICE PROVIDED BY CITY OF CEDAR PARK – CEDAR PARK ETJ). (COMMISSIONER MOORE)

**Clerk's Note:** Items 4.A, B, and C 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 Gómez **and seconded by** Commissioner Davis to approve Items 4.A, B, and C.

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

5. APPROVE A PLAT FOR RECORDING IN PRECINCT TWO: RESUBDIVISION OF LOT 1 BLOCK 1 SETTLER'S MEADOW SECTION THREE AND LOT 5 BLOCK 1 SETTLER'S MEADOW SECTION FOUR - (SHORT FORM PLAT - 5 LOTS – 3.14 ACRES – LANTERN DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN - CITY OF AUSTIN ETJ). (COMMISSIONER SONLEITNER) (9:41 AM)

**Clerk's Note:** Item 5 is the action item for the public hearing on Agenda Item 1.

**Clerk's Note:** Item 5 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

## PLANNING AND BUDGET DEPT. ITEMS

6. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:41 AM) (9:46 AM)

**Clerk's Note:** Item 6 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to clarify that we authorize the appropriate County Personnel to expedite delivery of that payment to the Texas Department of Transportation.

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

**ADMINISTRATIVE OPERATIONS ITEMS**

7. CONSIDER REVISION TO TRAVIS COUNTY CODE, SECTION 10.060, SALARY CONTINUATION POLICY ADDENDUM, APPLICABLE FOR LAW ENFORCEMENT OFFICERS INJURED DURING PERFORMANCE OF OFFICIAL DUTIES, TO COMPLY WITH ARTICLE 3, SECTION 52e OF THE CONSTITUTION OF THE STATE OF TEXAS. (10:00 AM)

**Members of the Court heard from:** Dan Mansour, Risk Manager, Human Resources Management Department (HRMD); Bill Patterson, Risk Specialist, HRMD; and Barbara Wilson, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 7.

**Withdrawal of the previous Motion and Second were made by** Judge Biscoe and Commissioner Gómez.

Discussion Only. No action was taken.

Item 7 to be reposted on July 2, 2002.

8. DISCUSS AMENDMENT TO OPTION TO LICENSE AGREEMENT WITH K & J ICE, LTD. (AUSTIN ICE BATS) FOR USE OF TRAVIS COUNTY EXPOSITION CENTER, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS AND JUDGE BISCOE) (9:15 AM)

Item 8 pulled from the Agenda.

9.     **A.** PRESENTATION OF INTRANET DESKTOP OPEN ENROLLMENT FOR EMPLOYEE BENEFITS. (10:04 AM)
- B.** DISCUSS AND TAKE APPROPRIATE ACTION TO AUTHORIZE PRINTING AND DISTRIBUTION OF AN HRMD OPEN ENROLLMENT STUFFER FOR JULY 1, 2002 PAYROLL.

**Clerk's Note:** Items 9.A and B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Cindy Purinton, Benefit Contract Administrator, HRMD; Russell Hahn, Network Manager, Information and Telecommunications Systems (ITS); and Joe Harlow, Director, ITS.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Item 9.B, which is distribution of the flyer in today's backup to the County workforce.

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

10.    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 FOR PAYMENT OF \$243,934.47 FOR THE PERIOD OF JUNE 7, 2002 THROUGH JUNE 13, 2002. (9:41 AM)

**Clerk's Note:** Item 10 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

11.    REVIEW AND APPROVE THE FOLLOWING LIABILITY CLAIM RECOMMENDATION: (9:41 AM)

**A.** ROBIN MORGAN/ALLSTATE INSURANCE - SETTLE

**Clerk's Note:** Item 11.A added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.



**12. APPROVE PERSONNEL AMENDMENTS. (9:41 AM)**

**Clerk's Note:** Item 12 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

**PURCHASING OFFICE ITEMS**

**13. A. APPROVE PURCHASE OF SURFCONTROL SUPERSCOOT SOFTWARE OFF STATE CATALOG (QISV) FROM SET SOLUTIONS, INC. (I.T.S.) (COMMISSIONER GOMEZ) (9:41 AM)**

**B. APPROVE SOFTWARE LICENSE AGREEMENT FOR SUPERSCOOT SOFTWARE BY SURFCONTROL. (I.T.S.)**

**Clerk's Note:** Items 13.A and B added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

**14. APPROVE INTERLOCAL AGREEMENT NO. IL020213EF BETWEEN THE CITY OF AUSTIN AND TRAVIS COUNTY FOR VARIOUS SERVICES PROVIDED BY TRAVIS COUNTY'S FIVE (5) RURAL NEIGHBORHOOD CENTERS. (HHSD) (COMMISSIONER GOMEZ) (9:42 AM)**

Item 14 postponed until July 9, 2002.

**15. APPROVE AWARD OF A QISV (QUALIFIED INFORMATION SYSTEM VENDOR) STATE CATALOG PURCHASE, RFO NO. 0020109-LC TO IBM CORPORATION FOR PURCHASE OF MAINTENANCE FOR IBM HARDWARE. (I.T.S.) (COMMISSIONER GOMEZ) (9:41 AM)**

**Clerk's Note:** Item 15 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

16. APPROVE MODIFICATION NO. 3 TO CONTRACT MA010050, LASON, INC., MAINTENANCE OF MICROFILM EQUIPMENT, TO ADD EQUIPMENT; CONTRACT APPROVED ON 1/2/01. (RMCR, DA'S) (COMMISSIONER GOMEZ) (9:41 AM)

**Clerk's Note:** Item 16 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

17. APPROVE AWARD OF CONTRACT NO. PS020006-LB WITH BARRINGER LEGAL COPIES, INC. FOR THE PROVISION OF LITIGATION SUPPORT SERVICES. (COUNTY ATTORNEY) (COMMISSIONER GOMEZ) (9:41 AM)

**Clerk's Note:** Item 17 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

18. APPROVE CONTRACT AWARD FOR ELECTRONIC MONITORING – PRE-TRIAL SERVICES, RFP NO. P020092-OJ, TO THE BEST RESPONSIVE OFFEROR, GENERAL SECURITY SERVICES CORPORATION. (COMMISSIONER GOMEZ) (9:41 AM)

**Clerk's Note:** Item 18 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

19. APPROVE CHANGE ORDER NO. 8 TO CONTRACT NO. 00K0716-DM WITH AUSTIN BRIDGE & ROAD, INC. BURLESON-MANOR ROAD ROADWAY RECONSTRUCTION. (TNR) (COMMISSIONER DAVIS) (9:41 AM) (10:43 AM)

**Clerk's Note:** Item 19 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

**Motion by** Commissioner Davis to reconsider Item 19.

**Clerk's Note:** Judge Biscoe announced that the Motion died for lack of a Second.

20. APPROVE CONTRACT AWARD FOR ROAD RECYCLING, IFB NO. B020114-RG, TO THE SOLE BIDDER, AARON CONCRETE CONTRACTORS. (TNR) (COMMISSIONER GOMEZ) (9:41 AM)

**Clerk's Note:** Item 20 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

21. APPROVE PURCHASE OF EIGHT (8) FORD CROWN VICTORIAS FROM THE HOUSTON-GALVESTON AREA COUNCIL INTERLOCAL AGREEMENT, IL 98-98858, APPROVED BY COMMISSIONERS COURT ON 1/27/98. (TNR) (COMMISSIONER GOMEZ) (9:41 AM)

**Clerk's Note:** Item 21 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

22. APPROVE TERMINATION OF CONTRACT NO. IL000261MQ WITH CITY OF AUSTIN FOR DAY LABOR SERVICES; CONTRACT APPROVED ON 4/1/00. (HHSD) (COMMISSIONER GOMEZ) (9:41 AM)

**Clerk's Note:** Item 22 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

23. APPROVE CONTRACT AWARD FOR THE PROVISION OF CONSTRUCTION SERVICES FOR THE SOUTHEAST METRO PARK CONSTRUCTION PROJECT, PHASE III, PROJECT 1, IFB #B020100-JJ TO THE LOW, QUALIFIED BIDDER, MAC, INC. (TNR) (COMMISSIONER GOMEZ) (9:41 AM)

**Clerk's Note:** Item 23 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

24. DECLARE CERTAIN EQUIPMENT AS SURPLUS PROPERTY, PURSUANT TO SECTION 263.151 ET.SEQ. OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (COMMISSIONER GOMEZ) (9:41 AM)

**Clerk's Note:** Item 24 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

25. APPROVE A SIX (6)-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 02T0143RG, DELL MARKETING, FOR COMPUTER HARDWARE; CONTRACT APPROVED ON 3/26/02. (I.T.S.) (COMMISSIONER GOMEZ) (9:41 AM)

**Clerk's Note:** Item 25 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

**26.** APPROVE CONTRACT AWARDS FOR MEDICAL EQUIPMENT, IFB B020091-OJ TO THE FOLLOWING FOR TNR: (9:41 AM)

- A.** PHILLIPS MEDICAL SYSTEMS: ITEMS 1, 2, 3 AND 12;
- B.** SOUTHEASTERN EMERGENCY EQUIPMENT: ITEMS 4, 5, 6, 7, 8, 9, 10, 11 AND 13.

**Clerk's Note:** Items 26.A and B added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

**27. A.** APPROVE CONTRACT AWARDS FOR COUNTYWIDE FURNITURE, IFB B020101-OJ, TO THE FOLLOWING: (9:41 AM)

- a.** CORPORATE EXPRESS: FOR HON, HUMANSIZE, MAYLINE, KIMBALL, AND NATIONAL PRODUCTS;
- b.** NEUTRAL POSTURE: FOR NEUTRAL POSTURE ERGONOMICS PRODUCTS;
- c.** ROCKFORD BUSINESS INTERIORS: FOR SUPERIOR CHAIR CRAFT PRODUCTS;
- d.** THE CHAIR MAN: FOR MERIT SEATING PRODUCTS;
- e.** OFFICESOURCE LTD.: FOR MILLER (BIG & TALL), GLOBE AND VIRCO PRODUCTS; AND
- f.** WE BID FURNITURE: FOR LA-Z-BOY AND ABCO PRODUCTS (FAC. MGMT)

**Clerk's Note:** Items 27.A.a-f added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

27. B. DUE TO A TIE BID FOR GLOBAL PRODUCTS, DETERMINE CONTRACT AWARDEE BY DRAWING LOTS PURSUANT TO LOCAL GOVERNMENT CODE 262.027(b). (9:44 AM)

**Clerk's Note:** The Court awarded the contract by drawing lots, pursuant to Local Government Code, to the winner, Corporate Express.

**Members of the Court heard from:** Frank Holder, Assistant Purchasing Agent.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to award this Item to Corporate Express.

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

28. APPROVE 12-MONTH EXTENSIONS (MODIFICATION NO. 1) TO THE FOLLOWING CONTRACTS FOR SIGN MATERIALS; CONTRACTS APPROVED ON 8/14/01. (TNR) (COMMISSIONER GOMEZ) (9:41 AM)

- A. NO. 01T0193-RG, VULCAN SIGNS;
- B. NO. 01T0194-RG, CUSTOM PRODUCTS CORP;
- C. NO. 01T0195-RG, NIPPON CARBIDE INDUSTRIES USA;
- D. NO. 01T0196-RG, UNISTRUT/TELESPAR;
- E. NO. 01T0197-RG, NORTHWEST PIPE COMPANY; AND
- F. NO. 01T0198-RG, 3M CORP.

**Clerk's Note:** Items 28.A-F added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

29. APPROVE ORDER EXEMPTING THE PURCHASE OF SERVICES TO CORRECT EMERGENCY POWER DEFICIENCIES IN THE TRAVIS COUNTY JAIL FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024 (a)(2) OF THE COUNTY PURCHASING ACT. (10:34 AM)

**Members of the Court heard from:** Frank Holder, Assistant Purchasing Agent; David Balagia, Major, Travis County Sheriff's Office (TCSO); John Hille, Assistant County Attorney; and Roger El Khoury, Director, Facilities Management.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the proposed exemption order.

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

## OTHER ITEMS

30. DISCUSS AND APPROVE PROPOSAL TO ESTABLISH ONE DEBT SERVICE FUND AND TO SET ONE DEBT SERVICE TAX RATE AT THE TIME OF BUDGET APPROVAL. (9:15 AM)

Item 30 postponed until July 2, 2002.

31. APPROVE SETTING A PARCEL TAX RATE FOR TAX YEAR 2002. (10:40 AM)

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

**Motion by** Commissioner Gómez **and seconded by** Judge Biscoe to approve the recommendation by the Tax Office of 93 cents per parcel.

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

- 32. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR MAY 2002.  
(AUDITOR'S OFFICE) (9:41 AM)**

**Clerk's Note:** Item 32 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

- 33. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER  
TO INVEST COUNTY FUNDS. (9:41 AM)**

**Clerk's Note:** Item 33 added to Consent Items. Please refer to 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. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE  
APPROPRIATE ACTION REGARDING FLUOR DANIEL, INC. V. TRAVIS  
COUNTY, TEXAS; NO. 02-50378; IN THE UNITED STATES COURT OF  
APPEALS FOR THE FIFTH CIRCUIT (USDC CIVIL ACTION NO.A-00-CA-021-  
SS). <sup>1</sup> (10:44 AM) (11:47 AM)**

**Clerk's Note:** Judge Biscoe announced that Item 34 would be considered in Executive Session.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we reject the offer to settle, presented by the other side in this matter, and that we counter with an offer to settle in the amount of \$500,000.00.

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

35. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL. V. CRAZY HORSE LAND CORP. (M & C BUILDERS, INC. RESALE DEED), AND TAKE APPROPRIATE ACTION. <sup>1</sup> (10:44 AM) (11:47 AM)

**Clerk's Note:** Judge Biscoe announced that Item 35 would be considered in Executive Session.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we accept the offer and authorize the County Judge to sign, on behalf of the Commissioners Court, a tax resale deed to M & C Builders Inc. for the amount of \$965.11.

**Motion carried:**

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

36. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL. V. GOLDEN K. BUTLER (JORDAN-WHITFIELD, INC. RESALE DEED), AND TAKE APPROPRIATE ACTION. <sup>1</sup> (10:44 AM) (11:48 AM)

**Clerk's Note:** Judge Biscoe announced that Item 36 would be considered in Executive Session.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we approve the resale deed to Jordan-Whitfield Inc., for the amount of \$10,000.00, and that we authorize the County Judge to sign on behalf of the Commissioners Court.

**Motion carried:**

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



37. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL. V. NASH PHILLIPS COPUS, INC. (BARNEY HALLMAN RESALE DEED), AND TAKE APPROPRIATE ACTION. <sup>1</sup> (10:44 AM) (11:48 AM)

**Clerk's Note:** Judge Biscoe announced that Item 37 would be considered in Executive Session.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we rescind the deed from the County to Mr. Hallman, for which we received \$11,181.00; and, after rescinding the deed, that we reimbursement Mr. Hallman that amount, \$11,181.00; and, that we authorize the County Attorney's Office to do whatever it can to get the County's share of the money received by the Pflugerville School District for this property.

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

38. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL. V. GENE A. ROSS (BARNEY HALLMAN RESALE DEED), AND TAKE APPROPRIATE ACTION. <sup>1</sup> (10:44 AM) (11:49 AM)

**Clerk's Note:** Judge Biscoe announced that Item 38 would be considered in Executive Session.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we authorize the execution of a tax resale deed to Barney L. Hallman for the sum of \$6,300.00 in cash for the property.

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

- 39.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION AND/OR CONSIDER SETTLEMENT IN CLAIM FILED BY NADINE GONZALES (MARTINEZ; FRASIER; CIVIL RIGHTS). <sup>1</sup> (10:44 AM) (11:49 AM)

**Clerk's Note:** Judge Biscoe announced that Item 39 would be considered in Executive Session.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we authorize the County Attorney's Office to accept the settlement offer in the amount of \$100,00.00, plus \$15,000.00 for funeral expenses; that we ask the County Attorney's Office to secure the appointment of an Attorney Ad Litem to represent the Child in this case, and that we initiate appropriate Court proceedings to have a Judge consider this matter as soon as possible.

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

- 40.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN OTIS DANIELS (FRASIER; PERSONAL INJURY). <sup>1</sup> (10:44 AM)

Item 40 postponed until July 2, 2002.

- 41.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN FREDRICK PLUET (DECEASED) V. MARGO FRASIER, ET AL. (CIVIL RIGHTS). <sup>1</sup> (10:44 AM) (11:50 AM)

**Clerk's Note:** Judge Biscoe announced that Item 41 would be considered in Executive Session.

No action necessary on Item 41.

## ADJOURNMENT

**Motion by** Commissioner Gómez **and seconded by** Judge Biscoe to adjourn the Voting Session. (11:51 AM)

**Motion carried:**

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