

## **MINUTES OF MEETING – FEBRUARY 11, 2003**

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

On Tuesday, the 11<sup>th</sup> day of February, 2003, the Commissioners' Court convened the regular Voting Session at 9:17 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Robert Resnick.

The Commissioners' Court retired to Executive Session at 9:55 AM.

The Commissioners' Court reconvened the Voting Session at 11:03 AM.

The Commissioners' Court recessed the Voting Session at 11:06 AM.

The Commissioners' Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) called to order the Voting Session at 11:07 AM and adjourned at 11:07 AM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation called to order the Voting Session at 11:07 AM and adjourned at 11:07 AM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation called to order the Voting Session at 11:08 AM and adjourned at 11:09 AM.

The Commissioners' Court reconvened the regular Voting Session at 1:05 PM.

The Commissioners' Court retired to Executive Session at 1:20 PM.

The Commissioners' Court reconvened the Voting Session at 6:37 PM.

The Commissioners' Court adjourned the Voting Session at 6:37 PM.

**PUBLIC HEARINGS**

1. DISCUSS A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS NOS. 1 THROUGH 6, 44, 47 THROUGH 50, AND 52 THROUGH 54, BLOCK C, PARADISE MANOR SECTION ONE (REVISED PLAT – 1 LOT – 7.90 ACRES – PARADISE MANOR CIRCLE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – OETJ). (COMMISSIONER DAUGHERTY) (ACTION ITEM # 6) (9:17 AM)

**Clerk’s Note:** This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 6 for the Court’s Motion and Vote.

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

2. DISCUSS THE TOTAL CANCELLATION OF A PLAT RECORDED IN PRECINCT THREE: WOODED OAKS - (CANCELLATION OF LOTS 1– 13, INCLUSIVE, ALL OF DEVER COVE, AND PLATTED DRAINAGE EASEMENTS - CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY (ACTION ITEM # 7) (9:20 AM)

**Clerk’s Note:** This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 7 for the Court’s Motion and Vote.

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

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

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

3. INTRODUCTION OF SARAH ECKHARDT AND TIM LABADIE TO COMMISSIONERS COURT. (COUNTY ATTORNEY’S OFFICE) (9:21 AM)

**Members of the Court heard from:** Jim Collins, Executive Assistant County Attorney.

Discussion Only. No action was taken.

**CITIZENS COMMUNICATION**

**Members of the Court heard from:** Alex Jones, Travis County Resident; and Mike Hanson, Travis County Resident. (9:25 AM)

**CONSENT ITEMS**

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1–C6, and Items 6, 7, 8.A, B, and C, 9, 10, 11, 12, 18, 19.A and B, 20, 21, 22.A and B, 23, 24.A and B, 25, 26, and 27. (9:31 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 Gerald Daugherty	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 VOTING SESSION OF:
  - A.** JANUARY 21, 2003
  - B.** JANUARY 23, 2003.
- C4.** REAPPOINT JOHN R. BOYDSTON TO SERVE ON THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #1 BOARD AS A PRECINCT THREE APPOINTEE; TERM EFFECTIVE THROUGH DECEMBER 31, 2004. (COMMISSIONER DAUGHERTY)
- C5.** APPOINT COLE C. ESLYN TO SERVE ON THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #6 BOARD AS A PRECINCT THREE APPOINTEE; TERM EFFECTIVE THROUGH DECEMBER 31, 2004. (COMMISSIONER DAUGHERTY)
- C6.** APPOINT LEONARD E. HUBER TO SERVE ON THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #1 BOARD AS A PRECINCT THREE APPOINTEE; TERM EFFECTIVE THROUGH DECEMBER 31, 2004. (COMMISSIONER DAUGHERTY)

**HEALTH AND HUMAN SERVICES DEPARTMENT ITEMS**

- 4. RECEIVE 2002 ANNUAL REPORT AND UPDATE FROM THE TRAVIS COUNTY CHILDRENS' PROTECTIVE SERVICES BOARD. (9:17 AM)

Item 4 postponed until February 18, 2003.

**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

- 5. DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT F7, NORTHWEST HILLS RANCH, SECTION ONE – (SHORTFORM PLAT – 3 LOTS – 3.49 ACRES – D-K RANCH ROAD - NO FISCAL REQUIRED - SEWAGE SERVICE TO BE PROVIDED BY ONSITE SEWAGE FACILITY – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:34 AM)

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

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 5.

**Motion carried:**

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

- 6. APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS NOS. 1 THROUGH 6, 44, 47 THROUGH 50, AND 52 THROUGH 54, BLOCK C, PARADISE MANOR SECTION ONE (REVISED PLAT – 1 LOT – 7.90 ACRES – PARADISE MANOR CIRCLE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – OETJ). (COMMISSIONER DAUGHERTY) (9:31 AM)

**Clerk's Note:** Item 6 is the action item for the public hearing on Agenda Item 1.

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

7. APPROVE THE TOTAL CANCELLATION OF A PLAT RECORDED IN PRECINCT THREE: WOODED OAKS - (CANCELLATION OF LOTS 1– 13, INCLUSIVE, ALL OF DEVER COVE, AND PLATTED DRAINAGE EASEMENTS - CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:31 AM)

**Clerk's Note:** Item 7 is the action item for the public hearing on Agenda Item 2.

**Clerk's Note:** Item 7 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

### PLANNING AND BUDGET DEPT. ITEMS

8. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE: (9:31 AM)
  - A. APPROVE GRANT APPLICATION TO THE OFFICE OF JUSTICE PROGRAMS FOR SAFE HAVEN: SUPERVISED VISITATION AND SAFE EXCHANGE GRANT PROGRAM IN THE DOMESTIC RELATIONS OFFICE OF JUVENILE PROBATION. THIS IS A NEW GRANT PROGRAM TO PROVIDE SUPERVISED VISITATION AND SAFE EXCHANGE PROGRAMS PROVIDED THROUGH KIDS EXCHANGE.
  - B. APPROVE GRANT CONTRACT AMENDMENT WITH THE TEXAS WATER DEVELOPMENT BOARD TO EXTEND THE GRANT TERMINATION DATE FOR THE FLOOD MITIGATION ASSISTANCE PLANNING GRANT IN TRANSPORTATION AND NATURAL RESOURCES. THE AMENDMENT EXTENDS THE GRANT TERMINATION DATE UNTIL AUGUST 31, 2003.
  - C. APPROVE GRANT CONTRACT WITH THE TASK FORCE ON INDIGENT DEFENSE FOR THE INDIGENT DEFENSE FORMULA GRANT SUPPORTING THE CRIMINAL COURTS. THE GRANT PROVIDES SUPPORT FOR THE INDIGENT DEFENSE PROGRAM IN TRAVIS COUNTY.

**Clerk's Note:** Items 8.A, B, and C added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

9. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:31 AM)

**Clerk's Note:** Item 9 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

### ADMINISTRATIVE OPERATIONS ITEMS

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 \$504,577.19 FOR THE PERIOD OF JANUARY 24, 2003 THROUGH JANUARY 30, 2003. (9:31 AM)

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

11. APPROVE PERSONNEL AMENDMENTS. (9:31 AM)

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

### PURCHASING OFFICE ITEMS

12. APPROVE ASSIGNMENT OF CONTRACT (MODIFICATION NO. 10) TO CONTRACT NO. PS990019-LB FROM ASSESSNET TO ACCUSCREEN, INC. FOR DRUG AND ALCOHOL TESTING. (COUNTYWIDE) (COMMISSIONER GOMEZ) (9:31 AM)

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

13. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS01049-DS WITH THE AUSTIN PROJECT FOR PROFESSIONAL SERVICES AS THE "BROKER" FOR THE FAMILY YOUTH ASSESSMENT CENTER. (HHSD) (COMMISSIONER GOMEZ) (9:17 AM)

Item 13 pulled from the Agenda.

- 14. APPROVE EXEMPTION ORDER FOR PROFESSIONAL ARCHITECTURAL/ENGINEERING SERVICES WITH CARTER BURGESS FOR THE CAMERON ROAD DESIGN PROJECT AND SH 130 TECHNICAL ASSISTANCE AND AUTHORIZE THE PURCHASING AGENT AND TNR EXECUTIVE MANAGER TO COMMENCE CONTRACT NEGOTIATIONS, PURSUANT TO COUNTY PURCHASING ACT, TEX. LOC. GOVT. CODE ANN. SEC. 262.024 (a)(4). (TNR) (COMMISSIONER DAVIS) (9:37 AM)

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

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to approve this particular item, with the exception of excluding SH 130 from this particular professional design work, and approve this particular item.

**A Clarification of the previous Motion was made by** Commissioner Sonleitner that we are taking out the words “and SH 130 technical assistance” from the Motion.

**Motion carried:**

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

- 15. DISCUSS EVALUATION COMMITTEE RANKINGS OF THE ARCHITECTURAL/ENGINEERING PROPOSALS SUBMITTED FOR RFQ NO. Q030024-JJ, PROFESSIONAL ENGINEERING SERVICES FOR THE EAST METRO PARK DESIGN PROJECT, APPROVE AUTHORIZATION TO COMMENCE CONTRACT NEGOTIATIONS WITH THE MOST HIGHLY QUALIFIED FIRM, AND TAKE APPROPRIATE ACTION. (TNR) (COMMISSIONER DAVIS) (9:42 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; and Benny Hawkins, Chairman/CEO, BLGY, Inc.

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to approve Item 15.

**Motion carried:**

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



16. DISCUSS EVALUATION COMMITTEE RANKINGS OF THE ARCHITECTURAL/ENGINEERING PROPOSALS SUBMITTED FOR RFQ NO. Q030020-JJ, PROFESSIONAL ENGINEERING SERVICES FOR THE WELLS BRANCH PARKWAY ROAD DESIGN PROJECT, APPROVE AUTHORIZATION TO COMMENCE CONTRACT NEGOTIATIONS WITH THE MOST HIGHLY QUALIFIED FIRM, AND TAKE APPROPRIATE ACTION. (TNR) (COMMISSIONER SONLEITNER) (9:50 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; and Joe Gieselman, Executive Manager, TNR.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to authorize the commencement of contract negotiations with T & T on this project.

**Motion carried:**

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

17. DISCUSS EVALUATION COMMITTEE RANKINGS OF THE ARCHITECTURAL/ENGINEERING PROPOSALS SUBMITTED FOR RFQ NO. Q030020-JJ, PROFESSIONAL ENGINEERING SERVICES FOR THE PFLUGERVILLE EAST ROAD DESIGN PROJECT, APPROVE AUTHORIZATION TO COMMENCE CONTRACT NEGOTIATIONS WITH THE MOST HIGHLY QUALIFIED FIRM, AND TAKE APPROPRIATE ACTION. (TNR) (COMMISSIONER SONLEITNER) (9:53 AM)

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

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis that we commence contract negotiations with Halff Assoc. on the Pflugerville East project.

**Motion carried:**

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

18. APPROVE MODIFICATION NO. 1 TO INTERLOCAL AGREEMENT NO. IL01050-DS WITH AUSTIN/TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER FOR MANAGED SERVICE ORGANIZATION SERVICES. (HHSD) (COMMISSIONER GOMEZ) (9:31 AM)

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

19. APPROVE AWARD OF CONTRACTS FOR PROFESSIONAL PSYCHOLOGICAL/PSYCHIATRIC SERVICES (DISTRICT AND CRIMINAL COURTS ADMINISTRATION) AS FOLLOWS: (COMMISSIONER GOMEZ) (9:31 AM)

- A. DUSTY HUMES, PH.D., PSYCHOLOGIST, CONTRACT NO. PS030027-LB;  
B. RICHARD COONS, M.D., PSYCHIATRIST, CONTRACT NO. PS030029-LB

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

20. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS010144-LB. PROVIDENCE SERVICES CORPORATION OF TEXAS, FOR INTENSIVE IN-HOME SERVICES. (JUVENILE PROBATION) (COMMISSIONER GOMEZ) (9:31 AM)

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

21. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. 00T0235-MP, TEXAS ENVIRONMENTAL SERVICES, INC. FOR BIOHAZARDOUS WASTE REMOVAL SERVICE. (T.C.S.O./MEDICAL EXAMINER) (COMMISSIONER GOMEZ) (9:31 AM)

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

22. APPROVE THE FOLLOWING PURCHASING ACTIONS FOR CONTRACT NO. 01T0116-RV, NALCO DIVERSIFIED TECHNOLOGIES, INC. FOR WATER TREATMENT SERVICE: (9:31 AM)

- A. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 3);
- B. APPROVE ASSIGNMENT OF CONTRACT (MODIFICATION NO. 4).

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

23. APPROVE CONTRACT AWARD FOR RADIATION ONCOLOGY SERVICES, CENTRAL TEXAS ONCOLOGY ASSOCIATES D/B/A/ SOUTHWEST REGIONAL CANCER CENTER. (HHSD) (COMMISSIONER GOMEZ) (9:31 AM)

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

24. A. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. 02T00273-LD, KB CONTRACT CLEANING, INC., TO CORRECT ERRORS IN SQUARE FOOTAGE AND ADD ADDITIONAL LOCATIONS. (FACILITIES MANAGEMENT) (COMMISSIONER GOMEZ) (9:31 AM)
- B. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 02T00274-LD, BLUEBONNET CLEANING SERVICES, TO ADD ADDITIONAL SPACE DUE TO RENOVATION AT THE EXTENSION SERVICES OFFICE LOCATION.

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

25. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 02T00136-OJ, D&L MEDICAL PRODUCTS FOR DURABLE MEDICAL EQUIPMENT. (HHSD) (COMMISSIONER GOMEZ) (9:31 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 AWARD FOR LINE ITEMS 1A, 2A, 5A, 6A, 7 AND 8 FOR EMULSIFIED ASPHALT, IFB NO. B030039-LD, TO THE LOW BIDDER, GULF STATES ASPHALT. (TNR) (COMMISSIONER GOMEZ) (9:31 AM)

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

### OTHER ITEMS

27. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:31 AM)

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

28. PUBLIC HEARING RELATED TO ISSUANCE OF REVENUE BONDS, A PORTION OF THE PROCEEDS OF WHICH WILL BE USED TO FINANCE AND REFINANCE HOSPITALS AND RELATED FACILITIES OWNED AND/OR OPERATED BY DAUGHTERS OF CHARITY HEALTH SERVICES OF AUSTIN. (THIS HEARING WILL BE RESCHEDULED FOR FEBRUARY 18, 2003 AT 1:30 P.M.) (9:33 AM)

Item 28 postponed until February 18, 2003.

**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

- 29.** APPROVE FINAL VERSION OF THE LEASE WITH TIAA, INCLUDING CONSIDERATION OF WAIVER OF ETHICS POLICY LANGUAGE OR TAKE OTHER APPROPRIATE ACTION REGARDING LEASE SPACE FOR CSCD AT SOUTHPARK BUILDING F. <sup>2</sup> (9:55 AM) (11:03 AM)

**Clerk's Note:** Judge Biscoe announced that Item 29 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to waive the County's ethics policy as to this contract.

<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 Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

30. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO RETAIN NECESSARY EXPERTS AND TAKE APPROPRIATE ACTION IN THE MATTER OF MERLIN “SPANKY” HANDLEY V. TRAVIS COUNTY, TEXAS; CITY OF AUSTIN, TEXAS, DINAH DINWIDDIE, INDIVIDUALLY, AND IN HER OFFICIAL CAPACITY; CASEY PING, INDIVIDUALLY, AND IN HIS OFFICIAL CAPACITY; GORDON BERGH, KEVIN MCDONALD AND RICHARD HERRINGTON, CAUSE NO. A02 CA 606 JN, IN THE UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF TEXAS, AUSTIN DIVISION. <sup>1</sup> (9:55 AM) (11:04 AM)

**Clerk’s Note:** Judge Biscoe announced that Item 30 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 the County Attorney to retain the necessary experts.

**Motion carried:**

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

31. DISCUSS CERTAIN PERSONNEL ISSUES REGARDING MERLIN “SPANKY” HANDLEY, RECEIVE LEGAL ADVICE, AND TAKE APPROPRIATE ACTION. <sup>1 AND 3</sup> (9:55 AM) (11:04 AM)

**Clerk’s Note:** Judge Biscoe announced that Item 31 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

No action necessary on Item 31.

Item 31 pulled from the Agenda until further notice.

- 32. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO RETAIN NECESSARY EXPERTS AND ACCEPT, REJECT OR COUNTER OFFER OF SETTLEMENT AND TAKE APPROPRIATE ACTION IN THE MATTER OF TINNA BELDIN V. TRAVIS COUNTY, TEXAS; AND STEPHEN L. WILLIAMS IN HIS OFFICIAL CAPACITY; CAUSE NO. A02 CA 572 SS, IN THE UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF TEXAS, AUSTIN DIVISION. <sup>1</sup> (9:55 AM) (11:05 AM)

**Clerk’s Note:** Judge Biscoe announced that Item 32 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 reject the offer to settle, and authorize the County Attorney to retain necessary experts as appropriate.

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

- 33. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION REGARDING FORMER TNR DEPARTMENT EMPLOYEE JAMES YOUNG (SUBROGATION CASE). <sup>1</sup> (9:55 AM) (11:05 AM)

**Clerk’s Note:** 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 Sonleitner to authorize the County Attorney to obtain an appropriate judgment against Mr. Young. In response to Mr. Young’s offer, that we reject the offer, but suggest that he keep an alert eye out for vacancies posted by Transportation and Natural Resources (TNR), and place an appropriate application, as should other individuals interested in working with Travis County.

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

- 34. DISCUSS PENDING NOTICE OF VIOLATION FROM THE TEXAS COMMISSION FOR ENVIRONMENTAL QUALITY REGARDING LEACHATE SEEPAGE AT THE US 290 EAST LANDFILL, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (9:55 AM) (11:06 AM)

**Clerk’s Note:** Judge Biscoe announced that Item 34 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

No action necessary on Item 34.

- 35. **TAKE AT 1:00 P.M.** INTERVIEW FINALISTS FOR EXECUTIVE MANAGER, JUSTICE AND PUBLIC SAFETY. <sup>3</sup> (9:58 AM) (1:05 PM) (1:20 PM) (6:37 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 35 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.074, Personnel Matters.

**Members of the Court heard from:** Linda Moore Smith, Director, Human Resources Management Department (HRMD); and Harve Franklin, HRMD.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to formally decide to add Shyra Darr to the list of individuals we interview this afternoon.

**Motion carried:**

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

**Clerk’s Note:** The list of candidates for the position of Executive Manager for the Justice and Public Safety Department are: Thomas Gould, Mary Choate, Julie McLean, Melinda Carlton, and Shyra Darr.

Item 35 to be reposted on February 18, 2003.



**ADJOURNMENT**

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to adjourn the Voting Session. (6:37 PM)

**Motion carried:** County Judge Samuel T. Biscoe    yes  
                         Precinct 1, Commissioner Ron Davis    absent  
                         Precinct 2, Commissioner Karen Sonleitner    yes  
                         Precinct 3, Commissioner Gerald Daugherty    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**