

MINUTES – NOVEMBER 14, 2000

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 14th day of November, 2000, the Commissioners' Court convened the regular Voting Session at 9:10 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 recessed the Voting Session at 12:10 PM.

The Commissioners' Court reconvened the Voting Session at 1:38 PM.

The Commissioners' Court retired to Executive Session at 2:15 PM.

The Commissioners' Court reconvened the Voting Session at 4:13 PM.

The Commissioners' Court adjourned the Voting Session at 4:16 PM.

The Commissioners' Court record notes that Precinct Three Commissioner Todd Baxter was not present during this Voting Session.

PUBLIC HEARINGS

- 1. PUBLIC HEARING FOR APPROVAL OF A PROPOSED STREET NAME ASSIGNMENT FOR A PRIVATE EASEMENT TO “SAN MIGUEL LANE” IN PRECINCT THREE. (9:11 AM)

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

Motion carried:

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

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 close the public hearing.

Motion carried:

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

Clerk’s Note: The action Item for Item 1 is Item C7. Please refer to Agenda Item 4 for the Court’s Motion and Vote.

CITIZENS COMMUNICATION

Members of the Court heard from: Kenneth Snyder, Private Citizen; Karen Cox, Executive Director, CASA; and Mary Aleshire, Private Citizen. (9:23 AM)

CONSENT ITEMS

- 4. **Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C8, and Items A1, 11.A & B, 12, 14, 16, 19, 20, 21, 22, 23, 24.A, B, & C, and 30. (9:33 AM)

Motion carried:

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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 11 PEDERNALES CANYON RANCH SUBDIVISION PHASE II – (SHORTFORM PLAT– NO FISCAL REQUIRED – 3 LOTS – 25.613 ACRES – FOSSIL TRAIL – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – OETJ).
- C4. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: LAKE POINTE 10 (LONGFORM PLAT - 11 LOTS - 37.371 ACRES - PALISADES POINTE LANE - FISCAL POSTED WITH TRAVIS COUNTY - SEWAGE SERVICE TO BE PROVIDED BY WEST TRAVIS COUNTY MUD #5 - BEE CAVES ETJ).
- C5. APPROVE PLAT FOR RECORDING IN PRECINCT THREE: REPLAT OF LOTS 107, 108, AND 109 OF THE RESUBDIVISION OF LOTS 31-39, BARTON CREEK LAKESIDE PHASE ONE AND LOTS 1-34, BARTON CREEK LAKESIDE PHASE TWO - (SHORTFORM PLAT - NO FISCAL REQUIRED - 2 LOTS - 1.673 ACRES - HAYNIE FLAT ROAD - SEWAGE SERVICE TO BE PROVIDED BY LCRA - OETJ).

CONSENT ITEMS CONTINUED

- C6.** APPROVE SETTING A PUBLIC HEARING DATE OF DECEMBER 5, 2000 IN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE THE 5' PUBLIC UTILITY EASEMENT ON EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 903 AND 1013, APACHE SHORES SECTION TWO, A SUBDIVISION IN PRECINCT THREE.
- C7.** APPROVE A PROPOSED STREET NAME ASSIGNMENT FOR A PRIVATE EASEMENT TO “SAN MIGUEL LANE” IN PRECINCT THREE.

Clerk’s Note: Item C7 is the action Item for Item 1.

- C8.** APPROVE A PROPOSED STREET NAME CHANGE FROM LAKEVIEW DRIVE TO “NAVAJO PASS” IN PRECINCT TWO.

Clerk’s Note: Item C8 is the action Item for Item 2.

- 5.** RECEIVE STATUS REPORT OF THE COMBINED CHARITIES CAMPAIGN AND TAKE APPROPRIATE ACTION. (9:36 AM)

Members of the Court heard from: Dan Richards, Chair, Travis County Combined Charities Campaign; and Cecelia Burke, Co-Chair, Travis County Combined Charities Campaign.

Discussion Only.

- 6. CONDUCT LOCAL CANVASS OF PRECINCT ELECTION RETURNS FOR STATE, COUNTY, AND PRECINCT OFFICES IN THE NOVEMBER 7, 2000 GENERAL ELECTION. (9:43 AM)

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk; Tamara Armstrong, Assistant County Attorney; and Mary Aleshire, Private Citizen.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to open the canvass and roll it over to next week.

Clerk’s Note: The County Attorney’s Office requested that beside the race for 126th District Court Judge, to put a notation that says petition for a recount submitted to the Secretary of State.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to open the canvass for the election returns for State, County, and Precinct Offices, including Judge Garcia’s recount, but not precinct 137, which would require 24 hours notice, and that we make the appropriate notation in the Judge’s race.

Motion carried:

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

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

- 7. CONSIDER MODIFIED ALIGNMENT OF SH 130 AS IT RELATES TO THE COUNTY’S NORTHEAST METROPOLITAN PARK AND TAKE ANY APPROPRIATE ACTION. (10:08 AM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the letter being sent to TTA with words of thanks for considering our input.

Motion carried:

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

8. ADOPT THE (CAMPO) CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION 2025 TRANSPORTATION PLAN. (10:14 AM)

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

Discussion Only.

Item 8 to be reposted on November 28, 2000.

9. A. CONSIDER THE CITY OF AUSTIN REQUEST FOR TRAVIS COUNTY TO ABANDON KOLLMAYER DRIVE, AND TAKE APPROPRIATE ACTION. (10:34 AM) (11:19 AM)
- B. CONSIDER LAKE AUSTIN WEST, LP PETITION FOR TRAVIS COUNTY TO OPEN A NEIGHBORHOOD ROAD PURSUANT TO SECTION 251.053, TEXAS TRANSPORTATION CODE.

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: Joe Gieselman, Executive Manager, TNR; Allison Galloway, Assistant City Attorney; David Escamilla, First Assistant County Attorney; Tom Nuckols, Assistant County Attorney; Don Koehler, Manager, Balcones Canyonlands Preserve, Parks and Recreation Department, City of Austin; Robert Kleeman, J.D., Hall & Kleeman, PLLC; Joe Lessard, Senior VP Land Development, Kucera Company; Chris Layton, Pecan Drive Resident; Reynold Shelton, Attorney, City of Austin; and Linda Jones, Murfin Road Resident.

Discussion Only.

Items 9.A and B to be reposted on November 28, 2000.

- 10. CONSIDER INTERLOCAL AGREEMENT WITH THE LOWER COLORADO RIVER AUTHORITY AND THE CITY OF AUSTIN TO CONDUCT THE ONION CREEK FEASIBILITY STUDY, AND TAKE APPROPRIATE ACTION. (1:51 PM) (1:59 PM)

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

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

Motion carried:

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

- 11. A. APPROVE ALTERNATIVE FISCAL AGREEMENT FOR GREENRIDGE PHASE 1, A SUBDIVISION IN PRECINCT TWO. (9:33 AM)
- B. APPROVE CASH SECURITY AGREEMENT FOR GREENRIDGE PHASE 1, A SUBDIVISION IN PRECINCT TWO.

Items 11.A and B added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 12. ADOPT A RESOLUTION SEEKING A WAIVER OF COUNTY COST PARTICIPATION IN A FEDERAL OFF-SYSTEM BRIDGE PROJECT AND COMMITTING TO AN EQUIVALENT EXPENDITURE OF COUNTY FUNDS ON SPRINKLE ROAD BRIDGE #103 (1997 CIP). (9:33 AM)

Item 12 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 13. APPROVE THE CALL DOWN OR EXTENSION OF LETTER OF CREDIT POSTED AS FISCAL SECURITY FOR ROAD IMPROVEMENTS FOR STONEY RIDGE PHASE A SECTION 3A AND 3B, TWO SUBDIVISIONS IN PRECINCT 4. (9:34 AM)

Item 13 pulled from the Agenda.

- 14. APPROVE AN ADDITIONAL PAYMENT TO THE TEXAS DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$51,505.00 FOR SIGNAL/MEDIAN WORK ON ROSS ROAD. (9:33 AM)

Clerk’s Note: Judge Biscoe announced that it is with the understanding that we will pay that amount in full and then Del Valle I.S.D. will reimburse us ½ of that amount.

Item 14 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 15. ADOPT A RESOLUTION SUPPORTING AN INTERAGENCY PARTNERSHIP TO IMPROVE FLOOD PLAIN MANAGEMENT IN THE LOWER COLORADO RIVER BASIN AND APPOINT REPRESENTATIVES TO SERVE ON COMMITTEES. (2:11 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the resolution; Commissioner Gómez as our main person on this group, Commissioner Baxter as the alternate on the Executive Committee, and the two technical people as recommended by TNR, Robert Good, and Stacey Scheffel.

Motion carried:

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

- 16. ADOPT REVISIONS TO SECTION 64.004 REGULATIONS FOR FLOODPLAIN MANAGEMENT AND GUIDELINES FOR DEVELOPMENT PERMITS TO INCLUDE A DEFINITION OF RECREATIONAL VEHICLES AS REQUIRED BY FEMA. (9:33 AM)

Clerk’s Note: Judge Biscoe announced that Item 16 is the definition that FEMA requires.

Item 16 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court’s Motion and Vote.

17. DIRECT STAFF TO PUBLISH NOTICE THAT TRAVIS COUNTY WILL: (2:04 PM)

A. HOLD PUBLIC HEARING TO CONSIDER WHETHER ALL OR PARTS OF LAURA REED PARK ARE NO LONGER DESIRABLE FOR PARK PURPOSES AND SHOULD BE ABANDONED, CONCURRENTLY WITH;

B. CONSIDER ALL OFFERS FOR EXCHANGE OF LAND FOR ALL OR PART OF LAURA REED PARK, AND AUTHORIZE STAFF TO TAKE ANY OTHER APPROPRIATE ACTION IN CONNECTION WITH THE PUBLIC HEARING.

Clerk’s Note: Items 17.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 hold the public hearing on December 5, 2000 as posted under Item 17.A and B in terms of all or part of Laura Reed Park.

An addition to the previous Motion was made by Commissioner Sonleitner that we make sure that we do advertising of this public hearing in the North Lake Travis Log, which is the community newspaper, in addition to any other papers that we would consider for this, and to make sure that we have a legible sign posted on or near the property.

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

ADMINISTRATIVE OPERATIONS ITEMS

- 18. RECEIVE REPORT FROM THE TRAVIS COUNTY HISTORICAL COMMISSION, DISCUSS NAME RECOMMENDATIONS FOR THE INTERMEDIATE SANCTIONS CENTER, AND TAKE APPROPRIATE ACTION. (9:10 AM) (11:47 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; John Vasquez, Retired Captain, Austin Police Department; Cecelia Crossley, Friend of David and Rita Jasso; Christine Chesna, Daughter of David Jasso; Rita Jasso, Wife of David Jasso; David Jasso, Private Citizen; and Judge John Dietz, 250th District Court.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to name the ISC building for Judge Jeanne Meurer, and that possibly we keep the information that we got about all the other candidates so that we can keep this active.

A Substitute Motion was made by Commissioner Davis of naming the ISC as W. Jeanne Meurer and David Jasso.

Clerk’s Note: The Substitute Motion dies for lack of a Second.

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

- 19. APPROVE PERSONNEL AMENDMENTS. (9:33 AM)

Item 19 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court’s Motion and Vote.

PURCHASING OFFICE ITEMS

- 20. APPROVE CONTRACT AWARD FOR JANITORIAL SERVICES - CRIMINAL JUSTICE CENTER, IFB NO. B000092-JP TO THE LOW BIDDER, MAJESTIKLEEN. (9:33 AM)

Item 20 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court’s Motion and Vote.

- 21.** APPROVE CONTRACT AWARD FOR DISHWASHING AND LAUNDRY CHEMICALS, IFB B000126-RV, TO THE LOW QUALIFIED BIDDER, ECOLAB, INC. (9:33 AM)

Item 21 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 22.** APPROVE A 12-MONTH EXTENSION (MODIFICATION NO.1) TO CONTRACT NO. 00C0300-JP, MOVE SOLUTIONS FOR MOVING SERVICES – CRIMINAL JUSTICE CENTER; CONTRACT APPROVED ON JUNE 27, 2000. (9:33 AM)

Item 22 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 23.** REJECT ALL BIDS RECEIVED FOR THE PURCHASE AND INSTALLATION OF A MANUFACTURED HOUSE FOR PACE BEND PARK, IFB NO. B000056-JP, AND RE-SOLICIT. (9:33 AM)

Item 23 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

PLANNING AND BUDGET DEPT. ITEMS

- 24.** REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:33 AM)
- A.** APPROVE GRANT CONTRACT FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS FOR THE JUVENILE DRUG COURT PROGRAM IN THE JUVENILE PROBATION DEPARTMENT.
 - B.** APPROVE GRANT CONTRACT AMENDMENT FROM THE TEXAS PARKS AND WILDLIFE FOR THE FY '99 AND FY '00 BALCONES CANYONLANDS CONSERVATION PLAN.
 - C.** APPROVE CONTRACT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS THAT PROVIDES MATCHING FUNDS FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY MANAGEMENT; AND FEDERAL EMERGENCY MANAGEMENT AGENCY (DPS-DEM/FEMA) HAZARD MITIGATION GRANT PROGRAM (ONION CREEK BUY-OUT).

Items 24.A, B, and C added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 25.** APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:35 AM)

No action necessary on Item 25.

JUSTICE AND PUBLIC SAFETY ITEMS

- 26.** CONSIDER NEW CENTRAL BOOKING INTERLOCAL AGREEMENT AND TAKE APPROPRIATE ACTION. (9:11 AM)

Item 26 pulled from the agenda.

27. APPROVE FUNDING RECOMMENDATIONS FOR THE FOLLOWING AGENCIES FOR PROVISION OF SERVICES TO VICTIMS OF CRIME IN TRAVIS COUNTY FOR FY 2001: (9:11 AM) (11:19 AM) (1:38 PM)

- A. AUSTIN/TRAVIS COUNTY MHMR CHILDRENS’ MENTAL HEALTH SERVICES
- B. CASA OF TRAVIS COUNTY, INC.
- C. FOR THE LOVE OF CHRISTI, INC.
- D. LEGAL AID SOCIETY OF CENTRAL TEXAS
- E. LIFEWORKS
- F. SAFEPLACE
- G. TRAVIS COUNTY CHILDRENS’ ADVOCACY CENTER, INC.
- H. TRAVIS COUNTY DOMESTIC RELATIONS OFFICE
- I. TRAVIS COUNTY JUVENILE COURT
- J. TRAVIS COUNTY SHERIFF’S OFFICE

Clerk’s Note: Items 27.A -J are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Caryl Colburn, Director, Counseling and Education; Gail Rice, SafePlace; Charyl Naron, Travis County Sheriff’s Office Victim Services; Cecelia Burke, Director, Domestic Relations Office; Regina Rogoff, Executive Director, Legal Aid of Central Texas; Mitch Weymand, Lifeworks; Marsha Wilkins, Clinical Director, Childrens’ Advocacy Center; and Vicki Esparza-Gregory, A-TCMHMR Children’s Division.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve Items 27.A – J.

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

OTHER ITEMS

28. **TAKE UP AT 1:30 P.M.** DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (1:51 PM)

No action necessary on Item 28.

Item 28 to be reposted on November 21, 2000.

- 29.** APPROVE RESOLUTION SUPPORTING THE TRAVIS COUNTY SHERIFF OFFICERS' ASSOCIATION'S INTENT TO SUBMIT THE MEET AND CONFER BILL FOR CONSIDERATION BY THE TEXAS LEGISLATURE. (1:53 PM)

Members of the Court heard from: Manny Mancias, President, Travis County Sheriff's Officer's Association.

Motion by Commissioner Gómez **and seconded by** Judge Biscoe to approve the resolution.

Motion carried:

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

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

Item 30 added to Consent Items. Please refer to Agenda Item 4 (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

31. A. RECEIVE BRIEFING FROM COUNTY ATTORNEY’S OFFICE REGARDING CONTRACTS WITH FLUOR DANIEL, INC., M.W. BUILDERS, GRAEBER, SIMMONS & COWAN AND OTHER CONTRACTORS FOR THE CRIMINAL JUSTICE CENTER AND TAKE APPROPRIATE ACTION. ¹ (2:15 PM) (4:15 PM)

B. RECEIVE BRIEFING FROM COUNTY ATTORNEY’S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE CENTER AND TAKE APPROPRIATE ACTION. ¹

C. 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 31.A - C are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 31.A - C would be considered in Executive Session.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the claim made by ISEC and its sub Dimension in the amount of \$36,891.00

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

- 32. DISCUSS, APPROVE OR TAKE ANY APPROPRIATE ACTION REGARDING THE SIXTH AMENDMENT OF THE LEASE BETWEEN TRAVIS COUNTY, TEXAS, AND HARRY M. WHITTINGTON D/B/A TRAVIS PROPERTIES LOCATED AT 209 W. 9TH, REDUCING THE LEASE SPACE BY 247 SQUARE FEET. ² (2:15 PM) (4:15 PM)

Judge Biscoe announced that Item 32 would be considered in Executive Session.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to approve the request that the counter reduce the lease space at 209 W 9th by 247 square feet, and that the contract be modified accordingly to reflect any cost savings that result.

Motion carried:

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

- 33. RECEIVE BRIEFING REGARDING LEASE PROPOSAL FOR THE PRECINCT 4 OFFICE BUILDING FOR TRAVIS COUNTY PROGRAMS. ² (2:15 PM) (4:14 PM)

Judge Biscoe announced that Item 33 would be considered in Executive Session.

Clerk’s Note: The Court, without objection, agreed to ask Commissioner Sonleitner and Commissioner Gómez to serve as a subcommittee of the Commissioners’ Court to work with County Staff in that search.

No action necessary on Item 33.

Item 33 to be reposted on November 28, 2000.

34. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN JUAN CAMPOS-LOPEZ CLAIM. (FRASIER; CLAIM FOR DAMAGES) ¹ (2:15 PM) (4:14 PM)

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 counteroffer and counter the counter in the amount of \$100,000.00.

Motion carried:

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

35. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN THE MATTER OF THE AUDITS FOR 1990-1994 AND 1994-1998 (TAXPAYER NO. 1-74-6000192-2; HEARINGS 35,281 AND 38,765; ORTEGA-CARTER). ¹ (2:15 PM) (4:13 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Davis that we authorize the County Attorney to make a settlement offer in the amount of \$225,000.00 conditioned upon payment of that amount resolving all outstanding issues with the State Comptroller.

Motion carried:

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

36. RECEIVE BRIEFING FROM COUNTY ATTORNEY, GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION REGARDING LITIGATION AND MEDIATION AND DESIGNATE A REPRESENTATIVE TO ATTEND MEDIATION IN LAKE AUSTIN SPA INVESTORS, LTD. V. LAKE AUSTIN RESORT, INC., ET AL.; MARY QUINLAN PARK. ¹ (2:16 PM)

Item 36 postponed until November 21, 2000.

- 37.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT OR COUNTER AWARD OF THE SPECIAL COMMISSIONERS' HEARING REGARDING PROJECT NO. 97B01-14-2CA, BRATTON LANE, LATERAL SUPPORT EASEMENT; PARCEL NO. 11; JAMES STEPHENS, AND TRAVIS COUNTY, TEXAS. (CONDEMNATION). ¹ (2:16 PM)

Item 37 postponed until November 21, 2000.

- 38.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND DISCUSS PROPOSED SETTLEMENT AMOUNT REGARDING SUBROGATION CLAIM OF TRAVIS COUNTY IN BOBBY HUCKABY VS. JAMES COSTILLA AND TAKE APPROPRIATE ACTION. ¹ (2:16 PM)

Item 38 postponed until November 21, 2000.

- 39.** RECEIVE LEGAL ADVICE FROM COUNTY ATTORNEY REGARDING MANAGEMENT CONTRACT FOR TRAVIS COUNTY FARMERS' MARKET. ¹ (2:15 PM) (4:13 PM)

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

No action necessary on Item 39.

Item 39 to be reposted on November 21, 2000.

THE FOLLOWING IS AN ADDENDUM:

- A1.** REJECT PROPOSAL RECEIVED FOR PROPERTY AND BOILER/MACHINERY INSURANCE, RFP# P010002-OJ, AND RESOLICIT PROPOSALS. (9:33 AM)

Item A1 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

